

August 31, 2018

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For the fifth time since assuming my current office, I am pleased to have published this latest edition of the Faculty/Administration Manual, which plays a vital role in our system of shared governance.



Brian R. McGee
Provost



STATEMENT ON CHANGES TO THE FACULTY/ADMINISTRATION MANUAL:

This cover letter summarizes the procedures for changing the *Faculty/Administration Manual* (FAM). The *Faculty/Administration Manual* brings together in one place policies, procedures, and statements that relate to faculty members and academic administrators at the College of Charleston. Three different types of documents are included in the FAM, and a different procedure is used to make changes to each section. In all cases, the Senate Committee on the By-Laws and the *Faculty/Administration Manual* (By-Laws Committee) maintains the FAM and incorporates all changes. Each year a revised version of the FAM is posted by the Provost by August 15. Changes made to the FAM in the course of the year are reflected in a log that is maintained and publicly posted by the By-Laws Committee with the assistance of the Faculty Secretariat.

By-Laws of the Faculty. The By-Laws of the Faculty establish the faculty governance structure at the College. Article VI of the By-Laws sets out the formal procedure for amendments. Amendments may be introduced through the Faculty Senate and then ratified by vote of the faculty, or be brought to the faculty directly at an extraordinary meeting of the faculty and ratified by vote.

Faculty Policies. Many policies concerning the appointment, evaluation, conduct and duties of faculty members and unclassified administrators in the Academic Affairs Division have the status of college-wide policies. Official copies of these policies are housed in section 7 of the College of Charleston Policy Website (<http://policy.cofc.edu>) and are included in the FAM for convenience of reference. A formal procedure for amending these policies is set out on the Policy Website. All changes to these policies must be directed through the Provost to the President. Changes may be initiated by the Provost. Requests from the faculty to change these policies must be brought to the Senate for consideration. Only changes approved by vote of the Senate or by vote of the faculty in an extraordinary meeting will be officially sponsored by the Speaker of the Faculty. The Speaker of the Faculty must formally submit these changes to the Provost for consideration. The Speaker of the Faculty will inform the Faculty By-Laws Committee of all changes that have been approved by the President. The Faculty By-Laws Committee is charged with maintaining the FAM to reflect all changes in official policies.

Miscellaneous Material. The FAM includes materials describing the history of the College of Charleston, the administrative organization, and other matters that are not part of the By-Laws of the Faculty and are not official policies of the College of Charleston. Changes to these materials may be made by the Provost, normally after consulting with appropriate faculty committees and seeking the advice of the Faculty Senate. The faculty, through a committee and/or by vote of the Faculty Senate, may recommend to the Provost changes to these materials. The Faculty By-Laws Committee is charged with maintaining the FAM to reflect all changes to these miscellaneous materials.

Statement of Principles about Changes to the FAM. The By-Laws of the Faculty can be changed only by vote of the faculty. The Provost has the authority to act alone to recommend to the President changes to Faculty Policies and to make changes to the Miscellaneous Materials. The Provost normally will seek the advice of appropriate groups of the faculty before changes are made. The Provost will inform the faculty of any change made to material included in the FAM. The Faculty By-Laws Committee is charged with maintaining the FAM to reflect all changes.

(Drafted and Approved by the Committee on the Bylaws and the Faculty/Administration Manual, Mar. 16, 2011)
(Approved by the Provost, Mar. 25, 2011)

COLLEGE OF CHARLESTON

66 George Street

Charleston, South Carolina 29424



FACULTY/ADMINISTRATION MANUAL

2018-2019

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FACULTY ORGANIZATION AND BY-LAWS

Preamble

These by-laws and all amendments shall constitute the rules and regulations governing the conduct and procedures of the faculty of the College of Charleston in the performance of its duties. They establish the Faculty Senate as the primary legislative body of the faculty.

Article I. Membership in the College Faculty

Section 1. Regular Faculty

The faculty members of the College of Charleston are those individuals whose obligation in the institution is both the dissemination and expansion of academic knowledge of an accepted academic nature. At the College of Charleston the following individuals are considered regular faculty members: (1) those full-time¹ tenured, tenure-track, Instructor, and Senior Instructor employees of the institution who normally teach at least three contact hours² of college credit courses or the equivalent in assigned academic research in their academic fields each semester; (2) full-time professional librarians; and (3) *ex-officio*, the President of the College, the Provost, the Dean of the Graduate School, the Academic Deans, the Dean of the Honors College, and all administrative officers of the College with academic rank.³ These members of the faculty have voting rights at meetings of the College faculty.

(Rev. May 2009)

Section 2. Non-Tenure-Track Faculty and Administrators Without Academic Rank

Non-tenure-track faculty (including full- and part-time visiting and adjunct faculty, lecturers, laboratory teaching associates, and graduate assistants) and administrative officers of the College without academic rank shall have floor privileges without voting rights at College faculty meetings.

¹ For the purpose only of interpreting Art. I., Sect 1, a “full-time” employee of the College of Charleston shall be defined as an employee receiving a salary and fringe benefits from the College in return for 40 hours or more of labor per regular work week. Any employee holding a title customarily associated with regular faculty membership is presumed to be a full-time employee unless the Provost stipulates in writing that the employee in question has part-time status. The determination of full-time status is not linked to the type or nature of the work assignment for each individual faculty member.

² When they are full-time tenured and tenure-track employees of the institution, full-time Instructor and Senior Instructor employees, or full-time professional librarians, Department Chairs, Assistant Department Chairs, Associate Department Chairs, Assistant Deans, and Associate Deans are defined as employees normally teaching at least three contact hours of college credit courses in each semester.

³ An “administrative officer” shall be defined as any College of Charleston employee with a position title using the words “President” or “Provost.” In addition, the Provost may stipulate in writing that any College employee with academic rank is an administrative officer if that employee (a) has a position title using the word “Director” and (b) normally teaches fewer than three contact hours of college credit courses or the equivalent in assigned academic research in their academic field each semester. (Rev. Aug. 2018)

Article II. College Faculty Meetings

Section 1. Ordinary Faculty Meetings

Ordinary meetings of the College faculty may be called by the Speaker of the Faculty. Ordinary faculty meetings may be called for such purposes as the distribution of information, discussion of a topic or topics relevant to the College faculty, hearing a presentation, and asking questions of the President of the College or other administrative officers of the College. An ordinary meeting of the College faculty is not a deliberative assembly, and faculty at such meetings have no legislative or review authority.
(Rev. May 2009)

Section 2. Extraordinary Faculty Meetings

- A. Extraordinary meetings of the College faculty may be called by the President of the College, or the Speaker of the Faculty, or a petition to the Speaker of the Faculty by fifty faculty members. At such extraordinary meetings the College faculty may review any Faculty Senate action.
- B. Senate actions may be amended or vetoed by a simple majority vote of those members of the regular College faculty (as defined in Art. I) present at such extraordinary meetings of the College faculty, provided there is a quorum present.
- C. The College faculty has legislative authority (i.e., may legislate and recommend to the President on matters normally under the purview of the Faculty Senate) only in case it acts in an extraordinary meeting of the College faculty called by a petition to the Speaker of the Faculty by 50 regular College faculty (as defined in Art. 1) on a specific issue included in the agenda for that meeting and distributed at least one week prior to the date of the meeting.
- D. A quorum at extraordinary College faculty meetings shall be a simple majority of regular College faculty members.
- E. Extraordinary meetings of the College faculty must be called in writing at least one week prior to the date of the meeting. A written agenda for each meeting will be distributed to all faculty at least one week prior to the meeting. The requirement of one week advance notice may be waived by the Speaker of the Faculty (or the Speaker's designee) in case of emergency.
- F. The current edition of Robert's Rules of Order shall govern the conduct of extraordinary meetings of the College faculty.
- G. The Faculty Secretary shall perform as secretary for all meetings of the College faculty.

(Rev. May 2009)

Section 3. Presiding Officer

The Speaker of the Faculty shall preside at all ordinary and extraordinary meetings of the faculty. If unable to be present, the Speaker shall designate an alternate Speaker for that meeting from among the members of the regular faculty of the College.

(Rev. Aug. 2018)

Article III. Officers

Section 1. Speaker of the Faculty

- A. The Speaker of the Faculty must meet the eligibility requirements of Faculty Senators as specified in Article IV, Section 2B.1.
- B. The Committee on Nominations and Elections shall announce nominees for this office no later than February 1.
- C. The Committee on Nominations and Elections shall conduct an election for this office no later than February 15. The electorate shall be all regular members of the College faculty (as defined in Article I) as of the date of the election. Election to the office of Speaker of the Faculty requires a simple majority of votes cast in the election. If no candidate obtains a majority on the first ballot, run-off elections will be held. Each run-off slate will exclude half of the candidates from the previous balloting, the half receiving the fewest number of votes on the previous balloting being excluded. Any tie is decided by lot.
- D. The term of office for the Speaker of the Faculty shall be one year, beginning July 1. No speaker may serve more than three consecutive terms. (Rev. Oct. 2011)
- E. In the event of a vacancy in the Speakership, a special election will be conducted by the Committee on Nominations and Elections to fill the vacancy. At least one week prior to the election, the Committee on Nominations and Elections will present a slate of nominees; the special election shall be conducted in the manner prescribed above for regular election of the Speaker.
- F. The Speaker of the Faculty shall attend and give reports to meetings of the College Board of Trustees.
- G. The Speaker shall be allowed to attend and participate without vote in meetings of all Senate and College standing and *ad hoc* committees, with the exception of the Faculty Hearing Committee, the Faculty Grievance Committee, and the Advisory Committee on Tenure, Promotion and Third

year Reappointment of Faculty. The Speaker may not be elected or appointed to formal membership on any Senate or College committee.

- H. The Speaker of the Faculty will receive a supplementary stipend amounting to two-ninths of their salary, and will have a one-half-time reduction in teaching load each year. (Rev. Aug. 2018)
- I. Duties:
1. The Speaker will preside at all College faculty and Faculty Senate meetings. The Speaker may participate in the debate and general proceedings of the faculty and Senate except when presiding.
 2. The Speaker has full voting privileges at College faculty meetings. The Speaker has voting privileges in the Senate only in cases in which the Senators' votes have been evenly divided.
 3. In general, the Speaker will represent the faculty to the administration of the College. The Speaker will attend administrative staff meetings and such other meetings as designated by the President.
 4. The Speaker will consult with officers of the administration on their own initiative and will inform and advise the faculty and the Senate regarding matters of College government that are of concern to the faculty. (Rev. Aug. 2018)
 5. The Speaker will receive requests from the College administration to form *ad hoc* Faculty Senate and College committees to deal with matters not within the purview of any standing committees (Article V), and will take steps to establish such committees (Article V, Section 4).
 6. The Speaker shall appoint a Parliamentarian to the Faculty, who shall serve at the pleasure of the Speaker. The parliamentarian shall advise the Speaker or other presiding officer, and the faculty and Senate, concerning parliamentary procedure. The Parliamentarian shall perform other duties normally associated with such an office. If the Parliamentarian is unable or unavailable to perform those duties during a meeting of the Faculty Senate, the Speaker may appoint an Acting parliamentarian to the Faculty until such time as the Parliamentarian shall return to service.
 7. The Speaker will advise the President and the President's staff on matters concerning the faculty. (Rev. Aug. 2018)
 8. The Speaker will receive from the Provost and administrators designated by the President any:

- a. Trustee By-Law changes;
- b. State Human Resources Regulations and state and College personnel policies and procedures (new or changed) that affect those for whose use the Manual is intended;
- c. Administrative Memoranda affecting those for whose use the Manual is intended;
- d. Administrative policies or procedures affecting those for whose use the Manual is intended;
- e. Changes in these faculty By-Laws enacted according to the procedures specified in Article VI; and
- f. Other changes in policies and procedures approved by the Faculty Senate.

The Speaker of the Faculty will review changes to insure accuracy of text and will refer duly approved changes as appropriate to the Committee on the By-Laws and Faculty/Administration Manual for insertion into the By-Laws and the Manual.

9. The Speaker of the Faculty shall, with the help of the Faculty Senate Secretariat, publish and distribute a faculty newsletter at least three times each semester and once during the summer months.
10. The Speaker of the Faculty shall supervise the Secretariat of the Faculty Senate and manage its budget.

Section 2. Faculty Secretary

- A. The Faculty Secretary must meet the eligibility requirements of Faculty Senators as specified in Article IV, Section 2B.1.
- B. The Committee on Nominations and Elections shall announce nominees for this office no later than February 1.
- C. The Committee on Nominations and Elections shall conduct an election for this office no later than February 15. The election procedure will be the same as the procedure described in Article III, Section 1C for the Speaker of the Faculty.

- D. The term of office for the Faculty Secretary shall be one year, beginning July 1. No Faculty Secretary may serve more than three consecutive terms. (Rev. Oct. 2011)
- E. The Faculty Secretary is a non-voting *ex-officio* member of the Faculty Senate. The Faculty Secretary has full voting privileges at College Faculty meetings. The Faculty Secretary may not be elected or appointed to formal membership on any Senate or College committee.
- F. The Faculty Secretary will have a one course reduction in teaching load each semester.
- G. Duties: The Faculty Secretary acts as secretary for all meetings of the College faculty and of the Faculty Senate. With the assistance of the Secretariat, this officer distributes College and Senate meeting agendas, prepares and distributes to all faculty members detailed minutes of all College and Senate meetings, and distributes minutes of the College Board of Trustees meetings to all Senators. The Faculty Secretary performs other duties normally associated with the office, including maintenance of the Faculty Senate roster on the Faculty Senate Web site and/or in some other medium or media as designated by the Faculty Senate.
(Rev. April 2007)

Article IV. Faculty Senate

Section 1. Functions

- A. The Faculty Senate is the primary legislative body of the College of Charleston faculty. The Senate may make recommendations on any matter under its purview to the President of the College. Except where otherwise specified in the By-Laws of the College Board of Trustees, the President shall have the power of veto over any action by the Senate. The veto shall be communicated in writing to the Senate, with reasons, within thirty days after receipt by the President. By a two-thirds vote, the Senate may appeal any action thus vetoed, through the Speaker of the Faculty, to the College Board of Trustees.
- B. The Faculty Senate shall be concerned with all matters relating to academic programs, the curriculum, admissions and continuation standards, the grading system, degree and certificate requirements, and the utilization of the intellectual resources of the College. The Faculty Senate shall have the right and obligation to initiate needed institutional and academic studies, either directly or through appropriate committees.

- C. The Faculty Senate may request meetings with the College Board of Trustees to discuss matters of mutual concern. Senators shall receive minutes of all meetings of the College Board of Trustees.
- D. The Faculty Senate may establish and instruct such committees, standing and *ad hoc*, as may be necessary for the performance of its functions and elect or provide for the members of the committees in accordance with these by-laws.
- E. At one Faculty Senate meeting early in the first semester and at one meeting late in the second semester, the Faculty Senate shall hear reports from and have the opportunity to question the President of the College and the Provost. Any written reports provided to the Faculty Senate by the President or the Provost shall be distributed by the Faculty Senate Secretariat to all faculty members. (Ins. May 2009)
- F. The Faculty Senate is authorized by the College faculty to approve all degree candidates for graduation.
- G. The specific duties of the Faculty Senate shall also include, but not be limited to, recommendations to the President concerning any of the following:
 - 1. Plans and policies to strengthen the educational programs and academic organization of the College;
 - 2. The College budget;
 - 3. Plans for the physical and educational development of the College;
 - 4. Plans for the athletic programs of the College;
 - 5. Academic freedom of members of the College faculty;
 - 6. Academic responsibilities of members of the College faculty;
 - 7. The general welfare of the College community;
 - 8. Policies concerning the College's relations with its supporting community;
 - 9. Policies concerning the College's relations with outside agencies; and
 - 10. Rules and procedures of the College concerning the conduct of its members.

Section 2. Composition and Election

A. Composition.

There shall be 50 Regular Faculty Senators (as defined in Article IV, Section 2.D.1), apportioned by the percentage of regular faculty [as defined in Article I, Section 1, (1) and (2), and excluding all those qualifying as *ex officio* regular faculty members under provision (3)] in each school (the library shall be considered a school for this purpose) and 3 Adjunct Faculty Senators with voting privileges). There shall be one Faculty Senator elected by each academic department, with the remainder of a school's senators elected at-large by the faculty in that school. If a school should have more departments than its apportioned senators, then all of that school's senators shall be elected at-large by the faculty in that school. (Ins. Dec. 2009) The Adjunct Faculty Senators shall represent at least two different schools (including the library) and three different departments. (Rev. Aug. 2015, Aug. 2016)

B. Eligibility

1. A Faculty Senator must be a full- time tenured, tenure- track, Instructor, or Senior Instructor employee of the College who has completed at least three years of service at the College, and who normally teaches at least three contact hours per semester or the equivalent in assigned research or who is a full- time professional librarian. Without regard to teaching load, Department Chairs, Assistant Department Chairs, and Associate Department Chairs who otherwise would be members of the regular faculty are eligible to serve as Faculty Senators. (App. April 2005) Administrative officers, the Dean of the Graduate School, the Academic Deans, the Dean of the Honors College, Associate Deans, and Assistant Deans are not eligible to serve as Faculty Senators. Faculty members on Leave, teaching away from the Charleston campuses, or for other reasons unable to attend Senate meetings regularly, are not eligible to serve as Faculty Senators. (Rev. May 2009, Dec. 2011)
2. An Adjunct Faculty Senator must have been employed as an adjunct faculty [as defined in Article III, Section A, 2, b, (4)] instructor of record at least twice in the preceding three academic years prior to election as an Adjunct Faculty Senator and must be currently employed as an adjunct faculty (as defined above) at the time of service as an Adjunct Faculty Senator. Election to the position of an Adjunct Faculty Senator or service as an Adjunct Faculty Senator is entirely voluntary, does not guarantee or in any way affect departmental hiring of adjunct faculty, nor shall it affect rate of pay or determination of hours of service for adjuncts. Concurrently serving Adjunct Faculty Senators must represent at least two different schools and three different departments. (Ins. Aug. 2015)

- C. The President of the College, the Provost, a student representing the Student Government Association, and the Faculty Secretary are non-voting *ex-officio* members of the Faculty Senate.
- D. Election
1. Without regard to teaching load, all and only regular faculty members as defined in Art. I, Sect. 1, excluding all those qualifying as *ex officio* regular faculty members under provision (3), are eligible to vote in elections for Faculty Senators. (Rev. Aug. 2015)
 2. Only adjunct faculty [as defined in Article III, Section A, 2, b, (4)] who are also currently listed as instructor of record for at least one course are eligible to vote in elections for Adjunct Faculty Senators. (Ins. Aug. 2015)
 3. No later than February 15, vacancies from the group of at-large Faculty Senators will be filled by means of an election conducted among the eligible faculty of each school (as defined in Section 1 above) through ballot. By February 1, any and all regular faculty of a school may forward nominations or self-nominations to the Committee on Nominations and Elections for the at-large Faculty Senators in that school. The candidates receiving the most votes cast in these elections shall be elected to the at-large seats allocated to each school. Any tie shall be decided by lot. (Rev. Dec. 2009; Aug. 2015)
 4. No later than March 15, each of the academic departments and Library will elect its Faculty Senator(s) from among its eligible members (as defined in Section 2B above). (Rev. Dec. 2009; Rev. Aug. 2015)
 5. No later than April 15, the three Adjunct Faculty Senators shall be elected by the adjunct faculty in a manner consistent with the representation described in Section 2B above. (Ins. Aug. 2015)
 6. The Committee on Nominations and Elections shall oversee all Senate elections. (Rev. Dec. 2009; Rev. Aug. 2015)
 7. All elections for at-large Faculty Senators and Adjunct Faculty Senators shall be conducted by secret ballot. Upon the receipt of a vote, the Committee on Nominations and Elections shall ensure that the vote was cast by an eligible voter. In case of a tie vote, the election is decided by lot. (Rev. Dec. 2009; Aug. 2015)

E. Terms of Office

1. The term of office for Faculty Senators shall be two years; terms begin the day after spring commencement. A Senator shall be eligible for re-election to one additional consecutive term, following which one year must pass before they are again eligible. For purposes of eligibility, a partial term of service of one year or more shall be counted as a full term. Additionally, in order to maintain continuous service by departmental senators, any department with no eligible members may petition the Committee on Nominations and Elections for an exception at any time. One half of the Senators are elected each year. (Rev. Apr. 2010; Aug. 2015; Aug. 2016; Aug. 2018)
2. Adjunct Faculty Senators shall be elected to fill a vacancy that span an entire academic year, commencing in August at the beginning of the period of contracted employment as an adjunct faculty member. An elected Adjunct Faculty Senator can only serve during times of active employment as an instructor of record, so their status as an Adjunct Faculty Senator lapses at the conclusion each contract period but is automatically renewed at the start of the ensuing contract period in the academic year. Service in any combination of semesters over a four-year service period requires that a full calendar year must pass before that adjunct faculty member is again eligible to serve as an Adjunct Faculty Senator. Additionally, in order to maintain continuous adjunct representation at the senate, the office of the Provost or the Speaker of the Faculty may petition the Committee on Nominations and Elections for a special election to fill a vacated Adjunct Faculty Senator seat. (Ins. Aug. 2015; Rev. Aug. 2018)

F. Any Faculty Senator or Adjunct Faculty Senator may be recalled from their position as the result of a special election initiated by a recall petition to the Speaker of the Faculty signed by 25% of that position's electorate as defined in Article IV, Section 2D. In the special election the Senator shall be recalled if at least 75% of those eligible to vote for the position have cast a ballot, and if a simple majority of those voting has voted in favor of recall. (Rev. Aug. 2015; Aug. 2018)

G. Vacancies due to resignation, non-employment of Adjunct Faculty Senators, recall or any other reason may be filled by a special election by the appropriate electorate. Senators elected in such special elections will serve out the term of the Senators they replace. If an at-large Faculty Senator needs to be replaced, the faculty of that school shall elect the replacement by ballot. No Senator, including replacement Faculty Senators and Adjunct Faculty Senators, shall serve for more than four consecutive years. (Rev. Jan. 2007, Apr. 2007; Ins. Apr. 2007; Rev. Dec. 2009; Rev. Aug. 2015)

- H. Every three years, beginning in the fall semester of 2015, the Committee on Nominations and Elections shall request from the Associate Provost for Faculty Affairs the current number of full-time tenured, tenure-track, Instructor, or Senior Instructor employees in each School, based on the October report to the South Carolina Commission on Higher Education. Based on those numbers, the Committee on Nominations and Elections shall use the Huntington-Hill methods of apportionment to determine and report, at the January meeting of the Faculty Senate, the allocation of Faculty Senators for each School to be effective at the start of the next fall semester. In the event that a School loses more at-large Faculty Senate seats than it is slated to elect in the spring elections then the at-large senator who has the lowest seniority in terms of service will be removed first; if two or more at-large senators have the same seniority in terms of service, the order of removal shall be based on lowest number of votes when elected; in the event of a tie, removal is to be decided by lot. For each reapportionment, the Faculty Senate Secretariat shall record the allocation of Faculty Senators, and the basis of that allocation (number of regular faculty by department and school). (Ins. Aug. 2016)

Section 3. Offices

- A. Speaker of the Faculty *Pro Tempore*

The Speaker of the Faculty *Pro Tempore* is a Senator elected by the Senate at its first meeting of the academic year. Adjunct Faculty Senators may not be elected Speaker of the Faculty *Pro Tempore*. This officer presides at Senate meetings and performs other duties in the temporary absence of the Speaker of the Faculty; they preside when the Speaker is participating in Senate debate. While presiding, the Speaker *Pro Tempore* has voting privileges only when the other Senators' votes are evenly divided. The term of office is one year (one year as Speaker *Pro Tem*; the Speaker *Pro Tem* is a Senator, and the term of office as Senator is two years), and no Speaker *Pro Tem* may serve more than four consecutive one-year terms as Speaker *Pro Tem*. (Rev. Aug. 2015; Aug. 2018)

- B. Secretariat

The Faculty Senate shall have a secretariat: adequate office space, office support (supplies and equipment), and secretarial and clerical support. The Secretariat shall assist the Speaker of the Faculty, the Faculty Secretary, and Senate and College committees in carrying out their duties. The Secretariat shall be the repository for records of the College faculty, of the Faculty Senate, and of Senate and College committees. There shall be a line item in the College budget supporting the Secretariat.

Section 4. Meetings of the Faculty Senate

- A. The Faculty Senate normally shall meet the first Tuesday of each month during the academic year at 5:00 p.m. at a place announced to the College community.
- B. Special Senate meetings may be called by the President of the College, by the Speaker of the Faculty, by a simple majority vote of the Senate, or by petition to the Speaker of the Faculty of a simple majority of the Senate. Special Senate meetings must be called in writing at least three working days prior to the date of the meeting. The requirement of three working days notice may be waived in case of emergency.
- C. The Speaker of the Faculty shall preside at all regular and special meetings of the Faculty Senate. In the absence of the Speaker, the Speaker of the Faculty Pro Tempore shall preside.
- D. The current edition of Robert's Rules of Order will govern the conduct of all meetings of the Faculty Senate.
- E. A quorum shall be constituted by a simple majority of the elected membership of the Faculty Senate.
- F. All meetings of the Faculty Senate shall be open, with the provision that the Senate may, by two-thirds vote, restrict a session to regular College faculty and Adjunct Faculty Senators only, subject to state and federal law. Space will always be provided for all College faculty present and wishing to attend. (Rev. Aug. 2015)
- G. Only senators have voting privileges.
- H. Agendas for all regular and special Faculty Senate meetings shall be distributed to all members of the College Faculty at least one week prior to each meeting. In exceptional cases, the Speaker of the Faculty may modify the agenda in order that the Senate may address concerns in a timely fashion.
- I. Members of the College faculty who are not senators have floor but not voting privileges at Senate meetings.
- J. The order of business for each regular Senate meeting shall include the opportunity for expression of faculty constituents' general concerns (i.e., concerns not directed toward specific agenda items). Any members of the College faculty may at this time present matters that they wish to bring before the Senate and may question senators about matters before the Senate. The Speaker of the Faculty must provide at least fifteen minutes per meeting for all such expression of constituents' general concerns.

- K. The agenda for each regular Senate meeting shall include reports by the President of the College and the Provost or their designees about actions taken on Senate recommendations and about all matters of concern to the Senate. In addition, the Speaker of the Faculty and the Senate may request timely administrative reports on matters of concern to the Senate.
- L. The order of business for regular meetings of the Faculty Senate shall be as follows, subject to change by the Speaker of the Faculty as per Article IV, Section 4H or by a simple majority vote of the Senate:
1. Call to order
 2. Approval of the minutes of previous meeting
 3. Announcements and information
 4. Reports
 - a. College and Senate Committees
 - b. President and Provost
 5. Old business
 6. New business
 7. Constituent's general concerns
 8. Adjournment
- M. The Faculty Secretary shall keep detailed minutes of Senate meetings, including attendance and absence of senators and *ex-officio* Senate members, as well as records of any roll call votes. Minutes will be distributed to all faculty members within two weeks after each meeting.

Article V. Committees

Section 1. General Regulations

- A. No faculty member may serve on more than two standing committees.
- B. Members of committees (Including alternates) serve for a term of one year and may be re-elected up to four times. Commencing with the first year of service, consecutive or intermittent service on a committee during a five-year period will require a lapse of three years before a member is eligible to serve

again on that committee. Any three-year lapse resets the eligibility for another five-year period. Terms begin on August 15. Adjunct faculty committee members shall be elected to fill a vacancy that spans an entire academic year, commencing in August at the beginning of the period of contracted employment as an adjunct faculty member. An elected adjunct faculty committee member can only serve during times of active employment as an instructor of record, so their status as an adjunct faculty committee member lapses at the conclusion of each contract period but is automatically renewed at the start of the ensuing contract period in the academic year. Service in any combination of semesters over a three-year service period requires that a full calendar year must pass before that adjunct faculty member is again eligible to serve on a committee. (Rev. Aug. 1999; Aug. 2015; Aug. 2017; Aug. 2018)

- C. The Faculty Secretary shall publish and distribute to all faculty members and the Provost a complete list of committees upon election of the committees.
- D. Within ten days after the election of new committees, the Chairs of the outgoing committees shall call meetings of the new committees. Each new committee shall elect a Chair and a secretary and report these names to the Faculty Secretary. Adjunct faculty may not be elected as a chair or secretary of a faculty committee. Any remaining business of any committee that can be completed by August 15 will be completed by the outgoing committee. On completion of its business and no later than August 15, all records will be transferred to the new committee. (Rev. Aug. 2015)
- E. Each committee shall meet and prepare for distribution to the faculty a written report at least once each semester. The Committee on Nominations and Elections and the Faculty Hearing Committee are exempt from this requirement.
- F. The Student Government Association will select the student for each student position on designated committees. These student representatives shall have full voice and vote. The Faculty Secretary shall include the names of student representatives in the published list of committee members.
- G. A simple majority of the committee membership shall constitute a quorum.
- H. Meetings of committees shall be called by the Chairs of the committees or by 50% of the members of the committees.
- I. Senate committees deal with general College and faculty concerns and long-range planning issues, while College committees deal with regular, specific matters of College and faculty business. This division of responsibilities will be maintained in the formation of *ad-hoc* Senate and College committees (see Article V, Section 4).

- J. Senate and College committees report to the Faculty Senate. In addition, the Faculty Research and Development Committee reports to the Provost and the Advisory Committee on Tenure, Promotion and Third-Year Review reports to the President.
- K. For the remainder of Article V, references to the terms “faculty” or “faculty member” specifically mean all and only regular faculty members, as defined in Article I, Section 1, excluding all those qualifying as *ex-officio* regular faculty members under provision (3). (Rev. Aug. 2014)

Section 2. Standing Senate Committees

- A. Members of standing Senate committees are nominated by the Committee on Nominations and Elections at least 15 days prior to the April Senate meeting and are elected by the Senate during the April Senate meeting. At least one member of standing Senate Committees must be a Senator. (Rev. April 2013)
- B. The following standing Senate committees are established:
 - 1. Academic Planning Committee
 - a. Composition: Seven faculty members and one student. The Provost (or Provost’s designee) and Registrar (or Registrar’s designee) are non-voting *ex-officio* members. (Rev April 2013)
 - b. Duties: To consider and recommend long-range academic programs and goals for the College. To this end, the committee shall gather information from such administrators, academic schools and departments, committees, program directors, and other individuals as are advocating new programs and goals, and it shall gather such budgetary information as would be necessary to evaluate the economic feasibility of such new programs and goals. In this work the Academic Planning Committee shall work closely with the Budget Committee. The committee shall also review and respond to plans brought to the committee by the Provost concerning the termination of programs, and shall gather such information as would be necessary to evaluate the impact of program termination upon the College’s academic mission. The Chair of the Academic Planning Committee or their representative shall attend meetings of the Academic Affairs Committee of the Board of Trustees. (Rev. May 2009, Jan. 2011; Aug. 2018)

2. Budget Committee
 - a. Composition: Seven faculty members. The Provost and the College Budget Director are non-voting *ex-officio* members of the Budget Committee.
 - b. Duties: To review College policies relating to long-range financial planning, budget preparation and the allocation of funds within budget categories, and to recommend policy changes. To review in particular the projected costs of proposals for new College programs and initiatives, and to inform the Senate, before these proposals are put to a vote, of the Committee's evaluation of their potential budgetary impact. To review and make recommendations concerning the potential budgetary impact of proposals for the termination of programs brought to the committee by the Provost. To review each annual College budget. The Chair of the Budget Committee or their representative shall attend meetings of the Budget Committee of the Board of Trustees. (Rev. Nov. 2010; Aug. 2018)

3. Committee on the By-Laws and the Faculty/Administration Manual
 - a. Composition: Three faculty members. *Ex-officio* members are the Speaker of the Faculty, the Faculty Secretary, and the Provost (or Provost's designee). The Senior Vice President for Legal Affairs (or designee) is a non-voting, *ex-officio* member. (Rev. April 2007, April 2013)
 - b. Duties:
 - (1) To review any motions to amend the Faculty By-Laws and report to the Faculty Senate;
 - (2) To propose changes for the improvement of these documents and to forward the recommended changes to the administration and/or the Faculty Senate as appropriate;
 - (3) To incorporate any revisions to or interpretations of either document in new editions of the documents; and
 - (4) To make non-substantive changes to the Faculty By-Laws to correct unintended grammatical and spelling errors, address minor problems of stylistic consistency, and correct inaccurate administrative titles. Such a non-

substantive change shall not constitute an amendment to or repeal of the Faculty By-Laws. Such changes shall be made only when unanimously approved by the Committee. Notice in writing shall be given to the Faculty Senate within 60 calendar days of such changes being approved by the Committee. Such changes shall be repealed if an appropriate motion to amend something previously adopted is approved by a simple majority of the Committee, the Faculty Senate, or the College Faculty.

(Ins. April 2007; Rev. May 2009)

Section 3. Standing College Committees

- A. Members of standing College committees are nominated by March 15 by the Committee on Nominations and Elections and are elected by members of the regular College faculty (as defined in Art. I, Sect 1) in a manner to be determined by the Committee on Nominations and Elections and consistent with all applicable requirements of the Faculty By-laws. Adjunct faculty representation on selected committees is limited to adjunct faculty [as defined in Article III, Section A, 2, b, (4)] who are listed as instructor of record for at least one course at the time of the election and during the time of service as a committee member. Adjunct faculty committee members are to be elected by the adjunct faculty [as defined in Article III, Section A, 2, b, (4)] who are listed as instructor of record for at least one course at the time of election, in a manner to be determined by the Committee on Nominations and Elections and consistent with all applicable requirements of the Faculty By-Laws. Participation by adjunct faculty on committee service is entirely voluntary, does not guarantee or in any way affect departmental, school or College hiring of adjunct faculty, nor shall it affect rate of pay or determination of hours of service for adjuncts.
(Rev., Ins. Apr. 2007; Rev. May 2009; Rev. Aug. 2015)

- B. The following standing College committees are established:

1. Committee on Nominations and Elections
 - a. Composition: Seven members of the faculty as defined in Article I Section 1 who have completed at least three years of service at the College.
 - b. Election: Nominations may be made by faculty either at the April Senate meeting or by submission in writing to the Speaker at least one week prior to the April election of the Committee on Nominations and Elections. As is the case with

all committees, the new committee begins its work August 15 (Article V, Section 1D). (Rev. April 2007; Rev. April 2010).

c. Duties:

- (1) To nominate for the offices of Speaker of the Faculty and Faculty Secretary and for membership on all standing and *ad-hoc* committees of the Faculty Senate and of the College (Rev. Dec. 2009);
- (2) To fill all vacancies through nomination or appointment which may occur on any committee;
- (3) To present to Senators, in writing, its slate of candidates for standing Senate committees at least 15 days prior to the April Senate meeting;
- (4) To present to members of the faculty, in writing, its slate of candidates for standing College committees and sixteen faculty for the College Honor Board by March 15 (Rev. Dec. 2009);
- (5) To present to members of the faculty, in writing, its slate of candidates for the offices of Speaker of the Faculty and Faculty Secretary by February 1;
- (6) Conduct elections for at-large school senators (verifying Senate apportionment and candidate and voter eligibility; constructing, distributing, collecting and validating ballots, and certifying results.) (Rev. Dec. 2009)

d. Additional Nominations: Faculty members deciding to make additional nomination(s) for Speaker of the Faculty, Faculty Secretary, or committee membership may circulate such nomination(s) to the Elections Committee and to the Senate or faculty as appropriate in writing at least one week prior to the date of the election. (Rev. Aug. 1999).

2. Committee on Graduate Education

- a. Composition: Five regular faculty members, at least three of whom are also members of the Graduate Faculty, the Dean of the Graduate School, the Registrar, the Provost, and the Associate Vice President for Institutional Effectiveness and

Strategic Planning, or their designees, are non-voting *ex-officio* members.

b. Duties:

- (1) To review or create recommendations and suggestions concerning graduate education policy, such as programs' student admissions policies and program review policies;
- (2) To review proposed changes in graduate programs and courses and, via the Graduate Council, to forward approvals to the Faculty Senate;
- (3) To provide faculty review for credit-bearing graduate level education programming of an academic nature that is not applicable to any College of Charleston graduate degree or certificate, such as the non-catalog offerings of the Office of Professional Development in Education;
- (4) To plan or review faculty development programs related to graduate education;
- (5) To review and make recommendations concerning proposals for the termination of graduate programs brought to the committee by the Provost.

3. Committee on Continuing Education

a. Composition: Five regular faculty members, the Dean of the School of Professional Studies, the Registrar, the Provost, and the Associate Vice President for Institutional Effectiveness and Strategic Planning, or their designees, are non-voting *ex-officio* members.

b. Duties:

- (1) To review or create recommendations and suggestions concerning policy for non-credit continuing education;
- (2) To review non-credit continuing education offerings and advise the College of Charleston units relative thereto;

- (3) To assist in planning and review of faculty development programs related to continuing education;
- (4) To review and make recommendations concerning evaluation of non-credit continuing education offerings.

4. Faculty Welfare Committee

- a. Composition: Eight faculty members and one adjunct faculty member. (Rev. Aug. 2015)
- b. Duties: The committee shall concern itself with all College policies that affect the welfare of the faculty at large, such as:
 - (1) employment and working conditions;
 - (2) tenure and promotion policies;
 - (3) work loads;
 - (4) summer and evening school employment;
 - (5) sabbatical leave;
 - (6) leaves of absence;
 - (7) fringe benefits, including: state retirement; health insurance, to include medical and dental benefits; life insurance; annuities, to include state and/or privately sponsored programs; Social Security benefits; all other programs of a like nature.

The committee shall also report to the Senate annually on current and pending legislation, regulations, and programs related to faculty welfare, including fringe benefits. The committee shall gather statistics and report to the faculty annually regarding such benefits at other state institutions and peer institutions.
(Rev. Apr. 2005).

5. Committee on the Library

- a. Composition: Seven faculty members. The Dean of Libraries is an *ex-officio* non-voting member of this committee.

- b. Duties:
 - (1) To review annually the status of the library and statistics on the number of volumes, circulations, and expenditures;
 - (2) To receive from the faculty, or from any school or department, recommendations or suggestions that may aid in library development, promote efficient services, and encourage increased use of the library;
 - (3) To advise the Dean of Libraries on basic policy for the operation of the library insofar as such policy affects the use of the library;
 - (4) To advise the Dean of Libraries on the allotment of funds for the acquisition of library materials.

- 6. Committee on Student Affairs and Athletics
 - a. Composition: Five faculty members, one non-resident student, one male resident student and one female resident student. The Senior Vice President for Student Affairs, the Executive Athletic Director, and the faculty athletic representative are non-voting *ex-officio* members.

 - b. Duties:
 - (1) To consult with and make recommendations to student organizations, the faculty and administration in matters related to the cultural, social and physical well-being of the students;
 - (2) To review student petitions and to make recommendations to the Faculty Senate and/or administration;
 - (3) To advise the Faculty Senate and administration concerning the relation between academic and athletic interests of the College;
 - (4) To recommend to the President and the Faculty Senate matters concerning athletics policies of the College relating to new programs, schedules and athletic scholarships.

