



BRITE

DIVINITY SCHOOL

BRITE GOVERNANCE HANDBOOK 2021- 2022

GOVERNANCE HANDBOOK

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FOREWORD

The Handbook for Brite Divinity School Faculty and Staff is prepared as a ready reference for answers to most questions concerning the organization, policies and procedures of the school. It is not, however, meant to be all-inclusive. More precise and detailed information may be secured from appropriate personnel and/or publications.

The provisions herein are current only at the time of publication and, with the exception of the policy relating to faculty tenure, may be reviewed, amended, or revoked by duly authorized actions of the Board of Trustees and the operating officers of the corporation with the advice, counsel, and recommendations of the Permanent Faculty. Policies and procedures that are operative for Brite staff and faculty by virtue of the Supportive Services Agreement shared by Brite and TCU can be found online at www.tcu.edu, as well as in the *Staff and Faculty Support Manual* found online at www.brite.edu.

VISION AND MISSION OF BRITE DIVINITY SCHOOL

Vision: A world transformed by God's love, justice, and mercy

Mission: Brite Divinity School educates and inspires people to serve God's diverse world as leaders in churches, the academy, and public life.

STATEMENT OF AUTHORITY AND GOVERNANCE

The Articles of Incorporation, Bylaws, and Brite Governance Handbook set forth the roles and offices of the Board of Trustees and the operating officers. In addition to the official documents of the School's Articles, Bylaws, and Brite Governance Handbook, the statement of authority and governance expresses the ethos of trust that operates in the School. This ethos of trust includes:

1. Shared governance in which trustees, chief officers, faculty, and students participate in and shape the institution through the orderly processes of committees and resolutions that have authority in the life of the school;
2. Understanding clearly the mission of the School and use of it to guide their planning, instruction, scholarship, and other activities essential to its understanding of theological education;
3. Recognizing that all constituencies of the Divinity School share in the faithful stewardship of the institution's resources through budgets, planning, teaching, spending, and research.

HISTORY OF THE DIVINITY SCHOOL

Texas Christian University has had a concern for the education of ministers since its founding as AddRan College in 1873. In the early years it fulfilled this concern within the framework of the undergraduate B.A. program. Classes in Bible were offered to all students; those wishing to prepare for the ministry simply devoted a large part of their junior and senior years to concentration in Bible and religion. In the 1890s, the board of the University set in motion plans to establish a separately endowed and governed school to provide both undergraduate and graduate education for church leadership. By 1895, bylaws for a College of the Bible had been approved. However, it was not until 1907 that the first graduate theological degree, the Bachelor of Divinity, was awarded. The B.A. was regarded as a prerequisite of this new program, but the two curricula were scarcely distinguishable.

The College of the Bible received its name, separate charter of incorporation, and its first permanent building in 1914 as the result of a gift from L.C. Brite, cattle rancher of Marfa, Texas. Though graduate enrollment was on the rise, Brite College continued to serve also as the undergraduate Department of Religion for AddRan College for another twenty-five years. In 1939, Brite initiated a standard three-year curriculum for the B.D. degree and became a member of the American Association of Theological Schools, giving up its undergraduate instruction in order to meet accreditation standards for graduate theological institutions. Two years later, this body recognized Brite as an accredited graduate theological seminary - the second Disciples seminary to receive this accreditation.

In 1963, the charter was renewed and the name was changed to Brite Divinity School. The name of the basic degree earned at Brite was changed from Bachelor of Divinity to Master of Divinity in 1967. Two years later, the Divinity School began to offer a program of study leading to the Doctor of Ministry degree. In 1988, the Master of Theological Studies and the Certificate of Theological Studies were introduced. In 1997, the American Association of Theological Schools granted Brite preliminary approval to offer the Doctor of Philosophy in two areas: Biblical Interpretation and Pastoral Theology and Pastoral Counseling. In 1999, Brite introduced two new accredited degree programs, the Master of Theology and the Master of Arts in Christian Service. The three degree programs received ongoing approval from the Association of Theological Schools in 2006. Brite changed the name of the Master of Arts in Christian Service program in 2013 to the Master of Arts in Theology and Ministry to reflect more accurately the diversity of students' academic and vocational goals.

In the school's earliest years, administrative tasks were carried as an added responsibility by persons whose primary concern was teaching. Since Brite's separate incorporation in 1914, the school has had a series of deans who have given major attention to administration with part-time teaching responsibilities. They are Colby D. Hall (1914-47), D. Ray Lindley (1947-1950), Roy C. Snodgrass (1950-1955), Elmer D. Henson (1955-1971), William E. Tucker (1971-1976), M. Jack Suggs (1976-1989), Leo G. Perdue (1989-1999), Mark G. Toulouse (1999-2002), Interim Dean David J. Gouwens (2002-2005), Nancy J. Ramsay (2005-2012), Joretta Marshall (2012-2019), and Michael Miller (2019-present).

Since 1978, TCU and Brite have affirmed a series of formal agreements specifying the relationship between the two corporations. In 1999, the Brite Board of Trustees created the office of President. Three persons have served in this office: Leo G. Perdue (1999-2002), Interim President D. Duane Cummins (2002-2003), and D. Newell Williams (2003-present).

In 1953, Brite moved into the south wing of the TCU Religion Center which was completed that year. In 1998, this main building of the Divinity School was renamed to honor contributions made to the life and work of the Divinity School by Jo Ann and Wayne Moore. The central unit of this complex is the Robert Carr Chapel, which dominates the skyline of the campus. In 2001, Leibrock Village, Brite's student housing complex, opened for occupancy. The Divinity School completed a significant expansion of its classroom, office, and special event space with the construction of the W. Oliver and Nell A. Harrison Building, which opened in 2012.

ACCREDITATION

The Association of Theological Schools in the United States and Canada was established in 1936 to provide an accrediting agency in the field of theological study. Brite Divinity School has been accredited by the Commission on Accrediting of the Association of Theological Schools since achieving accreditation in 1941, and has sustained an unbroken relationship in the organization to the present time. The following degree programs are approved: M.Div., M.A.T.M., M.T.S., D.Min., Th.M., Ph.D.

The Commission contact information is:

The Commission on Accrediting of the Association of Theological Schools
in the United States and Canada
10 Summit Park Drive
Pittsburgh, PA 15275, USA
Telephone: 412-788-6505
Fax: 412-788-6510
Website: <https://www.ats.edu/>

Brite Divinity School is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) to award masters and doctoral degrees. Questions about the accreditation of Brite Divinity School may be directed in writing to the Southern Association of Colleges and Schools Commission on Colleges at 1866 Southern Lane, Decatur, GA 30033-4097, by calling (404) 679-4500, or by using information available on SACSCOC's website (www.sacscoc.org).

CORPORATE RELATIONSHIPS

Relationship with Texas Christian University

Brite Divinity School and Texas Christian University are independent institutions. They have a rich historical relationship and enjoy a shared heritage, affiliation, traditions, and values with the Christian Church (Disciples of Christ). Both institutions recognize the tangible and intangible benefits of a supportive and collaborative relationship especially in areas of teaching and scholarly programs. In 2010 Brite and TCU reaffirmed an agreement that articulates the University's contractual commitment to provide essential administrative support, operational and maintenance services, and the vision of both institutions to assure a continuing spirit of mutual involvement, cooperation, and support for the benefit of students, staff, and faculty.

The University offers undergraduate and graduate programs leading both to Masters and Doctoral degrees. The resources and facilities of the University enrich and complement the Divinity School program.

A member of the leading educational and professional organizations in the United States, Texas Christian University is accredited and approved by the Southern University Conference, Association of Texas Colleges and Universities, Association of American Colleges, the National Association of Schools of Music, Council of Graduate Schools of the U.S., National Council for the Accreditation of Teacher Education, and many others. The University is also on the approved list of the Texas Education Agency, the Southern Association of Colleges and Schools, the Association of American Universities, the American Association of University Women, the University of the State of New York, the National Nursing Accrediting Service, and other recognized educational bodies requiring high standards of training. Chapters of Phi Beta Kappa, Sigma Xi, and other high academic societies are active at Texas Christian University.

Many of the policies for TCU employees also pertain to Brite employees. Employment benefits, retirement policies, fraternization and nepotism policies, and various financial policies can be found on the TCU website. The Human resources website also includes information about retention of records.

Relationship to Christian Church (Disciples of Christ)

Brite Divinity School is related to the Christian Church (Disciples of Christ) in many official and unofficial ways. It reports biennially to the Regional Assembly of the Christian Church (Disciples of Christ) in the Southwest. It is a member of the Christian Church (Disciples of Christ) Council on Theological Education of the Higher Education and Leadership Ministries. It receives financial support through the denomination. Brite's Director of Disciples Denominational Studies also serves on the ordaining committee of the Christian Church (Disciples of Christ) in the Southwest.

The Disciples Studies Program supports Disciples students and assists them in meeting the special needs of Disciples students through needed coursework, advises students in preparing for ordination interviews, and provides special learning opportunities about Disciples denominational life and conversations with leaders in the Disciples denomination.

Brite relates to several other ecumenical communities, including approval by the United Methodist University Senate. More information on these programs can be found in Brite's *Student Handbook*.

NONDISCRIMINATION POLICIES AND ETHOS

Brite Divinity School is an institution that values diversity and challenges structures that intentionally or unintentionally encourage discrimination. As such, we do not discriminate on the basis of race, color, national origin, religion, sex, gender identity, gender expression, sexual orientation, social class, age, disability status, citizenship status, membership or application for membership in a uniformed service, or any other category protected by applicable law. Where there are discrepancies with Federal and State policies, they supersede Brite's policies.

Brite Divinity School is an equal opportunity employer and maintains a policy of nondiscrimination with respect to all employees and applicants for employment. All personnel actions, such as recruitment, hiring, training promotion, transfer, layoff, recall, compensation and benefits, discipline, termination, and educational, recreational, and social programs are administered under the provision of our general nondiscrimination and inclusion statement. Employment decisions, subject to the legitimate business requirements of Brite, are based solely on an individual's qualifications, merits, and performance.

Brite is committed to promoting a diverse and just environment, in which language and practices support the achievement of inclusion. Specifically, Brite seeks to remove all barriers to the maintenance and aspirations of its Mission Statement and Non-Discrimination Statement in the following ways:

- Brite Divinity School promotes the intentional use of Inclusive language. This includes reference to such matters as language about God and humanity as noted in our Nondiscrimination and Inclusion Statement. Inclusive language in the classroom, chapel, and in common discourse is expected of students, staff, and faculty.
- Brite Divinity School maintains nondiscrimination in all its programs and activities, admission to these programs and activities, financial aid, and housing.

TRUSTEES AND OPERATING OFFICERS

Board of Trustees

The Board of Trustees has authority and responsibility for the School, which is chartered as a corporation under Texas law. The Board is comprised of members that include the Chancellor of TCU and the President of Brite, who serve as ex-officio members with vote. The Board sets and reviews basic policies of the institution and through its corporate officers provides for leadership, management, and oversight of the school. The procedures related to the appointment, service, evaluation and removal of Trustees are found in the Brite Divinity School Bylaws (see *Appendix*) and the Trustees Handbook.

Officers of the Corporation

The corporate officers of the corporation are designated President and Chief Executive Officer, Executive Vice President, Dean, Secretary, and Treasurer, and two Assistant Secretaries, all of whom are elected annually

Executive, Academic, and Finance Officers

Three officers of the corporation - (1) the President and Chief Executive Officer; (2) the Executive Vice President and Dean who, by virtue of the office of Dean, is the chief academic officer for the Divinity School; and (3) the Treasurer of the Corporation, also known at Brite as the Vice President of Business and Finance, who is responsible for carrying out the School's financial policies - administer the school's general and daily operations. The President is responsible to the Board and oversees the entire operation of the school. The President also serves on the Board as an ex-officio member. The Executive Vice President and Dean reports to the President and functions as the school's chief academic officer. Normally, the Executive Vice President, defined as a separate office in the Bylaws, is an office held concurrently by the Dean (see section 5.5 of the Bylaws). The Treasurer, or Vice President of Business and Finance, reports to the President and is charged with overseeing the financial and business operations of Brite. The operating officers of the corporation act in accordance with the principles, policies, and procedures specified in the appropriate manuals and handbooks of the Divinity School.

Operating officers of the corporation are elected annually by the Board of Trustees and serve at the pleasure of that body. Operating officers may be removed from office by action of the Board of Trustees. After consultation with and receipt of a written evaluation from the Permanent Faculty, the President evaluates annually the Executive Vice President and Dean. The President also evaluates the Vice President for Business and Finance. The President, based upon evaluation of job performance, may recommend to the Board that either of these officers be removed from office. The President also reviews annually all administrative staff under his or her supervision. The President is evaluated annually by the board. The President is evaluated by the faculty as a tenured faculty member during the regular five-year review. The Executive Vice President and Dean is also evaluated as a tenured faculty member during the regular five-year review of Permanent Faculty.

Executive and Academic Officers of the School

Two of the corporation's operating officers, the President and Chief Executive Officer and the Executive Vice President and Dean, serve as the school's executive and academic officers, respectively. As such, these officers shall possess, in addition to administrative competencies, the academic qualifications required for membership and continuance on the Permanent Faculty, normally at the rank of full professor or associate professor with tenure. These qualifications include the Ph.D. in an appropriate field of theological education, seasoned experience in the classrooms of theological education, and a record of appropriate scholarly research and publication.

Their admission to the Permanent Faculty, designation of academic rank, and tenure are confirmed by the Board of Trustees upon the recommendation of the President or interim President, who normally is the Executive Vice President and Dean. Tenure relates solely to their status, rights, and obligations as members of the Permanent Faculty. The tenured faculty may, upon reviewing the credentials of the President, invite the President to be a participant in all activities of the tenured faculty as a peer with voice and vote.

SEARCH PROCEDURES FOR OFFICERS

Search Procedures: Office of President and Chief Executive Officer

Upon declaring an opening for the office of President and Chief Executive Officer, the chair of the Board of Trustees will constitute and chair a search committee comprised of two members of the Board and five members of the Permanent Faculty (three elected by the faculty and two appointed by the Board chair). The Search Committee will present to the Board the name of its recommended candidate for election.

Search Procedures: Office of Executive Vice-President and/or Dean

Upon declaring an opening for either the office of Executive Vice President or the office of Dean, or both, the President will constitute and chair a search committee comprised of five members of the Permanent Faculty (three elected by the faculty and two appointed by the President) and a member of the Board of Trustees. The Search Committee will present to the Board the name of its recommended candidate for election. Normally, the office of Executive Vice-President and the Office of Dean are held by the same person.

FACULTY AND STAFF

THE PERMANENT FACULTY

The Permanent Faculty is comprised of persons engaged in instruction and other services on a continuing and full-time basis who hold academic rank of full professor, associate professor, assistant professor, instructor, professor-in-residence or minister-in-residence. Admission to membership on the Permanent Faculty and designations of faculty academic rank are discussed in later sections of this *Handbook*.

The Permanent Faculty confers and acts, in partnership with the school's executive and academic officers, to review academic policies of the school, and in cooperation with the Dean, to develop and provide for matters relating to the scope, nature, integrity, and quality of the school's educational undertakings. Normally, academic policies are developed through the school's committee structure, with committees making recommendations to the faculty that result in a majority vote of the faculty.

The Permanent Faculty hears reports from school committees, executive and academic officers, and members of the administrative staff and acts on policies and other educational concerns at its regular meetings (usually monthly, throughout the academic year), presided over by the Dean. Those other than members of the Permanent Faculty who attend such meetings—in view of their administrative obligations and/or at the invitation of the President, the Dean, or Permanent Faculty—are normally accorded by the Permanent Faculty the privilege of voice without vote.

During the academic year, the President or Dean may call special meetings of the Permanent Faculty in order to deal with matters requiring urgent consideration.

The Tenured Faculty

The Tenured Faculty are members of the Permanent Faculty who generally hold the rank of associate professor or full professor and have been granted tenure by the Board of Trustees upon the recommendation of the school's Dean, with the recommendation of the faculty and approval of the President. Generally tenured faculty hold the Ph.D. degree in an appropriate theological discipline. The recommendation for tenure is made once the school's faculty and Dean have followed normal procedures guiding consideration for questions of tenure and promotion, as outlined in the sections on tenure below.

The Tenured Faculty meet in accordance with tenure and promotion guidelines and at the call of the Dean, to conduct evaluative reviews of untenured members of the Permanent Faculty and to consider recommendations for advancement in faculty rank and tenure. All members of the Permanent Faculty will conduct evaluative reviews of tenured colleagues in accordance with the policies and procedures for post-tenure review. The Dean may call special meetings of the Tenured Faculty in order to confer on concerns relating specifically to tenure and promotion.

STAFF

Officially, all appointments are made by the President, after consultation with the Permanent Faculty. These include appointments to the administrative staff. The process to be followed for joint faculty-administrative positions is described below, in the context of faculty searches. In other cases, the President confers with or formally appoints an ad-hoc advisory group, which normally includes no less than one member of the Permanent Faculty, in order to aid in the selection process. Members of the General Staff are ultimately accountable to the President in accordance with the personnel policies and procedures of Brite Divinity School.

Each employee of the Divinity School serves at the pleasure of the President, except that Tenured Faculty may be removed only by strict adherence to the procedures laid down elsewhere in this manual for the termination of tenured faculty. As chief executive officer, the President may reassign responsibilities and change administrative titles with respect to existing members of the full-time and part-time administrative staff. The President oversees appropriate performance evaluations with regard to administrative service annually.

Faculty or staff hired on an indefinite basis under terms of grants and contracts will be subject to the same rules of employment as other Divinity School personnel.

The *Staff and Faculty Manual* also provides information on policies related to institutional operations.

The Administrative Staff

Administrative staff members are persons appointed by the President with responsibilities for specified administrative tasks requiring part-time or full-time service. They carry out their administrative duties under general supervision of the school's executive and academic officers, in partnership with them and with the Permanent Faculty. Administrative staff normally serve on the basis of annual, renewable terms.

Occasionally, administrative positions are connected with faculty slots which may or may not be tenure-track. These positions may include, but are not limited to, the Director of Field Education and Supervised Ministry, the Director of Lay and Continuing Education, the Director of the Library, the Associate Dean for Academic Affairs, and the Associate Dean for Common Life and Director of Admissions.

The administrative staff meets during regularly scheduled periods in various groups to discuss the operation of the school. The administrative staff may consist of tenured, tenure-track, or non-tenured members. The President presides over staff meetings and invites appropriate people to participate.

Joint Faculty Administrative Positions

Some positions combine administrative responsibilities with teaching responsibilities. In particular cases (for example, Director of Field Education and Supervised Ministry, Theological Librarian,

Associate Dean) positions may be tenure track as defined by the contracts of the persons in place. The competency in administration of persons holding Joint Faculty-Administrative positions, whether they are non-tenured, tenure-track, or tenured, will be evaluated annually, according to the respective procedures for review of non-tenured faculty or tenured faculty. This evaluation will include a written evaluation from the Dean, who will consult with the person's immediate supervisor if other than the Dean.

The following criteria guide processes in designating a faculty-administrative position:

1. **Academic qualifications and disciplinary "fit:"** Scholarly credentials in a theological discipline are ordinarily a PhD in the field with demonstrated commitments to ongoing scholarship and teaching commensurate with other candidates for faculty positions at Brite and well aligned with the academic and intellectual commitments of the Brite faculty especially in the area of the appointee's discipline.
2. **Administrative qualifications:** The appointee's administrative expertise and experience should be commensurate with other administrative appointments at Brite and her or his qualifications and commitments should be well aligned with the institutional commitments of Brite.
3. **Institutional need:** The appointee's scholarly or administrative expertise should enrich and expand not duplicate expertise and competencies present in the faculty or administrative staff.
4. **Time-Management:** A joint faculty-administrative position presumes that the appointee will be able to meet the administrative expectations of the position and fulfill teaching and scholarship expectations for tenure at an appropriate schedule for a joint position. The scholarly and teaching expectations for tenure for the appointee will be specified at the time of the appointment. Teaching responsibilities will not exceed half-time.

PERSONNEL RECORDS AND PERFORMANCE REVIEWS

Personnel files are confidential, and information is protected. In situations involving promotions or transfers, prospective supervisors may review current and past performance appraisal forms. All Brite employees shall participate in annual formal performance reviews with their supervisor. Normally, the supervisor and employee will follow the TCU guidelines for these reviews. For more information, see the TCU website (www.hr.tcu.edu).

All documents related to the appointment, reappointment and promotion process are part of the faculty or staff member's personnel file and are accessible to that person according to State and Federal law. Employment records are dually maintained in the office of the Dean or President at Brite, and also in Human Resources at TCU. Official faculty personnel files are maintained in the Dean's or the President's Office. Faculty who wish to view their files should contact the Dean's office. Staff files and additional files on faculty are located in the Human Resources Department where they may be reviewed by appointment.

Members of the Permanent Faculty are to provide an annual review and current CV on or before January 31 of each year. This material should be forwarded to the office of the Executive Vice

President and Dean. A guide for this material is available in the Appendix of the *Governance Handbook*.

STAFF AND FACULTY LEAVE OF ABSENCE

Members of the Permanent Faculty and other staff members may request leaves of absence without pay for military duty and other significant personal and/or professional purposes. The Divinity School, in compliance with the Family and Medical Leave Act of 1993, provides up to twelve weeks of paid leave to eligible faculty and staff in the following situations: 1) childbirth, adoption or acceptance of a foster child; 2) to care for a seriously ill spouse, child, or parents; 3) for the person's own serious illness. Leave is granted provided certain conditions are met.

Because of Brite's unique relationship with TCU, the policies of TCU's Human Resources are often applicable. Staff and faculty who are interested in requesting a leave should be in touch with the Dean's office, one's immediate supervisor at Brite, or with TCU's HR personnel. Most personnel policies can be found at www.hr.tcu.edu.

Faculty who seek leaves of absence should submit their requests as far in advance of the anticipated leave period as possible, normally at least several months. Such requests should be designed so as to cause the least possible difficulty for the fulfillment of the work of Brite Divinity School. They should normally not involve extending regular (periodic) faculty research leaves. Approval of requests for leave of absence may entail the readjustment of the research leave schedule projected for the faculty member. Requests for leave of absence for faculty members are made to the Dean, who may grant them for good cause for the period requested which falls within the faculty member's term of appointment. The Dean may, at his or her discretion, seek the advice of the Faculty Committee in deciding on requests for leaves of absence.

REMOVAL OR DISCHARGE OF EMPLOYEES

Except as provided for in Divinity School policy described in the tenure statement, Divinity School bylaws state that any employee may be removed, discharged, and/or suspended by the Chief Executive Officer (President) when, in his or her judgment, the interest of the Divinity School shall require it. In such cases, normal grievance procedures will be observed. However, Permanent Faculty who hold "tenure" may be removed, discharged and/or suspended only in accordance with provisions shown in the tenure policy and/or the Dismissal Policy.

FACULTY GOVERNANCE

Members of the Permanent Faculty are entrusted by the Board of Trustees with responsibilities of shared governance with the school's executive and academic officers and administrative staff, especially but not exclusively with regard to defining, upholding, and contributing to the school's commitment to quality education in keeping with its mission. Hence responsible participation in the structures and the processes for school governance is every faculty member's right and obligation, and as such an integral aspect of and criterion for membership on the Permanent Faculty.

Shared governance between administrative officers, administrative staff, and the Permanent Faculty is normally exercised through faculty committees, which report to the Permanent Faculty at its regular meetings and propose items of business. To make the work of Brite Divinity School more effective, the school assigns to committee's responsibilities in certain areas with the expectation that the committees will give the special time necessary for policy and program recommendations. In addition to policy and program responsibilities, almost every committee will carry with it some para-administrative duties for implementing some aspects of program. Generally speaking, proposals of new policies or programs move from committees as recommendations to the faculty and are then subject to administrative review. Administrative review includes such relatively obvious matters as financial feasibility but also complicated issues such as introduction of new degree programs requiring approval by the Association of Theological Schools.

Each committee has an administrative liaison who works with the committee in formulating new policies and carrying out its assigned tasks. Decisions within existing policy and program requirements are normally reported to faculty. With the exception of the Faculty committee, the membership of these committees is appointed by the Dean. At the beginning of each academic year, the Executive Vice President and Dean assigns each faculty member to serve on Divinity School committees. Each faculty member normally serves on at least one committee, sometimes serving as chairperson. Every effort is made for equitable distribution of committee workload. Committees are normally chaired by a member of the Permanent Faculty (normally, with tenure) and composed of members of the Permanent Faculty, an executive or academic officer or administrative staff member, who may or may not belong to the Permanent Faculty (who also serves as administrative liaison), and normally at least one student appointed by the Dean or President.

The Dean may constitute, as necessary, reorganized and/or additional standing committees, as well as ad hoc committees for faculty searches and other tasks in order to address and/or facilitate handling of school business. At this point in time, the following committees constitute the Faculty Standing Committees (Fall 2018).

FACULTY STANDING COMMITTEES

Faculty Committee: All Permanent Faculty members, except the Dean and the President, are eligible for membership on the Faculty Committee. Up to one untenured Permanent Faculty member may serve on the Faculty Committee and the Faculty Advisory Committee. Two members

are to be elected for two-year terms by the Permanent Faculty. Two members are to be appointed by the Dean for two-year terms.

Elections to the Faculty Committee shall take place whenever the term of an elected faculty member has run out. Elections generally take place by ballot during the Spring semester for the next year (no later than the April faculty meeting). The Dean and the current chair of the Faculty Committee will supervise the election. Election ballots shall be distributed to all Permanent Faculty members. Voters may indicate one choice or two choices, as appropriate, for the vacancy or vacancies. The candidate or candidates receiving a plurality will be declared elected. All ties in any balloting shall lead to another vote. The Dean shall announce his or her appointees within one week after the results of any election are tabulated. The committee shall elect a chair for the ensuing year at a meeting to be held before the end of the Spring semester. The chair of the Faculty Advisory Committee may be a different chair than the chair of the Faculty Committee. When members of the Faculty Committee are on leave, interim members shall either be appointed or elected as appropriate to the status of the member on leave. When the faculty member returns from leave, she or he will resume membership on the committee for any time remaining in the term. Any member who has served a full two year-term shall not be eligible for election or appointment for at least a one-year period. If possible, the term of service shall be staggered so that the terms of no more than two members expire in the same year.

The Faculty Committee at Brite Divinity School will serve as the Faculty Advisory Committee in matters of tenure and promotion and in consultation with the Dean around Faculty matters. This Committee advises the Dean on matters relating to faculty concerns and procedural matters such as: recommending faculty searches; approving recommendations for all occasional and adjunct faculty (including TRG leaders); approving research leave proposals and receiving reports; and overseeing the faculty's contributions to the long-range and strategic planning processes of the institution. In addition, it oversees the faculty's participation in the nomination annually of a member of the faculty for the Chancellor's Award for Creative Teaching and Scholarship; and the faculty's selection of a colleague for the Hill Faculty award. Administrative Liaison is the Dean.

Faculty Advisory Committee: In accordance with the *Governance Handbook*, the Faculty Committee serves as the Faculty Advisory Committee to advise the Dean on all matters relating to tenure and promotion. In addition, the Dean may consult with the Faculty Advisory Committee on other matters related to faculty personnel issues. The administrative Liaison is the Dean.

Masters Programs Committee: Normally chaired by a member of the Permanent Faculty. This committee coordinates matters relating to all masters programs (except the Th.M.) and recommends policies and procedures for those programs. In particular, it tracks assessments of masters curricula and engages the faculty in ongoing conversations related to the curriculum. The committee may engage the Theological Librarian, as needed, regarding library resources and policies supporting masters programs. The Administrative Liaison is the Dean and/or the Associate Dean for Academic Affairs. Normally a first Masters student is appointed by the Dean to serve on the committee.

Masters Admissions Committee: Normally chaired by a member of the Permanent Faculty. This committee reviews all application files and makes decisions on admissions; applies admissions

standards reviewed by the faculty; and advises the Director of Admissions on matters related to entering students. Administrative Liaisons are the Director of Admissions and the Associate Dean for Academic Affairs.

Advanced Programs Committee: Normally chaired by a member of the Permanent Faculty. This committee coordinates all matters relating to the PhD. and Th.M. programs at Brite, including degree program assessment. The committee reviews and approves dissertation proposals, student travel grant requests, and along with the Associate Dean for Academic Affairs, program extension requests. The committee also makes recommendations to the faculty for policies and procedures for those programs. Administrative Liaison is the Associate Dean for Academic Affairs. Normally a PhD or ThM student is appointed by the Dean to serve on the committee, with the exception of being present during the review of proposals or student matters.

Doctor of Ministry Committee: Normally chaired by the Director of the Doctor of Ministry program. The committee reviews all aspects of the D.Min., including assessing the program and recommending to the faculty any curricular changes to the program. The committee also works on mid-level reviews for students in the program and approves DMin proposals before they move forward for IRB approval (if needed).

FACULTY MEETINGS

Normally, the Permanent Faculty of Brite meets once each month during the fall and spring semester, and at the call of the Executive Vice President and Dean or the President. All members of the Permanent Faculty are voting members. The meeting is chaired by the Executive Vice President and Dean. With the vote and consent of the Permanent Faculty, the Dean and/or President may suggest other staff members to be invited to attend the meetings with voice, but not vote (e.g., Associate Dean of Students and Director of Admissions, Executive Staff members, etc.).

Normally, the Permanent Faculty shall be notified at least 2 weeks prior to any called meeting. A quorum is reached when 50% or more of the Permanent Faculty (not including those on research leaves) are present. Normally, matters are decided by simple majority, except on agenda items identified in the *Governance Handbook*, or when there is a vote to suspend the rules for purposes of a particular agenda item. Voting procedures may include hand vote, audible vote, or paper ballots.

In order to vote on an agenda item, a faculty member must be present for the meeting. Voting by proxy is not allowed. However, if a faculty member is not able to be present for a meeting and wishes to vote on an item, it is permissible for that member to be present electronically (phone, conference call, Skype, etc.) for the conversation related to that item and cast a vote electronically.

FACULTY AND JOINT FACULTY-ADMINISTRATIVE SEARCHES

Permanent (Full-Time) Faculty

The Dean, on the recommendation of the Faculty Committee and the Permanent Faculty, and with the approval of the President, will declare an opening for a Permanent (full-time) Faculty post. The Dean will constitute a search committee of the Permanent Faculty, the Dean, and, normally, a student representative (and, if deemed important, other, ex officio members) for conducting the search. The student on the committee has voice, but not vote. The Faculty Committee holds final approval for the composition of the Search Committee.

Letters of reference requested by the committee will be accessible only to the search committee. Members of the Permanent Faculty will have access to other materials supplied by the candidates (letters of application, course syllabi, writing samples, etc.) whom the committee proposes for on-campus visits.

The Search Committee will make recommendation(s) to the Permanent Faculty. The recommendation will include a statement summarizing the reasons for the recommendation. Summaries of opinions from relevant group may be forwarded to the Permanent Faculty. The recommendation should include a beginning date, rank, tenure-status, and other matters of relevance.

The name of a candidate brought forward by the search committee and approved by a 2/3 majority vote of the Permanent Faculty members present to vote (in person, via Skype, conference call, or other electronic form) will be forwarded to the Dean of the Faculty and President for their approval. If a 2/3 vote is not forthcoming, or if the President rejects the faculty's choice, the matter will return to the Search Committee for further action.

The Dean will handle the appointment negotiations and keep the faculty and President informed about the progress toward the completion of the negotiations.

Search procedures for the executive and academic officers of the school are discussed above, as are the policies governing the admission of these officers to membership in the Permanent Faculty.

Joint Faculty-Administrative Positions

If the intention of the operating officers is to seek a person with credentials for a joint faculty-administrative position, a search committee will be appointed in the usual way, as it is for other Permanent Faculty members. The Dean of the Faculty will constitute a search committee of the Permanent Faculty and normally a student representative (and, as necessary, any other, ex officio members) for conducting the search. Designation of the academic qualifications, field(s) of instruction, initial faculty rank, and tenurability of persons in such posts will be made when the opening is declared or when the Permanent Faculty receives and approves the Search Committee's recommendation.

Other Faculty Appointments

The names and credentials of persons offering course-length instruction of any type at Brite will be brought before the Faculty Committee by the Dean or the Associate Dean for Academic Affairs for review. The Faculty Committee will bring recommendations concerning these appointments to the Permanent Faculty for action at regular faculty meetings. All appointments are also approved by the President.

Once a person has taught for Brite and the Dean has reviewed the course evaluations, they may be asked to return for another course. An Adjunct or Affiliate who has not taught within the previous three years, or who is expected to teach in a field or area of study for which they have not been previously approved, will require a review and action by the faculty before contracts are extended.

Appointments and Contracts

Following the positive recommendation by the Permanent Faculty and President, the Dean will write an appointment letter for the new faculty member. The Dean issues letters of appointment with copies to the President and the Vice President for Business and Finance.

Members of the Permanent Faculty (other than joint faculty-administrative appointments) are employed on the basis of a nine-month year, for which they receive twelve (12) monthly pay checks. If faculty members conclude their service (either by their resignation or dismissal by the school) with Brite Divinity School, payment of all remaining monthly pay checks due to them will either follow the normal schedule or be negotiated between the institution and the faculty member to follow an alternative schedule.

Assignments for summer work are neither guaranteed nor required. In light of program needs, however, the Dean and Permanent Faculty members are expected to seek reasonable and mutually agreeable terms for such additional service. Upon request, faculty on nine-month appointments may receive their year's salary in nine checks.

FACULTY APPOINTMENTS

The Brite Divinity School faculty is composed of those duly authorized by the school's Permanent Faculty to offer instruction in the school's programs of study. Letters of appointment, contracts, faculty classification, including rank, oversight, and administrative arrangements relating to faculty appointment are handled by the school's executive and academic officers, who act on behalf of the Board of Trustees and in accordance with established school policies and procedures and after consultation with the Permanent Faculty.

The following should be regarded as firm but not absolute criteria because unusual circumstances and qualifications may justify special procedures. Professional credentials of the faculty holding the rank of Assistant Professor or higher are understood to include the appropriate terminal academic degree or the earned professional equivalents. For such degrees and equivalents, teaching experience is not an allowable substitute. The terms of appointment to any academic rank will be stated in writing by the Dean or the President of the Divinity School at the time appointment is made and in accordance with procedures described in the *Brite Governance Handbook*.

The Permanent Faculty may also include certain persons whose continuing, full-time positions involve both instructional and administrative responsibilities. These positions are of three sorts:

- (1) The full-time services of executive or academic officers of the school admitted to membership on the Permanent Faculty include both instructional and administrative duties. Members of the Permanent faculty who are elected by the Board as the school's executive and academic officers retain their membership on the Permanent Faculty. In other cases, those elected by the Board as the school's executive or academic officers may become members of the Permanent faculty upon a recommendation made to the President or Interim President by the Faculty Advisory Committee after a majority vote of the Permanent Faculty. The school's operating officers engage in teaching to the extent their administrative duties permit (normally no less than one course per year). Their faculty rank, promotion, and tenure are determined in accordance with the policies and procedures governing all members of the Permanent Faculty. (Rev. 3/03) The tenured faculty may, upon reviewing the credentials of the President, invite the President to be a participant in all activities of the tenured faculty as a peer with voice and vote.
- (2) The President appoints to certain administrative staff positions persons who are qualified for membership on the Permanent Faculty and who divide their time between administrative assignments and instructional service (Administrative Faculty Positions). Appointees to administrative staff positions may become members of the Permanent Faculty (tenure or non-tenure track) following an interview with the faculty by majority vote of that body acting upon the recommendation of the Faculty Committee, Dean, and President. Initiative in considering a joint faculty-administrative appointment may come from a faculty member or staff member or candidate for a position or from the Dean or President. Once initiated, a C.V. and letter of interest to the Faculty Committee from the applicant, indicating fit with the criteria outlined will be requested and the recommendation process will be as described above. Faculty rank,

promotion, and tenure are determined in accordance with the policies and procedures governing all members of the Permanent Faculty though the probationary schedule for faculty-administrative appointments is ordinarily extended by three to five years.

