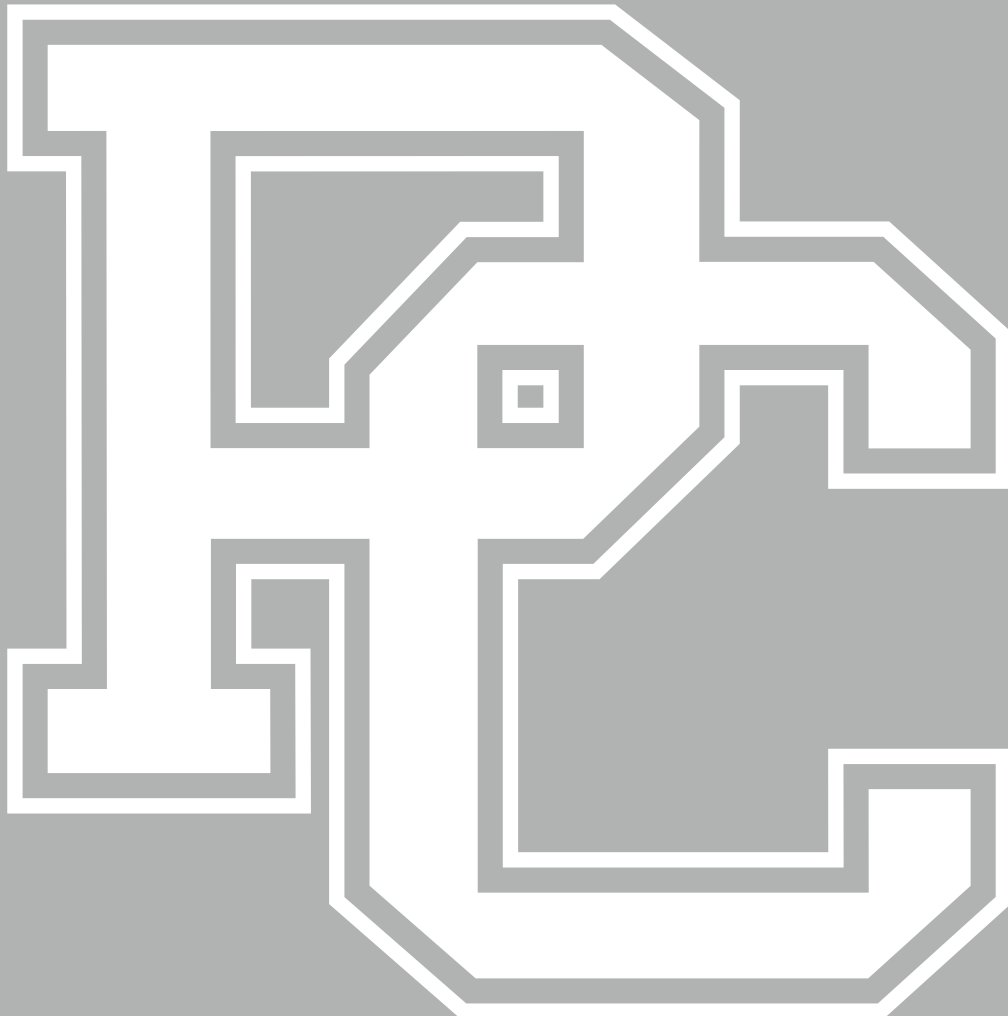


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PRESBYTERIAN COLLEGE

2023-2024  
**FACULTY HANDBOOK**  
COLLEGE OF ARTS AND SCIENCES



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## A. TERMS OF EMPLOYMENT

### PREAMBLE

As noted in the *Bylaws*, Presbyterian College affirms the following statement of its reason for existence:

*The compelling purpose of Presbyterian College, as a church-related college, is to develop within the framework of Christian faith the mental, physical, moral, and spiritual capacities of each student in preparation for a lifetime of personal and vocational fulfillment and responsible contribution to our democratic society and the world community.*

Persons eligible to serve on the faculty shall acknowledge, respect, and support the College's church-related identity and stated mission. Persons invited to serve on the faculty shall be men and women who are broadly educated, who are experts in a particular field of study, and who normally have or will soon receive the terminal degree in their designated fields. They shall demonstrate exceptional promise as successful teachers, scholars, and colleagues.

### CONCERNING ACADEMIC FREEDOM

College professors are at once citizens, members of a learned profession, and academic leaders of an educational institution. When they speak or write as citizens they are free from professional or institutional censorship or discipline. However, their manifold functions and their additional positions in the community impose special responsibilities and obligations. As members of a scholarly profession and as academic leaders of an educational institution, they must remember that the public may judge not only them but also their professions and their institution by their utterances. It is, therefore, essential that they at all times be accurate, show respect for the opinion of others, and make it clear that they speak as private citizens and not as spokespersons for their professions or their institution.

Faculty are entitled to freedom in the classroom in discussing their subjects, including controversial matter which is related to the subject.

## I. FACULTY APPOINTMENTS

1. **Types of Faculty Appointments.** Appointment to the Presbyterian College faculty may be of several types.

(a) Regular Full-Time Faculty Members include those who hold academic appointments which are not indicated to be part-time, adjunct, visiting, or non-tenure track, and who either hold tenure or are expected to be eligible to apply for tenure.

(b) Non-Tenure Track Faculty Members are the remaining members of the faculty, and may have a variety of arrangements with the College. They are not eligible to apply for or to be awarded tenure.

i. Full-Time Non-Tenure Track. Some non-tenure-track faculty members are full-time faculty members appointed for a full academic year with renewal of appointment anticipated. All duties, responsibilities, policies, and other terms of employment that normally apply to regular full-time faculty members, except for tenure and promotion, apply to these non-tenure-track faculty members. Employment of a non-tenure track faculty member shall not exceed a total of seven years.

ii. Part-Time Faculty Members are appointed for a specific period of time to teach a specific number of courses, normally fewer than four per semester. Duties and responsibilities normally expected of regular full-time faculty members are also expected of part-time faculty in proportion to the time for which they are employed, unless otherwise noted.

iii. Adjunct Faculty Members are part-time faculty who do not have any duties or responsibilities beyond teaching.

iv. Visiting Faculty Members are full-time faculty hired for a specific length of time, normally no longer than three years, without anticipated renewal beyond that term. All duties, responsibilities, policies, and other terms of employment that normally apply to regular full-time faculty members, except for tenure and promotion, apply for visiting faculty members.

2. **General Standards.** Presbyterian College seeks to secure for its faculty professors and scholars of the highest quality who are dedicated to high ethical ideals and to a life of service.

(a) Presbyterian College seeks to foster mutual respect and understanding among and for all people of different cultures, ethnicities, races, religions, sexual orientations, genders, ages, national origins, socio-economic backgrounds, and physical abilities. Presbyterian College is an Equal Opportunity Employer. The College seeks to hire the most qualified candidate and does not discriminate against any legally protected class.

### 3. Recruiting and Appointment of Faculty.

(a) Position Description. A written description, consistent with the needs of the department and of the College, focusing on the necessary qualifications of all potential candidates, must be formulated and circulated to the faculty members of the department, the Vice President of Human Resources and Title IX, and to the Provost,<sup>1</sup> prior to consideration of any candidate. Standards and criteria for hiring must be reasonably specific and valid predictors for successful job performance. All candidates for the position must be provided with this written description before interviews.

(b) Recruitment. Before any candidate is considered for a faculty position, that position must be advertised. The advertisement will include an application deadline that will be no less than one month after the initial publication. If the position is full time and tenure-track, advertisement must be made in a national publication such as *The Chronicle of Higher Education* and will be posted on the college website. Advertisements may also be placed in professional journals and job registries of the particular discipline. An advertisement in a professional journal of national scope approved by the Provost may be used to satisfy the national advertisement requirement. If the position is not tenure-track, the advertisement must be placed on the web site as a minimum. Presbyterian College is an equal opportunity employer, and applications from members of underrepresented groups will be especially encouraged.

(c) Search Committee. Search Committees shall be composed of the Chair and all members of the department, a student selected by the department, and a member of another department (to be selected by the department in consultation with the Provost). The Vice President of Human Resources and Title IX or his/her designee shall be an advisor to all search committees, without vote and without expectation to attend meetings.

(d) Selection Process. Applicants should provide a letter of application, a curriculum vita, three letters of recommendation, and college and graduate school transcripts, all of which will be reviewed by members of the Search Committee. The Search Committee shall keep a log of applications and supporting material received. Receipt of applications should be acknowledged by a brief communication from the chair of the Search Committee. Those who do not meet the advertised criteria will be eliminated, and a small group of the most highly qualified candidates, in the opinion of the Search Committee, will be selected based on the submitted material. Semi-finalists may be interviewed at a national professional meeting or similar conference, or by phone to further narrow the field.

(e) Essay(s) for Applicants. Semi-finalists will be asked to submit an essay or essays to the Search Committee that addresses each of the following questions: What is your philosophy of teaching, scholarship, and service? How would your teaching, scholarship, and service contribute to what you understand to be a liberal arts education? How would

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<sup>1</sup> “Provost” is the current title of the position of Chief Academic Officer of the College of Arts and Sciences. Should another title be used in the future for that position, either on a permanent or interim basis, the word “Provost” as used herein shall mean the person holding the position of Chief Academic Officer of the College of Arts and Sciences, as defined in the *Bylaws* (IV-2).

your teaching, scholarship, and service reflect your interests in working a church-related liberal arts college and acknowledge, respect, and support the College's church-related identity and stated mission? How would your teaching, scholarship, and service reflect the College's commitments to diversity and cultural competency?

(f) Interviews and Offers. The Search Chair should bring the credentials, including the essays, of the top six candidates to the Provost. After reviewing these materials, the Provost and the Search Chair will select 3-5 candidates for on-campus interviews. Each candidate will be interviewed by the members of the Search Committee, the Provost, and when possible, the President. All materials and presentations required as evidence of professional competence must be the same for each candidate. Personal background questions must be directly related to satisfactory job performance. After all invited candidates have been interviewed, the Search Committee will meet to discuss their relative merits. The Search Committee shall then rank all acceptable candidates and shall send this list to the Provost with its recommendation for filling the position. After consultation with the President and the department chair and final review of the terms by the Human Resources Office, the Provost will make a formal offer. An offer of employment is contingent upon the candidate completing a background check. Any commitments with respect to initial rank and salary, to moving expenses, or other benefits will be made only by the Provost. Decisions on hiring, initial rank, and salary will be based on differences in qualifications, and not on legally protected characteristics. The Provost will keep the department informed of progress in filling the position.

(g) Complete records of the selection process including all data concerning applicants must be kept on file in the Office of the Provost for a period of not less than two years.

(h) Exceptions; Hiring Adjuncts. The only exception which will be made to these procedures is in the case of an urgent situation when a position must be filled in a time too short to implement these procedures fully. However, appointments made under these circumstances will be temporary and the full procedures will be followed before the position is filled for the next academic year. Adjunct faculty may be hired by the chair of the department in question, in consultation with the Provost. The other requirements of this section do not apply to the hiring of adjuncts.

4. **Notice of Appointment**. Notice of appointment or renewal of appointment shall be by Personnel Contract from the President or Provost, stating the terms and conditions thereof. Unless otherwise stated, appointment shall be effective one week prior to the opening of school for new students and shall be for one academic year with salary payments in twelve monthly installments beginning with the month of September. The recipient of an appointment shall indicate acceptance of the appointment and of the terms and conditions attached thereto by signing and returning two copies of the contract to the Office of the Provost. Personnel contracts of members of the Faculty of the College of Arts and Sciences shall be subject to and controlled by the provisions of the *Faculty Handbook* and the Bylaws of Presbyterian College.
5. **Salary Distribution**. First-year faculty members may opt to have their salary in the first year of employment distributed over 13 months. Contact the Provost's Office for details.

**II. EVALUATION**

Presbyterian College uses evaluations of faculty members as a basis for decisions concerning contract renewal, termination, tenure, promotion, and salary increases.

**1. Merit Evaluation.**

(a) Each full-time faculty member (including visiting, non-tenure-track, tenure-track, and tenured, but not adjunct) shall periodically be assigned one of three merit ratings, according to the following rubric:

**Teaching and Service to Students: (60-70%)**

Faculty members are expected to define appropriate goals for and work successfully toward the improvement of student learning. Student learning occurs both in the traditional course structure as well as in special courses such as study-travel courses, internships, student research, and freshman seminars/i2i's. Student learning is enhanced through advising and overall student/faculty interaction.

TEACHING AND SERVICE TO STUDENTS	Excellent Level 3	Competitive Level 2	Improvements Suggested Level 1
Delivery of Instruction	Student evaluations are consistently excellent; strong participation in instructional activities not included in regular teaching load (honors projects, study-travel courses, PC Summer Fellows projects, freshman seminars/i2i's, or other projects); very high peer evaluation of teaching portfolio; teaching awards or honors	Average to above average student evaluations; evidence of instructional activities not included in teaching load (honors projects, study-travel courses, PC Summer Fellows projects, freshman seminars/i2i's, or other projects); high peer evaluation of teaching portfolio	Below average or poor student evaluations; seldom takes on instructional activities not included in teaching load (honors projects, study-travel courses, PC Summer Fellows projects, freshman seminars/i2i's, or other projects); below average or poor peer evaluation of teaching portfolio.
Classroom Pedagogy	Strong clarity of purpose and appropriateness of student learning goals as evidenced in philosophy of teaching, syllabi, and tests; significant work in new program or course development; campus leadership in pedagogical innovation; active and sustained participation in pedagogical workshops and seminars; consistently innovative in teaching approach; demonstrated commitment to pedagogical improvement; consistently responsive to student evaluations.	An awareness of student learning goals as evidenced in philosophy of teaching, syllabi, and tests; acceptable work in new program or course development; consistent participation in pedagogical workshops and seminars; updates curriculum and teaching methods on a fairly regular basis, making content and delivery changes; responsive to student evaluations.	Little involvement in new program or course development; little evidence of innovation in techniques and methods of teaching; little or no documented participation in pedagogical workshops and seminars; little evidence of updating curriculum and teaching methods; generally unresponsive to student evaluation and/or does not have students complete evaluations.
Advising	Significant advising load (either as major and/or as freshman advisor); consistently and widely available to students for academic and other advising; provides strong support for advisees.	Advising load appropriate to disciplinary need (either as major and/or as freshman advisor); consistently available to assigned students for academic advising; provides accurate information.	Does not provide adequate and accurate support for student advisees; maintains minimum office hours and frequently is not available.
Student Centeredness	Consistently goes out of his/her way to help and be available to students; attends numerous campus and student-sponsored events; hosts student events; effectively serves as student organization sponsor or advisor.	Responds to students in a timely and effective manner; helpful and positive in dealing with students; attends campus and student-sponsored events.	Somewhat responsive to students as a whole; attends few campus functions.

**Scholarship and Professional Development (15-25%)**

Faculty members are expected to be engaged in their disciplines and contribute to the growth of knowledge in their fields.

SCHOLARSHIP AND PROFESSIONAL DEVELOPMENT	Excellent Level 3	Competitive Level 2	Improvements Suggested Level 1
Scholarship/Creative Activities	Has published in monographs and peer-reviewed journals (or equivalent creative work) that contributes to the discipline; frequently participates in faculty/student research projects; shares and presents scholarship or creative activities at professional conferences, concerts or exhibitions; chairs or serves as discussant on a panel at professional conferences; receives a funded research grant or contract; serves as officer in a national or regional professional association; edits or reviews for a professional journal; has received professional recognition for his/her work.	Attends national or regional conferences; occasionally contributes to the discipline by leading or participating in a panel discussion; some evidence of professional publications; on-campus creative exhibits and recitals; on-campus presentations; contributes to faculty/ student research and creative projects.	Little evidence of research, creative, or scholarly activity; rarely attends professional meetings; little evidence of effort to remain current in the discipline.

**Service to College and Community (15-25%)**

Faculty members are expected to share the responsibilities of self-governance, be willing to take on committee work, and to contribute creatively to the development of new ideas and initiatives. Faculty members are also recognized for serving their department and the larger community.

SERVICE TO COLLEGE AND COMMUNITY	Excellent Level 3	Competitive Level 2	Improvements Suggested Level 1
College Service	Supports the mission and priorities of the College through leadership and dedicated participation in faculty, council, and committee meetings and other College initiatives; major leadership in college-level accreditation process or task forces; takes on leadership of key committees and commissions; represents the College at Admissions events off campus.	Supports the mission and priorities of the College through participation in faculty, council and committee meetings and other College initiatives; supporting role in college-level accreditation process or major initiatives; frequently assists Admissions office with visiting students and represents department at student visitation days.	Minimal participation in faculty, council, and committee meetings and other College initiatives other than as required by job.
Departmental Service	Supports the mission and priorities of the department through active involvement and leadership in departmental initiatives and tasks; excellent evaluation from the department chair on contributions to the department.	Participates actively in departmental initiatives and tasks. Good evaluation from the department chair on contributions to the department.	Participates sporadically in departmental initiatives. Average to below average evaluation from the department chair on contributions to the department.
Community Service	Contributes substantially to the external community by serving in leadership roles in churches, foundations, or other civic or charitable organizations; represents the College well to outside groups and enhances its community relations; widely shares professional knowledge outside of the college.	Participates consistently and actively in the activities of churches, foundations, or other civic or charitable organizations; shares professional knowledge outside the College.	Does not share professional knowledge outside the College; no evidence of interest in representing the College favorably in the external community.



(b) Level three (3) is considered excellent; level two (2) is competitive; and level one (1) is assigned where improvements are suggested. Decimal fractions are permitted in merit ratings. Merit evaluations are based upon teaching and service to students, scholarship and professional development, and service to college and community. The Promotion and Tenure Committee will periodically review the merit evaluation rubric to give further definition to these categories, establish criteria for merit evaluation, and determine the relative weight of each merit category.

(c) The final merit rating will be determined and communicated to the faculty member by the Provost, based on the processes set forth below, and will be kept confidential.

(d) Prior to a grant of tenure, a faculty member's annual evaluations until third-year review will be used to set his/her merit category. The Provost will consult with the faculty member to determine the percentages employed for evaluation in the rubric described in A.II.1 (a). The Provost will consult with the department chair to arrive at first and second year merit ratings, based on the new faculty member's annual professional activity report and chair and/or peer and student evaluations. It is not expected that faculty in their first year of service participate in student advising or committee work.

(e) The Provost, in consultation with the department chair, will rely on the materials submitted for the third-year review to determine a third-year faculty member's merit rating. This merit rating will normally be used for years four through the granting of tenure (assuming satisfactory progress is made toward tenure), but may be revisited by the Provost in appropriate circumstances. The Provost will consult with the faculty member to determine the percentages employed for evaluation in the rubric described in A.II.1 (a).

(f) A faculty member's merit evaluation will be assessed again during the pendency of the faculty member's tenure application. Three of the members of the Promotion and Tenure Committee already reviewing the candidate's tenure portfolio, one from each of the academic divisions, will be appointed by the Provost to make recommendations regarding the candidate's merit rating. The department chair will also be consulted about the faculty member's rating. The Provost will determine the final merit rating informed by these recommendations. The final merit rating will be communicated to the faculty member by the Provost and will be kept confidential.

(g) As noted below in Section A.II.3(c), each faculty member will undergo a post-tenure review four years after tenure is granted and every four years thereafter at which times his/her merit rating will be revisited. The Provost will consult with the faculty member to determine the percentages employed for evaluation in the rubric described in A.II.1 (a). The faculty member will submit a professional portfolio that will be the basis of the merit evaluation. Three members of the Promotion and Tenure Committee, one from each division, will be appointed by the Provost to make recommendations regarding merit rating. The department chair will also provide a letter of evaluation commenting on the candidate's accomplishments related to teaching, scholarship, and service to the college and community. The Provost will determine the final merit rating informed by these

recommendations. The final merit rating will be communicated to the faculty member by the Provost and will be kept confidential.

**2. Evaluation of Non-Tenure-Track Faculty Members.**

(a) All non-tenure-track faculty members will be evaluated by the department chair according to the following procedures: Each non-tenure-track faculty member will obtain student evaluations in all courses both semesters, which will be reviewed by the department chair. The department chair (or designate of chair) will observe one or more classes as determined by the chair and the faculty member each semester. The faculty member will meet with his/her department chair each semester for the purpose of assessing the faculty member's strengths and weaknesses in teaching effectiveness and assigned duties. The chair will provide a summary of this meeting in writing to the faculty member with a copy to the Provost.

(b) In addition to the requirements of the preceding paragraph, visiting faculty shall, at the end of the academic year, meet with the Provost and the department chair. The Provost will prepare a summary of this meeting in writing to the faculty member with a copy to the department chair.

**3. Evaluation of Tenure-Track Faculty Members.**

(a) **Pre-tenure Evaluation.**

(i) First- and second-year tenure-track faculty members will be evaluated by the department chair and by the Provost according to the following procedures: Each faculty member will obtain student evaluations in all courses both semesters, which will be reviewed by the department chair and the Provost, and second-year faculty members will submit a Professional Activities Report to the Provost by October 1 at the latest. The department chair (or designate of chair) will observe one or more classes as determined by the chair and the faculty member. The faculty member will meet with his/her department chair each semester for the purpose of assessing the faculty member's strengths and weaknesses in teaching effectiveness and assigned duties. The chair will provide a summary of this meeting in writing to the faculty member with a copy to the Provost. At the end of the academic year, the faculty member will meet with the Provost and the department chair. The Provost will prepare a summary of this meeting in writing to the faculty member with a copy to the department chair.

(ii) During the third year of a tenure-track faculty member's service at the College, there shall be a comprehensive review of the record of that faculty member. In that third year, a third-year faculty member will obtain student evaluations in all courses at least one semester which will be reviewed by the department chair and the Provost. He/she must submit a Professional Activities Report for the previous academic year to the Provost by October 1 at the latest. By March 15, the faculty member will submit to the Provost a professional portfolio that includes, but is not limited to, the following items:

- Curriculum Vitae;
- Professional Activities Report;
- Statement of Instructional Philosophy;
- Statement detailing support for the mission of PC;
- A syllabus for each course taught since arrival to PC;
- Examples of student work (papers, tests, projects, etc.) with feedback;
- Summary or synthesis of student evaluations, including a sample of actual evaluations, with emphasis placed upon faculty response to evaluations in relation to student learning outcomes;
- Details of progress in teaching, service, and scholarship;
- Copies of recent scholarly presentations or published work.

The faculty member will meet with the department chair by the end of the academic year. The chair will provide a summary of this meeting in writing to the faculty member with a copy to the Provost. At the end of the academic year, the faculty member will meet with the department chair and the Provost in order to review progress toward and suitability for tenure according to criteria set forth in A.IV.2 (c). The Provost will provide a summary of this meeting in writing to the faculty member with a copy to the department chair.

(iii) Untenured tenure-track faculty members in their fourth to seventh year of service will obtain student evaluations in all courses at least one semester each academic year, which will be reviewed by the department chair and the Provost, and will submit a Professional Activities Report to the Provost by October 1 at the latest. Faculty members will meet with chair at the end of the academic year. The chair will provide a summary of this meeting in writing to the faculty member with a copy to the Provost. At the end of the academic year, the faculty member will meet with the Provost. The Provost will prepare a summary of this meeting in writing to the faculty member with a copy to the department chair.

(b) **Tenure Evaluation.**

Tenure evaluations will normally be made during the sixth year of employment as a regular, full-time faculty member at Presbyterian College in accordance with the procedures detailed in section A. IV.

(c) **Post-Tenure Evaluation.**

(i) The Provost, in consultation with a panel of the Promotion and Tenure Committee, shall conduct a periodic review of the record of each tenured faculty member, with focus upon that member's teaching, continued scholarly development, and service. The record of each tenured faculty member shall be reviewed every four years. By January 31, each tenured faculty member shall submit a professional portfolio as called for in Section A.II.3 (a) (ii), along with such other materials as the Provost may reasonably request. Materials in the portfolio should emphasize the current period of review for the tenured faculty member.

(ii) The purpose of post-tenure review is to assist the tenured member in improving, as needed, the quality of teaching, scholarly development, and service, and to provide a systematic basis for determining merit pay.

(iii) In each cycle of post-tenure review, the Provost and the tenured faculty member will establish how the tenured faculty member will be reviewed according to teaching and service to students (minimum 60% in the rubric), scholarship and professional development (minimum 15% in the rubric), and service to the College and community (minimum 15%). The remaining 10% of the portfolio review shall be applied (in 5% or 10% increments) to any of the above categories. At the time a portfolio is submitted, the tenured faculty member may request a modification of those percentages as appropriate, subject to the review and approval of the Provost.

(iv) In each of these three categories, faculty will be rated as “Excellent” (merit rating three); “Competitive” (merit rating two); or “Improvements Suggested” (merit rating one). Decimal ratings are permitted in merit evaluations. Those faculty members who do not participate will be put into a merit rating of zero, which may impact their ability to receive faculty development grants or be granted sabbaticals.

(v) Faculty members holding tenure shall obtain student evaluations of their courses at least every fourth semester, although more frequent evaluations are helpful when preparing a professional portfolio for post-tenure review. Evaluations are to be shared by the tenured member with the appropriate department chair, the Provost, and, when undergoing post-tenure merit evaluation as discussed below, the Promotion and Tenure Committee.

(vi) The appropriate department chair will write a letter of evaluation to be sent to the Provost by February 15, commenting on the tenured faculty member’s accomplishments related to teaching, scholarship, and service to the College and community. If the department chair is undergoing a post-tenure review, the Provost will ask another tenured member of the department for this letter of evaluation. Department chairs may have access to faculty portfolios if they desire.

(vii) Portfolios will be reviewed by the Provost and by three members of the Promotion and Tenure Committee, one from each division, appointed by the Provost in consultation with the chair of the Promotion and Tenure Committee. The Provost will compile the portfolio reviews from each reviewer and arrive at the final merit rating. A rubric (distributed separately) will be used as a guide for merit evaluations. This rubric will be provided as a guideline for those persons evaluating a faculty member’s portfolio. Each year, the effectiveness of this rubric will be discussed with department chairs and members of the Promotion and Tenure Committee. The Promotion and Tenure Committee will make recommendations for any changes to this rubric for the following year.

(viii) Faculty should be notified of their merit rating before contracts are issued. Faculty in the lowest merit category may submit a new portfolio and undergo post-tenure evaluation again after two years.

(ix) Faculty may appeal merit review ratings once per evaluation. Faculty wishing to appeal should notify the Provost within one week of receipt of their merit rating. The request for appeal should include a letter stating a reason or grounds for the appeal. The Provost will repeat a focused review of the faculty member's portfolio with a new panel consisting of three members of the Promotion and Tenure Committee who are not privy to the original scores received by the faculty member and who were not on the original review panel for the faculty member making the appeal. The Provost's appeal panel should include one member from each division if possible. In the request for appeal, the faculty member should explain which categories (teaching and service to students, scholarship and professional development, and/or service to the College and community) should be reviewed by the Provost's appeal panel. The scores derived from the Provost's appeal panel's review of the faculty member's portfolio will stand. Other than a letter providing grounds and intent for appeal, the faculty member should not submit any new portfolio material.

#### 4. **Exceptions.**

Any exception to these evaluation policies which may be needed in order to respond to special circumstances must be made in writing and will be made by the Provost only after consultation with the President, the department chair, and all tenured members of the department concerned.

### III. PROMOTION

1. **Ranks.** Full-time faculty members may be given one of four ranks: Instructor, Assistant Professor, Associate Professor, and Professor.

2. **Promotion of Faculty.**

(a) Promotion from Instructor to Assistant Professor shall occur automatically upon the achievement of a terminal degree in the faculty member's field of instruction, but only if the faculty member's contract so provides.