- (5) The Chair of the Committee on Student Affairs and Athletics, or their representative, shall attend meetings of the Student Affairs Committee of the Board of Trustees. (Rev. Aug. 2018)
7. Committee on Academic Standards, Admissions and Financial Aid
 - a. Composition: Seven faculty members and one student.
 - b. Duties:
 - (1) To rule on student petitions concerning academic matters.
 - (2) To rule on queries from the faculty and administration on matters relating to interpretation or application of academic standards.
 - (3) To recommend to the Faculty Senate standards for admissions, continuation and graduation; and to monitor actions of administrators to ensure that such standards as may be approved by the Senate are enforced.
 - (4) To make recommendations for scholarships and to review policies for financial assistance.
8. Advisory Committee on Tenure, Promotion and Third-Year Review
 - a. Composition:
 - (1) Five tenured faculty members. Five tenured alternates will also be elected. The Provost will serve as an *ex-officio* non-voting member of the committee.
 - (2) No faculty member holding either a full-time administrative or part-time administrative position that is connected with the tenure and promotion process, or serving as Dean or Department Chair, may serve on this committee.
 - (3) No faculty member undergoing promotion review may serve on this committee during the academic year of that review. (Rev. Aug. 2014; Corrected Jan. 2015)

- (4) No member of this committee may participate on any school or departmental evaluation panel for tenure and promotion except those conducted in their school or department. (Rev. Aug. 2018)
- (5) No member of this committee may participate in a review involving a faculty member of their department. (Rev. Aug. 2018)
- (6) Upon disqualification of a member or members from a review, the Chair of the committee shall complete its composition by drawing lots from among the alternates.

b. Duties:

- (1) To review each school and departmental recommendation involving tenure and promotion, and to review any third-year evaluation upon the request of the faculty member under consideration or a member of the school or departmental panel.
- (2) In the course of its review, to determine whether the school or department has duly considered the standards, criteria and evidence established by the College, the school, and the department in evaluating the candidate, and to determine whether the school or department has followed the procedures established by the College for evaluating the candidate.
- (3) To make a recommendation in writing to the President regarding tenure, promotion or reappointment. The written recommendation of the committee shall be determined by a recorded vote of its members.

9. Curriculum Committee

a. Composition: Nine faculty members and one student. The Provost is a non-voting *ex-officio* member. The Registrar is an *ex-officio* member.

b. Duties:

- (1) To consider and forward to the Faculty Senate its recommendations on all courses, programs, and changes in the undergraduate curriculum. No changes in the curriculum shall be presented to the Faculty

Senate without the committee's action. Any decision of the committee can be appealed to the Faculty Senate.

- (2) To review and make recommendations with regard to degree requirements.
- (3) To advise officers of the administration on questions of interpretation which may be referred to the committee.
- (4) To review and make recommendations concerning proposals for the termination of programs brought to the committee by the Provost. (Rev. Nov. 2010)

10. Faculty Advisory Committee to the President

- a. Composition: The chair, or a designated member, from each of the Academic Planning Committee, Budget Committee, Faculty Welfare Committee, Committee on General Education, Committee on Assessment of Institutional Effectiveness, and Faculty Compensation Committees, together with six additional faculty members, at least one of whom shall be an adjunct faculty member. (Rev. Aug. 2015, Aug. 2017)
- b. Duties:
 - (1) To meet regularly to advise the President of faculty opinions concerning all issues and matters at the College that the committee considers of importance to the faculty and to the institution.
 - (2) To receive from the President requests for advice and counsel regarding matters that do not fall within the purview of the Faculty Senate or of any other standing Senate or College committee, or may call for action by the President.
 - (3) To receive from individual faculty, schools, departments, the Faculty Senate, other committees, or other faculty organizations, matters to be discussed with the President that do not fall within the purview of the Faculty Senate or of any other standing committee or that may call for action by the President. The committee will report in writing to the person or group making inquiry what recommendations have been made and what actions have been taken by the President regarding the matter submitted.

- (4) To advise the President relative to the selection of a commencement speaker.
- (5) To make recommendations to the President regarding the award of honorary degrees in recognition of exceptional achievement and/or distinction in scholarship, public service, or contribution to the College. Nomination of candidates for honorary degrees may also be made by anyone by submitting to the President in written form the accomplishments of the nominee.
- (6) With the help of the Senate Secretariat, written minutes of the committee's meetings will be distributed promptly to the faculty.

11. Faculty Grievance Committee

a. Composition:

- (1) Five faculty members, three with tenure and two without tenure. In addition, four alternate members, two with tenure and two without tenure. Each member of the committee and each alternate must have served at least three full years at the College of Charleston.
- (2) Any member of the committee who is involved in any way with a grievance before the committee will be disqualified and replaced by the appropriate alternate. The grieving faculty member shall have the right to challenge the impartiality of any member.

b. Duties:

- (1) To hear from any faculty member grievances of a nature not in the purview of the Faculty Hearing Committee.
- (2) To investigate a grievance when required for purposes of mediation.
- (3) To mediate the grievance.
- (4) To refer to the appropriate authority any unresolved grievances.

c. Grievance Procedure:

- (1) Any faculty member with a grievance should first report it to their Department Chair. (Rev. Aug. 2018)
- (2) If a faculty member is not satisfied with the settlement provided by the or Department Chair, or if the or chair is directly related to the grievance, the faculty member should request in a letter to the Chair of the Grievance Committee a hearing before the Grievance Committee. The letter should state the nature of the grievance.
- (3) On receipt of such a written request, the committee Chair will convene the committee to hear the complaint within ten days (normally excluding Christmas, other state holidays, Spring holidays, and from the day after spring Commencement through August 15).
- (4) If in the judgment of the committee a grievance is determined to exist, the committee shall attempt to resolve the matter through mediation or other appropriate action.
- (5) Grievances unresolved by the Grievance Committee will be referred by the committee Chair to the appropriate authority.
- (6) The committee shall supply a faculty member who has brought a grievance before the committee with a written statement of the committee decision in the case.

12. Faculty Hearing Committee

- a. Composition: Twelve tenured faculty members, at least six of whom shall hold the rank of Professor. Each September the Committee Chair will divide the Hearing Committee pool into two panels of six members each, including at least three at the rank of Professor, with one of those three designated as a panel alternate. Panels are to be constructed with an eye to broad disciplinary distribution, and submitted by the Chair to the Committee as a whole for majority approval. Each panel will determine its own chair at that time. If a case emerges over the course of the academic year, one of the panels will be assigned randomly to that first case, and the remaining panel to any second case. Any additional cases will be heard by the panels

in alternating fashion. The position of panel alternate will rotate among the three Professors on each panel. In the event of conflicts of interest emerging in the two panels, members will be swapped as needed, by the Committee Chair, subject to majority approval by the Committee as a whole.
(Rev. Aug. 2018)

Each Hearing Committee member will normally serve two consecutive academic years. Committee assignments shall be staggered as determined by the Committee on Nominations and Elections. Early each Fall term, committee members will undergo training sessions relevant to Hearing Committee responsibilities, conducted by past committee members or others with relevant expertise. It will be the Committee Chair's responsibility to organize the training sessions.
(Ins. Aug. 2018)

b. Duties:

- (1) To hear the cases of tenured faculty members against whom the College has made formal, written allegations of a nature that, if substantiated, could lead to their dismissal for cause.
- (2) To hear cases of non-tenured faculty members against whom the College has made formal, written allegations of a nature that, if substantiated, could lead to their dismissal during the course of a contract year.
- (3) To hear cases involving alleged discrimination in denial of tenure, dismissal at the end of the contract term, promotion, compensation, or work assignment.
- (4) To hear cases involving alleged violation of academic freedom.
- (5) To hear cases involving alleged violation of due process.
- (6) To hear election appeals.
- (7) To hear other matters referred by the President to the Committee where a due process hearing is necessary.
(Rev. Aug. 2018)

c. Grievance Procedure:

On receipt of a written request, the Committee Chair will convene the Committee in accordance with procedures outlined in the Faculty/Administration Manual, Article X, Section I, the section laying out the procedures governing “Grievances Before the Faculty Hearing Committee.” In addition to the procedures set forth in X.I, the Committee will also follow pertinent policies located in Article IV, Conduct of Faculty and Administrators; Article V, Terms and Records of Faculty and Unclassified Administrators; Article VI, Evaluation of Faculty; and Article VII, Faculty Discipline, Misconduct, and Termination. (Rev. Aug. 2018)

13. Faculty Research and Development Committee

a. Composition: Nine faculty members. The Provost, or a representative selected by the Provost, shall serve as *ex-officio* member without a vote.

b. Duties:

- (1) To support and encourage faculty research, professional advancement, and development at the College.
- (2) To secure College-wide recognition of faculty research of particularly high quality. This includes recommendation to the President of a faculty member to receive the Distinguished Research Award presented annually at Commencement.
- (3) To initiate or comment to the Provost on recommendations dealing with specific policies, procedures and other matters that relate to faculty research and development.
- (4) To advise the Provost concerning College programs supporting faculty research and development; to announce such programs and invite faculty to apply for support; to recommend to the Provost awards to be made.
- (5) To advise the Provost, when requested, concerning proposals from faculty members for special research and development projects requiring College support (e.g., American Council on Education Fellowships,

sabbatical leaves in years when funding does not permit granting of all those requests).

- (6) To serve as the patent and copyright advisory body for the College and when requested to hear individual cases involving ownership of materials subject to copyright or inventions entitled to a patent.

- c. Members of the Faculty Research and Development Committee are not eligible to apply to the Committee for grants from funds under its jurisdiction. They may, however, apply directly to the Provost for support of their research and/or professional development.

14. Honors College Committee

- a. Composition: Seven faculty members [one representative each from: School of Humanities and Social Sciences; School of Sciences and Mathematics; School of Business; School of the Arts; School of Languages, Cultures and World Affairs; and School of Education, Health, and Human Performance; plus one member at-large (four of whom shall have taught recently in the Honors College)], two student representatives (one junior and one senior) chosen by the Honors Committee from students nominated by the Honors student body. The expectation is that faculty committee members will serve a two-year term; student member terms are one year and they are eligible for re-election. The Dean of the Honors College (or the Dean's designee) is an *ex-officio* non-voting member of this committee; the dean may also invite other Honors faculty and staff to participate as *ex-officio* non-voting members.

b. Duties:

- (1) To review student applications for admission into the Honors College.
- (2) To review faculty course proposals and select Honors College courses.
- (3) To review and apply policy concerning the Honors College curriculum, admission and retention standards, and course selection procedures.
- (4) To review and make recommendations on written requests from students, faculty members, schools, or

departments for exceptions from Honors College regulations and requirements.

- (5) To review information from the Dean of the Honors College concerning Honors College admissions, retention, curriculum, and other matters pertaining to the Honors College.

(Rev. May 2009; Aug. 2016)

15. Committee on Assessment of Institutional Effectiveness

- a. Composition: Nine faculty members. In addition, the following are *ex-officio* non-voting members: the Provost or their designee and the Senior Vice President for Institutional Research and Planning. (Rev. Aug. 2018)
- b. Duties:
 - (1) To advise the College administration on compliance with the requirements of the South Carolina Commission on Higher Education's Guidelines for Institutional Effectiveness, and on basic policies related to assessment.
 - (2) To review the College's Plan for Institutional Effectiveness and make recommendations for revisions as necessary.
 - (3) To review or initiate policy issues related to assessment of institutional effectiveness.

16. Post-Tenure Review Committee

- a. Composition:
 - (1) Five tenured faculty members. Five tenured alternates will also be elected.
 - (2) No faculty member holding either a full-time administrative or part-time administrative position that is connected with the post-tenure review process, or serving as Department Chair, may serve on this committee.

- (3) No faculty member undergoing post-tenure review may serve on this committee during the academic year of that review. (Rev. Aug. 2014; Corrected Jan. 2015)
- (4) No member of this committee may participate in any school or departmental evaluation panel for post-tenure review except those conducted in their school or department. (Rev. Aug. 2018)
- (5) No member of this committee may participate in a post-tenure review involving a faculty member of their department. (Rev. Aug. 2018)
- (6) Upon disqualification of a member or members from a post-tenure review, the Chair of the committee shall complete its composition by drawing lots from among the alternates. (Rev. Oct. 2000)

b. Duties:

- (1) To conduct all institutional-level post-tenure reviews (excluding promotions) that fall during its term of office.

17. Educational Technology Committee

- a. Composition: Seven faculty members and one student. No more than two members may come from any one academic department. Non-voting *ex-officio* members are the Provost (or the Provost's designee), the Chief Information Officer (or the CIO's designee), and the Director of Teaching, Learning and Technology. (Rev. Jan. 2011)

b. Duties:

- (1) To review annually the status of support for faculty and student use of educational technology, which includes the use of computers, audio-visual media, the Internet, and telecommunications;
- (2) To consider and plan long-range academic use of educational technology for teaching and learning;
- (3) To receive from the faculty, or from any school or department, recommendations or suggestions that may aid in the appropriate use of educational technology,

promote efficient services, and encourage increased use of educational technology;

- (4) To advise the Provost on basic policy for faculty use of educational technology;
- (5) To advise the Chief Information Officer on the allotment of funds for implementation of educational technology and on educational technology policies, projects, and planning. (Rev. Oct. 2000, Jan. 2011)

18. Faculty Compensation Committee

- a. Composition: Seven faculty members and one adjunct faculty member. In addition, the Provost (or the Provost's designee) is a non-voting *ex officio* member. (Rev. Nov. 2010; Rev. Aug. 2015)
- b. Duties
 - (1) To review and recommend changes as needed to College Policies concerning faculty compensation;
 - (2) To review and recommend changes as needed to College policies concerning adjunct faculty compensation;
 - (3) To conduct or recommend faculty salary and/or compensation studies and report the results to the faculty; these studies may be internal and/or external; they may address such issues as internal equity, appropriate entry-level salaries, salary compression, and comparisons with peer institutions;
 - (4) To recommend measures taken in response to findings of any faculty salary and/or compensation studies;
 - (5) To advise the administration concerning the development and implementation of any special compensation enhancement program (programs which go beyond any regular annual salary increases);
 - (6) To monitor the effects of any special compensation enhancement programs, recommend modifications as necessary in the implementation of long-term programs, and report to the faculty the results of such programs;

- (7) To review and recommend adjustments as needed to College policies concerning salary increases for the awarding of tenure, promotion, and post-tenure review ratings of "superior."
(Approved April 2005)

19. Committee on General Education

- a. Composition: Seven regular faculty shall be elected to serve on the Committee. Each academic school shall be represented on the Committee. The Committee shall have one voting student member selected by the Student Government Association. Committee members shall serve a term of one year and may, if re-elected, serve as many as three consecutive terms. The Associate Vice President for the Academic Experience (or other administrator designated by the Provost) and the Director of Assessment (or other administrator designated by the Provost) are *ex officio*, non-voting members.
- b. Duties:
 - (1) To monitor and review the General Education Program and to initiate and/or review all General Education Program revision proposals and/or changes prior to their consideration by the Faculty Senate;
 - (2) Whenever required by current General Education Program policies, to review proposals from departments and programs requesting that individual courses and/or sequences be counted for General Education credit, and to forward the committee's recommendations to the Faculty Senate;
 - (3) To initiate actions, devise procedures, and make recommendations to the Provost and to the Faculty Senate on any and all aspects of General Education Program administration and program features;
 - (4) To consult with the Faculty Committee for Assessment of Institutional Effectiveness, and with the Office of Accountability, Accreditation, Planning, and Assessment, when they conduct periodic assessment of the General Education Program;

- (5) To promote and explain the goals of the General Education Program to the relevant audiences.
- (6) To recommend that courses already fulfilling General Education program requirements be modified or that certain courses or course sequences previously fulfilling General Education Program requirements no longer be permitted to do so.

c. Course approval procedures:

- (1) The Committee shall use a public process of review when considering proposals for courses to count for General Education credit.
- (2) The Committee shall be responsible for publishing the approval criteria for each requirement, as well as proposal forms and instructions that may be used by any department or program. The department or program proposing the course is responsible for supplying evidence that the course fulfills the criteria that the Senate has approved for a particular requirement.
- (3) The Committee shall maintain a regular schedule of meetings and shall publish an agenda of course proposals scheduled for consideration. The agenda and copies of scheduled course proposals shall be available to all faculty at least one week in advance of the meeting. Meetings shall be open to all faculty unless the Committee has entered into executive session. Meetings may also include conversations between the Committee and other invited guests with expertise in a discipline, department, or program relevant to a particular course proposal.
- (4) The Committee shall forward all recommendations to the Faculty Senate.
- (5) In consultation with the Faculty Secretariat, the Committee shall maintain an archive of all materials submitted to it.
- (6) Requirements for a public process of course proposal review shall not interfere with the right of the Committee to enter into executive session.

- d. Appeals: No changes in the General Education Program shall be presented to the Faculty Senate without the Committee's action. Any decision of the Committee on General Education can be appealed to the Faculty Senate.
 - e. Effective on the date on which this committee is established, no change to the General Education Program shall be approved without consideration by this committee.
20. Advisory Committee on First-Year Experience
- a. Composition: Seven regular faculty members, at least three of whom shall be teaching in the First-Year Experience program (i.e., teaching either a First-Year Seminar or a Learning Communities Course) during the relevant academic year or have taught in the First-Year Experience program during the preceding academic year. Preferably, each academic school should be represented on the committee. The committee shall have one voting student member selected by the Student Government Association. The Associate Vice President for the Academic Experience (or other administrator designated by the Provost), the Assistant Vice President for New Student Programs (or other administrator designated by the Provost), the Dean of Students, and the Director of the First-Year Experience program are ex officio, non-voting members.
 - b. Duties:
 - (1) In consultation with the relevant administrators, to support and advise the First-Year Experience program on all matters relevant to the program, including program development, budget requests, and other issues germane to program support;
 - (2) In consultation with the Director of the First-Year Experience program, to review and assess the First-Year Experience program and to make non-binding recommendations for revisions to the program;
 - (3) To request and review proposals for First-Year Experience courses (sections of FYSM 101 and Learning Communities); and
 - (4) To assist the Director of the First-Year Experience program in recruiting students for First-Year Experience courses and to recruit and plan the training

for new First-Year Experience faculty and peer facilitators for Learning Communities.

- c. Implementation: The Advisory Committee on the First-Year Experience shall be constituted only if the Provost and the Speaker of the Faculty certify in a written notice addressed to the members of the Faculty Senate that a coordinated, comprehensive, and unified First-Year Experience program has received the necessary approvals and shall be implemented in a timely fashion. Such written notice shall be supplied no later than August 15, 2009, or the ratification for which Art. VI, Section 1.A. provides shall be null and void and this committee description shall be removed from the Faculty By-Laws.

21. Adjunct Oversight Committee

- a. Composition: Four regular faculty members, designated from each of the Budget Committee, Faculty Welfare Committee, Faculty Compensation Committee, and Academic Planning Committee; together, with an elected adjunct faculty member (as described in Article V, section 1.B), and an *ex-officio* non-voting member designated by the Provost.
- b. Duties:
 - (1) Receive and analyze reports: from the Office of Institutional Research, Planning, and Information Management on the number of adjuncts employed by the College, the number of credit hours delivered by adjunct faculty, adjunct faculty members' rank and status (part-time or full-time), and adjunct faculty compensation; and from the Provost's office on College policies for adjunct faculty.
 - (2) Solicit additional information on adjunct practices in use in schools, departments, and programs. To obtain this information, the committee may analyze published documents (*e.g.*, department websites or handbooks), interview deans and chairs, conduct surveys of adjunct faculty, and/or do additional research.
 - (3) Receive and response to information from the Provost's office and/or senior leadership regarding future plans

for the College that will affect the College's reliance on adjunct faculty or compensation of adjunct faculty.

- (4) Regularly report to the Faculty Senate, Provost, and adjunct faculty on the College's adjunct policies and practices; make recommendations to the Faculty Senate and appropriate committees regarding compensation, working conditions, ongoing professional development, and collegiality for adjunct faculty. With the assistance of the Faculty Secretariat, maintain a permanent record of each year's minutes and annual reports.
- (5) Meet twice each semester, or more frequently, at the committee's discretion.

Section 4. Ad Hoc Committees

- A. *Ad hoc* committees may be formed as necessary to address matters not falling within the purview of standing Senate or College committees. *Ad hoc* committees may be established by formal action of the Faculty Senate or initiated by the College administration.
- B. After Senate approval of the formation of an *ad hoc* committee, or after receiving a request from the administration via the Speaker to form an *ad hoc* committee, the Committee on Nominations and Elections nominates members for the committee, which is elected by the Senate.

Article VI. Amending Procedures

Section 1. Senate Option for Amendment Introduction

Motions for amendment or repeal of these by-laws may be made in writing at any meeting of the Faculty Senate. Unless made initially by the Committee on the By-Laws and the Faculty/Administration Manual, the motion shall be referred to the Committee on the By-Laws and the Faculty/Administration Manual. The committee shall report to the Senate its recommendations on the motion originating elsewhere and any amendments at the next Senate meeting. Motions made by the Committee on the By-Laws and the Faculty/Administration Manual can be considered at the Senate meeting at which they are introduced. Motions to amend or repeal these by-laws require a two-thirds vote in the Senate for approval. Approved motions must then be ratified by a simple majority of regular faculty members voting by electronic ballot on the motion. (Rev. Jan. 2007; April 2013)

Section 2. Extraordinary Meeting Option for Amendment Introduction

Motions for amendment or repeal of these by-laws may be made in writing at any extraordinary meeting of the College faculty. The motion shall be referred to the Committee on the By-Laws and the Faculty/Administration Manual. The committee shall report to the faculty its recommendation on the motion and any amendments at a second extraordinary faculty meeting called by the Speaker of the Faculty to consider the motion. The faculty will then vote on the motion to amend or repeal the by-laws. It shall be adopted by a two-thirds vote of the membership voting, provided a quorum is present. (Rev. May 2009)

STANDING RULES OF THE FACULTY OF THE COLLEGE OF CHARLESTON

1. Officers of the faculty and Faculty Senate shall prepare and distribute to the faculty one week in advance of any faculty or Faculty Senate meeting a packet of materials to consist of the following items:
 - a. The printed agenda for the meeting;
 - b. Announcements to be made at the meeting;
 - c. Committee reports;
 - d. Motions to be made at the meeting, together with explanatory material, issues considered, and rationale for the motion.
2. All business coming to a deciding vote of the faculty or the Faculty Senate shall be placed before the faculty or Senate in writing at least one week prior to the faculty or Senate meeting. Business not so announced may be discussed or referred to committee, but neither adopted nor rejected.
3. Faculty members shall identify themselves when recognized by the presiding officer to speak to an issue at all College faculty and Senate meetings.
4. Speeches at College Faculty and Faculty Senate meetings may not exceed five minutes.
5. Meetings of the College faculty and Faculty Senate shall be held in a place conducive to full and free debate.

6. Media coverage of College faculty and Faculty Senate meetings shall adhere to the following guidelines:
 - a. Attendance at College faculty and Faculty Senate meetings will be first cleared through the Office of Marketing and Communications.
 - b. The media will set up equipment prior to the faculty or Faculty Senate meeting.
 - c. The media will be restricted to a set location determined by the Speaker of the Faculty and the Office of Marketing and Communications.
 - d. Camera lights will not be allowed during the proceedings.
7. Smoking cigarettes, cigars and pipes is prohibited at all official working sessions of the faculty to include College faculty, Faculty Senate, department, school and committee meetings.

I. THE COLLEGE OF CHARLESTON

A. Approved College History

Founded in 1770 and chartered in 1785, the College of Charleston is the oldest institution of higher education south of Virginia and the 13th oldest in the United States. During the colonial period, wealthy families sent their sons abroad for higher education. By the mid-18th century, many leading citizens supported the idea of establishing an institution of higher learning within the state. On January 30, 1770, Lieutenant Governor William Bull recommended to the colony's general assembly the establishment of a provincial college. However, internal disagreements, political rivalries and the American Revolution delayed its progress. After the war, South Carolina citizens returned their attention to establishing a college. On March 19, 1785, the College of Charleston was chartered to "encourage and institute youth in the several branches of liberal education."

Several of the College's founders played key roles in the American Revolution and in the creation of the new republic. Three were signers of the Declaration of Independence, and another three were framers of the U.S. Constitution. Other founders were past, present and future federal and state lawmakers and judges, state governors, diplomats and Charleston councilmen and mayors. Robert Smith served as the College's first president. Educated in England, he was ordained as a priest in the Anglican Church and relocated to Charleston, where he served as rector of St. Philip's Church. During the American Revolution, he supported the

patriot cause and even served as a soldier during the siege of the city. He later became the first Episcopal bishop of South Carolina.

The first classes were held on the ground floor of Reverend Smith's home on Glebe Street (now the residence for College of Charleston presidents). Later, rooms for the College were fashioned out of an old military barracks located on the public land that is now the Cistern Yard. Instruction began there in January 1790. The College graduated its first class in 1794, which consisted of six students. By 1824, the College offered a curriculum broad enough to grant degrees regularly. During Reverend Jasper Adams' tenure as president, he reorganized the College and orchestrated the construction of the first building specifically designed for teaching – today's Randolph Hall.

In 1837 the College became the nation's first municipal college when the City of Charleston assumed responsibility for its support. The City provided funds, for example, in 1850 to enlarge the main academic building (Randolph Hall), to construct Porters Lodge and to fence in the Cistern Yard, the block that is still the core of the campus. It remained a municipal college until the 1950s, when the College again became a private institution.

During the Civil War, many students and faculty left to serve the Confederacy. Despite dwindling student numbers and a long-running siege of the city by Federal troops, there was no suspension of classes until December 19, 1864, two months before the city was evacuated. Classes resumed on February 1, 1866, and over the next four decades, the College weathered several financial crises, Reconstruction, hurricanes and the devastating earthquake of 1886. Until the 20th century, students who attended the College were primarily Charlestonians.

Harrison Randolph (president, 1897–1945) changed that by building residence halls and creating scholarships to attract students from other parts of the state. Under President Randolph, women were admitted to the College and the enrollment increased from just 68 students in 1905 to more than 400 in 1935. For many institutions of higher education across the South, integration took place in the late 1960s. For the College, the first black students enrolled in 1967.

The enrollment remained at about 500 until the College became a state institution in 1970. According to the 1970 legislative decree that incorporated the College of Charleston into the South Carolina system, the College was given a mandate to develop flagship programs in academic areas that capitalize on the unique natural and cultural strengths of Charleston and the Lowcountry, especially marine biology and fine arts. Today, the College's Grice Marine Laboratory is one of the Eastern Seaboard's leading research centers in the marine sciences, while the School of the Arts has grown from a fine arts department with a limited focus into one of the most comprehensive arts schools in the nation.

During Theodore Stern's transformational presidency (1968–1978), the number of students increased to about 5,000 and the physical facilities expanded, from fewer than 10 buildings to more than 100. The first graduate programs were established in 1972. Between 1978 and 2001, enrollments continued to increase, climbing to more than 10,000 and attracting undergraduate and graduate students from across the country and around the world.

In 1992, the University of Charleston, South Carolina, was established by the Board of Trustees as a component of the College of Charleston. The University of Charleston, South Carolina, or UCSC, houses the graduate and research functions of the College, including the Graduate School. The Graduate School now offers over 20 degree and certificate programs.

In 2001, the College embarked on a multi-year plan designed to enhance the overall student experience, increase the faculty and student support staff and upgrade and expand facilities. The College renovated many historic structures and opened several new buildings, including two new residence halls, the Beatty Center; the Marlene and Nathan Addlestone Library; the Marion and Wayland H. Cato Jr. Center for the Arts; a new science center; and new facilities for the School of Education, Health, and Human Performance. Other significant building and renovation projects have been undertaken during the twenty-first century.

Today, the College continues to embrace and improve its liberal arts and sciences core, while also creating new and innovative professional programs in support of its evolving student population and the dynamic economy of Charleston and the South Carolina Lowcountry.

B. Accreditation

The College of Charleston is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) to award the Artium Baccalaureatus, the Bachelor of Arts, the Bachelor of General Studies, the Bachelor of Professional Studies, the Bachelor of Science, the Master of Arts, the Master of Arts in Teaching, the Master of Business Administration, the Master of Education, the Master of Fine Arts, the Master of Public Administration, and the Master of Science. Contact information for the Southern Association of Colleges and Schools Commission on Colleges is available on the College's website at oiep.cofc.edu.

C. Statement of Institutional Purpose (Mission Statement)

The College of Charleston is a state-supported comprehensive institution providing a high-quality education in the arts and sciences, education and business. The faculty is an important source of knowledge and expertise for the community, state, and nation.

Consistent with its heritage since its founding in 1770, the College retains a strong liberal arts undergraduate curriculum. Located in the heart of historic Charleston, it strives to meet the growing educational demands primarily of the Lowcountry and the state and, secondarily, of the Southeast. A superior undergraduate program is central to the mission of the College of Charleston. As a prominent component of the state's higher education system, the College encourages and supports research.

In addition to offering a broad range of baccalaureate degree programs, the College incorporates the University of Charleston, South Carolina (UCSC), established by state statute in 1992, which serves as a research institution where the graduate and research programs associated with the College are housed. UCSC provides master's degree programs and anticipates offering a limited number of doctoral degrees should location and need warrant. The College also provides an extensive credit and non-credit continuing education program and cultural activities for residents of the Lowcountry of South Carolina.

The College of Charleston seeks applicants capable of successfully completing degree requirements and pays particular attention to identifying and admitting students who excel academically. The College of Charleston serves a diverse student body from its geographic area and also attracts students from national and international communities. The College provides students a community in which to engage in original inquiry and creative expression in an atmosphere of intellectual freedom. This community, founded on the principles of the liberal arts tradition, provides students the opportunity to realize their intellectual and personal potential and to become responsible, productive members of society.

(This Mission Statement (also called the Statement of Purpose) has been approved or revised by the State College Board of Trustees or the College of Charleston Board of Trustees on Jan. 16, 1974; Mar. 12, 1986; Jan. 16, 1991; Feb. 15, 1994; July 13, 2006; July 23, 2014; and Aug. 25, 2014. The current Mission Statement was approved by the Commission on Higher Education on Sept. 4, 2014.)

II. ADMINISTRATIVE ORGANIZATION

A. Board of Trustees

The Board of Trustees has 20 Members, two (2) members from each SC Congressional District and three (3) at-large members, all elected by the General Assembly; one (1) *ex-officio* member who shall be the Governor or the Governor's designee; one (1) member appointed from the State at-large by the Governor; and one (1) member appointed by the Governor upon the recommendation of the College of Charleston Alumni Association, who shall be a South Carolina resident and hold any undergraduate or graduate degree from the College of Charleston. (Rev. Aug. 2018)

For additional information regarding the Board of Trustees, including terms of office, election of officers, meeting schedule and the powers and responsibilities of the Board of Trustees, please refer to the “By-Laws of the College of Charleston Board of Trustees” at policy.cofc.edu.

B. Description of the Administrative Organization of the College and Duties of its Officers

1. The President, appointed by the Board of Trustees, is the chief administrative officer of the College and the University and exercises general supervision over all of its activities. The President may not be an officer of the Board of Trustees. The President shall appoint appropriate academic and administrative personnel, as prescribed by the Board of Trustees policies. All communications between the Board of Trustees and the College will be transmitted through the President. In the absence of the President, the Provost and Executive Vice President for Academic Affairs assumes the authority and responsibility of the President.
2. Provost and Executive Vice President for Academic Affairs. The Provost and Executive Vice President for Academic Affairs (hereafter, “Provost”) represents the President in the President’s absence and is the chief academic officer with responsibility for the overall academic program. This individual is responsible for academic policies, standards and programs, graduate programs, faculty hiring, the tenure and promotion process, libraries, and the enrollment management areas.
3. The President shall appoint those members of the administration required for the orderly management of the College, including but not limited to Executive Vice Presidents, Senior Vice Presidents, Vice Presidents, and Associate Vice Presidents.

C. The Deans of the Schools

The Academic Deans are the chief administrative officers of the College of Charleston’s six academic schools and the libraries. The Academic Deans provide leadership in formulating educational policy, including curriculum development and delivery, and serve as their faculty members’ agents in the execution of such policy. Among other duties, the Academic Deans represent the school in relations with other schools of the College; ensure that faculty enjoy academic freedom and exercise academic responsibility; review departmental and program recommendations for faculty appointment, renewal, promotion, tenure, termination, and dismissal, and forward recommendations to the Provost; approve appointments to the school of prospective faculty; monitor Affirmative Action policy implementation in the departments and programs; review the annual evaluation of each faculty member of the school; periodically review and evaluate the performances of the Department Chairs and other academic administrators

appointed in their units; allocate the budgets for instruction, supplies and equipment, etc., and monitor the expenditure of all school funds; hear faculty grievances that have been pursued beyond the departmental or program level and cooperate in formal grievance procedures; monitor faculty workloads and schedules; approve recommendations for sabbatical leaves and leaves of absence; establish *ad hoc* committees of the faculty; recommend appointments for Department Chairs and other academic administrators to the Provost in accordance with policies and procedures specified; develop fundraising programs and grant proposals for the schools; work with appropriate program directors and Department Chairs; plan and evaluate graduate programs; work with the Dean of the Graduate School to coordinate graduate admission policies; work with those other Deans appointed in the Academic Affairs Division, including the Deans of the Honors College, the Graduate School, and the School of Professional Studies, as appropriate; and serve on various committees as set forth in College policy.

All Academic Deans and other Deans in the Academic Affairs Division are appointed by the Provost, with the approval of the President, and serve at the pleasure of the Provost. The performance in office of each Dean appointed in the Academic Affairs Division is reviewed periodically by the Provost with input from the faculty. Deans in the Academic Affairs Division hold faculty rank and engage in the teaching, research, and service functions of faculty. Some Deans may be assisted by Associate and/or Assistant Deans and/or Directors who are assigned responsibilities by their Deans and who report directly to them.

The Dean of Libraries and Special Collections is the chief administrative officer of the College of Charleston libraries, including the Avery Research Center for African American History and Culture and any branch libraries. This individual is responsible for all activities of the libraries associated with the acquisition, access, and maintenance of information resources that support the teaching and research requirements of the College. The Dean of Libraries is an Academic Dean. The performance of the Dean of Libraries and Special Collections is reviewed periodically by the Provost. The Dean of the Libraries and Special Collections holds faculty rank and engages in professional development and service functions.

(Rev. Aug. 2015, July 2016)

D. The Academic Department Chair

1. Responsibilities of the Chair

As the integral link between members of academic departments and the Deans of the schools, Chairs are responsible for the development and management of academic departments. Their primary responsibility is for the teaching, research and service of their faculties. Department Chairs provide leadership in the departments' development of goals, annual

objectives, and curricular and staffing plans. Department Chairs conduct the business of the departments in full consultation with their department members.

A Department Chair's specific functions include recommending faculty appointment, reappointment, tenure, promotion, termination and dismissal; annually evaluating each member of the department's faculty and staff; conducting searches for new faculty that conform to Affirmative Action policies and procedures; allocating funds from instructional and other departmental budgets and developing and monitoring these budgets; conducting regular departmental meetings; supervising the department's program of instruction, including scheduling, faculty workload and advising graduate students and majors; recommending applications for professional travel and sabbatical leave; providing support and orientation for new members of the departments; hearing informal faculty and student grievances; and carrying out other such duties as shall be assigned by the Dean or as set down in College policy and department by-laws.

As faculty members, Department Chairs are expected to continue to teach, carry out research and related professional growth activities, and provide service to the College and the community. The extent of this effort shall be negotiated each year with the Dean as a part of the Chair's annual evaluation.

2. Selection and Evaluation of Department Chairs

The Chairs are appointed by the Provost, with the approval of the President, and serve at the pleasure of the Provost. The Provost will receive recommendations for new appointments from departmental faculty and the Dean of the school to whom the Department Chair is accountable.

If a Chair serves for five consecutive years, each departmental faculty member will be asked for a review of the chair's performance and a recommendation concerning it. These will be forwarded along with the Dean's recommendation to the Provost. When the office of Chair becomes open, the Dean, after consultation with department members, determines whether to seek a new Chair from within the department or to conduct a national search.

The Deans of the schools evaluate Department Chairs at the close of each academic year. Each year the Dean shall provide all members of each department with the opportunity to assess in writing the Chair's performance prior to the completion of the Chair's annual evaluation. At any time during a Chair's term of appointment, a majority of members of the department may submit a petition to the Dean requesting a performance review of the Chair.

E. Organization and Operation of the Faculty

1. Organization

The Faculty Senate is the primary legislative body of the College of Charleston faculty. Membership in the Faculty is defined in the By-Laws of the Faculty, Article I, Sections 1 and 2. The By-Laws of the Board of Trustees names the President as the chief executive officer of the College. The faculty elects the Speaker of the Faculty who serves as presiding officer at meetings of the faculty and of the Faculty Senate. The faculty elects a secretary annually.

2. Schools

The faculty of the College of Charleston is organized into six academic schools and the library. The six schools are: the School of the Arts, the School of Business, the School of Education, Health, and Human Performance, the School of Humanities and Social Sciences, the School of Languages, Cultures, and World Affairs, and the School of Sciences and Mathematics. Other academic units also may be designated as schools and have Deans appointed to lead them, but tenure-eligible faculty shall only be appointed to the academic schools and the library.

(Rev. July 2016)

3. The Academic Departments

An academic department or program is a group of instructional faculty whose post-baccalaureate degrees are in the same or closely related disciplines and who offer instruction in those disciplines and courses that comprise an integrated curriculum usually leading to one or more minors, concentrations, or majors in a Baccalaureate degree program and/or to a Master's degree program.

4. The Library

The library is an administrative unit which renders academic support and services to faculty and students through the acquisition, processing, and assistance in using its collections.

5. The Graduate Faculty

a. Graduate Faculty categories

There are two categories of the Graduate Faculty of the University of Charleston, South Carolina (UCSC): Type I and Type II. Only

members of the Graduate Faculty shall be assigned as instructors of record for graduate courses, or to direct graduate programs, serve on the Graduate Council, supervise the research of graduate students, and serve on master's, doctoral, and intern/externship graduate project committees.⁴ All master's and doctoral thesis committees and intern/externship graduate project committees must have a Type I Graduate Faculty as chair or co-chair, unless an exception to this requirement is permitted under the terms of approved, program-specific membership criteria. (Rev. July 2016)

(1) Type I

Type I Graduate Faculty members are roster faculty colleagues at the College of Charleston who have been recommended by the relevant Academic Program Director(s) or Department Chair(s) for Type I membership and approved for such membership by the relevant school Dean(s), the Graduate Dean, and the Provost for a term of six years. The College's institutional criteria require that Type I Graduate Faculty members have:

- (a) An earned terminal degree in an appropriate discipline.
- (b) Demonstrated effectiveness in teaching.
- (c) A continuing record of scholarly achievement and professional activity, or a strong indication of growing involvement with scholarship for those holding the rank of Assistant Professor or its equivalent, consistent with the descriptions of scholarship provided elsewhere in the Faculty/Administration Manual (e.g., Art. VI.A).⁵

Schools, departments, and academic programs may at their option propose additional criteria for Type I membership in the Graduate Faculty of the relevant academic unit. Such additional criteria require the written approval of the relevant school Dean(s), the Graduate Dean, and the Provost before taking effect. These additional criteria must be consistent with the Type I Graduate Faculty description and institutional criteria provided

⁴ All provisions for Graduate Faculty membership in support of doctoral programs will be controlling only if approval is secured at some future time for doctoral programs to be offered through the Graduate School of the University of Charleston, South Carolina. (Ins. Aug. 2015)

⁵ A former academic administrator who has a tenured faculty appointment and has recently moved to roster faculty work may be appointed as a Type I Graduate Faculty member in a graduate program, with the appointment to be based on the totality of the former administrator's educational, teaching and scholarly record prior to accepting an administrative appointment. Former academic administrators are expected to meet all relevant criteria when subsequently considered for Graduate Faculty membership renewal. (Ins. Aug. 2015; Rev. Aug. 2018)

in the Faculty/Administration Manual. Additional criteria may further define the expectations for and responsibilities of Type I Graduate Faculty membership for faculty within the relevant academic unit.