- (3) Some appointments may be designated as Joint Faculty-Administrative appointments.

Permanent faculty members who assume administrative staff positions retain their membership on the Permanent Faculty. Membership on the Permanent Faculty does not imply one holds a tenure-track position or a tenured position on the faculty.

Permanent Faculty are persons who are duly authorized to offer instruction, share in governance, and perform other professional services on a full-time and continuing basis at the ranks of full professor, associate professor, assistant professor, instructor, minister-in-residence, or professor-in-residence. Faculty appointments to the ranks of assistant, associate, and full professor require the completion of the highest (“terminal”) academic degree in the faculty member’s field of instructional and scholarly responsibility.

INITIAL APPOINTMENT TO FACULTY

The terms “reappointment,” “promotion,” and “tenure” refer to matters that are distinct but in certain respects interrelated. The criteria for reappointment, promotion, and tenure are essentially the same for all members of the Permanent Faculty—teaching, scholarship, shared governance and professional service. Four points, however, are to be noted:

1. This classification and account of faculty ranks set forth above follows historic and widespread academic traditions regarding a path of career development that normally proceeds from instructor to assistant professor to associate professor, and to full professor (and, upon retirement, emeritus/a professor), although certain features important for theological education generally and Brite Divinity School’s mission are incorporated. The faculty ranks are distinguished in terms of professional qualifications for performing faculty service and the development of an on-going, cumulative record of professional competencies and achievements in teaching, scholarship, and shared governance and service.
2. If appointment to the rank of instructor is designated a tenure-track position at the time of appointment, reappointment to this position will normally be limited to no more than two years before consideration of advancement to assistant professor rank or dismissal.
3. Prior to and/or apart from the granting of tenure, persons duly appointed to membership in the Permanent Faculty receive from the school’s Dean a letter and contract which designates their posts as tenure-track or non-tenured. Tenure-track faculty are considered to be “in progress” (“under probation” is a term frequently used in academic settings) to tenure, and are encouraged and expected to establish a record of professional achievement which will merit a recommendation of tenure from the tenured faculty and the operating officers, and its approval by the Board of Trustees. Progress toward tenure is closely monitored in several ways, as specified in the Pre-Tenure Review procedures.
4. The maximum periods of time available to tenure-track faculty to establish records of professional achievement which qualify for tenure vary according to faculty rank as specified

above. Tenure gained at another institution shall not be directly or automatically transferred to Brite Divinity School. However, Brite will grant credit in most cases for years of previous untenured or tenured service on the faculties of other institutions. Credit for such service (and hence the schedule for promotion and tenure review) shall be negotiated* at the time of initial appointment to tenure-track membership on Brite's Permanent Faculty.

The following should be taken into consideration:

(1) The Dean, in consultation with the President and with the Permanent Faculty, may grant advanced standing to those candidates whose records of prior service and professional achievement fulfill Brite's standards. Professors and associate professors who come to the Divinity School with prior tenure status at a fully accredited institution of higher learning may have the probationary provision waived upon the recommendation of the Permanent faculty, the Dean, and the approval of the President. The recommendation for waiver shall be reviewed in parallel with recommendation for initial appointment.

(2) Decisions regarding credit for prior service at other institutions are made only at the time of appointment to Brite's Permanent Faculty, and are irrevocable. In accordance with AAUP guidelines, Brite generally will count years of service at other schools, following completion of the highest (terminal) degree, as years in progress (or "under probation") to promotion and tenure, regardless of titles those other schools may have assigned their faculty members. Brite's standards for promotion and tenure are non-negotiable. The limited flexibility available to Brite's Permanent Faculty and candidates for appointment as its tenure-track members once the time-clock countdown is set for a decision regarding promotion and tenure should be carefully considered in negotiations regarding credit for prior service. Candidates may choose to negotiate a longer tenure-track, but in all cases, the tenure-track, while at Brite, shall not exceed six years for Permanent Faculty with no assigned administrative responsibilities, and nine or ten years for Permanent Faculty in a joint administrative-faculty post.

(3) Exceptional progress in fulfilling Brite's criteria for promotion and/or tenure may be judged by the tenured faculty, the Dean, and the President to represent grounds for granting advancement in rank from instructor to assistant professor, assistant professor to associate professor (with or in anticipation of a recommendation of tenure to follow within two years), or associate professor to full professor in an expedited fashion.

REAPPOINTMENT TO FACULTY

Reappointment to the Permanent Faculty for those who are pre-tenure (including those in tenure-track positions as join faculty administrative positions), follow procedures outlined in the Pre-Tenure Review Procedures.

Tenured faculty members participate in a review by the Permanent Faculty every five years.

Reappointment letters are delivered prior to May 1, each academic year.

DESIGNATION OF FACULTY RANK

1. **Instructor.** This rank is normally assigned to persons who have advanced toward but not yet completed the terminal academic degree in their field and demonstrate evidence of competence and high promise for assuming the tasks of teaching, scholarship, and shared governance and professional service.
2. **Assistant Professor.** Appointed to this rank are persons who, having completed the terminal academic degree in their field, show evidence of competence and high promise for assuming the tasks of teaching, scholarship, and shared governance and professional service. As a general rule, six years of service in this rank are expected before consideration for promotion to an associate professorship.
3. **Associate Professor.** This rank is granted to persons who, by their records of service as instructors and/or assistant professors, have demonstrated high professional competence and commitment to continued professional growth in the areas of teaching, scholarship, and shared governance and professional service. As a general rule, five years of service in this rank are expected before consideration for promotion to a full professorship.
4. **Full Professor.** Persons appointed to this rank are tenured faculty who have demonstrated distinguished accomplishment in the three criteria for tenure and promotion: teaching, scholarship, and shared governance and service, and who have demonstrated national or international recognition among leading scholars in their discipline for sustained and excellent research, taught at consistently high levels of effectiveness, and demonstrated a sustained level of service to the institution and their discipline.
5. **Minister-in-Residence.** This rank is assigned to persons who, having completed an appropriate advanced professional degree or terminal academic degree and attained a record of distinction in church ministry, are called to the Permanent Faculty with distinct responsibilities for offering instruction in areas of theological education relating to the professional responsibilities, skills, and practice(s) of ministry in local congregations and/or other specific settings. This is a non-tenure track rank. The title “Distinguished” may be added to this rank by the Dean in cases where the person has a sustained and particularly distinguished record of ministry. Evaluation for reappointment weighs research (as appropriate), teaching, shared governance and professional service as the critical indices of quality performance.
6. **Professor-in-Residence.** This rank is assigned to persons who have completed an appropriate doctoral degree in a field relevant to the seminary curriculum, and who generally possess administrative responsibilities in the seminary community. Such persons, based upon a record of appropriate graduate seminary teaching experience and a record of scholarly publication, are called to the Permanent Faculty with responsibilities for instruction in areas related to their expertise. This is a non-tenure track rank. The title “Distinguished” may be added to this rank by the Dean in cases where the person has a sustained and particularly distinguished record of teaching and scholarship. Evaluation for reappointment weighs research (as appropriate), teaching, shared governance and professional service as the critical indices of quality performance.

APPOINTMENTS TO FACULTY POSITIONS APART FROM MEMBERSHIP ON THE PERMANENT FACULTY

Persons appointed to offer instruction in Brite's programs of study, apart from membership on the Permanent Faculty, are recognized as faculty members under the following designations:

1. **Adjunct Faculty.** The adjunct title with appropriate rank may be conferred on those persons with appropriate academic credentials and/or experience who are appointed to serve as resource persons in various programs. Adjunct faculty are entrusted with responsibility for instructional tasks on a course-by-course and part-time basis. Persons who have been approved to serve as occasional faculty at Brite do not need re-approval for subsequent teaching opportunities that occur within three years of the initial approval. Graduate students serving as occasional faculty may be approved for two consecutive semesters pending review of performance by the Dean in consultation with the students' advisor.
2. **Affiliate Faculty:** Upon the recommendation of the Dean, the Faculty Committee may request that some adjunct faculty be appointed as "Affiliate Faculty." To be eligible for this, adjunct faculty must have taught for five years at Brite on a consistent basis, at least once/year, or as part of the rotation of courses that meet requirements in degree programs each year or every two years. All persons who are named as Affiliate Faculty must be approved by the Faculty every five years. Normally, Affiliate Faculty do not participate in Faculty meetings, but are invited to participate in the life of the institution in other ways.
3. **Visiting Faculty.** Persons with faculty status at other institutions (within the U.S. or beyond) may be appointed for full time or part-time instruction and/or other service at Brite for a specified period of time, usually a semester or academic year. Temporary appointment as a lecturer is by special contract for a fixed service period with no obligation on the part of the school to extend or renew. Visiting International Professors are persons holding faculty status at other international institutions appointed for full or part-time instruction and/or other service at Brite for a specified period of time, usually a semester or full year.
4. **Research Faculty.** Research Professors in this category may be retired or independent scholars with whom Brite contracts for occasional teaching and availability with faculty and students for particular periods of time and areas of responsibility. In the case of recently retired emerita/us faculty the persons may be designated as Distinguished Research Professor. Such persons receive library privileges. Research faculty may or may not be visiting faculty.
5. **Visiting Scholar.** Visiting scholars choose to do research and writing at Brite Divinity School. Such recognition usually includes an advance letter of confirmation or invitation from Brite's Dean to the Dean at the Scholar's home institution. Visiting scholars receive library privileges. Often such persons are available for guest lectures or other occasional presentations with faculty colleagues and or students.

6. **Emeritus/a Faculty.** Emeritus/a rank is indicated by adding the term “Emeritus/a” before the rank held by the faculty member at the time of retirement. Candidates for emeritus/a status normally will have been associated with Brite Divinity School for a significant period of time. Earlier service at other institutions of higher education may also be considered. They will have attained the rank of associate professor or full professor with tenure, and contributed meritorious service to the school/s. Emeritus/a status neither entitles the holder to a stipend from the school nor requires any continued service, but emeritus/a faculty are accorded full faculty status with regard to faculty collegiality, social activities, library, and parking in designated spaces for emeritus/a faculty. With the retiree’s (candidate’s) consent, the tenured faculty of the school shall meet and review retiring faculty for the purpose of recommending emeritus/a status. The subsequent procedures for nomination and appointment to emeritus/a status are the same as those for promotion in rank. Upon the recommendation of the tenured faculty and Dean, the President presents the candidate to the board for emeritus/a status. The board makes the final decision. Emeritus and retired faculty from Brite or TCU do not need additional approval from the Faculty for the Dean to invite them to serve as occasional faculty.

GENERAL CRITERIA FOR APPOINTMENT, PROMOTION, AND TENURE

The activities which guide promotion and tenure decisions at Brite Divinity School fall into three areas of professional competency and achievement: (1) teaching, (2) scholarship, and (3) shared governance and professional service. The importance of these areas has long been recognized as central among American institutions of higher learning. Brite Divinity School considers all three of them essential for faculty engaged in graduate theological education.

Teaching

In its Mission Statement, Brite affirms its commitment to providing programs of instruction designed to educate women and men for the ministries of the church in the world. Hence Brite seeks for its faculty teachers capable of offering instruction in such programs with knowledge of their discipline, continuing curiosity and passion for learning, and desire for and effectiveness in leading students to the appropriation of the values, content, and skills relating to the field of study.

Brite Divinity School offers diverse programs of graduate theological study, and every faculty member teaches in at least several of them. The evaluation of teaching must take into account the work of the faculty member in all of the programs in which he or she is involved.

Chief factors weighed in judgments of teaching competence are the following: Teachers should transmit to students the fund of knowledge relating to the field, and in such a way that students may make it their own possession. They should also foster in students an openness to emerging understandings, and enable them to develop the critical and self-critical capacities for analyzing and judging their own views and those of others. They should also provide students with an understanding of the processes and resources by which knowledge and skills are acquired and encourage students to engage in those processes. They should set for students high, attainable, standards of performance and evaluate their performance fairly. They should design and conduct their classes in such a way that there is reasonable assurance that such goals will be met.

Evaluation of faculty teaching competence is dependent on multiple considerations: written and verbal reports of students, insights of colleagues gained from their conversations with the faculty member and students, enrollment patterns, observation of student performance, observation of availability to students for extra-classroom instruction, demonstrable evidence of a faculty member's concern for improved pedagogy, and observation of the content and communicative skills demonstrated by faculty member in the classroom or other settings, especially through the Peer Review Process in years three and five of progress toward tenure. Faculty have opportunity in their annual reports to comment on their aims, efforts, and perceived performance as instructors, and also in informal or formal conferences with the Dean.

The faculty member's engagement in seminars, workshops and other types of formal educational experiences as well as less structured personal and professional growth experiences are designed to increase teaching effectiveness and will be recognized and considered.

Scholarship

In its Mission Statement, Brite Divinity School affirms its commitment to free inquiry, intellectual integrity, and the importance of scholarship relating to the ministries of the church in the world. In keeping with these commitments, Brite seeks on its faculty, and its Permanent Faculty especially, teachers who are also scholars, engaging in research, publication, and scholarly discussion meriting recognition by their academic peers and contributing to the school's obligation to provide resources for theological reflection and learning. Hence, Brite faculty members have scholarly responsibilities in two directions: (1) in the context of the community of their academic peers, they should undertake basic research, publication, and other services aimed to leading to the advancement of knowledge within their field of theological study, and (2) in the church context, they should share their professional knowledge with clergy and with laity to the end that the church is equipped for its mission.

Evaluation of faculty in terms of scholarly productivity and professional development in this area will include the following:

- a. Active participation and leadership in professional organizations related to the faculty member's discipline evidence a faculty member's commitment to growth in scholarly competence. Continuing professional development gained through research leaves and summer research activities will be recognized and weighted.
- b. Books and articles authored by the professor which are directly related to the discipline in which the professor is appointed and which (1) are a contribution to scholarly discussion and/or (2) are a significant interpretation of the discipline's importance for the life of the church, and (3) are reviewed prior to publication by disciplinary peers shall be recognized as of first importance. Edited books meeting these criteria shall also be considered in the first rank of importance as scholarly work, but generally do not carry the same significance for evaluation as books written solely by the professor, or in conjunction with another scholar (or other scholars). Though multi-authored books and essays are less common in religion than in other disciplines, they are considered in the same category as sole authorship for purposes of review, as long as they meet the above criteria. Forms of electronic publication are evaluated according to the same criteria used to evaluate publications in print media. The review process mentioned under "(3)" assists Brite faculty in evaluating the quality of edited books, books, and articles, since some publishers go through a more thorough review.
- c. Editorial tasks meeting the criteria (1) and (2) of b (immediately above) shall be recognized as of second importance.
- d. Certification at the highest level by professional organizations which require (1) demonstrated competence (2) as judged by peers will be recognized as evidence of productivity in areas where such certification is regarded as an essential mark of achievement.

e. Church school and similar curriculum materials and published ecumenical and denominational reports and positions papers will be treated as scholarly productivity when the selection of the professor as author is attributable to the professor's disciplinary expertise and that expertise gives the material unusual significance.

f. Normally, popular articles outside the professor's field in journals and magazines will be treated as service to the church or as private creative activity, except when such articles are recognized as involving the expertise of another discipline—in which case the canons of the other discipline will be used to evaluate the merits of such articles.

g. Scholarly papers prepared for significant meetings are a preliminary form of productivity in which peers are present. Normally, such papers are seen as constituting a stage in the research process leading toward publication.

Shared Governance and

Professional Service to Church and Community

In its Mission Statement, Brite Divinity School affirms its commitment to teaching, scholarship and other educational services for ordained and lay ministries of the church. Hence it appoints to its Permanent Faculty persons to whom it entrusts responsibilities of shared governance of the school, especially but not exclusively related to the maintenance of standards, policies, and activities conducive to the attainment of the school's institutional mission. Brite seeks as members of its Permanent Faculty teacher-scholars who are willing and able to fulfill these responsibilities. Service to the school directly in the forms of shared governance and also in the forms of professional service to the school, church, and community is considered a basic element of a faculty member's task.

Shared governance and professional service to the school, church, and community include the following:

a. Conscientious participation in faculty decision-making and in the committee structure of the school, including the willing assumption of leadership responsibilities in the area of shared governance. Although faculty members will differ in their natural inclinations and leadership skills for the administrative tasks of shared governance, all are expected to participate significantly in those assignments associated with faculty membership, and to perform such assignments with diligence and effectiveness.

b. Advising students who are in various degree programs. This includes discussions of academic and vocational goals with students during registration periods and also throughout the year. All faculty members are expected to be readily available to students and to help their advisees make appropriate progress through the program.

c. Service to the church and community that requires the expertise of the discipline is a regular part of the professional task and frequently reflects the professor's level of achievement. Activity as professional consultant, special lectureships (invited academic

lectures, minister convocations, and significant ecclesiastical assemblies), workshops, and lay schools of theology are significant forms of service. Certain types of service in the world beyond the church and academic community may also benefit from the professional expertise of a faculty member. Some forms of service to church and community are more personal than professional and represent the commitment of the good church member or the good citizen.

d. Since the ability of a faculty member to maintain responsible, humane, and respectful relationships within the community is important, the ability to work collegially with others toward the common goals of the Divinity School will also be taken into account during the faculty review process. Collegiality is understood as the demonstration of a spirit of respect for colleagues and for students while living out the Divinity School's commitment to the performance of common goals and tasks as set forth in the school's Mission Statement. This understanding of collegiality is meant to enhance this faculty's commitment to the freedom of academic inquiry. A healthy spirit of collegiality encourages respect between faculty members who work from a variety of differing perspectives and methodologies.

PRE-TENURE MENTORING PROCESS

Brite Divinity School seeks to support pre-tenured faculty in a successful journey toward tenure. Toward that end, we offer to incoming faculty who are non-tenured, the following mentoring process. We believe this is beneficial to the pre-tenured faculty member as they navigate the various structures and expectations of the institution. We also believe that this process benefits the whole faculty as we continue to be engaged with colleagues at various stages in the process. This is not a mandatory process, and pre-tenured faculty may withdraw from the mentoring process at any time by sending an email or written correspondence to the Dean.

Goals and Values

This process is intended (1) to assure equitable review of the progress of pre-tenure members of the faculty that includes timely constructive responses related to the specific criteria for tenure and (2) to assure uniformly high standards for tenure for members of the faculty at Brite.

To reach these goals the following process reflects a value for clear and direct communication, clarity about expectations, uniformity in treatment of candidates for tenure, transparency in communicating responses to the candidate, and an intentionality for constructive responses to assist the candidate in fulfilling the criteria for tenure.

The periodic reviews for pre-tenure members of the faculty have three distinct, but not separate purposes. The first is to assist pre-tenure members of the faculty in their professional development. The second is to assist tenured faculty in discerning the growing competency of their pre-tenure colleagues. The third purpose is to inform the dean in making recommendations regarding promotion and granting tenure.

Goals of the Program

A. The Mentoring Program at Brite seeks to provide a constructive, equitable, supportive, and intentional context for pre-tenured faculty members' professional development. The formal mentoring relationship in Teaching, Scholarship, and Service may occur in the first two years. Thereafter mentoring may continue on an informal basis alongside additional opportunities for constructive feedback such as peer review of teaching, research, and shared governance. The separation of mentoring from administrative evaluative processes is intended to support candid and collegial exchange.

B. Tenured Faculty who serve as Mentors with pre-tenure colleagues may participate in conversation with the Dean and other tenured colleagues to aid them in participating in constructive, professional development relationships with pre-tenured faculty.

C. In addition to the formal Mentor relationship, the goals of this mentoring program are also embedded in other practices of this teaching and learning community through events such as informal opportunities for conversation with colleagues, faculty wide occasions for sharing research (for example, with faculty in the Religion department or with graduate students) and teaching seminars to deepen pedagogical skills.

Selecting a Mentor

A. In the first semester of a pre-tenured faculty member's participation on the faculty, the Dean and the tenure candidate may develop an inventory specific to a faculty member's needs for professional development in teaching, research, and service in relation to the criteria for tenure and promotion and in the area(s) of expertise associated with their faculty appointment.

B. In the first semester of the new faculty member's service the Dean may appoint a Mentor for new pre-tenured faculty. The Dean and the new pre-tenure member of the faculty will discuss persons whom the tenure candidate believes would serve her or him well as mentors from among the faculty in areas of teaching, research, and service. Ordinarily the same mentor will assist the new faculty member in all three areas, but a mentor for each area may be appointed if that seems useful. If the new tenure candidate has at least three years of positively evaluated teaching experience and a shortened tenure track and believes a formal mentor relationship is unnecessary, he or she may choose not to establish a mentor relationship.

Ordinarily, the mentor may be from the same area as the pre-tenure member of the faculty. In order to assure the mentor has sufficient time for the relationship, he or she will not be appointed to more than one mentor relationship in any two year period. Each semester the tenure candidate will be allowed to evaluate the quality of the mentoring process and provide input to the Dean regarding the next year's mentor assignments. It is the responsibility of the candidate to inform the Dean if the mentoring process is not effective in meeting the needs of the candidate. In the event that either the tenure candidate or the mentor believe the relationship is no longer serving the interests of the tenure candidate he or she may request that the tenure candidate receive a different mentor.

Role of the Mentor

A. The mentor should meet with the candidate at least two times each semester, reflecting on teaching, scholarship, and service. The mentor may evaluate lectures or classroom presentations during the first and second academic year. It may also be wise for the tenure candidate to observe the mentor giving classroom presentations. The mentor should establish a trusting relationship for specific counsel for improving a range of pedagogical skills such as teaching methods, syllabus preparation, assessment materials, and classroom management. It is also expected that the mentor will offer constructive feedback on the construction of assessment tools, the practice of assessment of assignments, and responses to students.

The mentor may review teaching evaluations received each semester with the candidate to relate that feedback with the ongoing goals for teaching established by the tenure candidate.

The mentor may assist the pre-tenure candidate in initiating the development of a teaching portfolio which will assist in documenting achievements in teaching and may subsequently be used for reviews for tenure and promotion.

By March 1 during the first two years, the mentor will provide a letter of review. The letter will remain confidential, unless the mentor and candidate agree to share the letter with the Faculty Advisory Committee. The letter can include observations and recommendations for the pre-tenure

candidate, as well as signal to the Dean ways the institution can contribute to the development of the candidate's teaching, scholarship, and service goals.

Role of the Dean

Beginning with the initial inventory of needs for professional development that the Dean conducts with each new faculty member who enters the tenure track at the Assistant Professor level, the Dean will sustain a supportive relationship with new faculty and their mentors regarding these goals.

PRE-TENURE REVIEW PROCESSES

Pre-tenure faculty are to progress each year in the development of their professional competencies and in the compilation of a cumulative record of professional attainment sufficient to qualify for promotion and/or tenure. Review in years three and five by the tenured faculty and Dean, which comment on strengths and areas of concern and offer counsel, serve primarily and typically to contribute to the faculty member's professional advancement. However, tenured faculty members have the right and obligation to recommend against the reappointment of tenure-track colleagues whose performance in any given year or progress to promotion and/or tenure is judged unsatisfactory.

Members of the faculty who have not been granted tenure shall be considered on probationary service. The duration of the period of probationary service will be determined by the conditions set forth in this document.

Every non-tenured, full-time member of the faculty must have a written contract with the Divinity School. Appointments may be for one year or for other stated periods, subject to renewal. For faculty who devote at least three-fourths of their time to teaching and research, the total period of full-time service in a tenure-track appointment prior to a tenure decision shall not exceed six years.

Time spent on leave of absence from Brite will count as part of the probationary period of service. Exceptions must be approved by the Dean and stated in writing at the time of granting the leave.

A non-tenured faculty member may request an extension of the probationary period because of an extraordinary event or experience beyond the individual's control that affects the faculty member's performance. Such a request should be made no later than one year after the event or experience of consequence and in no case after the tenure materials have been submitted. In requesting an extension of the probationary period, the faculty member relinquishes any and all claims to defacto tenure. A faculty member may address such a request directly to the Dean. The Dean will consult with the Faculty Advisory Committee before rendering a decision.

Role of the Dean

While pre-tenured faculty are encouraged to develop informal mentoring relationships beyond their first two years at Brite, beginning in year three the Dean will assume responsibility for providing continuity in oversight for the plans established by pre-tenured faculty with their mentors in teaching, scholarship, and shared governance and professional service. The Dean will meet with pre-tenured faculty prior to the fall semester of years three and five to assist in developing strategies for effective Peer Review by tenured faculty. During review meetings with the tenured faculty, the Dean will have responsibility for reporting on the pre-tenured faculty member's progress with their goals in each category. The Dean's conversation with pre-tenured faculty following the reviews by tenured faculty will address the pre-tenure colleague's continuing plans for professional development in each of the three categories. In year four, the Dean will meet with the pre-tenured faculty in January to review their progress in each category informally.

Review Process for Years One, Two, and Four

In the case of faculty members who are in their first year at the school and who are just beginning their tenure process, the Dean and the Faculty Advisory Committee will review the progress of the faculty member during the second semester of service. A letter of record will be placed in the pre-tenure file for the faculty member.

In years two and four, following the documentation of the Annual Review in January the Dean may initiate conversations with a pre-tenured faculty member to review progress toward tenure. Normally, conversations in years two and four are informal.

Review Process for Years Three and Five of the Tenure Track

Years three and five will include more formal reviews by the Tenured Faculty.

The pre-tenured faculty member being reviewed gathers and prepares updated materials. Such materials shall include evidences of teaching effectiveness, published and unpublished writings, major lectures, membership on boards, involvement in church and community affairs, service to the divinity school, and other materials deemed relevant by the faculty member, and an updated memorandum of self-evaluation and projection of upcoming work.

Electronic copies of the curriculum vitae and the updated memorandum of self-evaluation and projection of upcoming work will be provided to the Dean. A consultation with the Dean will follow the submission of these documents. These materials will be made available to the tenured faculty in years three and five. All other materials described above, will be housed in the Dean's office and made available for review upon request.

In year three these materials are due January 15.

In year five these materials are due October 1.

The Dean will call a meeting of the tenured faculty **no later than March 15** of year three and **November 30** of year five to evaluate the pre-tenured faculty member's progress toward tenure. A three-quarters quorum (exclusive of faculty members on leave) must be present. Tenured faculty on sabbatical may participate in person or by conference call if they have also completed the 200 word written statement one week in advance of the scheduled review meeting.

The Dean will follow the protocols for formal reviews for tenure and promotion (3/4 quorum, submission of 200 word statements one week in advance of the review, a sharing of the statements without attribution of name, discussion and vote by secret ballot). The Dean will provide a letter to the candidate summarizing the both strengths and areas for improvement in each of the three stated categories (teaching, scholarship, and service).

The pre-tenured faculty member is expected to implement any requirements indicated in the review letter.

In the event the pre-tenured faculty member wishes to appeal the evaluation summarized in the letter, he or she may request an opportunity to share his or her concerns with the tenured faculty in person or by letter. After the pre-tenured faculty member is excused from that discussion, the tenured members of the faculty will consider whether they wish to alter their evaluation. A majority vote will determine the outcome.

Non-Renewal of Appointment

Written notice from the Dean that a probationary appointment is not to be renewed must be given to the faculty member in advance of the expiration of his or her appointment as follows:

- a. No later than March 1 of the first year of service if the appointment expires at the end of that academic year (May 30); or, if a probationary appointment terminates during an academic year, at least three months in advance of its termination;
- b. No later than December 15 of the second year of service if the appointment expires at the end of that academic year; or, if an appointment terminates during an academic year, at least six months in advance of its termination;
- c. At least 12 months before the expiration of an appointment after two years of service at the institution.

TENURE

Provision for the tenure of faculty is a historic bulwark of academic freedom, and available at Brite Divinity School and Texas Christian University for decades. Tenure also represents an institution's commitment to and reliance upon faculty members whose records of professional attainment are judged sufficient to merit the protection of tenure as they carry out their faculty responsibilities of instruction, scholarship, and shared governance (especially but not exclusively with regard to maintaining, evaluating, and otherwise assuring high standards for the quality of teaching and learning at the school).

The protections of academic freedom and institutional commitment that Brite Divinity School offers associate and full professors of its Permanent Faculty who qualify for and receive tenure are indispensable to the success of the school in fulfilling the obligations of its corporate charter and its statement of institutional mission. Policies relating to tenure at Brite Divinity School are determined in light of and in principled accord with (viz., not contrary to) AAUP guidelines.

While the President employs and discharges all employees, tenured faculty may be removed only by the guidelines that follow in the section titled "Dismissal Procedures." Tenure at Brite Divinity School is held in the Divinity School for all Permanent Faculty with tenure awarded after 1999-2000. Permanent Faculty tenured at Brite before 1999-2000 hold tenure both in the Divinity School and Texas Christian University.

The following principles, definitions, policies, and procedures shall constitute the tenure policy for the faculty of Brite Divinity School.

- a. Tenure is granted by the Board of Trustees only to persons who qualify for membership on the Permanent Faculty at the ranks of associate or full professor. The Board acts to grant tenure to faculty members only upon the recommendation of the President and Dean in consultation with the Permanent Faculty by majority vote. New appointments may be granted tenure by the President, acting in behalf of the Board of Trustees, upon the recommendation of the Dean and the majority approval of the Permanent Faculty.
- b. Eligibility for tenure. Tenure ordinarily shall not be given to instructors unless specifically employed in a tenure-track instructor position, nor to assistant professors.
- c. Tenure is not an unconditional guarantee of lifelong employment. Tenured faculty are expected to maintain the standards of professional performance required of associate professors and full professors throughout their careers. If the periodic post-tenure reviews by their tenured and untenured peers identify cases of failure and/or inability to perform the responsibilities entrusted to faculty members competently and conscientiously, the Permanent Faculty may recommend action leading to dismissal from the Permanent Faculty and revocation of tenure for cause. The President has the responsibility to recommend a procedure of dismissal of a tenured faculty member during those years when the five year review is not underway. In such a case, dismissal procedures would follow the policy set forth in this manual.

A decision on tenure, favorable or unfavorable, shall be made by the institution by the end of March during the decision year.

The recommendation of promotion from the rank of assistant professor to associate professor is linked with a decision regarding the granting of tenure. Normally, if the qualifications for promotion and tenure have not been met after six years of service on Brite's Permanent Faculty at the rank of assistant professor, reappointment to the Brite faculty at assistant professor rank shall be granted for no more than one (transitional) year.

Assessment Measures for Tenure

The criteria for tenure include teaching effectiveness, scholarly research and publication, service to church or synagogue and world, service to the divinity school, and evidence of growing competence.

At the point of decision for tenure the following guidelines specify further the assessment measures that will be considered within each of the three categories of Teaching, Research and Publication, and Service.

Teaching

- A. The pre-tenured faculty member should demonstrate continuing attention to increasing pedagogical competency and professional development in relevant areas of instruction through materials contained in the teaching portfolio such as her or his syllabi and peer review assessments of teaching.
- B. Written self-evaluations of teaching should demonstrate progressive insight about areas of growth and capacity to take corrective action.
- C. Availability for advising and consultation with students should be rated positively by students and administrators who support these aspects of instruction.
- D. student course evaluations may be taken into consideration when assessing teaching excellence.

Research and Publication

The criteria a-c below function as guidelines and not a "checklist" to evaluate readiness for tenure. The quality and trajectory of scholarship and publication as evaluated by the faculty, dean, and outside reviewers will have priority over quantity.

- a. Candidates for tenure are strongly encouraged to publish their dissertation. In some cases the published dissertation, or a substantially revised dissertation, may be adequate for considering tenure. Ordinarily, however, the successful candidate, who teaches full time, will be expected to have written one book which demonstrates a high degree of

scholarship as defined by peer reviews from the person's field and outside reviewers contracted for review of the candidate's materials. (For alternative possibilities see below*)

- b. The faculty member should publish at least three scholarly articles in one or more peer-reviewed journals in the person's field of expertise or a combination of such articles and chapters in edited volumes or anthologies.
- c. Ordinarily, the faculty member should make at least three presentations in the national meetings of the academy or academies to which she or he belongs by the end of their fifth year at Brite. For those candidates whose guilds restrict the frequency of presentation, alternatives may be negotiated with the Dean.

Note these alternatives:

Two edited books in which the faculty member is the sole or joint editor will count as one book.

Edited series (four or more volumes) will count as one book.

Books that count toward tenure must be written in the faculty member's area of expertise.

Shared Governance and Professional Service to Religious Communities and the Larger Community

- A. The faculty member is able to demonstrate leadership in extra-curricular events for lay, clerical, and academic contexts (including Brite, local contexts, and the larger academy).
- B. The faculty member is accessible to students for advising and consultation, including academic and vocational goals.
- C. The faculty member participates fully and constructively in faculty meetings and committees on which he/she holds membership.
- D. The faculty member attends and is regarded as participating collegially (see AAUP Guidelines) in area and departmental meetings.
- E. The faculty member regularly teaches in his/her departmental area(s) of expertise as negotiated in departmental and area discussions of curricular needs. She or he also works with other departmental colleagues to offer courses that are needed to meet the curricular needs of the School.

TENURE AND PROMOTION REVIEW PROCESS

Recommendations of promotion through the ranks of instructor, assistant professor, and associate professor to full professor proceed from the tenured faculty to Brite's Dean and then to the Faculty Advisory Committee. Recommendations then proceed to the President, and, finally, to the Board of Trustees. Recommendations with regard to tenure follow the same path.

Peer review is intended to allow more experienced members of the faculty to monitor and assist in the progress of newer candidates for tenure. Peer review will be provided for both teaching and scholarship/publication and shared governance. Expectations for assessing performance will be clearly established and understood by both tenure candidates and the reviewers.

Documentation of reviews is expected and should use the criteria of teaching, scholarship, and service.

Role and Purpose of the Faculty Advisory Committee

The Faculty Committee at Brite Divinity School will serve as the Faculty Advisory Committee. The welfare of faculty members and the quality of Divinity School programs as they are affected by promotion and tenure are a major concern to the faculty and administration of Brite. Because both faculty and operating officers have an interest in assuring that equitable and reasonable judgments are rendered in these matters, the Faculty Advisory Committee is an important aspect of faculty life at Brite.

The committee shall advise the Dean on the fairness of his or her individual recommendations concerning promotion and tenure. While the Advisory Committee does not relieve the Dean of his or her fundamental responsibility for those recommendations, it is the conviction of the executive and academic officers and faculty that the interests of the Divinity School and the morale of the faculty are best supported if duly constituted faculty committees are consulted about such recommendations and if structures exist by which these committees of the faculty may consult with the appropriate operating officer on any private or confidential matter related to promotion and tenure.

Committee members shall hold in confidence all information they examine or discuss. Any violation of this trust by a member shall be grounds for his or her removal from the committee by the appropriate operating officer, after consultation with other members of the committee.

The Dean may, at his or her discretion, refer a reappointment to his or her advisory committee. In such a case, the same procedures shall be followed as are followed for tenure and promotion.

Tenure and Promotion to Associate Professor

Normally, the tenure decision will take place during the year dictated by the tenure-track calendar established in the appointment letter of the Permanent Faculty member. Any eligible person may be nominated for tenure by the Permanent Faculty or by the individual wishing to be considered

for tenure. Nominations shall be made to the Dean. The Dean will follow established procedures when a tenure decision is to be made.

