

Newberry College
Title IX Policies and Procedures
Adopted October 1, 2017

I. Introduction

Newberry College complies with Title IX of the Education Amendments of 1972, which prohibits discrimination (including sexual and gender based harassment, assault and sexual violence) based on gender in the College's educational programs and activities. Title IX also prohibits retaliation for asserting or otherwise participating in claims of gender discrimination.

As outlined below, Newberry College has designated Title IX Coordinators to coordinate compliance with and respond to inquiries concerning Title IX.

The College will take prompt and effective steps to end any sexual or gender-based harassment and discrimination, assault and/or sexual violence as well as to eliminate any hostile environment. The College will take prompt and effective steps to prevent the recurrence of the prohibited conduct, and remedy any effects on the victim or others as appropriate.

The purpose of the policy is to define the conduct prohibited, describe the process for reporting violations of the policy, outline the process used to investigate and adjudicate alleged violations of policy, and identify some of the resources available to members of the College community who are involved in an incident that may violate this policy.

II. Prohibited Conduct

This policy applies to all members of the College community, faculty, staff, and students—regardless of gender, sexual orientation, or gender identity. Members of the College community shall not engage in sexual discrimination, including dating and domestic violence, stalking, or sexual misconduct (all of which are discussed in more detail below) against employees, students, or third parties. Persons who do so are subject to disciplinary action, up to and including discharge for employees and dismissal for students.

Newberry College also prohibits sexual discrimination, including dating and domestic violence, stalking, and sexual misconduct by third parties towards members of the College community. The College prohibits retaliation, including retaliatory harassment, against individuals who report discrimination, dating and domestic violence, stalking, or sexual misconduct or who participate in the College's investigation and handling of such reports.

This policy and the procedures for addressing complaints apply to all forms of sex discrimination, including sexual and gender based harassment, assault, and violence, against employees, students and third parties occurring in any of the College's programs and activities, including when:

- The conduct occurs on campus;
- The conduct occurs off-campus in the context of College employment, education, or research programs or activities, including but not limited to College-sponsored study abroad, internships, graduate/professional programs, intercollegiate athletics, or other affiliated programs.
- If the conduct occurs off-campus outside the context of a College program or activity, the College will consider the effects of the off campus conduct in order to evaluate whether it has continuing adverse effects on campus or in any College program or activity, including the creation of, or perception of, a hostile environment on campus or in an off-campus education program or activity.

“Domestic and Dating Violence” is defined as abusive behavior, including threats, verbal and/or emotional abuse, and physical assault, between persons in an intimate and/or dating relationship. Examples of domestic violence include, but are not limited to, intimidation, threats, and physical harm. Preventing a partner from making contact with others among the partner’s family, friends, or peer group also falls within this definition. This includes behavior toward another person when the intimate and/or sexual relationship has ended.

A. Prohibited Conduct-Stalking

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to fear for their own safety or the safety of others or 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 a person or interferes with a person’s property. Stalking includes, but is not limited to, the intentional and repeated uninvited presence of the alleged perpetrator at another’s home, workplace, school, or any place which would cause a reasonable person to be alarmed, or to suffer emotional distress as a result of verbal or behaviorally implied threats of death, bodily injury, or sexual assault.

B. Prohibited Conduct-Sexual Misconduct

Sexual misconduct includes:

1. Nonconsensual Sexual Intercourse and Sexual Conduct

Any sexual behavior including sexual intercourse or attempted intercourse without consent. This definition includes rape, attempted rape, molestation, and other cases where the victim is unable to refuse or effectively consent to sexual advances. The definition applies regardless of whether the alleged assailant is a stranger or an acquaintance. Examples include, but are not limited to, forced insertion, oral copulation, rape by foreign object, sodomy and unwanted touching of an intimate part of another person. Sexual intercourse is defined as anal or vaginal penetration by a penis, tongue, finger or inanimate object.

For purposes of this policy, consent to engage in sexual activity must exist from beginning to end of each instance of sexual activity. Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage in a specific sexual activity. Silence alone, without actions evidencing permission, does not demonstrate consent. While consent may be expressed by words or by actions, it is highly recommended that consent be expressed and obtained verbally. Non-verbal consent expressed through actions may lead to confusion and potential for misunderstandings, which may lead to a violation of this policy.