Following a review of the faculty colleague's teaching, scholarly achievement and professional activity, a Type I appointment may be renewed for an additional six-year term. The form and nature of the six year review will be determined by the relevant school Dean(s), following consultation with the Graduate Dean.

A successful outcome to a tenure and/or promotion review for a tenure-track faculty colleague, or a successful application for a superior rating in a post-tenure review, shall result in the automatic renewal of the colleague's previously approved Type I Graduate Faculty membership for a new six-year term, unless the approved additional criteria for the colleague's academic unit explicitly preclude such automatic renewals. A one-year extension for Type I Graduate Faculty membership may be granted by the relevant school Deans(s), without the need for a renewal review, when the extension will allow a tenure-track faculty colleague to be considered for tenure, promotion, or a superior rating in a post-tenure review, unless the approved additional criteria for the colleague's academic unit explicitly preclude automatic renewals.

Any Dean with a tenured faculty appointment and who reports to the Provost, the Provost, and the President of the College shall be *ex officio* Type I members of the Graduate Faculty, even when not appointed to the faculty of a specific graduate program.

(2) Type II

Type II Graduate Faculty members are roster, adjunct, or courtesy faculty members at the College of Charleston who may not hold a terminal degree or some traditional qualifying credentials but meet other appropriate criteria for graduate faculty appointment. Such appointments are granted on the recommendation of the relevant Academic Program Director(s) and/or Department Chair(s) and with the approval of the relevant school Dean(s), the Graduate Dean, and the Provost for a maximum term of three years.

Following a review of the faculty colleague's teaching, scholarly achievement and professional activity, Type II appointments

may be renewed for additional terms of up to three years. The form and nature of the renewal review will be determined by the relevant school Dean(s), following consultation with the Graduate Dean.

Qualification for Type II Graduate Faculty membership is determined based on program-specific criteria, including qualifications to instruct a graduate course, supervise graduate student research, act as lead advisor for academic internship or externship projects, and/or serve on thesis, doctoral, or intern/externship project committees.

Schools, departments, and academic programs may at their option propose additional criteria for Type II membership in the Graduate Faculty of the relevant academic unit. Such additional criteria require the written approval of the relevant school Dean(s), the Graduate Dean, and the Provost before taking effect. These additional criteria must be consistent with the Type II Graduate Faculty description and institutional criteria provided in the Faculty/Administration Manual. Additional criteria may further define the expectations for and responsibilities of Type II Graduate Faculty membership for faculty within the relevant academic unit.

Those graduate programs in which Type II appointments are made shall specify in writing the program criteria to be used in determining Type II Graduate Faculty eligibility in that program, consistent with the expectations described in the Faculty/Administration Manual and by the relevant accreditors. Program criteria require the written approval of the Provost before taking effect.

A Type II Graduate Faculty member may serve as the co-chair of a master's, doctoral, or intern/externship project committee when the other co-chair is a Type I Graduate Faculty member. If permitted by the approved program criteria, a Type II Graduate Faculty member may direct a graduate program or serve on Graduate Council with the permission of the relevant school Dean(s), the Graduate Dean, and the Provost.

b. Termination of Graduate Faculty

Without regard to the conditions of Graduate Faculty membership in a particular academic program, and following appropriate consultations with the relevant school Dean(s) and the Graduate Dean, the Provost may remove a faculty colleague from the

Graduate Faculty at any time for violations of the Code of Professional Conduct and/or the Statement of Professional Ethics. College of Charleston faculty have neither a right to nor an expectation of membership in the Graduate Faculty.

Graduate Faculty membership is automatically terminated when the faculty colleague's association with the College of Charleston is concluded. However, faculty emeriti may be approved for Type II Graduate Faculty membership with the permission of the relevant school Dean(s), the Graduate Dean, and the Provost, consistent with the applicable program criteria for the relevant graduate program.

(Rev. Aug. 2015, July 2016)

F. Institutional Committees

The President and the Provost, acting separately or jointly, shall have the authority to establish, modify or dissolve standing or *ad hoc* institutional committees.

College business is often carried out by and through institutional committees, some of which are labeled "boards," "commissions" or "councils" as a matter of institutional history or administrative preference (see n. 6 below). Some institutional committees are advisory in nature. Other institutional committees are delegated certain administrative responsibilities, as limited and specified by the relevant committee charge, with the decisions of these administrative committees subject to review and determination by the President (or the President's designee).

Composition of committees is drawn from faculty, students, and administration and is dependent largely upon the nature and function of the committee's responsibility.

Unless otherwise specified in the committee charge, the bylaws of the committee, or in the Faculty/Administration Manual, the most recent edition of *Robert's Rules of Order* shall serve as the parliamentary authority for an institutional committee.

(Rev. Jan. 2013)

1. Committee on Sustainability

This committee serves as an advisory body, guiding the College of Charleston's efforts to institute the teaching, research, and practice of sustainability and to establish an institutional culture of sustainability --

the ability to meet current needs without degrading the natural systems and resources required to meet future needs.

(a) Purpose:

- (1) To facilitate awareness of campus environmental issues and integrate environmental literacy into school research, education, and communication.
- (2) To ensure that the College of Charleston reduces, recycles, and composts an increasingly greater percentage of its waste with the goal of achieving zero waste.
- (3) To ensure that the College of Charleston implements energy saving initiatives and utilizes energy sources that are environmentally neutral.
- (4) To create an annual report to be delivered to the President, Faculty Senate, Student Government Association, Graduate Student Association, and the Board of Trustees.

- (b) Membership: Members shall include the Director of the Office of Sustainability, Director of the Physical Plant (or designee), Director of Food Service (or designee), representative of the Department of Residence Life, Vice President of Facilities Planning, Executive Vice President of Business Affairs (or designee), Executive Director of Marketing and Communications (or designee), Director of Environmental Health and Safety, Director of Assessment, Director of the Masters in Environmental Studies Program, Director of the Undergraduate Minor in Environmental and Sustainability Studies, Executive Vice President of Student Affairs (or designee), at least one student selected by the Student Government Association, at least one student selected by the Graduate Student Association, and at least one faculty member selected by the Faculty Senate.

(Rev. Jan. 2013, July 2016, Aug. 2017)

2. Advisory Committees, Boards, and Councils for Academic Programs of the College

Any academic or administrative department or school and/or individual at the College that wishes to have an advisory committee, board or council,

some or all of whose members are non-College individuals, must abide by the following regulations.

Every board, council, commission, and committee⁶ shall have a clearly written and specific statement of purpose, and a charge which should be proposed by the individual or group wishing to establish the committee, council or board. The purpose and charge must have written approval of the President. The purpose of every community committee, council or board must be compatible with the College's mission.

Every board or council must have by-laws approved by the President. Community committees do not require by-laws although they should have clearly stated operating information. By-laws and statements of operation should contain information about:

- (a) appointments or election of members;
- (b) officers, responsibilities, election and terms;
- (c) frequency of meetings;
- (d) arrangements for minutes;
- (e) ability to raise money, and so on.

Members serving on community committees, councils or boards shall be appointed by a letter signed by the President (or the President's designee), or members serving on certain community committees, councils or boards may have to be elected by the appropriate governing body or constituency such as the Alumni Association. The list of elected members will be given to the President who shall approve a list of appointments to each.

(Rev. Jan. 2013, July 2016)

3. The Graduate Council

(a) Purpose and Responsibilities

The Graduate Council is the body that recommends academic policies and procedures for graduate study at the College of Charleston.

⁶ A board or council is defined as a group that has a set of written and approved by-laws that govern its authority and procedures. A committee or commission may serve many different purposes (fund raising, advisory, etc.) and does not necessarily have formal by-laws. (Rev. July 2016)

The Graduate Council shall advise the Dean of the Graduate School, the Associate Dean, and the Faculty Senate with regard to business of the Graduate School, including recommendation of new graduate degree proposals; supervision of approval of new graduate courses; participation in periodic evaluation of graduate programs; periodic review of academic and admissions policies and procedures; assistance in setting directions for research; and assistance in other matters as requested by the College.

(b) Membership

Membership in the Graduate Council shall consist of the Dean of the Graduate School (who acts as chairperson), the Associate Dean, the directors of all graduate programs, and one at-large graduate faculty representative from each of the schools in which the graduate programs reside.

Ex-officio membership in the Graduate Council shall consist of the Provost or the Provost's designee. A member of the faculty Committee on Graduate Education shall serve *ex-officio* as a liaison with the Faculty Senate. A member of the Graduate Student Association (GSA) shall serve as *ex-officio* member as a liaison with GSA. (Rev. Aug. 2018)

At-large members serve a term of two years beginning July 1 and ending June 30.

(Rev. July 2007, May 2009, Aug. 2017)

III. FACULTY APPOINTMENTS

A. The Instructional Faculty

A member of the instructional faculty is a person whose appointment at the College is for teaching, research, and service, whether full-time or part-time, with or without tenure, and whether or not the person has membership in the voting faculty. (For a description of the voting faculty see Faculty Organization and By-Laws, Article I.) A member of the instructional faculty must participate fully in program assessment activities and in such other faculty activities as are assigned (e.g., academic advising). (Rev. July 2016)

The academic year is defined as a nine-month period, usually August 16 - May 15, but not more than 39 weeks. Course assignments for instructional faculty are made by the Department Chair or Program Director. Because the College of Charleston conducts courses at a number of locations in the Charleston area, in

addition to the campus in Charleston's Historic District, course sections may be scheduled at one of these locations. (Rev. July 2016)

All appointments to the instructional faculty are made by the President on recommendation of the Provost. Faculty may be appointed with tenure, or to tenure-track lines or to non-tenure-track lines or positions. Faculty may be appointed to any of the ranks listed in Sections III.A.1 and III.A.2 (below). No amount of service accumulated entitles a faculty member to a non-tenure-track line claim for *de facto* tenure; furthermore, such accumulated service does not make the person eligible for tenure consideration or for automatic consideration as a candidate for any tenured or tenure-track position that becomes open.

1. Instructional Faculty in Tenure-track or Tenured Lines

a. Definition of Faculty Status

These faculty may be appointed with tenure, or they may be appointed and subsequently considered for tenure. Each tenured or tenure-track faculty member occupies a state-supported line and is counted as one of the authorized number of lines assigned to a department. The contract of each specifies whether the appointment is a nine-, 10-, or 11-month appointment and full-time or part-time.

b. Faculty Ranks

- (1) Assistant Professor is a rank held by those who are usually in the early stages of their teaching and scholarly careers and who show potential for achieving distinction as teachers and scholars and making important contributions to the life of the College and the wider community. Persons appointed to this rank possess the doctorate, or the highest attainable degree in the discipline.⁷ If a Department or Program wishes to offer the rank to one who has not yet completed the terminal professional degree, the Department Chair or Program Director must obtain written approval from the Dean and the Provost. If the terminal degree is not attained during the first year of appointment, the contract will not be renewed.
- (2) Associate Professor is a rank held by those who have been recognized by the College as having demonstrated teaching

⁷ In the various fields of the visual and performing arts, training and experience other than graduate study may provide excellent preparation for college teaching. It is the responsibility of the department to document and present to the Provost certifications, reviews, work experience, and other qualifications if these are to substitute for or supplement formal academic preparation in awarding any of these professional ranks.

and scholarly abilities and who have given evidence that they will make further significant contributions as teachers and scholars to the College community. One holding this rank must possess the Ph.D. degree or its equivalent.⁸

(3) Professor is the highest academic rank and is held by those who have been recognized by the College for their outstanding teaching, research and service, for their contributions to their disciplines, and their continuous professional growth and development, and through their involvement in institutional activities, their commitment to the well-being of the College, and wider community; and typically they will have gained recognition in their profession at the national or international level. One holding this rank must possess the Ph.D. degree or its equivalent.⁹

(4) University Professor is a permanent, honorary rank awarded to an outstanding tenured full professor. This honorary rank is held by those who have been recognized by the College for their exemplary performance in teaching, their unusual distinction in scholarly involvement, and significant performance in leadership and service to the faculty and College Community. A professor may be nominated for this rank by a Program Director, Department Chair, Academic Dean, the Speaker of the Faculty, or a University Professor or University Librarian IV. The President may appoint the individual upon recommendation of the relevant Dean, the Provost, and representatives of those already holding the rank of University Professor or University Librarian IV. (Ins. Aug. 2015)

2. Instructional Faculty Holding Non-tenure-track Lines or Positions

a. Definition of Special Faculty Status

Instructional faculty who have “special” status hold positions that do not lead to tenure, or to *de facto* tenure, or to the right to be considered for a tenured or tenure-track position. Only those special status faculty who occupy a state line are entitled to full state benefits. Special status faculty may work on a full-time or part-time basis; they are appointed for a specified period and their contracts may be renewed. Special appointments do not carry voting privileges unless so specified in the Faculty By-Laws.

⁸ Ibid.

⁹ Ibid.

Conditions of appointment and participation in departmental or program affairs must be fully described in the letter of appointment. Any faculty members on special status appointment may apply for any tenure-track or tenured faculty position that becomes open and for which they are qualified, and will be considered without prejudice. All faculty of special status who conduct classes must be evaluated by the Department Chair or Program Director annually or at the end of each semester or summer term. It is the responsibility of the faculty member to provide syllabi, reading lists, samples of paper topics and examinations to the Department Chair or Program Director who will consider these teaching materials in making the assessment of the person. Student evaluations of teaching shall be collected from students in classes taught by any faculty member of special status. All faculty holding special appointments must provide regular opportunities for students they instruct to meet with them to answer questions about subject matter. (Rev. July 2016; Aug. 2018)

b. Special Faculty Ranks

- (1) Instructor is a non-tenure-track rank for faculty who may not hold the terminal degree and who normally teach only lower division courses. Instructors and Senior Instructors will be granted full privileges in all matters of faculty governance, except that departments or academic programs may restrict their voting privileges in personnel matters. A master's degree in the relevant discipline is expected to be a minimum requirement for employment at the rank of Instructor. Instructors occupy state-supported lines with benefits and receive annual nine-month contracts. Department Chairs and Program Directors, in consultation with their faculty colleagues, review instructors at the end of each contract year to determine whether to continue the appointments. During the sixth year, Instructors are required to undergo a review for promotion to Senior Instructor. Colleagues will not be kept at the rank of Instructor beyond one year if they are not promoted to Senior Instructor. (Rev. Aug. 2018)
- (2) Senior Instructor is a non-tenure-track rank for faculty who may not hold the terminal degree and who normally teach only lower division courses. Senior instructors are appointed to this rank after successful completion of a probationary employment period of six years at the rank of Instructor at which time they will be reviewed for

continuation of employment at the rank of Senior Instructor. Appointment at this rank and reappointment for continuation take place after the Department Chair, the Departmental Evaluation Panel, the Dean, the Advisory Committee on Tenure, Promotion and Third-Year Review, and the Provost have made their recommendations to the President. All recommendations are forwarded to the President who makes the final decision. In the case of a negative recommendation, the President will inform the candidate at least twelve months before the expiration of any appointment, thereby allowing an Instructor to serve one additional year beyond the sixth year. Senior Instructors will be reviewed every seventh year for the continuation of employment according to the process outlined above. (Rev. Aug. 2014)

- (3) Visiting Faculty - The prefix “visiting” in a title is used for a person who holds a temporary, full-time appointment in a state-supported line with benefits. Qualifications and compensation are comparable to those for appointment at corresponding rank (Assistant Professor, Associate Professor, etc.). Every visiting member must hold rank.
- (4) Adjunct Faculty - The adjunct faculty member is usually an expert in a special field or an experienced teacher in a discipline where additional instruction is needed by the department to meet student enrollment demands. Adjunct appointments are for a single semester. Adjunct faculty may be part-time or full-time.

Adjunct faculty members are initially assigned the special faculty rank of Adjunct Lecturer. A Dean may confer the rank of Adjunct Senior Lecturer when a member of the adjunct faculty at the College of Charleston has taught 30 or more course sections at the College, has worked at the College for at least eight separate semesters or summer terms, has been responsible for at least 500 student enrollments, and continues to serve as a member of the College’s adjunct faculty.

Adjunct faculty members do not normally have professorial rank or the special faculty rank of Instructor or Senior Instructor. Adjunct faculty members are not eligible for emeritus or emerita faculty titles. In unusual cases, departments or academic programs may recommend to a Dean that a member of the department or program’s

adjunct faculty be appointed with a titular professorial rank. If a Dean receives the appropriate recommendation from a department or academic program, the Dean may confer titular professorial rank, providing that the rank includes the word “adjunct” (*e.g.*, “Adjunct Associate Professor”).

If half time or less, an adjunct faculty member is usually paid at a fixed rate per course established by the Provost in consultation with the Dean and Department Chair (or Program Director) for each discipline, and does not occupy a state-supported line. Some receive no pay, but hold the title as a purely honorary appointment. If an adjunct faculty member is more than half-time, a prorated rate derived from the full-time rate appropriate to the discipline, duties, qualifications and experience of the individual will be negotiated by the Provost, the Dean, the Department Chair (or Program Director) and the adjunct faculty member.

The contract is renewable so long as the department or program requires the adjunct’s services and requests the continuation, and provided such faculty members meet their contract responsibilities, including being available to the students from their classes outside the classroom, and the department conducts appropriate evaluations of an individual’s teaching performance in each course offered and finds that the quality of instruction meets departmental standards. Each contract and/or letter of appointment must describe the duties and expectations as well as the limitations on that appointment. (Rev. Aug. 2018)

- (5) Graduate Assistant - This title is used for students enrolled full-time in a graduate program. Their duties may be grading papers, assisting in research, assisting in a laboratory conducted by a senior faculty member, etc. The terms and conditions of every appointment to a graduate assistantship will be stated in writing, and a copy of the appointment document will be supplied to the graduate assistant. (Rev. Aug. 2018)

3. Instructional Faculty Status, Departmental Affiliation and Rank for Members of the Academic Administration

a. Tenured Faculty Appointed Administrative Officers of the College

Tenured faculty members may accept appointment to the administration. Such individuals retain tenure, rank, and departmental or program affiliation while holding the administrative position. If they teach less than half-time in any academic year, the department or program may request that such members no longer participate in departmental or program affairs or participate in discussion, without vote; or may place any other limitation on the degree of involvement of the individuals in departmental or program business. The Department Chair or Program Director reports in writing the wishes of the tenured members of the department or program to the Dean and the Provost who incorporates them into the administrator's letter of appointment. When faculty members leave the administrative post, they automatically return to full-time faculty status in the department or program, and all rights and privileges of departmental or program membership are restored. While an administrator, faculty members retain voting privileges so long as they qualify under the stipulations of the By-Laws of the Faculty, Article I. (Rev. July 2016; Aug. 2018)

b. Non-College, Tenure-track or Special Status Faculty Appointed as Administrative Officers of the College

An academic department or program may recommend faculty status and rank for an administrative officer of the College of Charleston to the appropriate Academic Dean and Provost. On the recommendation of the Provost, the President makes all appointments to the instructional faculty. The letter of appointment should specify the following:

Faculty status. After consultation with the department or program, the letter will specify tenure, tenure-track, or coterminous faculty status. A coterminous faculty appointment terminates when the individual leaves the administrative position, for any reason.

Faculty rank. After consultation with the department or program, the letter will specify any rank from Instructor to Professor.

Departmental or program participation. The letter will state any agreement the department or program and the individual have

reached about the number and frequency of courses the administrator may teach each year.

(Rev. July 2016)

B. Joint Appointments to the Instructional Faculty

Ordinarily, an instructional faculty appointment is made to a single academic department. A joint appointment is defined as an instructional faculty appointment made to two or more academic departments and/or stand-alone academic programs in which faculty members have compensated FTE duties in the units to which they are appointed. Joint appointments may be at any percentage of effort not exceeding 100%. A joint appointment may be for a specified period or may be permanent. (Rev. July 2016; Aug. 2018)

In such cases the conditions relevant to the joint faculty appointment, including but not limited to annual faculty evaluation; percentage of effort assigned to each department; sources of institutional support; and special concerns relevant to third-year review, tenure, and/or promotion, shall be specified in a memorandum of understanding and signed by the appropriate administrators (*e.g.*, all Deans and Department Chairs with an interest in the appointment), including the Provost. Whenever possible, the memorandum of understanding should be reviewed by the faculty member receiving the appointment at least 30 calendar days prior to the first day on which the appointment would take effect. When such cases involve adjunct faculty members, the relevant unit may create a single memorandum of understanding covering all adjunct faculty performing instructional duties for the unit.

For any case involving a joint faculty appointment, all provisions of the Faculty/Administration Manual should be interpreted in light of the conditions specified in the relevant memorandum of understanding. The memorandum of understanding should indicate who performs the duties assigned to the department and Department Chair in other provisions of the Faculty/Administration Manual.

For roster faculty¹⁰, joint appointments shall exist only when recognized as such in a letter of initial appointment (or newly issued letter of appointment) signed by the President. Any letter establishing a joint appointment should be signed by the President only after the letter has been reviewed by all Deans and Department Chairs with an interest in the appointment.

(App. Sept. 2006)

¹⁰ Roster faculty members are those individuals holding full-time faculty appointments and assigned to a state-supported line. Roster faculty appointments include those made for tenured faculty, tenure-track faculty, Instructors, Senior Instructors, and visiting faculty.

C. Instructional Faculty Appointments Outside Academic Departments

Ordinarily, an instructional faculty appointment is made to a single academic department. Faculty appointments outside academic departments are defined as those instructional faculty appointments made in whole or in part to schools, programs, academic centers, and/or administrative units other than academic departments at the College of Charleston. Such appointments may be at any percentage of effort not exceeding 100%. Faculty appointments outside academic departments may be for a specified period or may be permanent.

In such cases the conditions relevant to the faculty appointment, including but not limited to annual faculty evaluation; percentage of effort assigned to each unit; sources of institutional support; and special concerns relevant to third-year review, tenure, and/or promotion, shall be specified in a memorandum of understanding and signed by the appropriate administrators (e.g., all Deans and Department Chairs with an interest in the appointment), including the Provost. Whenever possible, the memorandum of understanding should be reviewed by the faculty member receiving the appointment at least 30 calendar days prior to the first day on which the appointment would take effect. When such cases involve adjunct faculty members, the relevant unit may create a single memorandum of understanding covering all adjunct faculty performing instructional duties for the unit.

For any case involving a faculty appointment outside an academic department, all provisions of the Faculty/Administration Manual should be interpreted in light of the conditions specified in the relevant memorandum of understanding. The memorandum of understanding should indicate who performs the duties assigned to the department and Department Chair in other provisions of the Faculty/Administration Manual.

For roster faculty, appointments outside academic departments shall exist only when recognized as such in a letter of initial appointment (or newly issued letter of appointment) signed by the President. Any letter establishing a faculty appointment outside an academic department should be signed by the President only after the letter has been reviewed by all Deans and Department Chairs with an interest in the appointment.

(App. Sept. 2006)

D. Library Faculty

1. Definition of the Library Faculty

Librarians have faculty rank and status, thus signifying the integral part they play in the teaching and learning processes. In addition to faculty status and rank, library faculty have position-titles assigned by the Dean of

Libraries that describe their specific duties in the operation of the library. The Dean of Libraries directs, supervises and evaluates the librarians' performance of duties. Because the function of the librarians is both academic and administrative, librarians are subject to standards and processes governing selection, evaluation, tenure and promotion that reflect their identity and are modifications of those used by and for instructional faculty.

A member of the library faculty is a person who has earned an appropriate graduate degree or degrees (typically to include the M.L.I.S. or its equivalent), from an accredited university and has been appointed to a faculty rank with appropriate library position-title within the library system of the College. Such appointments carry a library faculty rank comparable to ranks for instructional faculty. A person appointed to the library faculty provides professional library service in one or more of the libraries of the College. Library faculty hold eleven-month appointments within the twelve-month period from July 1 to the following June 30. All appointments of members of the library faculty are made on recommendation of the Dean of Libraries, the Provost and the President. (Rev. Aug. 2015, Aug. 2016)

Librarians may be appointed with tenure, or to tenure-track lines or to non-tenure-track lines or positions. Librarians may be appointed to any of the ranks listed in Sections III.D.2 and III.D.3 (below). No amount of service accumulated entitles a librarian appointed to a non-tenure-track line to a claim for *de facto* tenure; furthermore, such accumulated service does not make the person eligible for tenure consideration or for automatic consideration as a candidate for any tenured or tenure-track position that becomes open.

2. Library Faculty in Tenured or Tenure-track Lines

a. Definition

These library faculty may be appointed with tenure, or may be appointed and subsequently considered for tenure and/or promotion. Each tenured or tenure-track library faculty member occupies a state-supported line and is counted as one of the authorized number of lines assigned to the library system. The contract for each will specify whether the appointment is full-time or part-time.

b. Library Faculty Ranks

- (1) Librarian I is a rank held by those with fewer than three years professional experience. Appointments to this rank

are for a stated length of service, but for no more than three years.

- (2) Librarian II is a rank held by those who are in the early stages of their careers and who show potential for achieving distinction as librarians and making contributions to the life of the College and wider community. Persons appointed to this rank normally have at least three years professional experience and a record of professional competence, professional growth and development, and service. This is the lowest rank at which one may be granted continuous tenure.
- (3) Librarian III is a rank held by those who have been recognized by the College as having demonstrated excellence in professional library performance and have given evidence that they will make further significant contributions as librarians to the College and community.
- (4) Librarian IV is the highest academic library rank and is held by those librarians who have been recognized for their outstanding performance and for contributions to the discipline of librarianship, for their continuous professional growth and development, their commitment to the well-being of the College through their involvement in institutional activities, and their service to the wider community. Typically they will also have gained recognition in librarianship at the regional, national, and/or international levels.
- (5) University Librarian IV is a permanent, honorary rank awarded to an outstanding tenured Librarian IV. This honorary rank is held by those who have been recognized by the College for their exemplary performance as librarians. A Librarian IV may be nominated for this rank by the Provost, the Dean of Libraries, or a University Professor or University Librarian IV. The President may appoint the individual upon recommendation of the Dean of Libraries, the Provost, and representatives of those already holding the rank of University Professor or University Librarian IV. (Ins. Aug. 2015)

3. Library Faculty Holding Non-tenure-track Lines or Positions

a. Definition of Special Library Faculty Status

Library faculty with special status hold positions that do not lead to tenure, or to *de facto* tenure, or to the right to be considered for a tenured or tenure-track position. Only those special status library faculty who occupy a state line are entitled to state benefits. They may work on a full-time or part-time basis; they are appointed for a specified period and their contracts may be renewed. Special appointments do not carry voting privileges unless so specified in the Faculty By-Laws. Conditions of appointment and participation in library affairs must be fully described in the letter of appointment. Library faculty members on special status appointment may apply for any library faculty position that becomes open and for which they are qualified, and will be considered without prejudice. All library faculty of special status must be evaluated annually or at the end of each semester or summer term. (Rev. Aug. 2018)

b. Special Library Faculty Ranks

(1) Visiting Library Faculty - The prefix “visiting” in a title is used for a person who holds a temporary, full-time appointment in a state-supported line. Qualifications and compensation are comparable to those for appointment at a corresponding rank (Librarian I, Librarian II, etc.). Every visiting member must hold rank.

(2) Adjunct Library Faculty - The adjunct is usually an expert in a special field of librarianship and is hired when additional assistance is needed by the library to meet student enrollment demands. Adjunct appointments are for a specified period of one year or less. Adjunct faculty may be part-time or full-time.

If half-time or less, an adjunct library faculty member is usually paid at a fixed rate established by the Provost in consultation with the Dean of Libraries, receives no fringe benefits, and does not occupy a state-supported line. Some receive no pay, but hold the title as a purely honorary appointment. If an adjunct library faculty member is more than half-time, a full-time rate appropriate to the discipline, duties, qualifications and experience of the individual will be negotiated by the Provost and the Dean of Libraries and the adjunct faculty member.

The contract is renewable so long as the library requires the adjunct's services and requests the continuation, and provided such faculty members meet their contract responsibilities. Each contract and/or letter of appointment must describe the duties and expectations as well as the limitations on that appointment. (Rev. July 2016; Aug. 2018)

4. Faculty Status and Rank for Librarians with Administrative Responsibilities

Appointments of faculty librarians as Assistant Dean, Associate Dean, or Executive Director are generally considered administrative appointments. (Rev. Aug. 2015)

A member of the library faculty who accepts appointment to one of these positions will normally be a tenured member of the library faculty. The individual retains tenure and rank in the library. If the library faculty member leaves the administrative post, the former administrator automatically returns to full-time library faculty status with all rights and privileges. (Rev. Aug. 2018)

Successful candidates for administrative positions within the library system are normally offered faculty status and rank. Librarians with administrative responsibilities who have library faculty status and rank will be evaluated for promotion and tenure according to the process outlined in Section VI.C and VI.D. Upon recommendation of the Dean of Libraries and the Provost, the President may retain a librarian in an administrative position without faculty status or rank.

E. Courtesy Faculty Appointments

The major purpose of making courtesy faculty appointments is to stimulate interaction between the appointee and the students and faculty of the College. This interaction could take the form of teaching, advising, research, and/or service.

Courtesy faculty appointments may be offered to persons who visit the College of Charleston from other institutions or work outside the College and who contribute without compensation to a Department, School, or Program. The individual is given the title of Faculty Affiliate, unless some other title is approved by the Provost (*e.g.*, Research Scientist, Executive in Residence, Courtesy Associate Professor of Teacher Education).

Courtesy faculty appointments are normally made for three years and should typically be aligned with the academic calendar. Persons with courtesy faculty appointments receive neither salaries nor benefits from the College for the completion of any tasks associated with their courtesy appointments. (Rev. July 2016)

F. Emeriti Faculty Appointments

Following retirement, an instructional faculty member or librarian may be nominated by a Department Chair or the Dean of the Library (or equivalent administrator) for the “Emeritus” or “Emerita” title. “Emeritus” or “Emerita” appointments must be approved by the appropriate Academic Dean and the Provost. The names of emeriti faculty will be included in the College catalogue and other appropriate directories.

The emeritus or emerita rank is conferred only when a retired faculty colleague, in the judgment of the appropriate administrators, has a history of exemplary service to the College of Charleston. An emeritus or emerita title is used in association with the faculty rank held by the faculty colleague at the time of retirement (e.g., “Associate Professor Emerita” or “Librarian III Emeritus”).

The College of Charleston may choose to extend special benefits to retired faculty to whom the emeritus or emerita rank has been granted. Upon application, emeriti faculty will be issued an identification card that will allow them access to the benefits of active faculty in accordance with all College policies: e-mail and professional web site usage; the use of libraries and gyms; admission to athletic contests, artistic performances, lectures and College-wide social events. Emeriti faculty may also continue to use the College as an agent for external grant applications.

IV. CONDUCT OF FACULTY AND ADMINISTRATORS

A. Prohibition of Discrimination and Harassment

See College of Charleston policy site, 9.1.10, Prohibition of Discrimination and Harassment, Including Sexual Harassment and Abuse, at policy.cofc.edu.

B. Code of Professional Conduct and Statement of Professional Ethics

1. Code of Professional Conduct

The College requires all instructional and library faculty members and all classified and unclassified administrators to conduct themselves in accordance with federal, state and local laws and regulations, as applicable, and to comply with all policies and procedures set forth in the Faculty/Administration Manual and on the policy web site at

policy.cofc.edu, the Human Resources web site, the College of Charleston Administrative Memoranda and Notices, and all other policies and procedures that may be prescribed by the President and the Provost.

In addition, all instructional faculty must comply with all written policies and procedures established by the Provost, the appropriate Dean of the school, or the department. Also, all library faculty and all unclassified and classified administrators should comply with all written policies and procedures established by the Provost, Dean and their immediate supervisor.

2. Statement of Professional Ethics

Membership in the academic profession carries with it special responsibilities. The College of Charleston requires that all faculty and administrators holding faculty status and rank comply with the ethical standards set forth by the American Association of University Professors (AAUP) and by the professional associations of the individual disciplines represented at the College of Charleston. The professional and ethical conduct of a faculty member may be considered from five major perspectives: (1) as a member of the teaching profession; (2) as a teacher; (3) as a colleague; (4) as a part of an institution; (5) as a member of a community.

1. As a member of the teaching profession, the professor:

- (1) seeks and states the truth as they see it. (SPE)¹¹ (Rev. Aug. 2018)
- (2) devotes their energies to developing and improving their scholarly competence. (SPE) (Rev. Aug. 2018)
- (3) accepts the obligation to exercise critical self-discipline and judgment in using, extending and transmitting knowledge. (SPE)
- (4) practices, fosters and defends intellectual honesty, freedom of inquiry and instruction, and free expression on and off the campus. (SPE and SFR)¹²

¹¹ Statement on Professional Ethics, the primary source of items in this statement. AAUP Bulletin, Vol. 55, No. 1, Spring, 1969, pp.86-87. Parenthetical references and footnotes identify documents from which items have been taken, most of them almost word-for-word.

¹² AAUP Council Statement on Freedom and Responsibility October 31, 1970. AAUP Bulletin, Vol. 56, No.4, Winter, 1970, pp. 375-376.

- (5) avoids allowing their subsidiary interests to hamper or compromise their freedom of inquiry¹³. (Rev. Aug. 2018)

2. As a teacher, the professor:

- (1) encourages the free pursuit of learning in students. (SPE)
- (2) holds before the students the best scholarly standards of the discipline. (SPE)
- (3) demonstrates respect for the student as an individual. (SPE)
- (4) adheres to the proper role as an intellectual guide and counselor. (SPE)
- (5) makes every reasonable effort to foster honest academic conduct. (SPE)
- (6) makes every reasonable effort to assure that evaluation of students reflects their true merit and is based on their academic performance professionally judged and not on matters irrelevant to that performance, whether personality, sex, race, religion, degree of political activism, or personal beliefs. (SPE and SFR)
- (7) respects the confidential nature of the relationship between professor and student. (SPE)¹⁴
- (8) does not refuse to enroll or teach students on the grounds of their beliefs or the possible uses to which they may put the knowledge to be gained in a course. (SFR)
- (9) refrains from forcing students by the authority inherent in the instructional role to make particular personal choices as to political action or their own part in society. (SFR)
- (10) does not persistently intrude into the presentations of the subject material which has no relation to that subject. (SFR)

¹³ See also AAUP Statement "On Preventing Conflicts of Interest in Government -- Sponsored Research in Universities" AAUP Bulletin, Vol. 51, No. 1, Spring 1965, pp.42-43.

¹⁴ An expanded statement of confidentiality is contained in "Joint Statement on Rights and Freedoms of Students," esp. the section entitled "In the Classroom." AAUP Bulletin, Vol. 54, No. 2, Summer, 1968, pp. 258-261.

- (11) presents the subject matter of all courses as announced to students and as approved by the faculty in their collective responsibility for the curriculum. (SFR)
 - (12) allows students the freedom to take reasoned exception to the data or views offered in a course of study and to reserve judgment about matters of opinion. (SFR)
 - (13) avoids any exploitation of students for private advantage. (SPE)
3. As a colleague, the professor:
- (1) respects and defends the free inquiry of associates. (SPE)
 - (2) shows due respect for the opinion of others in exchanges of criticism and ideas. (SPE)
 - (3) acknowledges academic debts. (SPE)
 - (4) strives to be objective in professional judgment of colleagues. (SPE)
4. As a member of an institution, the professor:
- (1) seeks above all to be an effective teacher and scholar. (SPE)
 - (2) observes the stated regulations of the institution provided they do not contravene academic freedom. (SPE)
 - (3) maintains their right to criticize regulations and seek their revision. (SPE) (Rev. Aug. 2018)
 - (4) determines the amount and character of the work done outside the institution with due regard for their paramount responsibilities within it. (SPE) (Rev. Aug. 2018)
 - (5) recognizes, when considering the interruption or termination of their services, the effect of their decision upon the program of the institution and gives due notice of their intentions. (SPE)¹⁵ (Rev. Aug. 2018)

¹⁵ See also “Statement on Recruitment and Resignation of Faculty Members” and “A Report from Committee B, Late Resignation and Professional Ethics.” AAUP Bulletin, Vol. 54, No. 3, Autumn, 1968, PP. 363-364.

- (6) requests a leave of absence or resigns their academic position when acute conflicts between the claims of politics, social action and conscience, on the one hand, and the claims and expectations of students, colleagues and institution, on the other, preclude the fulfillment of substantial academic obligations. (SFR)¹⁶ (Rev. Aug. 2018)
 - (7) refrains from calling attention to grievances in ways that significantly impede the functions of the institution. (SFR)
 - (8) accepts a fair share of faculty responsibilities for the governance of the institution. (SPE)¹⁷
5. As a member of a community, the professor:
- (1) measures the urgency of obligations as a citizen in light of responsibilities to their subject, students, profession and institution. (SPE) (Rev. Aug. 2018)
 - (2) makes every effort, when speaking and acting as a citizen, to be accurate, to exercise appropriate restraint, to show respect for the opinions of others, and to indicate that the professor does not speak for the College. (SPE and SEU)¹⁸ (Rev. Aug. 2018)
 - (3) promotes conditions of free inquiry. (SPE)
 - (4) furthers public understanding of academic freedom. (SPE)

C. Statement of Academic Freedom¹⁹

1. Purpose of the Statement of Academic Freedom

The purpose of this statement is to promote public understanding and support of academic freedom and tenure, and agreement upon procedures to assure them at the College of Charleston.

¹⁶ See also “Statement on Professors and Political Activity,” AAUP Bulletin, Vol. 55, No. 1, Autumn, 1969, pp. 388-389.

¹⁷ Such governance responsibilities are described in more detail in “Statement on Government of Colleges and Universities,” AAUP Bulletin, Vol. 52, No. 4, Winter, 1966, pp. 375-379. See esp. Section V, “The Academic Institution: The Faculty.”

¹⁸ Committee A Statement on Extramural Utterances, AAUP Bulletin, Vol. 51, No. 1, Spring 1965, P. 29.

¹⁹ Section C, Statement of Academic Freedom, parts 1 and 2 are based directly upon and quote liberally from the “1940 Statement of Principles on Academic Freedom and Tenure” and 1970 Interpretive Comments published in Policy Documents and Reports, Third Printing, January 1977 by the American Associations of University Professors.