The Dean or the Permanent Faculty, in consultation with the faculty member, may initiate procedures for a tenure decision earlier than the year dictated by the tenure-track calendar established in the appointment letter. In such cases, the Dean will begin the process leading to a tenure decision following the regular calendar established by the procedures found in this handbook.

Promotion to Full Professor

Brite grants promotion to Full Professor to tenured faculty who demonstrate distinguished accomplishment in the three criteria for tenure and promotion: teaching, scholarship, and shared governance and service. Candidates must demonstrate national or international recognition among leading scholars in their discipline for sustained and excellent research, taught at consistently high levels of effectiveness, and demonstrated a sustained level of excellent service to the institution and their discipline. Ordinarily tenured faculty may apply for promotion after serving for at least five years as an Associate Professor with tenure.

REVIEW PROCEDURES FOR TENURE AND PROMOTION (Associate or Full Professor)

External Review: By May 15 in the academic year prior to the review the candidate submits to the Dean the name of an established scholar (not a dissertation adviser) in the appropriate field for the external review. The Dean alone or in consultation with the Faculty Advisory Committee will choose a second qualified scholar. By June 15 the Dean will have secured the consent of the prospective external reviewers to give a written evaluation of the professor's scholarly productivity. The candidate will provide his or her materials for review by June 15 so that the Dean may send them to the reviewers. (It is not assumed that major scholars will read all the materials submitted by the candidate, but that he or she will evaluate some of them.) By September 15 the Dean will have secured the written reviews of the two external scholars. These reviews will be forwarded to the Faculty Advisory Committee for inclusion in the materials assembled by the candidate in preparation for tenure/and or promotion deliberations. They will be available for the tenured faculty on October 1.

Internal Review: By June 15 the faculty member being reviewed gathers and prepares updated materials. Such materials shall include evidences of teaching effectiveness, published and unpublished writings, major lectures, membership on boards, involvement in their religious community and community affairs, service to the divinity school and other materials deemed relevant by the faculty member, and an updated memorandum of self-evaluation and projection of upcoming work. Paper and electronic copies of the curriculum vitae and the updated memorandum of self-evaluation and projection of upcoming work will be provided to the Dean and made available to the tenured faculty. If needed, a consultation with the Dean will follow the submission of these documents. Materials for the tenured faculty may be amended or added to up until they are made available to the tenured faculty on October 1. All other materials described above will be housed in the Dean's office and made available for review upon request.

The Dean will request that every member of the tenured faculty write a 200 word statement that summarizes their evaluation of the faculty member's progress in each of the three areas reviewed for tenure: teaching, scholarship, and service. These signed statements are sent to the Dean at least a week prior to the meeting of the tenured faculty at which the review is held.

The Dean will call a meeting of the tenured faculty. A three-quarters quorum (exclusive of faculty members on leave) must be present. Tenured faculty on sabbatical may participate in person or by conference call if they have also completed the 200 word written statement one week in advance of the scheduled review meeting. At this meeting the Dean will share a summary of the statements submitted by tenured faculty without attribution to the various authors of the statements and then the Dean will open the floor for discussion of the readiness of the candidate in each of the three categories.

The Dean will call for a vote by secret ballot of the tenured faculty members regarding action to grant tenure and promotion to pre-tenured faculty going through their review, or to Full Professor for those engaging that review.

Role of the Faculty Advisory Committee in Tenure Decisions

The Dean will forward the tenured faculty's recommendations directly to the chair of the Faculty Committee. The chair of the Faculty Advisory Committee will report these recommendations to the Faculty Advisory Committee in a meeting with the Dean. By January 15 the Dean will meet with the Faculty Advisory Committee to indicate her/his decision.

With the Dean absent, the Faculty Advisory Committee will discuss and then vote on the Dean's recommendation and communicate their action by letter to the Dean. (In each case the written judgment of the Advisory Committee shall not include the specific vote count, which shall remain confidential.)

If the Dean's recommendation is accepted by a majority of the Faculty Advisory Committee, the Dean then informs the president of the decision.

Role of the Board of Trustees in Tenure Decisions

In the case of a positive decision, the Dean presents the decision to the Board of Trustees for its vote.

In the case of a negative decision on tenure, the formal procedure is at an end. Tenure is denied. The person denied tenure has the option of remaining for a terminal year or leaving at the end of the current contract year.

If a majority of the Faculty Advisory Committee disagrees with the Dean's denial of tenure or recommendation for tenure and chooses to appeal, the President will receive in writing from the Dean and the chair of the Faculty Advisory Committee their reasons for their decisions. If the President concurs with the Dean, the decision is final. The Faculty Advisory Committee may file

a letter with the Chair of the Board of Trustees stating its reasons for dissenting. If the President concurs with the Faculty Advisory Committee, the decision is final. The Dean may file a letter with the Chair of the Board indicating her or his dissent. If the recommendation is for tenure, the Dean takes the prevailing recommendation to the Board for approval. If the Board concurs with the recommendation for tenure, tenure is granted and becomes effective the next academic year.

A decision on tenure, favorable or unfavorable, shall be made by the institution by the end of March during the decision year.

The Dean will inform the candidate of the Board's decision and indicate by letter to the candidate that tenure will begin the following contract year.

At the completion of the tenure review process, the publications supplied by the candidate will be returned to her/him and all other materials will be archived and held as confidential materials.

Faculty Advisory Committee and Board of Trustees

In Response to Full Professor Decisions

In the case of a positive decision by the Permanent Faculty, the Dean, and the Faculty Advisory Committee, the decision will be forwarded to the President and the Board. In the case of a negative decision, the formal procedure is at an end.

If a majority of the Faculty Advisory Committee disagrees with the Dean's denial of promotion and chooses to appeal, the President will receive in writing from the Dean and the chair of the Faculty Advisory Committee their reasons for their decisions. If the President concurs with the Dean, the decision is final. The Faculty Advisory Committee may file a letter with the Chair of the Board of Trustees stating its reasons for dissenting. If the President concurs with the Faculty Advisory Committee, the decision is final. The Dean may file a letter with the Chair of the Board indicating her or his dissent. If the recommendation is for promotion, the Dean takes the prevailing recommendation to the Board for approval. If the Board concurs with the recommendation for promotion, promotion is granted and becomes effective the next academic year.

The Dean will inform the candidate of the Board's decision and indicate by letter to the candidate that his or her promotion will begin the following contract year.

At the completion of the promotion review process, the publications supplied by the candidate will be returned to her/him and all other materials will be archived and held as confidential materials.

There is no limit on the number of times a member of the faculty may apply for promotion to the status of Full Professor.

TENURE AND PROMOTION

JOINT FACULTY-ADMINISTRATIVE POSITIONS

Brite Divinity School seeks to encourage members of its Permanent Faculty to attain to distinction in all three areas of professional activity. Recommendations for continued reappointment, promotion, and tenure must be supported by evidence of cumulative professional development and achievement in these three areas. In evaluating faculty performance beyond the basic level of competence, judgments that are fair as well as principled, and respectful of differing individual talents and contributions, will uphold quality performance standards while taking into account the total profile of each faculty member's work.

Some positions combine administrative responsibilities with teaching responsibilities. In particular cases (for example, Director of Field Education and Supervised Ministry and Theological Librarian), these positions may be tenure track as defined by the contracts of the persons in place.

Faculty whose appointments assign one-fourth or more of their time to duties other than teaching and research may be granted tenure according to the procedure outlined in this handbook. Since the granting of tenure depends primarily upon demonstrated teaching, scholarship, shared governance and professional service, the faculty must necessarily have sufficient data before making a tenure decision; therefore a probationary period for faculty with administrative appointments may extend to as long as nine to ten years, to be negotiated between the faculty member and the Dean. The probationary period begins with the majority vote of the faculty. Persons in faculty-administrative positions may elect, in consultation with the Dean, to initiate the tenure review process at an earlier point.

Once granted membership in the Permanent Faculty, such persons are expected to maintain their qualifications as members of that body and advance in faculty rank, including the granting of tenure in a joint faculty-administrative position, in accordance with general policies for faculty reappointment, promotion, and tenure. That is, they are required to demonstrate competency in all three areas—teaching, scholarship, and shared governance and professional service—used for review at Brite.

Consideration of their administrative performance in the area of administrative service for which they have responsibility is regarded as an integral component of the category, “shared governance and professional service.” Evaluation of competency in administration may include such things as faculty and supervisor assessment of the effectiveness of administrative leadership in the area assigned to the faculty member; engagement in professional societies dedicated to the particular area of administration concerned; evidence of continued growth in professional competence; a faculty member's personal perceptions of his or her performance, and written evaluative responses as invited by the Dean from constituencies served by the administrator. These constituencies will be identified in consultation with the faculty-administrator being reviewed. Such constituencies will receive evaluation forms developed by the Dean in consultation with the faculty administrator colleague. These evaluations will be based on the position description and goals for performance developed by the Faculty-Administrator and the Dean. These evaluations will be reported to the tenured faculty along with other externally and internally solicited evaluations.

The competency in administration of persons holding Joint Faculty-Administrative positions, whether they are non-tenured, tenure-track, or tenured, will be evaluated annually. This evaluation will include a written evaluation from the Dean, who will consult with the person's immediate supervisor if other than the Dean.

The Dean will notify the faculty that the administrative review is underway in the event they may wish to submit a written comment.

Tenure and promotion processes for Joint Faculty-Administrative members will follow the same procedures as for other tenure and promotion reviews. In addition, once tenured, a Faculty-Administrative person will participate in the five-year cycle of review by the Permanent Faculty.

FIVE YEAR PEER REVIEW OF PERMANENT FACULTY

The purpose of a professional peer review of tenured faculty is to provide effective evaluation, beneficial counsel, and timely and positive assistance to insure that each faculty member has opportunity, consistent with the mission of Brite Divinity School, for professional development and productivity throughout the faculty member's entire career.

Permanent Faculty submit a current c.v. and an annual report form (self-evaluation) to the Dean's office, using a standard form, by January 31 each year. This policy is intended to be consistent with the AAUP report guidelines for post-tenure review.

1. The review process must not subvert the rights of academic freedom and tenure, nor reduce the faculty member's prerogatives of appeal as specified by the faculty grievance policies. The faculty member always has the prerogative to provide a written response to an action at any stage of the post tenure review process.
2. Each tenured faculty member, including the tenured President, and the Executive Vice President and Dean, shall be reviewed and evaluated at least every five years by the Permanent Faculty.
3. The criteria used in the evaluation are those stated above as criteria for reappointment, promotion, and tenure, and are to be applied in keeping with the faculty member's rank and level of seniority as relevant.
4. The initial year for the review of a tenured faculty member shall be established by the Dean with the recommendation of the Faculty Committee. Special situations, e.g., approved leave, may justify an adjustment in the evaluation cycle of no more than one academic year. The request for such adjustments, made either by the faculty member under review or by the Dean (on behalf of the school's operating officers or the Permanent Faculty), are to be timely and for just cause, and difficulties regarding timing should ordinarily be overcome by good faith negotiations. The Permanent Faculty, as review body, will adjudicate in cases when agreement cannot be reached.
5. The Dean shall provide a written report, based in substance upon the review by the Permanent Faculty, to each faculty member under review. A copy of the review letter will be kept in the Dean's office for review by the current Chair of the Faculty Advisory Committee. If significant areas of deficiency are identified, the Dean (on behalf of the Permanent Faculty) and the faculty member under review will confer—at the request of either party—to discuss the findings of the review and, if possible, agree on a faculty performance and development plan for addressing the deficiencies, which will include the specification of goals, a timetable, methods of assessing success in meeting the goals, as well as a process for monitoring progress and identifying completion of the agreement.
6. The Dean shall provide a written report of the faculty performance and development plan to the faculty member under review and to the chair of the Faculty Advisory Committee, and also a letter of notification to these parties upon the plan's successful completion.

7. At any stage in the review process, a faculty member under review may place on record, in the faculty member's file, a written statement of rebuttal to the review's findings, and, if desired, to the Permanent Faculty. Such a statement, as well as notice regarding the success or failure to agree upon and complete a faculty performance and development plan, will be taken into consideration by the tenured or Permanent Faculty (as appropriate) when the faculty member undergoes review.

PROCEDURES FOR REVIEW OF TENURED FACULTY

General Procedures

- A. The process leading to the review of tenured faculty is set on a five-year rotation. Each tenured faculty member will be reviewed every fifth year (any member of the tenured faculty on leave during the review year will be reviewed the following Spring). In addition to their five-year rotation, the competency in administration of persons holding Joint Faculty-Administrative positions will be evaluated annually by the permanent faculty. This evaluation will include a written evaluation from the supervisor, normally the Dean. The review is to affirm strengths, make suggestions for career development, and indicate areas of concern, if any, to the end that faculty might continue to improve professional competencies and fulfill vocational goals. At the point of fifth year reviews written evaluations from constituencies served by the faculty-administrators will be developed in consultation with the Dean. Such evaluations will be based on the position description and goals for performance developed by the Faculty Administrator and the Dean. Criteria for faculty reviews have been established by the Brite Divinity School faculty and are listed above.
- B. Tenured faculty members to be reviewed will receive official notification from the Dean's office by December 1. Once notification is received, it will be the responsibility of the faculty member to supply the Dean's office with the following materials by January 31:
 1. A complete updated vita.
 2. An extra copy of the annual report form completed for the School's academic officer by January 31 every year.
 3. Any other materials deemed appropriate by the faculty member under review, with the expectation that the materials submitted by the faculty member will be appropriate to the discipline in which the faculty member is tenured.
- C. The Dean will distribute a copy of vitae and annual reports of those tenured faculty to be reviewed to all members of the Permanent Faculty by March 1 every year. Any additional materials submitted by faculty members will be placed in a file in the Dean's office and made accessible for review by all Permanent Faculty members.
- D. The Permanent Faculty will meet on or before March 21 each year to conduct a review of designated tenured faculty members. A three-quarters quorum (exclusive of faculty members on leave) must be present. Timely notice should be given to the Dean in the event a faculty

member is unable to attend the review. The Dean will meet with the Permanent Faculty (with the exception of the faculty member under review) for this review. The Dean will appoint a recorder for each faculty member under review. Each recorder will submit a written summary of the review (for the individual faculty member assigned to the recorder) to the Dean's office by April 1 each year. Permanent Faculty present at the meeting will sign each review verifying that the review accurately summarizes the meeting of the Permanent Faculty.

- E. The Dean will deliver a written report describing the conclusions of the review to the faculty member being reviewed. The written review shall be completed by April 15 each year.

Post-Review Procedures

The written review will be placed in the Permanent File of the tenured faculty member.

Faculty members shall have the right to respond in writing to the review. Any written response from a faculty member will also be placed in the Permanent File of the tenured faculty member. Any response must be received in the Dean's office by the May 1 immediately following the review.

The Permanent Faculty and the Dean may conclude that the performance of a faculty member under review does not fulfill the criteria outlined for all faculty at Brite Divinity School. In such cases, they will be clear about shortcomings and offer reasonable goals that address them. Faculty members are expected to progress toward the fulfillment of these goals during the five years following the review. If disagreement about goals exists, the faculty member under review is to ask for a meeting with the Permanent Faculty and the Dean. This meeting must be completed by May 15. The general principle operating at Brite Divinity School is that individual faculty goals ought to correspond with the criteria outlined for the evaluation of all faculty at Brite Divinity School.

FACULTY PROFESSIONAL DEVELOPMENT

Continued professional development in teaching and scholarship are expected of members of the Permanent Faculty, and included among the terms and criteria of appointment, performance review, reappointment, promotion, tenure, and post-tenure review. These expectations are described elsewhere in this Handbook, under appropriate headings.

FACULTY ANNUAL PROFESSIONAL DEVELOPMENT FUNDS

Brite seeks to support the ongoing development of faculty and staff by supporting travel for professional development, and other research grants and funds.

Faculty who intend to travel internationally for study, research, or professional meetings should consult TCU policies for international travel.

The expense of full-time faculty and staff members traveling on official and authorized Divinity School business will be paid on submission of the required statement and supporting papers (all receipts, etc.) to the office of the Dean. Those staff members who have their own budgets know the amounts within those budgets allocated to travel and are expected to remain within those amounts.

Full-time faculty and administrative staff without budgets are allocated an annual amount of \$1,750 for travel. The Divinity School will not reimburse excessive expenses for meals and lodging if, for personal reasons, the individual elects to dine or stay at a premier establishment. Normally, any expenses incurred in any year beyond \$1,750 must be borne by the individual. All use of these funds (\$1,750) must be business related. Expenses incurred when faculty or staff plan to stay an extra day or days, either before the meeting or after its conclusion, will naturally be the responsibility of the individuals concerned. If an extra day is required to save money on airfare (i.e., staying over on a Saturday night), a note detailing the savings should accompany the expense report. In unusual circumstances created by a particular opportunity or event, and naturally dependent upon budgetary considerations, faculty and staff may apply for extra travel aid. Faculty and staff should recognize, however, that the ability to help with expenses beyond \$1,750 per person is quite limited.

All faculty travel at Divinity School expense must be approved by the Dean; other travel is approved by the President. Travel to meetings of primary professional societies is approved without formal petition. Brite faculty members are encouraged to participate regularly in meetings and proceedings of appropriate professional organizations and activities, whether they be in area, regional, or national settings. Through support for travel, faculty members can gain financial assistance for expenses incurred in such participation, particularly where the faculty member reads a paper or serves in a significant leadership capacity in the organization.

Rolling Forward Professional Development Travel Funds

Members of the permanent faculty who have at least \$100 remaining in their professional development line at the end of one budget year may roll that amount forward to the following

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budget year. At any given time faculty cannot carry more than the equivalent of the total of two years of their professional development at the current rate for those years.

All other requests for travel must be submitted in writing to the office of the Dean. Requests for travel should be submitted far enough in advance to assure proper approvals in time to seek out the most favorable airfares.

Travel expense reports, using the appropriate form, should contain a daily record of expenditures during the trip and should be accompanied by all receipts. All travel reimbursement requests or expense reports must be supported with sufficient documentation to satisfy Divinity School record-keeping requirements based upon IRS regulations. These documents must be filed within one month of the completion of any domestic trip, within two months after any international trip, or before the fiscal year ends on May 31 of each year, even if May 31 falls within the one or two month deadline, to qualify for reimbursement.

RESEARCH LEAVES

Brite Divinity School supports research leaves with pay for tenured and tenure-track members of the Permanent Faculty. Faculty who receive leaves with pay assume a contractual obligation to return to the Divinity School for at least a time equivalent to the duration of the paid leave.

Research leaves provide opportunity to engage in sustained research and writing leading to scholarly publication and enriched course materials. Although not a faculty entitlement, regular (periodic) research leaves are tentatively projected for faculty members from the time of their appointment on and granted to applicants with worthy performance records and project proposals.

The support provided for faculty research leaves normally extends to no more than two semesters with full salary and benefits over a seven-year period of full time tenured or tenure-track service on the Permanent Faculty. Faculty members are eligible to apply for a one-semester's leave after every 3 years of full time service. They may accumulate two, and no more than two, such terms of eligibility so that after completing six years of full time service they may apply for a full year's leave.

Eligible faculty members may opt to apply for research leave on either a half-year or a full-year cycle, with the understanding that (1) they declare their intentions at the time they first become eligible for research leave and (2) if they elect a half-year cycle, they must complete an even number of half-year leaves before changing to a full-year cycle. Faculty members may change to a half-year cycle after they have gained eligibility for a full year's leave, but normally forfeit eligibility for the second semester's leave and will remain on the half-year cycle until its completion.

Pending the approval of a Research Leave, faculty members will receive a Research Leave Stipend of \$3,000 each semester they are on leave in order to support the work of their leave. These funds are not available when leaves are extended through an outside grant.

Faculty members are encouraged to seek research grants from external agencies. Brite Divinity School considers the funds received by such awards the faculty member's own when the money is used during a regularly scheduled leave and is supplementary to the salary granted for research leave. Normally, if the external grant itself stipulates a "matching funds" arrangement and/or is used to "buy out" additional time for leave (not a regularly scheduled research leave), up to 10% of the funds may be used for the faculty member's research. The remainder will be allocated as replacement salary. If the grant received is more than the amount needed to replace salary and benefits for the semester, the faculty member receives the remainder for purposes of research and scholarship.

Faculty members who receive research leaves with pay assume a contractual obligation to return to the Divinity School for a time period equal to the period of the leave.

Faculty members who are eligible for research leave should submit their applications to the Dean no later than November 1 of the academic year preceding a fall or full year's leave and by March 1 of the academic year preceding a spring semester leave. A copy of the application form can be found in the Appendix. Applications should include a clear statement of the objectives and plans for the period requested. A complete, up-to-date curriculum vita must accompany the request. The Dean will forward applications to the Faculty Committee for review.

The Faculty Committee's approval of research leave requests is dependent on a well-planned research project and a good track record of work completed between and during previous research leaves. Project proposals relating directly to the enhancement of the teaching and research responsibilities of faculty in their positions at Brite Divinity School are preferred. Research leaves must be coordinated with the Divinity School's program and the needs of the curriculum. For this and other reasons, the Faculty Committee may judge it necessary to condition its approval of a leave request upon a reasonable adjustment of the leave's timing and/or duration.

Announcements of research leaves will be made each semester. Upon the conclusion of the leave, the faculty member is expected to submit a written report to the Dean, who will forward it to the Faculty Committee.

Joint Faculty-Administrative Positions

Research Leave Stipends

Members of the permanent faculty who are Faculty-Administrative Staff may apply for a semester research leave in accordance with Brite's research leave policies, with the approval of the Dean. Proposals must be submitted in writing to the Dean's office following the same criteria as outlined in the research leave application for faculty members. Pending the approval of the research leave by the Faculty Committee, they will receive a \$3,000 leave stipend at the time of their leave. Those Faculty-Administrative staff members who do not take a semester research leave will negotiate with the Dean to support their research and scholarship by scheduling research days throughout the calendar year. Over the course of three years, the number of days should be comparable to a semester's leave. In addition, Faculty-Administrative staff members who do not take a semester

research leave may apply for a \$3,000 Research leave stipend every three years, to be approved by the Faculty Committee.

RESIGNATION FROM THE PERMANENT FACULTY

A faculty member may conclude his or her appointment effective at the end of an academic year, provided that he or she gives notice in writing at the earliest possible opportunity, but normally not later than 30 days prior to the end of the academic year. The faculty member may properly request a waiver of this requirement of notice in case of hardship or in a situation where he or she would otherwise be denied substantial professional advancement. In this case, the faculty member is expected to act as early as possible so as to provide maximum time for replacement.

Faculty who are returning from a sabbatical leave are required to return to the Divinity School for one full year.

RETIREMENT FROM THE FACULTY

Faculty members who wish to retire should consult with the President or Academic Dean. The policies for TCU's "rule of 75" can be found on the Human Resources website (www.hr.tcu.edu). The process for Emerita faculty can be found in this *Governance Handbook* under the category of "Faculty Rank."

DISMISSAL FROM THE FACULTY

Brite Divinity School retains the right to dismiss tenured faculty members for good cause. The grounds constituting good cause shall be related directly and substantially to the fitness of the faculty member in his or her professional capacity as a teacher or researcher, or in responsibilities for shared governance. Threat of dismissal will not be used to restrain faculty members in their exercise of academic freedom or other rights of American citizens.

Before dismissal, Brite will discuss with the faculty member his or her performance to provide the individual with an opportunity to correct or improve before more serious disciplinary action occurs. Of course, some matters are of such a serious nature that immediate dismissal is warranted.

Notice. If the President, in his or her sole discretion, determines that a faculty member has engaged in misconduct, including but not limited to violations of the Divinity School's Equal Employment Opportunity and Harassment or Drug and Alcohol Abuse policy, criminal conduct, or moral turpitude, the President will immediately suspend the faculty member from his or her duties and will notify the faculty member of the President's determination. If the hearing process described below upholds the President's determination, the faculty member will be immediately dismissed upon the conclusion of the dismissal process. In cases not involving violations of the Divinity School's Equal Employment Opportunity and Harassment or Drug and Alcohol Abuse policy, criminal conduct, or moral turpitude, the President will provide the faculty member with written notice of dismissal (a) at least 12 months before the dismissal in the case of a tenured faculty member, or (b) at least 5 months before the dismissal in other cases.

Suspension and Reassignment. In cases not involving violations of the Divinity School's Equal Employment Opportunity and Harassment or Drug and Alcohol Abuse policy, criminal conduct, or moral turpitude, the operating officers will consult with the Hearing Committee (or, if the

Hearing Committee has not been formed, with the Faculty Committee) to determine whether the faculty member will be reassigned or permitted to continue to perform his or her assigned duties during the hearing process and/or until the date of dismissal.

Requesting a Hearing. The faculty member may request a hearing before the Faculty Tenure Hearing Committee (the “Hearing Committee”) by sending a written request to the Chair of the Faculty Committee no later than 30 calendar days after the faculty member receives written notice of dismissal.

Hearing Committee. The Hearing Committee will consist of four Permanent Faculty members of Brite Divinity School, one selected by the faculty member, one selected by the President, and two selected from a list of four in accordance with the following plan. As needed, the Faculty Advisory Committee will nominate four faculty members as potential members and two additional faculty members as potential alternate members of the Hearing Committee. The Chair of the Faculty Committee, or his or her designated representative, will present the four names approved by the Faculty Committee to the President and the affected faculty member for ranking according to their preferences for membership on the Hearing Committee. The Dean, or his or her designated representative, will then select the two names most preferred by both parties, breaking any tied rankings at his or her discretion. Members of a Hearing Committee should be impartial, knowledgeable about the issues, and skillful in eliciting pertinent information.

Once the Hearing Committee is organized, the following procedures apply:

- a. The four members of the Hearing Committee will select one of their members to serve as Chair of the Hearing Committee.
- b. The President will provide the Hearing Committee with a copy of the dismissal notice. The hearing generally will begin no later than 30 calendar days after receipt of the faculty member’s written request for a hearing. The Chair of the Hearing Committee will forward written notice of the date of the hearing to the committee members, the President, and the faculty member.
- c. The Hearing Committee, in consultation with the President and the faculty member, will decide whether the hearing will be conducted in public or private.
- d. The faculty member may have an academic advisor and/or legal counsel present at the hearing. If the faculty member chooses to have legal counsel present, the Divinity School also may have legal counsel present. The faculty member must notify the Dean at least one week in advance of the scheduled hearing whether he or she intends to have legal counsel present at the hearing.
- e. At the request of the faculty member, the President, or the Hearing Committee, a representative of a responsible educational association may attend the hearing as an observer. The party requesting the observer’s attendance is responsible for paying any costs associated with the observer’s attendance at the hearing.
- f. The faculty member may obtain necessary documentary or other evidence. The Divinity School’s operating officers will attempt to obtain the cooperation of witnesses identified by the faculty member and make the witnesses, necessary documents, and other evidence reasonably available to the faculty member.
- g. The faculty member and the operating officers may question all witnesses. Where the witness cannot appear, but the Hearing Committee determines that the interests of

- justice require admission of his or her statement, the committee shall identify the witness, disclose his or her statement, and if possible provide for interrogatories.
- h. A verbatim record of the hearing or hearings shall be taken and a typewritten copy shall be made available to the faculty member and the President.
 - i. Before and during the hearing, except for announcements necessary for assembling the interested parties, the faculty member, administrators, and the committee members should avoid public statements and publicity about the case.
 - j. The Divinity School must establish grounds constituting good cause for dismissal by substantial evidence. Under this standard, the Hearing Committee's role is not to reweigh the evidence or to substitute its judgment for the President's judgment. Its function is merely to consider whether the evidence as a whole is such that reasonable minds could have reached the same conclusion as the President.

Hearing Committee Report. The Hearing Committee will report its findings and recommendations in writing to the President and the faculty member no later than 15 calendar days after the conclusion of the hearing. The President may either accept or reject the report within 30 calendar days after receipt. If the President rejects the report, he or she shall state his or her reasons for doing so in writing to the Hearing Committee and to the faculty member and shall provide an opportunity for response.

Action by the Board of Trustees. Upon the faculty member's request, the President will provide the Academic Affairs Committee of the Board of Trustees with the record of the case. That committee will review the record and the Hearing Committee's recommendations and will investigate and/or comment further as it deems appropriate. The Academic Affairs Committee then will refer the record and its recommendations to the Board of Trustees at its next regular or special meeting (or to the Executive Committee if no Board Meeting is imminent). If the Board of Trustees rejects the Hearing Committee's recommendations, the Board must report to the Hearing Committee its reasons. The Hearing Committee then will consider the Board's reasons for rejecting the Hearing Committee's recommendations and will then forward its final recommendations to the Board. The Board, or the Executive Committee acting for it, will consider the final recommendations of the Hearing Committee and make the final decision. On the recommendation of the Faculty Tenure Hearing Committee or the President, the Board of Trustees, in determining what payments, if any, will be made beyond the effective date of dismissal, may consider the length and quality of service of the faculty member.

TERMINATION PROCEDURES IN THE EVENT OF ELIMINATION OR SEVERE REDUCTION OF AN ACADEMIC PROGRAM

When, in the judgment of the operating officers, financial circumstances mandate serious consideration of the elimination or reduction of a program with an accompanying dismissal or reassignment of tenured faculty, an ad hoc committee shall be formed to participate in the deliberations and to advise the officers with regard to appropriate actions. The committee shall be comprised of the Faculty Committee Chair, the President, the Dean, and one member of the faculty selected by the Permanent Faculty. The tenured faculty members whose appointments may be directly affected shall have the opportunity to meet with the committee in order to provide

information which the tenured faculty members consider to be relevant. The Dean shall serve as chairperson of the ad hoc committee.

Should the decision be made that the concern is Bonafede and that the termination or reassignment of one or more tenured faculty members is necessary, the ad hoc committee shall assist the operating officers in their efforts to work out the most equitable arrangement possible for the tenured faculty members concerned and for the Divinity School. In these circumstances, the procedures in the section titled "DISMISSAL PROCEDURES" do not apply. If the appointment of a tenured faculty member is terminated under these circumstances, the faculty member shall receive his or her written notice at least twelve months prior to the end of the terminal academic year.

PROFESSIONAL ETHICS AND ACCOUNTABILITY

Academic Freedom

Brite recognizes the principles advanced in the American Association of University Professors (AAUP) 1940 Statement of Principles on Academic Freedom and Tenure and embraces the following for all those who hold faculty appointment:

- a. Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
- b. Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.
- c. College and University teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

Professional Ethics

All Faculty members are expected to comply with the Statement on Professional Ethics adopted by the Brite Faculty in February, 2000. The statement is reproduced from the *AAUP, American Association of University Professors, Policy Documents & Reports*, 1990 Edition.

1. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.
2. As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as

intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

3. As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.
4. As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.
5. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons they avoid creating the impression of speaking or acting for their college or University. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

TITLE IX

Brite Divinity School has a Title IX policy that can be found on the website and in each of the handbooks and manuals for the institution. It can also be found in the Appendix of this *Governance Handbook*.

SAFEGUARDS IN HUMAN RESEARCH

Brite Divinity School encourages faculty to participate in research that advances the fields of which they are a part. From time to time, that research will involve work with human beings. The TCU Internal Review Board is the authorizing agent for all research executed by faculty, staff, and students related to human subjects. More information about their policies and processes can be found at www.research.tcu.edu.

OUTSIDE ACTIVITIES AND EMPLOYMENT

STAFF AND FACULTY

Many kinds of extramural activities do not interfere significantly with academic duties and responsibilities; where such is the case, this activity is consistent with effective service as a member of the faculty or the staff. Other kinds of extramural activity do interfere significantly with academic duties and responsibilities; for such activity, a faculty or staff member will seek a leave of absence from the Divinity School.

A faculty or staff member planning to undertake some extramural form of service for which there is remuneration should recognize that he or she has a primary obligation to the Divinity School and to his or her growth as an administrative staff member or as an educator and scholar. In recognition of the legitimacy of public and private extramural service, the Divinity School will provide institutional arrangements to permit it. Generally speaking, the equivalent of no more than eight hours per week should be devoted to the duties of any extracurricular activities for which there is financial remuneration. Some extramural positions (church leadership position, political office, etc.) may require reduction of the faculty or staff member's workload or a leave of absence for the duration of the commitment to that activity. Such positions will be accompanied by an equitable adjustment of compensation when appropriate. A faculty or staff member may take an approved leave of absence without pay up to two years with such further extensions as the President, after consultation with the Dean, may grant.

The following factors justify the Divinity School's permitting such activities under certain conditions:

1. Exceptional skills of these individuals are thus made available as a contribution to community life.
2. Practical experience in the Divinity School member's field may improve his or her skills on the campus.
3. Such activities may provide a legitimate way of supplementing the income derived from the Divinity School.

On the other hand, the individual's first responsibility is to the Divinity School. It is imperative that there is a clear understanding as to the conditions under which outside work is approved. The following policies regarding outside work will apply:

1. Outside services should be consistent with the academic training and prestige of the profession.
2. No outside service shall be competitive with any program of the Divinity School.
3. Any commercial advertising using the Brite affiliation of the faculty or staff member is prohibited.
4. Any outside work requiring more than an average of eight (8) hours per week shall be considered to impinge on the individual's obligations to his or her primary position with the Divinity School.
5. Clearance must be made with the Dean and President prior to taking any outside assignment in any area of professional activity. This provision does not apply to that portion of the year when the individual's time is not contracted to the Divinity School.

6. Any outside work which conflicts or interferes with scheduled assignments is improper.
7. Outside work does not justify any individual spending less time on campus than is normally expected and does not excuse neglect of any obligation normally expected of a staff member.
8. Outside work is no substitute for research or the publication of creative work that enhances the stature of the faculty. Such outside work can only complement such creative endeavor.

RESPONSIBILITIES OF PERMANENT FACULTY

CURRICULUM REVIEW AND REVISION

Responsibility of the Permanent Faculty

It is the responsibility of the faculty to provide ongoing attention to the curricula of its various degree programs to assure that the content, quality, and effectiveness of the curricula are excellent and represent the current best practices as defined by the standards of the ATS, the professional accrediting body for theological education in the U.S. and Canada. The faculty fulfills its oversight responsibilities through interrelated formative and summative assessment strategies:

- a. ongoing annual assessment of **effectiveness** through such data as measures of student achievement of learning outcomes as assessed in faculty Areas and degree programs and through denominational reports on ordination examinations;
- b. formative and summative review of the **quality** of the curriculum's rigor, relevance, and internal coherence through annual formative reviews in faculty Areas and degree program committees, regularly scheduled degree program reviews (Brite Strategic Plan), and a summative review of the curriculum at least every ten years initiated by the Dean; and
- c. formative and summative review of the **core content** of the curriculum through annual discussions in faculty Areas and degree program committees and through denominational committees and congregations regarding the relevance of the curriculum for the dynamic landscape of religious leadership in the United States and globally.

Summative Assessment

Periodically the Divinity School engages in summative assessment of program. The two most frequent instances are curriculum revision and accreditation compliance reports. At such times, faculty members may be asked to assume responsibilities on ad hoc committees to facilitate such studies. In the event major time and effort is involved, the Dean negotiates with the faculty member in the effort to maintain an equitable workload.

Summative Review and Possible Revision of the Curricula

The faculty schedules formal reviews of the program and curricula of the six degree programs on a staggered and recurring basis. (Brite Divinity School Strategic Plan). The reviews of the MTS, MATM, D.Min., Th.M., and Ph.D. programs are guided by their respective Degree Program Committees which then bring their report and any recommendations to the faculty for discussion and vote. Because of the centrality of the M.Div. Program to Brite's mission, the M.Div. review involves the entire faculty in what is often a more extensive process of review and discussion.

