

FRANCIS MARION UNIVERSITY FACULTY HANDBOOK

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ADMINISTRATIVE ORGANIZATION

President's Senior Staff

The President's Senior Staff is composed of administrative staff and faculty representatives who work closely with him in planning operations for their areas of responsibility and in reacting in a timely manner to issues that confront the University. The Senior Staff meets regularly at the call of the President. Members include the President, the Provost, the Vice President for Student Affairs, the Vice President for Administration, the Vice President for Business Affairs, the Vice President for Public and Community Affairs, the Vice President for Development/Executive Director of the FMU Foundation, and the Chair of the Faculty.

Selection, Evaluation, and Retention of Academic Administrators

When a vacancy is anticipated in the position of President of the University, the faculty, through the Faculty Senate Executive Committee and/or a search committee, shall communicate to the Board of Trustees its views on filling the vacancy. When a vacancy is anticipated in the position of Provost, the faculty, through the Faculty Senate Executive Committee and/or a search committee, shall communicate to the President its views on filling the vacancy. The faculty shall elect faculty representatives to be included on any search committee.

Faculty evaluation of the President, the Provost, school deans, and department chairs is conducted on an annual basis by means of an evaluation instrument developed by the faculty. (See "Policy and Procedure for Faculty Evaluation of Academic Administrators.")

Department chairs and school deans are appointed by the President following a recommendation by vote of the faculty in their respective units and a review and recommendation by the Provost. Department chairs serve three-year terms, School deans serve four-year terms, the Provost serves a five-year term, and the President serves a six-year term (subject in the case of the President to approval by the Board of Trustees, which has the ultimate responsibility for the renewal or termination of his contract). At the end of each term, administrators undergo formative evaluations by the faculty in their respective units. Administrators may be reappointed following reelection to additional terms.

FACULTY ORGANIZATION

Academic Divisions

The academic units of the University consist of the Francis Marion College of Liberal Arts, the School of Business, and the School of Education. The academic departments include the Departments of Biology; Chemistry; English, Modern Languages, and Philosophy; Fine Arts; History; Mass Communication and Speech; Mathematics; Nursing; Physics and Astronomy; Political Science and Geography; Psychology; and Sociology; academic sub-units within the School of Business (Business Administration, Economics, and Computer Science); academic sub-units within the School of Education (Early Childhood Education, Elementary Education, Middle Level Education, and Secondary Education); and the Library. The Provost is the chief academic officer.

Faculty Administrative Staff

Department chairs and school deans are generally responsible for the activities of their departments and schools, for which they are accountable to the Provost. Their primary responsibility is supervising the teaching, research, and professional service of their faculty. Department chairs and school deans represent their departments and schools in relations with other departments and schools and with other administrative officers of the University. In exercising leadership in the improvement of programs and faculty, a chair or dean is expected to take the initiative to report that unit's needs and advocate its goals and plans.

A department chair's and school dean's specific functions include the following: recommending the approval of departmental policies and procedures involving peer evaluations; recommending faculty appointment, reappointment, tenure, promotion, termination, and dismissal; interviewing prospective faculty; monitoring departmental implementation of Affirmative Action policies and procedures; annually evaluating each member of the department's faculty and staff; developing and monitoring departmental budgets; supervising the department's program of instruction, including scheduling, faculty workload, and departmental research and professional service; ensuring that students' rights are preserved; supervising the advising of departmental majors and graduate and undergraduate students; monitoring student evaluation of instruction, courses, and programs within the department; supervising summer-school programs; approving applications for professional travel and sabbatical leave; arranging meetings of the departmental faculty; meeting with the departmental committees; and teaching two to three classes each semester.

Membership of the Faculty

The University faculty shall consist of the President, the Provost, the deans and other academic officers, including librarians, the department chairs, and all other persons who are appointed to a full-time instructional, research, public service, or administrative position with the rank of professor, associate professor, assistant professor, or instructor. In addition, all persons appointed to an instructional position on a part-time basis with faculty rank are considered members of the faculty and may attend meetings of the faculty.

Voting Faculty Members

The voting faculty shall consist of full-time tenured, probationary (i.e., tenure-track), and temporary faculty who normally teach at least two courses that total a minimum of six credit hours or nine contact hours per semester. These faculty are in coded and slotted (FTE) positions and are eligible for state-funded benefits. Department chairs are voting members of the faculty. All full-time librarians hold academic rank and are voting members of the faculty. All faculty who had voting privileges at the time of the ratification of the 2001 Constitution shall retain them for the duration of their continuous employment in their present position. Furthermore, all faculty who (1) had voting privileges as of April 1997, (2) have retained faculty status, and (3) at the time of the ratification of the 2001 Constitution serve in the same position as of 1997 shall retain voting privileges for the duration of their continuous employment in their present position.