Institutions of higher education are established for the common good and not to further the interest of either the individual faculty member or the institution as a whole. The common good depends upon the free search for truth and its free exposition. Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspects is fundamental for the protection of the rights of the faculty member in teaching and of the student in learning. Academic freedom carries with it duties correlative with rights. Tenure, by providing job security, allows for:

- a. freedom of teaching and research and of extramural activities and
- b. a sufficient degree of economic security to make the profession attractive to men and women of ability.

The freedom and economic security provided by tenure are indispensable to the success of the College of Charleston in fulfilling its obligations to its students and to society.

2. Statement of Academic Freedom

The faculty member is entitled to full intellectual freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but undertaking research for pecuniary return must be based upon a prior understanding with the academic administration of the institution, and requires written authorization by the President before it may be undertaken. (See Section V.G.) (Rev. Aug. 2018)

A faculty member is entitled to freedom in the classroom in discussing their subject, but must not introduce into teaching controversial matter which has no direct relation to the subject. (Rev. Aug. 2018)

A faculty member is entitled to freedom to address any matter of institutional policy or action whether or not as a member of any agency of institutional governance. The faculty member's action is free from institutional discipline or restraint, save for statements or actions that violate the College's Code of Professional Conduct and Statement of Professional Ethics (*FAM IV.B*).

The College faculty member is not only a member of a learned profession and an officer of an educational institution but also a citizen. When a faculty member speaks or writes as a private citizen, they are free from institutional censorship or discipline. However, the special position of a

college faculty member in the community carries with it special obligations. As a person of learning and an educational officer of the College, a faculty member is expected to bear in mind that the public may judge the academic profession and the College of Charleston by their utterances. Hence, a faculty member is required at all times to be accurate, to exercise appropriate restraint, to show respect for the opinions of others, and to make every effort when writing or speaking as a private citizen to indicate that they are not an institutional spokesperson. (Rev. Aug. 2018)

(Approved by the Committee on the By-Laws and the Faculty/Administration Manual, Feb. 2011; Faculty Senate Apr. 2011; and the Provost.)

3. Academic Freedom and Protection Against Discrimination²⁰
 - a. All members of the faculty, whether tenured or not, are entitled to academic freedom as set forth in the 1940 Statement of Principles on Academic Freedom and Tenure, formulated by the Association of American Colleges and the American Association of University Professors.
 - b. All members of the faculty, whether tenured or not, are entitled to protection against illegal or unconstitutional discrimination by the institution, or discrimination on a basis not demonstrably related to the faculty member's professional performance, including but not limited to gender, sexual orientation, gender identity or expression, age, race, color, religion, national origin, veterans' status, genetic information, or disability, as proscribed by law and described in the College's policy on *Prohibition of Discrimination and Harassment, Including Sexual Harassment and Abuse*.
4. Complaints of Violation of Academic Freedom or of Discrimination in Non-reappointment

If a faculty member on probationary or other non-tenured appointment (including adjuncts) alleges that a decision against reappointment was based significantly on considerations violative of academic freedom or governing policies concerning illegal or institutional discrimination by the institution on the basis of gender, sexual orientation, gender identity or expression, age, race, color, religion, national origin, veterans' status, genetic information, or disability, such a faculty member may file a

²⁰ These sections, IV.C. 3 through 8 are taken directly from and quote 1982 Recommended Institutional Regulations on Academic Freedom and Tenure sections 9 through 14, pp. 28-29, *AAUP Policy Documents and Reports*, except these sections have been aligned with the contents of the College's policy on *Prohibition of Discrimination and Harassment, Including Sexual Harassment and Abuse*.

grievance with the Faculty Hearing Committee. (See Art. X.I. for procedures.) (Rev. Aug. 2018)

5. Academic Freedom for Administrative Personnel Holding Faculty Status

The foregoing regulations apply to administrative personnel who hold faculty status and rank, but only in their capacity as faculty members. All other unclassified academic administrators who allege that a violation of academic freedom or improper discrimination contributed to a decision to terminate their appointment to an administrative post, or not to reappoint them, are entitled to the procedures set forth in Section IV.A.

6. Political Activities of Faculty Members

As responsible and interested citizens in their community, faculty, staff and unclassified administrators of the College should fulfill their civic responsibilities and are free to engage in political activities.

The College policy related to such matters is that the holding of county, municipal and other local offices is generally permitted. However, the holding of such an office must not conflict with the performance of the faculty member's assigned College duties. If, at any time, it appears that there is a conflict or substantial interference with assigned duties, the College has the right to claim a conflict of interest or substantial interference and request that the faculty member either resign the political post or take leave without pay from the College. Further, this also applies if any of the political duties give the officeholder an exercise of control over the College or any of its activities through financial support, direction of academic research, extension functions or employment of personnel.

Where a faculty or staff member in the Academic Affairs Division seeks county, state or federal government political office, the faculty or staff member must discuss said candidacy with the Provost before becoming a candidate. The purpose of this discussion is to try to determine, in advance, whether a conflict of interest or substantial interference with assigned duties would result. If it is determined it would, the Provost will recommend to the President that the candidate be granted leave without pay for the duration of an election campaign and/or term of office before the date of officially taking office. The terms of such leave of absence will be set forth in writing and the leave will not affect unfavorably the tenure status of a faculty member, except that time spent on such leave will not count as probationary service unless otherwise agreed to. (See "Statement on Professors and Political Activity," AAUP Bulletin 55 [Autumn 1969]: pp. 388-89.) The President has the sole discretion to accept or reject the request for a leave of absence. (Rev. Aug. 2018)

7. Academic Freedom for Graduate Students

In no case will a graduate or teaching assistant be dismissed without having been provided with a statement of reasons and an opportunity to be heard before a duly constituted committee. (A dismissal is a termination before the end of the period of appointment.) A graduate or teaching assistant who establishes a prima facie case to the satisfaction of a duly constituted committee that a decision against reappointment was based significantly on considerations violative of academic freedom, or of governing policies against improper discrimination as stated in Section IV.A (above), will be given a statement of reasons by those responsible for the non-reappointment and an opportunity to be heard by the Faculty Grievance Committee.

8. Other Academic Staff

1. In no case will a member of the academic staff who is not otherwise protected by the preceding regulations which relate to dismissal proceedings be dismissed without having been provided with a statement of reasons and an opportunity to be heard before a duly constituted committee. (A dismissal is a termination before the end of the period of appointment.)
2. When a member of the academic staff feels that their non-reappointment is the result of a violation of academic freedom or discrimination (see Sections IV.A and IV. C), the individual may bring the matter before the Faculty Hearing Committee. If the committee finds that the facts, as preliminarily stated in the grievance, indicate that either a violation of academic freedom or discrimination significantly contributed to this non-reappointment, then the individual will be provided a statement of reasons for the non-reappointment by the individual or department responsible for the non-reappointment. Thereafter, the individual will also be provided a reasonable opportunity to have this grievance heard by the committee. (Rev. Aug. 2018)

D. Consensual Relations Policy

1. “Sexual relations between students and faculty members with whom they also have an academic or evaluative relationship are fraught with the potential for exploitation. The respect and trust accorded a professor by a student, as well as the power exercised by the professor in an academic or evaluative role, make voluntary consent by the student suspect ... In their relationships with students, members of the faculty are expected to be aware of their professional responsibilities and to avoid apparent or actual conflict of interest, favoritism, or bias. When a

sexual relationship exists, effective steps should be taken to ensure unbiased evaluation or supervision of the student.” [AAUP Policy cited by AAUP Staff counsel in Sexual Harassment in the Academy: Some Suggestions for Faculty Policies and Procedures, October 2002.]

2. Similar concerns exist when sexual relations occur between students and staff members in supervisory, evaluative, or trust positions.
3. Accordingly, the College of Charleston adopts the following policy regarding consensual relationships between students and faculty or staff: All sexual relationships between students and faculty/staff are strongly discouraged. Further, no faculty or staff member shall have an amorous relationship (consensual or otherwise) with a student who is enrolled in a course being taught by the faculty member or whose work is being supervised, evaluated, or otherwise similarly impacted by the faculty or staff member.

(Ins. Sept. 2008.)

V. TERMS AND RECORDS OF FACULTY AND UNCLASSIFIED ADMINISTRATOR APPOINTMENTS

A. The College Equal Opportunity/Affirmative Action Policies, Regulations and Procedures

1. The Policy in Force

It is the policy of the College to promote and protect a learning and living environment where civil discourse, respect for the individual and appreciation for the diversity of human experiences are valued as compelling academic interests. Accordingly, it is a violation of the College’s policy on the *Prohibition of Discrimination and Harassment* for any member of the College community to discriminate or harass students or employees, or applicants for admission to the College or applicants for any College employment position, based on gender, sexual orientation, gender identity or expression, age, race, color, religion, national origin, veterans’ status, genetic information, or disability, as proscribed by law and as further described in the policy referenced here. In addition, discrimination against members or potential members of the United States uniformed services, as proscribed by the Uniformed Services Employment Rights Act (USERRA), is also prohibited under our policy. Retaliation against any person arising from the good faith reporting of suspected violation of this policy, or for participating in an investigation of discrimination under this policy, is strictly prohibited.

Full policy on the *Prohibition of Discrimination and Harassment, Including Sexual Harassment and Abuse*, is available at the College's policy website at policy.cofc.edu.

2. Role of the Office of Equal Opportunity Programs

Responsibilities of the Office of Equal Opportunity Programs are outlined in the full policy on Prohibition of Discrimination and Harassment and include the responsibility to prepare and submit such affirmative action plans and reports as may be required under the laws of South Carolina. Prior to the submission of any such Plan, however, it shall be submitted for approval to the Vice President of Human Resources and the President's Executive Team. (Rev. July 2016)

3. Search, Screen and Selection Process for the Appointment of Instructional Faculty, Library Faculty and Unclassified Administrators

All administrative units and academic departments shall follow a search, screen and selection process, and use the forms provided by the Office of the Provost and the Office of Equal Opportunity Programs to ensure equal opportunity in accordance with the hiring policies of the College and its affirmative action program. (Rev. July 2016)

4. Recruitment and Promotion Process for Classified Administrators, Staff and Other Employees

All administrative units and academic departments shall follow a search, screen and selection process, and use the forms provided by the Office of Human Resources to ensure the implementation of the College's Affirmative Action and Equal Employment Opportunity policies when hiring classified administrators, staff and other employees.

B. Contracts of Untenured Faculty and Unclassified Academic Administrators

1. Role of the President and of the Provost in Appointments

The President, in keeping with the By-laws of the Board of Trustees, retains the power of approval of all initial appointments, renewals of appointments, promotions in rank, compensation, conferrals of tenure and termination of faculty members and unclassified academic administrators. The Provost, acting in accordance with the provisions stated in this Faculty/Administration Manual, is responsible for making the final recommendation to the President in respect to all faculty and unclassified academic appointments.

2. Terms and Conditions of Appointment²¹
 - a. Before an initial appointment is completed, the precise terms and conditions of the appointment of an instructional faculty member, librarian or unclassified academic administrator of the College of Charleston will be placed in the files of the department, of the appropriate school Dean, of the President's and Provost's respective offices.
 - b. Any subsequent extensions or modifications of an appointment will be stated or confirmed in writing, and a copy of the document will be given to the faculty member or academic administrator and placed in the files noted above. Renewal contracts for instructional faculty members are normally issued from August 16 to May 15; for librarians and unclassified academic administrators from July 1 to the following June 30.
 - c. Generally faculty appointments are either tenure-track or with tenure. All other appointments are special in status and described in paragraph e (below).
 - d. In accordance with South Carolina law, all faculty members of the College will receive a letter from the College notifying them if they have reasonable assurance of their employment for the following academic year.
 - e. Special status appointments include adjunct, visiting, instructor, Senior Instructor and other faculty titles and ranks and the reappointment of retired members on special conditions. These appointments are made for fixed terms of limited duration and are neither tenure-track or with tenure. The terms and conditions of an appointment with Special Status may be provided by contract or by letter of appointment. With the exceptions of the ranks of Instructor and Senior Instructor, no obligation exists on the part of the College to evaluate such a special appointee with a view to continued employment past the end of the fixed term, nor to give any notice in respect of such an intention. A special appointment terminates automatically upon expiration of the fixed term.
 - f. All academic administrative appointments are "at the pleasure of the President" but are normally 12-month renewable appointments.

²¹ This section is based directly upon and quotes extensively from the 1982 Recommended Institutional Regulations on Academic Freedom and Tenure, 1. Statement of Terms of Appointment, p.15a. This document is hereafter referred to as 1982RIR.

C. Faculty and Unclassified Administrator Records

Official personnel records are maintained in three areas: the Office of Human Resources, the Provost's office and the appropriate office of the Deans. The Vice President of Human Resources is required to maintain state employee records for all College personnel, including academic personnel. The State Human Resources Regulations²² specify that the official individual personnel file shall include but not necessarily be limited to the following:

1. employment application;
2. all human resources actions reflecting the employee's work history with the agency
3. documentation directly related to the employee's work record; and
4. all performance evaluations.

This official individual personnel file shall be available for the faculty member's or administrator's review upon the request of the faculty member or administrator. (Rev. Aug. 2018)

The Office of the Provost also maintains files on each faculty member and unclassified academic administrator. The Executive and Senior Vice Presidents maintain files on all unclassified administrators in their areas. These files shall include but are not limited to the following:

1. Curriculum vitae;
2. Evidence of accuracy of the curriculum vitae (academic credentials validated by appropriate documentation);
3. Contract and/or letter of initial employment;
4. Job description for unclassified administrators;
5. Letter authorizing sabbaticals or other leaves of absence;
6. Copies of recommendations and action on tenure, promotion, and third-year evaluation;
7. Copies of annual salary letters;

²² State Human Resources Regulation 19-720 "Recordkeeping."

The appropriate Academic Dean or Dean of Libraries will maintain copies of annual and third-year evaluations and correspondence relating to professional development, honors and College employment.

D. Probationary Appointments for Tenure-track Faculty and Instructors²³

Any appointment of a faculty member to a tenure-track position, or at the Instructor rank, is considered probationary since the individual has not yet fulfilled the required conditions to be considered by their peers and the administration for continuous appointment; i.e., for tenure or promotion to the rank of Senior Instructor.

(Rev. Aug. 2018)

1. **Crediting of Prior Experience Toward Fulfillment of Probationary Period**

At the College of Charleston probationary appointments are for one year, subject to renewal. For tenure-track appointments, and unless stated otherwise in the initial contractual letter of appointment to any rank sent to an instructional faculty member or librarian, the probationary period before the individual is considered for tenure is six years. Credit may be granted for a faculty member's full-time service at other institutions of higher learning. The number of years of credit for prior service normally will not exceed two years even though the faculty member's total probationary period in the academic profession is thereby extended beyond the normal maximum of six years. For tenure-track appointments, the initial letter of appointment will state the years of prior service that will be counted toward fulfillment of the probationary period and the year by which that individual will be considered for tenure.

(Rev. April 2007; Aug. 2018)

Librarians appointed to the College Library with three or more years of service in other libraries but who do not yet evidence appropriate records of activity in professional growth and development and/or institutional or community service will be given less than maximum credit in order to have more time to prepare for tenure review.

A period of scholarly leave of absence up to one year may count as part of the probationary period as if it were prior service at another institution. The faculty member, the Department Chair, the Dean, the Provost and the President will agree in writing to this provision at the time the leave is granted.

²³ This section is based directly upon and quotes extensively from the 1982 RIR, 2. Probationary Appointments, p.22

2. Information Relating to Standards and Procedures of Renewal, Tenure and Promotion

The instructional faculty member or librarian will be advised at the time of the initial appointment to review the sections of this Faculty/Administration Manual describing the substantive institutional standards and procedures generally employed in decisions affecting renewal and the granting of tenure and to discuss these with the Department Chair (or Dean of Libraries). Any special standards adopted by the faculty member's department will be transmitted by the Department Chair (or Dean of Libraries) at the time of appointment and be reviewed, together with the institutional standards, during the annual evaluation of the member by the Chair. The faculty member will be advised of the time when decisions affecting renewal or tenure are ordinarily made, and will be expected to submit material that the faculty member believes will be informative. (Rev. Aug. 2018)

3. Procedure for Considering Non-Renewal of a Faculty Member Including Instructors in First or Second Year of Probationary Appointment

From time to time it is important to the welfare of students or faculty in a department for a faculty member to be terminated at the end of a first-year or second-year appointment. Since state legislation (South Carolina Code of Laws, Section 8-17-380) provides that non-renewal of a one-year contract at the end of the contract period is not grievable, such terminations are not in violation of the terms of employment. Nonetheless, since terminations based on discriminatory intent, violations of academic freedom, or inadequate consideration are all grievable under other provisions of the South Carolina Code, federal law, and/or this Manual, all decisions to terminate probationary appointments at the end of the first or second year must be accompanied by written notification of cause. (Rev. Aug. 2018)

If the Chair or any other tenured member believes that non-renewal is appropriate, the Chair should convene the tenured faculty for a discussion of the chair's proposed action, and seek to reach group agreement. If a consensus cannot be reached, the Chair will present in writing to the Dean the various positions represented by the group within the department as well as the Chair's own position. The decision on whether to terminate or continue will rest with the Chair unless the Dean has serious reservations. In such a situation, the Provost will review all of the pertinent information and, after discussing the case with the Chair and the Dean, will rule on which action is to be taken. (Rev. Aug. 2018)

In the case of individuals in their first (second) year of probationary appointment, individuals must be notified by March 15 (December 15) if

their contract will not be renewed at the end of the contract year. Except under exceptional circumstances, a new faculty member credited with two years or more probationary time should be given at least one year's notice in the event the faculty member's contract is to be terminated. (Rev. Aug. 2018)

After a decision has been reached, the Chair should notify the Provost at least two weeks before the dates specified in the Faculty/Administration Manual so that the Provost can inform a first or second year faculty member that the faculty member will not be given a contract for the following year. (Rev. Aug. 2018)

The College is under no obligation to reappoint any untenured faculty member at the expiration of the contract year. But termination decisions for probationary faculty must be accompanied by written notification of the reasons for termination. If the probationary faculty member finds that explanation unpersuasive with respect to *grievable* allegations (see first paragraph of subsection), the probationary faculty member may file a grievance with the Faculty Hearing Committee. (See Article X.I for procedures.) (Rev. Aug. 2018)

4. Employment of Faculty Who are Not United States Citizens

All faculty members who are not United States citizens must hold a valid visa or permanent alien registration card at all times while employed by the College of Charleston. This is a condition of employment and faculty members who do not comply with this condition are subject to termination.

E. Adjunct Faculty Appointments

Adjunct instructional faculty and adjunct library faculty appointments are typically for a single semester, and never for longer than a year's duration, although they may be renewed at the discretion of the relevant administrative authority. Since adjunct faculty hold temporary appointments, no obligation exists on the part of the College to evaluate such a special appointee with a view to continued employment past the end of the fixed term, nor to give any notice in respect of such an intention.

In no case will an adjunct faculty member be dismissed without having been provided with a statement of reasons and an opportunity to be heard before a duly constituted committee. (A dismissal is a termination before the end of the period of appointment.)

Since state legislation (South Carolina Code of Laws, Section 8-17-380) provides that non-renewal of a temporary adjunct contract at the end of the contract period

is not grievable, such terminations are not in violation of the terms of employment, and therefore require no written justification. Nonetheless, non-renewals based on discriminatory intent, violations of academic freedom, or inadequate consideration are all grievable, even for adjunct faculty, under other provisions of the South Carolina Code, federal law, and/or this *Manual*. Therefore, when an adjunct faculty member alleges a violation in their non-reappointment on any of these three grounds, they may request written notification of cause. If the adjunct faculty member finds that explanation unpersuasive with respect to *grievable* allegations (as listed above), they may file a grievance with the Faculty Hearing Committee. (See Article X.I for procedures.)

(Ins. Aug. 2018)

F. Unclassified Administrators

1. Annual Evaluation of Administrators: The evaluation of College of Charleston unclassified administrators takes place annually. Evaluation processes vary depending on the nature and conditions of the administrative appointment. The President is evaluated by the Board of Trustees.
2. Dismissal for Cause: Dismissal of an administrator prior to the end of an employment contract term shall be only for adequate reason (cause) and may be grieved using the procedure in Section 3 which follows below. The following adequate reasons for termination of a contract before the end of a contract term are the same as those described for faculty in Art. VII.C.
3. Grievance Procedure for Unclassified Administrators and Faculty Members with Administrative Appointments Grieving Matters Related to their Administrative Duties
 - a. Types of Complaints about which Grievances May be Taken
 - (1) Complaints reasonably related to terms and conditions of employment, including discrimination in compensation, promotion, rating, evaluation, or work assignment.
 - (2) Violations or misapplications of written policies.
 - (3) Notice of dismissal from an administrative appointment to take effect before the end of the contract term. (Note: All administrators serve “at the pleasure of the President;” however, since they receive contracts on a yearly basis, they may grieve dismissal from an administrative

appointment that is effective prior to the end of the yearly contract term.)

b. Informal Resolution

Since many disputes can be resolved in an informal manner, unclassified administrators and faculty members in their administrative capacity having complaints about the types of matters described in the preceding section are strongly urged to attempt to reconcile their differences informally and promptly with the other party involved. Failing that, the administrator or faculty member may resort to the more formal procedures that follow.

c. Formal Procedures

(1) Attempted Resolution by Immediate Supervisor²⁴

- (a) Within 10 working days of the act complained of, the administrator or faculty member should present to that individual's immediate supervisor, with a copy to any person whose actions are complained of, a written grievance containing the following:
 - (i) an explanation of the act(s) complained of;
 - (ii) facts and evidence in support of the complaint;
 - (iii) an account of attempts to resolve the complaint informally and why they have failed; and
 - (iv) suggested resolutions to the grievance that are acceptable to the grievant.
- (b) The immediate supervisor will have ten working days from the presentation of the written grievance within which to investigate the complaint and attempt to bring the parties to an agreed-upon resolution. This investigation may include

²⁴ If the complaint is against the immediate supervisor, the Provost or the appropriate Vice-President will appoint another member of the College community to act in the stead of the immediate supervisor throughout these procedures. If the complaint is against a Vice-President, the Provost will perform the immediate supervisor role at this stage, and the appeal in part (2) will be skipped. If the complaint is against the Provost, the President will perform the immediate supervisor role at this stage, and the President's decision will be final, unless an appeal to the Board is allowed. (Rev. Aug. 2018)

conferences, interviewing the parties and others, securing documents and evidence from any available source and other actions deemed necessary in the circumstances.

- (c) If an agreed-upon resolution cannot be reached, the immediate supervisor shall make a decision resolving the dispute and promptly notify the parties of the decision in writing.

(Rev. Aug. 2018)

(2) Appeal to Next Level

- (a) If either party is not satisfied with the decision of the immediate supervisor, the dissatisfied party may appeal that decision to the person to whom the immediate supervisor reports by presenting to that person a written Notice of Appeal within five working days from receipt of the decision. (If the person to whom the immediate supervisor reports is the President, the grievant should skip this level of appeal and move ahead to the next stage of these procedures by requesting a review by the President.) A copy of the original written grievance and the decision from which the appeal was made should be attached to the Notice of Appeal, and copies of the entire Notice should be sent to the other party and to the immediate supervisor, or the person who acted in the supervisor's stead.
- (b) Upon receiving notification that the decision has been appealed, the immediate supervisor shall forward to the immediate supervisor's supervisor all statements, documents and evidence already accumulated.
- (c) The person to whom the immediate supervisor reports shall review all materials that have been made available. The immediate supervisor's supervisor may conduct an additional investigation, hold conferences and secure whatever further evidence is deemed necessary to make a decision.
- (d) The person to whom the immediate supervisor reports will arrive at a decision within 15 working

days of the Notice of Appeal. This decision will be sent in writing to the parties and to the Provost. This decision may be the same or different from that made at the previous level.

(Rev. Aug. 2018)

(3) Review by the President

If not satisfied with the decision rendered, either party may request, within three working days of receipt of the decision, that the President review the decision. Upon deciding to review the case, the President may review all of the materials thus far accumulated and may meet with the parties with or without counsel. The President's decision shall be final with regard to all matters except those that may be appealed to the Board. (Rev. Aug. 2018)

(4) Necessity of a Hearing for Some Types of Grievances

(a) State law requires that the grievant be given a hearing at some stage if the grievance is based on:

- (i) an allegation of discrimination in compensation, promotion or work assignment; or
- (ii) receipt of a notice of dismissal before the end of the contract term.²⁵

(b) The hearing will take place at the last stage of the procedures before the review by the President and will be conducted according to the following guidelines:

- (i) the grievant will be given the opportunity to present evidence on their own behalf to the decision maker; (Rev. Aug. 2018)
- (ii) the grievant may be represented by counsel;
- (iii) the hearing will be recorded, and the grievant will be furnished a copy of the recording upon request.

²⁵ South Carolina Code Section 8-17-380.

(Rev. Aug. 2018)

(c) Appeal to the Board of Trustees

(i) When available

When a grievant alleges discrimination in compensation, promotion or work assignment, or has received a notice of dismissal from an administrative appointment before the end of the contract term, the grievant may appeal the last internal administrative decision to the Board of Trustees. The Board at its discretion may choose whether to hear this appeal.²⁶ (Rev. Aug. 2018)

(ii) Procedure²⁷

- (a) The grievant must file a Notice of Appeal within 10 working days of receipt of the final administrative decision. This Notice must be in writing and sent to the Chair of the Board with copies to the President, the Provost and the other party.
- (b) The Board, or a Board committee appointed by the Board Chair, shall have available for its review the tape recording of the hearing and the evidence submitted at the hearing and will base its decision in that record. Briefs and oral arguments will be permitted but are not required. Oral arguments may be made by the parties or their attorneys.
- (c) The Board shall submit its final decision in writing to the grievant, the President and the Provost. The decision of the Board is final.

²⁶ South Carolina Code Section 8-17-380.

²⁷ The Board of Trustees passed this policy in January 1985.

G. Terms of Faculty Employment and Workload

1. Terms of Instructional Faculty Employment

Unless otherwise specified in the appointment document, members of the faculty are compensated for 39 weeks, i.e., nine months of service to the College, from August 16 of one year to May 15 of the next.

2. Instructional Faculty Workload

Faculty of the College of Charleston are employed by the State of South Carolina to provide instruction to students. Faculty must also provide academic consultation including individual instruction and holding open office hours for student advising. Faculty members are also required to engage in research activities and other forms of professional development as well as render service to the institution and the community.

The formula used by the Commission on Higher Education (CHE) to determine the allocation of state funds to senior colleges/universities, computes one full-time faculty member equivalent (FTE), as 12 contact hours per week of classroom instruction per semester for two semesters. It does not differentiate between undergraduate and graduate instruction. The formula assumes, therefore, that each faculty member will provide 12 contact hours of instruction in both the Fall and Spring semesters. It thus does not take into account advising, administrative duties, research, or other professional development activity, committee activity, or community activity that faculty are required to do in addition to or in lieu of the instructional workload.

The Provost delegates to the Deans of the Schools the responsibility for determining instructional faculty workload within the schools provided the following basic premises are met:

a. Role and Mission

Faculty teaching workload is both driven by the mission of the College of Charleston and reflective of student needs. The courses faculty teach sustain the institution's fundamental commitment to the curricular requirements for general education as well as the specialization in the major.

b. Budgetary Efficiency/Resources

Teaching workload should be managed by the Provost, the Deans and the Department Chairs or Program Directors so that teaching workload links institutionally desired outcomes for efficiency and

access with revenues. The Provost has the additional responsibility to make every effort to place in the hands of Deans and Department Chairs or Program directors the resources in roster faculty and adjunct funding that they need to fund their staffing plans. Once the budget for instruction and the enrollment goals are agreed upon, it becomes the Deans' responsibility to ensure that there are adequate numbers of courses for students to take. (Rev. July 2016)

c. Access

The College of Charleston remains committed to teaching in smaller classes where students can easily interact with faculty. The number of upper and lower division course offerings in all departments or programs should be carefully determined based on the role a department plays in relation to general education requirements, number of majors and whether the department has other graduate programs. Deans and Department Chairs (or Program Directors) have the responsibility of assuring that there are sufficient numbers of classes and sections to meet anticipated enrollments at appropriate sizes and levels. (Rev. July 2016)

d. Governance

The responsibility for developing written procedures for determining teaching workload lies with each school. The Provost approves each school workload policy.

In addition the following instructional workload requirements must be met:

- (1) The official teaching workload of the College of Charleston remains 12 contact hours.
- (2) Faculty whose teaching workload is less than 12 contact hours are expected to engage in significantly more research or to be given significant additional assignments within the department as a direct result of having their normal teaching workload reduced.

There are a number of issues and factors that affect an individual faculty member's teaching workload. Deans and especially Department Chairs have the additional responsibility to consider the individual teaching workloads of faculty members in light of these variables. One of the purposes of school-wide teaching workload procedures is

to temper concerns for access and productivity with a concern for equity.

- number of courses
- number of credit hours/credit hours per course
- number of contact hours
- number of preparations
- number of upper/lower division courses
- number of students
- instructor of record by type (roster faculty, Senior Instructor, visiting, full-time or part-time adjunct, teaching assistant)
- unique courses (seminars, independent study, bachelor's essay, laboratories, studios, double sections, internships, interdisciplinary courses, team-taught courses, study abroad courses)
- consulting, grants (reduced load)
- off-campus, evening courses
- undergraduate/graduate courses
- administrative assignments
- leaves of absence; sabbaticals
- roster faculty compared to adjunct faculty workloads
- calculation of research and service components (especially advising) in relation to teaching component for overall workload
- differences in assignments and grading methods (essay examinations versus test bank questions that accompany a text, for instance)

- test characteristics (unique and new are more time consuming than recycled tests, assignments)
- time required for team of professors to coordinate the course and collaborate on grading (as opposed to situations where individual faculty conduct discrete portions of a course)
- number of major advisees
- number of non-major advisees or time committed to advising center
- number of office hours per week held
- number and type of special assignments undertaken.

3. Terms of Library Faculty Employment

Unless otherwise specified in the appointment document, members of the library faculty are compensated for an eleven-month period, normally eleven months within the period from July 1 to the following June 30.

4. Library Faculty Workload

Library faculty at the College of Charleston are employed by the state of South Carolina to provide and promote quality library services and operations to the academic community. Librarians have position-titles and job descriptions that describe their particular roles in the operation of the library. In addition to this workload, all library faculty are expected to attend meetings of the full voting faculty and meetings of the library staff as called, to participate in the governance of the institution through membership on College faculty and library committees and to remain current in their specializations with library and information science. The compensation library faculty members receive is for their workload described in their job descriptions and all other duties.

5. Paid Institutional Overload and Other Dual Employment

The State Budget and Control Board issued administrative procedures and compensation limitations effective August 24, 1994 which are applicable to all state employees, including College of Charleston personnel, coming under dual employment situations. College of Charleston faculty may not earn more than an additional 30 percent of their base salary during the time they are under contract. Dual employment regulations apply to the employment of roster status faculty members and unclassified

administrators who, in addition to the work for which they receive full-time pay, also teach courses in the day or evening, workshops, Governor's School, or who perform other additional services beyond the duties described in their letter of appointment or annual contract. The additional services can be performed within the College of Charleston, or at another state college, university or agency. Grant and contract work compensated by outside agencies is included in the dual employment limitations.

6. Instructional Faculty Members' Employment in Maymester and Summer Terms

The teaching of summer school by faculty under nine-month contract is not considered dual employment, but compensation limitations as defined by state regulations are applicable.²⁸

H. Policy Concerning Outside Employment of Faculty

Each full-time faculty member at the College accepts the appointment with the understanding that the faculty member's primary employment responsibility is to the College during the academic year and in summer terms in which one is teaching. The College encourages faculty members to offer professional advice concerning matters within their expertise to local, State and Federal agencies or departments; to conduct research and to prepare and publish results of their studies; to make addresses on subjects in which they are qualified and which are of interest to the public; and to serve as officers or as members of committees of learned and scientific societies as well as community and civic groups. Such activities are not normally considered as outside work. Outside employment must not interfere with full and proper performance of all College duties and shall not in any way militate against the best interest of the College. (Rev. Aug. 2018)

A member of the faculty who desires to engage in work outside of regular duties must make a written request to the Chair of the faculty member's department stating the nature of the employment, a brief description of the faculty member's upcoming role, the employer, the duration of said employment, the approximate number of hours per week to be spent on said outside employment and the remuneration to be received. The Chair shall, within 10 days, forward the request to the Dean with any comments. Written approval from the Provost is required. Under South Carolina ethics laws, a public employee acting in an official capacity may not accept anything of value for speaking before a public or private group,

²⁸ College of Charleston institutional policy for Summer School compensation is within the regulations established in Section 19-706.04 of the State Human Resource Regulations (1994). College of Charleston faculty who contract for a nine-month academic year normally shall earn no more than an additional 22.5% of their nine-month base salary during Maymester and Summer Sessions. Each summer session is normally limited to a maximum of 15% of the nine-month base salary. (Rev. Aug. 2015)

except for a meal provided as part of a meal function and available to all other persons participating in the same event.²⁹ (Rev. Aug. 2018)

College and state policies on dual employment apply. See policy website, 9.1.5, Dual Employment Policy and Procedure, at policy.cofc.edu.

I. Nepotism Policy

Under state personnel regulations immediate family³⁰ shall not be employed concurrently within any one agency of State government 1) if such employment will result in an employee supervising a covered relative, or 2) if such employment would result in an employee occupying a position having influence over a covered relative's employment, promotion, salary administration or other related management or personnel matters. The provisions of this section are in addition to Section 8-13-700, 1976, South Carolina Code of Laws, which prohibits public employees from using their position to obtain an economic interest for a member of their immediate family. Where, in the discharge of their official responsibilities, actions or decisions by public employees would affect an economic interest of an immediate family member, then the employee should give notice to the employee's immediate supervisor, who will assign the matter to another person. (Rev. Aug. 2018)

J. Workload Policies of Schools

Faculty workload is made up of a broad spectrum of activities, including but not limited to faculty teaching load.

Faculty teaching load at the College of Charleston is assessed in terms of student credit-hour production. Teaching load productivity expectations are determined for the separate schools and departments in consultation with the Office of the Provost. National and comparative benchmarks are reviewed in determining teaching load productivity expectations.

K. Modification of Duties Procedure

The Modification of Duties Procedure for the College of Charleston is available at the Academic Affairs Web site.

VI. EVALUATION OF FACULTY

²⁹ Section 8-13-715, 1976, S.C. Code of Laws; Op. S.C. State Ethics Comm., SECA092-057.

³⁰ Updated and defined by South Carolina Code, Section 8-13-100 (15) and (18) as a spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent, or grandchild or a child residing in a candidate's, public official's, public member's, or public employee's household; a spouse of a candidate, public official, public member or public employee; or an individual claimed by the candidate, public official, public member, or public employee or the candidate's, public official's, public member's, or public employee's spouse as a dependent for income tax purposes.

A. Third-year Review, Tenure and Promotion of Tenure-Track and Tenured Instructional Faculty

(Rev. April 2012)

The President retains the power of approval for third-year review determinations, conferrals of tenure, and promotions. The Provost, acting in accordance with the provisions stated in this Faculty/Administration Manual, is responsible for making the final recommendation to the President in respect to all such matters.

Tenure and promotion require substantial evidence of consistently high professional competence in teaching, research and professional development, and service. In addition, evidence of either exemplary performance in at least one of the three specified professional competency areas or significant achievement in the two areas of teaching and research and professional development is required. Tenure is a long-term commitment by the College; it is not merely a reward for work accomplished, but it is an award given with the expectation that consistently high professional competence will continue.

(Rev. April 2009)

A third-year review should substantiate whether satisfactory progress toward tenure has been made. There should be evidence of effective teaching, a continuing research program, and active participation in service. A candidate should be informed in detail of any weakness that, if not corrected, might lead to a negative tenure decision. If there are serious doubts as to whether the candidate will be able to meet the criteria prior to a required tenure decision, a recommendation against retention should be given.

A tenure decision is made only once, no later than the sixth year. Up to two years credit toward tenure and promotion may be awarded at the time of initial appointment for teaching and research on a full-time basis at other four-year and graduate colleges and universities or for full-time employment at faculty positions of special status at the College of Charleston. A person receiving the maximum of two years credit would be eligible for consideration for tenure during the fourth year at the College. A person receiving one year of credit would be eligible for consideration for tenure during the fifth year at the College.

(Rev. April 2007)

Six years in rank is normally required for an Assistant Professor to be eligible for tenure and promotion to Associate Professor. Seven years in rank is normally required for an Associate Professor to be eligible for promotion to Professor.

In exceptional cases a faculty member may wish to petition for early tenure or promotion provided the action has the prior written approval of the Provost, the Dean and the Departmental Chair.

Faculty are evaluated in the three categories of Teaching Effectiveness, Research and Professional Development, and Professional Service to the Community. Because teaching is the primary responsibility of any faculty member, evidence of effective teaching is expected for tenure and for promotion. Because research and professional development are essential to the mission of the College, evidence of a sustained research program and a continuing scholarly commitment must be provided for tenure and for promotion. Because faculty should be contributing members of the College community and, where appropriate, the community at large, evidence of service to the community is expected.

While quantifiable data (numerical items from student evaluations, numbers of papers published, number of committees, etc.) are important, decisions about tenure and promotion must ultimately rely on sound professional judgment.

What follow are the general standards and evidence that remain constant throughout the four levels of institutional evaluation, namely third-year review, tenure, and promotion to Associate Professor and Professor. A separate evaluation process, with its own standards and evidence, is used for the honorary rank of University Professor (see Art. VI, Sect. I). (Rev. Aug. 2015)

1. Teaching Effectiveness

a. Standard

Teaching is the primary responsibility of faculty at the College of Charleston. Teaching involves communicating knowledge to students and fostering in them the intellectual curiosity necessary to continue the quest for knowledge. The effective teacher exhibits a sustained concern for teaching, which is reflected in teaching materials, classroom performance, academic advising, critical evaluation of students, and adequate preparation of students for later undergraduate and/or graduate work. Course materials should be well-conceived, well-organized and well-written. Students should be exposed to current scholarship or research in the field, if appropriate. Student evaluations should be consistently good. A teacher should be prepared to provide sound advice to students and to newer colleagues on academic matters.

b. Evidence (while in rank at the College of Charleston) should include:

- (1) Chair's evaluations since faculty member has been in rank. Chair must provide an annual evaluation the year prior to the candidate's being considered for promotion/tenure.

- (2)
 - i. Departmental colleague letters evaluating teaching are required.
 - ii. Letters from extra-departmental colleagues at the College of Charleston and/or at other institutions evaluating teaching are optional.

(Ins. April 2007)

- (3) Evaluatee's narrative of teaching philosophy, methodology, and accomplishments in teaching, advising and other similar activities.
- (4) Recent graduate evaluations on teaching: either all majors or a sample of at least 40 students selected randomly from among all majors in the department who have graduated within the past five years and whom the candidate has taught; additional students whom the candidate has taught, who need not be majors in the department, may be added by the candidate in consultation with the Chair. Students must list all courses taken from the evaluatee and the grade(s) received in these courses. In addition, the student must sign the form or letter used for evaluation. The Chair must designate which students are recommended by the evaluatee. In cases where a faculty member undergoing review has taught fewer than 40 graduates, the Department Chair should indicate that this has occurred. In these cases it may be appropriate to substitute evaluations from non-majors. The Chair should endeavor to collect at least twenty responses from recent graduates, keeping in mind that it is appropriate to send reminders or solicit feedback from more than forty students if response rates are low.
(Rev. Aug. 2015)

Without exception, each Department's graduate evaluation form shall include a standardized section designed only to provide and solicit demographic information about each individual graduate completing the form. This standardized section of the form shall be designed and distributed each year by the Office of the Provost and must be used without alteration by each department.

