

**RESOLUTION OF
THE BOARD OF TRUSTEES**

Lincoln University
Lincoln University, PA

**RESOLUTION 628
February 8, 2020**

**PROPOSED AMENDMENTS TO THE FACULTY BYLAWS
ARTICLE X. SECTION 10.02 PROCEDURES REGARDING
CHARGES AND COMPLAINTS AGAINST MEMBERS OF THE FACULTY**

RES628_020820

WHEREAS, the Faculty By-Laws of Lincoln University is the official document governing the policy directives of the Faculty; and

WHEREAS, the current language in Article X. Sections 10.02g and 10.02i includes *the term "audio taped record,"* that is, technology no longer in use by the University and

WHEREAS, the Faculty proposed amendments to update language in Article X. Sections 10.02g and 10.02i to reference the University's use of current technology; and

WHEREAS, the Faculty proposed amendment to Article X. Section 10.02g ***Record of Hearing*** adds new language to specify the responsibility for maintaining the record of the proceedings of the Judicial Committee; and

WHEREAS, the current language in Article X. Section 10.02i ***Appeal to the Board of Trustees*** states,

If the President or the accused appeals to the Board of Trustees, the President shall forward the appeal together with the audiotaped record of the proceedings to the Chairperson of the Board of Trustees for the Board's action. The decision of the Board of Trustees shall be final; and

WHEREAS, the Faculty proposed amendments to Article X. Section 10.02i to update language to change the responsibility of forwarding appeals to the Board of Trustees from the President; and

WHEREAS, the current language of Article X. Section 10.02j ***Disqualification of Judicial Committee Member*** states,

In the event of the disqualification of a member of the Judicial Committee, the President shall fill an appointive vacancy, and the Faculty an elective vacancy. Both the President and the accused may request that a member of the Judicial Committee be disqualified from the hearing for cause. The decision of disqualification shall be made by the other members of the Judicial Committee. A disqualified member shall be replaced as specified above; and

WHEREAS, the Faculty proposed an amendment to update Article X. Section 10.02j ***Disqualification of Judicial Committee Member*** to align with best practice and Lincoln University practice where faculty are involved in selecting members of faculty Standing

Committees through the Nominations Committee; and

WHEREAS, the proposed amendments to Article X. Sections 10.02g, 10.02i, and 10.02j were approved by the faculty at its meeting of April 3, 2018; therefore, be it

RESOLVED, that the Board of Trustees approves the proposed amendments to Article X. Section 10.02, of the Bylaws, as amended, as follows:

Article X. Section 10.02g Record of Hearing

A complete electronic record of the proceedings shall be kept by the Chair of the Judicial Committee while the proceedings are ongoing, and by Human Resources after the matter is resolved.

Article X. Section 10.02i Appeal to Board of Trustees

If the President or the accused appeals the decision of the Judicial Committee to the Board of Trustees, the Chair of the Judicial Committee shall forward the appeal together with the electronic record of the proceedings to the Chairperson of the Board of Trustees for the Board's action. The decision of the Board of Trustees shall be final.

Article X. Section 10.02j Disqualification of Judicial Committee Member

In the event of the disqualification of a member of the Judicial Committee, the faculty shall fill appointive and elective vacancies. Both the President and the accused may request that a member of the Judicial Committee be disqualified from the hearing for cause. The decision of disqualification shall be made by the other members of the Judicial Committee. A disqualified member shall be replaced as specified above.