(b) The decision to promote a faculty member in rank shall be made by the Board of Trustees, acting upon the recommendation of the President and the Provost (after considering the recommendation of the Promotion and Tenure Committee), and after consideration and recommendation by the Undergraduate Programs Committee of the Board.

(c) The application process is activated by the recommendation of the appropriate department chair to the Provost or by the Provost himself/herself. Such recommendations for promotion must be made not later than September 1 of the candidacy year.

(d) By October 1 following the recommendation from the department chair or the Provost, the candidate for promotion will submit to the Provost's Office his/her professional portfolio as outlined in A.II.3 (a) (ii). The following written evaluations/letters of recommendation should also be submitted to the Provost: from the department chair; from each tenured member of the department; from at least three tenured Presbyterian College faculty members outside the department; from at least three professionals outside the College; and from at least three former students.

(e) Except in those cases in which promotion is mandated by contract upon completion of the terminal degree, the President and Provost, prior to making a recommendation to the Board, shall obtain and consider a recommendation from the Promotion and Tenure Committee, as set forth in Section B.II.8 (c) (ii-iii).

(f) Promotions take effect at the beginning of the academic year following that during which the Board decision is made. Promotions provided by contract upon certification of the completion of the terminal degree take effect immediately following receipt by the Academic Affairs Office of such certification.

3. The criteria for promotion in rank will be generally the same as those for tenure (see A.IV.2 (c)). Additional criteria include:

(a) Candidates for the rank of Assistant Professor must hold the Master's degree, at a minimum.

(b) Candidates for the rank of Associate Professor must have completed a minimum of six years of successful college teaching. The Ph.D. or other appropriate terminal degree is required for promotion to the rank of Associate Professor. In certain cases, this requirement may be waived by the Provost so that a faculty member holding a Master's but without the appropriate terminal degree may be approved for promotion to the rank of Associate Professor.

(c) Only those who hold an earned doctorate or other appropriate terminal degree and have served a minimum of seven years of successful teaching at the Associate Professor level will be appointed to the rank of Professor. There must also be evidence of continued professional growth, teaching excellence, and significant service to the College and community.

4. **Appeals.**

(a) When a decision is made by the President and the Provost not to recommend a promotion, the affected faculty member may appeal through the Provost to the Committee on Status Appeals within forty-five days after the notification has been received. The Committee on Status Appeals shall follow the procedure in section B.IV.5(a) (i-iv).

(b) Failure to file an appeal within 45 days renders the decision not to recommend final, and thus precludes the promotion.

(c) A successful appeal shall automatically go to the Board of Trustees as outlined in B.IV.5(a)(iii). The Board's review and subsequent decision is final. If, on the other hand, the Committee on Status Appeals sustains the decision not to recommend promotion, the decision shall stand and no recommendation will go to the Board.

**5. Exceptions.**

Any exception to these promotion policies which may be needed in order to respond to special circumstances must be made in writing and will be made by the Provost only after consultation with the President, the department chair, and all tenured members of the department concerned.

**IV. TENURE**

**1. Timing and Content of Tenure Application.**

(a) Initial appointment of tenure-track faculty members is probational (that is, on a yearly basis). The period of probational employment for persons in full-time, tenure-track teaching positions at Presbyterian College shall not exceed seven years. Tenure decisions will normally be made during the sixth year of employment as a regular, full-time faculty member at Presbyterian College except for persons with previous service in full-time teaching positions at an accredited institution of higher learning at the rank of instructor or above who may, by action of the Board of Trustees upon recommendation of the President, the Provost, and the Chair of the Department concerned have the period for probational employment at Presbyterian College reduced by the number of years of previous full-time employment, up to a maximum of two years.

(b) A faculty member must apply for tenure by September 1 of his/her sixth year of service unless given permission by the Provost to defer to his/her seventh year of employment. Faculty members with two or more years of previous full-time teaching experience may apply for tenure in their fourth or fifth year of service, and those with one year of previous full-time teaching experience may apply for tenure in their fifth year of service, after consulting with the Provost.

(c) A faculty member who is a candidate for tenure shall initiate the tenure process by submitting an application for tenure to the chair of his/her department and to the Provost by September 1 of the sixth year of his/her probational employment unless the probational member requests and receives permission from the President and the Provost to submit such application not later than September 1 of the candidate's seventh probational year.

(d) Candidates who have been notified in accordance with A.V.3 (below) that their appointment is not to be renewed are not eligible to apply or be considered for tenure; if this notification of non-renewal is made after the application for tenure is submitted, the application for tenure shall be rendered null and void by this notification.

(e) By October 1 following the tenure application, the tenure candidate will submit to the Provost's Office his/her professional portfolio as outlined in A.II.3 (a) (ii). The following written evaluations/letters of recommendation should also be submitted to the Provost: from the department chair; from each tenured member of department; from at least three tenured Presbyterian College faculty members outside the department; from at least three professionals outside the College; and from at least three former students.

(f) The portfolio and supporting documents will be forwarded to the Promotion and Tenure Committee. The Promotion and Tenure Committee will consider all these materials, and may solicit the chair of the candidate's department, the candidate, and others, for additional materials or information. The Promotion and Tenure Committee will then make a recommendation to the Provost by November 20 of the candidacy year regarding the tenure application.

(g) The President and the Provost shall consider these recommendations, which will be given substantial weight. However, the President and Provost are solely responsible for making a final recommendation on each tenure and/or promotion candidacy to the Board of Trustees. The President and Provost maintain the prerogative to reject, as they deem necessary, either a positive or a negative recommendation from the Promotion and Tenure Committee. The Board of Trustees has the sole authority to make all decisions regarding tenure and promotion.

(h) By December 31 of the candidacy year, candidates for tenure and/or promotion are to receive written notification of the decision by the President and Provost to recommend or not to recommend to the Board the candidate's tenure and/or promotion.

(i) Failure to initiate and complete the tenure application by the deadlines set forth above will result in termination of employment at the close of the academic year in which the application was to have been made.

(j) Failure to achieve tenure by the end of the seventh probational year will result in automatic termination of employment at the close of that academic year.

## **2. Standards for Granting Tenure.**

(a) Persons serving in full-time (or other) positions which are explicitly designated not to be tenure-track positions and persons serving in part-time, adjunct, or visiting positions are not eligible for tenure.

(b) Tenure will normally be granted only to a person holding the terminal degree in his/her field. For purposes of implementing terminal degree requirements for tenure and promotion (see A.III.2 and A.III.3), the College will find that a tenure or promotion candidate's highest degree is a "terminal" degree provided that the shared understanding of Presbyterian College and the faculty member at the time the faculty member came to be employed by this College was that the degree was "terminal." In no case shall a tenure candidate hold less than a Master's degree.



(c) The criteria for tenure are effective teaching, a true commitment to the mission of the College and its programs, effective interactions with colleagues, a commitment to continued scholarly and professional development, and service to the community.

(d) The decision to grant tenure must be made with the greatest care since usually it represents a long-term commitment. At the time of the tenure decision, the evidence gathered should demonstrate convincingly that the candidate holds promise of making a continued contribution to the College community. If at this point, in the sole judgment of the College, any serious doubts remain regarding the prospects for long-term performance, the College reserves the right to decline to grant tenure.

### **3. The Tenure Decision.**

(a) The Promotion and Tenure Committee [see Section B.IV.8 (c) (ii-iii)], the Chair of the tenure candidate's department, and all tenured members of the candidate's department shall each make recommendations to the Provost and the President on a tenure application, which the President and the Provost shall consider in formulating their recommendation to the Board.

(b) The decision to grant or deny tenure shall be made by the Board of Trustees. The Board shall obtain recommendations regarding each tenure application from the President, the Provost, and the Undergraduate Programs Committee of the Board, and the Board shall consider these recommendations in making its decision.

(c) The President shall notify each tenure candidate in writing within one week of the Board's decision on the candidate's application.

(d) The Board's decision to grant tenure shall take effect at the beginning of the academic year following that during which the decision is made.

### **4. Appeals.**

(a) When a decision is made by the President and the Provost not to recommend tenure, the affected faculty member may appeal the decision through the Provost to the Committee on Status Appeals within forty-five days after the notification has been received. The Committee on Status Appeals shall follow the procedure in section B.IV.5 (a) (i-iv).

(b) Failure to file an appeal within 45 days renders the decision not to recommend final, and thus precludes a grant of tenure.

(c) A successful appeal shall automatically go to the Board of Trustees as outlined in B.IV.5(a)(iv). The Board's review and subsequent decision is final. If, on the other hand, the Committee on Status Appeals sustains the decision not to recommend tenure, the decision shall stand, no recommendation will go to the Board, and termination will follow in accordance with A.IV.1 (g).

**5. Exceptions.**

Any exception to these tenure policies which may be needed in order to respond to special circumstances must be made in writing and will be made by the Provost only after consultation with the President, the department chair, and all tenured members of the department concerned.

**V. TERMINATION**

**1. Renewal and Acceptance.**

(a) Notification of renewal of appointment shall be made not later than March 31 for the following academic year.

(b) Acceptance of the appointment or notice of the intention not to return to the College for the following academic year shall be given in writing not later than April 15.

**2. Non-renewal or Termination of Non-Tenure-Track Faculty Members.**

Subject only to the express terms of a written contract validly executed by an officer of the College, non-tenure-track faculty members are employees at will, and their employment may be terminated, with or without notice, (including but not limited to non-renewal) at any time for any reason or no reason.

**3. Non-renewal of Non-tenured Faculty Contract.**

(a) When the appointment of any untenured tenure-track faculty member is not to be renewed, notice that there will be no renewal of contract shall be given to the faculty member not later than the fourth week of the final academic year before non-renewal, except that in the case of persons in the first or second year of service such notification may be given not later than January 10<sup>th</sup> of the final academic year before non-renewal. The College may decline to renew the contract of any non-tenured faculty member for any reason or no reason, and the College is not obligated to show cause or give reasons for such non-renewal.

(b) Termination of the academic year contract of a tenure-track faculty member on annual year contract prior to the expiry date of that contract shall require notification in writing to the affected faculty member of the reason for the early termination. The President must approve termination of a tenure-track faculty member in such a scenario, and the reasons for termination will be limited to (i) cause (defined in A.V.4), (ii) disability (defined in A.V.4), (iii) financial exigency (defined in A.V.4), or program discontinuance (defined in A.VII.3).

(c) The President may deem it necessary to terminate a tenure-track faculty member's contract prior to its expiry date for reasons not delineated in section A.V.3 (b). While such authority is reserved to the President, such action may not be pursued except in conformity with the requirement of written notification to the affected faculty member as stated in 3(b)

and after consultation both with the Provost and with the sitting members of the (Senior Faculty Council / Faculty Senate). The decision of the President to terminate a contract in this scenario shall be final, subject to the appeal process outlined in section A.V.5.

**4. Termination of Tenured Faculty.**

(a) The following definitions shall apply to the terms used throughout this section:

i. “For cause” termination is defined as demonstrated incompetence or dishonesty in teaching or in other professional matters, substantial neglect of duty, substantial misconduct (including but not limited to violation of the College’s policies against harassment and discrimination and commission of a felony or any other crime directly affecting the College or the faculty member’s fitness to serve), or personal conduct which substantially impairs the individual’s fulfillment of his/her institutional responsibilities or which brings the College into disrepute.

ii. “Disability” is defined as the faculty member’s inability to perform the essential functions of his or her position, with or without reasonable accommodation, for six or more continuous months. If the College and the faculty member do not agree on whether this standard is met, they may agree to an evaluation by a mutually acceptable medical professional with relevant specialization to help them resolve the disagreement.

iii. “Financial exigency” is defined as a situation in which the College faces a critical (i.e. – immediate and significant) need to address (1) a current or projected non-transient deficit in operating revenues compared to operating budget; (2) a material (i.e. – substantial and non-transient) decline in endowment funds or other assets of the College; and/or (3) any other financial circumstance that threatens substantial and extensive injury to the College’s academic integrity (i.e. – the ability of the College to offer an appropriate range of courses of instruction in an academic year).

(b) Termination for cause of a tenured faculty member will be limited to (i) for cause, as defined above, (ii) disability (as defined above), (iii) financial exigency (as defined above), or program discontinuance (defined in A.VII.3).

(c) The President has the sole authority to determine that a tenured or tenure-track faculty member should be terminated for cause or for disability. Where the termination is for cause or for disability (as defined above), the President shall obtain the advice of the Provost, and the President and the Provost shall consult with and receive a recommendation from a seven-person panel of the Promotion and Tenure Committee, the seven members selected according to rules prescribed in B.IV.5 (c) (vi). Furthermore, where the termination is for cause or for disability, the termination decision must be based on clear and convincing evidence. In these cases, the affected faculty member shall be informed in writing of the reasons for the termination.

(d) The Board of Trustees shall have the exclusive authority to determine whether a state of financial exigency exists. In making this determination, the Board of Trustees shall, at least thirty days before making a determination, consult with and/or obtain recommendations from the President, Provost, and Faculty Senate as to whether a state of financial exigency exists. The Board of Trustees may also conduct or direct any other interviews or fact-finding the Board deems appropriate. However, the determination of the Board of Trustees as to whether a state of financial exigency exists shall be final.

(e) If the Board of Trustees determines that a state of financial exigency exists, the President has the sole authority to determine that a tenured or tenure-track faculty member should be terminated for financial exigency. Where the termination is for financial exigency (as defined above), the President shall obtain the advice of the Provost, and the President and the Provost shall consult with and receive a recommendation from a seven-person panel of the Promotion and Tenure Committee, the seven members selected according to rules prescribed in B.IV.5 (c) (vi). Furthermore, where the termination is for financial exigency, the termination decision must be based on clear and convincing evidence. In these cases, the affected faculty member shall be informed in writing of the reasons for the termination.

## **5. Appeals.**

(a) A faculty member who wishes to appeal a decision (i) not to renew a tenure-track contract (under section A.V.3 (a)); (ii) to terminate the academic year contract of a tenure-track faculty member before the date of expiry of that contract (under section A.V.3 (b) or (c)); (iii) to dismiss from faculty service a tenured member of the College faculty (under section A.V.4); or (iv) to dismiss from faculty service a tenured or tenure-track member of the College faculty (under A.VII.3), must make this appeal to the Committee on Status Appeals by providing the Provost a written notice of the appeal that specifies all grounds for the appeal within forty-five days from notification of the decision.

(b) Failure to file an appeal within 45 days renders the decision to terminate or not renew an appointment final.

(c) A successful appeal shall automatically go to the Board of Trustees as outlined in B.IV.5(d)(iii). The Board's review and subsequent decision is final. If, on the other hand, the Committee on Status Appeals decision sustains the decision that has been appealed, the decision shall take effect in the normal course.

## **VI. SALARY**

### **1. General Provisions.**

(a) The College may provide salary changes to faculty by issuance of a new contract during the academic year or by renewal of appointment.

(b) The College may consider the following factors in making salary changes: merit (see A.II.1); general economic conditions; salaries for faculty of similar rank at comparable institutions; the financial circumstances of the College. The College may

use any of these criteria individually, or it may combine any of these criteria when determining and providing salary changes to faculty. Salary changes are recommended by the President after consultation with the Provost.

(c) General criteria for determining merit ratings will be the same as for evaluation, tenure, and promotion. Merit ratings are determined by such criteria as teaching and service to students; scholarship and professional development; and service to the College and community. Procedures for determining merit are outlined in Section A.II.1 (a-g). The merit ratings used for salary increases will be communicated to the faculty member by the Provost and will be kept confidential.

(d) If general economic conditions or financial circumstances of the College are a basis for a change in salaries, the President, after consultation with the Provost and the Faculty Senate, shall notify all faculty in a faculty meeting of those changes to salaries and the reasons for such changes.

## **2. Progression and Comparison with Other Institutions.**

(a) On or before May 31 of each year, the Provost shall create and distribute to the faculty a salary comparison chart. The salary comparison chart will use the best reasonably available data to set forth average salaries by rank within disciplines at no fewer than twelve comparable colleges. The Promotion and Tenure Committee shall recommend to the Provost comparable institutions for use in the salary scale by April 30 each year, and the Provost shall select the comparable institutions to be used in the chart after receipt of this recommendation. The chart shall indicate what institutions are included.

(b) In those cases where salaries of faculty members are less than ninety percent of average salaries of faculty of similar rank and discipline at comparative institutions, those faculty members are said to be in progression. In determining salary increases, the College will make appropriate efforts, consistent with other criteria, to increase salaries for faculty in progression above the ninety-percent figure.

## **VII. PROGRAM ESTABLISHMENT AND DISCONTINUANCE**

### **1. Responsibility for Curriculum.**

(a) The Faculty, under the general supervision of the Provost, shall share with the President primary and initiatory responsibilities in matters of curriculum, subject matter, methods of instruction, research, and those aspects of student life directly related to the education process. The power of review and final decision shall rest with the Board of Trustees.

(b) Academic departments shall be established or abolished by the Board of Trustees, upon recommendation by the President, after he/she shall have consulted with the Faculty Senate and shall consist ordinarily of the equivalent of more than one professor.

(c) The Board of Trustees may request that the President, Provost, and Faculty review the curriculum to recommend the establishment and/or discontinuance of academic programs, as defined in section VII.3.(a). In such cases, the Board of Trustees shall consult with and obtain recommendations from the President, Provost, Curriculum Committee, and Faculty Senate as to whether to establish or discontinue academic programs. The power of review and final decision shall rest with the Board of Trustees.

## **2. Program Establishment.**

- (a) The Faculty, under the general supervision of the Provost, shall share with the President responsibility for development of the curriculum as well as oversight and evaluation of the academic program. All students at Presbyterian College are required to complete an academic major in order to receive a bachelor's degree.
- (b) A new academic major or a substantive change in an existing major must be approved by all relevant departments, the Curriculum Committee, the Faculty Senate, and the Provost. Approval of a new major or of a substantive change in an existing major that involves hiring faculty or establishing a department shall also receive the approval of the President and/or the Board of Trustees (see below).
- (c) After departmental approval, a proposal for a new academic major or for substantive change to an existing academic major will be submitted first to the Provost, who will evaluate the resources necessary for the adoption or change. The Provost will forward the proposal, with his or her initial evaluation, to the Curriculum Committee.
- (d) The Curriculum Committee will evaluate the proposal and, if it is approved, will present it to the Faculty Senate for action. Consideration of new individual courses, if any, will be the responsibility of the Curriculum Committee.
- (e) After approval by the Faculty Senate, the proposal will be returned to the Provost for final approval. If the proposal for a new academic major or for substantive change to an existing academic major necessitates the hiring of additional faculty, the Provost shall obtain the approval of the President before final approval.
- (f) If the proposal for a new academic major or for substantive change to an existing academic major necessitates the establishment of a new academic department, the President and Provost shall present the proposal to the Board of Trustees for its approval.

## **3. Program Discontinuance and Severance Pay.**

- (a) If an academic program (a department, major, or minor offered by the College) exhibits one or more of the following conditions, the College may evaluate the program and, if in the College's best interest, discontinue the program: (i) a material (i.e. – substantial and non-transient) lack of interest, or decline in enrollment, in courses offered within the program; (ii) a material (i.e. – substantial and non-transient) decline in the number

- of students electing to major or minor in the program; (iii) an imbalance between the number of faculty members dedicated to the program and student participation in the program; (iv) a substantive change in the institutional, or strategic needs or goals of the College that is incompatible with the existing program.
- (b) A proposal to discontinue an academic major, minor or department may originate with the Faculty, the Provost, or the President. If the Faculty proposes to discontinue a program, the Curriculum Committee will evaluate the proposal and, if it is approved, will present it to the Faculty Senate for action. The Curriculum Committee will review the program and provide an assessment in writing of the impact discontinuance of the program will have on the mission of the College. In this report, the Curriculum Committee will evaluate both the pedagogical and financial considerations involved with discontinuance of the program. This report will be available to the Faculty and to the Provost before final approval to discontinue the program.
- (c) If the Provost or the President proposes to discontinue a program, they shall obtain the recommendations of both the Curriculum Committee and the Faculty Senate before acting on the proposal or presenting it to the Board of Trustees for additional action. When obtaining the recommendations of the Curriculum Committee and the Faculty Senate, the Provost or President will provide an assessment in writing of the impact discontinuance of the program will have on the mission of the College. In this report, the Provost or President will evaluate both the pedagogical and financial considerations involved with discontinuance of the program. The Curriculum Committee and Faculty Senate will provide recommendations to the Provost and President within thirty days of receiving a proposal from the Provost and President, and in doing so they will also provide a written assessment of the pedagogical and financial considerations involved with discontinuance of the program.
- (d) Alternatively, the Board of Trustees may request that the President, Provost, and Faculty review the curriculum to recommend the discontinuance of academic programs. In such cases, the Board of Trustees shall consult with and obtain recommendations from the President, Provost, Curriculum Committee, and Faculty Senate as to whether to discontinue academic programs or to abolish a department at least thirty days before acting on those recommendations. The President, Provost, Curriculum Committee and Faculty Senate shall present to the Board written assessments of the pedagogical and financial considerations involved with discontinuance of the program as well as the impact on the mission of the College. The Board of Trustees may also conduct or direct any other interviews or fact-finding the Board deems appropriate. However, the power of review and final decision on all proposals to discontinue an academic program shall rest with the Board of Trustees, which shall inform the President, Provost, and Faculty of the rationale for any decision to discontinue an academic program.
- (e) If the College discontinues an academic major or minor or abolishes an academic department, the President has the sole authority to determine that a tenured faculty member should be terminated, or that a tenure-track faculty member should be terminated other than by non-renewal pursuant to Section V.3, as a result of the

- program discontinuance. Where the termination is pursuant to program discontinuance, the President shall obtain the advice of the Provost, and the President and the Provost shall consult with and receive a recommendation from a seven-person panel of the Promotion and Tenure Committee, the seven members selected according to rules prescribed in B.IV.5(c) (vi). Furthermore, where the termination is pursuant to program discontinuance, the decision to terminate a particular faculty member must be based on clear and convincing evidence. In these cases, the affected faculty member shall be informed in writing of the reasons for the termination. Appeals of such decisions shall be handled using the process described in section A.V.5.
- (f) Each tenured faculty member who is to be terminated as a result of a program discontinuance shall be offered a one-year terminal contract at his or her then-current rank for the academic year following the academic year in which the program discontinuance is first announced.
  - (g) If, after the academic year covered by the terminal contracts described in the preceding section, there are active, currently enrolled students who prior to program discontinuance declared, and are still pursuing, a major or minor in a program to be discontinued, the College shall, before engaging anyone else to teach such courses, first offer to any tenured faculty member who is to be terminated because of discontinuance of that program the opportunity to teach courses required to allow those students to complete their major or minor and receive a degree in the discontinued program from the College. If more tenured faculty members are to be terminated as a result of discontinuance than are required to provide this instruction, the College may, after consultation with the Provost, the Curriculum Committee and the Faculty Senate, determine the order in which offers are made to faculty members for this continuation period. Any such contract will continue to be subject to termination for cause, and shall terminate if there are no students making progress toward the degrees in question.
  - (h) If a tenure-track faculty member who is to be terminated as a result of program discontinuance is retained by the College to teach courses to students completing that program, or for another purpose, that faculty member shall not, by virtue of that continuing employment, be eligible to be considered for tenure.
  - (i) For any tenured faculty member who is terminated as a result of program discontinuance: (i) the College will consider him or her for employment in a different position in which a vacancy that the College intends to fill then exists and for which he or she is, in the College's judgment, fully qualified; (ii) the College shall make a demonstrable effort to offer such faculty members the opportunity, where it is practicable and in the College's interest (taking into account the cost of retraining), for reasonable retraining at College expense to qualify for other positions within the College; (iii) where otherwise eligible, such faculty members may elect any early retirement option in force at the time of termination; and (iv) the College will offer appropriate assistance (such as letters of reference and reasonable access to facilities) to help affected faculty members find suitable positions elsewhere.



- (j) Each tenured faculty member who is terminated as a result of program discontinuance, and each tenure-track faculty member who has at least three continuous years of service at the time of termination and is terminated other than by non-renewal pursuant to Section V.3 as a result of program discontinuance, shall be entitled to a severance payment, upon the effective date of termination.
  - (i) The gross amount of severance payment shall be equal to two weeks of the faculty member's base salary (as of the date of termination) for each completed year of continuous service at the time of separation, to a maximum of 12 months of severance pay. (By way of example: an eligible faculty member with 10 years of continuous service would be entitled to receive severance equal to 20 weeks of pay (10 years times 2 weeks) at his or her last salary; an eligible faculty member with 30 years of service would receive severance equal to 12 months of salary.) Severance pay shall be subject to all required withholdings, shall be made in accordance with the College's normal payroll practices, and may at the College's election be made in monthly installments if the gross amount exceeds one month's salary for the faculty member in question.
  - (ii) Severance pay is not a continuation of employment, and all benefits will cease on the final day of employment, consistent with the documents governing each benefit. (iv) A faculty member who accepts other full-time employment with the College immediately following his or her termination as a result of program discontinuance shall not have the right to receive a severance payment. The right of a faculty member receiving a severance payment shall cease as of the date the faculty member is re-employed by the College, if re-employment occurs before the expiration of the duration of the severance period. If the severance payment was paid as a lump sum, and if the faculty member is rehired by the College full-time prior to the expiration of the period covered by the lump sum payment, the faculty member will reimburse the College the pro-rated amount of severance. The College reserves the right to change the severance pay policy as it deems necessary in consultation with the Administration and Faculty.
- (k) In response to student interest and/or the College's academic, curricular, institutional, or strategic needs, the College retains full authority to continue or resume offering individual courses within an academic discipline that includes a discontinued major, minor, or department. The College also retains the authority to hire professors within an academic department in which terminations of tenured faculty members were made, if such new hires are teaching outside the discontinued major or minor. The College may not, however, renew a discontinued major, minor, or department for two years after discontinuation without offering renewed positions first to displaced tenured faculty members terminated due to program discontinuance. This applies whether such persons have been dismissed or relocated within the institution. If the College offers individual courses within an academic discipline as indicated above, terminated faculty

will be eligible to teach those courses at negotiable salaries, and this applies whether such persons have been terminated or relocated within the institution.

- (l) Nothing contained in this Program Discontinuance policy affects the College's right to terminate a faculty member, including a faculty member performing services under the terminal contract described herein, for some other basis, including for cause or in response to financial exigency. A faculty member terminated for cause shall not be entitled to the severance payment set forth in this policy. A faculty member who resigns from the College before the effective date of his or her termination for program discontinuance also shall not be entitled to the severance payment set forth in this policy.

### VIII. TEACHING LOADS, EXTRA-CLASS DUTIES, AND OTHER FACULTY RESPONSIBILITIES

1. **Faculty Loads and Responsibilities.** As set forth in other sections of this *Faculty Handbook*, members of the faculty are expected to be effective teachers, to continue to grow professionally, and to contribute positively to the life of the College and community. Each of these expectations requires a significant amount of a faculty member's time, and it is imperative that the College assign internal and external responsibilities with care so that the quality of the work which is expected is not adversely affected and so that there is reasonable equity in the work load of the faculty. While it is important for there to be faculty responsibilities beyond teaching so that the goals and purposes of the College may be met, there should be limits placed on these responsibilities.

(a) The normal full-time teaching load at Presbyterian College is twenty-one contact hours per academic year, with one-hour laboratory courses counting as two contact hours.

(b) Individual teaching loads are set by the Provost in consultation with the appropriate department chair, taking into account (a) the number and nature of preparations, (b) the number of students enrolled in the classes and labs involved in the course, (c) the hours of classroom instruction, studio, and applied course instruction, and laboratory supervision, (d) the need for and availability of secretarial and/or professional assistance, including student assistants, and (e) extra-class duties including student advising, directed study, and research.