It is the responsibility of the initiator of any sexual activity to obtain their partner's consent.

Consent must be knowing and voluntary. To give consent, a person must be at least 17 years old. Assent does not constitute consent if obtained through "coercion" or from an individual whom the respondent knows or reasonably should know is "incapacitated".

Coercion for purposes of this policy is the use of express or implied threats, intimidation, or physical force which places an individual in reasonable fear of immediate harm or physical injury.

An individual is considered to be incapacitated for purposes of this policy if, by reason of mental or physical condition, the individual is manifestly unable to make a knowing and deliberate choice to engage in sexual activity. Someone who is drunk or intoxicated is not necessarily incapacitated. Individuals who are asleep, unresponsive, or unconscious are incapacitated. Among the factors the College will use to assess whether someone is incapacitated for purposes of this policy are: inability to communicate coherently, inability to dress/undress without assistance, inability to walk without assistance, slurred speech, loss of coordination, vomiting, or inability to perform other physical or cognitive tasks without assistance. The existence of any one of these factors will support a finding of incapacitation for purposes of this policy.

An individual's use of alcohol or drugs does not diminish that individual's responsibility to obtain consent if that individual is the one who initiates sexual activity.

Consent to engage in sexual activity may be withdrawn by any person at any time. Once withdrawal of consent has been expressed, the sexual activity must cease immediately. Consent is automatically withdrawn by a person who is no longer capable of giving consent.

A current or previous consensual dating or sexual relationship between the Parties does not itself imply consent or preclude a finding of responsibility for misconduct.

2. Sexual Exploitation

Taking nonconsensual or abusive sexual advantage of another for one's own advantage or benefit, or to benefit a person other than the one being exploited. Examples of sexual exploitation include, but are not limited to:

- Intentionally exposing a private or intimate part of one's body in a lewd manner;
- Committing any other lewd act in a public place;
- Prostituting another student;
- Non-consensual video or audio recording of sexual activity;
- Texting or taking pictures of sexual activity without the consent of either or both parties engaged in the sexual activity and/or transmitting/sending the pictures or likeness via any electronic medium or social media;
- Texting, taking or transmitting/sending via social media, email or other electronic media of nude or sexually explicit pictures of another without their consent to a third party;
- Exceeding the boundaries of explicit consent, such as allowing friends to hide in a closet to witness one's consensual sexual activity;
- Engaging in non-consensual voyeurism; and/or
- Knowingly transmitting a sexually transmitted disease/infection or HIV to another student.

3. Sexual Harassment

Unwelcome sexual advances or requests for sexual favors and/or other verbal or physical conduct or communication of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of employment, or services, or academic status; or
- Submission to, or rejection of, such conduct by an individual is used as a basis for employment, or services, or academic decisions affecting him or her; or
- Such conduct, whether verbal or physical, has the purpose or effect of interfering with the individual's work or academic performance or of creating an intimidating, hostile or offensive employment, service, housing, or educational environment.

4. Sexual Verbal Abuse

Language that is sexual in nature and unwanted on the part of another person. Examples include, but are not limited to, obscene telephone calls and use of written and/or oral communication that would be considered obscene.

C. Faculty/Student Relationships & Staff/Student Relationships

1. Policy.

As a matter of sound judgment and professional ethics, faculty and staff members have a responsibility to avoid any apparent or actual conflict between their professional responsibilities and personal relationships with students.

These relationships have the potential to pose risks to the student, faculty member, staff member, third parties and the College. In such relationships, voluntary consent by the student is suspect because of the inherently unequal nature of the relationship. A romantic and/or sexual relationship between a faculty or staff member and a student can lead to a complaint of sexual harassment when the student feels that he or she has been exploited. In addition, other faculty members, staff members, or students may express concerns about undue access or advantage, favoritism, restricted opportunities or unfavorable treatment as a result of a relationship.

2. Definition.

"Supervisory responsibility" includes, but is not limited to, teaching, research, academic advising, coaching, serving on evaluation committees, grading, recommending in an institutional capacity for employment, fellowships or awards, and working for. This supervision can occur on or off campus. A "current student" is defined as any individual who is currently enrolled in an academic course (credit or non-credit bearing) or has been enrolled in a course and has not withdrawn or graduated from the college. Students are responsible for abiding by this policy during those times classes are not in session or on break.