(Ins. April 2007)

Recent Graduate Evaluations are optional for Third-Year Review and may be requested by the departmental evaluation panel or the candidate.

(Rev. Apr. 2007)

- (5) Student ratings and summaries:
- (a) Student ratings from all courses evaluated. Student course evaluations will be completed for every section of every course, every semester, with the exception of a course that has only one student enrolled. If it is a department's policy to require the inclusion of the comments portion of the student ratings, the department must develop procedures for collecting and reviewing this portion of the student ratings form. A copy of the procedures should be on file in the Provost's Office. In the absence of these procedures, a faculty member undergoing review may choose to include these comments as part of the packet, having explained in the written narrative about teaching whether all the comments or a selection of the comments have been included. (Rev. Aug. 2018)
 - (b) The Summary Rating for all courses in the Department for each semester will be included in the evidence in the Executive Binder with the summary student evaluations. The summary ratings for the department will be distributed to the faculty in the department each semester. (Rev. Apr. 2007)
- (6) Evidence of teaching effectiveness may also include but is not limited to:
- (a) Syllabi, reading lists or bibliographies, policy statements, grading procedures, course goals and objectives.
 - (b) Samples of evaluatee-prepared and/or supplementary course materials.
 - (c) Samples of tests, exams, essays or other assignments.
 - (d) Participation in curriculum development.
 - (e) Participation in interdisciplinary courses and programs.

- (f) Participation in peer coaching activities and/or observation of classroom performance by colleagues.
- (g) Participation in pedagogical conferences, workshops and field trips.

2. Research and Professional Development

a. Standard

Research and professional development are essential to a professor's ability to carry out the College's educational mission. Research and professional development involve the various activities that increase the faculty member's knowledge and that exemplify scholarly or artistic expertise. It includes, but is not limited to, original contributions to the discipline, creative activities in practice and performance in the fine arts, research in pedagogy, and appropriate studies within and outside one's specialties. The professional educator undertakes research for scholarly or creative production, to maintain currency in the content of courses taught, and to improve pedagogical techniques. The professional educator sustains professional contact with colleagues and engages in continuing professional activities to upgrade and augment existing skills or develop new ones.

b. Evidence (while in rank at the College of Charleston) should include:

- (1) Evaluatee's narrative of research and professional development activities.
- (2)
 - i. Departmental colleague letters evaluating research and professional development are required.
 - ii. Optional evaluation of research and professional development includes:
 - letters from extra-departmental colleagues at the College of Charleston evaluating research and professional development and (Rev. Apr. 2012)
 - independent external reviews of research. Departments that choose to conduct such

external reviews must follow the process outlined here.

Instructions for External Reviews of Research: The external reviewers chosen should be appropriately qualified to conduct an independent review of the candidate's research and/or creative achievements. Candidates should submit the names of at least three professionals from outside the College by late August. Evaluation panel chairs, in consultation with departmental panel members, should present additional names of external reviewers in order to obtain no fewer than two independent reviews of the quality of the candidate's research and/or creative achievements. The Departmental Evaluation Panel chair may solicit names of potential additional reviews from people named on the candidate's list. No more than half of the reviews should be secured from the candidate's own list. The candidate is allowed to strike one name from the panel chair's list. Under no circumstances and at no point in time shall a candidate contact a potential or actual reviewer about any aspect of such a review. Panel Chair should specify in writing, for inclusion in the packet, how each reviewer was selected. (Rev. Apr. 2012; Rev. Aug. 2015)

After the external reviewers have been determined, a cover letter from the panel chair should accompany the review materials sent to them, stating that the College seeks a review of the quality of a candidate's research and professional development and not merely a testimonial to the candidate's accomplishments. A copy of the candidate's academic curriculum vitae and copies of the relevant scholarly and/or creative works agreed upon by the candidate and evaluation panel chair should be sent to each of the outside reviewers. Copies of the relevant portions of the

Faculty/Administration Manual about research and professional development as well as any additional departmental criteria on file in the Office of the Provost should be included. Additional supporting review materials may also be submitted by the panel chair or the candidate, provided that these materials are included in the packet.

Reviewers should be asked to identify what relationship, if any, they have with the candidate and to return their review in a timely manner for the deliberations of the departmental panel. To make it possible that reviews are available prior to those deliberations, external reviews must be solicited sufficiently in advance of panel deliberations.

The panel chair must include in the candidate's packet: (1) a description of the process by which the outside letters were obtained, (2) each reviewer's institutional and departmental affiliation, and rank or other institutional title, a description of the academic specialization of the reviewer, and other relevant information about the reviewer, which may be useful to those unfamiliar with the field, (3) a copy of the letter of solicitation by the panel chair, and (4) the confidential outside reviews.
(Ins. Apr. 2007)

- (3) Chair's evaluations since faculty member has been in rank. Chair must provide an annual evaluation the year prior to the candidate's being considered for promotion/tenure.
- (4) Evidence of scholarship may include but is not limited to:
 - (a) professionally published scholarly books
 - (b) academic journal articles
 - (c) chapters in scholarly books

- (d) edited volumes
 - (e) review essays
 - (f) creative literary and artistic works and other creative works
 - (g) research grants
 - (h) conference papers
 - (i) reviews of candidate's books, performances, etc.
 - (j) scholarly reviews by candidate of books, performances, etc.
 - (k) invited or juried exhibits, concerts, performances, etc.
 - (l) technical reports
 - (m) textbooks, workbooks, study guides and other published pedagogical materials
 - (n) draft manuscripts
 - (o) professional bibliographies
- (5) Evidence of professional activities may include but is not limited to:
- (a) serving as an officer or a member of a board or committee of an international, national, regional or state professional organization
 - (b) serving on an editorial board of a scholarly journal
 - (c) reviewing manuscripts for journals and publishers; evaluating proposals for granting agencies
 - (d) chairing or serving as a discussant on a panel at a professional meeting
 - (e) preparing grant proposals and reports

- (f) conducting professional workshops, seminars, and field trips
- (g) participating in professional meetings, seminars, workshops, field trips, etc.
- (h) undertaking post-doctoral studies
- (i) receiving fellowships and awards
- (j) serving as a professional consultant
- (k) serving as Department Chair, Program Director, or Associate Dean (Ins. Aug. 2015)

3. Professional Service to the Community

a. Standard

Service to the College and/or community falls within the responsibilities of a faculty member and is essential to the fulfillment of the College's responsibilities to the academic community and to the attainment of institutional goals. Each faculty member is expected to cooperate in supporting the mission and the goals of the department and the College. Service includes involvement in standing or *ad hoc* committees of the College faculty, in departmental committees or offices, and in special committees or task forces.

Service includes working with student organizations and non-academic advising; working with community, state, regional or national organizations; utilizing professional expertise; and working on institutional advancement projects.

b. Evidence (while in rank at the College of Charleston) should include but is not limited to:

- (1) Evaluatee's narrative of service activities.
- (2) Departmental and extra-departmental colleague letters:
 - i. Departmental colleague letters evaluating service are required.

- ii. Letters from extra-departmental colleagues at the College of Charleston and/or at other institutions evaluating service are required.

(Ins. Apr. 2007)

- (3) Chair's evaluations since the faculty member has been in rank. Chair must provide an annual evaluation the year prior to the candidate's being considered for promotion/tenure.

4. Specific Criteria for Tenure and Promotion

What follow are minimum criteria for tenure and promotion. Departments and schools may develop additional criteria. Any such proposed criteria will require review and approval by the appropriate academic dean and Provost's Office to ensure consistency with college-wide guidelines and procedures. Additionally, they shall be reviewed by the originating body every five years and will require review and approval by the dean and the Provost's Office when modified.

(Rev. Apr. 2012)

a. Tenure and Promotion to the Rank of Associate Professor

Promotion to the rank of Associate Professor is normally awarded simultaneously with tenure. The following criteria are necessary, though not sufficient, for tenure and promotion to Associate Professor. The Associate Professor will normally hold the highest appropriate terminal degree. Evidence of exemplary performance in at least one of the specified professional competency areas or significant achievement in the two areas of teaching and research and professional development is required.

(Ins. Apr. 2007; Rev. Apr. 2009)

- (1) Tenure and promotion to the rank of Associate Professor require sustained effectiveness in teaching.
- (2) There must be clear evidence of high promise for continued quality scholarship and professional activity. Since peer refereeing is one criterion of scholarly quality, the evidence must include scholarly books or journal articles (or otherwise juried publications, or professionally evaluated performances or exhibits in the arts). All evidence should be evaluated rigorously.

- (3) There should be active and sustained service to the College or there should be active and sustained service in the candidate's professional role to the local, state, regional, or national community.

b. Tenure for Associate Professors

A faculty member hired as an untenured Associate Professor must meet the same criteria for tenure as in section a (immediately above). Evidence of exemplary performance in at least one of the specified professional competency areas or significant achievement in the two areas of teaching and research and professional development is required.

(Ins. Apr. 2007; Rev. Apr. 2009)

c. Promotion to the Rank of Professor

Promotion to the rank of Professor requires evidence of continuing quality teaching, research and service. The following criteria are necessary, though not sufficient, for promotion to Professor. The Professor must hold the highest appropriate terminal degree. Evidence of either exemplary performance in at least one of the specified professional competency areas or significant achievement in all three areas is required.

(Ins. Apr. 2007; Rev. Apr. 2009)

- (1) Promotion to the rank of Professor requires sustained high quality and effective teaching.
(Rev. Apr. 2009)
- (2) Because Professor is the highest rank, there must be clear evidence of continuing quality scholarship. Peer refereeing is one criterion of scholarly quality; therefore the evidence must include scholarly books or journal articles (or otherwise juried publications, or professional evaluated performances or exhibits in the arts). In addition to scholarship, sustained professional activity is expected. All evidence should be rigorously evaluated.
- (3) There should be active and sustained service to the College. Leadership should be demonstrated either in college service or in the candidate's professional role to the local, state, regional, or national community.

d. Tenure for Professors

A faculty member hired as an untenured Professor must meet the same criteria for tenure as in section a (above).
(Rev. Apr. 2012)

5. Nomination of Instructional Faculty to a Higher Rank

When a faculty member becomes eligible for nomination to a higher rank, a nomination may be submitted in the form of a petition from one or more of the following:

- a. the Department Chair, after consultation with the tenured members of the department, to the Provost;
- b. a majority of the tenured members of the department to the Provost;
- c. the individual faculty member to the Provost;
- d. the Provost to the Department Chair;
- e. the Dean to the Department Chair.

Normally, a petition nominating a faculty member to a higher rank should be made not later than August 15 of the academic year in which a decision on promotion is to be made. The faculty member will then be evaluated under the provisions outlined in Art. VI.D. entitled "Procedures for Third-Year Evaluation, Tenure and Promotion of Instructional and Library Faculty."
(Rev. Apr. 2007)

It should be clearly understood by all faculty members that promotion does not come automatically after the passage of a fixed period of time, but it is recognition of outstanding performance and service at the College.

B. Third-Year Review and Promotion of Instructors and Renewal of Senior Instructors

The President retains the power of approval for third-year review determinations, promotions, and renewals. The Provost, acting in accordance with the provisions stated in this Faculty/Administration Manual, is responsible for making the final recommendation to the President in respect to all such matters

A third-year review should substantiate whether satisfactory progress toward promotion to Senior Instructor has been made. A candidate should be informed in

detail of any weakness that, if not corrected, might lead to a negative promotion decision. If there are serious doubts as to whether the candidate will be able to meet the criteria prior to a required promotion decision, a recommendation against retention should be given.

Promotion to Senior Instructor is awarded to eligible instructors at the College of Charleston for meritorious achievement in the three areas: teaching, professional development and service. A promotion decision is made only once normally in the sixth year. A review for renewal as Senior Instructor normally takes place every seventh year³¹.

(Inst. Apr. 2011; Rev Aug. 2014)

1. Specific Criteria for Promotion to and Renewal as Senior Instructor
(Rev. Apr. 2011)

The following criteria are necessary, though not sufficient, for promotion to and renewal as Senior Instructor:

- a. Promotion to and renewal in the rank of Senior Instructor requires sustained exemplary performance in teaching.
- b. Continued vitality as a teacher is intimately related to professional development. There must be clear evidence of promise for continued development in pedagogy.
- c. There should be active and sustained participation in service to the College, and, where appropriate, to the community.

2. Teaching Effectiveness

a. Standard

Teaching is the primary responsibility of faculty at the College of Charleston. Teaching involves communicating knowledge to students and fostering in them the intellectual curiosity necessary to continue the quest for knowledge. The effective teacher exhibits a sustained concern for teaching, which is reflected in teaching materials, classroom performance, academic advising, critical evaluation of students, and adequate preparation of students for later undergraduate work. Course materials should be well conceived, well organized and well written. Instructors should be

³¹In 2014-15, Senior Instructors eligible for renewal in the fifth year under previous rules and procedures may decide, in consultation with their chair, whether to proceed for renewal in the fifth or to defer renewal till the seventh year. A Senior Instructor formerly eligible for renewal in 2015-16 may request through their chair and dean an evaluation in that year.

accessible to students both inside and outside of class, provide frequent constructive feedback to students, and involve them actively in the learning process. Instructors should attempt to use a variety of teaching techniques including innovations involving modern technology, where appropriate, and maintain currency in the pedagogy of their disciplines. Students should be exposed to current scholarship or research in the field, if appropriate. Student evaluations should be consistently good. An instructor should be prepared to provide sound advice to students and to newer colleagues on academic matters.

- b. Evidence (while in rank at the College of Charleston) should include:
- (1) Chair's evaluations since faculty member has been at the College.
 - (2) Internal and/or external colleague statements on teaching.
 - (3) Evaluatee's narrative of teaching philosophy, methodology, and accomplishments in teaching, advising, and other similar activities.
 - (4) Recent graduate evaluations on teaching: either all majors or a sample of at least 40 students selected randomly from among all majors in the department who have graduated within the past five years and whom the candidate has taught; departments may choose to use a sample of at least 40 graduates selected randomly from among students in service courses taught by the evaluatee. Additional students whom the candidate has taught may be added by the candidate in consultation with the Chair. Students must list all courses taken from the evaluatee and the grade(s) received in these courses. In addition, the students must sign the form or letter used for evaluation. The Chair must designate which students are recommended by the evaluatee. In cases where a faculty member undergoing review has taught fewer than 40 graduates, the Department Chair should indicate that this has occurred. In these cases it may be appropriate to substitute evaluations from non-majors.
 - (5) Student ratings and summaries:
 - (a) Student ratings from all courses evaluated. Student course evaluations will be completed for every

section of every course, every semester, with the exception of a course that has only one student enrolled. If it is a department's policy to require the inclusion of the comments portion of the student ratings, the department must develop procedures for collecting and reviewing this portion of the student ratings form. A copy of the procedures should be on file in the Provost's Office. In the absence of these procedures, a faculty member undergoing review may choose to include these comments as part of the packet, having explained in their narrative about teaching whether all the comments or a selection of the comments have been included. (Rev. Aug. 2018)

- (b) The Summary Rating for all courses in the Department for each semester will be included in the evidence in the Executive Binder with the summary student evaluations. The summary ratings for the department will be distributed to the faculty in the department each semester. (Inst. Apr. 2011)
- (6) Evidence of teaching effectiveness may also include but is not limited to:
- (a) Syllabi, reading lists or bibliographies, policy statements, grading procedures, course goals and objectives.
 - (b) Samples of evaluatee-prepared and/or other supplementary course material.
 - (c) Samples of tests, exams, essays or other assignments, including some graded work.
 - (d) Participation in curriculum development.
 - (e) Participation in interdisciplinary courses and programs.
 - (f) Participation in peer coaching activities and/or observation of classroom performance by colleagues. Each department will develop a procedure for peer observations of candidates for promotion to Senior Instructor.

- (g) Participation in pedagogical conferences, workshops and field trips.
- (h) Participation in departmental advising as directed by the Department Chair.

3. Professional Development

a. Standard

Professional development is essential to an instructor's ability to carry out the College's educational mission. Professional development involves the various activities that increase the faculty member's knowledge and exemplify pedagogical or artistic expertise. It includes, but is not limited to, research in pedagogy, appropriate studies within and outside one's specialties, and creative activities in practice and performance in the fine arts. Instructors maintain currency in the content of courses taught and in pedagogical techniques. They sustain professional contact with colleagues and engage in continuing professional activities to maintain, upgrade, and augment existing skills or develop new ones.

b. Evidence (while in rank at the College of Charleston) should include:

- (1) Evaluatee's narrative of professional development activities.
- (2) Internal and/or external colleague statements on professional activities.
- (3) Chair's evaluations since faculty member has been at the College.
- (4) Evidence of professional development may include but is not limited to:
 - (a) serving as an officer or a member of a board or committee of a local, state, regional, national or international professional organization;
 - (b) chairing or serving as a discussant on a panel at a professional meeting;

- (c) preparing grant proposals and reports;
- (d) conducting professional workshops and seminars;
- (e) participating in professional meetings, seminars, workshops, et cetera;
- (f) completing graduate studies or course work relevant to professional competency;
- (g) receiving fellowships and awards;
- (h) serving as a professional consultant;
- (i) attending workshops, symposia, meetings of regional and national organizations, et cetera;
- (j) producing scholarly and creative works that are pedagogical in nature, such as media productions, and compiling significant bibliographies, guidebooks, catalogs, study guides, textbooks or workbooks;
- (k) all activities appropriate at the professorial ranks.

4. Professional Service to the Community

a. Standard

Service to the College and/or the community falls within the responsibilities of a faculty member and is essential to the fulfillment of the College's responsibilities to the academic community and to the attainment of institutional goals. Each faculty member is expected to cooperate in supporting the mission and the goals of the department and the College. Service includes holding departmental offices, serving on departmental committees, and participating in campus and community activities related to the College and to one's professional role. It also includes involvement with standing or *ad hoc* committees of the College, and special committees or task forces. Service includes working with student organizations and non-academic advising; working with community, state, regional or national organizations; utilizing professional expertise; and working on institutional advancement projects.

- b. Evidence (while in rank at the College of Charleston) should include but is not limited to:
- (1) Evaluatee's narrative of accomplishments in service while in the rank of Instructor or Senior Instructor.
 - (2) Internal and/or external colleague statements and letters of testimony. The letters shall be solicited by the panel chair. Authors of letters shall be agreed upon by both the panel chair and the evaluatee.
 - (3) Chair's evaluations since the faculty member has been at the College.

C. Third-Year Review, Tenure and Promotion of the Library Faculty
(Rev. Apr. 2011)

The President retains the power of approval for third-year review determinations, conferrals of tenure and promotions. The Provost, acting in accordance with the provisions stated in this Faculty/Administration Manual, is responsible for making the final recommendation to the President in respect to all such matters.

Tenure and promotion require substantial evidence of consistently high performance in professional competency, professional growth and development, and service. In addition, evidence of exemplary performance is required in the professional competency area. Tenure is a long-term commitment by the College; it is not merely a reward for work accomplished, but it is an award given with the expectation that consistently high performance will continue.

Promotion to the rank of Librarian II (if necessary) is awarded simultaneously with the third-year review. A third-year review should substantiate whether satisfactory progress toward tenure has been made. There should be evidence of effective professional competency, a continuing research and development program, and active participation in service. A candidate should be informed in detail of any weakness that, if not corrected, might lead to a negative tenure decision. If there are serious doubts as to whether the candidate will be able to meet the criteria prior to a required tenure decision, a recommendation against retention should be given.

A tenure decision is made only once, no later than the sixth year. Up to two years credit toward tenure and promotion may be awarded at the time of initial appointment for previous professional library experience elsewhere, or for full-time employment at professional library positions of special status at the College of Charleston. A person receiving the maximum of two years credit would be eligible for consideration for tenure during the fourth year at the College.
(Rev. Apr. 2007)

Three years in rank is normally required for a Librarian I to be promoted to a Librarian II (which is done simultaneously with the Third-year Review). Six years in rank is normally required for a Librarian II to be promoted to a Librarian III. Seven years in rank is normally required for a Librarian III to be promoted to a Librarian IV. In exceptional cases a librarian may wish to petition for early tenure or promotion provided that action has the prior written approval of the Provost and the Dean.

Librarians are evaluated in the three categories of professional competency, professional growth and development, and professional service to the community. Because professional competency is the primary responsibility of any librarian, evidence of exemplary professional competency is expected for tenure and promotion. Because professional growth and development are essential to the mission of the College, evidence of a sustained quality research program and a continuing scholarly commitment must be provided for tenure and promotion. Because librarians should be contributing members of the College community and, where appropriate, the community at large, evidence of service to the community is expected.

While quantifiable data are important, decisions about tenure and promotion must ultimately rely on sound professional judgment.

What follow are the general standards and evidence that remain constant throughout the five levels of institutional evaluation, namely third-year review, tenure and promotion to Librarian II, III and IV. A separate evaluation process, with its own standards and evidence, is used for the honorary rank of University Librarian IV (see Art. VI, Sect. I). (Rev. Aug. 2015)

1. Professional Competency

- a. Standard

The successful librarian contributes to the educational mission and priorities of the College and the Library by providing and promoting quality services and operations to the academic community. Professional competency includes a mastery of requisite professional skills and knowledge within each librarian's specific job description. Professional competency for librarians is the achievement of and commitment to intellectual freedom, accessibility of information (which includes the selection, acquisition, organization, preservation, instruction in the use of, and promotion of appropriate collections to support teaching and other educational activities), and supporting the curricular and research efforts of the academic community.

- b. Evidence (while in rank at the College of Charleston) should include, but is not limited to:
- (1) Evaluatee's statement of accomplishments based on annual goals and objectives;
 - (2) Annual evaluations;
 - (3) Letters addressing the criteria from departmental colleagues, from non-library faculty, from person(s) supervised (directly or indirectly) by evaluatee, from extra-College librarians, and, in the case of the Marine Resources Librarian, additionally from administrators and research associates of the South Carolina Marine Resources Center; (Rev. Aug. 2015)
 - (4) Support materials, such as reports, working documents, statistical measures, policy statements, procedure manuals, annual reports, Library 105 and other instructional materials (to include syllabi, policy statements, grading procedures, tests, sample assignments, study or research guides), student evaluations, in-house publications, brochures, media, et cetera.

2. Professional Growth and Development

a. Standard

The professional growth and development of librarians is essential to the College's ability to carry out its educational mission. A librarian's continued vitality is intimately related to professional growth and development. Therefore, librarians are expected to conduct research or engage in other creative forms of professional growth and development. Professional growth and development involves the various professional activities that increase the librarian's knowledge and that exemplify scholarly or artistic expertise. It includes, but is not limited to, original contributions to the discipline, creative activities in librarianship, research in pedagogy, and appropriate studies within and outside one's specialties.

- b. Evidence (while in rank at the College of Charleston) should include but is not limited to:
- (1) Evaluatee's narrative of professional growth and development activities;

- (2) Both internal and external colleague statements on professional growth and development activities;
- (3) Dean's evaluations since librarian has been in rank. Dean must provide an annual evaluation the year prior to the candidate's being considered for promotion or tenure.
- (4) Evidence of scholarship includes:
 - (a) professionally published scholarly books;
 - (b) academic journal articles
 - (c) chapters in scholarly books;
 - (d) edited volumes;
 - (e) review essays;
 - (f) creative works, including media production, compilation of significant bibliographies, guidebooks, catalogs, study guides, textbooks or workbooks;
 - (g) research grants;
 - (h) conference papers;
 - (i) reviews of candidate's books, et cetera;
 - (j) reviews by candidate of books, et cetera;
 - (k) exhibits exemplifying scholarly endeavors;
 - (l) technical reports;
 - (m) draft manuscripts.
- (5) Evidence of professional activities include:
 - (a) serving as an officer or a member of a board or committee of an international, national, regional, state or local professional organization;
 - (b) serving on an editorial board of a scholarly journal;

- (c) reviewing manuscripts for journal and publishers;
- (d) chairing or serving as a discussant on a panel at a professional meeting;
- (e) preparing grant proposals and reports;
- (f) conducting professional workshops and seminars;
- (g) participating in professional meetings, seminars, workshops, et cetera;
- (h) completing graduate studies or course work relevant to professional competency;
- (i) receiving fellowships and awards;
- (j) serving as a professional consultant.

3. Professional Service to the Community

a. Standard

Service to the College and/or the community falls within the responsibilities of a librarian and is essential to the fulfillment of the College's responsibilities to the academic community and to the attainment of institutional goals. Each librarian is expected to cooperate in supporting the mission and the goals of the Library and the College. Service includes involvement in standing or *ad hoc* committees of the College faculty, in departmental committees or offices, and in special committees or task forces. Service includes working with student organizations and academic advising; working with community, state, regional or national organizations; utilizing professional expertise; and working on institutional advancement projects.

b. Evidence should include but is not limited to:

- (1) Evaluatee's narrative of service activities.
- (2) Internal and/or external colleague statements on service activities.
- (3) Chair's evaluations since the faculty member has been in rank. Chair must provide an annual evaluation the year

prior to the candidate's being considered for promotion or tenure.

4. Specific Criteria for Tenure and Promotion

a. Promotion to the Rank of Librarian II/Third-year Review

Promotion to the rank of Librarian II is awarded simultaneously with the third-year review. A third-year review should substantiate whether satisfactory progress toward tenure has been made. A third-year review may be conducted for untenured librarians at other ranks. The following criteria are necessary, though not sufficient, for promotion to Librarian II and/or third-year review.

- (1) Promotion to the rank of Librarian II requires evidence of progress toward meeting the tenure requirement of exemplary performance in the area of professional competency.
(Rev. Apr. 2011)
- (2) Continued vitality as librarians is intimately associated with scholarship and related professional activities. There must be clear evidence of progress toward meeting the tenure requirement for professional growth and development.
(Rev. Apr. 2011)
- (3) There should be active and sustained service to the College or there should be active and sustained service in the candidate's professional role to the local, state, regional, or national community.
(Rev. Apr. 2011)

b. Tenure for Librarians

The following criteria are necessary, though not sufficient, for tenure for library faculty.

- (1) Tenure for library faculty requires exemplary performance in the area of professional competency.
(Rev. Apr. 2011)
- (2) Continued vitality as librarians is intimately associated with scholarship and related professional activities. Traditional publication is not the only medium through which the library profession exchanges information and research findings, although librarianship possesses a growing body

of scholarly literature. Workshops, symposia, seminars, meetings of regional and national organizations, et cetera, are also major means of communication within the discipline. Therefore, a candidate's contributions in these areas should be considered the equivalent of traditional scholarship. In addition, there must be clear evidence of promise for continued professional growth and development.

- (3) There should be active and sustained service to the College or there should be active and sustained service in the candidate's professional role to the local, state, regional, or national community.
(Rev. Apr. 2011)

c. Promotion to the Rank of Librarian III

The following criteria are necessary, though not sufficient, for promotion to Librarian III. Evidence of exemplary professional competency and significant achievement in the area of professional growth and development, or service is required.
(Rev. Apr. 2011)

- (1) Promotion to the rank of Librarian III requires sustained and exemplary performance in the area of professional competency.
(Rev. Apr. 2011)
- (2) There must be clear evidence of high promise for continued quality of scholarship and professional activities. Since peer refereeing is one criterion of scholarly quality, typically the evidence must include scholarly books or journal articles (or otherwise juried publications). All evidence should be evaluated rigorously.
(Rev. Apr. 2011)
- (3) There should be active and sustained service to the College or there should be active and sustained service in the candidate's professional role to the local, state, regional, or national community.
(Rev. Apr. 2011)

d. Promotion to the Rank of Librarian IV

Promotion to the rank of Librarian IV requires evidence of continuing quality professional competency, professional growth

and development, and service. The following criteria are necessary, though not sufficient, for promotion to Librarian IV. Evidence of exemplary performance in the area of professional competence and significant achievement in the areas of professional growth and development, and service is required. (Rev. Apr. 2011)

- (1) Promotion to the rank of Librarian IV requires exemplary professional competency.
- (2) Because Librarian IV is the highest rank, there must be clear evidence of continuing quality scholarship. Peer refereeing is one criterion of scholarly quality; therefore, the evidence must include scholarly books or journal articles (or otherwise juried publications). In addition to scholarship, sustained professional activity is expected. All evidence should be rigorously evaluated. (Rev. Apr. 2011)
- (3) There should be active and sustained service to the College. Leadership should be demonstrated either in college service or in the candidate's professional role to the local, state, regional, or national community. (Rev. Apr. 2011)

e. Nomination of Library Faculty to a Higher Rank

It should be clearly understood by all library faculty members that promotion does not come automatically after the passage of a fixed period of time, but is a recognition of outstanding performance and service at the College.

- (1) Source of Nomination. When a library faculty member becomes eligible for nomination to a higher rank, a nomination may be submitted in the form of a petition from:
 - (a) the Dean of Libraries, after consultation with the tenured members of the library faculty, to the Provost;
 - (b) a majority of the tenured members of the library faculty to the Provost;
 - (c) a majority of the members of the library faculty to the Provost;

- (d) the individual library faculty member to the Provost;
 - (e) the Provost to the Dean of the library.
- (2) **Deadline for Nomination.** Normally, a petition nominating a library faculty member for promotion to a higher rank should be made not later than August 15 of the academic year in which a decision on promotion is to be made.

D. Procedures for Third-Year Evaluation, Tenure and Promotion of Instructional and Library Faculty

1. Introduction

The third-year evaluation is a significant decision point in a faculty member's career at the College of Charleston. The result of the third-year evaluation is a decision whether to reappoint a faculty member. For a faculty member with two years of credit toward tenure, a third-year evaluation will take place in the fall semester of the third year, and the evaluation for tenure will take place in the fall of the fourth year. For a faculty member with one year of credit toward tenure, a third-year evaluation will take place in the fall semester of the third year, and the evaluation for tenure will take place in the fall of the fifth year. (Rev. Apr. 2007)

Candidates hired at mid-year will undergo the third-year review during the fall semester of the third academic year, and the evaluation for tenure will take place during the fall semester of the sixth academic year. The evaluations for third-year review and for tenure will be adjusted accordingly for candidates hired at mid-year and granted credit for prior experience. (Ins. Apr. 2007)

Tenure and promotion are awarded to eligible faculty at the College of Charleston for meritorious achievement in the three areas of teaching (for library faculty, "professional competence"), research and professional development, and service. Tenure is awarded to faculty to assure that they have freedom in teaching, research and extramural activities and a sufficient degree of economic security to make teaching at the College of Charleston attractive to men and women of ability. Freedom and economic security, hence, tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and society.³²

³² "On Academic Freedom and Tenure," (AAUP 1940 Statement of Principle, readopted 1982)

After the expiration of a probationary period, which is stated in the initial employment and is normally six years (some faculty are hired with up to two years credit for teaching in other institutions of higher education), faculty should become eligible for consideration for tenure and, upon its reward, should be terminated only for adequate cause.
(Rev. Apr. 2007)

Eligibility requirements and nomination procedures are described in Section VI.A. Candidates are reminded that these time-in-rank requirements are minimal. The established criteria for promotion to the various ranks are also minimal requirements. In particular, faculty are encouraged to seek promotion to professor when they feel confident about their eligibility and performance, not merely because minimal requirements are met.

By August 15, each Department Chair should provide the appropriate Academic Dean and the Provost with a list of faculty members to be considered. The Dean of Libraries should provide a list of eligible library faculty members to the Provost.
(Rev. Apr. 2007)

The faculty member undergoing third-year evaluation must prepare and submit a packet of evidence to demonstrate that the faculty member has met the standards and criteria for this level of evaluation during that individual's first two years at the College. (Rev. Aug. 2018)

2. Preparation and Submission of the Faculty Member's Contribution to the Packet

A faculty member shall submit to the Chair of the Departmental Evaluation Panel by the announced deadline a packet containing a current curriculum vitae and evidence assembled to demonstrate that the standards and criteria have been met. The review process begins once the faculty member's contribution to the packet has been formally submitted for departmental evaluation.

3. Standards, Criteria and Evidence. See Faculty/Administration Manual, Art. VI, Sect. A (for Tenure-Track and Tenured Instructional Faculty), Sect. B (for Instructors and Senior Instructors) and Sect. C (for Library Faculty). (Rev. Apr. 2011)

4. Composition of the Departmental Evaluation Panel

For each faculty member to be evaluated, an appropriate departmental evaluation panel will be formed to make a summary presentation to the appropriate Academic Dean or Dean of Libraries concerning the

candidate. The Chair of the department will provide the appropriate Academic Dean with the names of the panel members and Chair as soon as possible. Any member of the department who is being considered for promotion is disqualified from serving on that member's own review panel or that of a colleague who is being considered for promotion to the same or higher rank within the department. (Rev. Aug. 2018)

The Departmental Evaluation Panel will be composed of at least five tenured faculty members. All tenured departmental faculty will serve on the evaluation panel. Exceptions for faculty on sabbatical or leave are described in Art. X.A. The appropriate Academic Dean or Dean of Libraries may sit with the Departmental Evaluation Panel throughout the review process; however, the Dean not required to sit with the Departmental Evaluation Panel. (Rev. Aug. 2018)

Where the department consists of five or more tenured faculty members, one tenured faculty member from outside the department shall be added to the panel. If a department is reviewing more than one candidate for tenure, promotion or third-year evaluation, the same individual from outside the department sits with the departmental panel members for all cases, unless the department has six or more candidates due for panel evaluation. In such cases, departmental members of the panel may appoint no more than two extra-departmental panel members to sit with the panel in different cases, with the cases divided such that a single extra-departmental panel member shall serve in all cases under review for the same rank. If a department's membership is such that the panel has fewer than five members, additional tenured members of the faculty, from related fields if possible, will be selected to give the panel a total membership of five. In all cases, each year vacancies in the evaluation panel will be filled by having the departmental members of the panel provide a slate of potential evaluation panel members to each of the candidates for third-year reappointment, tenure and promotion who will rank order the slate first to last. The slate will consist of at least five names or twice the number of positions on the panel to be filled (whichever is larger). The rankings of all candidates will be averaged and the panel will be completed by offering the positions to the highest ranked candidates until the panel is completed. (Rev. Aug. 2011; Mar. 2012)

Where there are no members of the department eligible to serve on the panel, all members of the department will meet and select by majority vote a slate of 10 tenured faculty (from related fields if possible) and present it to the appropriate Academic Dean or Dean of Libraries. The appropriate Academic Dean or Dean of Libraries will appoint the five members of the panel from the slate and will designate one of the five to serve as the panel chair.

When unusual circumstances justify and where requested by the Department Chair, the evaluatee, the evaluation panel, the appropriate Academic Dean or Dean of Libraries or the Provost, the Provost may appoint an outside advisor to assist the evaluation panel in its task. Ideally, said advisor will be a tenured faculty member in the evaluatee's discipline from another institution of higher education.

After consultation with the evaluatee, Department Chair, all members of the panel, and the appropriate Academic Dean or Dean of Libraries, the Provost will define in writing the role and extent of participation in the process of their outside advisor and furnish copies to all parties.

5. Departmental Evaluation Panel Chair

If the Department Chair is a member of the panel, then the Department Chair is the panel chair. If the Department Chair is not a panel member, the panel chair will be the senior departmental member serving on the panel. The senior departmental member is the one of highest rank who has held that rank longest while at the College. Because the Library does not have a Department Chair, the tenured Library faculty will elect a Departmental Evaluation Panel Chair. (Rev. Aug. 2018)

6. Procedures of the Departmental Evaluation Panel

The departmental evaluation panel will base its recommendation on the following information:

- a. Faculty member's contribution to the packet, as assembled by the candidate, to provide evidence that the faculty member meets the criteria for teaching, research and development, and service. (Rev. Aug. 2018)
- b. Letters by the departmental colleagues addressing whether the evaluatee has met the stated criteria. Normally, all tenured faculty members in a department, excluding the department chair, must provide colleague evaluation letters; however, any member of the department may submit a colleague letter, except that candidates do not write letters of evaluation on their departmental colleagues who are being evaluated for the same purpose. Colleagues should study thoroughly the candidate's contributions to the packet before writing their colleague letters. Colleague letters should be explicit and detailed and should address the criteria. To say "the candidate meets the criteria" is inadequate. College of Charleston personnel are to treat these colleague letters as confidential. They shall be available only to those authorized to use them as part of the evaluation process. (Rev. Apr. 2007; Apr. 2012)

- c. Student Rating Averages from all courses evaluated and Summary Ratings for all courses in the Department or Program. (Normally, course evaluation ratings are included by the candidate in the packet; however, some or all of these documents may be provided by the department chair in the event the candidate is unable to do so.) (Rev. Apr. 2007)
- d. Letters of evaluation from extra-departmental College of Charleston colleagues and, where appropriate, from colleagues at other institutions familiar with the candidate's teaching, and/or research and professional development, and/or service; these letters are solicited by the department chair at the request of the candidate.

An independent external review of the candidate's scholarly work by experts in the candidate's field of work is optional, and the required protocol for this review is included in Section VI.A.2.b.(2).

Extra-departmental colleague letters are optional for third-year review and may be requested by the departmental evaluation panel or the candidate.
(Rev. Apr. 2007)

- e. All annual evaluation narratives and rating letters, as well as any letters that the evaluatee has written in response to the annual evaluations.
- f. Recent graduate evaluations addressing the criteria shall be solicited by the panel Chair. Each department shall have established procedures to be used by evaluation panels for the solicitation of recent graduate evaluations. A written statement of this procedure shall be on file in the appropriate Academic Dean and the Provost's office. Recent graduate evaluations are optional for Third-Year Review and may be requested by the departmental evaluation panel or the candidate.
(Rev. Apr. 2007)
- g. A personal interview of the candidate by the department evaluation panel.
- h. Such other data and interviews as the panel feels would be valuable.

7. Reporting Procedures of the Departmental Evaluation Panel

After due deliberation, the panel shall take its vote by written ballot. The chair shall draft a statement for the members of the panel to sign that reports the recommendation and vote of the panel. This statement should include justification for the panel's recommendation. While maintaining the confidentiality of any meetings, the statement will summarize the discussion that took place among panel members, including positive and negative deliberations.