2. **Overload Supplement.** From time to time, it is necessary for full-time faculty members to teach more than a normal load. The salary supplement for overload teaching will be the same for all instructors regardless of their current regular salary or rank and will be set by the Provost. For each overload contact hour of classroom teaching, the supplement will be 2.2 percent of the average salary of the Presbyterian College full-time faculty for the current academic year. The overload supplement for other types of instruction will be determined by the Provost.

### 3. Other Duties.

(a) It shall be part of the normal responsibilities of faculty members to assume a share of such extra-class duties as student advising, departmental operations, and council and committee work as may be determined or requested by the faculty or its committees, by the Provost, or by the President, and to attend all faculty or other meetings and official occasions when called upon to do so.

(b) The details of standing committee and council assignments are contained in Section B.II. In addition, assignments to *ad hoc* committees shall normally be limited to one such committee per faculty member at any given time with consideration being taken of membership on standing committees and councils. Faculty members may refuse assignments which go beyond the normal maxima. The Provost will review committee assignments at the beginning of each academic year to ensure that such assignments are equitable.

(c) Faculty in their first year of service will not be expected to participate in student advising or committee work.

(d) Department chairs, in conjunction with the Provost, are charged with reviewing the equitability of student advising loads within their respective departments and to take whatever remediation that is warranted. However, unless the disparities produce onerous burdens, students should be allowed to choose whomever they wish as the academic advisor in their major discipline.

(e) Freshmen will be assigned to advisors who volunteer to serve in that capacity. If additional freshman advisors are required, those with the smallest number of major advisees will be required to advise incoming students.

(f) Occasionally, faculty members will be expected to attend official occasions outside normal business hours. Efforts will be made to allow the faculty members of a department to rotate these duties if possible.

(g) A faculty member may appeal to the Promotion and Tenure Committee at any time he/she believes that assigned internal and/or external duties are encroaching upon the quality or quantity of the work he/she has been hired to perform.

(h) Faculty members must have appropriate office hours as determined by each academic department. It is required that office hours and contact information be posted on office doors and added to syllabi.

(i) Students will be provided with a syllabus for each course. Course syllabi should include contact information and office hours for the professor; student learning outcomes, grade scale, required materials, course calendar/schedule, course requirements, and course policies (attendance, late submission, etiquette, etc.).

## IX. OUTSIDE EMPLOYMENT

1. During the academic year, outside employment undertaken for remuneration is allowed at the discretion of the department chair, up to a maximum of three days per month (or equivalent). Outside employment for remuneration involving a maximum of one day per month (or equivalent) in which the faculty member is away from campus during normal college operating hours is allowed at the discretion of the department chair. Any outside employment for remuneration which exceeds either of these limits or which involves teaching for another post-secondary educational institution may be undertaken only with the prior approval of the Provost and at the discretion of the President.
2. Permission will not be given to engage or continue in any activity which may demean or reflect discredit upon the College or which may interfere with the proper discharge of the member's duties or be otherwise contrary to the best interests of the College.
3. College employees have an obligation to avoid situations in which their personal interests may conflict with that of the College and to see to it that the College's operations are always conducted in conformity with the highest business standards. It is impossible to list every circumstance giving rise to possible conflicts of interest or which may result in violation of the College policy on business contact. All questions and concerns concerning this matter should be addressed to the Provost or the Chief Business Officer of the College.

## X. RETIREMENT PROGRAM

1. At the time of publication of this *Faculty Handbook*, the College offers a retirement benefit program through TIAA. Eligibility, vesting, and College contributions are as set forth in the document governing the program, and are subject to change from time to time. The program may change or be discontinued in the future. Faculty shall be notified in a faculty meeting of substantive changes to the retirement program and reasons for such changes.
2. **Early Retirement Plan.** Presbyterian College offers its tenured faculty an early retirement program using the following criteria:
  - (a) Eligibility: Available to all tenured faculty who have at least ten years of service with the College and who have attained the age that is three years prior to their Social Security full retirement age.
  - (b) Entry into the program: Faculty wishing to enter into early retirement must notify the Provost, in writing, nine months prior to the starting date of early retirement. Eligible faculty may select any retirement date other than a date that falls within an academic semester.
  - (c) Annual Earnings: Salaries used to determine financial incentives for early retirement will be the amount stated on the most recent annual contract or salary letter.

(d) Incentives and Benefits: For those who choose early retirement:

i. Incentives: A cash financial incentive in the annual gross amount of twenty-eight and one-half percent of the employee's annual earnings (base salary) net of all taxes will be paid for the full period of early retirement. The payment will be made in monthly installments, subject to required withholdings. The period of early retirement will commence on the effective date of retirement, and will terminate on the first to occur of (i) the passage of 36 months from retirement; or (ii) the end of the month in which the employee reaches (or would have reached, if earlier deceased) full Social Security retirement age.

ii. If an eligible tenured faculty member does not have at least ten years of service with the College on or before the date when they attain the age that is three years prior to their Social Security full retirement age, such a faculty member will have a one-time opportunity if and when they later attain ten years of service to retire and receive payments as set forth in the preceding paragraph for thirty-six months from the date of early retirement. For such a faculty member to receive the full three-year benefit, (A) they must elect early retirement by notifying the Provost, in writing, at any time in the 180-day period ending nine months prior to the starting date of early retirement and (B) such early retirement must commence not later than the end of the academic year when such faculty member attains ten years of service. If such a faculty member fails to make the election and retire as set forth in the preceding sentence, such a faculty member shall only be eligible to receive payments to the extent provided in the preceding paragraph, i.e., payments will be made only if the faculty member has not already attained their Social Security full retirement age and only for the remaining period, if any, until the faculty member attains such age.

iii. Benefits: Medical benefits will be the same as those provided to regular full-time faculty of the College and would be extended to the first day of the month following the month in which the employee first becomes eligible for Medicare coverage, at which point they would cease.

iv. Early retirees may continue to receive athletic passes, library privileges, parking stickers, email accounts, and other similar perquisites as though they were full-time faculty (at the discretion of the Provost). Contact the Office of the Provost for details.

v. Early retirees are not eligible for disability benefits by the College.

vi. Early retirees may be eligible to convert life insurance to a private policy if permitted by the insurer at rates set by the carrier of the College's then-current group life insurance for regular faculty.

vii. Restrictions: Employees who elect this option may be re-employed without tenure only on the recommendation of the President and with the approval of the Board of Trustees.

viii. Any remaining cash financial incentive will be paid to the employee's estate within thirty days of notice of the death of the retiree.

ix. Early retirees are not employees of the College during the period of early retirement.

x. Program Administration: The Early Retirement Program will be administered and reviewed on a yearly basis to monitor its effectiveness and fiscal implications. The Administration reserves the right to amend or to terminate the programs at any time, but no amendment or termination shall affect any participant who has already retired under its provision.

3. **Emeriti Professors:** In addition to the retirement program described above, professors with emeritus status may continue to receive athletic passes, library privileges, parking stickers, email accounts, and other similar perquisites as though they were full-time faculty (at the discretion of the Provost). Contact the Office of the Provost for details.

## XI. INSURANCE AND BENEFITS

1. Changes in Plan Terms and Other Benefits. The benefits as described herein are as of the publication of this *Faculty Handbook*. The College has the right to change plans and terms of plans from time to time at its sole discretion. Faculty shall be notified in a faculty meeting of substantive changes to the insurance and benefits program and reasons for such changes. In addition, statutory requirements govern some benefits (for example, FICA), and other benefits are defined in and governed by Plan Documents and/or insurance contracts. If there is conflict between the language in this *Faculty Handbook* and those documents, the requirements of the law and the language of the plan documents, insurance contracts, and/or other governing documents or adopted College policies shall govern. The following descriptions are thus provided for information only, and only as of the time of publication of this *Faculty Handbook*.
2. The College currently provides, under a group policy, life insurance for each regular full-time faculty member with a death benefit equal to his/her stated annual base salary. The provision of this benefit is subject to eligibility, and may result in taxable income, and any tax owed as a result of the provision of insurance is the responsibility of the employee.
3. A major medical health, accident, and hospitalization group policy is currently available to all regular full-time faculty members who otherwise meet eligibility criteria. A regular full-time faculty member may, upon application in writing to the Office of Human Resources and subject to the terms of the Plan, obtain coverage for eligible dependents subject to payment of the appropriate premium through a payroll deduction plan.
4. The College currently provides long-term disability insurance for regular, full-time faculty members who otherwise meet eligibility criteria.
5. The College offers a tuition-remission program to eligible employees. This program is administered by the Financial Aid Office.

(a) For those faculty members hired after June 1, 2014, the current terms of the tuition-remission policy, which are subject to change from time to time, are set forth in a separate document that is available in the Financial Aid Office.

(b) For those faculty members hired before June 1, 2014, the terms of the tuition-remission policy in force on that date remain in force. These terms are also available in a separate document available in the Financial Aid Office.

(c) Presbyterian College participates in several tuition exchange programs with other colleges. Dependent children of employees may be eligible to participate in these programs and should contact the Financial Aid Office at Presbyterian College to obtain information.

(d) For purposes of benefits, Presbyterian College will use the Internal Revenue Service's definitions of dependent, spouse, and dependent children.

## **XII. SABBATICAL LEAVES AND STUDY GRANTS**

### **1. Sabbatical Leaves.**

(a) Tenured faculty members may apply for a sabbatical leave to be effective in their seventh year of full-time service at Presbyterian College and each succeeding seventh year thereafter.

(b) Application should be made, in writing, to the Provost, through the appropriate department chair, stating the nature and objective of the program in which the member proposes to engage during his/her leave. Applications are subject to approval by the Provost.

(c) Sabbatical leave may be granted for one semester with full pay or for one academic year at half pay. Normally, a sabbatical which involves staying on campus and teaching a full year at half time for full pay will not be approved.

(d) Guidelines for Proposals on Sabbatical Leaves:

i. Length of service will not be the sole or deciding factor in determining who receives a sabbatical.

ii. Proposals for all sabbaticals to be taken during a given fiscal year (June-May) should be submitted early enough to make adequate allowance for the department's continued course offerings and should in no case be submitted later than October 15th of the preceding year.

iii. Proposals for sabbaticals should be either in the applicant's field or a related field or in an area that will contribute to the College's total development.

iv. The department chair of the department concerned shall make a recommendation on the merit of the proposed sabbatical as well as an indication of how the department will cover classes during the faculty member's absence. A faculty member granted a one-semester sabbatical will be released from nine contact hours or equivalent and will be expected to teach the remaining twelve hours in his/her teaching load during the non-sabbatical semester.

v. A written, final report shall be required of anyone receiving a sabbatical. Copies of the report shall be given to the appropriate department chair and the Provost. Oral reports to the faculty in such venues as a faculty forum are encouraged.

vi. If a faculty member is awarded a sabbatical and receives funding from an outside source, the amount of pay while on sabbatical may be reduced proportionately. In the case of a substantial reduction in pay under this provision, the leave would not be considered a sabbatical and the faculty member would be eligible to reapply for a sabbatical at a later date.

vii. All sabbaticals are awarded in the expectation that the recipient will remain fully associated with Presbyterian College in the next academic year following his/her sabbatical. If he/she does not return after the sabbatical period, he/she must repay all remuneration received from the College during the sabbatical period.

viii. Faculty members, regardless of length of service since their last sabbatical, may apply for special study grants through the Faculty Scholarship Committee. Any approved special grant will not affect a faculty member's opportunity to apply for a sabbatical under this provision.

## **2. Study Grants.**

(a) Application for a special research and/or study grant should be made, in writing, to the Chair of the Faculty Scholarship Committee, with a copy to the Provost, through the appropriate department chair. The application should state the nature and objective of the proposed research or study. Institutional Review Board (IRB) approval, or approval by the Institutional Animal Care and Use Committee (IACUC) if needed for the proposed research, is also a condition of funding special research and/or study grants. Applications are subject to approval by the Provost in consultation with the chair of the Faculty Scholarship Committee and the department chair.

### **(b) Guidelines for Special Research and Study Grants**

i. Proposals for grants will be considered by the Faculty Scholarship Committee four times annually: September 15, November 15, February 15, and April 1. Faculty are encouraged to submit proposals by the first deadline or as soon as possible.

ii. The Faculty Scholarship Committee will not consider retroactive proposals.



iii. Grants shall be awarded for the following: travel to conferences, research and study grants, and sabbatical supplements. Priority will be given to full-time faculty, though exceptions may be granted on a case-by-case basis.

(c) Any equipment purchased with funds approved for study grants will be the property of Presbyterian College and not of the grant recipient.

(d) A written final report shall be required of anyone receiving a special research or study grant. Copies of the report shall be given to the appropriate department chair and to the Provost.

### **XIII. SUMMER SCHOOL EMPLOYMENT**

1. The organization of summer school is the responsibility of the Provost in consultation with the department chairs.
2. In the event that the number of applicants for summer school employment exceeds the number of vacancies, appointments will be made by the Provost in consultation with the appropriate department chair.
3. In the event that vacancies cannot be filled with available applicants, instructors essential to the summer program may be required to participate provided that a faculty member shall not be required to participate in both sessions, nor to participate more than once in three years.
4. Some priority will be given to introductory survey course sequences in planning and scheduling the summer curriculum. The Provost may inform the department chairs when there is a need for a summer course that the department has not anticipated offering.
5. For all courses, a minimum enrollment of five paying students will be required for full remuneration to the instructor with the Provost able to waive the requirement if in his/her judgment, it is essential to do so. When such courses enroll less than five students they may be offered at the instructor's discretion on a pro-rated reduced pay basis.
6. Remuneration for summer school shall normally be two percent of the instructor's regular (annual) salary per contact hour, subject to deviations approved by the Provost. Remuneration for workshops or special programs other than regular courses will be determined by the Provost in consultation with the personnel involved.

**XIV. EXPENSES FOR COLLEGE AND PROFESSIONAL TRAVEL**

1. Subject to limitations of departmental budgets and prior authorization of the Provost, faculty members may be reimbursed for reasonable expenses incurred in attending meetings of professional associations or for other professional or College-related travel.
2. Requests for authorization for professional or College-related travel for which reimbursement will be sought shall be made in writing to the Provost through the appropriate department chair and in accordance to current Business Office practices.

**XV. HOUSING FACILITIES**

1. A faculty member may apply in writing to the Director of Human Resources for permission to rent one of the residential facilities owned by the College, subject to availability.

**XVI. PART-TIME, ADJUNCT, VISITING, AND NON-TENURE TRACK FACULTY**

1. Duties. All duties and responsibilities not specifically covered above which are normally expected of faculty members will also be expected of visiting and full-time non-tenure track faculty members, and of part-time faculty members in proportion to the time for which they are employed.
2. Benefits. Availability of benefits is governed by specific plan documents and applicable law. All faculty members, including non-tenure track (whether full-time, visiting, part-time, or adjunct) should contact the Human Resources office for information on benefits eligibility.

**XVII. PERSONNEL WITH BOTH FACULTY AND ADMINISTRATIVE RESPONSIBILITIES**

1. Persons with both faculty and administrative responsibilities are identified in the *By-Laws* of Presbyterian College or in their contracts.
2. The faculty duties and responsibilities of personnel in this category will be the same as those for part-time faculty members as stated in section B.I below except for the President, the Provost, the Dean of Academic Programs, and the Director of the Library who shall have both voice and vote in faculty meetings.
3. The missionary-in-residence, athletic coaches, and instructors in military science shall be part-time faculty members. It is recognized that instructors in military science may be employees of a branch of the United States military.

## XVIII. EMPLOYEE POLICIES

1. **Compliance with Applicable Law.** Presbyterian College, and its faculty members and other employees, are subject to a variety of laws and regulations. These include laws that are specific to the educational setting, such as FERPA, Title IX, the Drug Free Schools and Communities Act, and the Clery Act, and other laws with important applications on campus, such as copyright laws. While some aspects of some of those laws are discussed in this *Faculty Handbook*, a full treatment of all areas of the law affecting the College and your employment are beyond the scope of this *Faculty Handbook*. Nothing in this *Faculty Handbook* is to be interpreted to violate applicable law, and in the case of a conflict between the terms of the *Faculty Handbook* and applicable law, applicable law will govern.
  
2. **Nondiscrimination.** Presbyterian College does not improperly discriminate on the basis of race, religion, color, national origin, sex, disability, or age in its programs and activities. This policy includes, but is not limited to, prohibition of sexual harassment and sexual discrimination. Such discrimination is prohibited by law, and is unacceptable at Presbyterian College.

The following person has been designated to handle inquiries regarding the non-discrimination policies. Any employee or student who suspects that he/she, or another member of the Presbyterian College community, has encountered sexual harassment, violence, or discrimination should report it to:

Terri Tibbs  
Vice President of Human Resources and Title IX  
Presbyterian College  
503 South Broad Street  
Clinton, SC 29325  
864-833-3722  
trtibbs@presby.edu

3. **Civility and Anti-Bullying Statement.**
  - a) **Statement of Aims.** Bullying and a lack of civility can foster a climate of fear and disrespect that seriously impairs physical and psychological health and creates conditions that can negatively affect any living, learning, and/or working environment. Presbyterian College's mission statement affirms that "the compelling purpose of Presbyterian College, as a church-related college, is to develop within the framework of Christian faith the mental, physical, moral, and spiritual capacities of each student in preparation for a lifetime of personal and vocational fulfillment and responsible contribution to our democratic society and the world community." This guiding statement specifically calls upon our community "to help students attain a sense of dignity, self-worth, and appreciation of other persons of diverse backgrounds." In accordance with these core aims,

Presbyterian College is issuing this statement to educate our College community about bullying and to promote civility and respect for everyone. The College's conduct policies were already designed to protect community members from any such behaviors, as defined below, taken against a community member, including those based on any federally protected class, including race, gender, sexual identity/orientation, ability/disability status, class, religion or culture, or based on affiliation with any College recognized group or organization. Such behaviors are antithetical to our community and can cause substantial harm. Accordingly, serious cases could give rise to severe penalties. The purpose of this statement is to establish clear expectations, and to emphasize the applicability of the College's longstanding rules to the particular problem of bullying.

b) **Definitions.**

1. Bullying is defined as the unwelcome acts of an individual or group of individuals that are intended to humiliate, harass, mentally or physically injure or intimidate, and/or control another individual or group of individuals, and which are sufficiently severe or pervasive to have a material impact on the ability of a reasonable member of the community to participate in the living, learning, and/or working environment of Presbyterian College.

2. Such aggressive and hostile acts can occur as a single, severe incident or repeated incidents, and may be observed in the following forms, which are not exclusive:

- i. Physical bullying includes striking, pushing, shoving, kicking, poking, and/or tripping another; assaulting or threatening a physical assault; or damaging a person's work or living area, personal property, or work product.
- ii. Verbal/Written bullying includes ridiculing, insulting or maligning a person, either verbally or in writing; addressing abusive, threatening, derogatory or offensive remarks to a person; and/or attempting to exploit an individual's known intellectual or physical vulnerabilities.
- iii. Nonverbal bullying includes directing objectively threatening or intimidating gestures toward a person or invading personal space after being asked to move or step away. Nonverbal bullying may also involve stalking, unconsented photography or recording of private acts, and/or the disclosure of private facts or images of a person as to which the person has a reasonable expectation of privacy.
- iv. Cyber bullying is defined as bullying an individual using electronic media or devices, including but not limited to the internet, interactive and digital technologies, social media, and/or personal electronic devices. Cyber bullying may include verbal/written bullying and/or nonverbal bullying.

- c) **Academic Freedom, Free Speech, and Normal Social Interaction.** Freedom of expression and thought are as essential for a thriving academic community as are the guiding principles of our mission statement that emphasize civil social conduct. As a community of imperfect human beings who learn, live, and work together, Presbyterian College must honor both goals. Honestly held and reasonable differences of opinion are protected at Presbyterian College, in and out of the classroom. Discussion of an academic subject, even when the ideas are controversial, is protected. Disagreements and criticism, even when strongly asserted, are not bullying if they are aimed at ideas and actions, rather than at hurting or humiliating individuals. And while kindness and civility are virtues and aims of the College, not every unkind or uncivil remark or act is punishable. Social interactions sometimes result in hurt feelings. This is always unfortunate, but a social slight, criticism, or rebuff is not bullying unless it satisfies the definition above.
  - d) **Reporting and Addressing Incidents.** The College will address conduct of students, faculty, or staff who engage in bullying. All incidents of bullying should be immediately reported to a member of the Student Affairs staff (student incidents), the Faculty Advocate (Faculty incidents), and/or Human Resources (Faculty and Staff incidents). As in any case of emergency, immediately contact Presbyterian College Campus Police if you feel you are in danger. Employee behavior that has been reported as bullying will be addressed under the appropriate handbook and policies as published by Human Resources.
4. **Student and Employee Grievances.** Because they are seen by students as occupying positions of authority, faculty members may receive grievances from students or College employees. The appropriate response will depend on the nature of the grievance, but in no case may you ignore a complaint once it has been brought to your attention.
- (a) If the grievance appears to involve an allegation of sexual violence, sexual harassment, or sexual discrimination, it must be reported to the Vice President of Human Resources and Title IX identified above, with no exceptions.
  - (b) A grievance involving other allegations of violence, discrimination, or harassment must also be reported to the Vice President of Human Resources and Title IX.
  - (c) Other grievances involving campus life should be brought to the attention of the appropriate administrator. If you are in doubt as to what official is appropriate, report the matter to the Provost.
  - (d) Purely academic grievances (e.g., complaints over grades, assignments, etc.) may be handled as the professor and the department in question deem appropriate, subject to involvement of the Dean of Academic Programs and/or the Provost as appropriate. A complaint that in-class conduct is harassing or discriminatory is not “purely academic” and must be reported to the Vice President of Human Resources and Title IX.

**5. Family and Medical Leave Act.** Presbyterian College adheres to the provisions of the federal regulations of the Family and Medical Leave Act of 1993. (The Family and Medical Leave Act of 1993 is posted in the Smith Administration Building. Clarification of any medical leave should be discussed with the Human Resources Office.)

(a) Eligibility and Presbyterian's FMLA Policy. The FMLA enables eligible employees to take up to twelve weeks of leave to care for a newborn or newly adopted child, to care for certain immediate family members with a serious health condition, or in the event the eligible employee suffers from a serious health condition. Many faculty members will be eligible employees under the FMLA. Except as expressly modified in this policy, FMLA leave for faculty members will be governed by Presbyterian College's general policy on the FMLA, which can be found in the Office of Human Resources.

(b) Pay During FMLA Leave. Although the FMLA does not require Presbyterian College to pay salary during FMLA leave, Presbyterian College does currently provide that benefit to full-time faculty members at a rate equal to the faculty member's base salary immediately before the commencement of leave.

(c) Benefits During FMLA Leave. All normal benefits will be provided to a faculty member at the rate in effect when the leave commences, subject to continuation of the benefit and the faculty member's eligibility.

(d) Intermittent Leave and Mid-Semester Return. If a faculty member is eligible for intermittent leave under the FMLA, the faculty member should work with the Provost and the appropriate Department Chair to identify an intermittent leave schedule that minimizes disruption to the classroom schedule and other duties. If a faculty member returns from FMLA leave in the middle of a semester, the faculty member may be assigned reduced or modified teaching duties for that semester by the Provost in order to minimize the disruption to the educational experience.

(e) Effect on Time of Tenure Consideration. The probationary periods provided for in paragraph A.IV.1 (a) of the *Faculty Handbook* may, at the faculty member's request, be extended for the time spent on FMLA leave by a non-tenured faculty member in a tenure-track position. Because teaching responsibilities are generally carried for a semester at a time, those time periods will be extended by one semester for each semester in which a faculty member's teaching load is eliminated or materially altered because of FMLA leave. (Where intermittent leave or the short duration of FMLA leave within a semester allows the faculty member to carry a substantially full load, no extension will apply.) Moreover, because tenure consideration occurs only once a year, the aggregate amount of time spent on FMLA leave while on probationary status will be rounded up to the next full year for purposes of this extension. (Thus, for example, a faculty member taking eight weeks of FMLA leave during a single semester, and who therefore did not carry a full teaching load in that semester, would have the time periods of A.IV.1 (a) extended by one year. Another faculty member who had two separate

leaves affecting two separate semesters would also have the time period extended by one year, since the two semesters would add to one academic year and no rounding would occur.) A faculty member will not be penalized in consideration for tenure for having taken FMLA leave.

(f) Reduced Teaching Duties for Caregivers:

i. Purpose. This policy is intended to provide flexibility in the teaching schedule of full-time faculty who have a newborn or newly adopted child, or who have primary care duties for immediate family members with a serious health condition.

ii. Eligibility. A reduction under this policy is available to any full-time faculty member (i) with a child born during the semester in which the reduction is sought, or that is less than six months old at any point in that semester; (ii) who adopted a child five years of age or younger during the semester in which the reduction is sought, or during the immediately preceding semester; or (iii) with a spouse, child, or parent with a serious health condition, as that term is defined under the FMLA during the semester in which the reduction is sought. The reduction is available only to a faculty member who is the primary caregiver for the child or family member in question, with care giving responsibilities of at least twenty (20) hours per week.

iii. Reduction in Load. A faculty member eligible under this policy may receive a one (1)-course reduction in teaching load for a single semester for any one qualifying event or condition. The faculty member may also “buy out” one (1) additional course. The faculty member will be expected to continue to carry a full complement of non-teaching duties during the semester in question.

iv. Coordination with FMLA Leave. An eligible faculty member may elect to use this reduction in lieu of FMLA leave. Alternatively, in the case of childbirth or adoption, or if a qualifying serious health condition extends beyond the granted period of FMLA leave and into the following semester, an eligible faculty member may elect to use this reduction in the semester following the period of FMLA leave. In all other cases, reduced leave under this policy will not be available for the same qualifying event or condition relied on by the faculty member to support FMLA leave.

v. Salary and Benefits. Subject to eligibility under the benefits plan in question, an eligible faculty member’s base salary and normal benefits will not be reduced because of a reduced teaching load under this policy nor will expectations be increased in a previous or subsequent semester to “make up” for the reduction.

vi. Selection of Replacement. The Provost and the affected Department Chair will assign an adjunct or replacement for the course in question in a fair manner that takes into account the responsibilities of other faculty members.

vii. Effect on Time of Tenure Consideration. The probationary periods provided for in paragraph A.IV.1 (a) of the *Faculty Handbook* may, at the faculty member's request, be extended for the time spent with reduced teaching duties because of caregiving responsibilities. Because teaching responsibilities are generally carried for a semester at a time, those time periods will be extended by one semester for each semester in which a faculty member's teaching load is materially altered because of caregiving responsibilities. Moreover, because tenure consideration occurs only once a year, the aggregate amount of time spent with reduced teaching duties for care giving responsibilities while on probationary status will be rounded up to the next full year for purposes of this extension. [See A.XVII.4 (e).] A faculty member will not be penalized in consideration of tenure for having taught a reduced load under this policy.

## **6. Externally Funded Grants and Contracts.**

(a) Policy. In order to ensure that the externally funded grants and contracts are related to the mission of the College, to maximize the use of resources in preparing applications for external funding, to provide for an appropriate balance between grant/contract activity and instruction, to ensure proper handling of indirect costs, and to maintain accurate records, it is necessary that all grant applications to foundations, corporations, and government agencies be channeled through the offices of the Provost and the Office of Grants and Sponsored Programs. The office of Grants and Sponsored Programs further coordinates with the Business Office and the Advancement Office.

(b) Pre-Award Guidelines. The Office of Grants and Sponsored Programs will provide consultation to applicants on the technical aspects of the grant application procedure. Faculty and staff should not approach individual donors, corporations or foundations without first obtaining approval from the Office of Grants and Sponsored Programs.