3. Regulation.

Romantic and/or sexual relationships between faculty and current students are prohibited. Romantic and/or sexual relationships between current students and staff members (including full time contractors) are prohibited.

In rare instances, it is possible that a College employee might have a prior dating, romantic, sexual or marital relationship with an individual who later becomes a student. It is also possible that a person engaged in the above-

mentioned types of relationships may apply, interview and be hired by the College. In such instances, it is the obligation of the employee to immediately disclose the relationship to the Director of Human Resources. The Director of Human Resources, in consultation with the appropriate administrative unit head, will take the steps necessary to ensure the educational experience of the student and other students in the College are not materially affected by the said relationship.

III. Enforcement Procedures

A. Initial Reporting

All reports describing conduct that is inconsistent with the policy will be promptly and equitably resolved in accordance with Title IX and other relevant laws and regulations.

All individuals are encouraged to promptly report conduct that may violate this policy to the College through its Title IX Coordinator. Notice may be given at:

Contact Information:

Rev. Dr. Christina L. Wendland, Associate Dean for Academic Affairs

Newberry College

2100 College St.

Newberry, SC 29108

803-321-5193 or christina.wendland@newberry.edu

For the sake of clarity, the Title IX Coordinator is the only person at the College with the authority to institute corrective measures on the College's behalf pursuant to this policy.

In addition, all individuals are encouraged, but not required, to report conduct that may also violate criminal law to both the College and to local law enforcement. These processes are mutually exclusive.

The College strongly encourages individuals affected by discrimination, harassment, relationship violence, stalking, and sexual misconduct to talk to someone about what happened and obtain support services. The College also needs to respond appropriately to reports of discrimination, harassment, relationship violence, stalking, and sexual misconduct in order to provide a safe and effective learning environment.

The College can most effectively investigate and respond to alleged discrimination, harassment, relationship violence, stalking, and sexual

misconduct if the complaint is made as promptly as possible after the alleged violence or misconduct occurs. The College does not, however, limit the time frame for reporting. If the respondent is not a member of the College community at the time of the report, the College will still seek to meet its legal obligations by providing reasonably available support for a complainant, but its ability to investigate and/or take action may be limited. The College will, however, assist a complainant in identifying external reporting options.

The College encourages students to report all incidents of relationship violence or sexual misconduct. Therefore, students who in good faith report violations of this policy will not be disciplined by the College for a violation of the College's drug and alcohol possession or consumption policies that may have occurred in connection with the reported incident.

In the absence of a written complaint, the Title IX Coordinator (or their designee) will review the evidence and has the discretion to initiate an initial investigation. This may only occur if, in the opinion of the Title IX Coordinator (or their designee), there is behavior that causes one of the following:

- (A) an intimidating, hostile, or offensive work or learning environment; or,
- (B) unreasonable interference with an individual's work or academic performance; or,
- (C) actions which otherwise adversely affect an individual's employment or academic opportunities.

Reporting Obligations of Responsible Employees:

All employees and full-time contractors except those listed below are considered "Responsible Employees" and are required to promptly report allegations or observations of violations of this policy to the Title IX Coordinator. This is required even if the person(s) affected by the policy violation is unsure about pursuing a disciplinary complaint. Failure of a responsible employee to report may result in disciplinary action.

Exceptions: The college counselor, nurse, and pastor have legally defined confidentiality privileges and are exempt from these reporting requirements.

B. Process and Enforcement Options

B.1. Initial Investigation

Upon receiving a complaint, the Title IX Coordinator (or designee) will investigate with the purpose of determining whether enough evidence exists to determine whether grounds for the complaint exist. For purposes of this review, the Title IX Coordinator (or designee) assumes all facts articulated by the complainant are true and determines whether those allegations would violate this policy. Within a reasonable time, approximately ten working days, of receipt of the complaint, the Title IX Coordinator (or designee) will provide

the Respondent with a copy of this policy and discuss the complaint with him/her.

Upon completion of the initial investigation, the Title IX Coordinator will make a determination as to whether or not grounds for the complaint exist. If the Title IX Coordinator determines that grounds for the complaint do not exist, the complaint shall be dismissed and the complainant and respondent shall be so advised in writing.