It is the responsibility of the Dean to initiate a review of the curriculum at least every ten years to provide an opportunity for the faculty to engage in focused evidence-based study of the content, quality, and effectiveness of the curriculum with the possibility that the faculty will choose to revise the curriculum. The Dean appoints and chairs a Curriculum Review Task Force that is

composed of members of the faculty and the Associate Dean for Academic Affairs to guide this review and possible revision. The review should include full faculty participation, a wide range of data including peer schools, current best theological curricular practices, results of formative assessment, and consultation with various parties whose expertise is determined to be of use. The recommendations of the curriculum review task force are subject to the majority vote of the faculty. The Dean may initiate this process earlier than the tenth year if a recommendation of the faculty by majority vote authorizes an earlier review.

WORKLOAD

Faculty workload at Brite includes teaching, research activities, and professional service including administrative tasks, advising, and other assignments requested by the Divinity School's executive and academic officers. Every effort should be made by these officers to maintain a reasonable and equitable distribution of the workload among faculty members. In general, assignment of a teaching load involves consideration of variables that include but are not limited to number of sections, number of preparations, class enrollments, course level, contact hours, and similar factors. Workload, including teaching assignments, for any specific faculty member is highly variable and depends on specific assignments in any given year. Normal teaching load is defined as equivalent to twelve semester credit hours during each year.

ADVISING AND COUNSELING OF STUDENTS

Members of the Permanent Faculty are assigned by the Associate Dean for Academic Affairs to serve as academic advisers for students, conferring with them during the periods scheduled for pre-registration and registration in classes as well as other occasions during the academic year (at the request of students and the mutual agreement on a reasonably prompt meeting time). Faculty are in their offices for stipulated academic advising times during advance registration week within each semester and during registration at the beginning of each academic period. In addition, each faculty member is to make reasonable provision for availability to students to discuss their academic and vocational concerns.

Student-faculty discussions are not—and cannot always be limited strictly to matters of academic and vocational concern. Faculty are encouraged and expected to exercise their professional judgment and due diligence in their efforts to aid students in dealing with such issues, are advised that they are neither encouraged nor expected to function as social service or psychological counselors, and are reminded that resources of the TCU Counseling Center, including psychological testing and psychiatric consultation, are available to students.

THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

Brite Divinity School abides by the Family Educational Rights and Privacy Act of 1974, a federal law which provides that the Divinity School will maintain confidentiality of student records. Faculty should be aware of the requirements of The Family Educational Rights and Privacy Act

as the University accords all the rights under the law to its students. No one outside the institution shall have access to, nor will the institution disclose, any information from students' educational records without the written consent of the student except to personnel with a need to know within the institution, to officials of other institutions in which students seek to enroll, to persons or organizations providing students' financial aid, to accrediting agencies carrying out their accreditation function, to persons in compliance with a judicial order, and to persons in an emergency in order to protect the health or safety of students or other persons.

Within the Divinity School community, only those members, individually or collectively, acting in the students' educational interest are allowed access to student educational records. Those members include personnel in the administrative offices of the University and academic personnel within the limitations of their need to know.

At the discretion of the Divinity School, Brite may provide directory information in accordance with the provision of the Act to include student's name, address, telephone number, email, image, church affiliation or preference, names of parents of dependent students, date and place of birth, major field of study, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended by the student. Students may withhold directory information by going to my.tcu.edu. Request for non-disclosure will be honored by the institution for only one year and authorization to withhold directory information must be submitted annually. (Rev. 10/6/06)

The law also provides students with the right to inspect and review information contained in the educational records, to challenge the content of those records, to have a hearing if the outcome of the challenge is unsatisfactory, and to submit explanatory statements for inclusion in their files if they feel the decisions of the hearing panels are not acceptable. Local policy explaining in detail the procedures to be used by Brite for compliance with the provisions of the Act is available in the President's Office.

OPEN DOOR POLICY

The Divinity School expects that every decision made in the management of its affairs and the administration of its personnel policies will take into account the individual interests of its staff and faculty. Staff and faculty members at all levels are expected at all times to treat coworkers, superiors, and subordinates as they themselves, under the same circumstances, would rightfully expect to be treated.

All members of the Administrative Staff, General Staff, and faculty are free to seek information from their immediate supervisor on any matter that is troubling them, or call attention to any condition that may appear to be operating to their disadvantage or the disadvantage of the Divinity School. Such informal discussions when a problem first develops can enable many problems to be cleared up without delay.

Some misunderstandings are inevitable, and not every real or imagined cause of personal dissatisfaction can be removed by discussions with one's immediate supervisor. In such circumstances, the following steps are suggested for resolving these problems or concerns:

1. Initiate a discussion with your immediate supervisor to see if a resolution can be found to the problem or concern;
2. If the above step is not appropriate or fails to arrive at a satisfactory solution, visit with the next level of supervision to see what additional solutions can be developed and discussed with the immediate supervisor to obtain a satisfactory solution;
3. If the process fails after the above steps have been taken, you may request further review with the President. Within a reasonable period of time, a final decision will be made by the President, or other appropriate Brite Divinity official, and reported to all parties concerned.
4. Members of the Administrative Staff and faculty also may be eligible to participate in the grievance process set forth in the *Governance Handbook*.

Concerns related to possible violations of the Divinity School's Equal Employment Opportunity and Harassment Policy should be addressed through the Complaint Procedure set forth in the Documents related to Sexual Harassment and Title IX.

An employee's standing at the Divinity School will not be adversely affected in any way by his or her appropriate use of the Open Door policy.

GRIEVANCE PROCESS

This policy provides a process for addressing grievances of the faculty and administrative staff of Brite Divinity School and for making recommendations to resolve those grievances. The policy applies to the following members of Brite Divinity School's faculty and administrative staff: full-time faculty (including Joint Faculty-Administrative positions), probationary faculty, temporary faculty, part-time faculty, and full-time administrators named in current budgets within the Divinity School. This policy does not apply to: graduate students with teaching/research

assignments, occasional faculty teaching on a course-by-course contract, or applicants for faculty positions. (Rev. 3/03)

1. **Nature of a Grievance.** To be eligible for consideration under this policy, a grievance generally must relate to an ultimate employment decision (e.g., promotion, tenure, or salary). The grievance process shall not be used as a forum for professional disagreements and does not establish or override published Divinity School policies or procedures for making employment decisions

2. **Goal, Definitions, and Administrative Prerequisites**

a. The goal of the policy is to resolve grievances promptly, confidentially, and without fear of prejudice or reprisal to the grievant.

b. Definitions.

(1) “Grievant” refers to the faculty member or administrative staff member bringing the grievance.

(2) “Respondent” refers to the operating officer(s) against whom a grievance is lodged.

(3) Reference to the President in this section includes the phrase “or the President’s designee.” If the President is the respondent, the Chair of the Board of Trustees, or the Chair’s agent, will function in the ways outlined below wherever duties of the President are mentioned.

(4) For purposes of this policy, an “academic day” is defined as a weekday on which regularly scheduled classes are held during the nine-month academic year when faculty are under contract to the Divinity School. Only under unusual circumstances and upon the consent of all persons involved in the grievance process, will grievance procedures occur during the summer.

c. **Administrative Prerequisites.** The grievant must exhaust all administrative appellate processes before he or she may file a grievance. The administrative appellate process must be initiated within 15 academic days after the grievant knew or should have known of the facts giving rise to the grievance. The administrative appellate process involves formal written appeal to the administrative office maintaining direct supervisory responsibility over the respondent. The last administrative appeal must be made to the President’s office. Once commenced, the administrative appellate process must be completed within 10 academic days or as soon as reasonably possible. A grievant who wishes to invoke the grievance process must do so no later than five academic days after completion of the administrative appellate process.

3. **The Grievance Process Generally**

a. The grievance process generally involves only two parties: the grievant and the respondent. A party may comprise more than one person.

- b. The grievance process involves two steps:

Step 1, Informal Procedures. This step includes the appointment of one mediator (the Chair of the Faculty Advisory Committee) to work with the grievant in an attempt to resolve the case informally.

Step 2, Formal Procedures. If no resolution is reached in Step 1, the grievant may file a formal grievance. The mediator serving in Step 1, Informal Procedures may not serve as a consultant to the grievant in Step 2. A grievant who wishes to pursue the formal procedure must prepare a written report to present to the Grievance Committee. The report must clearly state the reasons for a formal grievance and must include information and documents the grievant considers relevant to an evaluation of the grievance.

c. **The Mediator**

- (1) The mediator generally will be the Chair of the Faculty Advisory Committee. In the event of a conflict of interest, the President or Dean (whichever is more removed from the case) will appoint another member of the Faculty Advisory Committee to serve as the mediator. Mediators should be objective, impartial, knowledgeable concerning grievance, and skillful in mediation.

(2) **Goal, Duties, and Responsibilities:**

- (a) The goal of the mediator is to impartially assist in informally resolving grievances so that formal grievance proceedings are unnecessary.
- (b) The mediator is intended to be a source of information regarding Divinity School grievance proceedings in general (e.g., policies, regulations) and will provide to the grievant specific information regarding appropriate reasons for bringing a grievance, including explanation of relevant procedures and documents. The mediator will be available to aid the grievant in understanding specific problems perceived in the decision-making process.
- (c) Any mediator who has a conflict of interest shall excuse himself or herself from any mediation activity with either party.

d. **Informal Grievance**

- (1) The grievant must present to the appropriate supervisory administrator, the Chair of the Faculty Advisory Committee, and the respondent, a written, signed statement of the grievance along with an explicit statement that this material constitutes an informal grievance. The Chair of the Faculty Advisory Committee must confirm that the respondent has been notified and that such notification included the identity of the grievant, the nature of the grievance, and the informal nature of the grievance. The Chair of the

Faculty Advisory Committee, acting as mediator, will attempt to resolve the grievance. The first meeting of the mediator and the grievant initiates the time limit of 20 academic days for filing a formal grievance.

- (2) After the filing of a written informal grievance, all persons involved in the process must retain all records pertinent to the grievance. Additionally, all parties should maintain confidentiality regarding the grievance.

e. **Formal Grievance**

- (1) A formal written grievance must be filed by the grievant to the Grievance Committee within 20 academic days of the mediator being called into the case. The grievant shall provide a copy of the statement to the respondent. Upon the written consent of both parties and the Grievance Committee, this time limit may be modified. (Rev. 10/6/06)
- (2) The formal grievance process begins only after the mediator has determined that informal procedures have failed to resolve the dispute and the grievant has filed a formal grievance with the Grievance Committee. (Rev. 10/6/06)
- (3) The Grievance Committee will be constituted in accordance with the process set forth in section 3.4.7(6) of the Dismissal policy. The Grievance Committee will select one of its members to serve as the Chair of the Grievance Committee. Normally, the Chair shall not have less than one year of experience on the Committee. Members of the Grievance Committee should be objective, impartial, knowledgeable concerning grievance, and skillful in eliciting pertinent information. (Rev. 10/6/06)
- (4) The Grievance Committee will evaluate the written report of the grievant and all available information and documentation. The parties and, if appropriate, other individuals may be interviewed to determine the validity of the grievance. Anyone may refuse to answer questions or provide information they feel would be damaging to themselves or violate confidentiality. The grievant bears the burden of establishing by a preponderance of information submitted to the Grievance Committee that the grievance should be sustained. (Rev. 10/6/06)
- (5) Within 5 academic days (or such time as agreed upon in writing by all parties) the Grievance Committee will issue a written report that either documents the grievances or reports that there is no reasonable information to conclude that a grievance issue exists. Such a finding ends the grievance process. Upon a determination that grievance issues exist, the Grievance Committee shall be limited to the hearing of arguments and reviewing information pertinent to the issue(s) determined to be a grievance. Any individual called to present information may refuse to answer questions or provide information they feel would be damaging to themselves or a violation of confidentiality. (Rev. 10/6/06)

- (6) All proceedings of the Grievance Committee will remain confidential to the extent possible. Public statements and publicity by the parties and the Grievance Committee should be avoided. (Rev. 10/6/06)

4. Procedures and Time Limits for Hearing of Formal Grievances

- a. Written statements and documents that are to be introduced shall be made available to both parties to the dispute at least five academic days before the hearing day on which those materials are to be discussed.
- b. During the proceedings, the grievant and the respondent may have an academic adviser present at the hearing. The academic adviser is a person who is outside of the grievance process but familiar with Brite policies and procedures. Should the grievant choose to engage legal counsel, the respondent may also engage legal counsel. A party who wishes to have an adviser or legal counsel present must so notify the chair of the Grievance Committee at least five academic days before the hearing. The chair of the Grievance Committee must notify others involved in the hearing, including the President. Each party bears the expense of its own counsel. Legal counsel is to provide counsel only and may not participate directly in the hearing. (Rev. 10/6/06)
- c. When the respondent is engaged in the proceedings because of actions arising from administrative or advisory authority duly constituted by the Divinity School (including faculty advisory committees), the Divinity School will bear the expenses of the proceedings for the respondent, regardless of whether the Divinity School is named as party to the grievance.
- d. Both grievant and respondent, or their academic adviser(s), but not legal counsel, may question individuals during the hearing. Such individuals are expected to cooperate in the process but may, at their discretion, refuse to answer questions or provide information.
- e. The hearing will be tape recorded at the Divinity School's expense. Tapes will not be reproduced for the parties but will be reasonably accessible to either party upon request. These records shall be retained in the Office of the President for three years, after which they shall be destroyed. This also applies to the deliberations of the Committee when information is not being presented and neither party is present. In addition to verbatim records, the Grievance Committee will keep written minutes of all meetings. All records shall be accessible to members of the Hearing Committee during the proceedings. (Rev. 10/6/06)
- f. The Grievance Committee should complete the hearing and its deliberations and report its conclusions and recommendations as promptly as is reasonable. (Rev. 10/6/06)
- g. A written report by the Grievance Committee of the nature of the grievance, and the Committee's conclusion and its recommendations shall be filed with the President upon completion of the Grievance Committee's work. Copies of the report must be delivered to both parties. All materials, evidence and transcripts will

be retained in the President's office. At this time, the Grievance Committee is formally dissolved but may still function as a Committee if necessary to respond to a rejection of its report by the operating officers. (Rev. 10/6/06)

- h. The President receives the report of the Grievance Committee; the President may accept or reject the conclusions and recommendations of the Grievance Committee's report. If the President accepts the recommendations of the report, the recommendations should be implemented in a timely manner. If the President rejects the conclusions or declines to implement all recommendations of the report, the President will issue, as soon as practicable, a written statement giving reasons for the rejection. The President's decision whether to reject or accept the Grievance Committee's conclusions or recommendations is final. (Rev. 10/6/06)
- i. The grievant generally will continue to perform his or her duties before and during the formal grievance process, unless suspension with pay is necessary to avoid immediate harm to the grievant or to the Divinity School.

INTELLECTUAL PROPERTY POLICY

Brite Divinity School (Brite/School) recognizes that research and creative activity are vital functions in education and encourages participation by the faculty, staff and students in these scholarly pursuits. Brite affirms that the creator of intellectual property should have maximum freedom with respect to the creation consistent with preexisting obligations to Brite and other legal entities. All intellectual property produced at Brite by faculty, staff, or students is covered by this policy.

Definition

Intellectual Property shall consist of copyrightable materials, patentable subject matter, trademarks and trade secrets. No intellectual property is specifically excluded.

Ownership of Intellectual Property

Brite recognizes that ownership of any and all intellectual property solely belongs to the creator, whether faculty member, staff member, or student except when the intellectual property was developed by staff members, administrators or other non-faculty employees in the course of employment duties and constitutes work for hire under U.S. law. In cases where the property was developed as part of work for hire, Brite will exert ownership rights.

Although it is understood that materials developed for courses belong to the creator, contractual agreements between the faculty member and the school govern payment for course instruction. In all other cases, the owner of intellectual property will have rights to all proceeds derived from such property.

Copyright Infringement and Fair Use

Using the protected works of others in the creation of a new work, or in classroom teaching, will subject the author to infringement liability unless the use falls within the exceptions outlined in current Copyright Law. Fair use doctrine provides limited copying of copyrighted works without permission of the owner for certain teaching and research purposes. In determining fair use, the purpose and character of the use, the nature of the copyrighted work, the amount and substantiality of the portion used and the effect of the use upon the potential market for, or the value of, the copyrighted work will be considered. The last of these factors is considered most important in determining whether a particular use is “fair.” When in doubt, the user should obtain permission to use the material in question.

Brite Divinity School Name, Trademark, or Seal

The Brite name, trademark and seal are the exclusive property of Brite and may not be used:

- in conjunction with any private or commercial enterprise,
- in tandem with the advertisement of any product, and
- by any individual or group promoting itself without prior written approval

Use of the Brite name, trademark or seal on letterhead and business cards is standardized. Any questions regarding the use of the Brite name, trademark, or seal in circumstances other than the ones listed above should be referred to the Vice President for Advancement.

RESTATED ARTICLES OF INCORPORATION

FILED
In the Office of the
Secretary of State of Texas

FOR

APR 26 2004

BRITE DIVINITY SCHOOL

Corporations Section

ARTICLE ONE

Brite Divinity School, pursuant to the provisions of Article 4.06 of the Texas Non-Profit Corporation Act, hereby adopts Restated Articles of Incorporation which accurately copy its prior Restated Articles of Incorporation and all amendments thereto that are in effect to date and as further amended by these Restated Articles of Incorporation as hereinafter set forth, and which contain no other change in any provision thereof.

ARTICLE TWO

The prior Restated Articles of Incorporation of the corporation are amended by these Restated Articles of Incorporation as follows:

1. Article V is amended in part to update the current membership of the Board of Trustees.
- B. Article VIII is amended in part to change the registered agent from Leo Perdue to Ann Sewell.
- C. Article XIII is amended in part to extend the indemnification provisions to employees who are acting as the director of the Pastoral Care and Training Center (the "PCC") and faculty who provide clinical supervision and counseling guidance at the PCC.

D1 Appendix

ARTICLE THREE

The corporation has no members with voting rights. Each amendment made by these Restated Articles of Incorporation has been effected in conformity with the provisions of the Texas Non-Profit Corporation Act, and such Restated Articles of Incorporation, including each such amendment, were duly adopted at a meeting of the Board of Trustees of the corporation held on November 14, 2003, at which a quorum was present, such Restated Articles of Incorporation having received the affirmative vote of at least a majority of the trustees in office.

ARTICLE FOUR

The Articles of Incorporation of Brite Divinity School, a Texas nonprofit corporation, and all amendments, restatements and supplements thereto, are hereby superseded by the following Restated Articles of Incorporation which accurately copy the entire text thereof, as amended as set forth above:

D1 Appendix

RESTATED ARTICLES OF INCORPORATION
OF
BRITE DIVINITY SCHOOL

ARTICLE I

The name of the corporation (the "Corporation") is Brite Divinity School.

ARTICLE II

The Corporation is organized and shall be operated exclusively for religious, charitable and/or educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provision or provisions of any subsequent United States Internal Revenue law or laws (the "Code"). Within the scope of the foregoing purposes, but not by way of limitation thereof, the Corporation shall operate a school of theology which shall have as its function the training of candidates for all phases of the Christian ministry. The Corporation is an independent corporation operating in cooperation with Texas Christian University, and functions as an affiliated school of Texas Christian University. The assets and properties of the Corporation are hereby pledged for use in performing its exempt functions.

ARTICLE III

The Corporation is a nonprofit corporation and shall have all of the powers, duties, authorizations and responsibilities as provided in the Texas Non-Profit Corporation Act. Notwithstanding the foregoing, the Corporation shall neither have nor exercise any power, nor

engage directly or indirectly in any activity, that would invalidate its status as an organization exempt from federal income tax and described in Code Section 501(c)(3). The principal business of the Corporation is to be transacted at its main educational facilities located adjacent to the campus of Texas Christian University in Fort Worth, Tarrant County, Texas. Business may be transacted at other schools and locations elsewhere, as the Board of Trustees of the Corporation may direct.

ARTICLE IV

The period of the Corporation's duration is perpetual.

ARTICLE V

The Board of Trustees of the Corporation shall be the governing body of the Corporation. The number of trustees may be changed from time to time in the manner set forth in the Bylaws of the Corporation, but in no event shall there be less than fifteen (15) nor more than thirty (30) trustees (excluding any *ex officio* member of the Board of Trustees). The Board of Trustees shall satisfy the following criteria:

1. All the trustees must be active members of a church or synagogue;
2. Fifty-one percent (51%) of the trustees must be active members of a Christian Church (Disciples of Christ);
3. A majority of trustees must at all times be residents of the State of Texas; and
4. At least four (4) of the trustees should be members of the Board of Trustees of Texas Christian University, as recommended by the Board of Trustees of Texas Christian University and subject to the approval of the Board of Trustees of Brite Divinity School.

When and if vacancies occur in the Board of Trustees, successors shall be elected by the remaining

trustees. In addition to the trustees elected to serve as such, the President of the Corporation and the Chancellor of Texas Christian University shall serve on the Board of Trustees as *ex officio* members thereof, with full voting rights.

The number of trustees constituting the current Board of Trustees (excluding *ex officio* members) shall be twenty-seven (27), and their names, initial terms, and addresses are as follows:

<u>Name</u>	<u>Year Term Expires</u>	<u>Address</u>
Dr. Harry J. Ashenhurst	2005	Post Office Box 799900 Dallas, TX 75379-9900
Anne Bass	2006	6221 Westover Road Fort Worth, TX 76107
Dr. Eugene Brice	2006	2837 Manorwood Trail Fort Worth, TX 76109
Bishop Ben Chamness	2005	464 Bailey Fort Worth, TX 76107
Dr. R. Scott Colglazier	2006	2720 South University Drive Fort Worth, TX 76109
Marian Dozier	2006	500 Capital of Texas Highway Suite 2 Austin, TX 78746
Dr. John F. Fiedler	2004	1928 Ross Avenue Dallas, TX 75201
Arthur A. Hanna	2005	130 East Washington Street Indianapolis, IN 46204-3659
William Hendrix	2004	8301 East 21 st St. North, Ste. 150 Wichita, KS 67206
Clayton J. Hoover	2006	500 N. Shoreline Suite 1108 North Corpus Christi, TX 78471

Elaine V. Kellam	2005	4407 Hollow Oak Drive Dallas, TX 75287
Pamela D. Leibrock	2004	2403 Culpepper Drive Midland, TX 79705
Dr. John W. Long	2004	Post Office Box 8295 Horseshoe Bay, TX 78657
Dr. Donald Manworren	2005	3209 South University Drive Fort Worth, TX 76109
Wayne Moore	2005	403 Marienfeld Midland, TX 79701
Dr. James Oglesby	2005	4905 Del Rio Court Granbury, TX 76049
Robert H. Patterson	2006	804 Mallory Ct. Tyler, TX 75703
Mary Poss	2005	6405 Mercedes Avenue Dallas, TX 75214
Dr. Thomas N. Potter	2005	2802 Marmon Drive Midland, TX 79705-4819
Paul R. Ray, Jr.	2006	5914 El Campo Terrace Fort Worth, TX 76107
Rena E. Reynolds	2004	2800 Manorwood Trail Fort Worth, TX 76109
Terry L. Simmons	2004	1700 Pacific Ave., Suite 3300 Dallas, TX 75201-463
Larry J. Smith	2006	1300 Post Oak Blvd., Suite 1000 Houston, TX 77056
Roy C. Snodgrass III	2005	515 Congress Ave., Suite 2300 Austin, TX 78701
Dr. Vayden F. Stanley	2006	1825 Christoval Road San Angelo, TX 76903

John L. Ware	2005	200 Crescent Court, Suite 1600 Dallas, TX 75201
Dr. Charles M. Younger	2006	2000 West Cuthbert Midland, TX 79701

ARTICLE VI

The Board of Trustees shall have as its officers a Chair, a Vice-Chair and a Secretary, all of whom shall serve on such executive committee (if any) as may be appointed in the manner provided in the Bylaws of the Corporation.

ARTICLE VII

No part of the net earnings of the Corporation shall inure to the benefit of any trustee or officer of the Corporation, or any private individual; provided, however, that reasonable compensation may be paid for services rendered to or for the Corporation, and expenses may be reimbursed or paid in furtherance of one or more of its purposes.

ARTICLE VIII

The current registered office of the Corporation is 313 Sadler Hall, 2800 S. University Drive, Fort Worth, TX 76129, and the name of the registered agent at such address is Ann Sewell.

ARTICLE IX

In the event the Corporation is dissolved, after all liabilities and obligations of the Corporation are paid or provision is made therefor, the Board of Trustees shall adopt a plan for the distribution of the remaining assets of the Corporation to Texas Christian University, provided such organization is then in existence and exempt from federal income taxation as an organization described in Code Sections 170(b)(1)(A)(ii) and 501(c)(3). If Texas Christian University is not then

in existence as such an organization, the Board of Trustees shall adopt a plan for the distribution of the remaining assets of the Corporation to such other organization or organizations exempt from federal income taxation which are organized and operated exclusively for religious, charitable or educational purposes as shall at that time have purposes similar to those of the Corporation and which are described in Sections 170(b)(1)(A)(ii) and 501(c)(3) of the Code. Any of such assets not so disposed of shall be disposed of by the Probate Court of the county in which the principal office of the Corporation is then located, exclusively for such purposes. No trustee or officer of the Corporation, and no private individual, will be entitled to share in the distribution of any assets of the Corporation in the event of its dissolution.

ARTICLE X

No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation (except as permitted under Section 501(h) of the Code), and the Corporation shall not participate or intervene in (including the publication or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

ARTICLE XI

Notwithstanding any other provision of these Articles of Incorporation, if this Corporation shall be, or shall be deemed to be, a private foundation as described in Section 509(a) of the Code, then (a) the Corporation shall make distributions in each taxable year at such time and in such manner as not to subject the Corporation to tax under Section 4942 of the Code, and (b) the Corporation is expressly prohibited from engaging in any act of self-dealing as defined in Section 4941(d) of the Code, from retaining any excess business holdings as defined in Section 4943(c) of

the Code, from making any investments in such manner as to subject the Corporation to tax under Section 4944 of the Code and from making any taxable expenditures as defined in Section 4945(d) of the Code.

ARTICLE XII

The power to adopt, alter, amend or repeal the Bylaws of the Corporation, and the power to amend or restate these Restated Articles of Incorporation, shall be vested in its Board of Trustees.

ARTICLE XIII

The Corporation shall indemnify any person who was, is, or is threatened to be made a named defendant or respondent in any civil, criminal, administrative or investigative action, suit, or proceeding (a "proceeding") because the person (i) is or was a trustee, officer, or employee (but only an employee acting as the director of the Pastoral Care and Training Center (the "PCC") and faculty who provide clinical supervision and counseling guidance at the PCC ("PCC Directors and Faculty") and only within the scope of the employee's duties in clinical supervision and counseling guidance activities at the PCC) of the Corporation or (ii) while a trustee, officer, or employee (but only PCC Directors and Faculty and only within the scope of the employee's duties in clinical supervision and counseling guidance activities at the PCC) of the Corporation, is or was serving at the request of the Corporation as a director, trustee, officer, partner, venturer, proprietor, employee, agent or similar functionary of another foreign or domestic corporation, partnership, joint venture, sole proprietorship, trust, employee benefit plan or other enterprise, to the fullest extent that a corporation may grant indemnification to a trustee or employee under the Texas Non-Profit Corporation Act, as the same exists or may hereafter be amended. However, the Corporation shall not indemnify PCC Directors and Faculty with respect to any proceeding in which the person shall have been found

liable for willful or intentional misconduct in the performance of his duty to the Corporation, and the person shall be required to reimburse the Corporation for any amounts expended in the person's defense prior to such determination of liability. Any indemnification right in this Article shall be a contract right and shall include the right to be paid by the Corporation expenses incurred in defending any such proceeding in advance of its final disposition to the maximum extent permitted under the Texas Non-Profit Corporation Act, as the same exists or may hereafter be amended. If a claim for indemnification or advancement of expenses hereunder is not paid in full by the Corporation within 90 days after a written claim has been received by the Corporation, the claimant may at any time thereafter bring suit against the Corporation to recover the unpaid amount of the claim, and if successful in whole or in part, the claimant shall be entitled to also be paid the expenses of prosecuting such claim. It shall be a defense to any such action that such indemnification or advancement of costs of defense is not permitted under the Texas Non-Profit Corporation Act, but the burden of proving such defense shall be on the Corporation. Neither the failure of the Corporation (including its Board of Trustees or any committee thereof, or special legal counsel) to have made its determination prior to the commencement of such action that indemnification of, or advancement of costs of defense to, the claimant is permissible in the circumstances nor an actual determination by the Corporation (including its Board of Trustees or any committee thereof, or special legal counsel) that such indemnification or advancement is not permissible shall be a defense to the action or create a presumption that such indemnification or advancement is not permissible. In the event of the death of any person having a right of indemnification under the foregoing provisions, such right shall inure to the benefit of such person's heirs, executors, administrators and personal representatives. The rights conferred above shall not be exclusive of any other right which any person may have or hereafter acquire under any statute, bylaw, resolution of trustees, agreement or

otherwise. The Corporation may additionally indemnify any person covered by the grant of mandatory indemnification contained in this Article to such further extent as is permitted by law and may indemnify any other person to the fullest extent permitted by law. The Corporation may purchase and maintain insurance or a similar arrangement (including, but not limited to, a trust fund, self-insurance, a security interest or lien on the assets of the Corporation, or a letter of credit, guaranty or surety arrangement) on behalf of any person who is serving the Corporation (or another entity at the request of the Corporation) against any liability asserted against such person and incurred by such person in such a capacity or arising out of status as such a person, whether or not the Corporation would have the power to indemnify such person against that liability under this Article or by statute. Notwithstanding the other provisions of this Article, the Corporation may not indemnify or maintain insurance or a similar arrangement on behalf of any person if such indemnification or maintenance of insurance or similar arrangement would (i) subject the Corporation to income or excise tax under the Code, or (ii) constitute an excess benefit transaction within the meaning of Section 4958(c) of the Code.

ARTICLE XIV

A trustee of the Corporation shall not be personally liable to the Corporation for monetary damages for any act or omission in such trustee's capacity as a trustee, except that this Article does not authorize the elimination or limitation of the liability of a trustee to the extent the trustee is found liable for: (i) a breach of the trustee's duty of loyalty to the Corporation; (ii) an act or omission not in good faith that constitutes a breach of duty of the trustee to the Corporation or an act or omission that involves intentional misconduct or a knowing violation of the law; (iii) a transaction from which the trustee received an improper benefit, whether or not the benefit resulted from an action taken within the scope of the trustee's office; or (iv) an act or omission for which the liability of a trustee is

expressly provided by an applicable statute. The foregoing elimination of liability to the Corporation shall not be deemed exclusive of any other rights, limitations of liability or indemnity to which a trustee may be entitled under any other provision of the Articles of Incorporation or Bylaws of the Corporation, contract or agreement, vote of trustees, principle of law or otherwise. Any repeal or amendment of this Article shall be prospective only, and shall not adversely affect any limitation on the personal liability of a trustee of the Corporation existing at the time of such repeal or amendment.

In addition to the circumstances in which a trustee of the Corporation is not personally liable as set forth in the foregoing provisions of this Article, the liability of a trustee shall be eliminated to the full extent permitted by any amendment to the Texas Miscellaneous Corporation Laws Act or the Texas Non-Profit Corporation Act hereafter enacted that further eliminates or permits the elimination of the liability of a trustee.

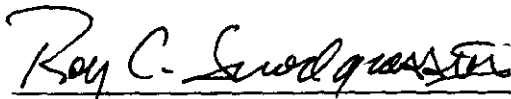
ARTICLE XV

Any action required or permitted to be taken at any meeting of trustees or committee members may be taken without a meeting and without a vote, if a consent or consents in writing setting forth the action so taken shall be signed by a sufficient number of trustees or committee members, as the case may be, as would be necessary to take that action at a meeting at which all persons entitled to vote on the action were present and voted. Prompt notice of the taking of any action by trustees or a committee without a meeting by less than unanimous written consent shall be given to those trustees or committee members who did not consent in writing to the action.

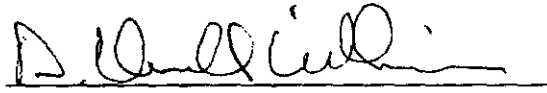
ARTICLE XVI

The Corporation shall have no members.

IN WITNESS WHEREOF, we, Roy C. Snodgrass III and D. Newell Williams, the undersigned officers, have hereto set our names to be effective as of November 14, 2003.



Roy C. Snodgrass III
Chair of the Board of Trustees
Brite Divinity School



D. Newell Williams
President
Brite Divinity School

D1 Appendix

BYLAWS
OF
BRITE DIVINITY SCHOOL
As Amended: February 20, 2017

ARTICLE ONE

NAME, PURPOSES, POWERS AND OFFICES

Section 1.1. Name. The name of this corporation (the "Corporation") is Brite Divinity School.

Section 1.2. Purposes. The Corporation is organized and shall be operated exclusively for religious, charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provision or provisions of any subsequent United States revenue law (the "Code"). Within the scope of the foregoing purposes, but not by way of limitation thereof, the Corporation shall operate a school of theology which shall have as its function the training of candidates for all phases of the Christian ministry. The Corporation is an independent corporation operating in cooperation with Texas Christian University, and functions as an affiliated school of Texas Christian University.

Section 1.3. Powers. The Corporation is a nonprofit corporation and shall have all of the powers, duties, authorizations and responsibilities as provided in the Texas Non-Profit Corporation Act; provided, however, the Corporation shall neither have nor exercise any power, nor engage directly or indirectly in any activity, that would invalidate its status as a corporation that is exempt from federal income tax as an organization described in Section 501(c)(3) of the Code.

Section 1.4. Offices. The Corporation may have, in addition to its registered office, offices at such places, both within and without the State of Texas, as the Board of Trustees may from time to time determine.

ARTICLE TWO

BOARD OF TRUSTEES

Section 2.1. General Powers; Delegation. The activities, property and affairs of the Corporation shall be managed by its Board of Trustees, who may exercise all such powers of the Corporation and do all such lawful acts and things as are permitted by statute, by the Restated Articles of Incorporation or by these Bylaws.

Section 2.2. Number and Qualifications. The Board of Trustees shall consist of such number of trustees as may be determined from time to time by the Board of Trustees; provided, that at no time shall the number of trustees be less than fifteen (15) nor more than thirty-five

(35) (excluding any *ex officio* member of the Board of Trustees), and no decrease in number shall have the effect of shortening the term of any incumbent trustee. The Board of Trustees shall satisfy the following criteria:

1. All the trustees must be active members of a church or synagogue;
2. At least fifty-one percent (51%) of the trustees must be active members of a Christian Church (Disciples of Christ);
3. A majority of trustees must at all times be residents of the State of Texas.

The President of the Corporation and the Chancellor of Texas Christian University shall serve on the Board of Trustees as *ex officio* members thereof, with full voting rights. Further, as a matter of preference, but not mandate, one or more trustees should also be members of the Board of Trustees of Texas Christian University.