Graduate School Faculty

All full-time and part-time faculty teaching graduate courses normally hold the highest earned degree in their disciplines and must have exhibited excellence in instruction and in scholarly and professional activities. The graduate courses which they teach must be in the fields of their respective expertise.

Membership in the graduate faculty is extended on a *continuing* basis to academic administrators and to those holding the rank of full professor. Membership may also be extended on an *annual* basis to faculty members at any rank who have not been designated as continuing members but who teach at least one course numbered 500 or above during the academic year. Credentials of both annual and continuing graduate faculty are evaluated annually by department chairs and school deans.

TERMS OF EMPLOYMENT

Contracts

Appointments generally are made for a period of nine to twelve months, with twelve-month appointments extending through the fiscal year (July 1 through June 30) and nine-month appointments, through the academic year (mid-August through mid-May). In the event that employment is or subsequently becomes for one semester, either fall or spring, the salary shall be one-half of that for the nine-month period. Contracts are issued annually by the President of the University for employees reporting directly to him. Other contracts are issued annually by the Provost on recommendation of the appropriate dean or department chair. Contracts are sent in duplicate, the original to be signed by the faculty member and returned to the Human Resources Office. Contracts for interim periods and for summer teaching are issued at appropriate times.

Teaching Assignments and Loads

The usual teaching load at the University is twelve credit hours. Fifteen hours per week is the maximum contact time in Schools or departments involved in laboratory, studio, or physical education instruction. Teaching assignments will of course be affected by the number of students in the class, the level of the course, research, and other factors. Adjustments in teaching loads may be made when the faculty member is assigned other time-consuming responsibilities. Because the University must serve adults in the community who cannot attend regular daytime classes, faculty members frequently are expected to assume continuing education assignments and evening assignments.

Part-Time Faculty

In the normal offerings of its curriculum, Francis Marion University employs faculty on a part-time as well as a full-time basis. No distinction is made in the procedure by which full-time and part-time faculty members are recruited, although vacancy announcements are less widely circulated for part-time faculty. Part-time faculty must meet the same professional, experiential, and scholarly criteria as those of their full-time counterparts. Part-time faculty (like full-time faculty) must have at least the Master's degree in field or a Master's degree with at least 18 graduate hours in the teaching field to qualify for teaching, as required by the Southern Association of Colleges and Schools (SACS). Part-time faculty are employed by the semester only, do not accrue time toward tenure or promotion, and are not eligible for certain fringe benefits.

Part-time faculty are provided orientation and supervised by their respective deans or department chairs, who also have the responsibility for the evaluation of part-time faculty. As a condition of their employment, part-time faculty members agree to be available on a regular basis to their students for purposes of academic assistance. Part-time faculty are appointed as part-time instructors or lecturers.

Part-time faculty members have the right to attend faculty meetings and enjoy the privilege of the floor. However, they do not have the right to vote. Part-time faculty members do not serve on University-wide committees.

Pay Periods, Checks, and Deductions

Faculty are paid on a semi-monthly basis with pay dates normally on the 15th day of the month and the last day of the month. A detailed list of pay dates is published annually for nine-month teaching faculty. Nine-month faculty are given the option of being paid in 18 payments or 24 payments. Checks are usually delivered to designated campus locations for pick-up or deposited in individual bank accounts upon request. Checks are not released to anyone except the employee unless prior arrangements have been made with Payroll. Unclaimed checks are returned to Payroll. Social Security, federal and state income taxes, state retirement, hospitalization, annuities, and other insurance plans are handled on a payroll deduction basis.

Summer Sessions (for regular on-campus courses)

The University offers three summer sessions: Late Spring, Summer School I, and Summer School II. Summer teaching appointments are not included in the regular academic year contract. Summer pay rates are subject to change. The Provost will provide to the faculty a schedule of upcoming summer school pay rates no later than January 15. The maximum which can be earned during the summer for teaching regular on-campus courses is 40 percent of the previous academic year's salary. Summer appointments are not always assured, nor are faculty members required to teach in the summer. Compensation for teaching, sponsored research, and/or other activities performed during the summer months (between academic years), and not related to a regular summer session for an employee whose base period is a semester or academic year, shall be at the same rate as for his or her base period for the immediately preceding academic year.

Sponsored Research

Sponsored research during a faculty member's base period will be considered as compensated for in the faculty member's base pay. Additional or extra compensation for such work will be allowed only when approved through the Dual Employment process.

Dual Employment

Permanent State employees may accept additional temporary/part-time employment with State agencies provided that prior to performing these services, appropriate dual-employment forms have been completed and approved. No State employee may accept any work or remuneration that could be reasonably construed as a conflict of interest. Acceptance without proper prior approval of a work assignment or remuneration that is found to be a conflict of interest will be grounds for disciplinary action or termination of employment.