(c) A rough draft of a grant application, including all pertinent data and a budget, must be filed with both the Office of Grants and Sponsored Programs at least thirty days prior to the final submission deadline. The rough draft must specify the principal investigator/project manager for the grant. Some grants require longer lead times, especially if other institutions are involved or IRB approval must be in place before the grant may be submitted. Late submission will jeopardize submission of the applicant.

(d) The principal investigator/project manager will inform the Office of Grants and Sponsored Programs *in writing* of all negotiations in progress with funding agencies. Any changes in the proposal which result from such negotiations must be approved by the Office of Grants and Sponsored Programs.

(e) In the reporting process, the principal investigator /project manager will prepare all required interim fiscal and narrative reports, as well as the final report. It is the responsibility of the principal investigator/project manager to follow the rules of the grantor agency, the particular grant, and the College. If advice or review from the Office of Grants and Sponsored Programs will be needed, the principal



investigator/project manager should request that assistance at least thirty (30) days prior to the reporting deadline.

## **7. Policy on Intellectual Property.**

Presbyterian College (“PC” or the “College”) is dedicated to teaching, research, and dissemination of knowledge generated within the College community. Thus, one goal of our policies concerning intellectual property generated at Presbyterian College is to promote the development of knowledge and to ensure that discoveries, inventions, and creations generated by our faculty, staff, and students are used in ways most likely to benefit the larger academic community and society in general.

Consistent with this goal of academic and intellectual service, Presbyterian College also recognizes the right of the PC community members to appropriate rewards for their intellectual and creative labor. This right is balanced by the rights and interests of PC, arising out of the use of its facilities and resources and by contractual obligations.

All of these interests are best served by policies that clarify the ownership of intellectual property created at PC and by members of the PC community.

(a) Copyrightable Works. Pursuant to US copyright law, copyright protection exists for any work of authorship fixed in a tangible medium of expression. The types of works covered by the copyright law include text, pictures, photographs, visual arts, architectural works, music and other such works, whether in paper, electronic or other media. Copyright laws only protect the creative expression embodied within a particular work, not general ideas. Generally, under the “work for hire” doctrine, works of authorship created by employees within the scope of their employment automatically belong to the employer.

(b) Non-Faculty Employees. Where a copyrightable work is developed by non-faculty College personnel in the course of employment (or, in the case of a student, in conjunction with a member of the faculty or other College employee), the College will own the work (subject to any other arrangement contained in a binding agreement among the parties). This rule will typically be consistent with the “work for hire” doctrine under federal law.

(c) Works by Faculty Members – Traditional Academic Work. For purposes of this policy, “traditional academic work” refers to any copyrightable pedagogical, scholarly, literary, or artistic work created by a faculty member (including full-time, part-time, and adjunct faculty members) as part of traditional academic activity. Examples of Traditional academic work include, but are not limited to, books, journal articles, reviews, course syllabi, tests, course assignments, monographs, scholarly papers, musical compositions, works of art, digital resources, unpublished manuscripts, and recordings or transcriptions of lectures or performances. Specific provisions regarding courses are set forth below.

(d) In accordance with academic tradition, and unless otherwise provided in this policy, PC does not claim copyright ownership of traditional academic work. Copyright ownership of the traditional academic work will remain with the faculty member who created the work. The general rule regarding faculty ownership of copyrights in traditional academic work is subject to the following exceptions: In consideration of the foregoing, all faculty members automatically grant to the College a non-exclusive, royalty-free, perpetual license to materials that are developed for College courses or curriculum for all traditional, customary or reasonable academic, research, internal, or archival uses of the material. In addition, see the discussion of Courses hereinafter. When multiple faculty members create a traditional academic work, those faculty members will be joint copyright owners of the work unless they have entered an enforceable agreement specifying otherwise. When a traditional academic work is produced pursuant to the terms of a written (or otherwise binding) agreement and that agreement specified ownership in the work, then that ownership provision shall govern copyright ownership, as between the parties to the agreement. Copyright ownership of traditional academic work supported by grants or sponsorships shall, where the grant or sponsorship specifies ownership in the work, be governed according to the terms and conditions of such grant or sponsorship. The College shall own the copyright in any traditional academic work produced with exceptional use of College resources, unless there is a written agreement, signed by an officer of the College, providing for different ownership. Exceptional use of College or Pharmacy resources exists when PC has provided substantial support specifically for production of the work in question in the form of resources or concessions of a degree of nature not routinely made available to faculty or staff. Such exceptions must be approved first by the Provost, Dean or appropriate Executive Staff member and signed by the Vice President for Finance and Administration. Examples of such support might include, but are not limited to, unusual reduction of teaching loads or similar College activities; significant funding in support of the work's creation; or use of specialized College facilities. Routine use of office space, office equipment, library materials, or materials stored on a server would not, absent other factors, be considered exceptional use of College resources. Faculty members are also encouraged to disseminate their works for the public good and to promote Presbyterian College.

(e) Courses. Copyrights arising in courses developed by faculty and approved for offering by the College ordinarily belong to their individual creators, but rights may vest in the College when the course or some part of it falls within the exceptions set forth above. With respect to each such course, the College shall possess a permanent non-exclusive, royalty-free license to make all traditional, customary or reasonable academic uses of the course content of a particular course (the "Course License"). The course content of a course includes both the planned and structured content and the ideas and the expression arising extemporaneously as the course is actually taught and delivered to students. This also includes when the course is recorded simultaneously with the initial delivery of the course content. The Course License shall grant students duly enrolled in a course the right to take class notes for their personal use; but notes in or recordings of a course shall not be taken or disseminated for commercial purposes unless approved by the instructor. Faculty may give permission to students to make audio recordings in the classroom for personal use or for conventional learning

purposes pertaining to that class. The Course License also gives the College the right to allow recordings as part of an accommodation for a disability. Faculty may make audio or video recordings in the classroom for any educational purpose consistent with the mission of the College. For commercial purposes, classroom recordings must be approved by the Provost in advance. The Course License also shall include a right of the College to offer the course, or to develop and offer derivative courses of instruction, in both conventional and non-conventional settings (including courses intended for use in Internet distance education projects). These courses may be provided at the College or elsewhere. The License shall continue to be available to the College even if the faculty member in whom individual rights otherwise vest should leave the College.

(f) Online Education. A faculty member who intends to enter into any non-College online education project in which he or she proposes to teach a course shall first obtain permission in advance from his or her Department Chair (or designee) and the Provost, who will examine the proposed undertaking in order to ensure that no conflict of interest or time will arise. A conflict of interest or commitment will be presumed to arise under this Policy when a proposed non-College internet or similar course: is substantially equivalent to a course the faculty member is regularly assigned to teach at the College. The review and approval process for non-College online education courses shall be repeated annually with respect to a faculty member's continuing participation in any project.

(g) Administrative Work. For purposes of this policy, "administrative work" is any copyrightable work by faculty that is not traditional academic work and that is made at the direction or request of the College or for the benefit of the College, or prepared in the performance of any administrative duty for the College. Copyright ownership of Administrative Work shall belong to the College. Examples of administrative work could include, but are not limited to, computer programs created to perform administrative tasks for the College; artwork or text to be included in marketing or recruitment materials; or musical works for performance at College functions. Databases and similar collections of information which are obtained primarily on behalf of schools or departments rather than individuals, or which involve issues of privacy, shall be owned by the College.

(h) Conflicts of Interest. Faculty members with full-time appointments shall not, during their employment at the College, use (or permit others to use) their works in ways that compete with the College's courses. Works should also not be used to the disadvantage of the College and its legitimate interests; or create a situation that would put the College at a competitive disadvantage, unless prior written permission is obtained from the Provost or his/her designee. If the faculty member receives written approval of the Provost or Dean to teach at another college or College, then this approval also grants the faculty member permission to use his/her works in the teaching of the course. This provision does not apply to works created in conjunction with professional activities in conformance with academic norms such as, but not limited to: sharing syllabi or other course materials with colleagues at other non-profit educational institutions; ordinary outside consulting; participation in professional or scholarly organizations; scholarly

presentations and publications; pursuit of future employment opportunities; and public service.

(i) **Work by Students.** Students own the copyright to the academic work they produce unless a binding contract denotes otherwise. Academic work includes class papers, theses, dissertations, artistic and musical works, and other creative works made by PC students.

(j) Work produced by students as College employees, either as a work study or regular employee, as part of work duties, is owned by the College.

(k) If a graduate research assistant is involved in assisting faculty with producing Traditional Academic Work, then the faculty should have a written agreement with the student that clearly states the copyright interest, if any, of the student in the work. If the student is a significant contributor to the work then the assumption is that he or she should be considered as a co-author, co-inventor, or co-creator and share appropriately in rights to the work.

(l) **Work by Independent Contractors.** Work produced for the College by independent contractors, excluding Sponsored Program Work as defined below, shall be owned by the College and shall be considered work-for-hire. As matter of policy, any person contracting on behalf of the College for work to be produced by an independent contractor shall ensure that the contract is reviewed by the College Office of Sponsored Projects and, as needed, by College counsel to ensure the contract contains a provision that the College shall own copyrighted works produced pursuant to the contract. This policy requirement may be waived only by an officer of the College.

(m) **Sponsored Program Work.** A “sponsored program work” is any type of work developed using funds supplied under a contract, grant, or other arrangement between the College and third parties, including sponsored research agreements. In consultation with the faculty or staff member, copyright ownership shall be determined by written agreement between the College and the third party.

(n) **Independent Work by College Staff.** PC does not claim ownership of intellectual property that is produced by staff on their own time, that does not involve the use of PC facilities or resources, and that is outside the scope of the creator’s employment with PC.

(o) **Patents and Trade Secrets.** Patent rights arise under federal law and give an inventor the right to exclude all others from making, using, selling or importing the subject matter defined in the claims of the patent throughout the United States, its territories and possessions for a period of time. Patentable subject matter is limited to new or improved processes, apparatuses, products, or compositions of matter. Patentable and non-patentable inventions are defined and protected under various state laws. These laws protect secret business information against unauthorized use or disclosure by one who obtained the information through improper means or through a confidential relationship. A trade secret consists of information that: (a) derives economic value

from not being generally known to others, and (b) is the subject of reasonable efforts to maintain its secrecy. Information generally known to the public or easily learned by proper means is not a trade secret. Trade secrets may be used to protect forms of intellectual property which do not readily fall under the scope of trademark, copyright or patent law protections. Trade secrets may be protected as long as the owner successfully prevents them from becoming widely known. If information becomes common knowledge, it ceases to be a trade secret.

(p) Consistent with its larger mission to develop and disseminate knowledge, PC believes that faculty and staff members who develop a patentable invention or other valuable non-patentable invention should have an appropriate opportunity to benefit financially from such an invention, subject to the further recognition that many such inventions may also reflect significant investments of College resources. The goal of this patent and trade secrets policy section of the College's intellectual property policy is to balance these interests and to define the relative rights of faculty and staff members as inventors, and of PC, in a variety of circumstances in which a patentable subject matter or a non-patentable trade secret (collectively, an "Invention") has been created. The intellectual property policy (and the related patent and non-patentable inventions section) are to be included in the College's faculty and non-faculty handbook.

(q) Students, graduate assistants, contractors, and all others who may work with PC personnel on a patentable or non-patentable invention or process that may result in the need for disclosure will, before work commences, sign a binding agreement to abide by the College's intellectual property policy in its entirety. This policy also applies to students who are part of the College's work study program, the Summer Fellows program, the PRSI program (PCSP), and any student doing research or scholarship work with or without direct supervision from a faculty or staff member.

(r) Responsibility for Disclosure: Any member of the PC faculty or staff who believes that he or she, alone or in association with others, may have created an Invention is responsible for disclosing the Invention to the College. This disclosure shall be made when it can be reasonably concluded that an Invention has been created, and sufficiently in advance of any publications, presentation, or other public disclosure to allow time for action that would protect rights to the Invention for the creator and the College. This disclosure must be made without regard to whether the Invention was devised on College premises or with the use of College facilities. Disclosure shall be made to the Office of Sponsored Projects who are responsible for reporting the disclosure to the Vice President for Finance and Administration. Faculty and staff members engaged in outside consulting activities authorized by PC are excused from this reporting requirement to the extent that those activities are governed by initial confidentiality agreements that expressly prohibit disclosure to the College.

(s) Inventions resulting from wholly personal research: These are Inventions that a faculty or staff member has devised while working off College premises, without the use of College facilities or resources, outside his or her working hours, and that have no other connection to his or her duties as a College employee. Rights to these

Inventions and the proceeds therefrom belong exclusively to the inventor. In the event that he or she seeks College assistance in perfecting, protecting, and/or marketing (hereinafter “development of”) the invention, an allocation of rights and proceeds will be negotiated between the inventor and PC.

(t) Inventions resulting from use of generally available PC facilities and resources: These are inventions that a faculty or staff member has devised in connection or arising out of with his or her regular duties as a College employee, making use only of College facilities and resources that are generally available to faculty and staff, and in quantities or amounts normally available. Such generally available resources would include assistance of routinely available secretarial and administrative services, College computer support, general laboratory facilities, library materials, and the like. At the inventor’s option, the inventor may claim exclusive rights to these inventions and the proceeds therefrom. Sole ownership of rights in inventions of this category may be claimed, at his or her option, by the individual inventor. In that case, PC will cede any claims that it might otherwise have to the invention in question. If the inventor wishes to have the assistance of the College in development of the Invention, the inventor may so request. In the event that PC agrees to provide the requested development assistance, the net proceeds (after payment of expenses of development) of such commercialization will be shared between PC and the individual inventor on terms mutually agreed between them. In the absence of such agreement, PC will be entitled to a 50% share of the net proceeds, with the inventor or inventors sharing the remaining 50%.

(u) Inventions resulting from the use of special PC resources: These are Inventions (other than “PC Commissioned Works” described below) that a faculty or staff member has devised, making use of special College facilities or resources not generally available to faculty and staff or of resources in amounts not generally available to faculty and staff. Examples of special College facilities or resources include, but are not limited to: direct financial support specific to the project; use of specialized equipment or equipment purchased for the project; extraordinary involvement of PC employees, etc. Rights to these Inventions and the proceeds therefrom shall be shared between PC and the inventor. It is recommended in such cases that the parties attempt to agree on an allocation of ownership and proceeds, and any such binding agreement shall be honored. In the absence of such an agreement, PC will be entitled to a 50% share of the net proceeds, with the inventor or inventors sharing the remaining 50%.

(v) PC Commissioned Works: These are inventions that a faculty or staff member has devised at the direction or request of the College or for the benefit of the College, or devised in the performance of any administrative duty for the College. PC commissioned works would include, but not be limited to, material devised by administrators or staff in the course of employment duties that constitutes work for hire under federal law. PC will be entitled to 100% ownership of all PC commissioned works.

(w) Inventions resulting from authorized consulting activities external to PC: These are Inventions that a faculty or staff member has devised while pursuing projects on behalf

of entities other than PC, as permitted by College policies on outside consulting activities. Ownership of rights in inventions of this category is governed by the agreement between the inventor and the entity for which the work that gave rise to his or her invention was performed. PC claims no share in any proceeds from such Inventions. In the event that PC agrees to provide the development assistance with respect to the invention, the net proceeds (after payment of expenses of development) of such commercialization will be shared between PC, the individual inventor, and the other entity on terms mutually agreed between them.

(x) Inventions devised in the course of performance of external grants or contracts administered by PC: These are Inventions that a faculty or staff member has devised in the course of activities undertaken with external financial support. The ownership of rights in Inventions of this category will be governed, in the first instance, by the terms of the grant or contract in question. When those terms permit the retention of rights by the contractor or grantee, the inventor and PC each will be entitled to a 50% share, unless there has been an agreement varying this share.

(y) Determination of Disputed Claims. A policy such as this one cannot anticipate all cases that may arise or dictate exactly how each case will be categorized in terms of that policy when it does arise. Under this policy such determinations are to be made by the Provost and Dean in consultation with the Office of Sponsored Projects and the Vice President for Finance and Administration. Where this policy provides for negotiations between a faculty or staff researcher and PC concerning the allocation of rights in an invention or the proceeds from its exploitation, the officer negotiating on behalf of PC shall seek the advice of the Office of Sponsored Projects, the Vice President for Finance and Administration, and the College's IP counsel concluding any final agreement. In such event, the Patent Committee may advise for or against the conclusion of an agreement on particular terms, or recommend additional or alternative terms.

8. **Academic Freedom.** As indicated in the *Faculty Handbook*, faculty members at Presbyterian College are at once citizens, members of a learned profession, and academic leaders of an educational institution. Freedom of expression and thought are as essential for a thriving academic community as are the guiding principles of our mission statement that emphasize civil social conduct. As a community of imperfect human beings who learn, live, and work together, Presbyterian College must honor both goals. Honestly held and reasonable differences of opinion are protected at Presbyterian College, in and out of the classroom. Discussion of an academic subject, even when the ideas are controversial, is protected.

(a) When faculty members speak or write as citizens, they are free from professional or institutional censorship or discipline. However, their manifold functions and their additional positions in the community impose special responsibilities and obligations. As members of a scholarly profession and as academic leaders of an educational institution, they must remember that the public may judge not only them but also their professions and their institution by their utterances. It is, therefore, essential that faculty members at all times be accurate, show respect for the opinion of others, and make it

clear when they speak as private citizens and not as spokespersons for their professions or their institution. When they speak or act as private persons, faculty shall indicate that their opinions (or views) “do not represent the opinions (or views) of Presbyterian College.”

(b) Presbyterian College will not penalize or discipline faculty members that discuss academic subjects within the context of the above policy on academic freedom. The following person(s) have been designated to handle inquiries or grievances regarding academic freedom policies.

(c) Any student or employee of the College who is not a member of the faculty who has an inquiry or grievance related to the policy on academic freedom should report that inquiry to the Provost, who shall investigate promptly the situation and act to resolve the grievance. Any appeal shall rest with the President of the College.

(d) If a member of the faculty has an inquiry or grievance related to the academic freedom policy that does not involve prior action by the President or Provost, he/she should report it to the Provost, who shall investigate promptly the situation and act to resolve the grievance. Any appeal shall rest with the President of the College.

(e) If a member of the faculty has an inquiry or grievance related to the academic freedom policy that involves prior action by the President or Provost, he/she should report it to the Vice President for Human Resources and Title IX, who shall investigate promptly the situation and act to resolve the grievance. Any appeal shall rest with the Human Resources Subcommittee of the Board of Trustees.

(f) A faculty member can also seek the guidance and advice of a Faculty Advocate, though the opinions and positions of the Faculty Advocate are non-binding.



## B. FACULTY REGULATIONS

### I. ORGANIZATION AND GENERAL REGULATIONS

1. The President, the Provost, the Dean of Academic Programs, the Director of the Library, and those who hold full-time academic appointments shall constitute the Faculty of the College. (See Article V of the *Bylaws* and Sections A.I, A.XVI, and A.XVII of this *Faculty Handbook*.)
2. Administrative officers not holding academic appointments shall be advisors to the faculty, consistent with the duties and functions outlined in Article IV of the *Bylaws* of Presbyterian College and shall attend all meetings of the faculty where they shall have voice but not vote.
3. Full-time non-tenure track faculty members have full voice and vote in faculty meetings. Part-time and visiting faculty members are encouraged to attend faculty meetings and have full voice but no vote therein. Adjunct faculty members may attend faculty meetings but have no voice and no vote.
4. Part-time, full-time non-tenure track, and visiting faculty members will be expected to participate fully in departmental planning and operation and have voice therein. Non-tenure track faculty members will have votes in departmental matters, but the regular full-time members of the department shall determine the degree to which part-time and visiting faculty will participate in votes. Adjunct faculty members are not expected to participate in departmental operations.
5. The faculty shall organize and provide for the government of itself in a manner not inconsistent with the Charter and *By-Laws* of Presbyterian College and subject to the approval of the Board of Trustees.
6. A listing of eligible faculty shall be distributed at the first faculty meeting of each new academic year. Attendance will be taken at all faculty meetings.
7. Faculty meetings of the School of Arts and Sciences shall be held on a weekday no later than the day preceding the opening of the fall semester and during the months of January and April. The faculty meeting agenda shall give priority to all business requiring action by the faculty, followed by any announcements. The meeting shall operate under Robert's Rules of Order with questions about points of order being decided by the Faculty Parliamentarian who shall be elected by the Faculty Senate. Administrative reports to the faculty shall be presented during informational forums, which shall be held as necessary during the school year.
8. The Chair and Convener of all faculty meetings shall be the Chair of the Faculty (see B.II), unless he or she is absent, in which case the Vice-Chair of the Faculty (see B.II) or a person designated by the Chair of the Faculty shall convene and preside.

9. The Chair of the Faculty may call the faculty into special session as necessary on any day of the week other than Saturday or Sunday, though preferably during the allotted Thursday time slot, and the business of such special sessions shall be confined to the purpose stated in the call unless the faculty by a majority of those present and voting shall consent to consider other matters. Faculty members must be given at least twenty-four hours' notice before a special session.
10. A special session of the faculty may be called by written request of the President or the Provost, and faculty meetings may also be called upon written request of at least ten faculty members with voting privileges. Written requests for faculty meetings must be filed with the Secretary of the Faculty with at least twenty-four hours' notice before a special session.
11. The faculty shall receive by noon of the Friday preceding the Thursday faculty meeting an agenda of all business requiring action by the faculty. Action items distributed after the stated deadline may be presented to the faculty but cannot receive formal faculty action unless the faculty by a majority of those present and voting shall consent to act. Administrative reports to the faculty shall be submitted to the faculty on the 5<sup>th</sup> of each month in which a general faculty meeting is scheduled.
12. Amendments of the *Faculty Handbook*:

(a) Motion for changes in the *Faculty Handbook* shall specifically mention the section and number of the paragraph to be changed, shall be presented in proper form for incorporation into the *Faculty Handbook*, and shall be given to the Secretary in writing at the time of presentation or at the end of the meeting.

(b) If first introduced in the *Faculty Senate*, any motion which would if approved alter the *Faculty Handbook* shall be postponed until the regular *Faculty Senate* meeting next following unless (a) a motion to suspend the rules receives the unanimous support of those present and voting in the case of a change initiated by an individual or of seventy-five (75) percent of those present and voting in the case of changes initiated by Council or Committee, or (b) a motion to call a special meeting receives support as specified in (a) immediately above.

Any motion which would if approved alter the *Faculty Handbook* introduced during a meeting of all faculty shall be postponed until the regular meeting next following unless: (a) a motion to suspend the rules receives the unanimous support of those present and voting in the case of a change initiated by an individual or of seventy-five (75) percent of those present and voting in the case of changes initiated by Council or Committee; (b) a motion to call a special meeting receives support as specified in (a) immediately above; (c) the motion is first passed by the *Faculty Senate* and forwarded for the faculty as a whole for consideration.

(c) Sections A.VIII.1, A.VIII.2, A.IX, A.X, A.XI, A.XII, A.XIII, A.XIV, A.XV, A.XVI, and A.XVIII of the *Faculty Handbook* contain information about policies of the College and services offered by the College. These sections of the *Faculty Handbook* are included as information only for faculty to clarify terms of employment. The College may

accordingly modify these policies as a result of administrative decisions, changes in applicable law, or market availability of services. These sections of the *Faculty Handbook*, then, may not be amended as described in subsections (a) and (b) above. Corrections or modifications to these sections may be made by either the President or Provost without prior notification to or vote by the faculty.

(d) The remaining sections of this *Faculty Handbook* may be amended only as follows:

(i) The faculty, at a regular or special meeting and consistent with the provisions of subsections (a) through (c) above, may adopt a change to the *Faculty Handbook*. Upon passage, the President or Provost shall then transmit the text of the proposed amendment to the Undergraduate Programs Committee of the Board of Trustees no fewer than thirty days before its next meeting. If the Undergraduate Programs Committee declines to consider the adopted change at that meeting, it shall take effect sixty days after that meeting. If the Undergraduate Programs Committee chooses to vote on the adopted change, it shall take effect after an affirmative majority vote. If the Undergraduate Programs Committee refers the change to the Board of Trustees for action, it shall take effect after an affirmative majority vote of the Board.

(ii) Alternatively, the Board of Trustees or the Undergraduate Programs Committee may approve an amendment to the *Faculty Handbook* at a regular or special meeting, by a majority vote. Except in extraordinary circumstances requiring immediate action, the Board or Undergraduate Programs Committee shall, before acting on a proposed amendment, obtain a faculty recommendation on that proposed amendment. In these cases, any proposed amendment shall be referred by the President or Provost to the appropriate faculty standing, special, or ad hoc committee. That committee will provide its recommendation on the proposed amendment to the faculty before the faculty as a whole offers its recommendation on the proposed amendment.

**13.** The faculty shall maintain academic regulations in the Presbyterian College Catalog. Sections of the catalog available for faculty oversight shall include Academic Policies and Procedures, excluding Academic Support Services, and the following sections in The Curriculum: Requirements for the Degree, General Education Requirements, Requirements for a Major, and Requirements for a Minor. The faculty shall use the procedures for changing the handbook outlined in the *Faculty Handbook* (see B.I.12) to modify these sections of the catalog.

**14.** All votes will be taken in a faculty meeting. Voting shall be by secret ballot if requested in any faculty meeting by a member of the faculty.

## II. FACULTY SENATE - ORGANIZATION

### 1. Duties and Responsibilities:

(a) The Faculty Senate is responsible for giving special attention to educational policies and planning for the academic program. The duties shall be to:

- i. Maintain academic regulations located in the Presbyterian College Catalog and the *Blue Book*;
- ii. Engage in development of the curriculum, with the President and the Provost;
- iii. Provide oversight and evaluation of the academic program, with the President and the Provost;
- iv. Advise the President, the Provost, the Dean of the School of Pharmacy, the Program Director of the Physician Assistant Program, the Program Director of the Occupational Therapy Doctoral Program, and other administrative officers on matters of concern to the faculty;
- v. Advise faculty on matters of concern to the administration;
- vi. Be responsible for the supervision and coordination of the work of the standing committees assigned to it.

(b) In the case of a possible decision to terminate the academic year contract of a tenure-track faculty member for cause prior to the expiry date of the contract, the President, the Provost, the Dean of the School of Pharmacy, the Program Director of the Physician Assistant Program, and the Program Director of the Occupational Therapy Doctoral Program shall consult with the Faculty Senate to seek its advice prior to making such a decision.

(c) The Faculty Senate shall meet on a monthly basis from August to May.

(d) All actions taken by the Faculty Senate are subject to be discharged from the Senate and subject to a full vote by the faculty assuming that 60% of voting eligible faculty members sign a discharge petition indicating their support for a full faculty vote. Discharge petitions for action items solely related to the College of Arts & Sciences only require 60% of voting eligible Arts & Science faculty to be obtained. The petition should be filed with the Secretary of the Faculty who will include the item discharged from the Senate for a full vote by the faculty during a full Faculty Meeting.

(e) The Provost shall serve in an advisory capacity, with voice but no vote. The President is invited to attend and may serve in an advisory capacity, with voice but not vote.

2. For the purpose of determining appointments to the Faculty Senate, the divisions of the College shall be the Humanities, consisting of the departments of Art, English, History, Modern Foreign Languages, Music, Religion and Philosophy, and Theatre; the Social

Sciences, consisting of the departments of Economics and Business Administration, Education, Military Science, Political Science, Psychology, and Sociology; the Natural Sciences, consisting of the departments of Biology, Chemistry and Biochemistry, Computer Science, Mathematics, and Physics; and the Pharmacy, including the Departments of Pharmaceutical Sciences and Pharmacy Practice; the Physician Assistant Program; and the Occupational Therapy Doctoral Program.