Section 2.3. Election and Term of Office; Vacancies. The Board of Trustees shall be a self-perpetuating body. Upon the expiration of the respective terms of the trustees, and at every succeeding election, successors to trustees whose terms shall have expired shall be elected by the affirmative vote of a majority of the other members of the Board of Trustees or by the sole remaining Trustee, even if less than a quorum of the Board of Trustees, and vacancies and new trusteeships shall be filled in the same manner. Any trustee elected to fill a vacancy shall hold office until the expiration of the term of the vacating trustee. The trustees of the Corporation serving as such as of October 5, 2007 may continue serving for the remainder of the term to which he or she was elected and serving on such date. Each trustee shall hold office for a three-year term or until such trustee's earlier death, resignation, retirement, disqualification or removal from office. A trustee shall be eligible for election to a succeeding term following the conclusion of any given term; provided, however, that a trustee (other than an *ex officio* trustee) shall not serve more than four consecutive terms, except in the case of special circumstances. In the case of such special circumstances, a trustee may serve an additional consecutive term for a total of five consecutive terms. To be clear, (i) a trustee may serve more than four terms (or five terms in the case of special circumstances), so long as the terms are not consecutive and (ii) an *ex officio* trustee may serve so long as that trustee serves as the President of the Corporation or the Chancellor of Texas Christian University, as the case may be. Further, anything herein to the contrary notwithstanding, those trustees serving as of October 5, 2007 shall be eligible to complete the term to which each such trustee has been elected as of such date, plus as many as four consecutive subsequent terms (or five consecutive terms in the case of special circumstances). The determination of special circumstances in this Section 2.3 and elsewhere in these Bylaws shall be made by the Committee on Trusteeship (or, in the event there is no Committee on Trusteeship, then by the Executive Committee) in its discretion.

Section 2.4. Board Advisors. The voting trustees may elect Board Advisors who shall serve at the pleasure of the Board of Trustees. The Board Advisors may attend meetings of the Board of Trustees but shall not be considered to be members of the Board of Trustees and shall not be entitled to vote. Board Advisors shall be permitted to serve on and chair committees, other than the Executive Committee. Unless renewed or extended, the terms of Board Advisors shall expire after three years unless terminated earlier by action of the Board of Trustees or by resignation.

Board Advisors shall be subject to the same limitations as to service for consecutive terms to which the trustees are subject in accordance with the provisions of Section 2.3 hereof. Any Board Advisor serving as such on October 5, 2007 shall be eligible to complete the term which was being served by such Board Advisor on that date, plus four additional consecutive terms (or five consecutive terms in the case of special circumstances).

Section 2.5. Attendance Policy. The Committee on Trusteeship will review annually trustee attendance, and where there are multiple unexplained absences, the Chairman of the Committee or a designee thereof will visit with individual trustees concerning their interest in remaining on the Board of Trustees. In discussion of trustee re-nomination, attendance will be one of the factors considered.

Section 2.6. Attendance Records. The Committee on Trusteeship shall establish and maintain attendance records for the Board of Trustees.

Section 2.7. Board of Trustees Profile. The Committee on Trusteeship shall, from time to time, prepare and review a profile of the Board of Trustees based on factors deemed relevant by the Chairman of the Board, including but not limited to, age, gender, geographical distribution, professional expertise, educational training and religious or denominational affiliation.

Section 2.8. Member Re-Nomination. In discussing whether to re-nominate a trustee to an additional term on the Board of Trustees, the Committee on Trusteeship will consider such trustee's attendance record, giving record, program involvement and the overall profile of the Board of Trustees.

Section 2.9. Removal. The Board may remove a member only for cause at a meeting called for that purpose. Examples of cause include failure to fulfill the requirements of trustee service, moral turpitude and malfeasance. Notice of the meeting must state that the purpose, or one of the purposes, of the meeting is the removal of the member. Appropriate opportunity for rebuttal and/or appeal must be given to the member. Removal of a member shall require a majority vote of all members present and voting.

Section 2.10. Place of Meeting. Meetings of the Board of Trustees shall be held at such places, within or without the State of Texas, as may from time to time be fixed by the Board of Trustees or as shall be specified or fixed in the respective notices or waivers of notice thereof.

Section 2.11. Annual Meetings. An annual meeting of the Board of Trustees shall be held in March or April of each year at such time and place as the trustees shall determine. At such annual meeting, the trustees (a) shall elect new members of the Board of Trustees of the Corporation in accordance with, and to the extent provided by, Section 2.3 of these Bylaws, (b) shall elect officers and (c) shall transact any and all other business as may properly come before the meeting. Written or printed notice stating the place, day and hour of each annual meeting of the Board of Trustees shall be delivered not less than ten (10) nor more than sixty (60) days before the date of such meeting to each trustee entitled to vote at such meeting.

Section 2.12. Regular Meetings. Regular meetings of the Board of Trustees, of which no notice shall be necessary, shall be held at such times and places as may be fixed from time to time by resolution adopted by the Board and communicated to all trustees. Except as otherwise provided by statute, by the Restated Articles of Incorporation or by these Bylaws, any and all business may be transacted at any regular meeting.

Section 2.13. Special Meetings. Special meetings of the Board of Trustees may be called by the President or Chair of the Board upon not less than one (1) nor more than 60 days notice to each trustee. Special meetings shall be called by the President, Chair of the Board or Secretary in like manner and on like notice on the written request of two (2) or more trustees. Except as otherwise provided by statute, by the Restated Articles of Incorporation or by these Bylaws, neither the business to be transacted at, nor the purpose of, any regular or special meeting of the Board of Trustees need be specified in the notice or waiver of notice of such meeting.

Section 2.14. Quorum and Manner of Acting. At all meetings of the Board of Trustees the presence of a majority of the number of trustees then in office and entitled to vote shall be necessary and sufficient to constitute a quorum for the transaction of business, except as otherwise provided by statute, by the Restated Articles of Incorporation or by these Bylaws. Trustees present by proxy may not be counted toward a quorum. The act of a majority of the voting trustees present in person or by proxy at a meeting at which a quorum is present shall be the act of the Board of Trustees unless the act of a greater number is required by statute, by the Restated Articles of Incorporation or by these Bylaws, in which case the act of such greater number shall be requisite to constitute the act of the Board. A trustee may vote in person or by proxy executed in writing by the trustee. No proxy shall be valid after three (3) months from the date of its execution. Each proxy shall be revocable unless expressly provided therein to be irrevocable and unless otherwise made irrevocable by law. If a quorum shall not be present at any meeting of the trustees, the trustees present thereat may adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present. At any such adjourned meeting at which a quorum shall later be present, any business may be transacted which might have been transacted at the meeting as originally convened. The Chair of the Board shall preside when present at all meetings of the Board of Trustees. In the absence or upon the disability of the Chair of the Board, the Vice-Chair of the Board shall perform the duties of Chair of the Board.

Section 2.15. Trustees' Expenses. Trustees may receive reimbursement for expenses incurred on behalf of the Corporation.

Section 2.16. Telephone Meetings. Subject to the provisions of applicable law and these Bylaws regarding notice of meetings, members of the Board of Trustees or members of any committee designated by such Board may, unless otherwise restricted by statute, by the Restated Articles of Incorporation or by these Bylaws, participate in and hold a meeting of such Board of Trustees or committee by using conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other, and participation in

a meeting pursuant to this Section 2.12 shall constitute presence in person at such meeting, except when a person participates in the meeting for the express purpose of objecting to the transaction of any business on the ground that the meeting was not lawfully called or convened.

ARTICLE THREE

COMMITTEES

Section 3.1. Executive Committee.

A. General. The Corporation shall have an Executive Committee consisting of the following voting members (i): the Chair of the Board, the Vice-Chair of the Board, the Secretary of the Board; and the Chair of each of the following committees: the Academic Affairs Committee, the Advancement Committee, the Fiscal Affairs Committee, the Student Affairs Committee, and the Trusteeship Committee (provided, however, if one or more of such committees does not exist at any given time, the Board may name another person, who need not be a committee chair, to serve in place of the Chair of such committee), and (ii) at least two other voting members appointed by the Board of Trustees at large. All members of the Executive Committee must be voting members of the Board of Trustees. As a matter of preference, but not mandate, one of such at large members should be an ordained minister, if none of the other voting members is an ordained minister. In addition to the voting members, the immediate past Chair of the Board shall serve as a non-voting member of the Executive Committee for one year following the end of such person's term as Chair of the Board. The Chair of the Board shall act as chair of the Executive Committee. In the absence or upon the disability of the Chair of the Board, the Vice-Chair of the Board shall act as chair of the Executive Committee, unless otherwise determined by the Chair of the Board or by the Executive Committee. The Executive Committee shall have and may exercise, when the Board of Trustees is not in session, all of the authority and powers of the Board of Trustees in the business and affairs of the Corporation, even though such authority and powers may be herein provided or directed to be exercised by a designated officer of the Corporation; provided, however, that the foregoing shall not be construed as authorizing action by the Executive Committee with respect to any action required or specified by statute, the Restated Articles of Incorporation or these Bylaws to be taken by the Board of Trustees, as such. The designation of the Executive Committee and the delegation thereto of authority shall not operate to relieve the Board of Trustees or any trustee of any responsibility imposed by law. Unless sooner discharged by affirmative vote of a majority of the number of trustees present at any meeting of the Board of Trustees at which a quorum is present, each member of the Executive Committee shall hold office until such member's successor is chosen and qualified, or until such member's earlier death, resignation, retirement, disqualification or removal from office; provided, however, that no person serving as an *ex officio* voting member of the Executive Committee shall be removed therefrom as long as such person holds the office entitling such person to serve as a voting member of the Executive Committee under these Bylaws. All actions taken by

the Executive Committee shall be reported to the full Board of Trustees at the next meeting of the Board of Trustees.

B. Meetings. Special meetings of the Executive Committee may be called by or at the direction of the Chair of the Board or by any two (2) members of the Executive Committee by providing notice of the place, date and time of such special meeting not less than one (1) nor more than 50 days before such meeting to each member of the Executive Committee. Except as otherwise provided by statute, the Restated Articles of Incorporation or these Bylaws, any and all business may be transacted at any meeting of the Executive Committee, and neither the purpose of, nor the business to be transacted at, any meeting of the Executive Committee need be specified in the notice or waiver of notice of such meeting.

C. Records. The Secretary of the Board shall keep minutes of the Executive Committee's acts and proceedings, and shall report the same, from time to time, to the Board of Trustees. In the absence or unavailability of the Secretary of the Board, the duties of such office shall be performed by such person as may be designated by the Executive Committee.

Section 3.2. Additional Committees of Trustees. The Board of Trustees by resolution adopted by a majority of the trustees in office may designate one or more additional committees which, to the extent provided in said resolution, shall have and exercise the authority of the Board of Trustees in the management of the Corporation. Each such committee shall consist of two (2) or more persons, a majority of whom are trustees. The designation of such committees and the delegation thereto of authority shall not operate to relieve the Board of Trustees, or any individual trustee, of any responsibility imposed on the Board or such trustee by law.

Section 3.3. Advisory Boards or Committees. Advisory boards or committees not having and exercising the authority, responsibility or duties of the Board of Trustees in the management of the Corporation may be designated by a resolution adopted by the trustees. Except as otherwise provided in such resolution, members of each such advisory board or committee need not be trustees of the Corporation. The Chair of the Board shall appoint the members of such advisory boards or committees. Any member thereof may be removed by the Chair of the Board whenever in the Chair of the Board's judgment the best interests of the Corporation shall be served by such removal.

Section 3.4. Term of Office. Each member of a committee of trustees (including the Executive Committee) or an advisory board or committee shall continue as such until the next annual meeting of the trustees of the Corporation and until such member's successor is appointed or otherwise qualifies as a member of such committee under these Bylaws, unless the board or committee is sooner terminated, or unless such member is removed from such board or committee or shall cease to qualify as a member thereof.

Section 3.5. Chairs. Unless otherwise designated by these Bylaws, one or more members of each committee of trustees or advisory board or committee shall be appointed chair, or co-chair, by the person or persons authorized to appoint the members thereof. Each chair shall hold office for a one year term. A trustee serving as chair shall be eligible for election to a succeeding term following the conclusion of any given term; provided, however, that a trustee shall not serve more than four consecutive terms, except in the case of special circumstances. Those trustees serving as a Chair as of October 5, 2007, shall be eligible to complete the term to which each such trustee has been elected as of such date, plus as many as four consecutive subsequent terms (subject to special circumstance as aforesaid).

Section 3.6. Vacancies. Vacancies in the membership of any committee of trustees (including the Executive Committee) or advisory board or committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

Section 3.7. Quorum; Manner of Acting. Unless otherwise provided by these Bylaws or in the resolution of the Board of Trustees designating a committee of trustees or an advisory board or committee, at all meetings of a committee of trustees (including the Executive Committee) or an advisory board or committee, the presence in person or by telephone conference call in accordance with Article 1396-9.11 of the Texas Non-Profit Corporation Act of a majority of the voting members of such board or committee shall be necessary and sufficient to constitute a quorum for the transaction of business, and the act of a majority of those voting members present at any meeting at which a quorum is present shall constitute the act of such board or committee.

Section 3.8. Rules. Each committee of trustees (including the Executive Committee) or advisory board or committee may adopt rules for its own government not inconsistent with these Bylaws or with rules adopted by the Board of Trustees.

ARTICLE FOUR

NOTICES

Section 4.1. Manner of Giving Notice. Whenever, under the provisions of any statute, the Restated Articles of Incorporation or these Bylaws, notice is required to be given to any trustee or committee member of the Corporation, and no provision is made as to how such notice shall be given, it shall not be construed to require personal notice, but any such notice may be given in writing by hand delivery, by facsimile transmission, by electronic mail or other electronic communication if permitted by the Texas Non-Profit Corporation Act, or by mail, postage prepaid, addressed to such trustee or committee member at such person's address as it appears on the records of the Corporation. Any notice required or permitted to be given by mail shall be deemed to be delivered one day after the same shall be deposited in the United States mails, if sent by overnight delivery; or three days after the same shall be deposited in the United States mails, if sent by first class mail. Any notice required or permitted to be given by facsimile transmission shall be deemed to be given upon successful transmission of such facsimile.

Section 4.2. Waiver of Notice. Whenever any notice is required to be given to any trustee or committee member of the Corporation under the provisions of any statute, the Restated Articles of Incorporation or these Bylaws, a waiver thereof in writing signed by the person or persons entitled to such notice, whether signed before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE FIVE

OFFICERS, EMPLOYEES AND AGENTS:

POWERS AND DUTIES

Section 5.1. Elected Officers of the Board. The elected officers of the Board of Trustees shall be the Chair of the Board, the Vice-Chair of the Board, and the Secretary of the Board, all of whom shall have the respective powers and perform the respective duties described in Article Two and Article Three of these Bylaws. In addition, the Secretary of the Board shall see that notice is given of all meetings of the Board of Trustees and of the Executive Committee and shall keep and attest true records of all proceedings at all such meetings. The Secretary of the Board may delegate his or her duties to the Secretary of the Corporation from time to time. The Chair of the Board and the Vice-Chair of the Board shall hold office for one year terms or until such person's earlier death, resignation, retirement, disqualification or removal from office. The Chair of the Board and the Vice-Chair of the Board shall be eligible for election to a succeeding term following the conclusion of any given term; provided, however, that such persons shall not serve more than six consecutive terms, except in the case of special circumstances. The Secretary of the Board shall hold office for a one year term or until such person's earlier death, resignation, retirement, disqualification or removal from office. The Secretary of the Board shall be eligible for election to a succeeding term following the conclusion of any given term; provided, however, that the Secretary of the Board shall not serve more than four consecutive terms, except in the case of special circumstances. To be clear, a person may serve as Chair of the Board, Vice-Chair of the Board and Secretary of the Board more than the designated number of terms, so long as the terms are not consecutive.

Section 5.2. Elected Operating Officers. The elected operating officers of the Corporation shall include a President and Chief Executive Officer, an Executive Vice President, a Dean, a Secretary, an Assistant Secretary, and a Treasurer. None of the elected operating officers need be a member of the Board of Trustees, except as provided in Section 2.2 hereof (relating to the service of the President as an ex-officio member of the Board of Trustees).

Section 5.3. Election. So far as is practicable, all elected officers shall be elected by the Board of Trustees at each annual meeting thereof.

Section 5.4. Appointive Officers. The Board of Trustees may also appoint one or more Assistant Treasurers, one or more additional Assistant Secretaries, and such other officers and assistant officers and agents as it shall from time to time deem necessary, who shall exercise such powers and perform such duties as shall be set forth in these Bylaws or determined from time to time by the Board.

Section 5.5. Two or More Offices. Any two (2) or more offices may be held by the same person, except that the President and Secretary shall not be the same person.

Section 5.6. Compensation. The compensation, if any, of all officers of the Corporation shall be fixed from time to time by the Board of Trustees. The Board of Trustees may from time to time delegate to the President the authority to fix the compensation of any or all of the other employees and agents of the Corporation.

Section 5.7. Term of Office; Removal; Filling of Vacancies. Each elected officer of the Corporation shall hold office until such officer's successor is chosen and qualified in such officer's stead or until such officer's earlier death, resignation, retirement, disqualification or removal from office. Each appointive officer shall hold office at the pleasure of the Board of Trustees without the necessity of periodic reappointment. Any officer or agent may be removed at any time by the Board of Trustees whenever in its judgment the best interests of the Corporation will be served thereby. If the office of any officer becomes vacant for any reason, the vacancy shall be filled by the Board of Trustees.

Section 5.8. President. The President shall be the chief executive officer of the Corporation and, subject to the provisions of these Bylaws, shall have general supervision of the activities and affairs of the Corporation and shall have general and active control thereof. The President shall meet regularly with the Chancellor of Texas Christian University to confer on matters affecting the mutual well-being of both Texas Christian University and the Corporation. The President shall have general authority to execute bonds, deeds and contracts in the name of the Corporation and to affix the corporate seal thereto; to cause the employment or appointment of such employees and agents of the Corporation as the proper conduct of operations may require and to fix their compensation; to remove or suspend any employee or agent; and in general to exercise all the powers usually appertaining to the office of president of a corporation, except as otherwise provided by statute, the Restated Articles of Incorporation or these Bylaws. In the absence or disability of the President, the duties of such office shall be performed and the powers may be exercised by the Executive Vice President, unless otherwise determined by the President or the Board of Trustees. Upon declaring an opening for the office of President and Chief Executive Officer, the chair of the Board of Trustees will constitute and chair a search committee comprised of two members of the Board and five members of the Permanent Faculty (three elected by the faculty and two appointed by the Board chair). The Search Committee will present to the Board the name of its recommended candidate for election. In the event that the Board fails to elect the recommended candidate, the appointed search committee will continue its work and again present to the Board the name of a recommended candidate for election.

Section 5.9. Executive Vice President. The Executive Vice President shall generally assist the President and shall have such powers and perform such duties and services as shall from time to time be prescribed or delegated to such office by the President or the Board of Trustees.

Section 5.10. Dean. The Dean shall serve as Dean of the Faculty and Chief Academic Officer of Brite Divinity School.

Section 5.11. Secretary. The Secretary shall have charge of the corporate seal (if any) and shall have authority to attest any and all instruments of writing to which the same may be affixed. The Secretary shall keep and account for all books, documents, papers and records of the Corporation, except those for which some other officer or agent is properly accountable, and shall perform such duties as may be delegated thereto by the Secretary of the Board from time to time. The Secretary shall generally perform all duties usually appertaining to the office of secretary of a corporation. In the absence or disability of the Secretary, the duties of such office shall be performed and the powers may be exercised by the Assistant Secretaries in the order of their seniority, unless otherwise determined by the Secretary, the President or the Board of Trustees.

Section 5.12. Assistant Secretaries. Each Assistant Secretary shall generally assist the Secretary and shall have such powers and perform such duties and services as shall from time to time be prescribed or delegated to such office by the Secretary, the President or the Board of Trustees.

Section 5.13. Treasurer. The Treasurer shall be the chief accounting and financial officer of the Corporation and shall have active control of and shall be responsible for all matters pertaining to the accounts and finances of the Corporation and shall direct the manner of certifying the same; shall supervise the manner of keeping all vouchers for payments by the Corporation and all other documents relating to such payments; shall receive, audit and consolidate all operating and financial statements of the Corporation and its various departments; shall have supervision of the books of account of the Corporation, their arrangements and classification; shall supervise the accounting and auditing practices of the Corporation and shall have charge of all matters relating to taxation. The Treasurer shall have the care and custody of all monies, funds and securities of the Corporation; shall deposit or cause to be deposited all such funds in and with such depositories as the Board of Trustees shall from time to time direct or as shall be selected in accordance with procedures established by the Board; shall advise upon all terms of credit granted by the Corporation; shall be responsible for the collection of all its accounts and shall cause to be kept full and accurate accounts of all receipts, disbursements and contributions of the Corporation. The Treasurer shall have the power to endorse for deposit or collection or otherwise all checks, drafts, notes, bills of exchange or other commercial papers payable to the Corporation, and to give proper receipts or discharges for all payments to the Corporation. The Treasurer shall generally perform all duties usually appertaining to the office of treasurer of a corporation. In the absence or disability of the Treasurer, the duties of such office shall be performed and the powers may be exercised by the Assistant Treasurers in the order of their seniority, unless otherwise determined by the Treasurer, the President or the Board of Trustees.

Section 5.14. Assistant Treasurers. Each Assistant Treasurer shall generally assist the Treasurer and shall have such powers and perform such duties and services as shall from time to

time be prescribed or delegated to such office by the Treasurer, the President or the Board of Trustees.

Section 5.15. Additional Powers and Duties. In addition to the foregoing specially enumerated duties, services and powers, the several elected and appointed officers of the Corporation shall perform such other duties and services and exercise such further powers as may be provided by statute, the Restated Articles of Incorporation or these Bylaws, or as the Board of Trustees may from time to time determine or as may be assigned by any competent superior officer.

ARTICLE SIX

CONTRACTS, CHECKS, DEPOSITS AND FUNDS

Section 6.1. Contracts. The Board of Trustees may authorize any officer or officers, or agent or agents, of the Corporation, in addition to the officers so authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances.

Section 6.2. Checks, Drafts or Orders for Payment. All checks, drafts or orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation shall be signed by such officer or officers, or agent or agents, of the Corporation and in such manner as shall from time to time be determined by resolution of the Board of Trustees. In the absence of such determination, such instruments shall be signed by the President and the Treasurer of the Corporation.

Section 6.3. Deposits. All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositories as the Board of Trustees may select or as may be selected in accordance with procedures established by the Board.

Section 6.4. Contracts Involving Trustees, etc. and Officers. Members of the Board of Trustees, any committee thereof (including the Executive Committee) and any advisory board or committee, and officers of the Corporation (any such person hereinafter referred to as a "corporate fiduciary"), shall be permitted to maintain a direct or indirect interest in any contract relating to or incidental to the operations of the Corporation, and may freely make contracts, enter into transactions, or otherwise act for and on behalf of the Corporation, notwithstanding that at such time they also may be acting as individuals, trustees of trusts, beneficiaries of trusts, members or associates or as agents, officers, trustees or directors for other persons or corporations (or as persons having similar responsibilities for such other persons or corporations), or may be interested in the same matters as shareholders, officers, trustees, directors or otherwise; provided, however, that prior to consummating any contract, transaction, or action taken on behalf of the Corporation involving any matter in which a corporate fiduciary is personally interested as a shareholder, officer, trustee, trust beneficiary, director, trust advisor or otherwise, that contract, transaction or action must be authorized and approved in good faith by a vote of a majority of the number of trustees in attendance at a meeting at which a quorum

is present, without counting the vote of the interested corporate fiduciary, and only after the non-interested trustees are provided with knowledge of the material facts concerning the transaction and the interested corporate fiduciary's interest in the transaction, and only if the entering into of such contract or transaction is not violative of the proscriptions in the Restated Articles of Incorporation which prohibit the Corporation's use or application of its funds for private benefit. An interested trustee may be counted in determining the presence of a quorum at a meeting of the Board of Trustees at which a contract or transaction described in this Section 6.4 is authorized. Notwithstanding any provision contained herein, no contract, transaction or act shall be taken on behalf of the Corporation if such contract, transaction or act would result in denial of the Corporation's exemption from federal income tax. In no event, however, shall any person or entity dealing with the Board of Trustees, any committee thereof (including the Executive Committee) and any advisory board or committee, or officers of the Corporation, be obligated to inquire into the authority thereof to enter into and consummate any contract or transaction or take other action.

ARTICLE SEVEN

MISCELLANEOUS

Section 7.1. Dividends Prohibited. No part of the net income of the Corporation shall inure to the benefit of any private individual, no dividend shall be paid, and no part of the income of the Corporation shall be distributed to its trustees or officers. The Corporation may pay compensation in a reasonable amount to its officers for services rendered and may compensate and reimburse its trustees as provided in Section 2.16 of Article Two hereof.

Section 7.2. Loans to Officers and Trustees. Any loan by the Corporation to an officer may be made only in the manner and to the extent provided by the Texas Non-Profit Corporation Act. Except as provided in the preceding sentence, no loans shall be made by the Corporation to its officers, and in no event shall any loans be made by the Corporation to its trustees. Any trustees voting for or assenting to the making of any loan to a trustee or officer which is prohibited by the Texas Non-Profit Corporation Act, and any officer participating in the making thereof, shall be jointly and severally liable to the Corporation for the amount of such loan until repayment thereof.

Section 7.3. Fiscal Year. The fiscal year of the Corporation shall be fixed by resolution of the Board of Trustees.

Section 7.4. Seal. The Corporation's seal, if any, shall be in such form as shall be adopted and approved from time to time by the Board of Trustees. The seal may be used by causing it, or a facsimile thereof, to be impressed, affixed, imprinted or in any manner reproduced.

Section 7.5. Gender. Words of either gender used in these Bylaws shall be construed to include the other gender, unless the context requires otherwise.

Section 7.6. Invalid Provisions. If any part of these Bylaws shall be held invalid or inoperative for any reason, the remaining parts, so far as is possible and reasonable, shall remain valid and operative.

Section 7.7. Headings. The headings used in these Bylaws are for convenience only and do not constitute matter to be construed in the interpretation of these Bylaws.

ARTICLE EIGHT

ACTIONS WITHOUT MEETINGS

Section 8.1. Unanimous Consent. Any action required or permitted to be taken at any meeting of trustees or committee members (including the Executive Committee) may be taken without a meeting if a consent in writing setting forth the action to be taken shall be signed by all of the trustees or all of the committee members, as the case may be. Such consent shall have the same force and effect as a unanimous vote, and may be stated as such in any document.

Section 8.2. Other Action Without a Meeting. Any action required or permitted to be taken at any meeting of trustees or committee members (including the Executive Committee) may be taken without a meeting, without prior notice, and without a vote, if a consent or consents in writing, setting forth the action so taken, shall be signed by a sufficient number of trustees or committee members, as the case may be, as would be necessary to take that action at a meeting at which all persons entitled to vote on the action were present and voted. Prompt notice of the taking of any action by trustees or committee members without a meeting by less than unanimous written consent shall be given to those trustees or committee members who did not consent in writing to the action. Every written consent signed by less than all the trustees or committee members entitled to vote with respect to the action that is the subject of the consent shall bear the date of signature of each person who signs the consent. No written consent signed by less than all the trustees or committee members entitled to vote with respect to the action that is the subject of the consent shall be effective to take such action unless, within sixty (60) days after the date of the earliest dated consent delivered to the Corporation in the manner required by law, a consent or consents signed by not less than the minimum number of trustees or committee members that would be necessary to take the action that is the subject of the consent are delivered to the Corporation by delivery to its registered office, registered agent, or principal place of business, or by delivery to an officer or agent of the Corporation having custody of the books in which proceedings of meetings of members are recorded. Delivery shall be by hand or certified or registered mail, return receipt requested. Delivery to the Corporation's principal place of business shall be addressed to the President. A telegram, telex, cablegram or similar transmission by a trustee or committee member, or a photographic, photostatic, facsimile or similar reproduction of a writing signed by a trustee or committee member, shall be regarded as signed by the trustee or committee member for purposes of this Section 8.2.

ARTICLE NINE

AMENDMENTS

These Bylaws may be amended or repealed, or new bylaws may be adopted, at any meeting of the Board of Trustees by the affirmative vote of a majority of the number of the trustees then in office, provided notice of the proposed amendment, repeal or adoption be contained in the notice of such meeting; and provided further, that the foregoing notice requirement shall not prohibit the Board of Trustees from adopting the proposed amendment, effecting the proposed repeal or adopting the proposed new bylaws, as the case may be, in a modified form which is not identical to that described or set forth in the notice of such meeting.

* * * * *

The undersigned, being the duly elected and qualifying Secretary and Assistant Secretary of the Corporation, hereby certify that the foregoing Bylaws of the Corporation were duly adopted by the Board of Trustees of the Corporation effective February 20, 2017.

Michele Smith

Michele G. Smith
Assistant Secretary of the Board

Brite Divinity School
Five-Year and Twenty-first Century Long-Range Plan
Approved by the Brite Board of Trustees April 26-27, 2018
Revised February 8, 2021

Introduction

The process of developing a Five-Year and Twenty-first Century Long-Range Plan was presented to the Brite Board of Trustees and the Brite faculty in April of 2017. The goal of this process as stated by Chair of the Board of Trustees Paul Ray was to “thoroughly evaluate all components of Brite’s current operating model and recommend changes that will ensure Brite’s future as a highly relevant and financially sound institution well into the 21st century.” The process included review of the Brite mission statement, the development of a Brite vision statement, and the identification of institutional goals to strengthen Brite over the next five to 10 years.

Who We Are

Brite Divinity School seeks to prepare leaders to engage a hurting world by helping them to be critical thinkers, to advocate for justice, to be aware of their own place in their society, and to engage effective practices. We focus on excellent scholarship, inclusive justice, and life-giving practices across a variety of vocations and in both ministerial and academic degree programs.

We are interested in scholarship, justice, and practice, not *just* in the context of congregational ministry, though this context is of critical importance. Students preparing for congregational ministry are the largest segment of our student population. At the same time, we recognize that other venues for significant ministry are increasingly available, and it is important for Brite’s graduates to be able to imagine the possibilities in those venues. The landscape of church has changed drastically in the last 30 years. The same is true of the academy. We believe this century needs informed and reflective leaders who are thoughtful, responsive, and adaptable. We want students to have the opportunity to explore their own passions and interests and to be able to imagine a variety of meaningful vocations.

We endeavor to understand our own complicity in injustice, and to stand in solidarity with those who have been, and are being, excluded because of race, gender identity, sexual orientation, and class. We also endeavor to name the ways Christianity has been used as a weapon of conquest, and to understand and stand in solidarity with those whose faith traditions are not our own. We

want to help students understand their own positionality and its effects, and to be in solidarity with other faith traditions as well.

We are committed to building on-campus, face-to-face teaching relationships with students and the larger community. Most of our courses are taught by permanent full-time faculty, though we are grateful for occasional faculty members who temporarily join us and add to our strength.

Brite both supports and expects research leading to publication from the permanent full-time faculty. Through emphasis on faculty research, Brite both enlivens its own classes, and contributes to shaping the larger body of knowledge available to churches, theological schools, universities, and other academic and public venues.

Brite seeks to help churches and ministers directly through programs designed to strengthen pastoral leadership and to support and equip congregations as they address religious and social issues. Brite also hosts a broad array of education offerings to clergy and the laity, and its faculty, staff and students are engaged in the life of religious communities at both local and broader levels. As a resource to these communities, Brite seeks to sustain relationships and open communication, and to remain relevant in its endeavors to serve God's mission in the world.

Our desire is for Brite to be the leader in innovative and creative theological education that embodies hope for the future in which all will flourish.

Vision

A world transformed by God's love, mercy, and justice

Mission

Brite Divinity School educates and inspires people to serve God's diverse world as leaders in churches, the academy, and public life

Institutional Goals to Strengthen Brite

For purposes of this plan, an ***Institutional Goal*** is broad and relatively brief, an ***Objective*** makes an *Institutional Goal* specific and time-bound, while a ***Strategy*** is a plan for achieving an *Objective*.

Brite Divinity School
Five-Year and Twenty-first Century Long-Range Plan
Approved by the Brite Board of Trustees April 26-27, 2018
Revised April 26, 2019

Introduction

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Who We Are

Brite Divinity School seeks to prepare leaders to engage a hurting world by helping them to be critical thinkers, to advocate for justice, to be aware of their own place in their society, and to engage effective practices. We focus on excellent scholarship, inclusive justice, and life-giving practices across a variety of vocations and in both ministerial and academic degree programs.

We are interested in scholarship, justice, and practice, not *just* in the context of congregational ministry, though this context is of critical importance. Students preparing for congregational ministry are the largest segment of our student population. At the same time, we recognize that other venues for significant ministry are increasingly available, and it is important for Brite’s graduates to be able to imagine the possibilities in those venues. The landscape of church has changed drastically in the last 30 years. The same is true of the academy. We believe this century needs informed and reflective leaders who are thoughtful, responsive, and adaptable. We want students to have the opportunity to explore their own passions and interests and to be able to imagine a variety of meaningful vocations.

We endeavor to understand our own complicity in injustice, and to stand in solidarity with those who have been, and are being, excluded because of race, gender identity, sexual orientation, and class. We also endeavor to name the ways Christianity has been used as a weapon of conquest, and to understand and stand in solidarity with those whose faith traditions are not our own. We

want to help students understand their own positionality and its effects, and to be in solidarity with other faith traditions as well.

We are committed to building on-campus, face-to-face teaching relationships with students and the larger community. Most of our courses are taught by permanent full-time faculty, though we are grateful for occasional faculty members who temporarily join us and add to our strength.

Brite both supports and expects research leading to publication from the permanent full-time faculty. Through emphasis on faculty research, Brite both enlivens its own classes, and contributes to shaping the larger body of knowledge available to churches, theological schools, universities, and other academic and public venues.

Brite seeks to help churches and ministers directly through programs designed to strengthen pastoral leadership and to support and equip congregations as they address religious and social issues. Brite also hosts a broad array of education offerings to clergy and the laity, and its faculty, staff and students are engaged in the life of religious communities at both local and broader levels. As a resource to these communities, Brite seeks to sustain relationships and open communication, and to remain relevant in its endeavors to serve God's mission in the world.

Our desire is for Brite to be the leader in innovative and creative theological education that embodies hope for the future in which all will flourish.

Vision

A world transformed by God's love, mercy, and justice

Mission

Brite Divinity School educates and inspires people to serve God's diverse world as leaders in churches, the academy, and public life

Institutional Goals to Strengthen Brite

For purposes of this plan, an ***Institutional Goal*** is broad and relatively brief, an ***Objective*** makes an *Institutional Goal* specific and time-bound, while a ***Strategy*** is a plan for achieving an *Objective*.

In keeping with the guiding principles of “Long-Term Planning at Brite Divinity School, Approved by the Brite Faculty and Board of Trustees, April 4, 2009,” *Objectives* and *Strategies* related to each of the *Institutional Goals* are developed and annually reviewed by the appropriate standing committees of the Brite faculty and Board of Trustees.

Also in accord with Brite’s April 2009 Long-Term Planning document, this plan organizes institutional goals around **mission-services**, e.g., academic and student affairs to which the Board of Trustees has delegated distinct responsibilities to its Operating Officers and the Faculty, and **mission-support**, e.g., matters related to advancement, fiscal affairs, and trusteeship for which the Trustees assume distinct responsibilities in concert with the Board’s Officers and the school’s Operating Officers.

Academic and Student Goals

Academic and student goals serve Brite’s mission by advancing the best of progressive theological education through the integration of three core values: scholarship that engages churches, the academy, and public life; justice that enhances diversity, flourishing and wholeness; and practice that enlivens intellectual, spiritual, and professional growth.

1. Retain and nurture a diverse faculty of at least 21 full-time permanent teacher-scholars that contributes to religious communities, the academy and public life.

Objective: Increase the percentage of faculty members from marginalized communities (including those of African descent, Latino/a, Asian, LGBTQ, etc.).