If the Title IX Coordinator determines that grounds for the complaint exist, the Title IX Coordinator must provide the complainant and respondent with a full explanation of the complaint, the process, and the available enforcement options for satisfaction or resolution of the complaint. This discussion should normally be completed within a reasonable time of the Title IX Coordinator making a determination that grounds for the complaint exist - not later than thirty days after the complaint is submitted.

The College may provide reasonable interim accommodations or remedies, when possible, to support a complainant and to ensure a safe and nondiscriminatory environment pending investigation through final resolution of a complaint, including appeals. The issuance of interim measures is not disciplinary in nature and should not be construed as a determination by the College that the respondent violated this policy. The College will notify the complainant, in writing, that interim measures are available during the College's investigation through final resolution of a complaint, including appeals. Such written notice to the complainants shall further state that such measures may be requested at any time during the process by contacting the Title IX Coordinator to make such a request and shall include the means for contacting the Title IX Coordinator.

The Title IX Coordinator has the discretion to ensure the appropriateness of any interim measure based on all available information, and is available to meet with a complainant or respondent to address any concerns about the provision of interim measures. Examples of interim protective measures include, but are not limited to: access to counseling or mental health services, an order of no contact, safe-space zones, residence hall relocation, adjustment of course schedules or work-study employment, a leave of absence, transportation arrangements, or reassignment to a different supervisor or position.

The College will take steps to ensure that appropriate interim measures are provided. The College will attempt to ensure, where possible and as supported by available information, that such interim measures minimize the burden and adverse effects on the complainant and the respondent.

The College will maintain the privacy of any interim measures provided under this policy to the extent practicable and will promptly address any violation of the interim measures. These interim measures may be kept in place until the end of any review or appeal process or may be extended permanently as appropriate.

Violations of interim measures, such as no-contact orders and access restrictions, should be reported to the Title IX Coordinator. Students may face disciplinary action up to and including expulsion and employees may face disciplinary action up to and including dismissal for such violations.

B.2. Enforcement Options include the following:

I. Where the goal of the complainant is to stop the discrimination and/or harassing conduct and avoid formal procedures and charges, the Title IX Coordinator will proceed to mediation and conciliation. In any mediation/conciliation meetings, the Title IX Coordinator will be accompanied by at least one other staff or faculty member of the opposite sex.

II. If the complainant does not want to engage in mediation and conciliation, the mediation and conciliation fails to resolve the matter, or the Title IX Coordinator (or designee) determines the facts in the initial investigation suggest mediation is not appropriate, then the Title IX Coordinator (or designee) will begin a formal investigation. Mediation and conciliation will never be used to resolve complaints involving some charges of sexual misconduct, including sexual violence.

I. Mediation and Conciliation

Discrimination and harassment are not always clearly identifiable acts that are known to be offensive by all parties. This can be the subtle accumulation of behaviors that create an unwelcome climate in a classroom, office or campus area. In an effort to prevent behaviors which individually may not constitute an illegal act from developing into grounds for formal complaint, Newberry College encourages persons subjected to perceived discriminatory and/or harassing behavior to consider pursuing mediation and conciliation when appropriate.

When the goal of the complainant is to stop the behavior, mediation and conciliation may be the appropriate solution. With the permission of the complainant, the Title IX Coordinator should speak to the respondent to achieve the following outcomes:

- Make the respondent aware that his/her behavior is being perceived as discriminating and/or harassing and make clear that the behavior is prohibited by institutional policy.
- Make the respondent aware that the purpose of this discussion is to achieve a change in behavior, not to pursue formal charges of disciplinary action.
- Make clear that policy forbids any retaliation against the complainant by the respondent.

- Suggest possible resolutions of the problem, including but not limited to: a change in the offensive behavior, an apology to the offended party, a reevaluation of a grade, a change in the relationship between the complainant and respondent (i.e., changed advisor, class enrollment, athletic travel/hotel accommodations, or housing assignment).
- Make the respondent aware that the file of this complaint and its outcome will be kept in the appropriate office.

Should mediation and conciliation fail to satisfactorily resolve the matter, or should the complainant request, the Title IX Coordinator will proceed to a formal investigation.