No employee can receive additional compensation for services performed during scheduled hours of work (including mealtimes and breaks) unless the employee takes annual leave or leave without pay. An employee's work schedule shall not be altered or revised in order to provide time to perform dual-employment duties. However, an employee, employed on a twelve-month basis only, may use annual leave while providing services during working hours

for a requesting agency and may receive compensation from that agency for services performed during the period of leave. However, no employee shall receive any additional compensation from the primary employing agency while in a leave-with-pay status, to include all designated paid State holidays and compensatory leave.

The maximum compensation that an employee will be authorized to receive for dual employment shall not exceed 30 percent of the employee's annualized salary for the fiscal year. The rate of compensation for summer employment for those employees whose base period for employment is less than twelve months is covered under Summer Compensation and is not considered dual employment.

If duties to be performed constitute service by the employee on a board, commission, or committee for which per diem allowance is to be awarded, the employee is not eligible to receive such per diem allowance.

Travel and subsistence paid to a State employee by the requesting agency shall be in compliance with provisions in the *Policies and Procedures Guide for Faculty and Staff*.

The maximum compensation which can be earned during the summer months for teaching regular and contract courses is 40 percent of the previous academic year's salary.

A member of the University faculty may be permitted to do professional work of an expert character outside the University and to receive pay therefrom when the work in question contributes to the professional development of the individual. Outside employment shall be undertaken on the prior approval of the chair or dean concerned and prior authorization of the Provost. The University reserves the right to declare a conflict of interest at any time. For further information see the *Outside Employment Policies*.

No member of the teaching staff shall receive compensation for tutoring students in any course for which the faculty member is empowered to grant the student credit or over which the member has any authority. This regulation shall not be interpreted as prohibiting tutoring for remuneration in subjects over which the tutor has no control.

Employment by other State agencies or departments of the University occurring during an employee's base period and for which there is compensation in excess of the employee's regular salary for temporary, part-time contractual, or consultative service or for honoraria is considered dual employment and must be approved in advance following the dual-employment guidelines. See the *Dual Employment Policy* for further information on dual employment.

Intellectual Property Policy

Francis Marion University supports the development, production, and dissemination of Intellectual Property, including copyrights, patents, trademarks, and any intellectual creation by its faculty, staff, and, if significantly involved in the creation of Intellectual Property, its enrolled students. Furthermore, the University seeks to encourage and reward creativity and innovation while still retaining for the University, when appropriate, reasonable access to, and use of, the Intellectual Property for whose creation the University has provided assistance.

Francis Marion University, faculty, and staff acknowledge that the mutual obligations of trust, good will, equity, and fair dealing are indispensable foundations and the guiding principles of this policy.

The creator/inventor of Intellectual Property must play the active role in any process to license and protect Intellectual Property. The creator/inventor assumes the responsibility of

complying with all processes involved with the licensing and protection of Intellectual Property consistent with State and Federal laws, State and Federal conflict of interest regulations, as well as University policy. Nothing set forth in this policy shifts this obligation from the faculty member, staff member, or student to the University.

It is the intent of the University that each faculty member, staff member, or student shall be the copyright owner of works created by the individual and at the individual's own initiative for academic purposes. These works would include, but not be limited to, scholarly works, class notes, class syllabi, books, articles, literary compositions of any discipline, artistic works, scientific works, dance, sculpture, visual arts, audiovisual works including any interactive or educational programs, sound recordings, as well as courseware development for distance education programs. Revenue derived from Intellectual Property owned by individuals belongs to the individuals.

Clarification of ownership and/or rights to Intellectual Property may be necessary. The University, faculty, staff, and/or students may enter into a memorandum of agreement regarding Intellectual Property rights at any time. If the Intellectual Property is commissioned by the University or one of its components pursuant to a signed contract or is created as a specific requirement of employment or as an assigned duty by the University, the Intellectual Property is owned by the University unless prior agreement has been made otherwise. Revenue derived from Intellectual Property owned by the University is credited to the University's general funds.

Intellectual Property that results from substantial use of University resources or facilities may create a joint ownership of the Intellectual Property between the University and the individuals who contribute to the creation of the Intellectual Property. The University and the individuals may agree to such an arrangement in writing.

Any disagreements, conflicts, and/or special requests for development of Intellectual Property shall be submitted to the Provost for further action as may be deemed necessary.

The Faculty Life Committee shall have general oversight of Intellectual Property issues. At the request of the Provost, the Committee shall review any matters relating to disagreements, conflicts, and/or special requests for development of Intellectual Property. The Committee shall make determinations and recommendations to be transmitted to the Provost. Further, the Committee shall review on a regular and ongoing basis University policy as to Intellectual Property. Any recommendations and/or concerns shall be transmitted to the Provost of the University.

The mutual obligations of trust, good will, equity, and fair dealing create the opportunity for an early and amicable resolution of any matters relating to Intellectual Property. If a mutually acceptable resolution can not be obtained, the Provost shall advise the University President. The President shall make the final determination.