Strategy: When a search is opened, the Dean and members of the search committee will aggressively pursue candidates from marginalized communities (contact HTI, FTE, NAPAS, and the various other programs that work intensively with candidates from African-American, Latino/a, Asian, LGTBQI, and other marginalized communities).

Objective: To retain a full-time permanent faculty of 21 (inclusive of faculty-administrators), with attention given to such things as faculty-student ratio, programmatic needs, and overall institutional financial realities.

Strategy: When a faculty member leaves the institution through retirement or resignation, the Faculty Committee will do an analysis of the institutional needs for faculty positions prior to recommending a search. This analysis will be presented to the Faculty as part of the process of recommending to the President that a search be opened. This will help insure that we have the right positions in light of potentially shifting curricular needs.

Strategy: To continue to maintain professional development funds (currently at \$1750/year) while also working with advancement to increase funds available

for attending other meetings that contribute to religious communities, academy, and public life (such as church or denominational meetings, advocacy groups, etc.).

Strategy: The Dean and President will monitor the two ATS Peer lists for salary comparisons to make certain that we remain at the top of those schools who are more like us in size and context, and closer to aspirational peers.

2. Recruit an increasingly diverse and qualified student body, maintaining an overall target of 200 registered students each fall (inclusive of all degree programs).

Objective: Brite will be the top-of-mind awareness (TOMA) divinity school for admissions influencers among our target-group denominations and institutions in Texas.

Strategy: Along with continuing communication, the Office of Admissions will maintain a schedule of at least five calls per week to pastors, judicatory leaders, and parachurch organizations.

Strategy: Continue to collaborate with Marketing and Communications to enrich Brite's website and update marketing materials.

Strategy: Organize travel around strategic visits to regional judicatory gatherings of target denominations, select national assemblies, and alternate year visits to feeder schools and constituent congregations.

Objective: Increase the number of applications from marginalized communities.

Strategy: Travel to at least two HBCU's annually and maintain Brite's leading presence at the annual Academy of Preachers.

Strategy: Communicate annually with admissions influencers at every HBCU in the Southwest and in Tennessee.

Strategy: Work with current students and graduates to highlight participation in the Proctor Conference or in Hispanic Theological Initiative programs and to support them in representing Brite.

Objective: Expand the geographical diversity of student body.

Strategy: Work with Advancement to ensure continuation of Brite's major merit Master of Divinity fellowships and to increase the overall stipend pool for first masters programs.

Strategy: Work with existing constituents beyond Texas to identify and recruit persons for whom Brite will be a first choice institution.

Strategy: Build on the growing use of social media to broadcast Brite's ethos and support the signature "high touch" recruitment practices of our office.

Objective: Intentionally investigate ThM and PhD recruiting practices.

Strategy: Faculty in each PhD area will share their preferred strategies for recruitment of ThM and PhD students with the Associate Dean for Academic Affairs.

Strategy: The Associate Dean for Academic Affairs will conduct a research project on historical streams that feed ThM and PhD student enrollment at Brite.

3. Encourage the faculty as they work to shape degree programs that serve twenty-first century needs.

Objective: To review the degree programs to make certain that Brite is offering a degree that: embodies the values of the institution, prepares students for a wider variety of vocational options, draws upon the resources of the faculty and the institution, responds to ongoing assessment of the program, and does not unnecessarily create increasing financial hardship to students.

Strategy: In 2019-2020, the Masters Committee will lead a review the MATM and MTS degrees, proposing any necessary changes to the goals, learning outcomes, and structures for 2020-2021.

Strategy: In 2019-2020, the Doctor of Ministry committee will lead a review the DMin degree, proposing any necessary changes to the goals, learning outcomes, and structures for 2020-2021.

Objective: The Dean and Associate Dean/Institutional Effectiveness Officer will continue to move forward issues important to the 2020-2021 and/or 2021-2022 re-affirmation reports and visits.

Strategy: SACS has requested a one year delay for our reaffirmation, which will now occur in 2021-2022. Brite has requested a one year delay from ATS in order to coincide with the new dates. We will receive word from ATS in the summer about the petition for a delay.

Strategy: The current QEP will be reviewed in 2019-2020, with a report presented to the faculty as they work alongside ongoing curricular development in the Master of Divinity program.

Strategy: The Institutional Effectiveness Officer and the Dean will review our assessment processes in 2019-2020, providing a report to the faculty related to changes or adjustments that need to be implemented.

4. Leverage our connections with Texas Christian University to continue to support and develop cross-university experiences for students and faculty.

Objective: Brite will continue to foster the collaborative degree programs with the School of Social Work and the Neeley School of Business.

Strategy: In order to increase the number of participants in these degree programs, Admissions, the Associate Dean's office, and the Director of Marketing will work on appropriate ways to market the degrees, to describe graduates from the program, and to increase attention to the possibilities of these collaborative degrees.

Strategy: The Associate Dean for Academic Affairs will continue to work with our partners at TCU to make these degrees effective options for students from Brite.

Objective: Brite will continue to encourage faculty members to engage in TCU programs that align with their research and professional interests.

Strategy: The Dean will stay alert to possibilities for faculty members to continue to be engaged with program offerings at TCU, including Gender and Women's Studies, the developing CRES program, and the developing Medical School curriculum.

5. Cultivate spiritual, vocational, and relational practices that help students thrive as twenty-first century leaders in religious communities, the academy, and public life.

Objective: Encourage and support students to explore opportunities for cultivating spiritual practices.

Strategy: Maintain and distribute a list of recommended spiritual directors and counselors whose services match the needs of our students.

Strategy: Work with the Dean's office, faculty, and local constituencies to expand opportunities for developing more diverse modes of spiritual expression, (such as the SOFT Interfaith Dialogue Retreat).

Strategy: Annually survey students about their experiences at Brite with particular attention to spiritual formation, vocational discernment, and relational practices, and share responses with the Dean's office and faculty.

Objective: Develop a more formal process for mentoring students around vocational discernment and practices.

Strategy: Work with the Dean's office to continue to develop strategies for faculty advising.

Strategy: Organize one Community Conversation each semester to address vocational discernment and encourage student participation in faculty advising and mentoring.

Objective: Develop more intentional and robust support for students to navigate relationality in the multiple contexts of Brite's community and as future leader of diverse communities.

Strategy: The Assistant Dean for Common Life will work with the Dean and faculty to provide a variety of contexts throughout the year to orient students to best practices for respectful and generative dialogue in classroom discussions.

Strategy: The Assistant Dean for Common Life will work with faculty and program directors to organize at least one Community Conversation or co-curricular event each semester to address issues of intersectionality and relationality.

Strategy: The Assistant Dean for Common Life will regularly attend meetings of the Brite Student Association and will work with student leaders from the BSA, Brite Black Seminarians, the Sexual and Gender Justice Alliance, and Divergence to foster collaboration and raise awareness around issues of segregation and marginalization.

Advancement Goals

Advancement goals support Brite's mission by developing and strengthening relationships that encourage investment in educating and inspiring persons to serve God's diverse world as leaders in churches, the academy, and public life.

1. Increase giving.

Objective: Brite will increase total giving (other than one-time special gifts, such as major foundation grants and bequests) by 3% within five years by perpetuating and increasing giving from past and current donors, and developing a strong pipeline of new donors.

Strategy: Tailor solicitations to donors and new prospects and include all options of giving, such as unrestricted gifts, endowments, foundation grants, estate and planned gifts, and congregational giving.

Strategy: Break down operating costs into programs and projects so that donors can choose to support what they care most about, resulting in larger gifts more likely to continue.

Strategy: Emphasize multi-year gifts for annual cash flow and ongoing involvement by donors.

Strategy: Apply for grants from foundations, particularly for programmatic priorities.

Strategy: Secure estate gifts for long-term support and as an impetus for donors who don't feel they can afford to give presently, encouraging other planned gifts such as IRA rollovers with tax-saving incentives.

Strategy: Make use of Brite Circle as a giving organization that encourages annual giving and increased giving, as well as recognizing supporters' partnership with Brite.

Strategy: Seek challenge grants and matching gifts as an incentive for giving and encourage employer matching gifts.

Strategy: Encourage trustee financial support at the 100% participation level and ask trustees for introductions to donor prospects.

Strategy: Engage alumnae/i for financial support and introductions to congregations and individual donor prospects.

Strategy: Raise endowment funding by emphasizing the value of lasting gifts that provide earnings in perpetuity and (generally) increase in value and by offering naming opportunities as a means of having a lasting legacy and honoring loved ones. This often gives Brite opportunities to include family or group participation.

Strategy: Continue active involvement with church congregations. Welcome direct gifts from churches, gifts from church groups (such as Sunday school classes) and legacy gifts from dissolving churches, making use of the opportunity to meet new individual prospects.

Strategy: Launch capital campaigns if and when this will increase giving and support a needed project.

Strategy: Hire a part-time Advancement support person to enable vice-president and fundraisers to spend more time fundraising.

2. Raise funding in accordance with the priorities and initiatives of Brite.

Objective: Brite will raise funding to sustain a sound and solvent institution.

Strategy: Consider budgetary priorities each year for current needs, goals and opportunities when planning fundraising.

Strategy: Raise funding that supports bottom-line needs of the school as outlined in the long-range plan.

Strategy: Build the endowment for long-term financial soundness.

Strategy: Develop aspirational, yet realistic, fundraising goals based upon data analysis, what can be accomplished with the Advancement staffing in place, and how declining church membership/giving impacts giving.

3. Market Brite to build a strong, positive image for the institution.

Objective: Brite will have strong and consistent messaging to support Admissions and Advancement goals and to provide a positive public image.

Strategy: Make use of website, Facebook and social media, email, mail and public events and appearances to encourage enrollment and giving, promote Brite and its image, and build good will and present positive stories about its work and people.

Strategy: Develop a strong media relations program that promotes Brite in a favorable light and manages media coverage of Brite news, making use of general news, religious, denominational and academic media sources.

Fiscal Goals

Fiscal goals support Brite's mission by maintaining and managing fiscal resources to fund the educating and inspiring of persons to serve God's diverse world as leaders in churches, the academy, and public life.

1. Continue ongoing oversight and review of portfolio investment strategies to best achieve optimal returns while maintaining long-term sustainability for future generations.

Objective: Structure the Investment Advisory Committee for sustainability.

Strategy: Recommend to the Executive Committee that one or more members be added to the Investment Advisory Committee each year until classes are in place for three year rotations.

Strategy: Assist the Executive Committee with the identification of potential candidates for the Investment Advisory Committee.

Objective: Increase the number of trustees with investment expertise by at least one within three years.

Strategy: Recommend to the Trusteeship Committee that the number of trustees with investment expertise be increased.

Strategy: Assist the Trusteeship Committee with the identification of potential qualified trustees.

Objective: Increase the number of trustees with accounting and/or tax expertise by at least one within three years.

Strategy: Recommend to the Trusteeship Committee that the number of trustees with accounting and/or tax expertise be increased.

Strategy: Assist the Trusteeship Committee with the identification of potential qualified trustees.

2. Decrease the annual spending limit draw percentage from the current 5.24%, with the long-term objective of 4.0%.

Objective: Decrease the annual spending limit draw by an average of one basis point each year for at least three years

Strategy: Annual budgets will be constructed to include a decrease in the draw percentage.

Strategy: Cash reserves will be reviewed annually for designation as quasi-endowment (addition to Brite's invested Current Fund).

Trusteeship Goals

Trusteeship goals support Brite's mission by maintaining and developing a Board of Trustees that will insure the fulfillment of Brite's mission to educate and inspire persons to serve God's diverse world as leaders in churches, the academy, and public life.

1. Nominate trustees who meet current needs of the Board.

Objective: The Committee on Trusteeship will nominate or re-nominate as trustees individuals who have the willingness, wisdom and capacity to share in the governance and support of Brite Divinity School and whose influence, age, gender identity, sexual orientation, racial-ethnic identity, geographic location, professional expertise, educational training and religious or denominational affiliation will meet current needs of the Board.

Strategy:

1. The Committee will annually prepare and review a profile of the Board of Trustees based on such factors as influence, age, gender identify, sexual orientation, racial-ethnic identity, geographical distribution, professional expertise, educational training and religious or denominational affiliation in order to determine current needs.
2. The Committee will solicit names of potential trustees who would meet identified needs.
3. The Committee will research persons recommended as potential trustees.
4. The Committee will initiate contact with potential nominees.
5. The Committee will secure the commitment of the potential nominee to serve if the nomination is accepted by the Board.
6. The Committee will nominate to the Board candidates who meet identified needs.
7. The Board of Trustees will elect trustees from the group of people nominated by the Committee to serve a term of office so designated.

Objective: Trustees will faithfully attend board meetings and actively participate on a committee(s) including teleconferencing when necessary.

Strategy:

1. Potential nominees will be advised that trustees are expected to attend board meetings and to serve on at least one standing committee.
2. Maintain attendance records for the Board of Trustees.
3. Contact those who are not attending and determine what course of action would be most appropriate.
4. Encourage those who are not attending to consider resigning from the board.
5. Recommend to the Board removal of trustees who fail to fulfill the requirements of trustee service per Section 2.9 of the Brite Bylaws.
6. In determining whether to re-nominate a trustee to an additional term, attendance at board meetings will be considered.

Objective: Trustees will contribute annually to the Annual Fund.

Strategy:

1. Potential nominees will be advised that trustees are encouraged to contribute to the Annual Fund to the best of their ability.
2. In determining whether to re-nominate a trustee to an additional term, giving to the Annual Fund will be considered.

Objective: Trustees will support Brite capital campaigns.

Strategy:

1. Potential nominees will be advised that trustees are expected to support Brite capital campaigns by making financial donations to each campaign and by identifying potential donors.
2. In determining whether to re-nominate a trustee to an additional term, support of the Capital Campaign will be considered.

Objective: Trustees will assist in developing other resources for the Divinity School.

Strategy:

1. Potential nominees will be advised that trustees are expected to assist in developing other resources for Brite, such as bequests, trusts, foundation grants, etc.
2. In determining whether to re-nominate a trustee to an additional term, assistance in developing other resources for Brite will be considered.

Objective: Trustees will serve as advocates for and interpreters of Brite to its varied constituencies.

Strategy:

1. Potential nominees will be advised that trustees are expected to serve as advocates and interpreters of Brite.
2. In determining whether to re-nominate a trustee to an additional term, advocacy and interpretation of Brite will be considered.

Objective: Trustees will participate with faculty and staff in strategic planning that supports the mission and undergirds the financial integrity of the school.

Strategy:

1. Potential nominees will be advised that trustees are expected to serve on at least one standing committee and of the role of committees in strategic planning at Brite.
2. Potential nominees will be advised that trustees may be asked to serve on a special or ad hoc committee at the discretion of the President or Executive Committee.

3. In determining whether to re-nominate a trustee to an additional term, participation in strategic planning will be considered.
2. Educate trustees in the nature and operation of Brite and engage them in the responsibilities of trusteeship.

Objective: The Committee will conduct comprehensive orientation for new board members.

Strategy:

1. The Committee will specify a date for the orientation.
2. The new Trustees will attend the orientation.
3. An evaluation of the orientation will be completed by the new Trustees, and the results will be considered in planning the next orientation.

Objective: Trustees will identify areas of preferred service.

Strategy:

1. A method for gathering preferred service areas will be developed.
2. This Preferred Service form will be distributed to all trustees.
3. Results of Preferred Service form will be used in assigning trustees to committees.
4. The preferred service form will be distributed annually and the results considered in reassigning committee responsibility.

Objective: Future Board Leadership and Executive Committee members will be identified and trained to assume greater responsibility.

Strategy:

1. Committee will work with the Chair of the Board and the President to identify and develop future Board leaders.
2. Committee will work with President to assure that committee assignments of future board leaders are changed to more fully expose those leaders to the responsibility and function of each committee.

Objective: Elected Officers of the Board and Ad Hoc Members of the Executive Committee who have the gifts and skills to lead the Board in accord with the school's mission will be nominated for election by the Board.

Strategy:

1. The President will confer with the Chair of the Board of Trustees in the development of a proposed slate of Elected Officers of the Board and Ad Hoc Members of the Executive Committee for consideration by the Committee.
2. The Committee will nominate for election by the Board of Trustees Officers of the Board and Ad Hoc Members of the Executive Committee.

Objective: The Committee will conduct exit interviews with all trustees completing their service on the Board.

Strategy:

1. The Committee will maintain a standard procedure for interviewing trustees completing their service on the Board.
2. The Committee will conduct interviews with trustees completing their service on the Board.
3. Information gained from exit interviews will be used to evaluate and improve procedures for trustee nomination, orientation, and engagement in the responsibilities of trusteeship.

In keeping with the guiding principles of “Long-Term Planning at Brite Divinity School, Approved by the Brite Faculty and Board of Trustees, April 4, 2009,” *Objectives* and *Strategies* related to each of the *Institutional Goals* are developed and annually reviewed by the appropriate standing committees of the Brite faculty and Board of Trustees.

Also in accord with Brite’s April 2009 Long-Term Planning document, this plan organizes institutional goals around **mission-services**, e.g., academic and student affairs to which the Board of Trustees has delegated distinct responsibilities to its Operating Officers and the Faculty, and **mission-support**, e.g., matters related to advancement, fiscal affairs, and trusteeship for which the Trustees assume distinct responsibilities in concert with the Board’s Officers and the school’s Operating Officers.

Academic and Student Goals

Academic and student goals serve Brite’s mission by advancing the best of progressive theological education through the integration of three core values: scholarship that engages churches, the academy, and public life; justice that enhances diversity, flourishing and wholeness; and practice that enlivens intellectual, spiritual, and professional growth.

1. Retain and nurture a diverse faculty of at least 21 full-time permanent teacher-scholars that contributes to religious communities, the academy and public life.

Objective: Appoint a faculty member in New Church and Congregational Transformation to help religious communities, the academy, and the larger public better understand and engage the opportunities and challenges of contemporary religious communities.

Strategy: Seek resources to fund a full-time permanent teacher—scholar in New Church and Congregational Transformation.

Objective: Increase the percentage of faculty members from marginalized communities (including those of African descent, Latino/a, Asian, LGBTQ, etc.).

Strategy: When a search is opened, the Dean and members of the search committee will aggressively pursue candidates from marginalized communities (contact HTI, FTE, NAPAS, and the various other programs that work intensively with candidates from African-American, Latino/a, Asian, LGBTQ, and other marginalized communities).

Objective: To retain a full-time permanent faculty of 21 (inclusive of faculty-administrators), with attention given to such things as faculty-student ratio, programmatic needs, and overall institutional financial realities.

Strategy: When a faculty member leaves the institution through retirement or resignation, the Faculty Committee will do an analysis of the institutional needs for faculty positions prior to recommending a search. This analysis will be presented to the Faculty as part of the process of recommending to the President that a search be opened. This will help insure that we have the right positions in light of potentially shifting curricular needs.

Strategy: To continue to maintain professional development funds (currently at \$1750/year) while also working with advancement to increase funds available for attending other meetings that contribute to religious communities, academy, and public life (such as church or denominational meetings, advocacy groups, etc.).

Strategy: The Dean and President will monitor the two ATS Peer lists for salary comparisons to make certain that we remain at the top of those schools who are more like us in size and context, and closer to aspirational peers.

2. Recruit an increasingly diverse and qualified student body, maintaining an overall target of at least 200 registered students each fall (inclusive of all degree programs).

Objective: Brite will be the top-of-mind awareness (TOMA) divinity school for admissions influencers among our target-group denominations and institutions in Texas.

Strategy: Along with continuing communication, the Office of Admissions will maintain a schedule of at least five calls per week to pastors, judicatory leaders, and parachurch organizations.

Strategy: Continue to collaborate with Marketing and Communications to enrich Brite's website and update marketing materials.

Strategy: With attention to the short- and long-term impact on other priorities for Brite's Institutional life (e.g., filling vacant faculty lines; planning for regular staff and faculty cost of living pay increases, considering the effectiveness and possible reconfiguration of current staff lines; possible re-establishment of the tuition benefit) explore the possibility of hiring in some capacity (e.g., full-time; part-time; contract-consultant) a webmaster/PR/marketing specialist to profile success stories and generate excitement about Brite and the work that its faculty, staff, and students are doing in order to increase Brite's visibility through a frequently updated website, and robust engagement with social media.

Strategy: Organize travel around strategic visits to regional judicatory gatherings of target denominations, select national assemblies, and alternate year visits to feeder schools and constituent congregations.

Objective: Increase the number of applications from marginalized communities.

Strategy: Hire an Admissions Director with experience in recruiting toward diversity.

Objective: Offer theological education to a broad range of persons, within and outside of religious communities who can flourish as members of Brite's diverse and inclusive student body.

Strategy: Travel to at least two HBCU's annually and maintain Brite's leading presence at the annual Academy of Preachers.

Strategy: Cultivate and communicate annually with admissions influencers at every HBCU in Texas, Oklahoma, and Tennessee.

Strategy: Work with current students and graduates to highlight participation in the Proctor Conference or in Hispanic Theological Initiative programs and to support them in representing Brite.

Strategy: Cultivate and communicate annually with leaders and influencers of the LGBTQIA+ Community in order to identify and attract prospective LGBTQIA+ students for Brite, including organizations such as the Human Rights Campaign Religion and Faith Foundation, Parity NYC and Blessed By Difference, the National LGBTQ Task Force's Institute for Welcoming Resources, and LGBTQ Faith Matters.

Objective: Expand the geographical diversity of student body.

Strategy: Work with Advancement to ensure continuation of Brite's major merit Master of Divinity fellowships and to increase the overall stipend pool for first masters programs.

Strategy: Work with existing constituents beyond Texas to identify and recruit persons for whom Brite will be a first choice institution.

Strategy: Build on the growing use of social media to broadcast Brite's ethos and support the signature "high touch" recruitment practices of our office.

Objective: Intentionally investigate ThM and PhD recruiting practices.

Strategy: Faculty in each PhD area will share their preferred strategies for recruitment of ThM and PhD students with the Associate Dean for Academic Affairs.

Strategy: The Associate Dean for Academic Affairs will conduct a research project on historical streams that feed ThM and PhD student enrollment at Brite.

3. Encourage the faculty in their ongoing work to shape degree programs that serve twenty-first century needs.

Objective: To review the degree programs to make certain that Brite is offering a degree that: embodies the values of the institution, prepares students for a wider variety of vocational options, draws upon the resources of the faculty and the institution, responds to ongoing assessment of the program, and does not unnecessarily create increasing financial hardship to students.

Strategy: In 2019-2020, the Masters Committee will lead a review the MATM and MTS degrees, proposing any necessary changes to the goals, learning outcomes, and structures for 2020-2021.

Strategy: In 2019-2020, the Doctor of Ministry committee will lead a review the DMin degree, proposing any necessary changes to the goals, learning outcomes, and structures for 2020-2021.

Objective: The Dean and Associate Dean/Institutional Effectiveness Officer will continue to move forward issues important to the 2020-2021 and/or 2021-2022 re-affirmation reports and visits.

Strategy: SACS has requested a one year delay for our reaffirmation, which will now occur in 2021-2022. Brite has requested a one year delay from ATS in order to coincide with the new dates. We will receive word from ATS in the summer about the petition for a delay.

Strategy: The current QEP will be reviewed in 2019-2020, with a report presented to the faculty as they work alongside ongoing curricular development in the Master of Divinity program.

Strategy: The Institutional Effectiveness Officer and the Dean will review our assessment processes in 2019-2020, providing a report to the faculty related to changes or adjustments that need to be implemented.

4. Leverage our connections with Texas Christian University to continue to support and develop cross-university experiences for students and faculty.

Objective: Brite will continue to foster the collaborative degree programs with the School of Social Work and the Neeley School of Business.

Strategy: In order to increase the number of participants in these degree programs, Admissions, the Associate Dean's office, and the Director of Marketing will work on appropriate ways to market the degrees, to describe graduates from the program, and to increase attention to the possibilities of these collaborative degrees.

Strategy: The Associate Dean for Academic Affairs will continue to work with our partners at TCU to make these degrees effective options for students from Brite.

Objective: Brite will continue to encourage faculty members to engage in TCU programs that align with their research and professional interests.

Strategy: The Dean will stay alert to possibilities for faculty members to continue to be engaged with program offerings at TCU, including Gender and Women's Studies, the developing CRES program, and the developing Medical School curriculum.

5. Cultivate spiritual, vocational, and relational practices that help students thrive as twenty-first century leaders in religious communities, the academy, and public life.

Objective: Encourage and support students to explore opportunities for cultivating spiritual practices.

Strategy: Maintain and distribute a list of recommended spiritual directors and counselors whose services match the needs of our students.

Strategy: Work with the Dean's office, faculty, and local constituencies to expand opportunities for developing more diverse modes of spiritual expression, (such as the SOFT Interfaith Dialogue Retreat).

Strategy: Annually survey students about their experiences at Brite with particular attention to spiritual formation, vocational discernment, and relational practices, and share responses with the Dean's office and faculty.

Objective: Develop a more formal process for mentoring students around vocational discernment and practices.

Strategy: Work with the Dean's office to continue to develop strategies for faculty advising.

Strategy: Organize one Community Conversation each semester to address vocational discernment and encourage student participation in faculty advising and mentoring.

Objective: Develop more intentional and robust support for students to navigate relationality in the multiple contexts of Brite's community and as future leaders of diverse communities.

Strategy: The Director of Community and Spiritual Life will work with the Dean and faculty to provide a variety of contexts throughout the year to orient students to best practices for respectful and generative dialogue in classroom discussions.

Strategy: The Director of Community and Spiritual Life will work with faculty and program directors to organize at least one Community Conversation or co-curricular event each semester to address issues of intersectionality and relationality.

Strategy: The Director of Community and Spiritual Life will regularly attend meetings of the Brite Student Association and will work with student leaders from the BSA, Brite Black Seminarians, the Sexual and Gender Justice Alliance, and Divergence to foster collaboration and raise awareness around issues of segregation and marginalization.

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Strategy: Tailor solicitations to donors and new prospects and include all options of giving, such as unrestricted gifts, endowments, foundation grants, estate and planned gifts, and congregational giving.

Strategy: Break down operating costs into programs and projects so that donors can choose to support what they care most about, resulting in larger gifts more likely to continue.

Strategy: Emphasize multi-year gifts for annual cash flow and ongoing involvement by donors.

Strategy: Apply for grants from foundations, particularly for programmatic priorities.

Strategy: Secure estate gifts for long-term support and as an impetus for donors who don't feel they can afford to give presently, encouraging other planned gifts such as IRA rollovers with tax-saving incentives.

Strategy: Make use of Brite Circle as a giving organization that encourages annual giving and increased giving, as well as recognizing supporters' partnership with Brite.

Strategy: Seek challenge grants and matching gifts as an incentive for giving and encourage employer matching gifts.

Strategy: Encourage trustee financial support at the 100% participation level and ask trustees for introductions to donor prospects.

Strategy: Engage alumnae/i for financial support and introductions to congregations and individual donor prospects.

Strategy: Raise endowment funding by emphasizing the value of lasting gifts that provide earnings in perpetuity and (generally) increase in value and by offering naming opportunities as a means of having a lasting legacy and honoring loved ones. This often gives Brite opportunities to include family or group participation.

Strategy: Continue active involvement with church congregations. Welcome direct gifts from churches, gifts from church groups (such as Sunday school classes) and legacy gifts from dissolving churches, making use of the opportunity to meet new individual prospects.

Strategy: Launch capital campaigns if and when this will increase giving and support a needed project.

Strategy: Hire a part-time Advancement support person to enable vice-president and fundraisers to spend more time fundraising.

2. Raise funding in accordance with the priorities and initiatives of Brite.

Objective: Brite will raise funding to sustain a sound and solvent institution.

Strategy: Consider budgetary priorities each year for current needs, goals and opportunities when planning fundraising.

Strategy: Raise funding that supports bottom-line needs of the school as outlined in the long-range plan.

Strategy: Build the endowment for long-term financial soundness.

Strategy: Develop aspirational, yet realistic, fundraising goals based upon data analysis, what can be accomplished with the Advancement staffing in place, and how declining church membership/giving impacts giving.

3. Market Brite to build a strong, positive image for the institution.

Objective: Brite will have strong and consistent messaging to support Admissions and Advancement goals and to provide a positive public image.

Strategy: Make use of website, Facebook and social media, email, mail and public events and appearances to encourage enrollment and giving, promote Brite and its image, and build good will and present positive stories about its work and people.

Strategy: Develop a strong media relations program that promotes Brite in a favorable light and manages media coverage of Brite news, making use of general news, religious, denominational and academic media sources.

Fiscal Goals

Fiscal goals support Brite's mission by maintaining and managing fiscal resources to fund the educating and inspiring of persons to serve God's diverse world as leaders in churches, the academy, and public life.

1. Continue ongoing oversight and review of portfolio investment strategies to best achieve optimal returns while maintaining long-term sustainability for future generations.

Objective: Structure the Investment Advisory Committee for sustainability.

Strategy: Recommend to the Executive Committee that one or more members be added to the Investment Advisory Committee each year until classes are in place for three-year rotations.

Strategy: Assist the Executive Committee with the identification of potential candidates for the Investment Advisory Committee.

Objective: Increase the number of trustees with investment expertise by at least one within three years.

Strategy: Recommend to the Trusteeship Committee that the number of trustees with investment expertise be increased.

Strategy: Assist the Trusteeship Committee with the identification of potential qualified trustees.

Objective: Increase the number of trustees with accounting and/or tax expertise by at least one within three years.

Strategy: Recommend to the Trusteeship Committee that the number of trustees with accounting and/or tax expertise be increased.

Strategy: Assist the Trusteeship Committee with the identification of potential qualified trustees.

2. Decrease the annual spending limit draw percentage from the current 5.24%, with the long-term objective of 4.0%.

Objective: Decrease the annual spending limit draw by an average of one basis point each year for at least three years

Strategy: Annual budgets will be constructed to include a decrease in the draw percentage.

Strategy: Cash reserves will be reviewed annually for designation as quasi-endowment (addition to Brite's invested Current Fund).

Trusteeship Goals

Trusteeship goals support Brite's mission by maintaining and developing a Board of Trustees that will insure the fulfillment of Brite's mission to educate and inspire persons to serve God's diverse world as leaders in churches, the academy, and public life.

1. Nominate trustees who meet current needs of the Board.

Objective: The Committee on Trusteeship will nominate or re-nominate as trustees individuals who have the willingness, wisdom and capacity to share in the governance and support of Brite Divinity School and whose influence, age, gender identity, sexual orientation, racial-ethnic identity, geographic location, professional expertise, educational training and religious or denominational affiliation will meet current needs of the Board.

Strategy:

1. The Committee will annually prepare and review a profile of the Board of Trustees based on such factors as influence, age, gender identify, sexual orientation, racial-ethnic identity, geographical distribution, professional expertise, educational

- training and religious or denominational affiliation in order to determine current needs.
2. The Committee will solicit names of potential trustees who would meet identified needs.
 3. The Committee will research persons recommended as potential trustees.
 4. The Committee will initiate contact with potential nominees.
 5. The Committee will secure the commitment of the potential nominee to serve if the nomination is accepted by the Board.
 6. The Committee will nominate to the Board candidates who meet identified needs.
 7. The Board of Trustees will elect trustees from the group of people nominated by the Committee to serve a term of office so designated.

Objective: Trustees will faithfully attend board meetings and actively participate on a committee(s) including teleconferencing when necessary.

Strategy:

1. Potential nominees will be advised that trustees are expected to attend board meetings and to serve on at least one standing committee.
2. Maintain attendance records for the Board of Trustees.
3. Contact those who are not attending and determine what course of action would be most appropriate.
4. Encourage those who are not attending to consider resigning from the board.
5. Recommend to the Board removal of trustees who fail to fulfill the requirements of trustee service per Section 2.9 of the Brite Bylaws.
6. In determining whether to re-nominate a trustee to an additional term, attendance at board meetings will be considered.

Objective: Trustees will contribute annually to the Annual Fund.

Strategy:

1. Potential nominees will be advised that trustees are encouraged to contribute to the Annual Fund to the best of their ability.
2. In determining whether to re-nominate a trustee to an additional term, giving to the Annual Fund will be considered.

Objective: Trustees will support Brite capital campaigns.

Strategy:

1. Potential nominees will be advised that trustees are expected to support Brite capital campaigns by making financial donations to each campaign and by identifying potential donors.
2. In determining whether to re-nominate a trustee to an additional term, support of the Capital Campaign will be considered.

Objective: Trustees will assist in developing other resources for the Divinity School.

Strategy:

1. Potential nominees will be advised that trustees are expected to assist in developing other resources for Brite, such as bequests, trusts, foundation grants, etc.
2. In determining whether to re-nominate a trustee to an additional term, assistance in developing other resources for Brite will be considered.

Objective: Trustees will serve as advocates for and interpreters of Brite to its varied constituencies.

Strategy:

1. Potential nominees will be advised that trustees are expected to serve as advocates and interpreters of Brite.
2. In determining whether to re-nominate a trustee to an additional term, advocacy and interpretation of Brite will be considered.

Objective: Trustees will participate with faculty and staff in strategic planning that supports the mission and undergirds the financial integrity of the school.

Strategy:

1. Potential nominees will be advised that trustees are expected to serve on at least one standing committee and of the role of committees in strategic planning at Brite.
2. Potential nominees will be advised that trustees may be asked to serve on a special or ad hoc committee at the discretion of the President or Executive Committee.
3. In determining whether to re-nominate a trustee to an additional term, participation in strategic planning will be considered.

2. Educate trustees in the nature and operation of Brite and engage them in the responsibilities of trusteeship.

Objective: The Committee will conduct comprehensive orientation for new board members.

Strategy:

1. The Committee will specify a date for the orientation.
2. The new Trustees will attend the orientation.
3. An evaluation of the orientation will be completed by the new Trustees, and the results will be considered in planning the next orientation.

Objective: Trustees will identify areas of preferred service.

Strategy:

1. A method for gathering preferred service areas will be developed.
2. This Preferred Service form will be distributed to all trustees.

3. Results of Preferred Service form will be used in assigning trustees to committees.
4. The preferred service form will be distributed annually and the results considered in reassigning committee responsibility.

Objective: Future Board Leadership and Executive Committee members will be identified and trained to assume greater responsibility.

Strategy:

1. Committee will work with the Chair of the Board and the President to identify and develop future Board leaders.
2. Committee will work with President to assure that committee assignments of future board leaders are changed to more fully expose those leaders to the responsibility and function of each committee.

Objective: Elected Officers of the Board and Ad Hoc Members of the Executive Committee who have the gifts and skills to lead the Board in accord with the school's mission will be nominated for election by the Board.

Strategy:

1. The President will confer with the Chair of the Board of Trustees in the development of a proposed slate of Elected Officers of the Board and Ad Hoc Members of the Executive Committee for consideration by the Committee.
2. The Committee will nominate for election by the Board of Trustees Officers of the Board and Ad Hoc Members of the Executive Committee.

Objective: The Committee will conduct exit interviews with all trustees completing their service on the Board.

Strategy:

1. The Committee will maintain a standard procedure for interviewing trustees completing their service on the Board.
2. The Committee will conduct interviews with trustees completing their service on the Board.
3. Information gained from exit interviews will be used to evaluate and improve procedures for trustee nomination, orientation, and engagement in the responsibilities of trusteeship.