The chair of the panel shall meet with the faculty member being evaluated to provide the faculty member with a copy of the panel's written statement, which shall include actual vote splits and the signatures of all the panel members. The signatures of the panel members acknowledge only that the panel members participated in panel deliberation and had the opportunity to contribute to the development of the written statement. The faculty member shall sign a copy of the statement, with the signed copy to be retained by the chair of the panel for submission to the appropriate Academic Dean. The signature of the faculty member acknowledges only that a copy of the statement has been received by the faculty member. (Rev. Apr. 2009)

If the panel's written statement provided to the candidate contains an error of fact, the panel chair may correct this error through an addendum to the original panel statement (with notice to the candidate) or the candidate may provide a written correction for the inclusion in the packet for consideration at higher levels of review within five working days of the provision of the recommendation. The written correction should be forwarded to the Dean with a copy to the chair of the departmental panel. The written correction should not address matters of professional judgment and cannot alter the record presented in the packet or submit new evidence.³³ (Ins. Apr. 2012)

The panel chair shall forward the panel's statement to the appropriate Academic Dean by the announced deadline. In the case of tenure and promotion recommendations, this deadline is typically at the end of October. In the case of third-year reappointment recommendations, this deadline is typically near mid-January. (Rev. Apr. 2007; Rev. Apr. 2009)

³³ This and other changes in procedure to allow for the correction of errors of fact, in place since AY2012-13, will be reviewed every three years by Academic Affairs in consultation with the Advisory Committee on Tenure, Promotion, and Third-Year Review and the Faculty Welfare Committee to assess the extent and appropriateness of their use. These groups will jointly report this analysis to the Faculty Senate.

8. Dean's Role for Third-year Candidates

The appropriate Dean shall review the faculty member's packet and the departmental evaluation panel's recommendation. Information concerning factual matters of the record necessary for the determination of a recommendation may be requested by the Dean from the Departmental Evaluation Panel Chair or through that chair to the candidate. Requests should be written and responses should be brief and also in writing, addressing only the requested issues, and shall become part of the packet. The Dean shall interview each candidate.
(Rev. Apr. 2009; Rev. Apr. 2012)

The Dean shall provide the candidate and the chair of the departmental panel a copy of the Dean's assessment of the merits of the case and recommendation to the Provost. The Dean shall submit all recommendations in writing to the Provost and forward all materials to the Provost's Office by the announced deadlines, which are typically at the end of January. (Rev. Apr. 2009; Apr. 2012; Aug. 2018)

9. Dean's Role for Tenure and Promotion Candidates

The appropriate Dean will review the evaluation panel recommendations and the candidate's packet. Information concerning factual matters of the record necessary for the determination of a recommendation may be requested by the Dean from the Departmental Evaluation Panel Chair or through that chair to the candidate. Requests should be written and responses should be brief and also in writing, addressing only the requested issue, and shall become part of the packet. The Dean may choose to interview candidates.
(Rev. Apr. 2007; Rev. Apr. 2009; Rev. Apr. 2012)

The Dean will provide the candidate and the chair of the departmental panel a copy of the Dean's own assessment of the merits of the case and recommendation to the Provost. The Dean shall provide these recommendations in writing to the Provost and forward all materials to a designated room for review by the Provost and the Advisory Committee on Tenure, Promotion, and Third-year Review by the announced deadlines, which are typically at the end of November. (Rev. Apr. 2007; Apr. 2009; Apr. 2012; Aug. 2018)

10. Correction of Errors in Dean's Recommendation

If a recommendation provided to the candidate by a Dean contains an error of fact, the Dean may correct this error through an addendum to the Dean's original letter of recommendation (with notice to the candidate and chair of the departmental panel) or the candidate may provide a written

correction for the inclusion in the packet for consideration at higher levels of review within five working days of the provision of the recommendation. The written correction should be forwarded to the Associate Provost for Faculty Affairs with a copy to the Dean and chair of the departmental panel. The written correction should not address matters of professional judgment and cannot alter the record presented in the packet or submit new evidence.³⁴ (Ins. Apr. 2012; Rev. Aug. 2018)

11. Faculty Advisory Committee Action

The Provost shall make packets of all candidates for tenure and promotion available to the members of the Advisory Committee on Tenure, Promotion and Third-Year Review. The Faculty Advisory Committee shall provide the candidate, chair of the departmental panel, Dean, and Provost a copy of their assessment of the merits of the case and recommendation to the President by the announced deadlines. (Rev. Apr. 2012)

The Committee shall also review third-year candidates on all negative departmental recommendations or if requested to do so by the candidate, any member of the departmental panel, the appropriate Dean or the Provost. In cases where either the Dean's recommendation or the departmental evaluation panel vote is negative, the Dean shall refer the case to the Faculty Advisory Committee for their recommendations. The Provost and the Faculty Advisory Committee shall interview each candidate for third-year reappointment when the appropriate Academic Dean or Dean of Libraries recommendation is different from the Departmental Evaluation Panel or the Departmental Evaluation Panel vote is negative. The Faculty Advisory Committee's recommendations in cases where they act shall be submitted in writing to the President by the announced deadlines. (Rev. Apr. 2009; Apr. 2011)

Information concerning factual matters of the record necessary for the determination of a recommendation may be requested by the Chair of the Advisory Committee from the Dean, Departmental Evaluation Panel Chair, or through that chair to the candidate. Requests should be written and responses should be brief and also in writing, addressing only the requested issue, and shall become part of the packet. Both the request for information and the response should also be sent, for information, to levels of review between the Advisory Committee and the responding body. (Ins. Apr. 2012)

³⁴ This and other changes in procedure to allow for the correction of errors of fact, in place since AY2012-13, will be reviewed every three years by Academic Affairs in consultation with the Advisory Committee on Tenure, Promotion, and Third-Year Review and the Faculty Welfare Committee to assess the extent and appropriateness of their use. These groups will jointly report this analysis to the Faculty Senate.

If a recommendation provided to the candidate by the Advisory Committee contains an error of fact, the candidate may provide a written correction for inclusion in the packet for consideration at higher levels of review within five working days of the provision of the recommendation. The written correction should be forwarded to the Associate Provost for Faculty Affairs with a copy to the chair of the Advisory Committee, the Dean and the chair of the departmental panel. The written correction should not address matters of professional judgment and cannot alter the record presented in the packet or submit new evidence.³⁵
(Ins. Apr. 2012)

12. Provost's Recommendation for Tenure and Promotion Candidates

After the Advisory Committee has made its written recommendation to the President, the Provost may interview the candidate as part of the Provost's independent evaluation of the candidate. The Provost's recommendation shall be submitted in writing to the President by the announced deadlines. In all cases in which the Provost's recommendation is negative or reverses an earlier decision, the Provost will provide a copy of the Provost's recommendation to the candidate, chair, Dean, and chair of the Advisory Committee simultaneously with notice to the candidate of the President's decision. (Rev. Apr. 2009; Apr. 2012; Aug. 2018)

13. President's Decision

The President shall make a final determination within twelve working days after the President receives recommendations from all of the following: the department evaluation panel, the appropriate Dean, the Faculty Advisory Committee, and the Provost. All such recommendations shall be submitted to the President no later than March 1 of each year.³⁶ In addition to these recommendations, the President shall also have access to, and may consider, other materials used by any or all of the foregoing during the course of their respective evaluations. Once a final decision is made by the President, and within the twelve working days after the last recommendation is received (listed above), the President shall inform the candidate, the Provost, the Dean, and the evaluation panel chair in writing, of the President's decision.
(Rev. Apr. 2009; Aug. 2018)

³⁵ This and other changes in procedure to allow for the correction of errors of fact, in place since AY2012-13, will be reviewed every three years by Academic Affairs in consultation with the Advisory Committee on Tenure, Promotion, and Third-Year Review and the Faculty Welfare Committee to assess the extent and appropriateness of their use. These groups will jointly report this analysis to the Faculty Senate.

³⁶ Deadlines for earlier stages of the review process are prior to March 1 and are announced by Academic Affairs each year.

13. Appeal to the Faculty Hearing Committee
- a. A denial may only be appealed to the Faculty Hearing Committee when the faculty member alleges that the denial was based upon any of the following three grounds:
 - i. Discrimination, defined as differential treatment based upon gender, sexual orientation, gender identity or expression, age, race, color, religion, national origin, veterans' status, genetic information, or disability³⁷; or,
 - ii. Violation of academic freedom, as it relates to freedom of expression; or,
 - iii. Violation of due process, as provided in the College's published rules, regulations, policies and procedures.
 - b. The appeal shall be heard as a grievance before a panel of the Faculty Hearing Committee, and the faculty member should follow the procedures of the Hearing Committee in requesting a hearing. The notice requesting a hearing must be filed with the Hearing Committee within 20 working days of receipt of the President's written decision.
(Rev. Aug. 2018)
 - c. The President's decision will be made within ten working days after receipt of the recommendation of the panel of the Faculty Hearing Committee, and receipt of any objections about the conduct of the hearing or correction of errors of fact from the grievant, or notice of waiver of that right by the grievant.
(Rev. Aug. 2018)
14. Discretionary Appeal to College of Charleston Board of Trustees³⁸
- a. The President's decision in cases heard by the Faculty Hearing Committee may be appealed to the College of Charleston Board of Trustees. The decision as to whether or not to accept the appeal is within the sole discretion of the Board.
 - b. When an appeal to the College of Charleston Board of Trustees is sought, the faculty member must file a Notice of Appeal within 10

³⁷ This list was revised in August 2017 to reflect the College's policy on *Prohibition of Discrimination and Harassment, Including Sexual Harassment and Abuse*.

³⁸ The College of Charleston Board of Trustees passed this policy concerning appeals by faculty members in January 1985. This list was revised in August 2017 to reflect the College's policy *Prohibition of Discrimination and Harassment, Including Sexual Harassment and Abuse*.

working days of receipt of the President's decision. This Notice must be in writing and sent to the Chair of the Board, with a copy to the President. The Notice of Appeal must identify the issues to be raised in the appeal and the grounds for the appeal.

- c. If the Board decides to hear the appeal, the Chair of the Board will establish a reasonable timetable for disposition of the appeal, which will be communicated to all parties.
- d. At the Chair's discretion, appeals will be heard by the entire Board or by a committee of not less than three Board members appointed by the Chair for that purpose.
- e. Appeals will be heard on the record established in the Faculty Hearing Committee. The Board shall have available for its review all recordings, statements, documents and evidence accumulated during the appeal process. Briefs and oral arguments will be permitted but are not required. Oral arguments may be made by the parties or by their attorneys. (Rev. Aug. 2018)
- f. The Board shall submit its decision in writing to the President and the faculty member. The decision of the Board is final.

15. Disposition of Packet Material

When the evaluation process has resulted in a positive decision, within three months of that decision the packet materials submitted by the faculty member shall be returned to the faculty member; colleague letters will be returned to the authors; and recent graduate evaluation forms will be returned to the Department Chair.

When the decision is negative, the Provost will retain the originals of all packet materials for five years. A faculty member may request and receive from the Provost a copy of the faculty member's contribution to the packet. (Rev. Aug. 2018)

E. Procedures for the Annual and Merit Evaluation of Regular Instructional and Library Faculty

1. Introduction

In keeping with South Carolina state law, all faculty members at the College of Charleston will be evaluated annually in accordance with the College's established standards and criteria and with established procedures.

Annual evaluations shall serve two functions: (1) to guide the professional development of the faculty member, and (2) to record part of the evidence upon which personnel decisions and salary recommendations shall be based.

Department Chairs and the Dean of Libraries are responsible for the annual performance evaluation of each faculty member within their departments. In the exceptional case that a faculty member is housed in a program and not in a department, the Program Director will assume the role of Department Chair in the evaluation process.

A full performance evaluation is conducted for each Instructor and untenured faculty member for each calendar year, with the exception of the years in which the Third-Year Review and the review for tenure or promotion to Senior Instructor are conducted.

Tenured faculty and Senior Instructors may request the same performance evaluation ratings that were given the previous year for up to two years. A full performance evaluation must be conducted at least once every three years, covering the calendar years since the last full performance evaluation or major evaluation (i.e., review for tenure and/or promotion or renewal as Senior Instructor, application for “superior” post-tenure review reviewed by the Post-Tenure Review Committee).³⁹ A faculty member hired with tenure will undergo full performance evaluations in the faculty member’s first and second years and at least every three years following. (Rev. Aug. 2018)

In addition, each faculty member with at least one full calendar year of service at the College will be assigned a merit category on the basis of recent performance as one factor to be considered in the determination of any salary increase. Newly hired faculty members will not be assigned a merit category. Instead, normally each will receive an “average” raise determined by the relevant dean and based on the percentage of the salary pool allocated to the faculty member’s school for raises.

Each annual performance evaluation should include strengths, weaknesses, and specific recommendations for improvement. Probationary faculty should be rigorously evaluated each year in preparation for third-year and tenure reviews.

³⁹ A full performance evaluation covering a multi-year review period should provide separate comments on and assessments regarding the year or years for which a full performance evaluation was not provided and the most recent year, for which a full performance evaluation is conducted. The evaluation materials prepared by the faculty member and the written performance evaluation prepared by the Department Chair should not create confusion about the calendar year in which faculty activity has occurred.

The form of the performance evaluation may vary by school and department, as well as by the rank of the faculty member being evaluated. At a minimum, the Chair or Dean of Libraries will provide an appraisal letter addressing teaching effectiveness, research and professional development, and professional service (for teaching faculty) and professional competency, professional growth and development, and professional service (for library faculty). Departments and schools may develop additional rating instruments.

It is the responsibility of the individual faculty member to ensure that individual is making appropriate progress toward meeting the criteria published in the Faculty/Administration Manual for other evaluations (tenure and promotion) as well as any additional criteria approved by the school and/or department, and to seek the advice of the Chair or Dean of Libraries and other department faculty toward that end. (Rev. Aug. 2018)

A tenure and/or promotion review requires additional evidence beyond that required for an annual review of performance or assignment of merit category, as well as assessment over a different time frame. For instance, a department may conduct a peer review of teaching or an external review of research, and graduate surveys are solicited at the time of tenure and promotion decisions.

Annual performance and merit reviews constitute only one of many factors that are considered during the tenure and/or promotion decision-making process and in no way conclusively determine that outcome. Because tenure and promotion decisions often involve an assessment of career achievement and potential, as well as a demonstrated ongoing commitment to scholarship and to the mission of the institution, annual performance reviews and the assignment of merit categories to a faculty member for purposes of salary administration for one or several years are insufficient, by themselves, to determine the outcome of such important decisions.

2. Standards, Criteria and Evidence for Annual Evaluation

Schools and departments may develop specific policies, criteria and standards for annual evaluation and the assignment of merit categories in their units. Criteria should be clearly stated and available to all members of the department or school. They may vary in detail but they must be consistent with general College policies. (See Faculty/Administration Manual, Sections VI.A, VI.B, and VI.C.) In particular, teaching is the primary responsibility of faculty at the College of Charleston.

Approval of these plans by the appropriate Academic Dean and by the Provost is required before implementation. After initial adoption, any

significant changes must be sent to the Provost for approval before implementation. All approved school and department annual evaluation and merit review policies will be available to all College faculty members.

3. Annual Evaluation and Merit Review Process

Annual performance evaluations will normally be completed early in each calendar year. A calendar for the evaluation process is posted on the website of the Office of the Provost.

Each tenured faculty member or Senior Instructor requests early in January, in writing to the Chair, either that the rating received under the most recent full performance evaluation stand or that a full evaluation be conducted. In the case of a request that a previous evaluation stand, the chair will provide in writing by January 25 either approval of this request or a denial of the request and brief explanation of why a full evaluation will be conducted. A Chair or Dean may require that a faculty member undergo a full evaluation in any given year. The Chair will provide the Dean with a list of faculty for whom the Chair expects to allow previous performance evaluations to stand and receive acknowledgement of this list before providing written approval of such requests to faculty. A department or school may require, as a component of a written policy, that all faculty undergo full performance evaluations every year. (Rev. Aug. 2018)

Chairs are responsible for ensuring that a full evaluation of a Senior Instructor or tenured faculty member is conducted at least every three years. Deans are responsible for reviewing chairs' records and completed evaluations.

While specific policies may differ by school and department, all full annual performance evaluations should provide sufficient information to allow for full, fair and constructive evaluation without being unnecessarily burdensome to faculty or Department Chairs. At a minimum, faculty members will provide

- a current *curriculum vitae*, and
- a 1-2 page personal statement presenting accomplishments in the areas of teaching, research and professional development, and service (or, in the case of librarians, professional competence, professional growth and development, and service) over the period since the last full performance evaluation.

Additional documentation required for a full performance evaluation may vary by tenure status and rank or by department and school. Evidence of the sort typically provided for major evaluations should be requested of

probationary faculty. Schools and departments may require that the personal statement include goals for the next one-to-three years. The Department Chair or Dean of Libraries will conduct the annual evaluation and will have access to additional information, including the faculty member's

- previous annual evaluations and personal statements,
- course-instructor evaluations, and
- information included in the Faculty Activity System.

If a previous performance evaluation is to stand, the faculty member enters recent accomplishments into the Faculty Activity System and provides the faculty member's Chair with an updated curriculum vita (with activities since the last performance evaluation highlighted) and any further information appropriate, in accordance with deadlines for the submission of updates listed on the calendar for performance evaluations. Such information will assist the Chair and Dean in the assignment of a merit category and recommendations for any merit raises available before the next full evaluation takes place. (Rev. Aug. 2018)

The Department Chair or Dean of Libraries will assign a merit category at the time that performance evaluations are completed, based on a faculty member's recent performance evaluations, typically over the last three years. If a previous performance evaluation rating is remaining in place at the request of the faculty member, the assignment of a merit category will incorporate any additional information on recent accomplishments provided by the faculty member. In the case of the Department Chair, this assignment will normally be tentative until discussed with the Dean. Newly hired faculty will not be assigned a merit category.

The assignment of a merit category will be provided to the faculty member with the written documentation of a full performance evaluation (as a separate document which should not be included with performance evaluations in packets prepared for major evaluations). For a faculty member who has received approval of a request that a full performance evaluation conducted previously remain standing, separate notice of the assignment of a merit category will be provided in writing following the calendar for performance evaluations established by the Provost's Office.

In the case of a faculty member undergoing a major evaluation (Third-Year Review, tenure and/or promotion, post-tenure review, or renewal as Senior Instructor), an evaluation of performance over the last calendar year will not be conducted. A merit category for the purposes of salary administration will be assigned. Normally, the documentation provided by the faculty member in the major evaluation will be sufficient to allow the Chair to assign a merit category. (Since major evaluation packets are

completed early in the fall semester, documentation of activities through the end of the calendar year could reasonably be added for this assignment.) This assignment of a merit category will consider the faculty member's performance during the same window used for other faculty, typically three years.

The Department Chair may consult with a faculty committee in conducting the annual evaluation or assigning a merit category.

The faculty member must present the requested documents in accordance with the established format for the faculty member's department or school and the published schedule. Any faculty member who fails to submit the required documentation for that individual's annual evaluation and assignment of merit category will receive a merit rating of "does not meet the merit threshold" and will be ineligible for a salary increase that year. (Rev. Aug. 2018)

In the case of library faculty who are supervised by department heads and/or assistant deans, these supervisors will provide written comments on the performance of the librarians. These comments are forwarded to the Dean of Libraries who uses them as the Dean of Libraries writes the final evaluation narrative. The librarian receives the comments from all supervisors in addition to the Dean's final evaluation. (Rev. Aug. 2018)

After reviewing materials submitted by the faculty member, the Department Chair or the Dean of Libraries shall provide the faculty member with a signed and dated evaluation and separate assignment of a merit category.

4. Chair's Interview with the Faculty Member

By the date designated on the evaluation calendar, the Chair or Dean of Libraries shall conduct an interview with each member of the department. At least one week prior to the interview, the faculty member will receive the Chair's or Dean of Libraries' narrative assessment of strengths and weaknesses and suggestions for improvement. Records of the evaluation will be on file in the office of the Department Chair. (Rev. Aug. 2018)

At the evaluation interview, the faculty member and the Chair or Dean of Libraries will discuss the evaluation narrative. The faculty member will sign the form to indicate that the faculty member has met with the Chair or Dean of Libraries. If there is disagreement about any part of the evaluation, the Chair or Dean of Libraries and the faculty member shall seek to resolve those differences. If a resolution is reached, the Chair shall change the evaluation document accordingly if appropriate. (Rev. Aug. 2018)

5. Appeal of Annual Evaluation

A faculty member may appeal the annual evaluation to the appropriate Academic Dean by submitting a written request for an appeal hearing to the Dean within 10 working days of the evaluation interview. The Dean will arrange and chair a meeting with the faculty member and the Department Chair to discuss the appeal. At the appeal hearing, the faculty member should state specifically the basis for the appeal and provide appropriate information in support of the appeal. The Dean will attempt to mediate an agreement between the faculty member and the Chair. If unsuccessful, the Dean will reach a decision and inform all parties in writing. The faculty member may appeal the Dean's decision to the Provost who will receive all written material pertaining to the case. After consultation with the faculty member, the Department Chair and the Dean, the Provost will render the final decision in writing to all parties concerned. (Rev. Aug. 2018)

Library faculty should follow the steps outlined above. Their appeals should, however, go directly to the Provost, who will render the final decision.

6. Dean's and Provost's Role in the Assignment of Merit Categories

The Dean plays an active role in the development of departmental and school criteria and standards for annual evaluation and the assignment of merit categories. The Dean is responsible for ensuring that these standards and criteria are applied by Chairs equitably across departments in the Dean's school. The Provost is responsible for ensuring that these standards and criteria are applied by Deans across schools. Normally a Dean and Chair will discuss the assignment of merit categories before this assignment is considered final. (Rev. Aug. 2018)

7. Appeal of Merit Category Assigned

A faculty member may appeal the assignment of a merit category to the faculty member's performance by following the procedure outlined in Section VI.E.5, above. Chair, Dean and Provost will proceed as in Section VI.E.5. However, the Provost's role in this appeal is limited to ensuring, through discussion with the Dean and/or Chair, that the assignment of the merit category is consistent with criteria and standards at the Department, School and College level and with the assignment of merit categories to others in the Department or School, as appropriate. (Rev. Aug. 2018)

(Rev. Apr. 2009, Aug. 2014)

F. Merit Categories and Salary Increases

Eligibility for any salary increase will be based on merit. The assignment of a merit category will indicate whether the faculty member is eligible for any salary increase. Eligibility for any salary increase requires satisfying the **merit threshold**. The merit threshold is defined as **demonstrating professional competence in all three evaluation areas (teaching, research and professional development, service)** according to criteria and standards articulated by schools and departments. Criteria and standards may vary by school, department, tenure status and rank.

A second designation of quality of performance is **high professional competence**. Faculty members meeting this designation will normally exhibit evidence of consistently high professional competence in all three areas of evaluation. In exceptional cases, very strong performance in one or more areas may compensate for less strong performance in another.

A third designation of quality of performance is **exceptional professional performance**. A faculty member receiving this designation will exhibit high professional competence in all three areas of evaluation and exceptional performance in one of teaching, research and professional development or service. This individual will be performing, in the area of exceptional performance, at a level substantially beyond college-wide expectations for promotion to the next rank, or for a professor, at a level beyond the expectations for promotion to the rank of professor.

In designating a faculty member as meeting one of the designations of quality of performance above, or as **not meeting the merit threshold**, chairs should make qualitative assessments of performance and apply the criteria flexibly. In addition, departments and schools may develop more rigorous criteria for these designations.

In addition to merit ratings, market factors may contribute to a salary increase. Market factors will contribute to any salary increase only when the faculty member has met the merit threshold. Market factors may include:

- Data collected in comparative salary studies;
- Internal (College, school, departmental) equity, including gender equity, salary compression and/or inversion.

The respective roles of merit and market factors in salary reviews may vary each year and by school and department and should be communicated annually to faculty as appropriate.

(Rev. Apr. 2009, Aug. 2014)

G. Tenure-Clock Modification Policy

A tenure decision is made only once. Under normal circumstances, this decision is made no later than the sixth year unless exceptions have been granted in accordance with the College's FMLA and ADA policies. This also holds for the decision on promotion to Senior Instructor.

A faculty member who uses 120 days or more of paid and/or unpaid disability, family, or other college sanctioned leave during any consecutive two-year period may elect to extend the tenure/probationary period by one year. Examples of such leave would include extended absence or disability due to illness, injury, acute family responsibilities, or military service. Unforeseen circumstances in the completion of a terminal degree, such as the death of a doctoral advisor, would also qualify.

A faculty member who adds a child to the faculty member's family by either birth or adoption may elect to extend the tenure/probationary period by one year. This option must be exercised by notifying the faculty member's Chair in writing within 90 days of the birth or adoption of the child, and no later than the Monday following the spring commencement prior to the academic year in which the tenure decision is to be made. If this option is exercised in the first two years of the appointment, the third-year review shall be postponed one year. (Rev. Aug. 2018)

A faculty member who has used fewer than 120 days of paid and/or unpaid disability, family, or other college-sanctioned leave during any consecutive two-year period but who has, nonetheless, taken a significant amount of such leave prior to consideration for an award of tenure or promotion, or who has experienced circumstances which, at the faculty member's election, could have resulted in a significant period of such leave, may petition the Provost for an extension of the probationary period. Such petition must be made no later than the Monday following the spring commencement prior to the academic year in which the tenure decision (or the decision regarding promotion to Senior Instructor) is to be made. The decision to grant such an extension of the probationary period shall be made by the Provost, after consulting with the faculty member's Dean and Department Chair. (Rev. Aug. 2018)

If at all possible, the decision to delay tenure or promotion should be arranged with the Provost prior to the commencement of leave.

If such elections as described above are made or if the Provost grants the petition, the faculty member thereby waives the provisions of the Faculty/Administration Manual requiring that a decision regarding the award of tenure be made within six years. Any such extensions shall not supercede the termination for cause at any point in the probationary period as outlined in the Faculty/Administration Manual.

No faculty member may elect to exercise this option more than twice.

(Ins. Sept. 2008; Rev. Aug. 2014)

H. Post-Tenure Review

1. Post-Tenure Review Schedule

Each tenured faculty member must undergo post-tenure review at least once every sixth year, except that a tenured Associate Professor or Librarian III may elect to undergo review for promotion to Professor or Librarian IV, respectively, instead, with the understanding that the post-tenure review clock is reset by the promotion review.

Faculty members holding the rank of Professor or Librarian IV are eligible to seek a superior post-tenure review rating in their sixth year in rank at the College or any subsequent year subject to two conditions: (1) A faculty member may not receive a superior post-tenure review rating more often than every sixth year, and (2) A faculty member who makes an unsuccessful application for a superior rating may seek a superior again the next year but may not apply for a superior rating more than two years in a row. Additionally, a faculty member seeking a satisfactory rating (who has not subsequently been promoted to Professor) is eligible to pursue a superior rating the following year and the subsequent year should that faculty member's initial application for a superior rating be unsuccessful.

(Rev. Aug. 2017; Aug. 2018)

2. Rating of Candidates

a. Ratings of a candidate will take one of three forms:

(1) Superior Rating

The superior rating is awarded to candidates who continue to perform at the level expected for the promotion to the rank of Professor, or Librarian IV, in accordance with the standards of the Faculty/Administration Manual.

(2) Unsatisfactory Rating

Candidate has exhibited evidence of habitual neglect of duty, which means consistently and regularly failing to fulfill the terms and conditions of appointment, as laid out in the Faculty/Administration Manual's section on

"Termination of Tenured Faculty Members 'for Cause' and Termination Procedure."

(3) Satisfactory Rating

All other candidates.

b. Presumption of Satisfactory Performance

The Post-Tenure Review Committee operates on a presumption of satisfactory performance. That is, the burden of proof (clear and convincing evidence) for a superior performance lies with the candidate, and the burden of proof for an unsatisfactory performance, including with completion of a remediation plan, lies with the Department Chair (or department post-tenure review panel). When a faculty member is not appointed to an academic department, the relevant Program Director shall serve in the role of Department Chair for purposes of the post-tenure review.

The Post-Tenure Review Committee can request additional information at any time during their deliberations.

(Rev. Aug. 2017)

3. Forms of Post-Tenure Review

a. Consideration for Satisfactory Rating

For a tenured faculty member who wishes to be considered for a satisfactory rating, in the spring semester of the sixth year following the previous extra-departmental review, the chair will review with the faculty member the details of the faculty member's performance evaluations over the last six years, including any evaluation completed in the sixth year. Following the discussion with the faculty member, the Department Chair will discuss the overall summary of those performance evaluations with the Dean.

(Rev. Aug. 2018)

A faculty member who has received two or more unsatisfactory ratings in teaching (or, for a librarian, two or more unsatisfactory ratings in professional competence) over that six-year period will be deemed to have received an unsatisfactory rating for post-tenure review. Otherwise, the faculty member will receive a rating of "satisfactory." Formal written notice from the Department Chair to the faculty member, Dean and Post-Tenure Review Committee of

an unsatisfactory rating and need to develop a remediation plan will take place by March 15 of each academic year.

b. Application for Superior Rating

A faculty member at the rank of Professor or Librarian IV is eligible to apply for a superior rating in the fall of the sixth year following a successful extra-departmental review (promotion to professor, or a superior rating on a post-tenure review), provided the faculty member has not received two or more ratings of unsatisfactory in teaching (or professional competence) since the last extra-departmental review. The “superior rating” is awarded to candidates who continue to perform at the level expected for the promotion to the rank of Professor, or Librarian IV, in accordance with the standards of the Faculty/Administration Manual.

In the event that a candidate who is eligible for and has applied for a superior rating fails to receive that rating at a level of review, a rating of satisfactory will be assigned at that level of review.

4. Deferments

- a. Faculty members may petition the Post-Tenure Review Committee for the postponement of their post-tenure reviews based on extenuating personal circumstances or valid medical reasons which must be documented in the petition. Petitions must be endorsed by the faculty member's Chair and Dean. Postponements will be approved only under extraordinary circumstances and will not normally extend more than one academic year. Decisions by the Post-Tenure Review Committee regarding deferments shall be communicated in writing. Decisions by the Committee may be appealed to the Provost within one (1) week of the candidate's notification. The Provost's decision shall be final. (Rev. Aug. 2018)
- b. A faculty member who announces a decision to retire within three years of the faculty member's scheduled time for post-tenure review (by submission of a letter to the Dean of the faculty member's school and the Provost) may choose not to undergo that review. However, if a faculty member postpones the announced time of retirement for more than one year, the faculty member will be evaluated in the year of that postponement. All letters indicating the faculty member's desire for a deferment of post-tenure review due to an announced retirement must be copied to the Post-Tenure Review Committee. (Rev. Aug. 2018)

- c. A faculty member scheduled for post-tenure review in a given year will not have to undergo that review if the faculty member petitions for promotion that same year. (Rev. Aug. 2018)
- d. Administrators who previously held 12-month faculty appointments, such as Deans, and are rejoining the ranks of the faculty will undergo post-tenure review within three years of their return to faculty status.
- e. If a faculty member takes a sabbatical leave or a leave of absence in the same academic year the faculty member is scheduled for post-tenure review, the post-tenure review will take place during the following academic year, unless the faculty member decides to undergo the review at the originally scheduled time. (Rev. Aug. 2018)

(Rev. Aug. 2017)

5. Preparation and Submission of the Faculty Member's Packet in Application for Superior Rating

- a. A faculty member who wishes to be considered for a superior rating shall submit to the faculty member's Department Chair by the announced deadline a packet of material that must include: (Rev. Aug. 2018)
 - (1) Curriculum vitae.
 - (2) Statement from the candidate on teaching, research and service addressing accomplishments since the last review and future plans and goals.
 - (3) Annual performance evaluations by the Department Chair during the period under review. In the event that a Department Chair is being evaluated, the Dean's annual evaluations of the Chair will be included instead.
 - (4) Candidates seeking a superior rating must furnish two letters from intra- and/or extra- departmental peers concerning aspects of the candidate's teaching (or, for librarians, professional competency). The evaluation of teaching performance will include the peer review of class materials and/or peer observation of classroom performance by two (2) senior faculty colleagues.

- (5) Computer-generated student teaching evaluations (summary pages with numbers) for all evaluated courses taught by the candidate during the period under review.
 - (6) Candidates seeking a superior rating must also furnish clear evidence that they continue to perform at the level expected for the promotion to the rank of Professor, or Librarian IV, in accordance with the criteria of the Faculty/Administration Manual, as indicated in Sect VI.A.4.c. for instructional faculty and VI.C.4.d for library faculty. Evidence is to be compiled for the intervening period between promotion evaluation and/or post-tenure reviews.
- b. A late packet will not be considered for a superior rating except in extraordinary circumstances. A letter must accompany the packet to explain these circumstances.

(Rev. Apr. 2009, Rev. Dec. 2011)

6. Specific Criteria for a Superior Rating

Awarding of a superior rating to a faculty member who has previously achieved the rank of Professor, or Librarian IV, requires clear evidence that the candidate has continued to perform at the level expected for that earlier promotion, in accordance with the criteria set forth for such promotions in the Faculty/Administration Manual, as indicated in Section VI.A.4.c for instructional faculty and VI.C.4.d for library faculty.

The specific review process used for the assignment of a superior rating at this career level is consistent with the recognition that, having once satisfied the standard for promotion to the rank of Professor, or Librarian IV, expectations for sustaining this level of achievement might be met in a variety of ways. While sustaining an active and appropriate research or creative record is still a critical element in any successful application for a superior rating, it may be recognized that, while specific departmental policies governing publication standards may exceed the College-wide norm for tenure and for promotion (preamble of Sect. VI.A.4), application of such higher standards may not always be appropriate to require for a superior rating, unless a departmental policy explicitly states that they are. Faculty at the rank of Professor or Librarian IV are occasionally called upon to fulfill time-consuming leadership roles in professional service, sometimes for lengthy periods, either within the College or in their larger professional communities, or to take on extraordinary instructional or professional obligations. Evaluators at the various levels of post-tenure

review should be mindful of those realities in the cycle of academic careers.

(Ins. Aug. 2018)

7. Recommendations by the Department Chair or Panel and the Dean

Post-tenure review is normally conducted by the Department Chair. A departmental post-tenure review panel will be convened only in the case of a Department Chair seeking a superior post-tenure rating. When the Department Chair is to undergo post-tenure review and is seeking a superior rating, the most senior tenured member of the department (other than the Chair) will convene, and normally chair, a departmental post-tenure review panel consisting of three tenured faculty members (including the panel chair). Panel members will normally be drawn from the home department according to seniority. When necessary to complete the panel, additions will be drawn, following the same criteria, from departments with related areas of study. The panel may not include department chairs from external departments. No tenured faculty member concurrently subject to post-tenure review may serve on this panel. The panel will exercise the same responsibility with respect to the Department Chair's candidacy that the Chair would normally exercise in cases of faculty seeking a superior post-tenure rating. This departmental panel will also review all other cases of faculty seeking a superior post-tenure rating at the same time as the Department Chair. The Department Chair or departmental panel will recommend a rating for each such candidate's performance. The Department Chair will be responsible for all cases of candidates seeking a satisfactory post-tenure rating, except the Chair's own case, which will be conducted by the Dean, acting in the capacity of both the Chair and the Dean in such cases.

(Rev. Aug. 2018)

In the case of a candidate requesting a superior rating, the Department Chair (or the departmental panel) shall forward to the candidate's Dean by the announced deadline the candidate's packet with a letter justifying the Chair's (or panel's) concurrence or failure to concur with the candidate's self-evaluation. At this time a copy of the letter shall be forwarded to the candidate. Should the rating of the Chair (or departmental panel) be satisfactory rather than superior, the candidate may forward a letter of rebuttal to the Candidate's Dean and Department Chair no later than five (5) days before the first day of the beginning of the Spring Semester. The Deans will review packets and forward written recommendations to the Office of the Provost. (Rev. Aug. 2018)

In the case of a candidate being considered for a satisfactory rating, the Department Chair shall meet with the Dean to discuss a summary of the

candidate's annual performance evaluations. In addition, the Chair or panel will forward to the candidate's Dean a written statement that the candidate meets the criteria for a satisfactory rating or a brief summary of the ratings received on annual performance evaluations in the area of teaching and a statement that the candidate receives an unsatisfactory rating. At this time a copy of the letter shall be forwarded to the candidate, the Provost, and the Post-Tenure Review Committee. (Rev. Apr. 2009; Aug. 2018)

8. Recommendations to the President on Superior Ratings

- a. The Post-Tenure Review Committee shall review and forward its recommendations on applications for superior ratings to the Provost by the announced deadline, typically at the end of February. The Provost may make a recommendation and shall forward all recommendations to the President by the announced deadline. (Rev. Apr. 2009)
- b. The President shall make a final determination on superior ratings within two (2) weeks after the President receives recommendations from all of the following: the Department Chair (or the departmental panel chair), the appropriate Dean, the Post-Tenure Review Committee, and the Provost. All such recommendations shall be submitted to the President no later than March 1 of each year.⁴⁰ In addition to these recommendations, the President shall also have access to, and may consider, other materials used by any or all of the foregoing during the course of their respective evaluations. Once a final decision is made by the President, and within the two (2) weeks after the last recommendation is received by the President, the President shall inform the candidate, the Provost, the Dean, and the Department Chair (or departmental panel chair), in writing, of that decision. (Rev. Apr. 2009; Aug. 2018)

c. Merit Increase for Superior Rating

Whenever the President assigns a rating of superior, such a rating must be accompanied by a permanent merit increase in pay effective the academic year following the year of evaluation.

9. Remediation Plan for Unsatisfactory Rating

⁴⁰ Deadlines for earlier stages of the review process typically are prior to March 1 and are announced by Academic Affairs each year.

Whenever a candidate receives a rating of unsatisfactory under post-tenure review, the case will be remanded to the existing departmental post-tenure review panel, or a new one convened for the purpose (in the latter case, including the Department Chair and two (2) other tenured departmental faculty members), to devise a remediation plan in consultation with the candidate. This plan must be approved by the Dean and submitted to the college-wide Post-Tenure Review Committee for approval within twenty (20) working days of the determination of an unsatisfactory rating. The Post-Tenure Review Committee must approve or, in consultation with the departmental panel, modify the plan within fifteen working days.

A component of this plan must involve full annual performance evaluations of the faculty member that address the remediation plan directly. As part of the annual performance evaluation, both the Department Chair and the Dean must describe in writing the faculty member's progress in meeting the goals of the remediation plan.

a. Ratification of remediation plan

Ultimate ratification of satisfactory completion of a remediation plan rests with the college-wide Post-Tenure Review Committee, as constituted at the time of the deadline originally assigned for completion of remediation, to the extent possible. In the event that the Committee concludes that the candidate has failed to complete the remediation plan to its satisfaction, the Committee will notify the candidate, the Department Chair or panel, the Provost, and the Dean of the candidate's school that the Committee has concluded that proceeding for revocation of the candidate's tenure ought to be instituted, in accordance with the guidelines of the Faculty/Administration Manual.

10. Appeals

a. Appeal of decision on completion or remediation plan

A candidate wishing to appeal a decision of the Post-Tenure Review Committee that the candidate has failed to complete the remediation plan to its satisfaction must submit a written appeal to the Faculty Hearing Committee within ten (10) days of notification of this decision. The decision may only be appealed when the faculty member alleges the Committee's decision was based upon:

- (1) Discrimination, defined as differential treatment based upon gender, sexual orientation, gender identity or expression, age, race, color, religion, national origin, veterans' status, genetic information, or disability; or

- (2) Violation of academic freedom as it relates to freedom of expression; or
- (3) Violation of due process as provided in the College's published rules, regulations, policies and procedures.
(Rev. Aug. 2017)

b. Appealing a Satisfactory Rating

A candidate who receives a satisfactory rating after having sought a superior rating and who alleges that the rating was based upon discrimination, violation of academic freedom or violation of due process may follow the appeals procedure outlined in Art. X.I.