II. Formal Investigation

If the complainant requests a Formal Investigation, or if mediation and conciliation fails to resolve the matter, or the Title IX Coordinator (or designee) determines the facts in the initial investigation suggest mediation is not appropriate, the Title IX Coordinator (or designee) will initiate a formal investigation.

A copy of the written complaint (if available) and the confidential *Summary of Investigation*, which includes the Title IX Coordinator's (or designee) written summary of investigation and conclusions, will be made available to the appropriate individuals, including but not limited to, the complainant, the respondent, and the Title IX Coordinator.

The Title IX Coordinator will select an appropriately trained person or committee to investigate the charge. The individual(s) charged will conduct an investigation, the scope and nature of which shall be appropriate to the circumstances as determined by the investigator(s) and Title IX Coordinator. The complainant and respondent will have reasonable access to any written file materials, including the formal complaint and evidence. It is not required that the complainant and respondent be given copies of the file. The respondent may (but is not required to) file a written response to the complaint within ten (10) days of the respondent receiving the complaint. If a written response is filed, the complainant will have access to it. The investigator(s) and Title IX Coordinator will ensure that the respondent and complainant have seen and had a chance to respond to all evidence before coming to a final conclusion. The complainant and respondent can choose to have an advisor from the campus community (faculty, staff, or student) or attorney present during the investigation. However, the advisor has a limited role. They are permitted only to advise and may not ask questions or respond directly to investigators.

Upon completing the investigation, the person(s) investigating the complaint shall make a determination as to whether or not the respondent violated the Title IX policy. The standard for making the determination shall be by a preponderance of the evidence (51%, or “more likely than not”). If the person(s) charged with considering the matter determines that there is insufficient evidence to support a policy violation, the complaint shall be dismissed and the parties shall be so advised in writing. If the person(s) charged with considering the matter determines there is sufficient evidence to support a policy violation, the person(s) shall recommend the appropriate disciplinary action to be taken. Such disciplinary action may include, but is not limited to: a written warning; letter of reprimand; probation, suspension, or expulsion; suspension of salary raises for a specified time; change of job (removing the person from being in a position to retaliate or further affect the victim); required counseling; required attendance at a discrimination/harassment training program; termination of employment, removal from housing, a no trespass order or no contact order, or termination of student privileges.

The *Summary of Investigation* and recommended disciplinary actions shall be in writing. The Title IX Coordinator will review the summary of investigation and recommended disciplinary actions and make the final decision regarding implementation of discipline.

Absent unusual circumstances, the determination will be made within 60 days of the complaint having been filed.

Both the complainant and the respondent will be notified in writing as to the decision regarding disciplinary action.

III. Appeal Procedure

A. Appeal

The complainant or respondent may appeal a decision. Both parties may participate equally in the appeal process even if the party did not file the appeal himself or herself. Appeals must state the reason for the appeal and must be presented in writing within 5 working days after receiving the decision on the complaint. A written appeal should be delivered to the Title IX Coordinator. The disciplinary sanction will remain in place during the appeal.

An appeal must be in writing, submitted to the Title IX Coordinator, and specify the substantive and/or procedural basis for the appeal.

The original finding is presumed to have been decided reasonably and appropriately by a preponderance of the evidence, and the only grounds for appeal are as follows:

- A procedural or substantive error significantly impacted the outcome of the investigation;

- New evidence, unavailable through the exercise of reasonable due diligence during the original investigation, could substantially impact the original finding or sanction. The person filing the appeal must include a description of this new evidence, why it was not available during the investigation, and how it could impact the outcome of the investigation.
- The sanctions assessed are substantially disproportionate to the findings.

B. Appeal Process

The Title IX Coordinator will share the appeal with the other party or parties (e.g. if the responding student appeals, the appeal is shared with the complainant, who may wish to file a response, request an appeal on the same grounds or different grounds).

The Title IX Coordinator will conduct an initial review to determine if the appeal request meets the limited grounds and is timely. If the appeal is not timely or substantively eligible, the original finding and sanction will stand and the decision is final.

If the appeal has standing, the Title IX Coordinator will appoint an appropriately trained Appellate Panel.