3. The Faculty Senate will include one faculty member from each academic department in the College of Arts & Sciences as defined in B.II.2. The Humanities, Social Sciences and Natural Sciences divisions shall all have equal representation in the Senate. If any of these aforementioned divisions has fewer departments than any other division, it will also elect the number of at-large senators necessary to ensure this equal representation. If a department has no faculty members eligible for membership in the Faculty Senate, the division in which that department is located shall have an at-large senator to substitute the ineligible department. Each of the two departments of the School of Pharmacy will have one senator, and the Physician Assistant and Occupational Therapy programs will each have one senator. The graduate programs will also have one at-large senator.
4. There shall be twenty-six senators, divided into three classes and selected as follows:
  - (a) Senators in Class A include senators from Art, Computer Science, English, Economics and Business Administration, Education, Biology, and Pharmaceutical Sciences. The initial term for each senator in Class A is one year, with subsequent terms lasting three years.
  - (b) Senators in Class B include senators from History, Military Science, Modern Foreign Languages, Chemistry and Biochemistry, Pharmacy Practice, Physician Assistant, one at-large senator from Natural Sciences, one at-large senator from Social Sciences, and the at-large representative from the graduate programs. The initial term for each senator in Class B is two years, with subsequent terms lasting three years.
  - (c) Senators in Class C include senators from Music, Religion and Philosophy, Theatre, Political Science, Psychology, Sociology, Mathematics, Physics, Occupational Therapy, and one at-large senator from the division of Natural Sciences. The initial term for each senator in Class C is three years, with subsequent terms lasting three years.
  - (d) Full-time tenured and tenure-track Arts & Sciences faculty with voice and vote in the faculty are eligible to serve as senators; full-time graduate faculty who do not serve as Dean or Program Director are eligible to serve as senators.
  - (e) Each academic department shall determine the means of selecting its senator. Each academic department shall name its senator for the assigned term by the first Monday in April of the prior academic year before that term shall begin.

(f) At-large senators for the Division of Natural Sciences shall be chosen by plurality vote by the faculty of the divisions of Humanities, Social Sciences, and Natural Sciences in the last full faculty meeting of the prior academic year before that term shall begin. Nominations of at-large senators shall be provided by the division and presented to the faculty for vote.

(g) Senators are eligible for service on other faculty committees.

(h) Members of the Faculty Senate may serve no more than two consecutive terms in any capacity; thus, no Senator may serve more than 6 years consecutively. Exceptions will be made for departments with only one member.

(i) Senators representing the graduate programs will comprise the Graduate Council of the Faculty Senate, having full voice and voting privileges on all Senate matters except for motions and other action items related to the College of Arts & Sciences Faculty Handbook or Academic Catalog, Standing Arts & Sciences Committees of the Senate, or other items solely affecting the undergraduate programs. The Graduate Council of the Senate may meet in addition to regularly scheduled Senate meetings and may vote on motions and other action items solely affecting the graduate programs.

**5. Senate Officers and Faculty Advocates.**

(a) The Faculty Senate will have five officers: the Chair of the Faculty, the Vice-Chair of the Faculty, Secretary of the Faculty, Faculty Parliamentarian, and Graduate Council Representative.

(b) The Chair of the Faculty, Vice-Chair of the Faculty, Secretary of the Faculty, Faculty Parliamentarian, and Graduate Council Representative shall be senators serving in the Faculty Senate during their respective terms in office.

(c) The terms of Chair of the Faculty, Vice-Chair of the Faculty, Secretary of the Faculty, Faculty Parliamentarian, and Graduate Council Representative shall be one year, and officers may serve up to three consecutive one-year terms.

(d) The Faculty Senate shall choose a Chair of the Faculty, Vice-Chair of the Faculty, Secretary of the Faculty, Parliamentarian, and Graduate Council Representative at the last Faculty Senate meeting of the academic year, when their duties will commence. Only members of the Senate who have served on the Senate for at least one year are eligible to serve as Chair of the Faculty. All nominations for the Chair position will be distributed to faculty at least one week before the May Senate meeting; any subsequent nominations must be made no later than 48 hours before the elections are held. All officers of the Faculty Senate, except for the Graduate Council Representative, should be elected by members present at the May meeting of the Faculty Senate. The Graduate Council Representative should be elected only by members of the Graduate Council of the Senate at the May meeting of the Senate. All officers of the Faculty Senate should receive an absolute majority of the votes of Senators present and voting. If no candidate for any of the offices listed above receives an absolute majority of support from the Senators present and voting

during the first ballot of voting, the two candidates receiving the most votes will participate in a run-off election between only those two candidates receiving the most votes during the initial ballot.

(e) The Chair of the Faculty shall preside over meetings of the Faculty Senate and serve as Convener of all faculty meetings. The Chair shall also oversee the work of faculty committees and serve on the Undergraduate Programs Committee of the Board of Trustees. The Chair of the Faculty shall work to ensure smooth communication between the Faculty, the Provost, and the President. The Chair will receive a one-course release per semester to complete the duties of the position, and the Chair will also receive appropriate administrative support to be coordinated through the Office of the Provost.

(f) The Vice Chair of the Faculty shall preside over meetings of the Faculty Senate and serve as Convener of all faculty meetings where the Chair is absent or otherwise unavailable.

(g) The duties of the Secretary shall be to keep all records of the faculty meeting, to have custody of and to keep up to date the official copy of the Arts & Sciences *Faculty Handbook*, and to provide the faculty with official copies of alterations to the Arts & Sciences *Faculty Handbook*. The faculty Secretary shall communicate faculty actions to the campus community as appropriate. The Secretary will ensure that the agenda for Faculty Senate meetings will be available to faculty four days prior to the meeting and that minutes are made available to faculty and administration in a timely manner afterward.

(h) The Faculty Advocates will serve as advisors to faculty, especially junior faculty, in assisting with complaints and directing faculty to appropriate offices, committees, and college rules and policies. The Faculty Advocates promote fair practice and foster integrity and timeliness in the administration of college policies and practices that affect faculty. To the extent permitted by law, conversations with a Faculty Advocate are confidential except where there appears to be an imminent risk of harm, where harassment or other illegal activity may be involved, and where there is no other option. Meeting with a Faculty Advocate is an informal and off-the-record process, which includes such means as: listening, providing and receiving information, identifying and reframing issues, and developing a range of possible options. A Faculty Advocate does not participate in adjudicative hearings or administrative hearings, but may serve as a conciliator to informally mediate as an impartial party to help resolve early-stage complaints. The recommendations are nonbinding. Two Faculty Advocates from different divisions, one female and one male, both tenured, will be elected by the faculty at the August faculty meeting to serve three-year staggered terms. The Faculty Advocates may not be re-elected to consecutive terms.

### III. FACULTY SENATE - COMMITTEES

#### 1. Standing Joint Committees of the Faculty Senate

The standing joint committees of the Faculty Senate shall be Assessment, Institutional Animal Care and Use, Institutional Review Board, International Studies, Library, and Personnel. All Senators have full voice and voting privileges on motions and other action items from these joint committees.

(a) The **Assessment Committee** shall consist of four Arts & Sciences faculty, one each from Fine Arts, Humanities, Mathematics and Natural Sciences, and Social Sciences, as well as one faculty member from each of the Pharmacy School, Physician Assistant Program, and Occupational Therapy Program, elected for staggered three-year terms, the Director of Institutional Research and Assessment, and the Faculty Assessment Liaison. The Director of Institutional Research and Assessment shall serve as chair. The duties shall be to:

- i. Consult with and act in an advisory role to the Director of Institutional Research and Assessment;
- ii. serve as assessment consultants to all academic programs and academic assessment processes;
- iii. review summary academic assessment reports provided by the Director of Institutional Research and Assessment and make recommendations derived from said reports to appropriate faculty bodies;
- iv. provide an annual report to the Faculty Senate.

(b) The **Institutional Animal Care and Use Committee (IACUC)** is responsible for making sure that all federal laws, regulations and policies are followed when investigators perform animal research. Some of responsibilities include reviewing and approving animal use protocols submitted by investigators, reviewing and approving all changes to ongoing animal use, and monitoring the animal care and use program by conducting thorough reviews of the program and inspections of the animal facilities semiannually and performing ongoing reviews of the program as the research is being conducted. Appointment of members to the IACUC is by the Provost, and membership includes three faculty members from the College of Arts and Sciences, one faculty member from the School of Pharmacy, one veterinarian from the local community, and one additional community official.

(c) The **Institutional Review Board (IRB)** is an administrative body established to protect the rights and welfare of human research subjects recruited to participate in research activities conducted under the auspices of the institution with which it is affiliated. Establishment of an IRB provides the opportunity to formalize protection of the rights and welfare of those who volunteer to participate in research at Presbyterian College. The IRB also provides an avenue to evaluate research conducted on the campus by other institutions



or individuals. The IRB shall consist of four faculty members from the College of Arts and Sciences (including one from each division), five faculty members from the college of health sciences including at least one representative from each health science program, a Director or Assistant Director of Research (non-voting ex officio), and a community representative.

(d) The **International Studies Committee** shall consist of the Director of International Programs (ex officio), the Assistant Director of International Programs, one faculty member from each of the three divisions of the College of Arts & Sciences, four faculty members selected at large, the Dean of Academic Programs (ex officio), and two students, with preference given to students who have had international studies experience. Faculty shall serve two-year, staggered terms. The Chair of the Committee typically will serve two years. The duties shall be to:

- i. review and assess the progress and needs of the College with regard to intercultural and international education and, as a result, to make recommendations for change;
- ii. recommend intercultural educational opportunities for students and faculty both on and off the Presbyterian College campus;
- iii. provide an annual report to the Faculty Senate;
- iv. cultivate and develop interest among students and faculty in study/travel abroad and provide pertinent information regarding study/travel opportunities;
- v. review the assessment of study abroad procedures on a regular basis and make recommendations through the Faculty Senate on new study abroad programs that would qualify for Presbyterian College financial aid and direct course credit;
- vi. review the process by which short-term travel courses are offered, approved, and conducted.

(e) The **Library Committee** shall consist of one faculty member from each of the three divisions of the College of Arts and Sciences (one who shall serve as chair), one faculty member from the School of Pharmacy, one faculty member from the Physician Assistant Program, one faculty member from the Occupational Therapy Doctoral Program, one student from the College of Arts and Sciences, one student from the School of Pharmacy, one student from the Physician Assistant Program, one student from the Occupational Therapy Doctoral Program, the Director of the Library (ex officio), one to two additional professional librarians employed by the College, and the Director of Media Services (ex officio). All faculty appointments shall be for a two-year term. The duties shall be to

- i. assess the progress and needs of the library program;

- ii. advise and assist with library concerns;
- iii. report to the faculty through the Faculty Senate information and trends relating to the library budget and related matters;
- iv. provide an annual report to the Faculty Senate.

(f) The **Personnel Committee** shall consist of six faculty members appointed by the Assignments Committee, with two members from each of the three divisions of the College of Arts & Sciences and one member from each of the School of Pharmacy, Physician Assistant Program, and Occupational Therapy Program. The Director of Human Resources and the Vice President for Finance and Administration shall serve as *ex officio* members of the committee. Members of the committee will serve for two years with terms staggered so that one member from each division maintains continuity. At the end of one term of service, a committee member may be reappointed. The Faculty Personnel Committee meets at least once each semester, including one meeting in November of each year, and one meeting in April of each year. The committee will elect a chair from its members each year. The duties shall be to

- i. hear questions or concerns from faculty related to personnel and benefits issues;
- ii. advise the Benefits Committee, the Provost, or possibly other administrative officers or units on matters relating to benefits, personnel, or other faculty-specific issues not falling under the duties of the Promotion and Tenure Committee;
- iii. communicate to the faculty policies relating to faculty benefits and personnel.

## 2. **Standing Arts & Sciences Committees of the Faculty Senate**

The standing Arts & Sciences committees of the Faculty Senate shall be Academic Review, Assignments, Curriculum, Faculty Scholarship, Honor Code, and Excellence in Teaching. Only Senators representing the College of Arts & Sciences have voice and voting privileges on motions and other action items from these committees.

(a) The **Academic Review Committee** shall consist of five faculty (at least one from each division), the Dean of Academic Programs (*ex officio*), and the ranking admissions officer. The Dean of Students or his/her designate will serve on the Academic Review Committee in an advisory, non-voting capacity. The Dean of Academic Programs shall serve as chair. The duties shall be to:

- i. submit to the Faculty Senate for its approval minimal admissions standards;
- ii. approve any exceptions to the established minimal admissions standards;
- iii. determine the status of students who are not in good academic standing (e.g., probation, suspension, or expulsion);

- iv. hear all appeals regarding student academic status;
- v. provide an annual report to the Faculty Senate.

(b) The **Assignments Committee** shall consist of one faculty member from each of the three divisions of the College of Arts and Sciences, elected at the first faculty meeting of the academic year by each division to serve three-year, staggered, non-consecutive terms of three years each. The duties shall be to submit to the Chair of the Faculty prior to the first Faculty Senate meeting of the academic year nominations for faculty appointments to standing committees in accordance with the provisions of the *Faculty Handbook*.

(c) The **Curriculum Committee** shall consist of nine faculty members, three elected from separate departments in each of the three divisions of the College, each elected for a three-year term. Faculty will be elected within each division and one of the Humanities representatives will be chosen from faculty members in the Fine Arts. The Dean of Academic Programs, the Registrar, and the Director of the Library will serve on the committee with voice but no vote. In addition, the Chair of the Faculty Senate shall serve as a member without vote. The chair will be selected from the full-time teaching members of the faculty on the committee, elected by the committee.

The Curriculum Committee will meet once a month from August through May and at such additional times as may be necessary. Agenda items to be considered for vote by the Committee must be submitted in writing to the Chair of the Committee at least one week prior to the regularly scheduled meeting and must be distributed to the members at least forty-eight hours prior to the meeting. Exceptions may be made by a two-thirds vote of the Committee. The duties shall be to:

- i. give special attention to educational policies and planning and to the development of the curriculum and evaluation of the academic program;
- ii. evaluate the general education program within the overall academic program;
- iii. recommend program changes to the Faculty Senate and Provost as appropriate, including new course proposals, establishment of programs, and program discontinuance;
- iv. submit an annual report to the faculty regarding its activities;
- v. provide regular reports to the Faculty Senate.

(d) The **Faculty Scholarship Committee** shall consist of one faculty member from each of the three divisions of the College of Arts and Sciences, four faculty members elected at large from the College of Arts and Sciences for a term of two years, and the Provost (ex officio). The duties shall be to:

- i. encourage continued study, research, and professional activity by faculty;
- ii. solicit applications, evaluate applications, and make recommendations to the Provost for the dispensing of funds for grants;
- iii. act in an advisory capacity to the Provost for sabbatical leaves;
- iv. determine appropriate dates for deadlines of grant proposals;
- v. provide an annual report to the Faculty Senate.

(e) The **Honor Code Committee** shall consist of the Faculty Coordinator/ Student Advisor of the Honor Council, who will serve as chair, the Dean of Academic Programs, the Dean of Students, the Student Chair of the Honor Council, three additional faculty members serving a term of two years, and the Assistant Chair and two Secretaries of the Honor Council, all with appropriate experience with the Academic Honor Code. The Honor Code Committee shall develop training for Council members, design the orientation and education program for new students and faculty, and evaluate and revise the *Blue Book*. The revisions will be accepted upon the approval of the Student Government Executive Committee, the Faculty Senate, and the President of the College. The Committee shall also provide an annual report to the Faculty Senate.

(f) **The Excellence in Teaching Committee** shall be composed of six members with membership serving staggered two-year terms. One member is elected from each of the Humanities, Social Sciences, and Natural Sciences divisions with two members elected at-large from the faculty and one member the recipient of the previous year's Professor of the Year award serving as a member for one academic year. The Committee is tasked with a wide range of responsibilities to improve teaching and academic excellence at Presbyterian College. The duties include:

- i. Managing the new faculty mentorship program;
- ii. Working with the Provost to help determine the recipient of the Professor of the Year Award;
- iii. Working with the Provost to develop ongoing professional development opportunities as needed, including discussion panels, workshops, and trainings and continued support for the development of innovative pedagogical strategies and practices, effective advising, and related teaching skills;
- iv. Other duties to improve teaching excellence as deemed necessary.

**3. Regulations Concerning the Operation of Standing Committees:**

- (a) The Faculty Senate shall oversee the standing committees provided in this *Faculty Handbook*. The standing committees shall be under the immediate jurisdiction of the Faculty Senate and the eventual jurisdiction of the faculty, to which they are ultimately responsible.
- (b) The Chair of the Faculty shall appoint the members of standing committees for non-elected positions after nominations are made by the appropriate nominating body.
- (c) The standing committees shall make regular reports and recommendations to the Faculty Senate and, unless otherwise provided, such reports and recommendations may be adopted by a simple majority vote of the Faculty Senate.
- (d) Additional faculty members, administrative officers, professional librarians, and students may be appointed to standing committees provided that the non-faculty membership does not exceed faculty membership unless otherwise stated herein.
- (e) Faculty members and administrative officers who serve on committees in non-elected positions shall be nominated by the Assignments Committee and appointed by the Chair of the Faculty (who is not limited to appointing persons nominated) prior to the first Faculty Senate meeting of the academic year. With the exception of the Admissions Committee and the Curriculum Committee, committee members shall serve for one year and shall be eligible for re-nomination. The faculty members on the Admissions Committee shall be nominated for a three-year term, with the terms being staggered and without eligibility for consecutive re-appointment.
- (f) No faculty member and no administrative officer (except those serving in an *ex officio* capacity) who is a member of the Faculty Senate shall serve on more than one standing committee and in no event shall a faculty member or administrative officer (other than the Provost, the Dean of Academic Programs, and the Dean of Students, all of the foregoing *ex officio*) serve on more than two standing committees.
- (g) Student members, other than those nominated by the Multicultural Student Union, shall be nominated by the Student Government Association, and shall serve for one year and, except for seniors, shall be eligible for re-nomination.
- (h) No student shall serve on more than one standing committee, unless required to do so by the student's *ex officio* membership on more than one committee.
- (i) The Faculty Senate may create *ad hoc* committees as it deems appropriate to conduct its functions. Any such special committee will have the duties assigned to it by the Faculty Senate.
- (j) Standing Committees shall convene each September, following the first faculty meeting of the academic year. Committee chairs shall be elected in the September meeting. Chairs shall serve until September of the following academic year, after having presided over the

election of a new chair and having submitted an annual report to the new chair and senate.

#### IV. OTHER COMMITTEES AND REPRESENTATION OF THE FACULTY

##### 1. Faculty Liaisons to Student Affairs.

(a) Three faculty members will serve as Liaisons to the Division of Student Affairs. The duties of the Faculty Liaisons to Student Affairs shall be to:

- i. assist the Office of Student Affairs in the development and evaluation of guidelines, policies, and planning in student and campus life, including assisting the Student Activities Board
- ii. provide faculty feedback on issues related to athletics
- iii. assist the Office of Student Affairs in selection of annual student awards
- iv. help to communicate information and concerns between the Faculty Senate and the Division of Student Affairs

(b) The Faculty Liaisons to Student Affairs will be elected in August by the departments in each of the three divisions of the College to a two-year term. Consecutive terms may be served.

2. A **Policy Advisory Board** shall consist of seven appointed members representing a broad spectrum of the faculty, including two representatives from each division and from various ranks of the faculty and one member of the Faculty Senate. Appointments are made by the Faculty Senate in accordance with faculty interest and expertise. The members should be of Assistant, Associate and Full Professor ranks, and should be committed to reviewing, assessing and proposing recommendations so as to ensure that an informed faculty vote on major policy items is made in a timely manner.

i. The duties of a Policy Advisory Board shall be to

1. provide a thorough review and examination of policy items when requested by the Faculty Senate;
2. provide a comprehensive review of a policy item in order to ensure that faculty interests are protected and to explore fully the proposed policy;
3. present policy recommendations and suggestions to the Faculty Senate for faculty consideration and vote; and
4. ensure that a policy review and subsequent discussions of proposed policy items take place in a timely manner (including a timeline with starting and completion dates).

- ii. The function of the Policy Advisory Board shall be to:
  1. serve only in an advisory capacity. The PAB will work through the Faculty Senate and will provide the Faculty Senate with substantive and administrative support.
  2. provide analysis of issues that are pertinent to the faculty and offer recommendations to the Faculty Senate. None of the PAB's decisions are binding and it would hold no decision-making authority.
  3. aim to complete its business in a reasonable time frame that will include a timeline with starting and completion dates. All of the Policy Advisory Board's recommendations and analyses will be made available to the faculty via Moodle in a timely manner.

iii. Determining the Functions and Terms of Reference for the Policy Advisory Board

1. The Terms of Reference for the PAB will be provided by the Faculty Senate and faculty and should be as specific and complete as possible. They must be aimed at a specific policy item, and include a timeline with inception and completion dates as well as a date for a faculty vote. They could include directions or guidelines on functioning of the PAB, e.g., regularity of meetings and interactions with the relevant administrative officials including information and data gathering procedures (through records access and interviewing of the relevant officials).

**3. Faculty Representatives to Board Committees.**

(a) The Chair of the Faculty Senate and the Chair of the Curriculum Committee shall serve on the Undergraduate Programs Committee of the Board. Both faculty members shall have voice and vote in Committee and shall attend the plenary sessions of the Board, where they shall have voice but no vote. The Chair of the Senate, as well as the Chair of the Curriculum Committee, shall serve by right of office. The Chair of the Curriculum Committee will appoint an alternate representative from the Curriculum Committee in the event the Chair cannot attend a given Board meeting.

(b) The faculty shall elect, in like manner at the same time, one of its members to serve on the Trusteeship and Honorary Degrees Subcommittee of the Administrative Committee of the Board for a two-year term. A representative shall not be eligible to serve consecutive terms. He/she shall have voice and vote in the Committee and shall attend the meetings of the Board where he/she shall have voice but no vote.

(c) The faculty shall elect, in like manner at the same time, one of its members to serve on the Resource Development Committee of the Board, who shall have voice but no vote in Committee and who shall attend the meetings of the Board where he/she will have voice

but no vote.

(d) The faculty shall appoint one of its members to serve on the Resource Management Committee of the Board for a two-year term. He/she/they shall have voice but no vote in Committee, and shall attend the meetings of the Board where he/she/they shall have voice but no vote.

**4. Other Committees of the Faculty.**

(a) **The Committee on Status Appeals** shall be formed on an *ad hoc* basis to consider any appeals by the affected faculty member of a decision (i) to not renew a tenure-track contract; (ii) to terminate for cause the academic year contract of a tenure-track faculty member before the date of expiry of that contract; (iii) by the President and Provost (both *ex officio*) not to recommend tenure or promotion to the Board; and (iv) to dismiss from faculty service for cause a tenured member of the faculty.

i. Upon submission of such an appeal by a faculty member, the chair of the Promotion and Tenure Committee shall appoint the Committee on Status Appeals from the twelve-member Promotion and Tenure Committee. The chair shall choose three members—none of whom shall be from the academic department of the candidate making the appeal. No person who during the academic year has sat as a member of a seven-member Promotion and Tenure Committee panel commissioned to make a recommendation on the appealing faculty member shall be eligible to take part as a member of the Committee on Status Appeals in a hearing of the candidate's appeal. Decisions of the Committee on Status Appeals shall be by majority vote.

ii. In any Committee on Status Appeals hearing, the faculty member appealing may testify in his/her own behalf and be accompanied by an advisor of his/her choice who is a member of the College Community.

iii. In a case concerning a decision not to recommend tenure, the members of the Committee on Status Appeals shall direct the faculty member appealing the recommendation to articulate a defense using the criteria for tenure stated in A.IV.2(c).

iv. A Committee on Status Appeals decision which favors the candidate who has appealed an adverse recommendation by the President and Provost (both *ex officio*) shall go automatically to the Board of Trustees as a recommendation for Board approval of the faculty member's appeal for tenure, promotion, or re-issuance of contract, as the case may be. The Board's subsequent decision on the appeal is final. If, on the other hand, the Committee on Status Appeals decision sustains the recommendation or decision that has been appealed, the recommendation shall stand or the decision shall take effect in the normal course.

v. Excepts as required by law, enumeration of votes taken by the Promotion and Tenure Committee panels and by the Committee on Status Appeals shall not be made a matter of public record, and participants in such votes shall be bound to



confidentiality as to number of “yes” and “no” votes.

(b) **The Diversity and Inclusion Advisory Council (DIAC)**, while not a faculty council per se, shall be composed of ten faculty and staff members (each appointed for staggered two-year appointments, renewable for up to two terms) who will be nominated by the Director of Diversity and Inclusion and appointed by the President and will include five *ex officio* members: the Dean of Students, the VP of Human Resources and Title IX, the Director of Institutional Research and Assessment, the Assistant Director of Student Involvement and Multicultural Affairs, and the Chair of the Multicultural Affairs and Concerns Committee. All members should commit to defining diversity in keeping with the College's Mission Statement and Diversity Aspiration Statement (please see the College's catalog).

The DIAC will work with the Director of Diversity and Inclusion (DDI) to recommend steps to create, enhance, and maintain an inclusive and nurturing campus environment.

The DIAC will focus on developing a campus culture where individuals with varying experiences associated with race, ethnicity, gender, socio-economic class, sexual orientation, religion, differing political views and disability are valued, rather than discriminated against, for their individual contributions and where everyone has the opportunity to achieve their highest potential.

The DIAC will work with the DDI, the President, and members of the Leadership Team on 1) collecting information from individuals and groups, 2) developing programming and resources, 3) recommending goals and timelines, and 4) assessing implementation and effectiveness in the following areas:

- 1) Instilling an institutional culture of awareness through education, programming and training;
- 2) Incorporating diversity in curricular design and adopting instructional methods that ensure inclusion;
- 3) Improving recruitment, retention, and graduation outcomes for underrepresented groups of students; and
- 4) Improving recruitment, retention, and advancement opportunities for underrepresented groups of faculty and staff

Each fall, the DIAC will work with the DDI to develop an annual plan for accomplishing its stated objectives and that, upon adoption by the President and the Leadership Team, will be shared with the campus community. Once adopted and shared with the campus, the DIAC will meet with the DDI, the President, and the Leadership Team at least twice during the academic year to share its observations about diversity and inclusion on campus, conclusions about effectiveness of programs, and recommendations for future actions. Each spring before Commencement, the DIAC will submit a report summarizing its work to both the DDI, the Leadership Team and the President. This process is best understood as continuous, recursive, and oriented toward the realization of the Diversity Aspiration Statement. The Council serves in an advisory capacity to the College's administration and faculty governance structures. Approved recommendations will be executed by the

appropriate body within the College's organizational structure (e.g., Academic Affairs, Student Affairs, Athletics, Finance and Administration, Human Resources, Student Government Association, etc.).

The DIAC will understand in all its work that, as a church-related liberal arts college with a unique identity and stated mission, Presbyterian College is committed to the goal of “helping students attain a sense of dignity, self-worth, and appreciation of other persons of diverse backgrounds.” This is important for the whole campus community, and one of the greatest values of the academy is the free, open and, most importantly, respectful exchange of ideas and opinions. While we have fundamental freedoms as individuals to express opinions and to hold diverse points of view, as a community of inquiry we also have responsibility for how those views are communicated across our campus. Statements that encourage hostility among groups and demean specific individuals or groups diminish everyone in the PC family.

