

Code of Conduct

Policy Content

Policy

Trinity University is committed to the pursuit of knowledge through free inquiry and debate. To that end, faculty members must be free to criticize vigorously the ideas of others, even if doing so causes others anger or discomfort. It is a violation of this code to engage in threatening, harassing, or abusive conduct or speech.

Procedure

Procedure for an Informal Complaint: Consultation

1. Complaints alleging violation of this policy should be directed to the faculty member's Department Chair (in the case of library faculty, to the University Librarian) or, if this appears inappropriate, to the Vice President for Academic Affairs. Students alleging violation of this policy should contact the Associate Vice President for Student Life and Dean of Students for assistance in filing a complaint. Staff members alleging violation of this policy should contact the Office of Human Resources for assistance in filing the complaint. In all cases, the Department Chair or Vice President shall notify the accused party and the Assistant Vice President for Human Resources of the substance of the complaint. The Assistant Vice President for Human Resources shall provide guidance to the Department Chair or Vice President in responding to the complaint, and the Assistant Vice President for Human Resources shall preserve documentation reflecting the results of any informal investigations.
2. The Department Chair or Vice President shall evaluate the validity of the complaint and the degree of seriousness of the accusation and seek, to the extent possible and appropriate, to resolve the matter. An informal resolution might take the form of clarifying to the accused party the kind of behavior that may be deemed objectionable and securing the cessation of such behavior; it might also take the form of clarifying to the complaining party that the incident does not constitute a violation of the Code of Conduct policy.
3. Careful attention should be given to mitigating or aggravating circumstances.
4. When complaints are resolved informally, the accused party, when appropriate, should be cautioned that repetition of such conduct could lead to formal investigation and sanctions.
5. Although a major purpose of consultation and informal resolution is to resolve problems, heighten awareness, and achieve changes in behavior without resort to formal investigatory or disciplinary proceedings, nothing in this paragraph shall be construed as discouraging more formal procedures when the seriousness or repetitive

character of the offense makes that the more appropriate course of action, or when the complaining party is not satisfied with the proposed resolution. The Department Chair or Vice President may encourage moving to a formal complaint when, in his or her judgment, the complaint has a sufficient degree of seriousness or is a repetition of previous complaints so as to indicate that informal resolution has been inadequate.

Procedure for a Formal Complaint

If, following consultation regarding the complaint as specified above, the person alleging a violation of the Code of Conduct policy should wish to make a formal complaint, he or she should submit a written description of the offensive behavior and the circumstances surrounding it to the Vice President for Academic Affairs. Upon receipt of the written statement, the accused party should be provided with a copy of the statement and identity of the party making the complaint.

1. Investigation. In the case of a formal complaint, the Vice President will request that an ad hoc committee composed of three faculty members be appointed to investigate the allegations and to recommend sanctions, if any.
 - a. The three members of the committee will be selected by the Faculty Senate, except that, when the complaint is brought by a student, one of the faculty members will be selected by the Associate Vice President for Student Affairs and Dean of Students.
 - b. Members of the committee should meet to discuss the complaint. Unless the committee concludes that the complaint is without merit, the parties to the dispute should be invited to appear before the committee and to confront any adverse witnesses. The committee may conduct its own informal inquiry, call witnesses, and gather whatever information it deems necessary to assist it in reaching a determination as to the merits of the allegations. Once such a determination has been reached, it should be communicated in writing to both parties, along with a summary of the basis for the determination. The Assistant Vice President for Human Resources shall preserve documentation reflecting the results of any formal investigations.
2. Sanctions. If a sanction is recommended, the committee report and the recommendation for a sanction will be sent to the Vice President. As in the procedures of consultation, the seriousness of the offense, the context in which the incident occurred, any mitigating or aggravating circumstances, and any history of past offenses of a related nature must be carefully considered in reaching an equitable recommendation.

Sanctions may be taken up to and including termination of employment in accordance with University policy. Principles governing the imposition and appeal of minor and major sanctions are stipulated in Chapter 3A: Academic Freedom, Responsibility, and Employment of Faculty

(Policy Statement), Article VIII. Principles governing termination of employment are stipulated in Chapter 3A, Article V

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