The panel shall consist of three Campus Disciplinary Board members not previously involved in the case. The members of the Appellate Panel are appointed by the Dean of Student Affairs. An appeal is not a hearing. The Appellate Panel will not, other than in exceptional circumstances, receive testimony. The Campus Disciplinary Appellate Panel will make a finding either upholding, overturning, or modifying the formal disciplinary finding and/or disciplinary sanction. The decision shall be in writing and shall be final.

Absent unusual circumstances, the appeal determination shall be made within twenty working days of the appeal having been filed.

Both the complainant and the respondent will be notified in writing as to the Appellate Panel decision regarding the appeal.

IV. General Guiding Principles

A. Confidentiality

Newberry College cannot promise complete confidentiality in its handling of complaints of violations of this policy. To the extent possible, the College will keep the complaint and investigation confidential and will make every reasonable effort to handle inquiries, complaints, and related proceedings in a manner that protects the privacy of all parties. Each situation is resolved as discreetly as

possible, with information shared only with those who need to know. Because Title IX and the College prohibit retaliation, the College will take proper steps to prevent such retaliation and will take strong responsive action if such retaliation occurs.

If a complainant requests anonymity or that an investigation not be pursued, the College will take all reasonable steps to investigate and respond to the complaint consistent with the request as long as honoring the request does not prevent the College from responding effectively to the harassment and preventing harassment of others. If a complainant requests anonymity, the scope of the College's ability to respond to the alleged misconduct may be limited. In certain circumstances, the College may be able to address concerns and stop problematic behavior without revealing to the alleged harasser the identity of the person who complained and/or the individuals involved in the investigation. However, this is not possible in every matter, as some situations require the disclosure of the complainant's identity in order to fully investigate the matter and/or to enable the respondent to fully respond to the allegations against him or her.

In cases when a complainant requests anonymity or does not wish to proceed with an investigation, the Title IX Coordinator will determine whether the College has an obligation to proceed with the investigation notwithstanding this request based on concern for the safety or well-being of the broader College community. The College reserves the right to take appropriate action in such circumstances, even in cases when the complainant is reluctant to proceed. In making this evaluation, the College may consider the following:

- The seriousness of the alleged incident;
- The age of the alleged victim;
- Whether there have been other complaints or reports of policy violations against the accused individual;
- The rights of the accused individual to receive information about the accuser and the allegations if a proceeding with sanctions may result.
- The increased risk that the accused individual will commit additional acts of relationship violence or sexual misconduct, such as: (a) Whether there have been other relationship violence or sexual misconduct complaints about the same alleged perpetrator; (b) Whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence; (c) Whether the alleged perpetrator threatened further relationship violence or sexual misconduct against the alleged victim or others; (d) Whether the relationship violence or sexual misconduct was committed by multiple perpetrators; and/or (e) Whether there have been threats to kill or harm the alleged victim;
- Whether the alleged policy violation was perpetrated with a weapon; and/or
- Whether the College possesses other means to obtain relevant evidence of the policy violation (e.g., security cameras or personnel, physical evidence).

B. Retaliation

Retaliation against the person bringing a report or complaint, or any person involved in an inquiry or investigation is strictly forbidden by Newberry College. A person engaged in retaliatory conduct is subject to the disciplinary action by the College. For students, this may include denial of certain privileges, disciplinary probation, suspension, and/or expulsion. For employees, this may

include warnings, suspensions, and/or termination. The College will consider interim measures in response to retaliation-related concerns in order to stop prohibited conduct and its recurrence. In some instances, this may lead to the removal of the person accused of retaliation from campus until the matter is resolved. Retaliation claims are investigated using the same procedures listed in part (II).

Persons charging discrimination and/or harassment need to be aware that knowingly false claims may subject them to college disciplinary and/or legal consequences.

C. Confrontation

During the initial or formal investigation, all reasonable attempts shall be made to prevent the complainant and respondent from being brought together.

D. Timeliness

All complaints, investigation, disciplinary action and appeals shall be conducted promptly and within stated guidelines unless good cause is shown requiring an extension. Extensions are granted by the Title IX Coordinator or their designee in their sole discretion.

E. Tenured Faculty

In the case of a tenured faculty member who is recommended for termination, the case must then proceed through the procedures for termination of tenure specified in the Faculty Policies Manual.