Required Courses: Policy and Procedures

When it is deemed necessary and appropriate, Francis Marion University permanent faculty and staff may be required to take certain job-related courses. When such a requirement is made, the employee will not be responsible for any costs associated with the course(s), which will be borne by the University. The employee will be responsible for any program application fees. The employee being required to take a course completes the application form available from

Human Resources and obtains the necessary approvals. See the *Required Course Policy* for further information.

I. Policy

- A. Francis Marion University permanent faculty and staff, regardless of race, color, religion, national origin, gender, sexual orientation, age, disability, marital status, or veteran status, may be required to take credit-hour courses each semester at no cost to the employee. Under this policy the employee will not be responsible for any costs associated with books or supplies. All of these costs will be the responsibility of the University; however, once the course has ended, the textbook material must be returned to the manager of the Patriot Bookstore or the buy-back cost of the textbook will be the responsibility of the employee.
- B. Eligibility
 1. Faculty must be employed in a slotted position and must have been admitted to FMU through the appropriate admissions process.
 2. Staff must be employed for at least 30 hours per week in a permanent slotted position and must have been admitted to FMU through the appropriate admissions process.
- C. Program Provisions
 1. Employees must pay all application fees, graduate or undergraduate.
 2. Employees who drop a course prior to the end of the semester must pay for the next course for which they enroll unless there were extenuating circumstances for dropping the course (i.e., death in the family, serious illness of employee, etc.).
 3. Employees who terminate employment prior to the end of the semester must pay for the entire cost of the course or drop the course prior to the final paycheck being released.
 4. Employees must pass the course which is required or pay for the next course for which the employee enrolls.
 5. Employees must use other available educational or scholarship funds prior to applying for a required course.

II. Procedures

An employee of the University may enroll in any course offered by the University upon securing the approval of (1) his or her immediate supervisor, (2) the department chair of the department offering the course, and (3) the Provost.

Professor Emeritus/Emerita Status

With a minimum of twelve years of full-time faculty service, assistant professors, associate professors, or professors are eligible to be considered for conferral of the title of emeritus/emmerita. Candidates will be identified by department chairs or deans, whereupon their

names will be forwarded to the Chair of the Faculty, presented for approval by simple majority vote at a meeting of the General Faculty, and submitted for concurrence to the President of the University. These criteria are retroactive; faculty having already retired are eligible for emeritus/emerita status provided they meet the criteria listed above. Any exceptions to the above policy can be approved only upon a majority vote of the faculty. Nominees for emeritus/emerita status proposed from the floor at General Faculty meetings shall be voted on by secret ballot.

Emeritus/emerita conferees will (1) be presented with a citation at the appropriate commencement exercises, recognizing their service to the University; (2) retain use of office space, provided such space is available; (3) retain parking privileges; (4) retain use of the Library, Computer Center, Media Center, and University Center facilities; (5) receive free admission to University sporting events; (6) receive the same bookstore discounts as those accorded to active faculty; (7) receive invitations to faculty social activities; and (8) be listed as professor emeritus/ emerita in all appropriate University publications.

FACULTY REGULATIONS AND POLICIES

POLICIES CONCERNING RECRUITMENT OF FACULTY

Recruiting and Selecting Faculty

Initial appointment to a full-time faculty position at Francis Marion University is the result of meritorious selection and is based on academic preparation and the expectation of effectiveness in teaching, scholarly activity, and professional service. Accordingly, candidates for initial appointment to full-time positions at Francis Marion University should normally hold an earned terminal degree in the appropriate discipline and should offer promise of, or a demonstrated record of, effective teaching, scholarly activity, and professional service. At a minimum, those receiving initial appointment to a full-time position must hold the Master's degree in field or a Master's degree with at least 18 graduate hours in the teaching field, as required by the Southern Association of Colleges and Schools.

Selection of a faculty member requires a recommendation from a department or school and subsequent approval by the Provost and the President. Copies of University policies and procedures with regard to the recruitment and selection of faculty may be obtained in the Human Resources Office.

Equal Employment Opportunity and Affirmative Action Principles

As an institution dedicated to teaching, research, and public service, Francis Marion University strives to provide its faculty and staff members with the most rewarding and fulfilling employment experience possible. This goal, however, cannot be a reality unless all employees can work and achieve to the full extent of their capabilities, unencumbered by artificial or preferential restriction or requirements.

Whereas an affirmative and vigorous program to assure fair and impartial treatment is in the best interest of the University, this administration is committed to the principle of affirmative action to promote equal employment and educational opportunities, a principle embodied in federal law and set out in the University's Affirmative Action Plan. In adhering to the principle of equal opportunity, the University will recruit, hire, train, promote, and compensate employees in all job classifications solely on the basis of qualifications and productivity. No employee or prospective employee will be discriminated against because of race, color, religion, national origin, gender, sexual orientation, age, disability, marital status, or veteran status. This policy shall be applied equally to all employees of the University and to all functions of the University, including the selection of contracts and suppliers of goods and services.