Revised: August 2021

POLICY ON SEXUAL AND GENDER-BASED HARASSMENT, SEXUAL ASSAULT, AND OTHER FORMS OF INTERPERSONAL VIOLENCE

I. Statement of Policy

The members of Brite Divinity School ("Brite") hold each other and the institution to the highest standards of personal and professional conduct and behavior. Brite does not discriminate on the basis of sex or gender in its education or employment programs or activities, and seeks to provide a community free of discrimination, harassment in various forms, abuses of power at personal and institutional levels, and other behavior that demeans individuals or diminishes human integrity. Sexual harassment, including sexual assault, is a form of sex discrimination and is prohibited by Title IX of the Education Amendments of 1972 ("Title IX"). This policy prohibits behavior that violates Title IX and Title VII of the Civil Rights Act of 1964 ("Title VII"). Brite is also required to fulfill certain obligations when such prohibited behavior occurs under the Violence Against Women Reauthorization Act of 2013 ("VAWA") and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act").

Brite prohibits Sexual and Gender-Based Harassment, Sexual Assault, Sexual Exploitation, Intimate Partner Violence, Stalking, and Retaliation as those terms are defined herein. It is also a violation of this policy to assist or encourage another person in the commission of any act prohibited by this policy. The conduct prohibited by this policy is unlawful and inconsistent with the mission and values of Brite, and will not be tolerated.

II. Policy Application

This policy applies to all Brite students, Brite employees, applicants for admission and employment, and contractors, vendors, visitors, and guests of Brite relating to conduct prohibited by this policy, when such conduct (1) occurs on Brite's campus or other property owned or controlled by Brite, (2) occurs in the context of a Brite employment or education activity or program, or (3) occurs outside the context of a Brite education or employment program or activity but has continuing negative effects on Brite's students, employees, or others while on Brite property or while engaged in a Brite education or employment program or activity or otherwise affects a substantial interest of Brite.

Brite's Equal Opportunity and Harassment Policy addresses all other forms of harassment and discrimination. It is located at 2.013 of the Brite Support Manual, Policy 1.005 in the Appendix of the Brite Governance Manual, and Section 3.4 of the Student Handbook of General Information.

III. Responsibility

The Title IX Coordinator is responsible for monitoring and overseeing Brite's compliance with Title IX, coordinating Brite's response, investigation and resolution of all reports made under this policy, and ensuring Brite takes appropriate actions to eliminate, prevent the recurrence of, and remedy the effects of conduct prohibited by this policy. The Title IX Coordinator is also responsible for ensuring appropriate education and training.

The Title IX Coordinator at Brite Divinity School
is: Michael Miller
2925 Princeton St.
Fort Worth, TX 76129 Phone: 817.257.7577
Email: MICHAEL.MILLER@TCU.EDU

A report of violation of this policy may be made to the Title IX Coordinator at any time. The Title IX Coordinator is available to meet during regular office hours, in person, by telephone, or by email, with any student, employee or third-party to discuss this policy or the applicable procedures. Outside of

regular office hours, a report of violation of this policy may be made to the Title IX Coordinator by telephone, email, or mail to the above-listed office address.

The Title IX Coordinator receives appropriate training to ensure the responsibilities are discharged in compliance with the law. Concerns about Brite's compliance with Title IX, VAWA, Title VII, or the Clery Act may be addressed to the Title IX Coordinator. Additionally, concerns may also be addressed to the following:

U.S. Department of Education	U.S. Equal Employment Opportunity Commission
Dallas Office	Dallas Office
Office for Civil Rights	207 S. Houston St., 3 rd Floor
U.S. Department of Education	Dallas, TX 75202
1999 Bryan Street, Suite 1620	Tele: 1-800-669-4000
Dallas, Texas 75201-6810	Fax: 214-253-2720
Telephone: 214/661-9600 or 800-421-3481	TTY: 1-800-669-6820
FAX: 214/661-9587; TDD: 800-877-8339	www.eeoc.gov
OCR.Dallas@ed.gov	

IV. **Prohibited Conduct**

A. Sexual and Gender-based Harassment.

Sexual Harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, physical, visual, or written (in writing or electronically) when (1) submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of an individual's employment, academic standing, or participation in a Brite program or activity or is used as the basis for Brite's decisions affecting the individual ("quid pro quo" harassment) or

(2) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creates an intimidating, hostile, or offensive environment for work, academics or other participation in a Brite program or activity. Sexual harassment can involve any person(s) regardless of gender or gender identity.

Gender-based Harassment is harassment based on an individual's actual or perceived gender, gender identity, gender expression, or sexual orientation, or is related to an individual exhibiting what is perceived as a stereotypical characteristic for one's sex, or for failing to conform to stereotypical notions of masculinity and femininity, regardless of the actual or perceived sex, gender, sexual orientation, gender identity, or gender expression of the individual, and may include verbal, non-verbal, physical, visual or written (in writing or electronically) conduct, when (1) submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of an individual's employment, academic standing, or participation in a Brite program or activity or is used as the basis for Brite's decisions affecting the individual ("quid pro quo" harassment) or (2) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creates an intimidating, hostile, or offensive environment for work, academics or other participation in a Brite program or activity. Gender-based harassment may include acts of aggression, intimidation, or hostility, whether verbal, non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions outlined above, are present.

Sexual and/or gender-based harassment results in a hostile environment when the conduct is unwelcome and so sufficiently severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity. Equal access is denied when the conduct unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from Brite's education or employment programs and/or activities. Brite assesses the totality of the circumstances to determine if these factors are present. Severity determinations consider whether conduct is physically

threatening or humiliating, or a mere offensive utterance. Pervasive means frequent. Offensive means conduct that a reasonable person would find hostile or abusive, and the affected individual did perceive it to be hostile or abusive. Conduct must be deemed severe, pervasive, and objectively offensive from both a subjective and an objective perspective. It will be necessary, but not adequate, that the conduct was unwelcome to the individual who was affected.

This type of harassment includes “gender-based harassment,” which is harassment based on an individual’s actual or perceived gender, sexual orientation, gender identity or gender expression, or is related to an individual exhibiting what is perceived as a stereotypical characteristic for one’s sex, or for failing to conform to stereotypical notions of masculinity and femininity, regardless of the actual or perceived sex, gender, sexual orientation, gender identity, or gender expression of the individual. Gender-based harassment may include acts of aggression, intimidation, or hostility, whether verbal, non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions outlined above, are present.

The determination of whether an environment is “severe, pervasive, and offensive” is based on a totality of circumstances, including, but not limited to:

- the degree to which the conduct interfered with the affected individual’s educational or work performance;
- the type, frequency, and duration of the conduct;
- whether the alleged harasser singled out the affected individual;
- whether the alleged harasser knew the complained-of conduct was unwelcome;
- whether the conduct was physically threatening;
- whether the conduct was humiliating;
- the effect of the conduct on the individual’s mental or emotional state; and
- whether the speech or conduct deserves the protections of academic freedom or the First Amendment.

Examples of sexual and gender-based harassment that violate this policy include verbal or written conduct (comments about personal behavior, body, jokes, organized hate activity), physical conduct (rape, assault, inappropriate touching), nonverbal conduct (derogatory gestures or facial expressions, stalking), or visual displays (drawings, inappropriate screensavers, epithets or phrases with implicit content of sexual nature). The following are illustrative; this is not an exhaustive list: Making offensive, derogatory or degrading comments related to an individual’s gender, gender identity, or sexual orientation

- Touching in a way that may make someone feel uncomfortable, such as patting, pinching, or intentional brushing against another’s body
- Telling sexual jokes or jokes about someone’s gender, gender expression, or sexual orientation
- Sending, forwarding, or soliciting sexually suggestive letters, notes, emails, or images
- Sexually derogatory words, phrases, epithets, characterizations, negative stereotypes
- Physical assaults of a sexual nature, such as rape, including acquaintance or date rape, or attempts to commit such an assault, and unwelcome physical conduct or conduct of a sexual nature, such as unwanted touching, impeding or blocking another person’s movements, brushing against, leering at, or making sexual gestures to another person
- Threatening or engaging in reprisals or retaliation after such an overture is rejected
- Implying or threatening that submission to sexual advances or conduct will have an impact on academic admission, grades, reference letters, participation in any Brite program or activity, employment, salary increase or decrease, or promotion

B. Sexual Assault

Sexual Assault includes (1) **Non-consensual sexual contact** and (2) **Non-consensual sexual**

intercourse.

Non-consensual sexual contact means any intentional sexual contact, however slight, with any body part or object, by a person upon another person without consent, including instances where that person is incapable of giving consent and/or is by force. Sexual contact includes (1) intentional contact with the breasts, groin, genitals, or buttocks, whether clothed or unclothed, or mouth, or touching another with any of these body parts, or (2) making another touch you or themselves with or on any of these body parts.

Non-consensual sexual intercourse means any sexual intercourse, however slight, with any object by a person upon another person that is without consent and/or by force.

Sexual intercourse includes: Vaginal or anal penetration by a penis, tongue, finger or object, or any contact between the mouth of one person and the genitals of another person, no matter how slight the penetration or contact.

Sexual assault includes an offense that meets the following definitions of rape, fondling, incest, or statutory rape:

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Sexual intercourse with a person who is younger than 17 years of age and is not a spouse of the Respondent.

Consent to sexual activity is defined as knowing, active, and voluntary permission between the participants, clearly expressed by words or by actions, to engage in mutually agreed upon sexual activity.

Consent to some sexual acts does not constitute consent to others, nor does past consent constitute present or future consent. Consent can be revoked at any time. Silence by itself cannot constitute consent. Consent cannot be given by a person who the other person knows, or reasonably should know, is asleep, unconscious, or physically unable to resist. Consent cannot be given by a person who, because of a mental disease or defect, or intoxication due to alcohol, drugs, or some other intoxicants, a sedative, or “date-rape” drug, is known by the other person to be incapable of appraising the nature of the act, making informed, rational judgments about whether or not to engage in sexual activity or resisting sexual activity.

Consent cannot be compelled by coercion, intimidation, deception, force, or threat of force. Consent given under such circumstances does not constitute willing and voluntary agreement. Consent cannot be given where an individual has intentionally impaired the other person’s power to appraise or control the other person’s conduct by administering any substance without the other person’s knowledge. Consent cannot be given if it is coerced by supervisory or disciplinary authority. Consent cannot be given by a person younger than 17 years of age.

C. Intimate Partner Violence (IPV) includes any act or threatened act of abuse or violence that occurs between individuals who are or have been involved in a dating, domestic, spousal or other intimate relationship. IPV includes “dating violence” and “domestic violence,” as defined by VAWA:

Dating Violence is abuse or violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the type and length of the relationship and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or threat of such abuse, and does not include acts covered under the definition of domestic violence.

Domestic Violence is abuse or violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person with whom the Complainant is cohabitating (or has cohabitated) as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws in the State of Texas, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Texas.

IPV may also include other forms of conduct prohibited by this policy, including Sexual Assault and Stalking.

D. Stalking occurs if a person engages in a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for his/her own safety or the safety of others, or 2) would cause that person to suffer substantial emotional distress. A "course of conduct" means two or more acts in which a person directly, indirectly or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens or communicates to or about another person or interferes with a person's property. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the Complainant. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

E. Sexual Exploitation refers to a situation in which a person intentionally takes non- consensual sexual advantage of another. Examples of sexual exploitation include, but are not limited to:

- Sexual voyeurism (such as watching a person undressing, using the bathroom or engaged in sexual acts without the consent of the person observed).
- Invasion of sexual privacy.
- Taking pictures or video or audio recording another in a sexual act or in any other private activity without the consent of all involved in the activity, (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent).
- Administering alcohol or drugs (such as "date rape" drugs) to another person without his or her knowledge or consent (assuming the act is not completed).
- Exposing one's genitals in non-consensual circumstances.
- Exposing another person to a sexually transmitted infection or virus without the other person's knowledge.

F. Sex Discrimination refers to disparate treatment of an individual on the basis of sex or gender (including, but not limited to, sexual orientation, gender identity, gender expression, and pregnancy status) that adversely affects the terms or conditions of the individual's employment or substantially interferes with the individual's access to education or educational benefits.

G. Retaliation means any adverse action taken against a person who in good faith makes a report of or opposes conduct of the type prohibited by this policy or who has testified, assisted, or participates in an investigation or proceeding under this policy. Retaliation includes conduct that would dissuade a reasonable person from making a report of prohibited conduct or otherwise engaging in an activity protected by this policy. Retaliation includes acts of intimidation and threats.

V. Available Resources

There are a number of resources available to provide support and guidance to students and employees who experience incidents of conduct prohibited by this policy, including sexual assault, interpersonal violence, and stalking. These include medical, law enforcement, and counseling resources, as well as other resources provided by Brite.

A. Medical Assistance

An individual who has been sexually assaulted or subject to any other form of interpersonal violence is strongly encouraged to seek immediate medical care.

- | | |
|---|--|
| * John Peter Smith Hospital | 1500 S. Main Street
Fort Worth, Texas 76104
(817) 702-3431 |
| * Texas Health Resources –
Harris Methodist Hospital | 6100 Harris Pkwy.
Fort Worth, Texas 76132
(817) 433-5000 |

At John Peter Smith Hospital or Texas Health Resources – Harris Methodist Hospital, a certified Sexual Assault Nurse Examiner (SANE Nurse) can provide medical care, assess injuries related to physical and can, within 72 hours after a sexual assault, and conduct a forensic exam. The SANE Nurse collects and documents evidence, and may also collect urine and blood samples for toxicology testing. It is not necessary to report an incident to law enforcement or Brite in order to receive medical attention or a forensic exam. A support person can be present throughout the exam. Even if you decide not to contact law enforcement, medical care is important. Regardless of whether a forensic exam is obtained, individuals are encouraged to seek medical care from a medical provider to address any medical concerns, including concerns of sexually transmitted diseases and pregnancy. Brite students may also seek medical assistance at the TCU Health Center.

- * These resources are available 24 hours/7 days a week.

B. Law Enforcement

Individuals are encouraged to report any criminal conduct to local law enforcement (the Police) immediately. The Police may be able to obtain and execute search warrants, collect forensic evidence, make arrests if there is probable cause to do so, and assist in seeking protective orders.

For immediate assistance: A person who feels physically threatened or who has been the victim of violence, including sexual assault, intimate partner violence, or stalking, should call 911.

Local police can also be reached at the following numbers:

- | | |
|--------------------------|----------------|
| * Fort Worth Police | (817) 335-4222 |
| * Tarrant County Sheriff | (817) 884-3099 |
| * TCU Police | (817) 257-7777 |

- * The Police are available 24 hours/7 days a week.

Individuals can notify law enforcement but can also decline to do so. Brite will assist any individual with notifying law enforcement if they choose to do so. For additional information about the criminal laws in Texas regarding sexual assault, stalking, dating violence and domestic violence, see Section XI below.

C. Confidential Support and Counseling Services

Students and employees are also encouraged to seek immediate and ongoing emotional support after an incident of sexual assault, interpersonal violence, or stalking. Available resources include the following:

1. Emergency Support Services:

* Rape Crisis and Victim Services	(817) 972-2737
* Safe Haven	(877) 701-7233
* TCU Counseling Helpline	(817) 257-7233

2. Ongoing Support Services:

* Rape Crisis and Victim Services	(817) 972-2737
* Safe Haven	(877) 701-7233
* TCU Counseling Helpline	(817) 257-7233
TCU Counseling Center	(817) 257-7863
Certified Confidential Advocate	(817) 257-5225
Director of Community and Spiritual Life	(817) 257-7513

* These resources are available 24 hours/7 days a week.

Confidential counselors can provide trauma-informed support and information about other services and reporting options. Information provided to confidential sources will not be reported to the Title IX Coordinator (or anyone else) for investigation and resolution without consent. However, in some cases, information can be disclosed without consent (for example, when allegations involve abuse of a minor).

D. Brite Resources, Remedial and Supportive Measures

Individuals are strongly encouraged to report violations of this policy to the Title IX Coordinator or to an employee who will report the information to the Title IX Coordinator. All reports of conduct prohibited by this policy should be directed to the Title IX Coordinator by telephone, email or in person during regular office hours. If the report is against the Title IX Coordinator, it should be directed to Brite's President. If the Title IX Coordinator is not immediately available, the matter should be referred to the President of Brite. Likewise, if the allegation is against the Title IX Coordinator, the President of Brite should be notified immediately and will function as the Title IX officer.

As used in this policy, "Complainant" means a student, employee, or third party who presents as the victim of any conduct prohibited by this policy. "Respondent" means the student, employee, or third party who has been accused of engaging in conduct in violation of this policy.

If a Complainant asks that their identity not be shared with the Respondent, that no investigation be pursued, and that no disciplinary action be taken, Brite will attempt to honor this request unless there is a health or safety risk to the Complainant or any other member of the Brite community.

1. Remedial and Supportive Measures

Brite offers a number of resources for all students and employees in response to a report of conduct prohibited by this policy. Upon receiving a report of conduct prohibited by this policy, the Title IX Coordinator will determine whether reasonable supportive, remedial (to address a Complainant's continued access to Brite's programs and activities) and/or protective (action against a Respondent) measures may be helpful and appropriate. All Complainants will be offered individualized supportive measures, whether or not such report evolves into a formal complaint; if a formal complaint is filed, Brite will provide individualized support and guidance services throughout the process to students and employees, whether as Complainant or Respondent. These individualized supportive measures will be non-disciplinary, non-punitive, and will not unreasonably burden the other party Brite will provide reasonable remedial and protective measures to third parties as available, depending on the nature of the relationship between Brite and the third party.

The availability of remedial and/or protective measures will be determined on a case by case

basis, keeping in mind the needs of the individual seeking the remedial and/or protective measures, the severity of the alleged conduct, whether the Complainant and Respondent share any classes, residence hall, dining hall, etc., and whether there are any continuing effects on the Complainant. Brite will attempt to minimize the burden on the individual the remedial and/or protective measures. When allegations involve employees, the Title IX Coordinator may work with others, including TCU's HR Department, to determine appropriate supportive, remedial and/or protective measures.

Remedial and supportive measures may be temporary or permanent, and may be modified by Brite as appropriate. Brite will maintain the privacy of remedial or protective measures to the extent practicable. Examples of such measures include, but are not limited to:

- issuing a No Contact Order;
- arranging access to counseling or medical services and assisting with setting up the initial appointments;
- academic support (including extensions of deadlines or other course-related adjustments and modifications of class schedules);
- modifying housing, transportation, parking and employment arrangements;
- visa and immigration assistance;
- safety planning; and
- imposing interim disciplinary sanctions against a Respondent.

Reports of conduct prohibited by this policy should be made as soon as possible after an incident so that the Title IX Coordinator may begin the process for identifying and coordinating support measures that may be available. While there is no time limit for making a report under this policy, delays in reporting may limit Brite's ability to respond to a report. If the Respondent is no longer a student or employee, Brite will provide reasonably appropriate remedial measures and take reasonable steps to eliminate the conduct, prevent its recurrence, and remedy its effects.

A Complainant may choose to make a report to law enforcement, to Brite, to both, or to neither. A Complainant may also wish to disclose the incident to a Confidential Employee or seek other available resources.

Bystanders are encouraged to offer help and assistance to others in need.

2. Maintaining Privacy and Confidentiality

It is important to understand that reporting an allegation of conduct prohibited by this policy may trigger a different action based on the status of the person to whom the report is made. Also, privacy and confidentiality have different meanings under this policy.

Privacy means that information shared or learned in connection with a report of conduct prohibited by this policy will be shared with a limited number of Brite employees or outside investigators hired by Brite in order to assist in the assessment, investigation and resolution of the report of prohibited conduct. The privacy of records will be protected in accordance with applicable stated and federal privacy laws, including the Family Educational Rights and Privacy Act ("FERPA") and the Health Insurance Portability and Accountability Act ("HIPAA").

Confidentiality relates to communications made in the context of certain relationships, including medical care providers, mental health providers, counselors, and ordained clergy, who may engage in confidential communications under the law. Brite has designated individuals who may engage in confidential communications as "Confidential Employees." When information is shared with a Confidential Employee, he or she will not disclose the information to a third party except as authorized by law or in response to a court order. For example, information may be disclosed if there is concern of serious physical harm to self or others, or the information involves suspected abuse or neglect of a minor.

Employee's Responsibility to Report Student Disclosures or Information about Conduct Prohibited by This Policy

At Brite, an employee's responsibility to report incidents of conduct prohibited by this policy

involving students depends on whether the reporting employee is a Responsible Employee or a Confidential Employee.

A **Responsible Employee** is any Brite employee who is not identified as a Confidential Employee. A Responsible Employee is required to report to the Title IX Coordinator all relevant information and details about an incident of conduct prohibited by this policy that involves a Brite student as a Complainant, Respondent, and/or witness. The information must include names of parties and witnesses, dates, times, and locations. Responsible Employees are not required to report information disclosed at a public awareness event, such as “Take Back the Night” or other similar events.

A **Confidential Employee** is (1) an employee who is a licensed medical, clinical or mental-health professional (e.g. doctor, nurse, psychiatrist, psychologist, professional counselor and social worker), when acting in his or her professional capacity in the provision of services to a patient who is a student; (2) a certified confidential advocate, (3) the Director of Community and Spiritual Life, acting in her or his professional capacity or (4) an ordained clergy member, acting in his or her professional capacity. A Confidential Employee will not disclose information reported to them about conduct prohibited by this policy to the Title IX Coordinator without the student’s permission, except as required by law.

Employee’s Responsibility to Report Conduct Involving an Employee

Management and supervisors, including department chairs, deans, and other unit administrators, are required to report to the Title IX Coordinator all relevant details about conduct prohibited by this policy. Reporting is required when the person knows, or should have known, of such conduct.

Clery Act Reporting

Brite is required by the Clery Act to include statistics about certain offenses in its annual security report and provides those statistics to the United States Department of Education in a manner that does not include any personally identifiable information about individuals involved in an incident. The Clery Act also requires Brite to issue timely warnings to its community about certain crimes that have been reported and may continue to pose a serious or continuing threat to students and employees. In accordance with the Clery Act, Brite does not disclose the names and other personally identifying information of Complainants when issuing timely warnings to Brite’s community.

VI. Reporting Incidents, Formal Complaints, and Interim Measures

The response to both alleged and confirmed fractures of this policy will be guided by pastoral concern for all involved and Brite’s legal obligations. Brite’s efforts to resolve breaches of this policy are intended to be reconciling, restorative, liberating, and healing. At times, this can be accomplished by listening sympathetically and responding with apology, forgiveness, understanding, and a pledge to change behaviors not in keeping with Brite’s ethos. In other instances, reconciliation, restoration to the community, and the liberation and healing of individuals and community can occur only through confession and actions that demonstrate remorse, contrition, repentance and a desire to learn from mistakes. Some matters, however, require resolution in ways that call for accountability to an individual, or to the institution and to the community as a whole

A. DEFINITIONS

- * **Complainant:** The individual who is alleged to be the victim of any prohibited conduct under this Policy.
- * **Participants:** The term “participants” includes the Complainant, Respondent, and any witnesses.
- * **Parties:** The term “parties” refers to the “Complainant” and the “Respondent” under this Policy.

- * **Preponderance of the Evidence:** The greater weight of the credible evidence. Preponderance of the evidence is the standard for determining allegations of conduct that violates this Policy. This standard is satisfied if the action is deemed more likely to have occurred than not.
- * **Reporter:** The individual making a report of an incident under this Policy
- * **Respondent:** The individual and/or organization reported to be the alleged perpetrator of conduct that violates this Policy. Brite recognizes the rights of Parties to report an incident to Brite and to receive a prompt and equitable resolution of the report. This Policy distinguishes between *reporting* incidents and *filing* a Formal Complaint. Upon receipt of either a report of incident or filing of a Formal Complaint alleging conduct prohibited by this policy, Brite will take prompt, thorough, equitable and impartial action consistent with Brite's policies and applicable laws and regulations.

Certain reports of conduct prohibited by this policy may be resolved by Alternate Resolution, which includes a variety of means for resolving reports and Formal Resolution, which involves an investigation, review and findings by a Hearing Committee, and imposition of sanctions, if appropriate. In cases where the Complainant requests anonymity, does not want to pursue an investigation and does not want to pursue disciplinary charges, Brite will determine if it can honor the Complainant's request after determining whether there is a continuing danger to the Complainant or the Brite community.

B. REPORTING INCIDENTS

Any person may report an incident under this Policy to the Title IX Coordinator (as identified in Section III, above), regardless of whether the person reporting is the person alleged to be subject to the complained-of behavior. Reporting an incident informs Brite of the incident, which allows the institution to provide supportive measures (see Section V(D) above) to the Parties and does not necessarily result in the initiation of a grievance process (as outlined below). All Parties who report incidents under this Policy will be offered individualized supportive measures. A decision to remain anonymous may greatly limit Brite's ability to stop the alleged conduct, collect evidence, or take action against parties accused of violating this Policy. Prompt reporting is encouraged.

Brite recognizes that individuals may prefer to report incidents outside of Brite. Resources for reports to outside entities are listed in Sections III and V, above.

C. FILING FORMAL COMPLAINTS

Any person subject to an alleged incident under this Policy, may file a Formal Complaint here to initiate the appropriate grievance process. There are three grievance process tracks under this Policy. Their respective applications are explained in detail below (including exceptions and details as to applicability). Brite recognizes the right of a victim of Sexual Harassment, Sexual Assault, Dating Violence, or Stalking to report the incident and to receive a prompt and equitable resolution of the report or Formal Complaint. The Title IX Coordinator may also file and sign a Formal Complaint based on any incident report received which will initiate the appropriate grievance process track.

D. FORMAL COMPLAINT DISMISSALS

(1) Brite may dismiss a Formal Complaint, at its discretion, for any of the following circumstances:

- (a) If the Complainant requests in writing to dismiss a Formal Complaint;
- (b) If the Respondent is an employee and no longer employed by Brite at the time the Formal Complaint is filed, or is no longer employed at any time during the grievance process including the investigation or hearing;

- (c) Any specific circumstances that prevent Brite from gathering evidence sufficient to reach a determination as to the Formal Complaint or any allegations therein; or
- (d) The conduct alleged does not meet the definition of any conduct prohibited under this Policy.

(2) If Brite dismisses a Formal Complaint, Brite must provide both parties a written notice of the dismissal and the reason(s) for the dismissal. Factors Brite must consider when determining whether to investigate an alleged incident under this Policy include, but are not limited to:

- (a) The seriousness of the alleged incident;
- (b) Whether Brite has received other reports of Prohibited Conduct by the alleged Respondent;
- (c) Whether the alleged incident poses a risk of harm to others; and
- (d) Any other factors Brite determines relevant.

Under state law, if the Complainant requests in writing that Brite not investigate a report, Brite must inform the Complainant of the decision whether or not to investigate. If Brite dismisses a Formal Complaint, Brite must provide the Complainant and Respondent a written notice of the dismissal and the reason(s) for the dismissal.

(3) If the Respondent is a student, who withdraws or graduates while disciplinary charges are pending for a violation of Sexual Harassment, Sexual Assault, Dating Violence, or Stalking, Brite will not end the disciplinary process or issue a transcript to the student until Brite makes a final determination of responsibility. These matters will be expedited as necessary to accommodate both the student and the affected individual's interest in a speedy resolution.

E. INTERIM MEASURES

Appropriate Brite officials will decide if and what interim measures are necessary. Such interim measures may include, but are not limited to, separating the Complainant's and Respondent's academic or working situations, prohibiting contact between parties involved in a complaint, suspending the right of the Respondent to be present on campus or otherwise altering Brite status of the Respondent. Other interim measures may be implemented given the Respondent's relationship with Brite. These interim measures may be kept in place through the conclusion of any review, investigation, or appeal process.

Emergency removal of an individual may be necessary. A Respondent may be removed from Brite's education program, activity, or work environment on an emergency basis if, after an individualized safety and risk analysis, it is determined that such a removal is justified because the Respondent poses an immediate threat to the physical health or safety of an individual arising from the allegations of conduct prohibited by this Policy. Under these circumstances, the Respondent will be notified in writing of the emergency removal from Brite's education program, activity, or work environment and the Respondent will have an opportunity to immediately challenge the decision following the emergency removal.

VII. Presumption and Standard of Proof

All Grievance Processes tracks will use the preponderance of the evidence standard of proof, as defined in this Policy. By law, it is presumed that the Respondent is not responsible for the alleged conduct unless that determination regarding responsibility is made at the conclusion of the Grievance Process.

VIII. Grievance Process Track A

(A) Application

Grievance Process Track A in this Policy applies in the instances where all of the following conditions are met; in all other instances, allegations of conduct violating this Policy will be handled in accordance with the Grievance Process Tracks in Section IX below:

- (1) the Respondent is a student (including a student employee) or employee or other affiliate at Brite Divinity School at the time of the alleged conduct;
- (2) the alleged conduct includes Sexual Assault, Dating Violence, Domestic Violence, Stalking, or Sexual Harassment;
- (3) the alleged conduct occurred against a person in the United States; and
- (4) where the Complainant was participating or attempting to participate in an education program or activity at Brite. This element is met if the conduct occurred in any of the following: on any Divinity School property; during any Divinity School activity; in a building owned or controlled by a student organization that is officially recognized by the Divinity School; or in instances where the Divinity School exercised substantial control over the Respondent and the context in which the alleged conduct occurred.

(B) Written Notice of the Formal Complaint and Notification of Divinity School Offices Offering Assistance

After receiving a Formal Complaint, the Title IX Office will provide a written notice to the Parties of the Formal Complaint and available Divinity School resources and assistance. The written notice of the Formal Complaint will include the following:

- A notice of the Grievance Process steps, as outlined in this Policy;
- A notice of the allegations that potentially constitute Prohibited Conduct under this Policy, including sufficient details about the alleged conduct, including the identity of the parties, if known, and the date(s), time(s), and location(s) of alleged conduct known by the Divinity School at the time of the Formal Complaint;
- A statement of the potential policy violations being investigated;
- A statement that the Respondent is presumed not responsible for the alleged conduct and that the determination regarding responsibility will be made at the conclusion of the Grievance Process;
- A statement of the range of possible disciplinary sanctions and remedies the Divinity School may implement upon a determination of responsibility;
- A statement that credibility determinations will not be based on a person's status as a complainant, respondent, or witness;
- Both parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review all evidence;
- A statement that the parties may review evidence gathered as part of any investigation;

- A statement that knowingly making false statements or knowingly submitting false information during the Grievance Process is prohibited and subject to disciplinary action; and
- Any other information relevant to the written notice.

(C) Investigation of the Formal Complaint—Gathering of Evidence

(1) Respondent Statement

After the Divinity School provides written notice of a Formal Complaint to the parties, the Respondent will be allowed a reasonable time to respond in writing and through an interview with the investigator.

(2) Notice of Events

The Divinity School will provide written notice to a Party, whose participation is invited or expected, of the date, time, location, participants, and purpose of all meetings, investigative interviews, or other proceedings in the Grievance Process.

(3) Evidence

The Parties in the investigation may present any information and evidence that may be relevant to the Formal Complaint, and may have an advisor of their choice attend any related interview, meeting, or proceeding in the Grievance Process. Advisors are not permitted to actively participate in meetings or proceedings in the Grievance Process, unless as expressly outlined below in “D” below. The Parties may present the names of any fact or expert witnesses who may provide relevant information, and how the witnesses may be relevant to the Formal Complaint. The Parties may submit to the investigator any questions they would like asked of any known potential witnesses or parties.

(4) Witness Interviews

The investigators will interview relevant and available witnesses. Neither the Complainant nor the Respondent will normally attend these interviews; however, if either one is permitted to attend, the other shall have the same right.

(5) Investigation Timeframe

The investigation of a Formal Complaint will be concluded within 90 business days of the filing of a Formal Complaint. The Parties should be provided updates on the progress of the investigation, as needed.

(6) Access to Evidence

Prior to the completion of the investigation report, the investigators will provide access to all evidence obtained (whether relevant or not) as part of the investigation to both Parties (and the Party’s advisor, if any, upon a Party’s signed information release for their advisor of choice). Both Parties will have 10 business days to inspect, review, and respond to the evidence. All responses to the evidence must be submitted by the Party in writing to the investigator. The investigators will consider all timely responses submitted by the Parties.

(7) Completed Investigation Report

The completed investigation report will outline each of the allegations that potentially constitutes conduct that violates this Policy, provide the timeline (e.g. procedural steps) of the investigation, and objectively summarize relevant evidence, participant statements, and responses to questions. The investigator will provide a completed investigation report concurrently to both Parties and each Party’s advisor, if any, upon a Party’s signed information release for their advisor of choice at least 10 business days prior to the date of the scheduled hearing to review and provide a written response at the hearing. A copy of the completed investigation report will be issued to the Title IX Coordinator, and to the hearing officer assigned for the hearing.

(D) Live Hearing—Determination of Responsibility

(1) Live Hearing Requirement

Absent a Formal Complaint dismissal or the Parties' decision to pursue the Restorative Practices Alternative, the Divinity School will provide a live hearing for all Formal Complaints subject to this Grievance Process Track A.

(2) Written Notice of the Hearing

The Divinity School will provide at least 10 business days written notice to participants of the hearing (and the Party's advisor, if any, upon Party's signed information release for their advisor of choice), including the date, time, location, names of all participants of the hearing (including the hearing officer, and all Parties and participants in the investigation report), purpose of the hearing, a statement of the alleged conduct charges, and a summary statement of the evidence gathered.

(3) Challenges to the Hearing Officer

Either Party may challenge the fairness, impartiality or objectivity of a hearing officer. The challenge must be submitted in writing to the hearing officer through the office coordinating the hearing within 4 business days after notice of the identity of the hearing officer, and must state the reasons for the challenge. The Title IX Coordinator will select an impartial appellate officer for the appeal. The appellate officer must not be the same person as the investigator(s) or hearing officer.

(4) Hearing Officer Duties at the Hearing

The hearing officer will rule on all procedural matters and on objections regarding exhibits and testimony of participants at the hearing, may question participants who testify at the hearing, and is entitled to have the advice and assistance of legal counsel.

(5) Access to Evidence

Each Party will have access to all of the evidence from the investigation, including a copy of the completed investigation report, as outlined in "C" above.

(6) Separate Rooms and Virtual Participation

At the request of either Party, the Divinity School will provide the hearing to occur with the Parties located in separate rooms with technology enabling the hearing officer and the Parties to simultaneously see and hear the participants answering questions. Participants may appear at the hearing virtually, and are not required to be physically present in the same physical location of the hearing.

(7) Opening Statements

Each party may make opening and closing statements.

(8) Privileged Information Excluded

No person will be required to disclose information protected under a legally recognized privilege. The hearing officer must not allow into evidence or permit or rely upon any questions or evidence that may require or seek disclosure of such information, unless the person holding the privilege has waived the privilege. This includes information protected by the attorney-client privilege.

(9) Advisor of Choice

Each Party must have an advisor. Each party may have an advisor of their choice at the hearing. If a Party does not have an advisor, the Divinity School must provide one. Advisors are not permitted to actively participate in the hearing, except for asking questions of the other Party and any other witnesses. In addition, witnesses may have an advisor of their choice at the hearing.

Form 403
(Revised 05/11)

Submit in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512/463-5709
Filing Fee: \$15



This space reserved for office use.

Certificate of Correction

Entity Information

1. The name of the filing entity is:

Brite Divinity School

State the name of the entity as currently shown in the records of the secretary of state. If the certificate of correction corrects the name of the entity, state the present name and not the name as it will be corrected.

The file number issued to the filing entity by the secretary of state is: 0002743901

Filing Instrument to be Corrected

2. The filing instrument to be corrected is : Certificate of Amendment

The date the filing instrument was filed with the secretary of state: 03/09/2020

mm/dd/yyyy

Identification of Errors and Corrections

(Indicate the errors that have been made by checking the appropriate box or boxes; then provide the corrected text.)