- (c) **The Promotion and Tenure Committee** shall consist of twelve tenured faculty members, with four members drawn from each of the three academic divisions and no two from the same academic department. Each member of the Promotion and Tenure Committee shall be elected by the faculty at large. Elections shall take place during the March meeting of the faculty for each new academic year. Elections shall be conducted by written ballot. Prior to these elections, the Faculty Senate shall receive and compile nominations for seats on the Promotion and Tenure Committee, and other nominations may be made from the floor at the time of the elections. The term of office of this committee shall be four years. Terms shall be staggered so that three seats (one from each division) will be up for election every year. A faculty member may not serve more than two consecutive terms on the Promotion and Tenure Committee.
- i. Each year following Promotion and Tenure Committee elections, the members of the Promotion and Tenure Committee shall select one of their own number to serve as chair. Chairs are eligible for re-selection so long as they are on the Promotion and Tenure Committee.
  - ii. It shall be the responsibility of the Promotion and Tenure Committee to make a recommendation to the Provost regarding each faculty candidate for tenure or promotion (except in a case in which promotion is provided by contract upon completion of the terminal degree). This recommendation shall be made by majority vote of a seven-member panel appointed from among the members of the Promotion and Tenure Committee by the chair of the Promotion and Tenure Committee on an *ad hoc* basis for each such candidate. Three of the seven members (including the chair of the panel) shall be from the candidate's division, with two each from the two other academic divisions. No person from the candidate's department may serve on the panel. In the case of a candidate for promotion to full professor status, the Promotion and Tenure Committee chair is to appoint a panel composed of seven full professors, if possible, and otherwise the Chair shall include in such a case as many full professors as possible. The seven-member panel shall receive and review all submissions related to the tenure or promotion decision.

iii. Upon completion of the review, the seven-member panel shall submit its recommendation regarding tenure and/or promotion to the Provost. Recommendations of the Promotion and Tenure Committee panels on all current candidacies for tenure and/or promotion are to be submitted to the Provost (*ex officio*) by November 20 of the candidacy year. The President and Provost (both *ex officio*) shall consider these recommendations, which will be given substantial weight. However, the President and Provost (both *ex officio*) are solely responsible for making a final recommendation on each tenure and/or promotion candidacy to the Board of Trustees. The President and Provost (both *ex officio*) maintain the prerogative to reject, as they deem necessary, either a positive or a negative recommendation from the Promotion and Tenure Committee. The Board of Trustees has the sole authority to make all decisions regarding tenure and promotion.

iv. By December 31 of the candidacy year, candidates for tenure and/or promotion are to receive written notification of the decision by the President and Provost to recommend or not to recommend to the Board the candidate's tenure and/or promotion.

v. The Promotion and Tenure Committee shall also make recommendations for merit ratings when called upon by the Provost (*ex officio*), and as provided in the merit-rating policy. A committee of three, one from each division, shall provide this recommendation.

vi. The Promotion and Tenure Committee also shall provide a recommendation whenever the College considers termination of a tenured faculty member for cause. The Chair of the Committee shall appoint a seven-member panel for this purpose, according to the guidelines set forth in B.II.8. (c) (ii). The President and Provost (both *ex officio*) shall consult with this panel and receive its recommendation before making a final decision regarding termination.

- (d) **The Honor Council** shall consist of a minimum of 25 faculty members determined annually in March (who serve for the next academic year). In particular, faculty who are completing their first year of employment are expected to serve in this capacity in the following year. In the event that less than 25 faculty members volunteer in a given year, the President, in consultation with the Committee on Assignments, will appoint the remaining members.
- (e) **The Russell Committee** shall consist of one faculty member elected from each of the three divisions of the College, and four members of the faculty elected at large, each elected for a two-year term. The Provost (*ex officio*), the Director of the Library (*ex officio*), the Director of Media Services (*ex officio*), and the Academic Computing Services Coordinator (*ex officio*) are also members of the committee, while the Chief Business Officer and the Dean of Students (both *ex officio*) shall serve in an advisory (non-voting) capacity. The Director of the Russell Program, who serves as Chair of the Committee, is hired for a three-year term. If the Director hired is not currently serving

on the Russell Committee, one additional faculty member will rotate off the committee in the fall. The duties of the committee shall be to

- i. support education opportunities related to media and technology;
- ii. advise, guide, and support the college's student media;
- iii. plan co-curricular programming (speakers, films, forums);
- iv. identify priorities for technology upgrade in curricular spaces, prioritizing those related to media;
- v. provide an annual report to the Faculty Senate.

**5. Ad Hoc Committees and Task Forces.**

The imminent appointment of any non-elective *ad hoc* committees or task forces (*e.g.* search committees, strategic planning committees, self-study steering committees) shall be announced to the faculty, along with information about the committees' respective assignments and any requirements or criteria for membership (*e.g.*, tenured members only; equitable distribution among divisions). Faculty members will be invited to notify the appropriate appointing officer of their interest in serving, along with supporting reasons. This process does not require that the appointing officer shall appoint persons who thus volunteer nor that the officer shall be precluded from appointing other persons.

**V. ADDITIONAL ITEMS**

1. Faculty participation in and oversight of the judicial processes in matters of violation of the Academic Honor Code is through faculty representation on the Honor Council as described in and governed by *The Blue Book* (Appendix 4).
2. Faculty members shall wear academic dress to Opening Convocation, Commencement, and such other occasions as may be determined by the administration or faculty.
3. The most senior member of the faculty shall serve as Marshal. The Marshal shall lead the faculty in procession.
4. Nothing in this *Faculty Handbook* is intended to be inconsistent with or violate the terms of either the Articles or Bylaws of Presbyterian College or applicable law. The *Faculty Handbook* shall be interpreted where possible to avoid any inconsistency with those other sources of authority. Where such conflict nevertheless exists, the terms of the Articles, Bylaws, or applicable law shall take precedence over the terms of this *Faculty Handbook*.
5. Where this *Faculty Handbook* indicates that membership on a committee, council, or similar body is "*ex officio*," it means only that the person occupying the office in question is to be a member of the body by virtue of holding the office in question. It does *not* mean that the person lacks vote on the body and – subject only to any express provision to the contrary – a member of a committee *ex officio* shall be a full member with all rights and privileges of membership.

## Appendix 1

### Amended and Restated Articles of Incorporation of Presbyterian College (the “College”)

#### Section 1.

Originally incorporated by an Act of the South Carolina Legislature in 1903 as “The Board of Trustees of the Presbyterian College of South Carolina,” the corporate name of the College was changed in 1965 to, and is, Presbyterian College.

#### Section 2.

The College is organized exclusively for educational purposes under section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code (“Section 501(c)(3)”). Subject to the foregoing, the College is organized for the purpose of promoting higher education in the liberal arts and sciences in a context formed by the Christian faith and in harmony with the constitution of the Presbyterian Church (U.S.A.).

#### Section 3.

This corporation is a public benefit corporation.

#### Section 4.

The registered office of the College is 503 South Broad Street, Clinton (Laurens County), South Carolina 29325. The name of the registered agent at that office is Susan A. Maddux.

#### Section 5.

The College will not have members.

#### Section 6.

Except as otherwise required by law, all corporate powers must be exercised by or under the authority of, and the affairs of the College must be managed under the direction of, the Board of Trustees of the College. The Board of Trustees shall make and enact bylaws, rules and regulations for the government of the College.

Provisions respecting the qualification, number, selection, terms and removal of members of the Board of Trustees shall be set forth in the College’s bylaws; provided, however, that a majority of the voting members of the Board of Trustees shall (upon nomination by the Board of Trustees of the College) be selected by the Presbyterian Church (U.S.A.), or by agencies or representative bodies thereof or therein. The individuals so selected shall be seated as Board members upon their selection being affirmed by the Board of Trustees of the College.

**Section 7.**

The principal office of the College is located at 503 South Broad Street, Clinton, South Carolina 29325.

**Section 8.**

Upon the dissolution of the College, the Board of Trustees, after paying or making provision for the payment of all the liabilities of the College, shall distribute all of the remaining corporate assets to such organization or organizations as, in the sole judgment of the Board of Trustees, have purposes most closely allied to those of the College and that qualify at the time of such dissolution as being exempt under Section 501(c)(3). Any of the remaining corporate assets not so disposed of shall be distributed to the Presbyterian Church (U.S.A.) Foundation, a Pennsylvania corporation and charitable entity qualified as exempt under Section 501(c)(3) (the "Foundation"). The Foundation shall permanently hold, invest and reinvest these assets as the Presbyterian College Permanent Endowment Fund (the "Fund"). The Fund shall pay income in perpetuity to the General Assembly Mission Council to be used to support Christian higher education as directed by the General Assembly of the Presbyterian Church (U.S.A.). In the event that the Foundation has at the time of dissolution of the College ceased to exist or ceased to be a charitable entity qualified as exempt under Section 501(c)(3), then all of the remaining corporate assets not distributed by the Board of Trustees of the College shall be disposed of by the Court of Common Pleas of the county in which the principal office of the College is then located, exclusively for such educational purposes (within the meaning of Section 501(c)(3)) and to such organization or organizations that qualify at such time as being exempt under Section 501(c)(3), as said court shall determine.

## Appendix 2

# Bylaws of Presbyterian College

Clinton, South Carolina

### Preamble

Presbyterian College affirms the following statement of its reason for existence:

*The compelling purpose of Presbyterian College, as a church-related college, is to develop within the framework of Christian faith the mental, physical, moral, and spiritual capacities of each student in preparation for a lifetime of personal and vocational fulfillment and responsible contribution to our democratic society and the world community.*

Presbyterian College is composed of three educational units: the College of Arts and Sciences, the School of Health Professions, and the School of Pharmacy. The word “College” when used in these bylaws without modification refers to the combined educational units.

## ARTICLE I

### TRUSTEES

#### Section 1. Number and Authority

The business and property of the College shall be managed and controlled by a Board of Trustees, the members of which shall be elected in the manner and for the terms prescribed in these Bylaws of the College.

The Board of Trustees shall include no fewer than twenty-five (25) and no more than twenty-seven (27) voting trustees. A simple majority (50% plus one) of all voting trustees shall be Trustees who are members of Presbyterian College (U.S.A.) congregations or presbyteries.

There shall be ten (10) non-voting faculty representatives appointed by the faculty and assigned to specific committees as set forth hereafter in these Bylaws and five (5) non-voting student representatives appointed by the Student Government Association and assigned to specific committees.

Twenty-three (23) voting Trustees shall be selected to serve three-year terms, as provided in this paragraph. No such trustee may serve more than three (3) consecutive three-year terms, without a break in service of at least one year. The terms of trustees shall be staggered so that as close as possible to one third (1/3) of the trustees' terms expire each year. These twenty-three (23) voting Trustees shall be Trustees who are nominated by the Trusteeship and Honorary Degrees Subcommittee of the Administrative Committee and elected by the Presbyterian College Board of Trustees.

The Presbyterian College Alumni Association shall select two (2) individuals to serve as voting Trustees. Such individuals shall be seated as Trustees upon their selection being affirmed by election by the Board of Trustees to serve up to two (2) consecutive two-year terms. One of the two shall be an alumnus who graduated within ten (10) years of his or her initial selection.

In addition, the Board of Trustees may in its sole discretion nominate and select up to two (2) Consulting Trustees to serve three-year terms. Such trustees shall be entitled to vote. No such consulting trustee may serve more than three (3) consecutive three-year terms without a break in service of at least one (1) year.

In the case of vacancies, the Board of Trustees may elect individuals to fulfill the unexpired term.

Every Trustee shall serve on at least one (1) committee of the Board.

Notwithstanding the limits on consecutive terms set forth in this Section, the individual serving as Chair of the Board of Trustees at the end of his or her term may be elected to the Board for an additional three-year term.

In addition to the twenty-five to twenty-seven member Board of Trustees, as provided in the Charter, the Board, upon recommendation of the Trusteeship and Honorary Degrees Committee, may elect to designate certain individuals as Emeritus Trustees. Any trustee rotating off the Board who has served at least six years and attains the age of 70 may be elected an Emeritus Trustee. Emeritus Trustees are invited each year to attend the meetings of the Board and to sit with regular trustee committees. They have voice but no vote.

## Section 2. The Annual and Regular Meetings

A meeting of the Board of Trustees to be held each year during the fall term of the College shall be designated as the annual meeting. Additional regular meetings of the Board of Trustees may be held at such times as the Board shall from time to time determine. The Board of Trustees may hold the annual or any regular meeting in any location and may permit any or all of the Trustees to participate in the meeting by, or conduct the meeting through, the use of electronic interface or any means of communication by which all of the Board members participating can hear each other during the meeting. A Trustee participating in a meeting by this means shall be deemed to be present in person at the meeting.

## Section 3. Special Meetings

The Board of Trustees may hold special meetings as called by the Chair or the President, or by the Secretary of the Board upon written request of any three (3) Trustees. The Board of Trustees may hold a special meeting in any location and may permit any or all of the Trustees to participate in the meeting by, or conduct the meeting through, the use of electronic interface or any means of communication by which all of the Board members participating can hear each other during the



meeting. A Trustee participating in a meeting by this means shall be deemed to be present in person at the meeting.

#### Section 4. Executive Sessions

All meetings of the Board of Trustees shall begin and end with an executive session. The Chair shall determine any others who will be present for all or part of such sessions.

#### Section 5. Notice of Meetings

Unless otherwise required by law, each member of the Board shall be notified of all meetings of the Board by mailing to each member's last known post office address or email address, at least five (5) days before any such meetings, a notice thereof, giving the time and place, and, in case of special meetings, the subject matter thereof; and without the consent of a majority of the voting members of the Board, no other business shall be considered at any special meeting.

Except as otherwise required by law, no failure or irregularity of notice of any meeting shall invalidate the same or any proceedings thereof.

#### Section 6. Quorum

A quorum of the Board of Trustees consists of a majority of the voting Trustees in office immediately before a meeting begins. When a quorum is once present to organize a meeting, a meeting may be later adjourned despite the absence of a quorum caused by the subsequent withdrawal of any of those Trustees present. If a quorum is present when a vote is taken, the affirmative vote of a majority of the Trustees present is the act of the Board unless the laws of the state of South Carolina, the Articles of Incorporation or the Bylaws require the vote of a greater number of Trustees. In the absence of a quorum, the members present at a meeting may adjourn to a later date but may not transact any business until a quorum has been secured.

#### Section 7. Rules of Parliamentary Order

The rules of parliamentary order found in **Roberts Rules of Order** shall prevail for meetings of the Board of Trustees.

#### Section 8. Order of Business

The agenda shall be determined by the Administrative Committee. All meetings shall be opened and closed with prayer.

Section 9. Removal of Trustees

1. The Standards for Removal

A Trustee may be removed prior to the expiration of his or her term only for cause and only by vote of the Board as provided in this section of the Bylaws. A duly seated Trustee may not be removed by any other means or on any other grounds. For purposes of this section, “cause” shall mean any one or more of the following: material and continued neglect of duties as a Trustee; engaging in dishonest or fraudulent conduct with respect to the affairs or property of the College; conviction of, or a plea of guilty or *nolo contendere*, to a crime involving dishonesty or a felony; engaging in an action or course of conduct which is unlawful or morally depraved; engaging in conduct that is materially injurious to the College or its property; or engaging in conduct tending to bring the College or persons associated with the College into disrepute.

2. The Procedures for Removal

The question of whether a Trustee should be removed shall be referred to the Trusteeship and Honorary Degrees Subcommittee of the Administrative Committee. That Subcommittee shall investigate whether there are reasonable grounds to believe that cause for removal exists. If 50% or more of the participating members of the Trusteeship and Honorary Degrees Subcommittee of the Administrative Committee cast a vote that cause for removal does exist, the matter shall be referred to the full Administrative Committee of the Board. If the Trustee in question is a member of the Trusteeship and Honorary Degrees Subcommittee of the Administrative Committee, he or she shall not participate in the inquiries, deliberation, or vote of that Subcommittee with respect to his or her removal. The Subcommittee, however, shall have the right in its discretion to seek information or a statement from the Trustee in question.

At least ten (10) days before the meeting of the Administrative Committee to consider removal, the Trustee in question shall be informed in reasonable detail of each element of conduct alleged to constitute cause for removal. The issue of removal may be considered by the Administrative Committee at a regular or specially called meeting. The Trustee in question shall have the right to present evidence and to speak to the issue of whether cause for removal exists. An affirmative vote of two-thirds (2/3) of the voting members present at that meeting shall be necessary to recommend to the Board removal of the Trustee in question. The Trustee in question shall not have the right to vote on the issue (nor shall he or she be counted toward establishing a quorum of Trustees present or toward determining the number of voting members). The Trustee in question shall have no right to be present for the vote on whether to recommend removal.

Following such recommendation to remove, the Board of Trustees shall have the sole authority to remove a Trustee by an affirmative vote of two-thirds (2/3) of the voting members present at that meeting. The Trustee in question shall be provided at least five (5) days’ notice if the matter is to be considered at a special meeting, but the matter may be considered at the next regular Trustees’ meeting without special notice to the Trustee in question. At that meeting, the Administrative Committee will present a report of its proceeding and the basis for its action, and the Trustee in question shall have the opportunity to address the matter. However, no new testimony or other evidence will be taken. The Trustee in question shall not have the right to vote

on the issue, nor shall he or she be counted toward establishing a quorum of Trustees present or toward determining the number of voting members.

Section 10. Awarding of Degrees

All degrees, whether academic or honorary, shall be awarded by the Board of Trustees. It shall be sufficient to have diplomas signed in facsimile by the President, the Provost, the Chair and the Secretary of the Board of Trustees (with the Vice-Chair to act in case of absence or disability of the Chair), and the chief academic officers of the School of Health Professions and the School of Pharmacy for their respective schools. Academic degrees for the College of Arts and Sciences, the School of Health Professions, and the School of Pharmacy shall be awarded on the basis of recommendation by the respective faculties of each school.

## **ARTICLE II**

### **OFFICERS OF THE BOARD OF TRUSTEES**

Section 1. Officers of the Board of Trustees

The Board of Trustees shall have a Chair, a Vice Chair, and a Secretary. The Board of Trustees may also elect additional officers of the Board, each of whom shall have the authority and shall perform the duties prescribed by the Board of Trustees. The same individual may simultaneously hold more than one (1) office, except the offices of Chair and Secretary. Officers shall be elected by the Board of Trustees at its annual meeting or at any regular or special meeting of the Board of Trustees. Despite the expiration of an officer's term, he or she shall continue to serve until his or her successor is appointed and qualified. An officer may resign at any time by delivering his or her resignation to the Chair of the Board or the President of the College. A resignation shall be effective when delivered unless it specifies a later effective date. The Board of Trustees may remove any officer at any time with or without cause. The appointment of an officer does not itself create contract rights, and an officer's removal shall not affect the officer's contract rights, if any, with the College. An officer's resignation shall not affect the College's contract rights, if any, with the college.

The officers shall be elected by the Board at the annual meeting and shall hold offices beginning on the next January 1 for the term of one calendar year or until their respective successors are duly elected. Officers may be re-elected to their office for up to four (4) additional consecutive years. Such re-election constitutes a normal term. A second period of up to five (5) consecutive one-year terms is appropriate only as approved by the Board. The Secretary of the Board shall also serve as the Secretary of the Administrative Committee.

Section 2. Duties of the Officers of the Board

The Chair of the Board

The Chair of the Board shall preside at all meetings of the Board and of the Administrative Committee, and shall discharge the duties ordinarily pertaining to this office.

The Vice-Chair of the Board

The Vice-Chair of the Board shall discharge the duties of the Chair in the latter's absence from or inability to serve at a meeting.

The Secretary of the Board

The Secretary of the Board shall assure that full minutes of all meetings of the Board and of the Administrative Committee are kept. Minutes shall be signed by the Secretary and shall be kept in the records of the College. The Secretary shall discharge such duties as ordinarily pertain to this office, or as the Board or Administrative Committee may direct.

## ARTICLE III

### COMMITTEES OF THE BOARD OF TRUSTEES

Section 1. Committees

The Board of Trustees, by resolution adopted by a majority of the Trustees in office, may designate and appoint one or more committees of the Board, which committees, to the extent provided in said resolution, shall have and exercise the authority of the Board of Trustees in policy oversight of the College, as so designated by the Board of Trustees. However, no such committee shall have the authority of the Board of Trustees in reference to approving the dissolution or merger of the College or the sale, pledge or transfer of all or substantially all of the College's assets; electing, appointing, or removing any member of the Board of Trustees or filling vacancies on the Board of Trustees or any of its committees; or adopting, amending or repealing the Articles of Incorporation or Bylaws of the College. The designation and appointment of any such committee and delegation thereto of authority shall not operate to relieve the Board of Trustees, or an individual member of the Board of Trustees, of any responsibility imposed on it or him or her by law. Committees shall at all times remain subject to the control and supervision of the Board of Trustees. Except as otherwise provided in these Bylaws or prohibited by the South Carolina Nonprofit Corporation Act, committees may include persons who are not members of the Board.

Section 2. Standing Committees

There shall be the standing committees specified in Section 5 of this Article III and any standing committees designated and appointed by the Board of Trustees by resolution and adopted by a majority of the Trustees then in office. At the annual meeting of the Board of Trustees, the

Chair of the Board of Trustees, in consultation with the President and the Administrative Committee, shall recommend the membership of committees and the designation of a chair for each. Upon approval by the Board, the members of these committees will serve for twelve (12) months beginning on January 1 or until their successors are designated.

Section 3. Special Committees

The Board of Trustees may, by resolution adopted by a majority of the Trustees then in office, designate and appoint one (1) or more committees established for the purpose of discharging particular duties.

Section 4. Discontinued Committees.

The Board of Trustees may discontinue any committee from time to time and the duties of any committee so discontinued shall be performed during such discontinuance by the Administrative Committee or the Board.

Section 5. Descriptions of Standing Committees.

1. The Administrative Committee

The Administrative Committee shall include the Chair, the Vice-Chair, the Secretary, the chairs of other standing committees of the Board, and up to two at-large Trustees. The President of the College shall be an advisor to the committee, without vote.

This committee shall meet on the call of the Chair and shall have, during the intervals between meetings of the Board of Trustees, all the powers, privileges, and prerogatives of the Board except as are expressly reserved by the Board to itself, or by the Articles of Incorporation or these Bylaws.

This committee shall set annual and long-term work objectives for the President, conduct an annual performance review of the President, and report to the Board of Trustees on the President's performance and conditions of employment. The Administrative Committee shall appoint the Search Committee for a new President of the College.

This committee shall have two (2) subcommittees: a subcommittee on trusteeship and honorary degrees and a subcommittee on human resources. The Trusteeship and Honorary Degrees Subcommittee shall have one (1) member from each standing committee. The Chair of the Board and the President of the College shall be advisors to this Subcommittee. In addition, the Faculty Senate shall select two faculty members to this Subcommittee to serve with voice and vote when the Subcommittee convenes to select candidates for honorary degrees. Faculty representatives shall serve for a period of two (2) years; the two-year terms of the two (2) faculty representatives shall be staggered. Faculty representatives on the Trusteeship Subcommittee shall not be deemed members of the Administrative Committee. This Subcommittee shall be responsible for preparing an annual slate of officers, identifying, evaluating and recruiting Trustee prospects, and orienting new Trustees to the work of the Board. The Chair of the Board of Trustees, in consultation with the President and the Administrative Committee, shall recommend the

membership of committees and the designation of a chair for each. The Subcommittee also shall recommend to the Administrative Committee and then to the Board of Trustees names of persons to receive honorary degrees from the College.

The Human Resources Subcommittee is appointed by the Chair and shall consist of three (3) members of the Administrative Committee. The Subcommittee is responsible for making an annual report to the Administrative Committee and to the Board of Trustees on the compensation and conditions of employment for the President. Further, the compensation of all officers and faculty members shall be fixed by the Board of Trustees upon recommendation of the President and after review by the Human Resources Subcommittee.

At every meeting of the Board of Trustees, the proceedings and actions taken by the Administrative Committee, since the last meeting of the Board, shall be reported to and ratified by the Board.

The Chief Human Resources Officer for the College of Arts and Sciences shall be the advisor to this committee, without vote.

## 2. The Undergraduate Programs Committee

The number of members of the Undergraduate Programs Committee shall be set by the Administrative Committee. The Provost, the Chief Campus Life Officer, the Director of Athletics and such other representatives as the committee may from time to time designate shall be the advisors to this committee, without vote. The faculty of the College of Arts and Sciences shall elect two (2) representatives to this committee for a two-year term; the two-year terms will be staggered. The College's Student Government Association shall elect a student representative to the committee annually. The latter three (3) representatives may attend the Board meetings and have voice but not vote.

This standing committee shall be responsible for the long-range educational plans and policies for the College of Arts and Sciences that include the academic, student life, religious, and athletic programs. Faculty recruitment, appointments, tenure, and development for the College of Arts and Sciences shall be the responsibility of this committee. The committee shall recommend the College of Arts and Sciences faculty appointments and promotion and tenure candidates to the Board for approval.

This committee shall have an Intercollegiate Athletic Sub-Committee of at least three (3) members, one of whom shall serve as the chair of the subcommittee. The faculty of the College of Arts and Sciences shall elect two (2) representatives to this committee for a two-year term; the two-year terms will be staggered. The Athletic Director shall be an advisor to this subcommittee, without vote.

As needed and in consultation with the Administrative Committee, this standing committee can form subcommittees to attend to matters under its supervision.

### 3. The Graduate Programs Committee

The number of members of the Graduate Programs Committee shall be set by the Administrative Committee. The Provost, the Chief Academic Officer for the School of Health Professions, the Chief Academic Officer for the School of Pharmacy, and such other representatives as the committee may from time to time designate shall be advisors to this committee, without vote. The faculty of the School of Pharmacy shall elect two (2) of its members to this committee for two-year terms; the two-year terms will be staggered. The faculty of the School of Health Professions shall elect one (1) of its members to this committee for a two-year term. The Student Government Association of the School of Pharmacy and the Student Government Association of the School of Health Professions shall each elect a student member to the committee annually. The latter five (5) members may attend the Board meetings and have voice but not vote.

This committee shall be responsible for the long-range plans and policies of the School of Health Professions and the School of Pharmacy regarding academics and student life. Evaluation of academic and student affairs, matters of academic discipline, faculty and student recruitment, and advancement for the School of Health Professions and the School of Pharmacy shall be responsibilities of this committee. This committee shall recommend School of Health Professions and School of Pharmacy faculty appointments and promotion and tenure candidates to the Board for approval.

As needed and in consultation with the Administrative Committee, this standing committee can form subcommittees to attend to matters under its supervision.

### 4. The Resource Development Committee

The number of members of the Resource Development Committee shall be set by the Administrative Committee. The Chief Development Officer and the Chief Enrollment Officer shall be the advisors to this committee, without vote.

The faculty of the College of Arts and Sciences shall elect one (1) nonvoting representative to this committee for a two-year term.

This committee shall be responsible for the long-range plans and policies pertaining to student recruitment and retention, financial aid, fundraising, and marketing. Alumni relations, public relations, and all programs growing out of these areas shall be the responsibility of this committee.

As needed and in consultation with the Administrative Committee, this standing committee can form subcommittees to attend to matters under its supervision.

#### 5. The Resource Management Committee

The number of members of the Resource Management Committee shall be set by the Administrative Committee. The Chief Business Officer for the College shall be an advisor to this committee, without vote.

The committee shall be responsible for long-range planning in the area of finance and budget and the buildings and grounds of the College of Arts and Sciences, the School of Health Professions, and the School of Pharmacy. The Committee shall submit the annual budget to the Board of Trustees.

This committee shall have an Investment Subcommittee of at least five (5) members, one of whom shall serve as the chair of the subcommittee. The Chief Business Officer for the College shall be an advisor to this subcommittee, without vote. This subcommittee shall be responsible for oversight of the endowment and investments and shall make the status of these investments known to the Board. This subcommittee shall direct and control the Chief Business Officer in the investment of all funds of the College and shall have power to make and to change investment of such funds.

This committee shall have a Building and Grounds Subcommittee, charged with developing a master plan for the College, selecting architects and handling all matters concerning bids and supervision of construction, and shall handle in cooperation with the Resource Management Committee the acquisition of land pertaining to the development of the campus. This subcommittee shall also be responsible for the oversight of the maintenance of the physical plant of the College. All repairs and improvements shall be within its supervision. General plans developed by this subcommittee shall be presented to the Board of Trustees for approval.