The Technical Services Librarian serves as Francis Marion University's Title IX Coordinator and as the Affirmative Action Officer. The Vice President for Administration serves as the Americans with Disabilities Act Coordinator.

Nepotism Policy

No public official, public member, or public employee may cause the employment, appointment, promotion, transfer, or advancement of a family member to a State or local office or position which the public official, public member, or public employee supervises or manages. (Section 8-13-750 State Code of Laws)

FACULTY PERFORMANCE REVIEW SYSTEM

Preamble

In order to allow the faculty of Francis Marion University to maintain a high standard of excellence in teaching, scholarly activity, and service, the faculty of Francis Marion University do hereby establish a formal, annual performance review of all members of the FMU faculty, whether tenured, tenure-track, or non-tenure-track. The performance review shall consist of three parts: (1) a self-review in the form of the faculty member's annual report, (2) annual summary data provided by the Student Rating Form, and (3) an annual review by each faculty member's department chair or school dean. The policies and procedures of this annual review will be consistent with "Best Practices for a Performance System for Faculty" as specified by the South Carolina Commission on Higher Education.

I. System Guidelines

The Faculty Evaluation System shall:

- A. Provide information that will allow for formative evaluation, information that can be used by the faculty members to improve teaching, scholarly activity, and service.
- B. Provide information that will allow for summative evaluation, so as to allow for comparison to others--primarily within the discipline--and established professional standards, such that the information can be used to assist in decisions concerning tenure, promotion, and merit raises.
- C. Rely upon several sources of information--students, chair/dean, and self. No one source shall be the sole basis of evaluation.
- D. Provide for faculty development including, for tenure-track faculty, an internal peer evaluation during the third year. For both pre- and post-tenure faculty it is important to have evaluative information for use in faculty development.
- E. Offer ample recognition of faculty excellence in the areas of teaching, scholarly activity, and service. A faculty evaluation system based upon identifying and rewarding excellence will be far more productive than one based on penalties.

II. Student Evaluations of Faculty

A. General Guidelines for Use of Student Rating Forms

1. Faculty are required to administer student course evaluations during spring and fall sessions. During all summer sessions, student course evaluations are normally administered only at the faculty member's request; however, faculty are required to administer student course evaluations during the summer if no one has taught the course during the current academic year. Results of voluntary summer student course evaluations are sent only to the faculty member; department chairs/deans do not receive copies of voluntary evaluations unless the faculty member chooses to forward a copy to the chair/dean.
2. Summative evaluations, using The FMU Student Rating Form (See Appendix 8), shall normally be based on one year's data. Faculty shall not be evaluated solely on the basis of one student or one class. Except in the case of first-year appointments, faculty shall not be evaluated based on data from one semester.
3. Student Rating Forms shall always be used in combination with other sources of information concerning teaching, for example, annual evaluations by deans/chairs, annual self-evaluations, evaluation by colleagues, and/or portfolio information.
4. Faculty shall never be rank-ordered on the basis of Student Rating Forms or any other single piece of data. Differences among class averages of student ratings, even based on several semesters, cannot be assumed to measure accurately differences in teaching effectiveness. No single instrument to measure teaching effectiveness is so reliable and valid as to allow ranking of teaching effectiveness, as small numerical differences cannot be assumed accurately to distinguish significant differences in teaching effectiveness.
5. Student ratings shall always be viewed within the context of an individual's teaching assignment. The factors to be considered might include class size, introductory course versus upper-level, rating of instructors of similar courses within the discipline, teaching load, experience in teaching a course, etc.
6. Faculty shall always have the right to provide clarification of student evaluations.
7. Faculty should take the steps necessary to understand clearly how student ratings will be used in faculty evaluations.
8. No one item on a student evaluation shall be used to draw conclusions. Even the most effective instructor, due to style or experience, may not score high on any particular item.
9. A uniform system of administering and collecting the information will be used.

B. Administration Procedures

1. Each faculty member chooses a day within the last two weeks of class for administering the Student Rating Form.
2. The faculty member asks for a student volunteer, informs the volunteer of his or her duties, asks the volunteer if there are any questions, and leaves the room.
3. The student volunteer hands out Student Rating Forms and answer sheets containing space for comments.
4. The student volunteer makes the three announcements outlined.
5. The student volunteer collects material, places material in a prepared envelope, seals the envelope, and returns the envelope to a specified secretary. Night classes use the Library and the Library book drop. Instructors of off-campus classes are provided a pre-

addressed mailing envelope so that a secretary at the satellite location mails results to the Francis Marion University campus designee.