If the candidate feels that the satisfactory rating received is incorrect for reasons other than those listed in the preceding paragraph, a formal appeal is not allowed. However, the faculty member remains eligible to undergo review for a superior rating in the subsequent year or the following year, as outlined above, without waiting six years for the next scheduled review.
(Rev. Aug. 2014, Aug. 2016, Aug. 2017, Aug. 2018)

I. Review for Honorary Rank of University Professor or University Librarian IV

1. Introduction

The permanent honorary rank of University Professor or University Librarian IV may be awarded to faculty already holding the rank of tenured full Professor or Librarian IV. The honorary rank shall be awarded on the basis of outstanding performance to faculty whose records go beyond the expectations described for promotion to tenured full Professor or Librarian IV. This honorary rank is intended to recognize faculty with outstanding records of achievement. Those who screen or recommend the nominees for this rank should apply a rigorous standard of review.

Nominees in these cases ordinarily should have five or more years of previous service at the rank of Professor or Librarian IV. Suitable nominees should have a consistent and career-long pattern of outstanding performance in all dimensions of faculty work, with attainments that clearly and easily exceed the minimum requirements for promotion to Professor or Library IV.

Even if otherwise eligible for this honorary rank, faculty whose current position titles use the word “provost,” “president,” or “dean” shall not be considered for or appointed to this honorary rank. The same exclusion shall apply to an otherwise eligible faculty member who is an administrative officer of the College. Those who give up academic administrative positions and return to roster faculty work shall be eligible for nomination to and appointment to this rank, assuming they qualify for appointment to this rank in all other respects. Faculty who previously have been awarded the honorary rank of University Professor or University Librarian IV may continue to use this title if they subsequently accept appointments as academic administrators.

The honorary rank of University Professor or University Librarian IV shall be awarded in an academic year to no more than three individuals.

2. Nominations

Nominations to the honorary rank of University Professor or University Librarian IV may be made in writing to the Provost by a Program Director, Department Chair, Academic Dean, the Speaker of the Faculty, or a University Professor or University Librarian IV.

Self-nominations for this honorary rank are not accepted. Faculty should not take any action designed or intended to secure a nomination from an eligible nominator. No matter what their achievements, faculty at the College of Charleston have no right to or expectation of nomination to or consideration for this honorary rank.

Nomination deadlines and all other deadlines to be used in the review process for this honorary rank shall be announced by the Office of the Provost, with the exception of the final decision deadline listed below.

The President may temporarily suspend solicitation and consideration of nominations to this honorary rank. Such a suspension should be conveyed to the faculty in writing, as should any notification that solicitation and consideration of nominations will resume.

3. Preparation and Submission of the Faculty Member’s Packet

Once the Provost (or the Provost’s designee) has received the nomination of a qualified individual, the Provost should notify the nominee that the nominee may proceed with the nomination process. If the nomination is declined by the nominee, no further action is required. (Rev. Aug. 2018)

If the nominee accepts the nomination, the nominee should then schedule meetings with the relevant Program Director (if applicable), Department

Chair (if applicable), and/or Dean(s). If the Program Director, Department Chair, or Dean is unwilling to support the nomination, the nomination shall be withdrawn.

An Academic Dean should support the nominations of no more than two faculty from their school in a single academic year. A Program Director or Department Chair should support the nomination of no more than one faculty from the program or department in a single academic year. (Rev. Aug. 2018)

Once a nominee has received some verbal assurance of support from the Program Director, Department Chair, and/or Dean, the nominee should prepare an executive binder and a supplemental binder, in a fashion consistent with the then-current requirements for those binders in all tenure and promotion reviews. The Program Director or Department Chair shall solicit independent external reviews of research, consistent with the instructions provided elsewhere in the Faculty/Administration Manual.

Once the executive binder and the supplemental binder have been prepared, the Program Director or Department Chair shall submit the binders, a recommendation letter in support of the nomination, and the external reviews of research to the relevant Dean. The binders and the various recommendation and assessment letters will constitute the nomination materials.

4. Recommendations by the Dean, University Professors, and Provost

Following review of the nomination materials, the Dean shall submit a recommendation letter in support of the nomination, along with all other nomination materials, to an *ad hoc* review committee composed of current faculty holding the honorary rank of University Professor or University Librarian IV. The form, membership, and process to be followed by this review committee will be determined by the members of the committee, but the review committee shall offer a brief written assessment to the President regarding the strengths and weaknesses of each nominee. The review committee will not rank-order the nominees or advise the President regarding which nominations should be accepted or rejected.

Following review of the nomination materials, the Provost shall offer an assessment to the President regarding the strengths and weaknesses of each nominee.

5. President

By April 25 of each year (or the first business day thereafter), the President shall contact the University Professor and University Librarian IV nominees, if any, and inform them of their award status. For all nominations under review, the decision of the President is final. The awardees for each year shall be recognized at a spring commencement ceremony or a faculty awards ceremony, at the discretion of the President (or the President's designee).

When making a new faculty appointment at the rank of full Professor or Librarian IV, the President simultaneously may make an initial appointment at the honorary rank of University Professor or University Librarian IV. Such appointments shall be made following consultations with the Program Director (if applicable), Department Chair (if applicable), the appropriate Academic Dean(s), the faculty already holding the rank of University Professor or University Librarian IV, and the Provost. Such an appointment is appropriate only in cases where the new faculty member has previously held or been awarded a similar position at another university.

6. Merit Increase for Honorary Rank of University Professor or University Librarian IV

Whenever the President announces an appointment to the honorary rank of University Professor or University Librarian IV, such an appointment shall be accompanied by a permanent merit increase in pay effective at the beginning of the academic year following the year in which the appointment is announced.

The College shall supply additional research and development funding for use by new and continuing faculty holding this honorary rank.

7. Re-nomination for University Professor or University Librarian IV

Faculty who are nominated but not selected by the President for the honorary rank of University Professor or University Librarian IV will remain eligible for nomination in future academic years, provided they continue to meet all other requirements for nomination.

Executive and supplemental binders must be updated in any case where materials are re-submitted. Re-submission is acceptable for previously solicited external reviews of research, at the sole discretion of the Program Director or Department Chair, provided that such reviews are no more than three years old at the time of submission.

8. Named Professorships and Endowed Chairs

A University Professor or University Librarian IV may simultaneously hold a named professorship, endowed chair, or other similar honor. Faculty questions regarding the appropriate use of titles in these cases should be referred to the relevant Academic Dean.

9. Benefits and Obligations of Appointment as University Professor or University Librarian IV

Faculty appointed to the honorary rank of University Professor or University Librarian IV shall receive salary increases and additional research and professional development funding. In addition, members of the University Faculty shall receive a medallion to be worn with their academic regalia. If an emeritus or emerita title is granted to a University Professor following the University Professor's retirement, the title "University Professor Emeritus" or "University Professor Emerita" may be used by the faculty colleague. (Rev. Aug. 2018)

University Professors may petition the Provost for permission to use a professorial title unique to the professor's teaching and research interests, rather than the professor's academic department or program. For example, a "Professor of English" might become a "University Professor of British Literature." The Provost should consider such written petitions only after consulting with the relevant Program Director, Department Chair, and/or Dean(s). The Provost may reject the petition for any reason. The decision of the Provost is final in all such cases.

During each academic year, some individuals holding the honorary rank of University Professor or University Librarian IV shall be asked to assess the materials for nominees to that rank.

Faculty who have been awarded this rank may be asked by the President or Provost to represent the College of Charleston at institutional, regional, state, or alumni meetings, or to advise the President or Provost on academic or other matters relevant to the College.

10. Authorization for University Professor Appointments

At any time and for any reason, the President of the College may temporarily suspend consideration of nominations for the honorary rank of University Professor. Should the President or Board of Trustees permanently discontinue consideration of new nominations for this honorary rank, those previously awarded the rank will retain all uses and privileges of the rank for the duration of their employment by the College.

(Ins. Aug. 2015)

VII. FACULTY DISCIPLINE, MISCONDUCT, AND TERMINATION

A. Policy Governing Termination

At the end of the probationary period for faculty holding tenure-track appointments, a faculty member's contract will either not be renewed or tenure will be granted. If a faculty member accepts appointment with tenure, the faculty member's service cannot be terminated except for adequate cause. (See Art. VII.C. for reasons specified by the South Carolina Code, the College of Charleston and the AAUP as adequate reasons for termination of a tenured faculty member and discussion of the termination procedure.) After two or more years of service at the College in a tenure-track position, written notice that such a probationary appointment is not to be renewed will be given to a faculty member at least twelve months before the expiration of any appointment. (Rev. Aug. 2018)

B. Discipline of Faculty Members

State Human Resources Regulations 19-717 govern the faculty as well as other employees of the College. If a faculty member fails to meet the standards set forth under Faculty Responsibilities to their Students, the Code of Professional Conduct or Statement of Professional Ethics, Faculty/Administration Manual (Art. IV.B, Art. VIII.A), disciplinary action will be taken. Disciplinary action will, in normal circumstances, be preceded by an oral, then a written, reprimand from the Department Chair, Dean and/or appropriate administrative officer describing the alleged problem and warning that the faculty member's contract status is in jeopardy. The warning must also stipulate a period of time within which correction of the alleged problems is expected. If the faculty member does not contest the allegation and fulfills the relevant faculty duties, the matter is settled. If the faculty member fails to correct the problem, further disciplinary proceedings may be initiated. (Rev. Aug. 2018)

1. Sanctions

If the Provost believes that the conduct of a faculty member, although not constituting adequate cause for dismissal, justifies imposition of a sanction, such as but not limited to a reprimand, a demand for restitution, a modification of duties, or a suspension without pay, the Provost shall notify the faculty member of the basis of the proposed sanction, and provide the faculty member an opportunity to persuade the Provost that the proposed sanction should not be imposed.

2. Assignment to New Duties in Certain Cases

If the Provost determines there is a strong likelihood that the faculty member's continuance in normal duties threatens immediate harm to that

faculty member or to others, the Provost may assign the faculty member to new duties. Assignment to these new duties shall persist only so long as the threat of harm continues, or until dismissal for cause occurs.

Assignment to new duties in such a case is designed for the protection of the faculty member and/or other individuals and is not a sanction. Should charges made against a faculty member be determined to be unfounded, the faculty member shall be returned to that individual's normal assignment. (Rev. Aug. 2018)

3. Appeals

All matters of discipline may be appealed by faculty members either to the Faculty Grievance Committee or the Faculty Hearing Committee, depending upon the nature of the discipline imposed.

4. Implications for State Law, Policy, or Procedure

Should Faculty/Administration Manual provisions dealing with faculty discipline ever conflict with state law, policy, or procedure, the applicable state law, policy, or procedure shall prevail.

C. Termination of Tenured Faculty Members “For Cause” and Termination Procedure

1. Conditions Under Which A Tenured Faculty Member's Contract Can Be Terminated

Until the retirement of the faculty member and subject to the procedure stated hereinafter, an appointment with tenure may be terminated by the College only for adequate cause. The following will be considered adequate cause for the termination of tenure:

- a. Demonstrably bona fide institutional contingencies such as curtailment or discontinuance of programs or departments;
- b. Financial exigencies that are demonstrably bona fide but only after giving the faculty member 12 months' notice;
- c. Physical or mental inability to fulfill the terms and conditions of the appointment;
- d. Incompetence, neglect of duty, immorality, dishonesty, including but not limited to plagiarism, falsification of academic credentials or vitae, conduct unbecoming a faculty member, conviction of violating the criminal laws of any state or the United States, willful and repeated violations of College rules, regulations or policies.

(Faculty Responsibilities to Students, Code of Professional Conduct, Faculty/Administration Manual Art. VIII.A, and Statement of Professional Ethics, Faculty/Administration Manual Art. IV.B.)

2. Termination Procedure

- a. Termination for cause of a tenure appointment shall be preceded by a written notice of proposed dismissal which states the reasons for the proposed dismissal and gives the faculty member an opportunity to be heard by the Faculty Hearing Committee. Formal written notice may be preceded by discussions between the faculty member and appropriate administrative officers looking toward a mutual settlement.
- b. If the faculty member elects to have a hearing before the Committee, the faculty member must file a Notice of Grievance with the Chair of the Committee, with a copy to the President, within twenty working days of receipt of the notice of proposed dismissal. The procedures followed by the Faculty Hearing Committee (see Art. X.I.) for all hearings will be followed, with the following exceptions:
(Rev. Aug. 2018)
 - (1) The burden of proof rests with the College, and the College representative will, therefore, present witnesses and evidence before the faculty member does.
 - (2) The standard of proof for finding adequate cause for termination shall be by clear and convincing evidence in the record considered as a whole.
 - (3) When termination is proposed because of incompetence, the College representative must present the testimony of qualified faculty members from the College and other higher education institutions.

The decision of the Committee is advisory to the President. The President's decision may be appealed to the Board of Trustees by means of the usual procedures for appeals of cases heard by the Faculty Hearing Committee (see Art. X.I). According to Board policy, no appeal may be made to the Board unless the faculty member has elected to have the charges heard by the Hearing Committee. Direct appeal to the Board is not available.

- c. If the faculty member does not elect to have the charges heard by the Faculty Hearing Committee, the President shall send the faculty member a letter of dismissal, which shall contain the effective date of the dismissal.
- d. Until a final decision on termination of a tenure appointment is made, the faculty member concerned may be reassigned to new duties or suspended without pay. Suspension may be appealed to the Faculty Hearing Committee.

D. Reduction In Force as it Applies to Faculty Members and Unclassified Administrators

Faculty members and other unclassified state employees will generally be separated by their respective departments. The President may further define the area within which the procedures of the Reduction in Force are to apply. For example, the President may limit the group to all qualified instructors of Human Ecology within the Department of Human Ecology. (Rev. Aug. 2018)

The President may also appoint a special *ad hoc* committee consisting of faculty and/or other unclassified employees to advise the President on the priority of reduction within any defined group. The President need not use the specific point system used for classified employees but will produce a listing of priorities that will be justified in writing which takes into consideration factors such as length of service at the College of Charleston, rank and academic/administrative performance.⁴¹ (Rev. Aug. 2018)

E. Policy For Misconduct In Research and Scholarship

- 1. The College of Charleston is dedicated to truth in pursuit of knowledge through research and to the transmission of knowledge through teaching. A spirit of mutual respect and a broad trust that all faculty members, students and staff share this dedication to the truth are essential to the functioning of the College. Nevertheless, from time to time some member of the College community may appear to have disregarded accepted norms of professional behavior. The integrity of the programs of the College requires that faculty, students and staff be aware of potential misconduct in themselves and in others, and that allegations of misconduct be resolved in a just manner, ensuring that there are no recriminations for a person bringing an allegation in good faith.

⁴¹ Under State Human Resources Regulations, 19-719.04.

2. “Misconduct” in this regard is defined as:
 - a. Serious deviation from accepted standards and practices in proposing, carrying out or reporting the results of scholarly undertakings (such as fabrication, falsification or plagiarism);
 - b. Material failure to comply with requirements for protection of researchers, human subjects, the public or for ensuring the welfare of laboratory animals; or
 - c. Failure to meet other material professional standards or legal requirements governing research and scholarship.

“Misconduct” does not include honest error or honest differences in interpretations or judgments of data. This definition of “misconduct” applies to students only when the suspect activities are carried out in potentially publishable original research or faculty-directed original research. Honor code violations as defined in the College of Charleston Student Handbook that are not associated with original or faculty-directed research are not subject to this misconduct policy.

3. Disregard of established norms of conduct may be intentional or may be unwitting. In either case, public trust and the pursuit of truth are endangered, and the College has an obligation to act. It may be appropriate, however, for the College to respond differently to different sorts of suspected misconduct. The procedures outlined herein were initiated in response to requirements promulgated by the U.S. Public Health Service and the National Science Foundation dealing with issues of possible misconduct in science and engineering. They are intended to provide a fair and orderly means of handling all issues of alleged misconduct in “research and scholarship” and to supplement existing policies, procedures, and provisions contained in the College of Charleston Faculty/Administration Manual and the College of Charleston Student Handbook. These procedures apply to all faculty, staff and students participating in scholarship or research, funded or otherwise, in all disciplines throughout the College.
4. Since a charge of misconduct, even if unjustified, may seriously damage an individual’s career, any such issues must be handled in a confidential manner, and as few people as possible should be involved at any stage of the procedure. Premature disclosure of information concerning an allegation may itself constitute misconduct. Any inquiry or investigation must also be handled promptly and expeditiously and with full attention to the rights of all individuals involved. It is understood that persons conducting a preliminary review, an inquiry, and/or an investigation must

possess the special knowledge necessary to judge the situation but must also have no immediate personal interest in the case.

5. Consideration of misconduct allegations will be made as necessary in three distinct and consecutive phases. These are “preliminary review,” “inquiry” and “investigation.” The purpose of the preliminary review is to ensure that frivolous accusations are dismissed and that differentiation is made between misconduct and carelessness or incompetence. When, from the results of the preliminary review, the allegation of misconduct appears justified, an inquiry is conducted to determine if sufficient evidence exists to indicate the need for a full investigation. The purpose of the investigation is to determine if indeed misconduct has occurred and, if so, to recommend appropriate actions.
6. To comply with Federal requirements, the time between reporting of misconduct and completion of an inquiry to determine if further investigation is required will not exceed 60 days. Should an inquiry exceed 60 days, the record of the inquiry will include documentation of the reasons for the additional time. Any further investigation will be undertaken within 30 days of the conclusion of the inquiry. The time required from initiation of the investigation to its completion and disposition will not exceed 120 days.
7. The College of Charleston procedures for addressing allegations of misconduct have been designed in the recognition that determination of why, or even if, misconduct has occurred may be difficult and that the process of inquiry or investigation must be sufficiently flexible to be terminated when it becomes clear that charges are unjustified or that the issue can be resolved appropriately by other means.
8. Records produced as a result of preliminary review, inquiry and/or investigation of alleged misconduct will be sequestered in the Office of the Provost for a minimum of three (3) years. These records shall remain confidential and shall be released only on a documented need-to-know basis to sponsoring agencies, governmental oversight agencies, law enforcement officials, judicial bodies and/or institutional administrators. Requests for release of information will be granted only after the Provost has been assured that the legal rights of the individuals involved and the institution have been assured. (Procedures regarding misconduct appear in Section VII.F.)

F. Procedures for Misconduct in Research and Scholarship

1. General Reporting Responsibility and Procedures

- a. Any faculty member, student, or staff member who suspects that misconduct has occurred has a legal and ethical obligation to report the suspected activity.
- b. Suspected misconduct may be reported confidentially to the chair of the accused's department, to the accused's Dean, the Director of the Office of Research and Grants Administration, or the Provost. If the person who suspects the misconduct has questions about what constitutes misconduct, that person may consult with any of these parties before making an official report of suspected misconduct. If the person is assured, after such consultation, that misconduct has not occurred, the person need not take further action. (Rev. Aug. 2018)
- c. If the person who suspects misconduct opts to make a formal allegation, that person will be afforded the strictest confidentiality. However, the person's identity will not necessarily remain concealed, particularly if that person is an important witness and potential contributor to the preliminary review, inquiry, and/or investigation processes. The Department Chair (or Program Director), Dean, Director of the Office of Research and Grants Administration, and/or Provost will determine and initiate actions that may be necessary to protect the person making the allegation from retribution. (Rev. Aug. 2018)
- d. If the person who suspects misconduct opts not to make a formal allegation but the evidence presented leads the academic administrator to believe that misconduct has occurred, the academic administrator will initiate a preliminary review. The person who first suspected the misconduct may be called upon to serve as a witness during this preliminary review. However, efforts will be made to ensure rights to confidentiality and protection from retribution.
- e. If there is evidence that the alleged misconduct involves specific immediate concerns, the Department Chair (or Program Director), Dean, Director of the Office of Research and Grants Administration, or Provost will report such evidence to the President through proper administrative channels. Specific concerns include:
 - (1) an immediate health hazard;
 - (2) an apparent violation of regulations regarding human subjects in research;

- (3) an apparent violation of regulations regarding the care and use of animals in research and/or academic instruction;
- (4) an immediate need to protect sponsoring agency funds or equipment;
- (5) an immediate need to protect the interests of the person making the allegations and the individual who is the subject of the allegations, as well as the individual's associates, if any; (Rev. Aug. 2018)
- (6) a probability that the alleged incident is going to be reported publicly; and/or
- (7) a reasonable indication of possible criminal violation.

Reports will be handled confidentially and in writing with the utmost urgency. If required, the Provost will promptly inform the sponsoring agency of the immediate concern in accordance with the agency's rules and regulations. If the alleged misconduct relates to a U.S. Public Health Service grant or contract, the Provost will immediately notify the Office of Scientific Integrity (OSI) in accordance with 42 CFR 50.104.

2. Preliminary Review

- a. When the Department Chair (or Program Director), Dean, Director of the Office of Research and Grants Administration, or Provost receives a report of suspected misconduct, that individual will conduct a preliminary review. The purpose of this review is to ensure that frivolous accusations are dismissed and that differentiation is made between misconduct and carelessness or incompetence. (Rev. Aug. 2018)
- b. If the academic administrator receiving the report of suspected misconduct has had any personal involvement in the issue which has given rise to the allegation, the academic administrator will immediately refer the matter to the next higher level academic administrator. (Rev. Aug. 2018)
- c. The academic administrator will have primary responsibility for conducting the preliminary review. The academic administrator may appoint an *ad hoc* committee, consisting of no more than three (3) members from within the accused's school to assist in the review. (Rev. Aug. 2018)

- d. When the Department Chair (or Program Director), Dean, Director of the Office of Research and Grants Administration, or Provost receives a report of alleged misconduct, that individual will notify the accused of the allegation. The accused will have five (5) working days to answer the charge. (Rev. Aug. 2018)
- e. If no grounds for a charge of misconduct are found during the preliminary review, no further inquiry is required. A confidential written report will be prepared by the academic administrator conducting the preliminary review. This report will be forwarded through administrative channels to the Office of the Provost where it will be sequestered for a minimum of three (3) years.

Copies of the report on the preliminary review will also be given to the person accused of misconduct and the person making the allegation. The case is then closed.

- f. If the preliminary review indicates sufficient justification for additional study of the matter, an inquiry will be conducted. The recommendation to conduct an inquiry will be made through administrative channels to the Provost. The academic administrator will also promptly notify in writing both the person accused of misconduct and the person making the allegation that an inquiry will be initiated.

3. Inquiry

- a. If a formal inquiry is deemed appropriate by the Department Chair (or Program Director), the Dean, the Director of the Office of Research and Grants Administration, or the Provost, the Dean will appoint and chair an *ad hoc* Research and Scholarship Integrity Committee (RSIC) to conduct the inquiry. If the Dean has a personal involvement in the case, the Director of the Office of Research and Grants Administration or the Provost will appoint and chair the RSIC. The purpose of the *ad hoc* Research and Scholarship Integrity Committee is to determine if a formal investigation should take place. Specifically, the inquiry will be conducted only in enough detail to establish clearly whether or not there is sufficient evidence to warrant further action.
- b. The RSIC will be comprised of no less than six (6) and no more than eight (8) members. These will include the Dean (or other academic administrator as described in the preceding paragraph), who will chair the committee, three (3) faculty members appointed by the RSIC Chair, at least one of whom must be from the same

discipline as the person accused of misconduct, and two (2) administrators appointed by the Provost. If special expertise in the accused's academic specialty is required but is not available within the department or school of the accused person, the committee chair may appoint an additional committee member from outside the College. The accused may also request the addition of an external member who has the appropriate expertise. (Rev. Aug. 2018)

- c. At the time that it is determined that an official inquiry is warranted, all necessary actions will be taken by the academic administrators on behalf of the College to ensure the integrity of the research, the protection of the rights and interests of research subjects and the public, the observance of legal requirements and responsibilities, and the protection of the rights and confidentiality of the person accused and the person making the allegation.
- d. If the alleged misconduct involves externally sponsored research or other activities, the Provost will first inform the President and then, if required by the sponsoring agency, will report the impending inquiry to the agency according to its rules and regulations. The sponsoring agency may reserve the right to initiate an investigation of its own.
- e. If the RSIC determines that there is insufficient evidence to warrant a formal investigation, the committee will prepare a confidential written report of its findings. The report will be forwarded to the Office of the Provost where it will be sequestered for a minimum of (3) three years. Copies of the report will also be given to the person accused of misconduct and the person making the allegation. The case is then considered closed. A report will be sent to any sponsoring agency previously contacted.
- f. In general, issues of misconduct that require formal investigation are those which are:
 - (1) regarded as serious;
 - (2) involve more than one person or unit of the institution;
 - (3) are characterized by conflicting or uncertain facts; and/or
 - (4) bear directly on the academic integrity of the institution.

An especially important threshold factor favoring a formal investigation is a written scholarly or professional publication of the matter at issue.

4. Investigation

- a. If sufficient evidence is presented during the inquiry to warrant further study, the RSIC will conduct a formal investigation. The RSIC Chair will alert the Provost in writing of the Committee's decision to conduct a full investigation. The Provost will inform the President of the Committee's decision. If the alleged misconduct involves an externally funded project, the Provost will notify the sponsoring agency of the impending investigation according to the agency's rules and regulations.
- b. In consultation with the appropriate College officials, the RSIC Chair will ensure that the following steps, if not addressed earlier, are taken at the initiation of the investigation:
 - (1) The person accused of misconduct will be informed that a full investigation will be conducted;
 - (2) All relevant materials and documents, including but not limited to relevant research data and proposals, publications, correspondence, and memoranda of telephone calls, will be sought;
 - (3) A determination of which other parties (co-workers, journals, other employers, etc.) should be informed of the situation will be made; and
 - (4) A determination of specific administrative actions to be taken during the investigation, if any, will be determined.
- c. The purpose of the investigation is to determine if misconduct, as defined herein, has occurred. In conducting an investigation, the RSIC will consult with the College's General Counsel to develop and initiate procedures appropriate to the circumstances. These investigative procedures should ensure both a complete review and fair treatment of all individuals involved. Consideration will be given to a review of all research in which the person accused of misconduct is involved.
- d. Whenever possible, interviews will be conducted by the RSIC with all individuals involved either in making the allegation or against whom the allegation is made, as well as with other individuals who

might have information regarding key aspects of the allegation. A complete summary of each interview will be prepared by the RSIC and provided to the interviewed party for comment or revision before it is included in the confidential investigatory file.

- e. Throughout the investigation, the accused will be advised of the progress of the investigation and will be afforded the opportunity to respond and to provide additional information. At all times, diligent effort will be made to maintain confidentiality of deliberations.
- f. If, during the investigation, the RSIC finds the roles of any of the accused's co-workers or supervisors suspect, they will be advised of the concerns and, if appropriate, the RSIC will initiate a separate preliminary review for each person involved according to the procedures outlined herein.
- g. If the RSIC's investigation fails to confirm that misconduct has occurred, the case against the accused is closed. At this time, diligent efforts will be made to restore the reputation of the person under investigation. Efforts will also be made to protect the positions and reputations of those who in good faith made the allegations. The RSIC will prepare a confidential file containing the findings of the investigation and forward it to the Office of the Provost where it will be sequestered for a minimum of three (3) years. Notification of the results of the investigation will be sent to any sponsoring agency previously alerted to the problem in accordance with the agency's rules and regulations.
- h. If the allegation of misconduct is found to have been malicious or intentionally dishonest, the RSIC will recommend appropriate action to the Provost.
- i. If the RSIC finds that misconduct has occurred, the committee will make a full written confidential report to the Provost. In this report, the committee will recommend appropriate action. Actions which may be required include, but are not limited to, the following:
 - (1) Withdrawal of papers and abstracts;
 - (2) Notification of editors of journals where fraudulent research has been published;
 - (3) Actions to protect sponsoring agency funds and to insure that the project is carried out; and/or

- (4) Possible release of information about the incident to the press (particularly when public funds were used to support fraudulent research).

If the Provost determines that more complete documentation is necessary, the matter will be returned to the RSIC. The committee's full report will also be sent to any sponsoring agency previously alerted to the problem in accordance with the agency's rules and regulations.

- j. Final action will be directed by the Provost and/or the Executive Vice President for Student Affairs as appropriate. The action to be taken will be communicated in writing to the person found to have been involved in misconduct along with a statement of grievance rights. Faculty members who disagree with the findings of the Research and Scholarship Integrity Committee may file a grievance with the University's Faculty Grievance Committee according to the procedures outlined in the College of Charleston Faculty/Administration Manual. Administrative staff may grieve a RSIC committee decision to the President according to the procedures outlined in the College of Charleston Faculty/Administration Manual. Students found to have been involved in misconduct may appeal to the Honor Board according to the procedures outlined in the College of Charleston Student Handbook. If dismissal is recommended, action will be taken in accordance with published institutional policies and procedures.

VIII. FACULTY INTERACTION WITH STUDENTS

A. Faculty Responsibilities to Students

1. Advising

A faculty member's role at the College of Charleston includes academic advising. Academic advising requires a commitment to assist students in taking responsibility for their own intellectual and life skills development. Advising should become less intrusive, mandatory and necessary, and more collegial over time as students mature in their academic program and life skills. Effective academic advising by faculty requires the ability and willingness to make oneself available to students and colleagues for learning support purposes. It also requires familiarity with College programs, degree requirements, academic and support services, student development stages, administrative policies, and regulations related to academic performance.

2. Course Objectives

At the beginning of each term, instructional faculty are responsible for stating clearly and in writing the instructional objectives (also called learning objectives or student learning outcomes) of each course they teach. It is expected that each member of the instructional faculty will direct instruction toward the fulfillment of these objectives and that examinations will be consistent with these objectives. Instructional faculty are responsible for ensuring that the content of each course they are assigned to teach is consistent with the course descriptions approved by the Faculty Senate and published in the current College of Charleston Undergraduate Catalog or the Graduate Catalog. (Rev. July 2016, Aug. 2018)

3. Disclosing and Retaining Graded Exams and Papers

Papers must be graded and returned within a sufficiently appropriate time to make the examination a part of the student's learning experience. Final examinations must be retained for two years to provide the opportunity for review with the instructor if the student so desires. (Rev. Nov. 2010)

4. Meeting Classes

All instructional staff members are required to meet their classes regularly and at scheduled times. In case of illness or any other emergency, the instructor will notify the Department Chair or Program Director so that appropriate action may be taken. Faculty members may not shorten the stated length of instructional periods, nor reduce the number of instructional periods in the term, nor reduce the number of weeks over which the instructional periods are distributed without prior approval.

5. Office Hours

Faculty members are required to publish and maintain a schedule of a reasonable number of office hours for student conferences. Office hours must be scheduled at times convenient to both students and instructors, with the additional option of prearranged appointments for students where there is a schedule conflict. The number of office hours is to be determined by the Department Chair or Program Director. Each faculty member must file a schedule of office hours in the department or program office for reference and, when applicable, on the faculty member's office door. (Rev. Aug. 2018)

6. Office Hours During Registration

All faculty members who are responsible for academic advising are expected to be in their offices at specified hours during the registration period for each semester in addition to the hours normally reserved for advising.

7. Books and Materials for Classes

The responsibility for ordering textbooks and materials for any given section of a course rests with the faculty member assigned to teach that section during a specific term. While it is true that some departments select an individual to act as textbook coordinator for book orders within that department, the ultimate responsibility rests with the individual faculty member.

8. Classroom Procedures

Each member of the faculty is responsible for controlling conduct of the faculty member's class meetings. Student behavior is governed by the standards and regulations printed in the Student Handbook, a copy of which is available online. (Rev. Aug. 2018)

9. Class Attendance

Because class attendance is crucial for any course, students are expected to attend all classes and laboratory meetings of each course in which they enroll. Instructors maintain the authority to determine how absences will be addressed, which should be detailed in their attendance policies. Participation in college-sponsored activities, where students are official representatives of the College of Charleston, may result in absence(s). Instructors will recognize absences in which students are official representatives of the College of Charleston (such as intercollegiate academic or athletic team competition, or academic program sanctioned research presentation or artistic performance) as excused.

During the first week of classes, instructors will announce and distribute their attendance policies, including criteria to be used in determining excused absences. Instructors determine whether absences are excused or unexcused for the purposes of participation grades, in-class assignments, and laboratories. Regarding formal graded work (such as exams, presentations, papers), instructors will make "reasonable accommodations" when a student misses class for an event at which the student is an official representative of the College of Charleston. Examples of reasonable accommodations might include: rescheduling an exam, altering presentation times, or flexibility in assignment submission

dates. Students are required to submit documentation of their College representation-related commitment from the appropriate College authority at least one week prior to the scheduled absence in order to be eligible for reasonable accommodations by the instructor. Regardless of any accommodation granted, students are responsible for satisfying all academic objectives, requirements, and prerequisites as defined by the instructor and the College.

Instructors ascertain whether both excused and unexcused absences count in determining the basis for a grade of “WA,” which means “failure due to excessive absences” and is equivalent to a failing grade. If attendance is used for grading purposes, the instructor is responsible for keeping accurate attendance records. If a student has more than the maximum allowed absences as defined in the course syllabus, the professor may assign a “WA.” Instructors are required to submit an electronic “WA” form (located in MyCharleston faculty tab) to the Registrar on or before the last meeting day of the class. The Registrar will then send an email notification to the student. The student is responsible for keeping personal addresses and contact information current through the Office of the Registrar. All students, whether absent or not, are responsible for all information disseminated in the course. (Rev. Aug. 2018)

10. Religious Accommodation for Students

The College of Charleston community is enriched by students of many faiths that have various religious observances, practices, and beliefs. We value student rights and freedoms, including the right of each student to adhere to individual systems of religion. The College prohibits discrimination against any student because of such student’s religious belief or any absence thereof.

The College acknowledges that religious practices differ from tradition to tradition and that the demands of religious observance in some traditions may cause conflicts with student schedules. In affirming this diversity, like many other colleges and universities, the College supports the concept of “reasonable accommodation for religious observance” in regard to class attendance, and the scheduling of examinations and other academic work requirements, unless the accommodation would create an undue hardship on the College. Faculty are required, as part of their responsibility to students and the College, to ascribe to this policy and to ensure its fair and full implementation.

The accommodation request imposes responsibilities and obligations on both the individual requesting the accommodation and the College. Faculty members are expected to reasonably accommodate individual religious practices. Examples of reasonable accommodations for student

absences might include: rescheduling of an exam or giving a make-up exam for the student in question; altering the time of a student's presentation; allowing extra-credit assignments to substitute for missed class work or arranging for an increased flexibility in assignment dates. Regardless of any accommodation that may be granted, students are responsible for satisfying all academic objectives, requirements and prerequisites as defined by the instructor and by the College.

11. Final Examinations and Final Course Grades

Prior to each final examination period, an examination schedule is published by the Registrar's Office. Final examinations must be administered only at the time and in the place stated on the Examination Schedule, except by written permission of the relevant campus authority. Faculty who change a final examination time for a course without written permission may be required to return the final examination to its regularly scheduled time.

Re-examinations shall not be allowed.

If an undergraduate student is absent from a final examination, the temporary mark of "X" may be assigned electronically by the instructor. It is the student's responsibility to report the reason for the student's absence to the Director of the Center for Academic Performance and Persistence and the instructor of the course. If the student does not do so within 48 hours after the examination, the grade is automatically converted to an "F." (Rev. Aug. 2018)

For undergraduate students, once the final course grade has been submitted, the Director of the Center for Academic Performance and Persistence may not authorize a change of grade except on written statement by the instructor that the grade was submitted in error. A statement of particulars must accompany the adjusted grade report. The forms to institute such a change are made available by the Registrar's Office. (Rev. Aug. 2018)

Instructional staff members are responsible for informing students in their classes in writing of the methods to be employed in determining the final course grade and of any special requirements of attendance that differ from the general attendance policy of the College. At the request of the student, a faculty member should make available information and/or an evaluation of the student's progress prior to the withdrawal date. (Rev. Aug. 2018)

Regarding final examinations and final course grades, if any course-, program-, department-, or school-specific policy document; syllabus; or

examination schedule produced by a current or former employee of the College is in conflict with the relevant provisions of the Faculty/Administration Manual or any other approved institutional policy or policy of the Academic Affairs Division, the provisions of the Faculty/Administration Manual, approved institutional policy, or policy of the Academic Affairs Division shall prevail. The Provost and Executive Vice President for Academic Affairs (or the Provost's designee) shall be responsible for the interpretation of these provisions for final examinations and final course grades. (Rev. Aug. 2018)

(Rev. Nov. 2010, Aug. 2018)

12. Grading

During the first week of class, each faculty member is responsible for announcing and distributing a written statement of the faculty member's grading policy. Full information concerning the grading system may be found in the Undergraduate Catalog and the Graduate Catalog. (Rev. Aug. 2018)

13. Reporting of Mid-Semester Grades

At mid-point in each semester or term, consistent with the approved academic calendar for that semester or term, each faculty member will report a mid-term advisory grade for each undergraduate student to the Registrar. These grades are for advising purposes and are not recorded on the student's permanent record.

(Rev. May 2007, Aug. 2018)

14. Student Discipline

The Honor Code of the College of Charleston forbids lying, cheating, stealing, plagiarism, and failing to report an Honor Code violation. The Student Code of Conduct and the Alcohol Policy, found in the Student Handbook, regulate non-academic conduct of students.

Suspected violations of all student codes should be reported to the Executive Vice President for Student Affairs. When requested to appear at hearings involving student disciplinary matters, faculty members should appear and testify if requested to do so, unless privilege or privacy interests dictate otherwise.

(Ins. Apr. 2009)

15. Ordering Library Books and Journals

Faculty members participate in the selection of new books, journals and databases for the library collection. Each academic department has a designated Departmental Liaison who collects individual book requests from the Liaison's faculty colleagues, approves them, and submits them to the library. The library also receives new books on approval. Once a year, the library asks each academic department to recommend new journal titles. The Departmental Liaisons usually oversee this process to make sure that the library receives journal requests that meet with the approval of the entire department. (Rev. Aug. 2018)

16. Library Reserves

Faculty members may place books and copies of journal articles for students' use on "RESERVE" at the circulation desk at the Marlene and Nathan Addlestone Library. Faculty members should bring reserve lists and/or personal copies of reserve materials to the library prior to the beginning of each semester. Normally materials will be removed automatically at the end of each semester and personal copies should be removed at that time. (Rev. May 2007)

B. Student Grievance Procedures

1. Preamble

Disputes may occasionally arise between members of the College of Charleston community over both academic and non-academic matters. While many issues can be resolved at the personal level between the two parties, a formal procedure is available for the resolution of disputes that cannot. The procedure which has been established presents a framework within which disputes may be settled. The formal procedure is not meant to change the character of a dispute but to ensure that all parties are treated fairly and that every attempt is made to arrive at a just resolution of the dispute.

2. Informal Resolution of Dispute

Since many disputes can be resolved in an informal manner, students having complaints about academic treatment or non-academic matters at the College are strongly urged to attempt to reconcile any differences informally with the faculty or staff member involved. Students should meet with the faculty or staff member to discuss their concerns openly, without fear of reprisal and as soon as possible during the academic semester, since ultimately delay may result in no viable resolution to the dispute. If the student is unable to meet with the faculty or staff member,

or if his/her attempt to discuss the issue with the faculty or staff member is not satisfactory, the student should meet with the department chair or program director. Students should continue attending the class in question throughout this process unless they have been instructed not to by the department chair or program director. If the student elects not to pursue the matter informally directly with the other party, or if s/he does pursue an informal resolution and the parties cannot resolve their differences, the student may initiate the formal process. That process basically will be the same for academic and non-academic disputes and for disputes involving faculty, administrators, or staff.