As needed and in consultation with the Administrative Committee, this standing committee can form subcommittees to attend to matters under its supervision.

#### 6. Audit Committee

The number of members of the Audit Committee shall be set by the Administrative Committee and include at least one member from each of the standing committees. At least one member of the committee shall have financial expertise acquired through experience or a professional certification relating to accounting or audit policy. The Chief Business Officer for the College shall be an advisor to this committee, without vote.

This committee shall retain a certified public accountant or firm of certified public accountants to perform an annual audit of the books and accounts of the College.

After review and consultation with the external auditor, the committee shall transmit the audit and associated auditor's letter and report findings to the Board of Trustees.



## ARTICLE IV

### **OFFICERS OF THE COLLEGE**

#### Section 1. Officers of the College

The Officers of the College shall be a President, a Provost, a Chief Business Officer, a Chief Campus Life Officer, a Chief Development Officer, a Chief Enrollment Officer, a Chief Human Resources Officer, and other officers as needed. The Officers of the College shall be elected by the Board of Trustees and (except for the President) shall hold office at the pleasure of President. In consultation with the Administrative Committee of the Board, the President may recommend to the Board of Trustees removal of an Officer from office. The President may propose to the Board of Trustees additional officers for the management of the College who shall be installed upon election by the Board.

#### Section 2. Duties of Officers

##### 1. The President

The President shall be the chief executive officer of the corporation and shall have and exercise general supervision, management and administration over all of its affairs. The President shall sign jointly with the Chief Business Officer in the name of the corporation all promissory notes, bonds, debentures, mortgages, deeds, or sealed instruments in writing of any kind the corporation may have the occasion to execute. The President shall present, with the cooperation of the Chief Business Officer, the proposed annual budget for Board action.

The President shall be an ex-officio, non-voting member of all committees of both the Board of Trustees and of the faculty, and shall freely consult with and advise such committees and their chairs in regard to the business and interests of the College. The officers of the College, the Director of Athletics, as provided by the NCAA requirements, and others that the President deems appropriate shall report directly to the President.

The President shall be a member of and shall preside, at his/her discretion, at all meetings of the faculty of the College of Arts and Sciences, the faculty of the School of Health Professions, and the faculty of the School of Pharmacy, and shall appoint all committees of the faculty of the College of Arts and Sciences, the faculty of the School of Health Professions, and the faculty of the School of Pharmacy, except that

- The faculty of the College of Arts and Sciences shall elect the Promotion and Tenure Committee and its faculty representative(s) to the Undergraduate Programs Committee and to the Trusteeship and Honorary Degrees Subcommittee.
- The faculty of the School of Health Professions shall elect the Promotion and Tenure Committee and its faculty representative to the Graduate Programs Committee.
- The faculty of the School of Pharmacy shall elect the Promotion and Tenure Committee and its representative(s) to the Graduate Programs Committee.

- The Faculty Senate shall elect the faculty representatives to the Trusteeship and Honorary Degrees Subcommittee.

The President shall prepare and submit annually to the Synod of South Atlantic a report in writing which shall include a statement of matters as in his/her judgment may be desirable and proper.

The President shall prepare and submit to the Board of Trustees at its regular meetings a report in writing which shall include the following material: a statement of the general affairs of the College and such other matters as in his/her judgment may be desirable and proper.

In the event of absence, disability, or the President becoming incapacitated to serve, the Administrative Committee shall meet and shall designate an Acting President.

## 2. The Provost

The Provost is the Chief Academic Officer for the College. The Provost is directly responsible to the President for the educational programs of the College, including the College of Arts and Sciences, the School of Health Professions, and the School of Pharmacy. As such, the Provost is particularly charged with developing and supervising the instructional activities, the recommending of the selection and promotion of teachers, the improvement of the courses of studies, the providing of appropriate teaching facilities, the maintaining of high academic standards, and the encouragement of scholarly activity on the part of both faculty and students. These responsibilities make his/her primary concern those matters dealing with the faculty and the educational activities of the students. They cannot exclude, however, his/her attention to extra-curricular activities, questions of student discipline, or admissions and housing, insofar as these affect the intellectual and spiritual development of students, the well-being of the faculty, and the general welfare of the College. The Provost is, therefore, consulted by other administrative officers who are most particularly charged with the supervision of the extra-curricular affairs of the students.

The Provost is also consulted by the Dean of Academic Programs for the College of Arts and Sciences, the Dean of the School of Pharmacy (who is the chief academic officer for the School of Pharmacy), and the chief academic officer for the School of Health Professions. The chief academic officer for the School of Pharmacy and the chief academic officer for the School of Health Professions are charged with the administration of their respective schools; providing comprehensive, overt academic leadership within each School; representing each School and its interests in campus-wide activities with students, faculty, and staff, and in extramural relationships with College constituent groups, agencies, and individuals; developing and nurturing new relationships that have as their outcome an increase in the resources and efficacy of the School; serving as each School's chief advancement and personnel officer; actively directing the professional development of the students and faculty of each School; and leading each School in the development of its plans and achievement of its goals.

3. The Chief Business Officer

Subject to the authority of the Board of Trustees and the President, the Chief Business Officer shall be the chief financial officer of the College and shall perform all of the duties customary to that office. The Chief Business Officer shall be responsible for all of the College's financial affairs, subject to the supervision of the President, and shall have and perform such further powers and duties as the Board of Trustees may from time to time prescribe and as the President may from time to time delegate. He or she shall also perform such other duties and may exercise such other powers as are incident to the office of chief financial officer and as are from time to time assigned to him or her by law.

The Chief Business Officer shall receive all sums due to the College, keep them safely, and apply them to proper purposes, being guided as to current operating funds by the annual budget adopted by the Board as modified from time to time by proper authority. He or she shall maintain and supervise all bank accounts of the College and shall allow no withdrawal of funds therefrom except upon his/her signature or upon the signature of such bonded assistants as he or she and the President shall jointly approve and designate. He or she shall be responsible for the investment of the funds of the College under the direction of the Board of Trustees and in consultation with such advisors as the Board may from time to time select.

The Chief Business Officer shall sign jointly with the President, in the name of the corporation, all promissory notes, bonds, debentures, mortgages, deeds and other sealed instruments and shall impress the seal of the College as required. He or she shall in person or by proxy appointed for the College by him or her represent the College at meetings of stockholders of corporations in which the College owns shares or other securities entitling it to vote. Further, he or she shall, in the name of the College, (jointly with the President) endorse securities for sale or transfer.

The Chief Business Officer shall prepare an annual budget in consultation with the administrative officers and present it through the President to the Board.

The Chief Business Officer shall keep full and accurate records and accounts in books belonging to the College of all receipts, disbursements, credits and liabilities of the College, and shall have the College's accounts audited annually by an outside certified public accountant or firm of certified public accountants selected by the Audit Committee and reporting directly to the Audit Committee.

4. Chief Campus Life Officer

The Chief Campus Life Officer is responsible for the co-curricular educational program of the College of Arts and Sciences. He or she has primary staff responsibility for all matters related to the non-academic aspects of student life. He or she shall consult with the other officers of the college to ensure that the co-curricular program supports and enhances the educational goals of the college. He or she shall develop policy and make recommendations to the President on matters pertaining to student development and assist in carrying out a retention program.

The areas of responsibility include: student activities and entertainment, career services, health services, judicial conduct and discipline, multicultural programs, social and Greek life, student government and organizations, personal counseling, public safety, religious life, residence life, and volunteer service.

5. Chief Enrollment Officer

The Chief Enrollment Officer is directly responsible to the President for devising, initiating and implementing strategies for the recruitment and retention of students, the administration of all financial aid funds, and the overall program for promoting the College to the public. He or she shall interpret the mission, the programs, and current accomplishments of the College to all audiences and shall pay particular attention to prospective students and their parents, high school guidance personnel, and all other constituencies involved in recruitment. The Chief Enrollment Officer shall be responsible for devising, initiating and implementing strategies for relations with all College constituencies and the marketing, public relations, news and media services, and publications programs for the College

6. Chief Development Officer

The Chief Development Officer is directly responsible to the President for alumni relations, resource development, capital funds, annual giving funds, planned and deferred giving, corporate and foundation relations, stewardship and gift records.

7. Chief Human Resource Officer

The Chief Human Resources Officer is directly responsible to the President for the employment, compensation, benefits, training and development, policies and procedures for the employees of the College. The Chief Human Resource Officer is also responsible for federal and state benefits and employment regulatory compliance and all compliance and enforcement of Title IX requirements and regulations.

Section 3. The President's Cabinet

The President's Cabinet shall be composed of the Officers of the College, and any other employees of the College the President deems appropriate to advise him or her in the oversight and management of the College.

Section 4. Bonds

A blanket bond in an amount of at least five hundred thousand dollars (\$500,000) shall be obtained by the College covering all personnel who handle funds or property of the College.

Section 5. Attorney

The President of the College is authorized to retain annually a competent lawyer of high standing at the Bar, whose duty it shall be to prepare all important instruments required to be executed by the College, to inspect and pass on all important instruments made to the College, and to advise with the Board of Trustees, the committees thereof, or the officers of the College, in all such matters relating to the affairs of the College as may require legal advice and consideration.

**ARTICLE V**

**FACULTY**

Section 1. How Composed

The President, the Provost, the Director of the Library, and those who hold academic appointments in any educational unit, including the College of Arts and Sciences, the School of Health Professions, and the School of Pharmacy, shall constitute the Faculty of the College. The Dean of Academic Programs shall be a member of the faculty in the College of Arts and Sciences. The chief academic officer for the School of Health Professions shall be a member of the faculty in the School of Health Professions. The Dean of the School of Pharmacy, as the chief academic officer for the School of Pharmacy, shall be a member of the faculty of the School of Pharmacy.

The Officers of the College described in Article IV of these Bylaws may attend faculty meetings of the College of Arts and Sciences, the School of Health Professions, and the School of Pharmacy. These Officers may serve as advisory members to the respective Faculties.

Section 2. Qualifications

- (a) Persons invited to serve on the Faculty of the College, including the College of Arts and Sciences, the School of Health Professions, and the School of Pharmacy, shall be individuals who are broadly educated and are experts in a particular field of study.
- (b) Persons who have or will soon receive the terminal degree in their designated fields and who demonstrate exceptional promise as successful teachers, scholars, colleagues and role models for their students may be considered for tenure-track positions.
- (c) Persons eligible for membership on the Faculty shall acknowledge, respect, and support the College's church-related identity and stated mission.

Section 3. How Elected and Term of Services

Academic appointments for a period not to exceed one year may be made by the Provost, with the consent of the President, subject to policies and procedures approved by the Board of Trustees, which shall have the authority to approve or disapprove the renewal of any such appointments. The Board of Trustees shall appoint for tenure such members of the Faculty as are recommended

for tenure by the President, the Provost, and the chief academic officer for the School of Health Professions or the chief academic officer for the School of Pharmacy for their respective schools, upon their review of recommendations by the respective Promotion and Tenure Committee and in accordance with Section 8 of this Article.

The term of those who hold academic appointments in the College shall begin as many days in advance of the commencement of the academic year as the Provost shall direct and shall run from year to year from said date. Salary for the regular academic year, exclusive of the summer school, shall be paid in twelve equal monthly installments on the last day of each month.

#### Section 4. Organization

Each of the faculties of the College of Arts and Sciences, the School of Health Professions, and the School of Pharmacy, as well as the Faculty of the College as a whole, shall organize and prescribe for the governance of that Faculty as described in the respective faculty handbooks for the College of Arts and Sciences, the School of Health Professions, and the School of Pharmacy. Such governance shall be consistent with the Articles of Incorporation and these Bylaws, and such governance shall also be subject to the approval of the Board of Trustees.

#### Section 5. Records

The Faculty of the College of Arts and Sciences, the School of Health Professions, and the School of Pharmacy shall each keep a full and accurate record of all of its meetings and shall submit such record for review when requested to do so either by the Board of Trustees or by the Administrative Committee.

#### Section 6. Duties of the Faculty

The faculty for the College of Arts and Sciences, the School of Health Professions, and the School of Pharmacy, under the general supervision of the Provost, the Dean of Academic Programs for the College of Arts and Sciences, the chief academic officer for the School of Health Professions, and chief academic officer for the School of Pharmacy, shall share with the President primary and initiatory responsibilities in matters of curriculum, subject matter, methods of instruction, research, and those aspects of student life directly related to the education process for their respective educational units. The power of review and final decision shall rest with the Board of Trustees.

The Faculty of the College of Arts and Sciences shall elect two (2) of its members to the Undergraduate Programs Committee. The Faculty of the School of Health Professions shall elect one (1) of its members to the Graduate Programs Committee. The Faculty of the School of Pharmacy shall elect two (2) of its members to the Graduate Programs Committee.

The Faculty Senate shall select two (2) faculty representatives to the Trusteeship and Honorary Degrees Subcommittee, for two-year staggered terms for the purpose of sitting with the committee to select candidates for honorary degrees.

The Faculty of the College of Arts and Sciences shall elect two (2) representatives to the Intercollegiate Athletics Subcommittee of the Undergraduate Programs Committee for two-year staggered terms for the purpose of overseeing the college's policies with regard to intercollegiate athletics.

The Faculty of the College of Arts and Sciences shall elect one (1) representative to the Resource Development Committee for a two-year term.

The Faculty of the College of Arts and Sciences, the School of Health Professions, and the School of Pharmacy shall recommend to the Board of Trustees those who shall receive academic degrees from the respective programs.

### Section 7. Department Organization and Chairs

A department shall be established or abolished by the Board of Trustees, upon recommendation by the President or Provost, after he/she shall have consulted with the Faculty Senate and shall consist ordinarily of the equivalent of more than one teacher.

a. Duties of Departmental Chairs. It shall be the responsibility of the Chairs of the departments (1) to make recommendations to the President, Provost, or the respective chief academic officers for the School of Health Professions or the School of Pharmacy, concerning original appointments, reappointments, decisions not to reappoint, promotions in rank, dismissals, and the granting of tenure; (2) to assess tenure-track colleagues, especially in the first years of appointment, and to work with the Provost or the respective chief academic officers of the School of Health Professions or the School of Pharmacy, in providing appropriate feedback; (3) to work with the Provost, or the respective chief academic officers of the School of Health Professions or the School of Pharmacy and the department colleagues concerned in discharging the responsibilities and assessing the results of third-year reviews and of periodic post-tenure reviews; (4) to communicate department sentiment and preference to the appropriate Promotion and Tenure Committee on those occasions in which that Committee seeks to make recommendations on a matter of tenure and/or promotion in rank; (5) to submit by an assigned date a proposed annual budget; (6) to interpret the policies of his or her department; (7) to submit to appropriate administrative personnel class schedules for the members of his or her department; (8) to work with the Provost, or the respective chief academic officers of the School of Health Professions or the School of Pharmacy, and members of the department in periodically evaluating and assessing departmental majors, general education, and other programs; and (9) to perform such other duties as may reasonably fall within his or her province of responsibility.

The Chair shall exercise his or her authority in as democratic a manner as possible. In the cases of serious disagreement concerning internal academic matters or departmental policies, the matter will be arbitrated by the Faculty Senate.

b. Qualifications of Departmental Chairs. The Chair shall normally hold the rank of Associate Professor or Professor; he or she shall normally have an earned doctorate or the appropriate terminal degree in his or her discipline; he or she shall have specialized training in the discipline included within his or her department; and ordinarily at least half of his or her teaching assignment

shall be in the department which he or she chairs. As a general rule, no officer of the administration shall be a chair of a department.

c. Acting Chair. In cases where no member of a department meets the qualifications listed above, an Acting Chair shall be appointed to serve for a term of one (1) year without prejudice to reappointment and his or her duties shall be the same as those of a Chair, except that duties (1), (2), and (3) might be assigned to an Acting Chair at the discretion of the Provost or the respective chief academic officers of the School of Health Professions or the School of Pharmacy.

d. Appointment and Term of Departmental Chairs. Departmental chairs in the College of Arts and Sciences shall be appointed by the Board of Trustees upon recommendation of the President and Provost for the College of Arts and Sciences. The department chairs for the College of Arts and Sciences term of appointment will be four (4) years. The terms of the various departmental chairs will be staggered so that approximately one-fourth (1/4) of the chairs will be appointed each year. The evaluation of chairs for possible rotation will coincide with the general assessment and evaluation of departmental programs. In case of a vacancy, a faculty member will be appointed as chair to serve the remainder of the vacated term. Chairs are eligible to succeed themselves.

The department chairs in the School of Pharmacy are appointed and serve at the discretion of the chief academic officer of the School of Pharmacy. There are no term limits on the department chairs in pharmacy, and chairs are evaluated on a yearly basis. In case of a vacancy, a faculty member will be appointed on an interim basis until the vacancy is filled by appointment of the chief academic officer of the School of Pharmacy.

The department chairs in the School of Health Professions are appointed and serve at the discretion of the chief academic officer of the School of Health Professions. There are no term limits of the department chairs in Health Professions, and chairs are evaluated on a yearly basis. In case of a vacancy, a faculty member will be appointed on an interim basis until the vacancy is filled by appointment of the chief academic officer of the School of Health Professions.

The Provost, or the respective chief academic officers for the School of Health Professions or School of Pharmacy, and the President will consult with members of the appropriate department before making recommendations to the Board concerning an appointment.

#### Section 8. The Promotion and Tenure Committee

The Promotion and Tenure Committee of the College of Arts and Sciences shall be composed of twelve tenured faculty members from the College of Arts and Sciences, four from each academic division, who are elected by the faculty of the College of Arts and Sciences. It shall be the responsibility of this committee to review applications for tenure and/or promotion and to make recommendations with regard to the tenure and/or promotion candidates to the Chief Academic Officer for the College of Arts and Sciences and the President. A section of the Faculty Status Committee, sitting as the Committee on Status Appeals, shall serve as an appellate body in cases involving tenure, promotion, and contract non-renewal.



The Promotion and Tenure Committee of the School of Pharmacy shall be composed of all tenured faculty members from the School of Pharmacy. It shall be the responsibility of this committee to review applications for tenure and/or promotion and to make recommendations with regard to the tenure and/or promotion candidates to the chief academic officer for the School of Pharmacy, the Provost, and the President. An ad hoc Faculty Status Appeals Committee shall serve as an appellate body in cases involving tenure, promotion, and contract non-renewal.

The Promotion and Tenure Committee of the School of Health Professions shall be composed of all tenured faculty members from the School of Health Professions. It shall be the responsibility of this committee to review applications for tenure and/or promotion and to make recommendations with regard to the tenure and/or promotion candidates to the chief academic officer for the School of Health Professions, the Provost, and the President. An ad hoc Faculty Status Appeals Committee shall serve as an appellate body in cases involving tenure, promotion, and contract non-renewal.

## **ARTICLE VI**

### **BOARD OF VISITORS AND CHAIR'S COUNCIL**

#### **Section 1. Board of Visitors**

The function of the Presbyterian College Board of Visitors shall be: to advise the President and members of his or her administrative staff; to make recommendations to the Board of Trustees relative to the welfare and wellbeing of the college regarding its financial and physical development, academic affairs, student affairs, and its church relations.

Members of the Board of Visitors shall be nominated by the current Board of Visitors, the Board of Trustees, and members of the Presbyterian College Staff and shall be appointed or removed by the President. The term of membership shall be three (3) years with eligibility for reelection following one (1) year of retirement from the Board.

#### **Section 2. The Chair's Council**

The Board of Trustees may elect any number of Trustees who have completed their terms of service to the Chair's Council as it, in its sole discretion, deems appropriate. The purpose of the Chair's Council is to advise the Chair of the Board of Trustees and the President on matters pertaining to the College. The Council shall meet in conjunction with the annual meeting of the Board and at any other time as called by the Chair or the President. The Board of Trustees shall determine the term of any member of the Council. A member may resign at any time by delivering a written notice to the Board of Trustees, its Chair, the President, or the College. A resignation shall be effective when the notice is delivered unless the notice specifies a later date. Members of the Council shall serve at the pleasure of the Board of Trustees, and any member of the Council may be removed by the Board of Trustees at any time with or without cause.

## ARTICLE VII

### SUNDRY PROVISIONS

#### Section 1. Indemnification.

(a) Indemnification of Trustees. The College shall indemnify any individual made a party to a proceeding because he or she is or was a Trustee of the College against liability incurred in, or in connection with, the proceeding to the fullest extent permitted by law.

(b) Advance Expenses for Trustees. The College shall pay for or reimburse the reasonable expenses incurred by a past or current Trustee who is a party to a proceeding in advance of final disposition of the proceeding to the fullest extent permitted by law.

(c) Indemnification of Officers. The Board of Trustees may indemnify and advance expenses to any officer of the College, who is not a past or current Trustee, pursuant to SC Code §33-31-856 (or successor provision). Any such officer is entitled to apply for court-ordered indemnification under SC Code §33-31-854 & -856 (or successor provision) to the same extent as a Trustee.

#### Section 2. The Articles of Incorporation and Bylaws a Part of All Employment Relationships

The Articles of Incorporation and Bylaws of the College shall be a part of the conditions of employment of all employees of the College.

#### Section 3. Relationship to Other Documents

In the event of any inconsistency between the Articles of Incorporation and these Bylaws of the College, on the one hand, and the Faculty Handbook or any other document respecting the life of the College, on the other hand, the Articles of Incorporation and these Bylaws shall govern.

#### Section 4. The Fiscal Year

The fiscal year of the College shall begin on the 1<sup>st</sup> day of July and end on the 30<sup>th</sup> of the following June.

#### Section 5. Corporate Seal

The corporate seal of the College shall consist of two concentric circles with the name of the College between and in the center shall be inscribed "Founded in 1880;" and such seal as impressed on the margin hereof is adopted as the corporate seal of the College. The Chief Business Officer of the College shall be ex-officio keeper of the seal and shall be authorized to impress it on all instruments requiring a seal for their execution.

Section 6. Amendments

These Bylaws shall not be altered or amended except by two-thirds (2/3) vote of the Trustees present at any regular meeting, or any special meeting called for such purpose.

Section 7. Nondiscrimination in Programs

It is the policy of Presbyterian College not to discriminate in its programs, activities, or admissions on the basis of race, gender, religion, disability, age, color, national origin, or on any other basis prohibited by law.

*Adopted by the Board of Trustees, Presbyterian College, on November 12, 1974. Amended October 27, 1977; October 25, 1979; April 9, 1980; November 11, 1981; April 11, 1984; March 5, 1985; March 4, 1986; November 12, 1986; November 15, 1989; February 26, 1991; February 27, 1993; November 11, 1994; November 10, 1995; November 13, 1996; February 26, 1999; November 10, 1999; February 26, 2002; November 10, 2004; November 9, 2005; February 21, 2006; November 2006; February 2007; November 2008; February 25, 2009; November 16, 2011; April 19, 2013; November 15, 2013; February 28, 2014; February 13, 2019; May 1, 2019.*



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E. G. Lassiter, Chair  
Presbyterian College Board of Trustees

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Louise R. Slater, Secretary  
Presbyterian College Board of Trustees

### **Appendix 3**

## **PRESBYTERIAN COLLEGE COVENANT WITH THE SYNOD OF SOUTH ATLANTIC**

### **Preamble**

Presbyterian College is a church-related liberal arts college whose “compelling purpose” as stated in the Bylaws of the College “is to develop within the framework of the Christian faith the mental, physical, moral, and spiritual capacities of each student in preparation for a lifetime of personal and vocational fulfillment and responsible contribution to democratic society and the world community.”

### **History of the Relationship**

Founded in 1880 as Clinton College by the Reverend William Plumer Jacobs and the First Presbyterian Church of Clinton, South Carolina, the institution took the name of Presbyterian College of South Carolina ten years later. Control rested in the hands of trustees elected by the six (6) presbyteries of the Synod of South Carolina, and the Synod of South Carolina accepted full control and support of the College in 1904. Presbyterians in the Synod of Georgia joined in the support of Presbyterian College in 1928 through a system of joint control. The relationship between Presbyterian College and the Synod of the Southeast began with the merger of the Synod of Georgia and the Synod of South Carolina in 1973. When the Synod of South Atlantic was created in January, 1988 the relationship with Presbyterian College was extended to include churches in the states of Florida, Georgia, and South Carolina. In 1996, financial support for Presbyterian College was shifted to the ten (10) presbyteries of Georgia and South Carolina. In June 2002, trustee representation was extended to include representatives from the presbyteries of the three states of the Synod. In 2010, the General Assembly Mission Council of the PC(USA) approved the request of the Board of Trustees to extend Board service to candidates from across the denomination. The General Assembly Mission Council, now called the Presbyterian Mission Agency, will make such appointments at the request of the Board of Trustees.

The present covenant is more than a restatement and reaffirmation of previous covenants between the College and the Synod. It reflects an extensive, eight-month study conducted in 2006 on what it means for Presbyterian College to be a liberal arts college in covenant with the Presbyterian Church (USA). The study was conducted by a widely representative commission of thirty members, comprised of students, faculty and administrators of the College, alumni/ae, and representatives of the Board of Trustees and the Synod of South Atlantic. The Presbyterian College Commission Report formed the foundation of the process that led to the development of the 2007 Covenant. We are indebted to the Commission for its work and have sought to build upon the foundation of its research and recommendations.

### **Purpose of the Covenant**

In order to be faithful to its heritage and more completely and effectively fulfill its mission, Presbyterian College has chosen freely to be in covenant with the Synod of South Atlantic, its

presbyteries, and congregations.

In this distinctive context, a covenant between the Synod and the College is not a contract that details the obligations and expectations of each party. It is a voluntary agreement entered into by both parties with a deep sense of commitment to one another and trust in the principles which guide their relationship and upon which the organizations were founded. This covenant is intended to be a living document which will be examined annually and renewed every five years. The Church and the College share mutual responsibility for their knowledge of the covenant and adherence to its values and principles.

### **What the College Will Do for the Church**

**In order to fulfill its covenant with the Synod of South Atlantic, its presbyteries, and congregations, Presbyterian College accepts and commits to the following responsibilities:**

*Presbyterian College seeks to help students gain a basic knowledge of the humanities, natural sciences and social sciences, and an ability to see these studies as part of a larger search for truth that includes the ability to think clearly and independently, to make critical judgments, and to communicate effectively.*

- A comprehensive and rigorous liberal arts education at Presbyterian College shall include an in-depth engagement with the Christian faith by the academic study of the scriptures of the Old and New Testament.
- We recognize that we live in a religiously plural society and world in which we must learn to relate openly and appreciatively to other faith traditions.
- Presbyterian College shall hire faculty who see teaching and the relationship with students as their essential mission and who commit themselves to and are supportive of the distinctive identity and mission of the College in covenant with the Presbyterian Church (USA). As a vital part of its educational ministry, the College affirms its commitment to academic freedom and the free pursuit of knowledge and excellence.

*Presbyterian College seeks to help students attain a sense of moral and ethical commitments expressed in service to others.*

- Presbyterian College shall provide and nurture a community that promotes an appreciation of Christian beliefs, moral concerns, national, regional, and global awareness, and emphasizes the social responsibility of each member of the community.
- The Presbyterian College Honor System shall stand as the visible reflection of our desire to live in a community characterized by honest behavior, integrity, and high moral character.
- The College affirms that such a community shall promote concern for those in need, and it shall continue to promote volunteer programs that provide opportunities for increased student awareness of these needs.
- Presbyterian College shall challenge students to develop a strong sense of vocation that will enable them not merely to make a better living but to live a better life.
- Appreciation for national, regional and global issues is vital to the life of this community

and shall be promoted by intercultural, interdisciplinary, and experiential activities.