6. The secretary forwards the answer sheets to the Academic Computer Center for data analysis.
7. The secretary forwards the comments to the individual faculty member after the deadline for faculty to submit grades to the Registrar's Office.

C. Data Analysis Procedure

Results of voluntary summer evaluations are sent only to the faculty member. The results of mandatory student course evaluations are provided to each faculty member and his or her chair/dean with the following summary data for each question on the Student Rating Form:

1. Mean, median, standard deviation, and skewness of ratings for each course taught by that instructor.
2. Mean, median, standard deviation, and skewness of ratings for School and department across all courses.
3. Mean, median, standard deviation, and skewness of ratings for other sections of the same course.
4. Mean, median, standard deviation, and skewness of ratings for other lower-division courses (100-/200- level) for that School and department; or mean, median, standard deviation, and skewness of ratings for other upper-division courses (300-/400- level) for that School and department; or mean, median, standard deviation, and skewness of ratings for graduate courses for that School and department
5. Mean, median, standard deviation, and skewness of ratings for all courses across the Schools and the University.
6. Other analyses as requested by the individual faculty member (i.e., analysis to determine the effects of GPA on ratings).
7. A frequency distribution for each question for each class (for faculty members only).

In certain situations the above analyses will not be applicable. Faculty members or academic units may add questions to the Student Rating Form.

D. Procedures for Utilization of Student Rating Form Data

1. Annual summary data will become part of the faculty member's annual report and be used as one indicator of teaching effectiveness in the chair/dean's annual evaluation of the faculty member.
2. The Student Rating Form data must be evaluated within the context of other information gathered.

E. Monitoring/Review

The Student Rating Form will be reviewed for reliability and validity as needed.

III. Classroom Observation

- A. In every School and department at FMU, the department chair or designee (hereafter, observer) shall make an in-class observation once per year (1) for all faculty members on probationary contracts; (2) for each faculty member in the year that faculty member applies for tenure; and (3) for each faculty member in the year that faculty member applies for promotion in rank.
- B. The purpose of in-class observation is to raise the awareness of the Provost and chair/dean of teaching expertise and needs of individual faculty members in the department.
- C. The time of the in-class observation visit shall be determined by the observer in consultation with the faculty member.
- D. The observer shall complete the In-Class Observation Evaluation Form (hereafter, the evaluation form) soon after the in-class observation. Along with syllabi and other materials, the evaluation form shall be used by the chair/dean as a basis for writing the evaluation-of-teaching-effectiveness section of the annual report of the faculty member. The observer shall discuss findings of the in-class observation with the faculty member within two weeks of the visit. The observer shall share the evaluation form with the faculty member at this time. The original evaluation form with the signatures of the observer and faculty member shall be filed in the office of the chair/dean, with a copy given to the faculty member and the Provost. The observer for in-class observation of teaching deans or department chairs is to be selected by the Provost. For observation of the teaching dean or department chair, the original evaluation form with signatures of the observer and dean or department chair shall be filed in the office of the Provost, with a copy given to the observed dean or department chair.

IV. Annual Performance Rating

Every faculty member shall receive, simultaneously with his or her annual performance review, an overall annual performance rating awarded by his or her department chair on a 4-1 scale, with 4 being highly meritorious, 3 being meritorious, 2 being satisfactory, and 1 being unsatisfactory. The overall annual performance rating shall be presented in writing to the faculty member by his or her department chair together with a copy of the faculty member's annual performance review. The rating will be based upon the faculty member's annual report, student evaluations, and professional service record.

In cases of faculty holding appointments with continuous tenure, a rating of 1 (unsatisfactory) requires the immediate institution of a peer review process for the next academic year. (For information concerning the performance review process see Policy and Procedures for Post-Tenure Review.)

In cases of non-tenured faculty, if the faculty member receives a rating of 1 (unsatisfactory), he or she will be subject to non-reappointment.

In the evaluation of deans and department chairs, the next higher administrator will administer the process.

V. Notice of Reappointment or Nonrenewal of Appointment of Nontenured Faculty Members

Written notice is given to the faculty member not later than March 1 of the first probationary year (June 1 for a second-semester appointment) or December 15 of the second probationary year at Francis Marion University (March 1 when the initial appointment was made in the second semester) if the appointment is not to be renewed. Thereafter, such written notice is given to the faculty member by May 15, twelve months before the expiration of the appointment. (For the purpose of this paragraph each year of a first-semester appointment is taken to begin on August 15, and each year of a second-semester appointment is taken to begin on January 1.) If a faculty member on tenure track does not receive written notice of the granting of tenure by June 30 of the faculty member's sixth full academic year of employment on tenure track, then the faculty member's contract for the next academic year is a terminal contract and the faculty member's employment will conclude at the end of that next academic year. Normally, the written notice will be provided by May 15. If a decision cannot be reached by May 15, the President and Provost will meet with the Faculty Executive Committee to explain the delay, and the Provost will write to the faculty member to explain the reason by May 15.