3. Formal Procedures: Student-Faculty Grievances

- a. If the student elects to pursue the formal procedure for academic and non-academic grievances against faculty members, s/he must submit in writing to the faculty member's department chair or program director a written grievance which includes the following:
 - (1) The act(s) complained of.
 - (2) Facts and evidence in support of the complaint.
 - (3) An account of attempts to resolve the complaint informally, if any, and the reason(s) those attempts have failed.
 - (4) Suggested resolutions to the problem which are acceptable to the student.
- b. The department chair or program director (in consultation with the department chair where appropriate and where consistent with the reporting lines) will have a maximum of 30 days to review the materials, investigate the complaint, and attempt to bring the parties to an agreed-upon resolution. Should an agreed-upon resolution not be reached at this level, the grievance and all accumulated materials will be referred to the dean (or associate dean) of the school. The dean (or associate dean) of the school will have a maximum of 30 days to investigate the complaint and attempt to bring the parties to an agreed-upon resolution. His/her investigation may include interviewing and taking statements from the parties and others, securing documents and evidence from any available sources, and other actions which s/he deems necessary in the circumstances. Failing an agreed-upon resolution, s/he shall make a decision resolving the dispute and promptly notify the parties and the faculty member's department chair or program director of his/her decision in writing.

- c. Graduate Students Only: Either party may appeal the decision of the dean (or associate dean) of the school by presenting a written notice of appeal to the Dean of the Graduate School no later than five (5) working days from receipt of the written response from the dean (or associate dean) of the school. The Dean of the Graduate School will further investigate the complaint and attempt to bring the parties to an agreed-upon resolution. His/her investigation may include interviewing and taking statements from all parties and others, reviewing documents and evidence previously compiled, securing additional documents and evidence from any available sources, and other actions which s/he deems necessary in the circumstances. The graduate dean may affirm, reverse, affirm in part, and reverse in part the decision of the dean (or associate dean) of the school. The graduate dean will promptly notify the parties, the faculty member's department chair or program director, and the dean of the school of his/her decision in writing.

Either party may appeal the decision of the dean (or associate dean) of the school (in cases involving undergraduates) or the Dean of the Graduate School (in cases involving graduate students) by presenting a written notice of appeal to the Executive Vice President for Academic Affairs/Provost no later than five (5) working days from receipt of the decision by the graduate dean. A copy of the original written grievance and the decision appeal form should be attached to the notice of appeal. If the Executive Vice President for Academic Affairs determines that the notice of appeal has been filed in a proper and timely manner, s/he will promptly appoint an *ad hoc* College grievance panel as described below (see "College grievance panel composition") to consider the case. The Provost will notify the parties of the composition of the panel and will instruct the dean (or associate dean) of the school or the Dean of the Graduate School to forward all materials accumulated thus far to the panel chair, who will be designated by the Provost.

The appeal of the decision of the dean (or associate dean) of the school or the Dean of the Graduate School may be on either procedural or substantive grounds and shall constitute a *de novo* determination of the issues.

Within ten (10) working days after submission of the notice of appeal to the Executive Vice President for Academic Affairs, the student may submit to the executive vice president any additional evidence, including written affidavits and other items deemed pertinent to the issues.

Within ten (10) working days of notification of an appeal, the faculty involved may submit to the Executive Vice President for Academic Affairs any additional evidence, including written affidavits and other items deemed pertinent to the issues. Those materials reviewed or considered by the panel in reaching a decision shall be made available to the parties for their inspection except where confidentiality is required by law.

The panel shall review all materials made available to it. It may also conduct its own investigation and secure further evidence it deems necessary in order to make a decision. It may hear live testimony if it wishes or may ask the parties to orally present their sides of the matter; both parties shall be given an opportunity to attend panel sessions called for these two purposes. Whenever the parties appear before the panel, they may be accompanied by an advisor or an attorney; such person may only advise and may not participate in the panel sessions or address the panel. Those materials reviewed or considered by the panel in reaching a decision shall be made available to the parties for their inspection.

The panel's decision will be sent in writing to the parties, the faculty member's department chair or program director, the dean of the school, the Dean of the Graduate School, and the Provost and Executive Vice President for Academic Affairs. The panel may affirm, reverse, affirm in part, or reverse in part the decision of the dean (or associate dean) of the school or Dean of the Graduate School or may remand the case to the Dean of the Graduate School, the dean of the school, or to the faculty member's department chair or program director for a new and final attempt at informal reconciliation which, if it fails, may not be pursued further. If not satisfied with the panel's decision, either party may, within three (3) working days of receipt of the decision, request that the Provost and Executive Vice President for Academic Affairs review the decision. If the Provost decides that extraordinary circumstances exist justifying his/her review of the case, s/he will review all accumulated materials and may take any of the actions which were available to the panel. His/her decision will be final.

Any informal reconciliation which is reached at any level of these procedures will result in the purging of all formal records; all that will remain is a signed document setting forth the agreement.

4. Student-Staff or Student-Administrator Grievances

The same procedure will be followed except that the immediate supervisor of the staff person or administrator involved in the dispute will substitute for the department chair or program director, and the appropriate college vice president will substitute for the dean (or associate dean) of the school or Dean of the Graduate School. If conflicts of interest arise or the person designated cannot proceed for any reason, it shall be the responsibility of the Executive Vice President for Academic Affairs to appoint persons to fulfill the responsibility of the immediate supervisor and the vice president for purposes of these procedures.

5. College Grievance Panel Composition

For grievances filed by undergraduate students, the panel will be composed of:

- a. Two student members of the honor board, drawn by lot; and if the dispute is
 - (1) Academic – three faculty members of the academic standards committee, drawn by lot.
 - (2) Non-academic, involving a faculty member or administrator, three faculty members of the student affairs and athletics committee, drawn by lot.
 - (3) Involves a staff person – three supervising personnel selected by the Executive Vice President for Academic Affairs in consultation with the director of personnel.
 - (4) For all grievances filed by graduate students, the panel will be composed of:
 - (a) Two student members chosen by lot from the graduate student judicial committee. Members of this committee will consist of one student from each graduate program, to be designated by the program director (or the Dean of the School of Education, Health, and Human Performance in the case of the graduate education programs).
 - (b) Two faculty members, selected by lot from the roster of graduate faculty members of the College.
 - (c) One member of the supervising staff of the College, selected by lot from the roster of the academic staff

of the Executive Vice President for Academic Affairs.

- b. As panel members are selected, any designee who is found to be in a conflict of interest in the case will be excused and an alternate will be selected.
- c. These panels will be *ad hoc*, and a separate panel will be selected for each dispute or set of related disputes.

C. Students With Disabilities

The College of Charleston is committed to providing equal access to educational opportunities for qualified students with disabilities, as required by the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and other applicable law regarding students with disabilities. Under these laws, and consistent with the provisions described below, no qualified student with a disability shall be denied access to or participation in services, programs and activities of the College.

The College provides reasonable accommodations for qualified students with disabilities. In an instructional setting, an accommodation typically is a change in the delivery of instruction or in the testing of knowledge or skills. Such a change allows a student to have equal access to educational opportunities. An accommodation is reasonable if it is not unduly burdensome for the College and does not fundamentally alter the nature of the service, program or activity. For example, an accommodation would not be reasonable if it altered the student learning objectives for a specific course. Further, an accommodation would not be reasonable if it posed a health or safety threat to any member of the community.

The Center for Disability Services (CDS) is the primary office that coordinates reasonable accommodations and services for students with qualified disabilities. In performing this work, CDS collaborates with the Office of Legal Affairs and the Office of the Provost.

The identification and implementation of reasonable accommodations for a student with a qualified disability are shared responsibilities of the student, CDS, the faculty member, and the College administration.

It is the responsibility of the student to:

1. meet and comply with the academic and technical standards of the College;
2. make a request to be approved for SNAP (Students Needing Access Parity) services, provide adequate evidence of the disability based on established

criteria, and communicate with CDS reasonably in advance of situations for which SNAP services and reasonable accommodations are necessary;

3. meet obligations related to accommodations recommended by CDS (*e.g.*, providing appropriate notification to the instructor); and
4. communicate concerns related to accommodations to a CDS administrator.

It is the responsibility of CDS to:

1. provide information to the faculty about types of disabilities, disability-related issues and the availability of services;
2. review documentation provided as evidence of disability;
3. recommend reasonable accommodations;
4. enter into a dialogue with faculty whenever there is a disagreement about an accommodation, with the intent of collaboratively resolving such disagreements at the earliest opportunity, normally before the conclusion of the drop/add period at the beginning of a semester or academic term; and
5. communicate to the student, faculty member, Department Chair or Program Director, and Dean, as appropriate, those agreements that have been reached in any case involving a dispute over reasonable accommodation.

It is the responsibility of the faculty member to:

1. maintain the confidentiality of a student's disability status and accommodations;
2. be familiar with the availability of disability services at the College;
3. provide and administer reasonable accommodations;
4. contact CDS at the earliest opportunity if the faculty member believes the accommodations recommended by CDS are unduly burdensome or fundamentally alter the nature of the course and, additionally, to communicate those concerns and recommend alternative accommodations to a CDS administrator; and
5. inform the faculty member's Department Chair or Program Director if the faculty member believes that a dispute over reasonable accommodation will not be quickly resolved through a dialogue with CDS. (Rev. Aug. 2018)

It is the responsibility of the College administration to:

1. ensure that the institution complies with state and federal law,
2. provide support to academic units in the provision of reasonable accommodations; and
3. resolve concerns and appeals related to accommodation requests.

In those cases where there is a continuing dispute between a faculty member and CDS about a proposed accommodation, the faculty member and CDS should work collaboratively with the Department Chair or Program Director to agree on the accommodations that will be offered, with an agreement to be reached within ten (10) business days of the faculty member contacting the Department Chair or Program Director. The Department Chair or Program Director, or CDS, may request the additional involvement of the relevant Academic Dean(s), a representative of the Office of the Provost, and the General Counsel (or General Counsel's designee) to facilitate a timely agreement. When an agreement cannot be reached within ten (10) business days, CDS and the faculty member shall promptly inform the Provost in writing regarding the nature of the dispute. Within five (5) business days of receiving written notice in such a case, the Provost shall make a determination of the reasonable accommodations to be made. The Provost's decision is final and cannot be appealed.⁴²

Retaliation against a student or faculty member is prohibited in any case where there is a dispute over reasonable accommodation and a student or faculty member has contacted CDS or an Academic Administrator in a timely fashion for assistance in resolving the dispute.

(Rev. Jan. 2015)

IX. FACULTY AWARDS

A. Distinguished Teaching Award

The College of Charleston Distinguished Teaching Award is made to one individual during the spring semester. The Distinguished Teaching Award honors those roster faculty members who have been designated by their colleagues as typifying high standards and commitment to teaching excellence throughout their careers. The recipient is recommended to the Provost by an *ad hoc* committee appointed by the Provost and consisting of the five most recent available recipients of the award and the Student Government Association President. The award is a framed certificate and a cash award.

⁴² Nothing in this section shall be interpreted in such a way as to override the provisions of the Americans with Disabilities Act.

B. Distinguished Adjunct Faculty Teaching Award

The College of Charleston Distinguished Adjunct Faculty Teaching Award is made to one individual during the spring semester. This award honors those adjunct faculty members who have been designated by faculty colleagues as typifying high standards and commitment to teaching excellence throughout their careers. The recipient is recommended to the Provost by an *ad hoc* committee appointed by the Provost and consisting of five recent recipients of either the Distinguished Teaching Award or the Distinguished Adjunct Faculty Teaching Award, including at least one adjunct faculty member, and the Student Government Association President. The award is a framed certificate and a cash award. (Rev. Aug. 2014)

C. Distinguished Research Award

The College of Charleston Distinguished Research Award is made to one member of the faculty during the spring semester. The Distinguished Research Award honors roster faculty colleagues who have distinguished themselves by a career of significant research. The Faculty Research and Development Committee recommends the faculty recipient to the Provost. The award is a framed certificate and a cash award.

D. Distinguished Service Award

The College of Charleston Distinguished Service Award is made to a roster faculty member or administrator during the spring semester. The Distinguished Service Award recognizes the outstanding contribution of a colleague who, beyond his or her required duties, has a sustained career of serving the college community in an outstanding and distinguished manner. The recipient is recommended to the Provost by an *ad hoc* committee appointed by the Provost and including former recipients of the award and the Student Government Association President or a representative from the Student Government Association appointed by their President. The award is a framed certificate and a cash award.

E. Distinguished Advising Award

The College of Charleston Distinguished Advising Award is presented to a roster faculty member during the spring semester. The Distinguished Advising Award honors those roster faculty members who have demonstrated a sustained dedication to students in the area of academic advising. A recommendation is made to the Provost by an *ad hoc* committee appointed by the Provost and comprised of former recipients and the Director of the Academic Advising and Planning Center. The award is a framed certificate and a cash award.

F. William V. Moore Distinguished Teacher/Scholar Award

The College of Charleston William V. Moore Distinguished Teacher/Scholar Award is made to one roster faculty member during the spring semester. The William V. Moore Distinguished Teacher/Scholar Award honors faculty members who have been selected by their peers as exemplifying the teacher-scholar model. The recipients' exemplary scholarship and exemplary teaching have enriched the intellectual lives of our students throughout their careers. The recipient is recommended to the Provost by an *ad hoc* committee appointed by the Provost and consisting of the five most recent available recipients of the award. The award is a framed certificate and a cash award.

X. SELECTED ADMINISTRATIVE POLICIES FOR FACULTY

A. Faculty Leave Policies

1. Sick Leave: The guidelines for sick leave are contained in Section 19-710 of the State Human Resources Regulations and on the College's Human Resources website.
2. Leave of Absence: Any member of the tenured or untenured faculty may apply to the Provost for a leave of absence without pay for a period of up to two years. Such leaves commonly are granted to complete the doctoral dissertation, to enable a professor to return to graduate school, to accept a post-doctorate fellowship, to pursue research or to participate in a faculty exchange or internship program. When granted to an untenured faculty member, a scholarly leave of absence of one year or less will count as part of the probationary period as though it were prior service at another institution, unless the individual and the institution agree in writing to an exception to this provision at the time the leave is granted.

Normally a leave without pay will not be for longer than two years. Any agreement to the contrary will be fully outlined in the leave of absence document given to the faculty member.

A faculty member on leave may petition the Provost for an extension of the faculty member's leave period. Such a request should be made at least three months before the date of termination of the authorized leave. The Provost will consult with the Dean and Department Chair, and after consideration, rule on the extension. (Rev. Aug. 2018)

Faculty members considering a request for leave without pay should consult with Human Resources regarding benefits.

The President of the College has the sole discretion to accept or reject the Provost's recommendation concerning the faculty member's request for a leave of absence.

3. Family and Medical Leave: Under the Family and Medical Leave Act of 1993⁴³, the College will provide up to 12 weeks (26 weeks in certain military caregiver situations) of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. While family medical leave is defined as unpaid leave, an employee who is eligible may utilize accumulated sick and/or annual leave under the College's existing sick and annual leave policies. Whether family medical leave is paid or unpaid, it is limited to 12 weeks (26 weeks in certain military caregiver situations) in any calendar year. The employee will be required to provide advance leave notice and medical certification. Employees are eligible if they have worked for the College for at least 12 months and have worked at least 1250 hours in the 12-month period immediately preceding the start of the leave.

Additional details are available in the Family Medical Leave Act of 1993 policy on the College of Charleston's Human Resources web site at hr.cofc.edu/policies/index.php and the policy website at policy.cofc.edu.

4. Annual Leave: The Annual Leave Act for state employees establishes a standard Annual Leave Policy that applies to all state employees except nine, ten, and eleven-month teaching faculty. Twelve-month employees on academic appointments carrying faculty status are entitled to the standard leave earning rate applicable to all State employees.
5. Leave With Pay: State regulations provide that leave with pay may be granted under certain circumstances.⁴⁴ See Human Resources web site at hr.cofc.edu for further details.
6. Sabbatical Leave

- a. Definition

Sabbatical leave is paid time exempt from normal duties granted to faculty members for the accomplishment of professional development programs.

- b. Eligibility

Tenured faculty members and Senior Instructors in their sixth successive full academic year of full-time academic service at the

⁴³ 29 USC 2601

⁴⁴ South Carolina Human Resources Regulations, Section 19-712.01.

College of Charleston since initial appointment or since a previous sabbatical leave may apply for sabbatical leave to commence during the following year. Unless specifically requested and granted by the Provost at the time a leave of absence was taken, years of leave do not count toward the six successive years of full time service required for a sabbatical leave. Unless otherwise indicated in an appointment letter, years in a visiting appointment do not count towards the six years of full-time service.

c. Purpose

Sabbatical leave is paid time exempt from normal instructional and service duties granted to faculty members to engage in intensive research and creative activities and professional development programs, thus facilitating their growth as a scholar and teacher.

d. Duration, Pay, and Procedures

The exact procedures and criteria for sabbatical leave, including duration and pay options, are available from the Office of the Provost. Each faculty member accepting a leave must sign a written statement obligating that individual to continue to serve as a member of the College of Charleston roster faculty for at least one (1) full academic year after the academic year during which the sabbatical was taken. (Rev. Aug. 2018)

B. Faculty Research and Development

Since faculty members are the principal source for stimulating appropriate learning and maintaining a productive climate for learning, a faculty development-instructional improvement program will be conducted.

1. Research and Development Grants

While a faculty member's primary role is teaching, research and professional development are essential to the mission of the College and encouraged as a part of the academic enterprise.

- a. Support from College Funds: Funding for research and development is available from the Faculty Research and Development Committee and departmental research budgets.
- b. Relation of Research to Teaching Duties: Any member of the faculty who has received a reduction in teaching load for research will not be permitted to teach courses for additional pay. Any deviations from this policy must have the written recommendation

of the Department Chair or Program Director, with adequate justification, and the endorsement approval of the Dean and Provost.

- c. Support from Outside Funds: Federal agencies, private foundations and private business firms operate extensive programs of sponsored research. The costs that will be funded by these agencies will vary according to their own rules or terms. To facilitate such support, the College will serve as the contracting authority. Faculty members interested in such projects are requested to consult with the Chair of their department (or Program Director) and the Office of Research and Grants Administration, which will assist in the preparation of proposals and in locating interested sponsors. No commitment to an outside agency that involves College participation can be made by individuals without the concurrence of the appropriate College officials, the Provost and the President who has final authority. (Rev. May 2005)
- d. Payments for Research: Payments for research shall be made in accordance with all applicable federal, state, and institutional policies and procedures.

2. Patent and Copyrights

a. Patents

Faculty members who wish to obtain patents or copyrights on work produced while employed at the College of Charleston should obtain from the Office of the Provost details about applications, ownership, duties and responsibilities.

b. Trademarks

A trademark that relates to the College of Charleston, a College activity or product is the exclusive property right of the College. Only the President or Provost may take steps to secure a trademark by usage or registration with respect to an invention or work resulting from College activities.

C. Policy Affecting Travel and Entertainment by Faculty and Academic Staff

The College encourages attendance at off-campus professional activities by assisting in a limited way with travel expenses. It is expected that the budgets of all departments will be adequate to provide some financial assistance for professional travel. At the same time, the professor or staff person must expect to share in this expense. It is not to be expected that many members of the

department will receive full remuneration for professional travel when meetings are at a great distance from the campus.

Policies and rules concerning travel and entertainment are established by the South Carolina Legislature or the appropriate state administrative entity, and College of Charleston travel policies and procedures are posted on the appropriate College websites. All travel must be approved in advance (at least three days is required). A completed travel request form must be submitted by faculty members and other academic department or program employees to the appropriate Academic Dean or Dean of Libraries. Unclassified administrators must submit the form to the appropriate Vice President or other supervisor. Note: The Provost must approve all travel authorization forms for student international travel, with limited exceptions, all travel authorizations in the Academic Affairs Division in excess of \$5000 and certain other travel authorizations, as directed by the President. (Rev. July 2016; Aug 2018)

Actual expenses up to a certain fixed limit per day, with adjustments for out-of-state travel, and mileage reimbursements are set by State regulation. Travel mileage reimbursement may not exceed tourist airfare.

Generally, College cars are restricted to in-state travel and are not taken on trips extending over a period of several days. When College cars are used, they will be charged to the department's budget at a fixed rate per mile.

D. Policy on Reimbursement for Approved Expenditures by Faculty Members and Administrative Officers

1. Official Functions

College auxiliary funds are available to support official College functions regularly scheduled on or off campus each year as part of the College's official program. These functions must have the prior approval of the President, Vice President or Dean, depending on the funding source for each function. Such functions include new student and faculty orientation sessions, approved conferences and developmental workshops, scheduled College retreats, receptions held for distinguished guests and for Trustees of the College, and for special advisory groups. All costs incurred should be reasonable and prudent. Alcoholic beverage cost will not be reimbursed from state funds, nor will food and beverage costs incurred in social gatherings honoring retirement, promotion, tenure or the like.

Additionally, state employees acting within their official capacity should have travel expenses paid by their own agency (i.e., the College) and reimbursements provided by outside organizations should be paid to the College and not the individual employee.⁴⁵

⁴⁵ Op. South Carolina State Ethics Comm., SEC A092-057.

2. Recruitment Expenses

With permission of the appropriate Department Chair or Program Director, a College faculty member may accompany a prospective recruit for a faculty position or a College guest for meals. Such meals are limited to one College representative. While faculty recruits are not employees of the State and their personal travel costs are not subject to state limitations, they should be advised that all travel should be by the most economical mode. Receipts for transportation (airlines, rail, etc.) and hotel bills should be included in reimbursement requests to the College. No receipts are required for taxi or meals. No reimbursement will be made for alcoholic beverages or personal long distance telephone calls.

3. Gifts, Flowers, and Parties

No state agency, board, committee or commission will buy a gift, flowers, holiday cards or other similar items, or give a party for any state employee using state, federal or other monies on the state's fiscal books. Gifts to board, committee or commission members from state funds are also prohibited.

(Rev. Aug. 2017)

E. Purchases by Faculty and Staff

The President, as agency head, is primarily responsible for seeing that all purchases comply with the S.C. Consolidated Procurement Code. To execute this responsibility, the centralized purchasing concept has been adopted by the College. Under the centralized purchasing concept all purchases are made by or controlled through a central procurement office, which is responsible for compliance with all applicable laws and regulations. Faculty and staff cannot make a commitment for the College to accept and pay for supplies, services or equipment without determination by the Procurement Office. Faculty and staff should refer to the manual, The Procurement and Supply Manual, for additional guidelines.

F. Legal Assistance

Faculty and staff who have a legal problem or question concerning the College should consult with the College's General Counsel. The Office of Legal Affairs will give advice and assistance and will determine whether outside counsel should be retained. The Attorney General's Office must approve the hiring of outside counsel; therefore, if faculty or staff incurs legal costs without this prior formal approval, state funds cannot be used to cover these costs.

G. Faculty and Administrator’s Authority to Enter into Contractual Agreements on Behalf of the College of Charleston

The operation and administration of the College has been delegated to the President by the Board of Trustees. Therefore, the President is, in fact, the only person at the College who has the legal authority to enter into any contractual agreements on behalf of the College. The President has been specifically given the power to delegate some of the presidential authority to members of the administration to maintain and ensure a smooth administrative process in the overall operation of the institution. Officials of the College, unless specifically delegated such authority in writing by the President, do not have this authority. Where uncertainties exist, please confer with the Provost or consult the College Counsel.

(Rev. Aug. 2014, Aug. 2018)

H. Intellectual Property Policy

The College’s Intellectual Property Policy is published as Policy 9.1.13 at the College policy website, policy.cofc.edu

I. Grievances Before the Faculty Hearing Committee

1. The following matters shall be proper subjects for a grievance to be heard by the Faculty Hearing Committee:
 - a. Notice of dismissal of a tenured faculty member.⁴⁶
 - b. Notice of dismissal of an untenured faculty member before the end of the faculty member’s contract term.⁴⁷ (Rev. Aug. 2018)
 - c. Alleged discrimination in promotion, compensation, or work assignment.⁴⁸
 - d. Alleged discrimination in denial of tenure or dismissal at the end of the contract term.
 - e. Alleged violation of academic freedom.
 - f. Alleged violation of due process.
 - g. Election appeals.

⁴⁶ South Carolina Code section 8-17-380

⁴⁷ South Carolina Code section 8-17-380

⁴⁸ South Carolina Code section 8-17-380

- h. Other matters referred by the President to the committee where a due process hearing is necessary.

2. Requesting a Hearing

- a. A Notice of Grievance must be filed by the grievant faculty member with the Chair of the Faculty Hearing Committee, with copies to the President, Provost and the grievant's Department Chair and Dean, within twenty working days of the act complained of and shall contain the following information:

- (1) the date of the act complained of and the name of the person or persons alleged to have been responsible for the act;⁴⁹
- (2) a clear, detailed statement of why the grievance falls within the jurisdiction of the Faculty Hearing Committee;
- (3) a detailed description of evidence in support of the position of the grievant;
- (4) the names of potential witnesses for the grievant, with a short statement of the subject matter of their potential testimony;
- (5) the specific remedial action or relief sought;
- (6) a brief summary of the results of previous discussions on the issues involved which the grievant has had with the person or persons responsible for the action complained of, if such discussions have been held; and
- (7) a preference as to whether a hearing, if held, is to be open to the public or closed to all except the committee and those involved in the hearing.⁵⁰

Failure to file a Notice containing this information within the specified time limitation shall be a waiver of grievance and of all rights under these procedures, absent a finding of good cause for a reasonable delay, as determined by the Hearing Committee.

(Rev. Aug. 2018)

⁴⁹ If the grievance is based upon a Notice of Dismissal, a copy of the Notice or letter giving notice should be attached to the Notice of Grievance.

⁵⁰ The President and Provost may also express a preference for an open or closed hearing by informing the chair of the committee of the preference before the committee's first meeting.

- b. The assigned hearing panel will meet within seven working days after receipt of the Notice of Grievance by the Chair in order to determine whether the grievance has been properly and timely filed and whether the nature of the grievance is within the jurisdiction of the Hearing Committee. If the hearing panel decides that the grievance should be heard, it shall set a date for the hearing, which must be held within twenty working days of the panel meeting. The panel shall also decide, taking into account the preferences expressed, whether the hearing will be open or closed.
- c. Within two working days after the panel determines the matters set out in (b) above, the Panel Chair shall notify in writing the grievant, the President; the Provost; the Dean; and, where applicable, the Department Chair of the decision of the committee as to whether or not the grievance will be heard.
 - (1) If the decision is negative, the Panel Chair will specify the committee's reasons for not hearing the grievance.
 - (2) If the decision is positive, the Panel Chair shall include in this written notice the date, time and place of the hearing and the committee's decision as to whether or not the hearing will be open or closed.
- d. Within two working days of receipt of the panel's decision as to whether or not a hearing will be held, the Provost shall give written notice to the panel and the grievant of the name of the representative who will be representing the College at the hearing. The college representative may be any of the following persons, so long as the college representative is not an attorney: the Provost, a Vice President, a Dean, a Department Chair or any other member of the College community deemed appropriate by the Provost.

(Rev. Aug. 2018)

3. Pre-Hearing Procedures

- a. If the grievant intends to have counsel at the hearing, the grievant shall notify the hearing panel and the college representative at least ten working days prior to the date of the hearing. Failure to so advise within this time period may result in a delay of the hearing (Rev. Aug. 2018).
- b. The assigned hearing panel may reach its own factually supported conclusions regarding whether there are conflicts of interest among

proceeding participants and whether a reasonable person would conclude that such conflicts, if they exist, would be likely to prevent participants from responsibly performing their assigned roles in the proceedings.⁵¹ If an alleged conflict of interest is found to involve a hearing panel member, that individual will be required to step down from that particular panel, and another committee member will be appointed by the Chair of the Faculty Hearing Committee, subject to the majority approval of the Faculty Hearing Committee as a whole. If an alleged conflict of interest is found to involve the college representative, that individual and the Provost will be timely advised in writing of the panel's conclusion and the facts supporting the conclusion, although a decision about recusal and replacement of the college representative in that case rests solely with the Provost. Other factually supported conflicts of interest will be dealt with as the hearing panel deems appropriate, consistent with the scope of the panel's responsibilities and area of authority. Such conclusions of the panel may be appealed to the Faculty Hearing Committee by the grievant or the college representative for reconsideration. The decision of the grievant or the college representative not to appeal such a conclusion of the panel regarding alleged conflicts of interest shall not be presumed to constitute agreement with the panel's conclusions.

(Ins. Aug. 2018)

- c. At a mutually convenient time, but at least three working days prior to the hearing, the Panel Chair shall hold a pre-hearing meeting with the parties in order to:
- (1) exchange the names of witnesses to be called at the hearing;
 - (2) exchange documents and other evidence to be used at the hearing;
 - (3) enter into stipulations of fact, and
 - (4) achieve other appropriate pre-hearing objectives to ensure a fair, effective, and expeditious hearing.

Witnesses and evidence not exchanged at this meeting will not be allowed to be presented at the hearing except for good cause shown, as determined by the hearing panel.

(Rev. Aug. 2018)

⁵¹ Determinations regarding conflicts of interest should be guided by the relevant provisions of Section 8-13-700, South Carolina Code of Laws, and the College of Charleston Ethics Policy, as published at policy.cofc.edu.

4. The Hearing

a. Attendance

- (1) If the hearing is to be closed, attendance shall be limited to:
 - (a) members of the hearing panel, including the alternate
 - (b) the grievant
 - (c) the grievant's advisor or lawyer, if desired
 - (d) the college representative
 - (e) the college's General Counsel
 - (f) witnesses while giving evidence
 - (g) AAUP observer, if requested by either party or the committee
 - (h) recording equipment operator and/or court reporter, if any.

All participants in a closed hearing will be asked to maintain the confidentiality of the hearing to the extent reasonably possible.

(Rev. Aug. 2018)

- (2) If the hearing is to be open, the only parties to be excluded will be the witnesses, who may not attend the hearing.
- (3) The grievant's advisor or attorney, if any, and the college's General Counsel may advise any party upon request and may address procedural issues, but they may not question witnesses or make opening statements or closing arguments

b. Conduct of the Hearing⁵²

⁵² The hearing procedures will vary in the following respects when the termination of a tenured faculty member is being considered:

- i. The burden of proof will rest with the College, and the college representative will, therefore, present witnesses and evidence before the faculty member does.

- (1) The hearing shall not be conducted according to strict rules of legal evidence. Absent a majority vote of the hearing panel to the contrary, the Panel Chair shall rule on evidentiary matters and shall allow to be introduced at the hearing any probative and trustworthy evidence relevant to the matters at issue. Repetitious or cumulative evidence may be excluded. (Rev. Aug. 2018)
- (2) A recording will be made of the hearing and preserved by the Chair of the committee until all proceedings at the College have been concluded, at which time the Chair shall deliver the recording to the Office of the President for retention or future use.⁵³ (Rev. Aug. 2018)

The recording arranged for by the Chair shall be the official record of the hearing. If a transcript is prepared from the recording by the College, it will be furnished to the grievant upon request. In addition, either party may have a court reporter present to record the hearing at that party's own expense. If a transcript is prepared by the court reporter, the other party will be given an opportunity to purchase a copy. (Rev. Aug. 2018)

All parties present will introduce themselves at the beginning of the hearing and shall identify themselves when speaking during the hearing for purposes of the record.

- (3) The grievant and the college representative will have the right to confront and cross-examine all witnesses. The parties shall be responsible for securing the attendance of their own witnesses and obtaining necessary documentation and other evidence. Upon request, the grievant, the College's representative, and the administration will cooperate with the panel to ensure that necessary witnesses and evidence are made available. (Rev. Aug. 2018)

Where a witness cannot appear because of illness or other cause acceptable to the panel, an affidavit of the witness may be introduced into the record. In such event, the

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- ii. The standard of proof for finding adequate cause for termination shall be by clear and convincing evidence in the record considered as a whole.
 - iii. When termination is proposed because of incompetence, the college representative must present the testimony of qualified faculty members from the College and other higher education institutions.

The recording will be destroyed after five years if no written request to preserve it has been received.

opposing party shall have the right to file counter-affidavits within three working days following the completion of the hearing. (Rev. Aug. 2018)

- (4) The panel may grant reasonable recesses to enable either party to investigate evidence as to which a valid claim of surprise is made. (Rev. Aug. 2018)
- (5) Except for such simple announcements as may be required (covering the time of the hearing and similar matters), public statements and publicity about the case by the grievant, administrative officers or the panel and other committee members will be avoided so far as possible until the proceedings have been completed. (Rev. Aug. 2018)
- (6) The panel members or any party may seek the advice of the college's General Counsel at any time concerning these procedures. (Rev. Aug. 2018)
- (7) With respect to the conduct of the hearing, and within the guidelines of these procedures, the Panel Chair may establish other necessary rules and may decide issues presented, subject to being overruled by a majority of the panel. (Rev. Aug. 2018)
- (8) All witnesses, including the grievant and the college representative, shall testify under oath administered by the Panel Chair or the Panel Chair's designee. (Rev. Aug. 2018)
- (9) Hearing panel members shall not discuss the case with anyone outside of the hearing and shall not be influenced in making a decision by any consideration other than the evidence presented to them at the hearing. (Rev. Aug. 2018)
- (10) The standard of proof to be employed, when necessary, is a preponderance of the evidence.
- (11) At any point in the proceedings prior to the issuance of the committee's findings and recommendation, the grievant may withdraw any portion or all of the grievance, with the consent of the hearing panel. In all cases of withdrawal with consent, the grievant shall not have the privilege of reopening the same grievance at any time in the future. (Rev. Aug. 2018)

c. Sequence of Events

- (1) Grievant may make an opening statement.
- (2) College representative may make an opening statement.
- (3) Grievant presents witnesses and evidence on the grievant's behalf, subject to cross-examination by the college representative and members of the panel, including the panel alternate. (Rev. Aug. 2018)
- (4) College representative may request the panel to rule against the grievant and terminate the hearing because the grievance is not supported by the evidence presented by the grievant. The grievant may argue against this request. If the request is granted, the committee shall terminate the hearing and prepare its report. If the request is denied, the hearing proceeds to the next stage. (Rev. Aug. 2018)
- (5) College representative presents witnesses and evidence, subject to cross-examination by the grievant, and members of the panel, including the panel alternate. (Rev. Aug. 2018)
- (6) The panel may call new witnesses, or recall previous ones, whose testimony it deems relevant or helpful. New witnesses are subject to cross-examination by the grievant and the college representative. (Rev. Aug. 2018)
- (7) Rebuttal evidence (either testimony or documents) may be presented by either party, the grievant doing so first. (Rev. Aug. 2018)
- (8) The grievant may make a closing argument, followed by the college representative. The grievant may rebut the closing argument of the college representative if the grievant so desires. (Rev. Aug. 2018)
- (9) If the panel would find them helpful, it may request that additional written arguments be filed by both parties, with a copy furnished to the opposing party, within a reasonable period of time stipulated by the panel. (Rev. Aug. 2018)

(Rev. Aug. 2018)

5. Post-Hearing Procedures

- a. Following the hearing, the assigned hearing panel, exclusive of any remaining alternate, shall meet in closed executive session. In this session, the panel shall prepare its report, based upon the evidence presented at the hearing. The written report shall contain:
 - (1) Statement of the purpose of the hearing;
 - (2) The issues considered by the panel;
 - (3) Findings of fact as to each major issue raised by the parties;
and
 - (4) Recommendations, if desired.

The panel's report shall be forwarded to the President, the grievant, and the college representative as soon as reasonably possible after the conclusion of the hearing, normally within fifteen working days. The findings and recommendations, if any, of the panel are advisory only and shall in no way bind or commit the President to any suggested course of action. The report must have the concurrence of the majority of the panel. A minority position may be expressed either in a section of the panel's report or as a separate report.

If the findings and/or recommendations are adverse to the grievant, the grievant shall have ten working days from the date the report is submitted to the President (and provided to the grievant and college representative) within which to submit in writing to the President for consideration any specific objections the grievant may have regarding the conduct of the hearing or alleged errors in the findings of fact. A copy of these objections must be furnished to the panel and to the college representative.

(Rev. Aug. 2018)

- b. Within ten (10) working days after receipt of the panel's report, and receipt of any objections about the conduct of the hearing or correction of errors of fact from the grievant, or notice of waiver of that right by the grievant, the President shall either submit to the grievant, the panel, and the college representative the President's written decision on the case or refer the matter back to the panel for further response and recommendation before rendering a final decision.

The President may request that the panel make available the recording and/or transcripts of the hearing and any other evidence.

If the President's decision is contrary to the recommendations of the panel, the President will include within the written decision a statement of reasons for not accepting the recommendations of the panel.

If the President's decision is adverse to the grievant, the President shall give written notice to the grievant of the grievant's right to appeal the decision to the College of Charleston Board of Trustees, when applicable.

(Rev. Aug. 2018)

6. Appeal to College of Charleston Board of Trustees

- a. The College of Charleston Board of Trustees, in its sole discretion, may choose to hear appeals of grievances on the grounds specified in X.I.1.a through f, listed at the beginning of the previous section (on "Grievances Before the Faculty Hearing Committee"). In its sole discretion, the Board also may choose to hear appeals of other matters. (Rev. Aug. 2018)
- b. When an appeal to the College of Charleston Board of Trustees is sought, the grievant must file a Notice of Appeal within ten (10) working days of receipt of the President's final decision. This Notice must be in writing and sent to the Chair of the Board, with copies to the President, the panel chair, and the college representative. The Notice of Appeal must identify the issues to be raised in the appeal and the grounds for the appeal. Upon receipt of the Notice of Appeal, if the panel chair has not already done so, the chair of the panel shall transmit to the President, for presentation to the Board, the recording of the hearing, as well as all documentary evidence introduced at the hearing. (Rev. Aug. 2018)
- c. If the College of Charleston Board of Trustees chooses to hear an appeal, the Chair of the Board will establish a reasonable timetable for disposition of the appeal which will be communicated to all parties. (Rev. Aug. 2018)
- d. At the Chair's discretion, appeals will be heard by the entire Board or by a committee of not less than three Board members appointed by the Chair for that purpose.

- e. Appeals will be heard on the record established in the grievance procedure at the College. The Board shall have available for its review the recording of the hearing, the evidence submitted at the hearing, the report of the panel and any subsequent decisions or recommendations which followed the panel's report. Briefs and oral arguments will be permitted with the permission and at the sole discretion of the Board but are not required. Oral arguments may be made by the parties or by their attorneys. (Rev. Aug. 2018)
- f. The Board shall submit its decision in writing to the grievant, the President, the chair of the panel, the chair of the Faculty Hearing Committee, and the college representative. The decision of the Board is final. (Rev. Aug. 2018)

7. Prohibition Against Retaliation

A grievant shall not be harassed, intimidated or otherwise penalized for utilizing these grievance procedures.