☐ The entity name is inaccurate or erroneously stated. The corrected entity name is:

☐ The registered agent name is inaccurate or erroneously stated. The corrected registered agent name is:

Corrected Registered Agent
(Complete either A or B, but not both.)

A. The registered agent is an organization (cannot be entity named above) by the name of:

OR

B. The registered agent is an individual resident of the state whose name is:

<i>First</i>	<i>Middle</i>	<i>Last Name</i>	<i>Suffix</i>
--------------	---------------	------------------	---------------

The person executing this certificate of correction affirms that the registered agent, whose name is being corrected by this certificate, consented to serve as registered agent at the time the filing instrument being corrected took effect.

☐ The registered office address is inaccurate or erroneously stated. The corrected registered office address is:

Corrected Registered Office Address

Street Address (No P.O. Box)	City	State	Zip Code
		TX	

☐ The purpose of the entity is inaccurate or erroneously stated. The purpose is corrected to read as follows:

☐ The period of duration of the entity is inaccurate or erroneously stated.
The period of duration is corrected to read as follows:

Identification of Other Errors and Corrections

(Indicate the other errors and corrections that have been made by checking and completing the appropriate box or boxes.)

☒ **Other errors and corrections.** The following inaccuracies and errors in the filing instrument are corrected as follows:

☐ **Add** Each of the following provisions was omitted and should be added to the filing instrument. The identification or reference of each added provision and the full text of the provision is set forth below.

☒ **Alter** The following identified provisions of the filing instrument contain inaccuracies or errors to be corrected. The full text of each corrected provision is set forth below:

AS FILED: The amendment was adopted at a meeting of the Board of Trustees held on February 17, 2017 and received the vote of a majority of the Trustees in office, there being no members having voting rights in respect thereof

CORRECTED: The amendment was adopted at a meeting of the Board of Trustees held on February 20, 2017 and received the vote of a majority of the Trustees in office, there being no members having voting rights in respect thereof..

☐ **Delete** Each of the provisions identified below was included in error and should be deleted.

☐ **Defective Execution** The filing instrument was defectively or erroneously signed, sealed, acknowledged or verified. Attached is a correctly signed, sealed, acknowledged or verified instrument.

Statement Regarding Correction

The filing instrument identified in this certificate was an inaccurate record of the event or transaction evidenced in the instrument, contained an inaccurate or erroneous statement, or was defectively or erroneously signed, sealed, acknowledged or verified. This certificate of correction is submitted for the purpose of correcting the filing instrument.

Correction to Merger, Conversion or Exchange

The filing instrument identified in this certificate of correction is a merger, conversion or other instrument involving multiple entities. The name and file number of each entity that was a party to the transaction is set forth below. (If the space provided is not sufficient, include information as an attachment to this form.)

Entity name

SOS file number

Entity name

SOS file number

Effectiveness of Filing

After the secretary of state files the certificate of correction, the filing instrument is considered to have been corrected on the date the filing instrument was originally filed except as to persons adversely affected. As to persons adversely affected by the correction, the filing instrument is considered to have been corrected on the date the certificate of correction is filed by the secretary of state.

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Date: 10/26/2021

By:

Brite Divinity School

Michele G. Smith

Signature of authorized person

Michele G. Smith, Treasurer, VP Business and Finance

Printed or typed name of authorized person (see instructions)

(10) Questioning Participants

The hearing officer may, at the hearing officer's discretion, ask questions during the hearing of any Party or witness and may be the first person to ask questions of any Party or witness. Each Party's advisor will have an opportunity to ask relevant questions and follow-up questions of the other Party and of any witnesses that participate in the hearing, including questions that challenge credibility. Parties will rely on their advisors to ask their questions directly, orally, and in real time at the hearing. The Parties will not be permitted to personally ask questions of the other Party or any witnesses that participate in the hearing.

(i) Questions Procedure

Advisors will ask questions under the following procedure:

- The advisor will ask a question of the applicable participant.
- Before the participant answers a question, the hearing officer will rule as to whether the advisor's question is relevant to the alleged conduct charges.
- If the hearing officer rules the advisor's question as not relevant, then the hearing officer must explain any decision to exclude a question as not relevant. If the hearing officer allows the question as relevant, the participant will answer it.

(ii) Prior Sexual History

A Complainant's sexual predisposition or prior sexual behavior are not relevant except where questions and evidence about a Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the alleged conduct charged by the Complainant or if the questions or evidence concern specific incidents of the Complainant's prior sexual behavior with the Respondent and are offered to prove the Complainant's consent of the alleged conduct.

(ii) Refusal to Submit to Cross-Examination

If a party or witness refuses to submit to cross-examination questions during the hearing, the hearing officer will not rely on any statement of that party or witness, when reaching a responsibility determination. The hearing officer will not draw an inference about the determination regarding responsibility based solely on a Party's or witness's absence from the hearing or refusal to answer questions.

(11) Hearing Officer Determination

The hearing officer will prepare an initial draft written determination, which must include the following:

- The allegations that potentially constitute a conduct violation of this Policy;
- A description of all of the procedural steps of the Grievance Process under this Policy (from receipt of a Formal Complaint to the Hearing Decision);
- The findings of fact supporting the hearing officer's determination;
- The conclusion(s) and a rationale as to whether the Respondent is responsible for each allegation;
- The remedies, if applicable, designed to restore the Complainant's access to the education program or activity; and
- The institution's procedures and permissible bases for the Parties to appeal, if applicable.

If the hearing officer finds the Respondent responsible for any alleged violations, the initial draft determination will be referred to the appropriate decision makers for decision regarding disciplinary sanctions, as follows:

- If the Respondent is a student, it will be referred to the Dean of Students for discipline decision;
- If the Respondent is faculty, it will be referred to the Executive Vice President and Dean for discipline decision; and
- If the Respondent is staff, it will be referred to the Vice President for business and Finance for discipline decision.

Decision makers will provide the discipline decisions to the hearing officer within 10 business days of the hearing officer's referral to the decision maker. Upon receipt of the discipline decisions from the respective decision makers, the hearing officer will incorporate the discipline sanctions to prepare the completed written report. The completed written report will include all components required in the initial draft written report and the disciplinary sanctions imposed.

The hearing officer will send a copy of the completed written hearing determination concurrently to the Parties, the Title IX Coordinator.

(12) Recordings

The hearing will be recorded in audio or audiovisual format, or transcribed. The Divinity School maintains the discretion to determine which method of recording to employ. The recording or transcript, if applicable, will be available for the parties to inspect and review, upon request.

(E) Appeal of Hearing Determination

(a) Basis for Appeal

Either Party may appeal in writing a hearing officer's determination regarding a Respondent's responsibility under the Grievance Process or from the Divinity School's dismissal of a Formal Complaint (or any allegations in the Formal Complaint) within 10 business days of notification of such a determination, on the following bases:

- A procedural irregularity that affected the outcome of the matter;
- There is new evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal was made that could affect the outcome of the matter;
- A challenge to the hearing officer's application of the standard of proof to the evidence; or
- The Title IX Coordinator, investigator(s), or hearing officer had a conflict of interest or bias for or against the parties (generally, or specifically in this matter) that affected the outcome of the matter.

(b) Impartial Appellate Officer

The Title IX Coordinator will select an impartial appellate officer for the appeal. The appellate officer must not be the same person as the investigator(s) or hearing officer in the Grievance Process. Both Parties will be notified in writing when an appeal is filed and the appeal procedures will apply equally for both Parties.

(c) Statement of Support

Any non-appealing Party (or the Divinity School) will have 7 business days from the notification of an appeal to submit a written statement in support of the outcome.

(d) Final Determination

The decision-maker on the appeal will release a written decision within 21 business days from the date of the appeal that either:

- Affirms the hearing officer's determination regarding the Respondent's responsibility and its attendant disciplinary sanctions and remedies, if applicable;
- Remands the matter back to the live hearing stage for the hearing officer to remedy any procedural irregularity or consider any new evidence; or
- Reverses the hearing officer's determination of the Respondent's responsibility and the attendant disciplinary sanctions and remedies, if applicable.

(F) Grievance Process Documentation

The Divinity School's compliance officer will ensure the retention of all of the documentation included in the Grievance Process Track A (outlined in **Section VIII** of this Policy) for seven years, in accordance with state and federal records laws and Divinity School policy. All documentation of records is private and confidential to the extent possible under law. Student records of the Grievance Process are disciplinary records under FERPA. Employee records of the Grievance Process are subject to the Freedom of Information Act (FOIA) and the Texas Public Information Act (TPIA), and included in the employee's official employment record.

(G) Grievance Process Track A Timeframe

The entire Grievance Process Track A, outlined in **Section VIII** of this Policy, including any appeal, will generally be completed in no more than 165 business days from the filing of the Formal Complaint.

However, at its discretion, the Divinity School may temporarily delay the grievance process or provide a limited extension of its usual time frames for good cause with written notice to the Parties of the reasons for and the delay. Good cause considerations may include, but are not limited to, the absence of a Party, the Party's advisor, or a witness; concurrent law enforcement activity or civil proceeding; or the need for language assistance or other accommodation. The time period in this section does not include the period the Parties attempted, but failed, to reach a resolution using the Restorative Practices Alternative, if applicable. In such a case, the Grievance Process timeframe will be extended by the time the Parties spent exploring that alternative.

Delay decisions will be made on a case-by-case basis. The Divinity School will not, as a matter of course, wait for the outcome of a concurrent criminal or civil justice proceeding to take action on a Formal Complaint in its Grievance Process. The Divinity School has an independent duty to respond to Formal Complaints of violations of this Policy.

IX. Grievance Process Tracks B & C

(A) Application

Grievance Process Tracks B & C in this Policy apply in all instances covered by this Policy that do not meet the applicability requirements for the Grievance Process Track A in **Section VIII** above.

(1) Grievance Process Track B

This track applies when all of the following conditions are met:

- (a) the alleged conduct includes Sexual Assault, Dating Violence, Domestic Violence, Stalking, or Sexual Harassment *and* the alleged conduct occurred as off-campus conduct *and* the conduct substantially affect a person's education or employment with the Divinity School or poses a risk of harm to members of the Divinity School community; and
- (b) the Respondent is a student (including a student employee) or employee at the time of the alleged conduct.

This track follows the investigation, hearing, and appeals processes and requirements set at Sections VIII (C, D) above.

(2) Grievance Process Track C

This track applies in all instances of alleged conduct under this Policy that are not covered by or Grievance Process Tracks A or B. These instances include allegations of conduct that potentially constitute Sex Discrimination, Sexual Exploitation, or Retaliation, as defined in Section IV above.

(a) Written Notice of Formal Complaint

After receiving a Formal Complaint, the Title IX coordinator will provide written notice to the Parties of the alleged violations and the assigned grievance process track.

(b) Investigations

The Title IX coordinator will make the necessary arrangements for the investigation of alleged violations of this Policy, by students and employees, as described here. The investigator will prepare a written investigation report that will outline each of the allegations that potentially constitutes a conduct violation of this Policy, provide the timeline of the investigation, and fairly summarize relevant evidence, participant statements, and responses to questions, and include a statement of finding of violation or no finding of violation and the related rationale.

(c) Investigation Report Referral

The completed investigation report will be provided to the appropriate decision-makers for disciplinary determinations, as follows:

- **If the Respondent is a student**, the Dean (as Title IX coordinator) will collaborate with the Associate Dean on discipline decision, in accordance with the Divinity School's student disciplinary procedures. If the student is also an employee at Brite or TCU, any determination of responsibility may also be shared with Human Resources to determine if any personnel action is appropriate.;
- **If the Respondent is faculty**, the Dean (as Title IX coordinator) will consult with TCU's Human Resources Office on discipline decision, in accordance with the Divinity School's policies for discipline and termination of faculty;
 - If it is determined that immediate action is necessary, the Dean will notify the member of faculty in writing, with copy to the President, of the intent to seek approval to proceed with this action. The affected faculty member may appeal this request in writing to the President within five (5) working days of receiving the Dean's notification. If the President determines that immediate action is not necessary, the President shall notify the Dean. The Dean may then proceed with the disciplinary action in the following way.

- The Dean, prior to imposing a disciplinary action, shall provide the affected faculty member an explanation in writing of the basis for the proposed action. The affected faculty member shall have ten (10) working days to respond in writing to the explanation.
 - If the affected faculty member does not provide a written response within ten (10) working days, the Dean may proceed with disciplinary action.
 - If the affected faculty member submits a timely response to the explanation of the proposed disciplinary action, the Dean, within five (5) working days of receiving such response, shall inform the faculty member in writing whether they intend to proceed with the disciplinary action and shall inform the faculty member of the various avenues of remedy (such as TCU HR Department).
 - If the Dean's intent is to proceed with the disciplinary action, the affected faculty member shall have fifteen (15) working days from the notice of intent to discipline to initiate a grievance. A faculty member initiates a grievance by submitting a written grievance to the Faculty Committee with a copy to the Dean. If the faculty member submits a grievance, such action will automatically suspend the imposition of the disciplinary action.
 - If the faculty member does not initiate a faculty grievance, the Dean may proceed with disciplinary action. The faculty member retains the right to appeal the disciplinary action after the imposition.
- **If the Respondent is a non-faculty employee**, the Dean (as Title IX coordinator) will consult with the Vice President for Business and Finance and TCU's Human Resources office on discipline decision, in accordance with the Divinity School's policies for discipline and termination of staff.
 - A non-faculty employee shall be informed of the basis for any proposed disciplinary action and have an opportunity to respond before a final decision is made to take disciplinary action. The hearing serves as an opportunity to avoid mistaken decisions to impose discipline and is not intended to definitively resolve the propriety of the disciplinary action being considered.
 - There is no prescribed form for this hearing. It should be informal. However, before reaching a final decision to impose discipline, the executive vice president and dean shall inform the employee on the following:
 - The conditions associated with the measure
 - The effective date of implementation
 - The duration, if relevant
 - The specific incident, conduct, course of action, or other basis for the disciplinary penalty
 - Any previous efforts to help the employee address the behavior that has resulted in the disciplinary action
 - Reference to any relevant rule, regulation or policy
 - Along with other relevant information, the implications of the disciplinary measure for employees' benefits must be ascertained from TCU's Human Resources department and communicated to the employee.

Procedure for appealing disciplinary action

Step one: The non-faculty employee may present a written appeal to the vice president for business and finance within five (5) working days from the date of the disciplinary action. The appeal shall contain a clear and concise statement of why the disciplinary action is inappropriate. Within ten (10) working days of the date of the appeal, a written decision shall be mailed to the employee.

Step two: If the employee is not satisfied with the step one decision, the employee may present a written request for a hearing before the president. The request for a hearing must state with particularity why the disciplinary action was inappropriate and/or why the decision of the step one official should be changed. The request must be made within five (5) working days following the date of the appealed decision. The president shall consult with TCU's Human Relations department to ascertain the appropriate way to proceed. This consultation may include an assessment of the president's level of impartiality and how this ought to be addressed.

X. Alternate Resolution Process

In lieu of an investigation and the Formal Resolution Process, the Complainant may request that an alternate resolution process be used to resolve the report of conduct prohibited by this policy. Brite has the discretion to determine whether the reported conduct is appropriate for the alternate resolution and what form of alternate resolution is appropriate. If Brite determines the complaint is appropriate for alternate resolution, the Title IX Coordinator will notify the Respondent of the allegation and that the Complainant has elected to use the alternate resolution process to resolve the matter. If it is determined that the alternate resolution process is appropriate, the Title IX Coordinator, in consultation with the Associate Dean for Academic Affairs, will determine the type of alternate resolution process that is appropriate in the specific case. There are a variety of response options for resolving reports under this policy. For example, it may be determined that a particular allegation might be resolved through one-on-one communication or extended conversation with those involved. This may include situations where the Complainant feels like a situation is clearly a matter of misunderstanding or differing interpretation. In this case, a guided conversation between the two persons may occur with a third party. The third party might be someone from the Dean's office. At this level, the Director of Community and Spiritual Life may be involved in navigating the conversation. Brite will not require a Complainant to directly face a Respondent.

In cases where the Complainant is a student and the Respondent is an Employee in a position of authority over the Complainant, and in cases involving any form of violence, including allegations of Sexual Assault, Intimate Partner Violence, or Stalking, the Alternative Resolution process described in this section is not available.

Alternate resolution is voluntary. At any time, the Complainant or Respondent can withdraw from the alternate resolution process or Brite can cease the alternate resolution process. Pursuing an alternate resolution process does not preclude use of the Grievance Process Tracks if the alternate resolution process does not reach a resolution satisfactory to the parties or Brite. If the alternate resolution is terminated, any statements or disclosures made by the parties can be used during a later investigation and Grievance Process Tracks.

During the alternate resolution process, each party can consult with an advisor of their choice. The advisor may be any person, including an attorney, who is not a party or witness to the reported incident. The parties may be accompanied by their respective advisor of choice to any meeting or proceeding. An advisor may offer support and advice to the party, but may not speak for the party or otherwise participate in, or disrupt the meetings and/or proceedings.

If a resolution acceptable to the Complainant, Respondent and Brite is reached, the terms of the Resolution Agreement will be implemented and the matter will be closed. If a resolution is not reached, the Title IX Coordinator will determine whether formal action is necessary. If a resolution is reached but the Respondent fails to comply with the Resolution Agreement, the matter may be referred for an investigation and Formal Resolution Process.

The Title IX Coordinator will maintain records of all reports and Resolution Agreements. Most forms of alternate resolution will be completed within thirty (30) days.

XI. Texas Criminal Laws

If an individual would like to press criminal charges for alleged dating violence, domestic violence, sexual assault, or stalking, the definitions found in the Texas Family Code or the Texas Penal Code would apply.

Dating violence: “an act, other than a defensive measure to protect oneself, by an actor that is committed against a victim or applicant for a protective order with whom the actor has or has had a dating relationship; or because of the victim's or applicant's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim or applicant in fear of imminent physical harm, bodily injury, assault, or sexual assault. ‘Dating relationship’ means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of the length of the relationship; the nature of the relationship; and the frequency and type of interaction between the persons involved in the relationship. A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a ‘dating relationship.’” Texas Family Code Section 71.0021.

Domestic (Family) violence: “an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself; abuse, as that term is defined by Sections 261.001 (1) (C), (E), (G), (H), (I), (J), and (K), by a member of a family or household toward a child of the family or household; or dating violence.” Texas Family Code Section 71.004.

Sexual assault: “Occurs if a person (1) intentionally or knowingly causes the penetration of the anus or sexual organ of another person by any means, without that person's consent; causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or (2) intentionally or knowingly causes the penetration of the anus or sexual organ of a child by any means; causes the penetration of the mouth of a child by the sexual organ of the actor; causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.

A sexual assault is without the consent of the other person if: the actor compels the other person to submit or participate by the use of physical force or violence; the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat; the other person has not consented and the actor knows the other person is unconscious or physically unable to resist; the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it; the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring; the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge; the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat; the actor is a public servant who coerces the other person to submit or participate; the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor; the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; or the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other. ‘Child’ means a person younger than 17 years of age. ‘Spouse’ means a person

who is legally married to another.” Texas Penal Code Section 22.001.

Stalking: “a person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that (1) constitutes an offense of harassment under Texas Penal Code Section 42.07 or that the actor knows or reasonably should know the other person will regard as threatening bodily injury or death for the other person; bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or that an offense will be committed against the other person's property; and (2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and (3) would cause a reasonable person to fear bodily injury or death for themselves; fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship; fear that an offense will be committed against the person's property; or feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended. A trier of fact may find that different types of conduct described above, if engaged in on more than one occasion, constitute conduct that is engaged in pursuant to the same scheme or course of conduct.” Texas Penal Code Section 47.072.

Harassment: “A person commits an offense if, with intent to harass, annoy, alarm, abuse, torment, or embarrass another, the person: (1) initiates communication and in the course of the communication makes a comment, request, suggestion, or proposal that is obscene; (2) threatens, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property; (3) conveys, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury; (4) causes the telephone of another to ring repeatedly or makes repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another; (5) makes a telephone call and intentionally fails to hang up or disengage the connection; (6) knowingly permits a telephone under the person's control to be used by another to commit an offense under this section; or (7) sends repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another. ‘Electronic communication’ means a transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic, or photo-optical system, and includes a communication initiated by electronic mail, instant message, network call, or facsimile machine; and a communication made to a pager. ‘Obscene’ means containing a patently offensive description of or a solicitation to commit an ultimate sex act, including sexual intercourse, masturbation, cunnilingus, fellatio, or anilingus, or a description of an excretory function. ‘Household’ means a unit composed of persons living together in the same dwelling, without regard to whether they are related to each other.” Texas Penal Code Section 42.07

BRITE VITA FORMAT

Current c.v. due by January 31 each year

Use Times New Roman 12-font.

1. Name
2. Current Position and Rank
3. Educational background after high school (include dates, institutions, and/or degrees in progress)
4. Professional certification and/or ordination
5. Previous teaching and research experience
6. Previous professional positions (other than those listed in 5)
7. External support sought (include source and amount requested and/or received)
 - A. Received
 - B. Not received
 - C. Pending
8. Internal grants sought and disposition of request
 - A. Received
 - B. Not received
9. Presentation of scholarly and creative activities
 - A. Refereed publications
 1. Books
 2. Journal articles and chapters in books
 3. Reviews
 - B. Non-refereed publications
 - C. Materials accepted or scheduled but not yet printed, released, or presented
 - D. Materials under active review
 - E. Papers presented, program participation at scholarly meetings
 1. Papers read
 2. Other program participation at scholarly meetings or offices held in scholarly societies
10. Presentation of lectures, workshops, or other activity (including consultations)
11. Professional Organizations and Activities
12. Honors, recognitions, and distinguished lectureships

Rev. 12/21/09

FACULTY ANNUAL REPORT

20____ Faculty Annual Report

Name:

Rank:

Department/School: Brite Divinity School

Calendar Year:

I. Teaching

A. Courses

Course:

Semester:

Number of Students:

B. Special projects and independent studies

C. Th.M. theses, Ph.D. dissertations, and D.Min. projects/theses directed

1. Completed:

2. In process:

D. Membership on thesis and dissertation committees

E. Professional development

F. Please list goals for the year in your teaching. Additionally, please list any goals you may have for longer term professional development in this area. Please include a section discussing new courses developed and/or new instructional strategies where appropriate. Reflection about the status of last year's stated goals and how work may have developed or changed in relation to them is helpful as well.

G. Other

II. Research/Creative Activities

A. Refereed Publications

1. Books

2. Articles and chapters

B. Non-refereed publications

- C. Materials or activities accepted or scheduled
- D. Materials under active review by external editors or referees
- E. Papers presented, participation on panels, lectureships, etc.
- F. Grants and Contracts
 - 1. Requested
 - 2. Funded
- G. Professional Meetings Attended, Continuing education/formal archival research.
- H. Please list goals for the year in your research/creative activities. Additionally, please list any goals you may have for longer term professional development in this area. Reflection about the status of last year's stated goals and how work may have developed or changed in relation to them is helpful as well.
- I. Other

III. Shared Governance in the Divinity School

- A. Brite committee assignments
- B. Other TCU or Brite contributions
- C. Please list goals for the year in your shared governance. Additionally, please list any goals you may have for longer term professional development in this area. Reflection about the status of last year's stated goals and how work may have developed or changed in relation to them is helpful as well.

IV. Professional Service outside Brite

- A. Professional Society Memberships
- B. Offices and committee assignments (outside Brite)
- C. Consulting
- D. Professionally-related community activities

V. Awards, Honors, Recognitions

VI. Ways Brite could be more supportive of your work

Rev. 12/21/09

RESEARCH LEAVE APPLICATION

Complete this form or include this information in your narrative.

Submit a current C.V. and cover letter, addressed to the Dean, who will forward the application to the Faculty Committee.

Deadlines: November 1 of academic year preceding fall or full year's leave
March 1 of academic year preceding a spring semester leave

1. (a) Name of Applicant: _____
(b) Academic rank: _____
(c) Number of years at Brite: ____ (d) Year of last sabbatical (research leave): _____
2. Research Project Title: _____
3. Dates of Research Leave. From _____ through _____
4. Research project narrative to be written on a separate sheet:
The narrative shall be clear, concise, and complete (1-2 pages). The narrative must include five parts:
(A) A concise statement of the purpose or research problem,
(B) Objectives which specifically identify the outcomes to be achieved through the research project,
(C) Description of activities to be followed in achieving the objectives of the project and how the Research Leave Stipend will be helpful to you in this project,
(D) Potential significance/ usefulness of the project, and
(E) Anticipated publications related to the project.

These last two parts may also explain how the results of the project may be useful beyond the proposed objectives and how the results might be utilized by others.

5. Briefly describe outside funding for which you intend to apply (associated with this research leave). Are any of these grants "matching fund" in orientation, grants intended to pay up to half of your salary based upon the institution matching the grant?

Each member of the Permanent Faculty will receive a \$3,000 research stipend for each semester they are on research leave from the institution. This stipend does not apply to persons who receive a grant to extend their leave and who use funds from the grant for research. The stipend is to arrive early in the semester of the research leave.

9. Signature: _____

Record Retention Policy

Student Records

- The **permanent student education record** is held by TCU's Registrar's Office
- **Admissions files**
 - Background checks will be maintained on the password protected computer in the Dean's office for a period of seven years
 - Files for those who apply and are denied admission will be held in the Admissions Office for a period of two years
 - Files for those who apply and are accepted, but do not matriculate, will be held in the Admissions Office for a period of one year
 - Files for those who apply, are accepted, and who then matriculate will be transferred to the Office of the Associate Dean for Academic Affairs
- **Student (unofficial) files** will be retained in the Office of the Associate Dean for Academic Affairs throughout a student's career at Brite
 - These files include written communications that are pertinent to the student's academic program
 - Any record of academic misconduct, grade appeals, or other matters
 - All files will be destroyed one year following graduation, or one year following departure from Brite
- **The Dean's Office** will maintain records related to violations of codes of conduct, dismissal appeals, Title IX violations, or written complaints by students. The policies for each of these may determine where individual records are kept and how long they are maintained. Normally:
 - Student records for these will be maintained the later of the following: a period of five years after the conclusion of a process or for one year after a student graduates
 - If a faculty or staff member is involved in the violations or written complaints, the file will be kept for one year after that person is no longer employed at Brite Divinity School

Personnel Records

- The permanent records for personnel files are held in two locations: 1) the Office of the President or Dean of Brite (either electronically on password protected computers or in hard copy), and 2) TCU's Human Resources office
- The permanent records include:
 - Letters of employment
 - Annual reviews
 - Any violations of Codes of Conduct or letters of warning
- **Record retention** for personnel are part of TCU's Human Resources and their policies can be found on the HR Website (www.hr.tcu.edu)

- **Faculty records** are located in the Dean's and/or President's office and include any matters related to tenure and promotion processes, annual reports, disciplinary concerns, or written complaints against a faculty member by a student. The records are kept following TCU's policies (where applicable), or for three years following a faculty or staff member's departure or retirement

Financial Records – held in the Office of the Vice President of Business and Finance

- Corporate documents Permanent
 - Bylaws and all amendments
 - Corporate Charter and all amendments
 - State Licenses and Registrations
 - Taxpayer ID Number
 - Board of Trustees Agendas, Books, Presentations, Resolutions, Minutes, Policies and Committee Charters/Resolutions/Minutes/Reports (may be held in the Office of the President)
 - Application for Tax Exemption
 - IRS Determination Letter
 - State Tax Exemption
 - Federal Tax Returns (Form 990, 990-T, etc.)
 - IRS Audit-Related Materials – Closing Agreements and Agent Reports
- Corporate documents 7 years
 - Conflict of Interest Disclosure Forms
 - Correspondence with Trustees
 - Determination Relating to Compensation of Directors, Officers and Key Employees
 - Investment Reports
 - Federal Tax Returns (Form 990, 990-T, etc)
 - Annual/Periodic State Reports
 - Backup Tax Workpapers and Related
 - IRS Audit IDRs and IDR Responses
- General documents Permanent
 - Annual Reports
- General documents 7 years
 - Documentation of Exempt Function Activities
- Finance Permanent
 - Audited Financial Statements
 - Auditor Reports; Management Letters
 - Wire Transfers, Year End Trial Balance

- Finance 7 years after item is fully depreciated
 - Capital Asset Schedule
 - Depreciation Schedules

- Legal Permanent
 - Property Records, including Appraisals
 - Documents Related to Acquisition and Sale of Real Property
 - Records Related to Development of Intellectual Property
 - Confidentiality and Nondisclosure Agreements

- Legal 7 years after final decision
 - Litigation (may be held in Office of President and/or Executive Vice President as appropriate for each situation)

Brite Divinity School Substantive Change Policy

According to the Southern Association of the Colleges and Schools Commission on Colleges, (SACSCOC) a substantive change is any significant modification or expansion of the nature and scope of an accredited institution. “Substantive change includes high-impact, high-risk changes and changes that can impact the quality of educational programs and services.” As a member institution of SACSCOC, Brite Divinity School must notify this organization of such changes and, when required, seek approval prior to the establishment of the changes in a timely fashion. This is in accordance with the SACSCOC document *Substantive Change Policy and Procedures*.

SACSCOC is responsible for reviewing all substantive changes that occur between an institution's decennial (ten year) reviews. These reviews are used to assist with determining whether the changes have affected the quality of the total institution and to assure the public that all aspects of the institution continue to meet defined standards.

The process of consideration relevant to a potential substantive change is initiated by a written petition to the Dean. In order to ensure compliance with SACSCOC's policy, all proposers of new programs, degrees, and other major initiatives (see list below) should also complete the substantive change questionnaire that is associated with this policy statement.

Deadlines for the Submission of Prospectuses to SACSCOC:

1) For a substantive change requiring approval by the full Board of Trustees (which meets biannually), to be implemented after the date of the Board meeting, the submission deadlines are

- March 15 for review at the Board's biannual meeting in June of the same calendar year, and
- September 1 for review at the Board's biannual meeting in December of the same calendar year.

2) For a substantive change requiring approval by the Executive Council of the Board of Trustees (which meets year-round), the submission deadlines are

- January 1 for changes to be implemented July 1 through December 31 of the same calendar year, and
- July 1 for changes to be implemented January 1 through June 30 of the subsequent calendar year.

3) For a substantive change requiring notification only, it can be submitted any time before implementation.

4) For a substantive change to close a program, site, program at a site, or method of delivery, a teach-out plan should be submitted as soon as possible after the decision is made to close (i.e., stop admitting students).

Under Federal Regulations, Substantive Change Includes the following:

- Substantially changing the established mission or objectives of an institution or its programs.
- Changing the legal status, form of control, or ownership of an institution.
- Changing the governance of an institution.
- Merging / consolidating two or more institutions or entities.
- Acquiring another institution or any program or location of another institution.
- Relocating an institution or an off-campus instructional site of an institution (including a branch campus).
- Offering courses or programs at a higher or lower degree level than currently authorized.
- Adding graduate programs at an institution previously offering only undergraduate programs (including degrees, diplomas, certificates, and other for-credit credential).
- Changing the way an institution measures student progress, whether in clock hours or credit-hours; semesters, trimesters, or quarters; or time-based or non-time-based methods or measures.
- Adding a program that is a significant departure from the existing programs, or method of delivery, from those offered when the institution was last evaluated.
- Initiating programs by distance education or correspondence courses.
- Adding an additional method of delivery to a currently offered program.
- Entering into a cooperative academic arrangement.
- Entering into a written arrangement under 34 C.F.R. § 668.5 under which an institution or organization not certified to participate in the title IV Higher Education Act (HEA) programs offers less than 25% (notification) or 25-50% (approval) of one or more of the accredited institution's educational programs.
- Substantially increase or decreasing the number of clock hours or credit hours awarded or competencies demonstrated, or an increase in the level of credential awarded, for successful completion of one or more programs.
- Adding competency-based education programs.
- Adding each competency-based education program by direct assessment.
- Adding programs with completion pathways that recognize and accommodate a student's prior or existing knowledge or competency.
- Awarding dual or joint academic awards.
- Re-opening a previously closed program or off-campus instructional site.
- Adding a new off-campus instructional site/additional location including a branch campus.
- Adding a permanent location at a site at which an institution is conducting a teach-out program for students of another institution that has ceased operating before all students have completed their program of study.
- Closing an institution, a program, a method of delivery, an off-campus instructional site, or a program at an off-campus instructional site.

Other substantive change policies, including those required by federal regulations, include:

- An institution is required to notify or secure SACSCOC approval prior to implementing a substantive change.
- An institution is responsible for maintaining compliance at all times with Standard 14.2 (Substantive change) of the *Principles of Accreditation* and with the *Substantive Change Policy and Procedures* and related policies, viz.,

- Advertisement and Student Recruitment;
- Agreements Involving Joint and Dual Academic Awards;
- Credit Hours;
- Direct Assessment Competency-based Educational Programs;
- Distance and Correspondence Education;
- Dual Enrollment ;
- Merger/Consolidation, Acquisition, Change of Ownership, and Change of Governance, Control, Form, or Legal Status ; and
- Seeking Accreditation at a Higher or Lower Degree Level.

An institution is required to have a written substantive change policy and procedure. It must be approved through institutional processes and published in institutional documents accessible to those affected and to the public. The purpose of the institution's substantive change policy and procedure is to ensure all substantive changes are reported to SACSCOC in a timely fashion as required by *Substantive Change Policy and Procedures*. Institutions are responsible for implementing and enforcing their substantive change policy and procedure.

- An institution's fiscal and administrative capability to operate off-campus instructional sites is assessed when a new site is reviewed for approval and as part of decennial and fifth-year interim reviews.
- A new off-campus instructional site is subject to a substantive change committee visit. A committee visit, when necessary, is authorized when a site is approved. The committee visit ensures the site has the personnel, facilities, and resources identified by an institution in its application or prospectus and ensures the quality of instructional and support services offered at the site.
- Different or additional requirements apply to an institution on SUBSTANTIVE CHANGE RESTRICTION. Restriction applies if an institution has been placed on Warning, Probation, or Probation for Good Cause over the prior three academic years, or if an institution is under provisional certification for participation in federal financial aid programs.
- An institution placed or continued on Probation or Probation for Good Cause must submit to SACSCOC an institutional contingency teach-out plan within 30 days of the notification of the Board of Trustees action.

Other items may be deemed substantive and should we have concerns about this guidance should be sought from Brite's SACSCOC liaison.

It is the responsibility of Brite Divinity School to follow SACSCOC procedures and inform SACSCOC of substantive changes as specified in those procedures.

Brite Divinity School Substantive Change Questionnaire

1) Name of point-person.

2) A brief description of the proposed change.

3) Will coursework or program be offered at a more advanced level than currently approved?

Yes

No

4) Will the initiative expand programs at the current degree level? For example, offering a new master's or doctoral degree in an area significantly different to existing programs.

Yes

No

5) Is a significant number of new faculty/instructors required?

Yes

No

6) Is a significant number of new courses required?

Yes

No

7) Are distance learning courses offered?

Yes

No

7) Will the program be offered anywhere other than Brite's campus in Fort Worth?

Yes

No

8) Will the program/courses be offered through a contractual agreement, institutional collaboration, or consortium?

Yes

No

9) Will the length of a program or its curricular requirements be significantly altered?

Yes

No

10) Will the initiative be an accelerated degree process?

(This may include classes offered evenings or weekends to accommodate full-time working persons, the transfer in of some amount of previous college or other carefully evaluated credit, and may include offering credit for career or life experience.)

11) Will a degree program be discontinued?

Yes

No

12) Is there anything else we should know?