VI. Annual Goals (Portfolio)

At the discretion of either the faculty member or the department chair, there shall be a formal goals portfolio which will include performance categories of teaching, scholarly activities, and University or community service. In such cases the faculty member and the department chair will meet to discuss the following four elements of the portfolio system:

A. Identify Goals within Performance Area(s):

The faculty member develops achievable goals relevant to the performance areas. A statement of mutually acceptable performance objectives and goals is agreed to and signed.

B. Objectives Relevant to Performance Area(s):

The faculty member and his or her department chair meet to discuss and identify objectives to be accomplished during the coming academic year(s) in the performance area(s). The objective identified shall be (1) clear and concise, (2) achievable, (3) challenging, (4) measurable, and (5) generally consistent with School or departmental objectives.

C. Review of Performance Objectives/Goals:

The faculty member shall be given opportunities to amend or alter his or her goals during the process. Because of occurrences within or outside the University, the goals and objectives agreed to earlier may become unreasonable or impossible to achieve.

D. Evaluation of Performance Objectives/Goals:

The faculty member submits an annual report with appropriate evidence addressing prior established objectives/goals. The faculty member and department chair meet to discuss achievement of agreed-to objectives/goals. When appropriate the department chair shall counsel the faculty member on his or her potential for tenure, promotion, and professional growth demonstrated during the past year. The department chair's annual assessment is based only on the judgment of a single year's performance and not on the cumulative assessment given for promotion and tenure recommendations.

Timetable for Implementation of System

The suggested calendar for a faculty portfolio system is as follows:

Element A: Spring prior to academic year

Element B: Spring prior to academic year

Element C: Early fall of academic year

Element D: Spring of academic year

This is a process that does not seek to limit an individual faculty member's teaching, scholarly activity, or service goals to only those approved by a department chair. Rather, it is a process to encourage collaboration in establishing goals within the context of the department. It also allows the faculty member to understand more clearly the criteria by which the department chair will annually evaluate him or her and to agree, disagree, or negotiate. A faculty member may choose to establish goals or objectives that are in disagreement with his or her department chair's goals. Where there is a disagreement, the faculty member needs to understand how an objective will be evaluated prior to investing in the activity.

There is also the opportunity to request appropriate resources to accomplish goals or objectives. The foregoing is all similar to what occurs in a non-portfolio faculty performance review system, only adding the element of annual planning and evaluation within the context of stated goals or objectives.

Faculty members and department chairs may choose to combine evaluation of the previous year and establishing goals for the next year into one meeting. The fall revision may not always be necessary and may not require a meeting.

VII. Appeals Process

Faculty who wish to appeal the department chair's annual evaluation shall avail themselves of the University grievance process as stated in this *Faculty Handbook*.

VIII. Third-Year Peer Review

Tenure-track faculty shall, during their third full contract year, complete a formal peer review, designed to evaluate their progress toward tenure, which will result in written

recommendations. By the second week of class during the fall semester the Human Resources Office shall provide a list of third-year tenure-track faculty to the Provost and all department chairs and School deans. The department chair shall be responsible for initiating the third-year review, notifying the candidate during the fall semester of the third full contract year that his or her review shall take place during the spring semester immediately following. In instances in which a faculty member is appointed with two or three years tenure credit, then during the individual's second year of appointment, the review shall be conducted. (If the School does not have department chairs, or if the department chair is the faculty member being reviewed, the School dean shall be responsible for implementing the procedures in this document.) The following guidelines shall apply:

1. The candidate shall prepare, and make available by February 15, a folder of evidence which must include the following:

- a. A current *curriculum vitae*
- b. Copies of the Annual Report from the first and second years
- c. Two letters of support from FMU colleagues.

2. All faculty members in discipline who hold appointments with continuous tenure shall review this folder. The department chair shall convene and chair a meeting of the entire tenured faculty in discipline no later than March 15. The department chair shall not have a vote except to break a tie. The committee shall consist of at least four faculty members (the department chair and at least three tenured faculty members in discipline). If there are fewer than three tenured faculty members in discipline (exclusive of the department chair), the tenured faculty members of the department shall elect the requisite number of faculty members from among the tenured faculty within the department. If there is an insufficient number of tenured faculty members within the department, the tenured faculty within the School shall elect the requisite number of faculty members from among the tenured faculty within the School. If the School does not have department chairs, or if the department chair is the faculty member being reviewed, the School dean shall take the place of the department chair in the above description in this paragraph. The meeting shall be closed.

3. At this meeting, the candidate's progress toward tenure shall be discussed, taking into consideration evidence of teaching, scholarship, and professional service.