*In fulfilling this covenant, Presbyterian College seeks to serve the Church in its mission to the world by promoting the spiritual lives of its students.*

- The college shall provide opportunities for the entire community to worship on and off campus in a variety of styles led by a variety of people, including the Director of Religious Life and Service, pastors of churches, faculty, administration, staff and students.
- Presbyterian College shall provide students with opportunities to explore church vocations and leadership through church leadership programs, teaching congregations and institutions, internships, and training.
- Presbyterian College shall promote itself to the youth of the church and encourage them to apply and enroll.
- The College shall strive to be an inclusive community that values diversity throughout its life and encourages the Church to demonstrate the inclusiveness which the Presbyterian Church (USA) affirms in its *Book of Order*.
- The College shall attempt to make available resources for special events involving the Church.
- While the missions of the Church and the College are distinct, Presbyterian College recognizes a shared responsibility with the Church for service to the Kingdom of God.

### **What the Church Will Do for the College**

**In order to fulfill its covenant with Presbyterian College, the Synod of South Atlantic, its presbyteries, and congregations accept and commit to the following responsibilities:**

*The Synod of South Atlantic, its presbyteries, and congregations will affirm and value the relationship between the College and the Church.*

- Throughout its history, the Presbyterian Church has valued highly the life of the mind in service to God and has taken seriously the responsibility for the founding and support of church-related colleges.
- In this covenant, the Synod of South Atlantic commits itself to help interpret to its member presbyteries and congregations the importance of a liberal arts education in the context of Christian faith and values.
- The Church affirms the integrity of the College and the importance of academic freedom that is essential to the life of the College.
- The Church agrees to serve as a channel of communication through which the College's needs, challenges, and opportunities are shared with the Church and the Church's concerns are shared with the College.
- The Church will share with the College the responsibility for promoting the relationship between the Church and College in publications, including web links to the College on presbytery and church websites.
- The Church will be willing and eager to receive visits from students, faculty and staff of the College, and to participate in the teaching congregations' program.
- The Church covenants to pray for the College.

- The Church acknowledges the importance of receiving annual reports from the College. These reports will lift up the covenant and detail how it is being fulfilled both by the College and the Church.

*The Synod of South Atlantic, its presbyteries, and congregations will affirm and value the ministry we have in common.*

- While their missions are distinct, the College and the Church share a mutual responsibility of service to the Kingdom of God.
- The Church recognizes the remarkable resources which the College provides that can be utilized in the mission of the Church and covenants to use them appropriately in the fulfillment of its mission and ministry.
- The Church values the resources provided by the College in the fine arts, sacred music, and by members of the faculty who teach, lead retreats, and help deepen the Church's understanding of issues.
- The Church will seek to provide internships for students within congregations and publicize the need for internship opportunities among church members.

*The Synod of South Atlantic, its presbyteries, and congregations commit to assist in the recruitment of students.*

- Congregations throughout the Synod will prepare and actively encourage their youth to attend Presbyterian College and provide scholarship assistance to members who attend Presbyterian College.

*The Synod of South Atlantic, its presbyteries, and congregations will offer financial support to the College.*

- The Church accepts the challenge to help fund the programs and ministries of the College that it has urged the College to implement.
- The Church covenants to support the College financially through annual giving, student scholarships, participation in capital campaigns, and assistance in identifying potential donors to the College.

*The Synod of South Atlantic, its presbyteries, and congregations agree to provide institutional support.*

- The Synod plays a significant role in the governance of the College by identifying and endorsing for the College outstanding leaders to serve on the Presbyterian College Board of Trustees.
- The Church actively encourages its leaders to serve on College advisory boards and the Board of Church Advisors. This role is critical to further the relationship between the College and the Church.

### **Joint Responsibility for the Covenant**

*Presbyterian College and the Synod of South Atlantic, its presbyteries and congregations, will share in the affirmation of the covenant with an annual report and a comprehensive review and renewal of the Covenant every five years.*

- The Covenant between the Synod and the College is a living document. The College will issue an annual report to the College and the Synod of the activities the College and Church undertake to fulfill their portions of the covenant. These reports will be part of the covenant renewal materials.
- Every five years, at the instruction of the President, the College will engage in the covenant renewal process.
- The Synod and the College recognize the advantages of working relationships between the College and other church bodies consistent with this covenant. Such relationships with all the appropriate councils of the church allow for mutual responsibilities and resources to be identified and exercised at every level, and the College may have Statements of Understanding to implement relationships with other Church governing bodies.

*Approved 11/16/11*



## Appendix 4

### THE BLUE BOOK

#### I. PHILOSOPHY

Committed to the rigorous pursuit of liberal learning and the teachings of the Christian faith, the Presbyterian College community is dedicated to integrity in the pursuit of truth and honor in the building of community. As members of this community, we share a common commitment to maintaining the high standards of honesty and honorable conduct required for this pursuit.

Since 1915, our commitment has been realized in our agreement to live under the Honor Code of the College. As this Code is student maintained, our agreement contains two parts: first, that we personally adopt the standards of conduct as stated in the Honor Code; and second, that we deal responsibly with those of our peers who fail to do so. By holding one another accountable to this commitment, we ensure the integrity of our academic program and community.

Our acceptance of this commitment allows us to enjoy an atmosphere of mutual trust and respect among students, faculty, and administration. The academic and social advantages therein are many: as students, we are trusted to work independently; exams may be taken free of supervision; computer labs are available twenty-four hours a day; personal property is generally safe on campus; and one's word may be considered trustworthy, both on and off campus. It is our shared interest in preserving this atmosphere that motivates our commitment to the Honor Code.

However, privilege requires responsibility. We at Presbyterian College are responsible for knowing the purpose, design, and procedures of our Honor Code and are required to exhibit honorable conduct in all areas of life: social as well as academic, off campus as well as on. It is solely through the consistency of this commitment that we may both trust and be trusted, respect and be respected, regardless of place or circumstance. Therefore, each of us is expected to maintain the integrity of that commitment at all times.

When we join the Presbyterian College community, we sign the Roll of Honor and formally enroll under the pledge:

*“On my honor, I will abstain from all deceit. I will neither give nor receive unacknowledged aid in my academic work, nor will I permit such action by any member of this community. I will respect the persons and property of the community and will not condone discourteous or dishonest treatment of these by my peers. In my every act, I will seek to maintain a high standard of honesty and truthfulness for myself and for the College.”*

#### II. THE HONOR CODE

The Honor Code is comprised of the Academic Honor Code, described in the Blue Book and administered by the Honor Council, and the Code of Responsibility, described in the Garnet Book

and maintained by the Student Life Conduct Board. The Honor Code is upheld by Presbyterian College students and faculty. Students' obligation to the Honor Code is not confined to the boundaries of the College campus, but extends to conduct in the larger community. All student conduct, whether on or off campus, shall be subject to the Honor Code.

### **III. THE ACADEMIC HONOR CODE**

Presbyterian College students pledge to abstain from all deceit and dishonorable conduct in their academic work, as in their lives outside of the classroom. Though many acts may at times be considered deceitful or dishonorable, students at Presbyterian College agree that lying, cheating, plagiarism, and failure to enforce the Academic Honor Code are by definition dishonorable and are, therefore, always in violation of the Honor Code.

#### **A. Academic Honor Code Violations**

1. Lying is defined as any attempt to deceive, falsify, or misrepresent the truth in any academic matter.
2. Cheating is defined as the employment of or rendering of any unacknowledged aid in any academic work. Unacknowledged aid includes aid that is not allowed by the instructor.
3. Plagiarism is defined as the presentation in or as one's own work of the words, work product, or ideas of another person without appropriate citation or acknowledgement.
4. Failure to enforce the Academic Honor Code is defined as any act of omission that permits violations of the Academic Honor Code to occur or to go unreported.

All students enrolling at Presbyterian College are bound not only to abstain from the above, but also to report such acts committed by fellow students. When events of a questionable nature occur in matters of scholarship, it is the responsibility of each student to promptly communicate that information to the Academic Honor Council, which will determine whether or not a violation has occurred.

#### **B. Academic Honor Code Penalties**

Subject to a decision by the Council, the penalties for a violation of the Academic Honor Code shall be as follows:

For a first violation:

1. immediate suspension for the remainder of the current semester; and
2. For violations involving cheating, plagiarism, or lying to gain academic advantage in a course, a grade of “F” will be imposed in that course and in any other course in which the instructor of that course certifies the student was failing as of the date of violation, with withdrawals assigned in all other courses.

The penalty for a second violation of the Honor Code is immediate and permanent expulsion from the College.

#### IV. THE HONOR COUNCIL

##### A. Responsibilities

The Honor Council is charged with investigating and hearing alleged academic violations of the Honor Code and determining whether violations have occurred. Upon determining such violations, the Council is empowered to impose appropriate sanctions, up to and including expulsion from the College. The Honor Council reserves the right to refer certain cases to the Office of Student Life and the Student Life Conduct Board.

The Honor Council is also responsible for assisting in the education of new students concerning the Honor Code and in the annual publication of The Blue Book.

##### B. Membership

The Honor Council will have a total student membership of no fewer than 40 members with a minimum of four (4) members from each class. Each February, the Honor Council will solicit applications for Council membership. Students will typically begin membership in the fall of a given year, but new members may apply to fill vacancies for the spring term. The Honor Council Executive Committee shall have the final discretion in selection of members. Student members of the Honor Council normally serve until the end of their fourth year on campus and are expected to remain on campus through exams each semester for hearings.

The Chair of the Honor Council may ask for the resignation of any student member when there is evidence that his or her behavior threatens the integrity of the Council. If the member in question refuses to resign, the entire student membership of the Council shall be called to consider the matter. Twelve (12) student members shall constitute a quorum, and a two-thirds (2/3) vote is required to remove a student from the Council. If any member of the Council is found responsible in an Honor Case, that member shall be dismissed from the Council and may never rejoin. If any

member of the Council accepts responsibility for or is found responsible for a violation of the Student Conduct Code of Responsibility that includes any sanction more severe than an oral or written reprimand, the Dean of Students shall so inform the Chair of the Honor Council who shall consider whether to ask for the resignation of the member under the process above. If the member resigns or is removed by a 2/3 vote, the student may seek to rejoin the Council after 12 months have passed since the resignation or removal, providing that during those 12 months the student has had no further findings of responsibility for any violations of the Student Code of Responsibility. Any former member seeking to rejoin the council must be re-approved by the Honor Council. If a seat becomes vacant for any reason, a student from the appropriate class shall fill it.

The Honor Council shall also include a minimum of 25 faculty members, elected by the faculty. The Chair of the Honor Code Committee shall be a member of the Honor Council, serve as the Faculty Coordinator and Student Advisor of Honor Council hearings and oversee the election of two faculty honor council members to serve on the Executive Committee. The Dean of Academic Programs is a member, *ex officio*, of the Honor Council.

### **C. Leadership**

The Honor Code Committee shall consist of the Chair, who will serve as Faculty Coordinator/Student Advisor of the Honor Council, the Dean of Academic Programs, the Dean of Students, the Student Chair of the Honor Council, three additional faculty members, and the Assistant Chair and two Secretaries of the Honor Council, all with appropriate experience with the Academic Honor Code. The Honor Code Committee shall develop training for Council members, design the orientation and education program for new students and faculty, and evaluate and revise the Blue Book. The revisions will be accepted upon the approval of the Student Government Executive Committee, the Faculty Senate, and the President of the College. The Committee shall also provide an annual report to the Faculty Senate. The Chair of the Honor Code Committee shall schedule two faculty members for every hearing, keep the official record of faculty participation to be submitted to the Council Chair and Dean of Academic Programs at the end of the academic year, chair the honor code committee, and serve as advisor to the Chair, Assistant Chair, and Honor Council faculty.

The Dean of Academic Programs shall oversee the smooth running of the Honor System, convene meetings of the Executive Committee when required, attend all Executive Committee meetings and hearings, rule on requests to change the date, time, or place of a hearing, and inform the accused of the penalties and of the process for appeal in the case of a finding of guilt. If the Dean is unable to attend a meeting of the Executive Committee or a hearing, the Dean may designate the Chair of the Honor Code Committee to serve.

The Chair of the Honor Council shall be an upperclassman with extensive experience in the workings of the Honor System. The Chair shall preside over all meetings of the Executive

Committee, hearings, and meetings of the full Council. The Chair shall appoint assistants for the defense of students charged, organize all documents and evidence for the meeting, coordinate the selection of members before hearings, review the minutes of each hearing, and keep the official record of hearing and appeals outcomes to be submitted to the Dean of Academic Programs at the end of the academic year. The Chair of the Council must be of junior or senior standing with at least one year of Council experience. The Chair for each ensuing year is selected in the spring by majority vote of the current Honor Council student membership. The nominated student's name is then submitted in Student Government elections for confirmation by the student body. After the election of the incoming Chair, the Council must select an incoming Assistant Chair and two Student Secretaries by majority vote. Elected officers shall assume their responsibilities with the installation of new members each spring.

The Assistant Chair of the Honor Council shall aid in the execution of Council affairs. In the absence of the Chair, the Assistant Chair shall preside over any meeting of the Executive Committee, hearing, or full meeting of the Council. For any hearing over which the assistant chair presides, the Assistant Chair shall also assume responsibility for appointing assistants for the defense of students charged, coordinating the selection of members before hearings, and reviewing minutes. The Assistant Chair must be of junior or senior standing with at least one year of Council experience.

The Executive Committee of the Honor Council shall consist of the Chair, the Assistant Chair, the two Student Secretaries of the Council, the two faculty members selected as outlined in Section B above, and the Dean of Academic Programs. The Executive Committee shall supervise the initial investigation of possible Academic Honor Code violations and is responsible for the activities of the Council. The Executive Committee is also responsible for hearing appeals of Council decisions based on procedural error or new evidence.

The Student Secretaries of the Honor Council shall be responsible for keeping minutes of hearings, for maintaining files of past hearings, for the official correspondence of the Council, and for the financial affairs of the Council. They shall also coordinate the solicitation and review of applications for membership each spring.

## **V. PROCEDURES**

In extraordinary circumstances the President or the Dean of Academic Programs of the College, at any time and in consultation with the Chair of the Honor Council, may find it to be in the best interest of the College to forego the usual Honor Council procedures. In such instances the President or the Dean of Academic Programs will determine a just means for handling such extraordinary circumstances.

## **A. Reporting a Violation**

When students, faculty members, or administrators suspect a student of having violated the Academic Honor Code, the matter must be brought to the attention of the Chair or Assistant Chair of the Honor Council and to the Dean of Academic Programs, as appropriate.

Contact information for the Chair and Assistant Chair of the Honor Council is provided on the College's website under Campus Life/Honor. Honor Council members are prepared to consult with students who have concerns but who are uncertain how to proceed.

## **B. Investigations**

### **1. Participants**

The Executive Committee of the Honor Council shall conduct preliminary investigations into reported violations. At least five members of the Committee, including at least three student members and at least one faculty member, must be present, and the vote of four members is required, to convene an Honor Council hearing. In the event that any of its student members are unavailable, the remaining student member(s) may appoint another Honor Council member to fill the necessary role on an interim basis.

### **2. Procedure**

- a. Any information received or discovered by a member of the Honor Council that would indicate a possible violation must be communicated immediately to the Chair, or in the absence of the Chair, to the Assistant Chair.
- b. Immediately upon reception of such information by the Executive Committee, an investigative team may be appointed from the Honor Council membership. This team, composed of one or two student Honor Council members, shall act as a neutral agent, gathering what information is available concerning the possible violation and reporting to the Executive Committee.
- c. Upon receiving the report of the investigative team, the Dean of Academic Programs will call a meeting of the Executive Committee. The purpose of this meeting shall be to determine whether an Honor Council hearing should be held. The accused and an appointed assistant will be given a copy of the investigative report following the Executive Meeting.
  - (i) Should the Executive Committee find the information sufficient to merit a hearing, a written statement shall be provided to the Dean of Academic Programs including the student's name and the charge to be made.

- (ii) Should the Executive Committee find the information insufficient to merit a hearing, that outcome shall be reported by the Dean of Academic Programs to the faculty member who submitted the case (if applicable), for grade and class handling purposes. Additionally, one copy of all information pertaining to the investigation shall be kept in the Honor Council files for up to one year, and disclosure of the matter shall be a right reserved solely to the student(s) in question. Files are also housed in the Provost's office for institutional use.

### **C. Charges**

Should the Executive Committee find the information sufficient to merit a hearing before the Honor Council, the accused student shall be provided written notice of the date, place, and time of the hearing, along with a description of the violation in question and the report of the investigative team. Unless otherwise agreed upon by the accused student(s), hearings shall be convened no sooner than seventy-two (72) hours and no later than ten (10) business days following the delivery of this written notice. The Honor Council Executive Committee, in consultation with the Honor Council and the accused student(s), may grant exceptions. Requests to change the date, time, or place of the hearing shall be ruled upon by the Dean of Academic Programs.

### **D. Student Rights**

Before proceedings take place, the Chair of the Council must be certain that any student charged understands that charged students have the following rights:

1. To be assisted in the defense by an appointed student member of the Honor Council;
2. To be further assisted in the defense by a student of the charged student's choosing;
3. To call and to question witnesses; or, in extraordinary circumstances where the Executive Committee deems it necessary to shield a witness, to have witnesses questioned by way of a third party; and
4. To testify on his or her own behalf and to refuse to answer questions.

### **E. Hearings**

#### **1. Participants**

- a. In Academic Honor Code hearings, the Chair or Assistant Chair of the Council shall

preside, with one Student Secretary serving to record minutes. Members of the Executive Committee shall be ineligible to sit as voting members of the Council.

- b. For any hearing, the presiding officer shall arrange for seven (7) student members of the Honor Council to be in attendance. In addition, the Chair shall notify the coordinating faculty representative, who shall provide two (2) faculty representatives for the hearing. Any member of the Council who is a witness to the possible violation or who has demonstrable bias against or toward the person charged shall be ineligible to sit on the hearing for that case.
- c. The Dean of Academic Programs or Chair of the Honor Code Committee shall be present for all hearings and shall be available for consultation during hearings but shall have no vote.
- d. The investigative team, which began investigating the case during the initial inquiries of the Executive Committee, shall serve during the hearing to present the facts of the case as determined during that investigation. This person or team shall introduce and summarize the circumstances of the case and may present documents, statements, and witnesses before the Council.
- e. The student charged may be accompanied by the appointed assistant and one other student that the charged student may have selected to help in the defense. These assistants may speak for the student charged and may present documents, statements, and witnesses before the Council.
- f. No later than twenty four hours prior to the hearing, a list of expected witnesses shall be provided to the presiding officer by each party. Witnesses shall be excluded from the hearing until called and shall be instructed by the presiding officer not to discuss the case among themselves or with anyone but (1) the person designated to present the information surrounding the offense or (2) the student's representatives.
- g. Once called during the hearing, each witness shall be sworn in and reminded by the presiding officer of his or her pledge to uphold the Honor Code of the College. Following this reminder, the calling party, the opposing party, and finally the Council itself may question the witness. When the Council is satisfied and no further questions are forthcoming, the witness shall be dismissed from the hearing room.
- h. The presiding officer is responsible for maintaining order in the hearing. In the interest of time, the presiding officer may limit the number of witnesses called by either party and



may rule that certain information or testimony is irrelevant to the case at hand. The presiding officer shall also rule on requests for recess. Decisions made by the presiding officer may be overturned by majority vote of the Council.

- i. Hearings shall be closed to the public, unless the student charged makes a written request for an open hearing twenty-four (24) hours prior to the set date and time. In the event of an open hearing, the presiding officer shall have authority to impose reasonable rules for the number of non-participants in attendance and for their selection. The presiding officer may also remove from the hearing any person whose behavior proves distracting or inappropriate.

## **2. Procedure**

### **Finding Phase**

- a. To begin each hearing, the presiding officer shall read the specification of the charge aloud and shall verify that the student charged received notification at least seventy-two (72) hours in advance of the hearing. The student charged shall then be asked the following question: “Did you or did you not violate the Honor Code?”
- b. If the student acknowledges violating the Honor Code, the presiding officer shall present relevant documents to the council and move immediately to the procedures for the penalty phase of the hearing.
- c. If the student declares innocence in the violation of the Honor Code, the presiding officer shall first recognize the investigative team to make an opening statement and then the student or student’s representatives to make an opening statement. After the opening statements, the presiding officer shall recognize the investigative team to present relevant documents and to call witnesses with knowledge of the matter.
- d. Following the presentation of witnesses by the investigative team, the presiding officer shall recognize the student charged. The student or the student’s representatives may then present relevant documents and call witnesses to support the student’s declaration.
- e. Following the presentation of witnesses by the student charged, the presiding officer shall call for summary statements from each side, beginning with the statement of the student charged. At the conclusion of these statements, all parties shall be asked to withdraw from the room so that deliberations of the Council may begin. Deliberations shall be closed to all but voting members of the Council with the exception of the presiding officer and the

recording secretary.

- f. The presiding officer shall instruct the Council that its decision must be based solely upon the information received during the hearing. The standard for determining a student's responsibility for violation of the honor code will be 'a preponderance of evidence.' In other words, the determination shall be made on the basis of whether it is more likely than not that the charged student violated the honor code. Discussion may then take place. If the Council feels that more information is required, deliberations may be temporarily adjourned, and the hearing reconvened for questioning of parties or witnesses. At the end of discussion, the presiding officer shall call for a vote by secret ballot. The votes of six (6) members of the Council shall be required in order to find that the student has violated the Honor Code.
- g. Following deliberations, all parties are called back into the hearing room, and the presiding officer announces the finding.
  - (i) If it is found that the student has not violated the Honor Code, the case shall be closed, and all records of the hearing destroyed. This outcome shall be reported to the faculty member who submitted the case (if applicable) by the Dean of Academic Programs, for grade and class handling purposes.
  - (ii) If the student is found responsible for having violated the Honor Code, the hearing shall continue into the penalty phase.
  - (iii) At this point, the Officer of the College will provide information as to any previous honor violations. If this is the student's second offense, the standard penalty will apply and the student will be immediately and permanently expelled from the college. The student may lodge an appeal as delineated in Section VI.

#### Penalty Phase

- a. If it is declared by the student charged, or found by the Council through deliberation, that he or she has violated the Honor Code, then the presiding officer shall present relevant documents concerning the violation to the council and the opportunity shall be offered to make statements, present information, and call witnesses in mitigation before the Council. Character witnesses may also be called at this time. The defense should present explicit information showing understanding of the offense and a plan to ensure that the offense will not be repeated.

- b. Following statements, evidence, and witnesses presented by the student, the investigative team shall be called upon to present further information to address misleading statements made in mitigation. If character has been offered as cause for mitigation, the officer of the College may be called upon at this time to provide relevant disciplinary or academic records. After offering the student the opportunity to respond to this information, the presiding officer shall clear the room of all but voting members of the Council, and deliberations shall begin.
  
- c. The purpose of deliberations during the penalty phase shall be to determine whether to impose the penalty described in Section III.B. or to impose a reduced penalty. Circumstances or hardship affecting the accused that may result from the penalty shall not be a valid basis for a reduced penalty. In exceptional circumstances, the Honor Council may impose a reduced penalty when, in its judgment, the offender understands, accepts, and can live faithfully under the Honor Code as demonstrated in the offender's statement of understanding of the offense and plan to ensure that the offense will not be repeated. The presiding officer shall remind the Council of the penalty described in Section III.B. Discussion may then take place. At the end of discussion, the presiding officer shall call for a vote by secret ballot. Eight (8) votes are required to impose a reduced penalty. If the offense is directly related to a course, the reduced penalty shall be an "F" in the class in which the offense occurred, and a referral to the Dean of Academic Programs, who will work with the Academic Success Office to follow up on the student's plan to avoid repetition of the offense. In situations when the offense is not tied to a specific course, the panel will set the deviated penalty by simple majority. If a student does not satisfactorily complete the requirements of the deviated penalty on schedule, the penalty will automatically revert to the standard penalty as described in Section III.B and the student will be so informed by the Provost's office in conjunction with the Chair of the Honor Council
  
- d. Following deliberations, all parties will be called back into the hearing room, and the presiding officer will announce the penalty. The student will be advised that the student may appeal the Council's decision to the Executive Committee in the case of procedural error or new evidence; the hearing will then be adjourned. In the absence of an appeal, the accused will be informed by the Dean of Academic Programs when and how the penalty is to be carried out. The student will be reminded that the penalty for a second violation of the Honor Code is immediate and permanent expulsion from the College.

The outcome of the hearing shall be reported to the faculty member who submitted the case (if applicable) by the Dean of Academic Programs, for grade and class handling purposes.

In the event of a suspension or expulsion, college fees including tuition and board may be partially refunded, the amount to be based upon the proportion of days remaining in the term from the day the suspension or expulsion was initially imposed as a penalty. There will be no refund after the ninth week of the term of enrollment. The student exhausts the appeals process when the President upholds the Academic Honor Council decision. The effective date of refund, if applicable, is the date of the final decision. The student may attend classes during the appeals process provided that he or she meets the cost of the College's fees including tuition and board. In the event of a suspension, a student readmitted to Presbyterian College will receive no transfer credit for coursework taken during the period of suspension.

### **3. Ad Hoc Hearings**

In rare cases, the Honor Council may need to modify the process of a hearing. At such times, the President of the College or the Dean of Academic Programs, in consultation with the Chair of the Honor Council, may appoint an Ad Hoc Judicial Committee, consisting of available students, faculty, and administrators. Such a committee, when employed, shall reflect as much as possible both the proportions and membership of the Honor Council and shall bear the same authority and responsibilities.

## **VI. PROCEDURE FOR APPEALS**

### **A. Petition for Appeal**

The Executive Committee shall accept for consideration two types of appeal: (1) those claiming a procedural error that may have affected the outcome of the case; (2) those presenting new evidence relevant to the case. A petition for appeal must be submitted in writing to the Dean of Academic Programs, or the Chair of the Honor Council within forty-eight (48) hours of the decision of the Honor Council. The petition must state the nature of the appeal (procedural error or new evidence) and must explain its grounds. When the petition is accepted for consideration, the Chair of the Honor Council will attempt to convene the Executive Committee within forty-eight (48) hours of its acceptance.

### **B. Hearing of Appeals by the Executive Committee**

The meeting of the Executive Committee to consider an appeal petition shall be closed to the public. The Executive Committee shall use the transcript of the original hearing to determine if the appeal petition has merit on the grounds of procedural error or new evidence. The Committee may request the testimony of representatives from the investigative team and the defense team if necessary; in the case of an appeal on the grounds of new evidence, the Committee may also call

upon other witnesses, including new witnesses if needed.

When members of the Executive Committee agree that all relevant information has been obtained, deliberations shall begin. Following discussion, a vote shall be called. Five (5) votes, including at least three (3) student votes, shall be required to uphold an appeal and to remand the case to the Honor Council.

## **C. Final Appeals**

### **Procedural Appeals and Appeals on the Grounds of New Evidence**

#### **Scenario A: Executive Committee Denies the Appeal**

If the Executive Committee denies an appeal, the accused may make a formal appeal to the President of the College. The President has the authority to: (1) allow the outcome to stand, (2) remand the case to the Honor Council, or (3) set aside the verdict.

If the Executive Committee denies the appeal but the President remands the case, the subsequent decision of the Honor Council may be appealed only to the President who then has the option to (1) allow the outcome to stand or (2) set aside the verdict.

#### **Scenario B: Executive Committee Remands the Case**

If the Executive Committee remands the case to the Honor Council, the subsequent decision of the Honor Council may be appealed only to the President who then has the option to (1) allow the outcome to stand or (2) set aside the verdict.

### **General Principles of Appeal**

When remanding a case or setting aside a verdict, the President would make the grounds for that decision known to the Executive Committee of the Honor Council. The decision of the President or of the Academic Honor Council in the case of a remand, is final and shall not be reconsidered in the absence of compelling new evidence.