4. Following the discussion, provided that at least three tenured faculty members on the committee are in attendance, the faculty present shall cast a vote for one of the following options:

- a. In the opinion of the committee, the candidate's progress toward tenure is satisfactory.
- b. In the opinion of the committee, the candidate's progress toward tenure is satisfactory, but the committee has specific reservations and/or recommendations. The committee will provide concrete, written suggestions for improvements necessary to ensure smooth

progress toward tenure. Clear mechanisms shall be specified to assess, at least annually, the effectiveness of the candidate's response to these suggestions.

c. In the opinion of the committee, the candidate's progress toward tenure is unsatisfactory.

5. The department chair (School dean in the case of Schools without departments or if the department chair is the faculty member being reviewed) shall be responsible for communicating the recommendation, in writing, to the candidate and retaining a copy on file.

6. The peer-review process should fully respect academic freedom. Nothing in these guidelines is intended to alter the existing rules in other institutional documents regarding tenure.

GUIDELINES FOR THE EVALUATION OF LIBRARY FACULTY

Members of Francis Marion University's library faculty support the educational process by providing library collections and services meeting the teaching and research expectations of students and faculty. Since librarians contribute in the areas of instruction, research/scholarship, and professional service, their professional activities are forms of intellectual work measurable by faculty performance criteria. In the aggregate, the many academic activities that librarians perform affirm that they are indeed scholars.

The guidelines below are descriptive, not prescriptive, of performance activities appropriate in library work. They are not inclusive of all the work that a professional librarian does and do not constitute job duties for specific library positions. Indeed, work responsibilities can change over time, and some librarians have primarily administrative responsibilities while others have primarily technical services, systems, collections, or reference responsibilities. Individuals therefore may vary in the distinctive competencies they develop to shape their library career.

Performance evaluation of the library faculty should consider individual talents, goals, and objectives, as well as the levels of achievement that this *Faculty Handbook* may indicate for progress through the ranks of assistant, associate, and full professor.

I. Instruction

The library is the librarian's classroom. Committed to intellectual freedom and accessibility of information, librarians promote learning through quality services and operations that support curricular and research efforts of the academic community. Their developing, organizing, and preserving of collections, and interpreting them to library users, provide vital support for learning needs.

Instructional activities may include items such as:

Performance of assigned duties in reference, cataloguing, serials, or other library operations
Selection, organization, or interpretation of library collections
Promotion of the use of library resources to facilitate work of the academic community

- Conferring with faculty members
- Offering bibliographic instruction
- Teaching classes
- Preparing instructional media
- Stimulation of the use of the library by integrating formal, instructional materials into presentations (for example, interactive computer, workbooks, or videotapes)
- Participation in group training sessions
- Analysis of the organization of library materials and services to ensure they meet present and future needs of the University
- Assessment of the literature of each discipline in order to anticipate needs, build library collections, and participate in the materials selections process
- Supervision of staff development and performance in a constructive manner

II. Research/Scholarship

Scholarship includes ongoing activity needed to keep abreast of library and information science as well as to make new contributions. Publications, papers, conferences, workshops, institutes, symposia, seminars, etc., are forms of research or scholarship. These activities, when applied to consequential objectives, can overlap with professional efforts applied to institutional and community needs.

Research/Scholarship activities may include items such as:

- Membership in and participation in local, state, regional, and national library professional organizations; attendance at conventions and workshops; chairing committees or sessions, serving on committees, or holding office
- Attending and presenting papers at conferences or serving as discussant on panels
- Publishing books or chapters in books
- Publishing articles in professional journals or articles in conference proceedings
- Editing volumes
- Publishing special catalogs, indexes, bibliographies, manuals, or guides to library resources
- Publishing review essays or reviews of abstracts
- Translating books or other literature or editing translations
- Writing or preparing grant proposals; receiving or implementing grants
- Writing book reviews
- Receiving scholarly honors, awards, or fellowships
- Serving as a professional consultant
- Serving on a team of experts, task force, or review committee
- Pursuing additional academic course work or degrees; pursuing continuing education
- Studying abroad
- Participating in a faculty exchange
- Traveling
- Conducting professional workshops and seminars
- Producing exhibits, audiovisual presentations, instructional media, or computer programs for use of the library and its resources

- Developing new or innovative approaches to problem-solving in specific areas of librarianship
- Performing bibliographic research in support of others' research
- Preparing high-level internal studies and reports
- Serving as editor or as a member of an editorial board of a journal, newsletter, etc.
- Reviewing manuscripts for journals and publishers
- Implementing projects granted scholarship status by the dean of the Library
- Serving as a member of an accrediting team or review panel
- Performing service to the community that draws upon a librarian's professional expertise

III. Professional Service

Service involves activities related to a faculty member's professional expertise but that are rendered to the University, community, or professional organizations and are beyond the normal scope of work responsibilities. Library, campus-wide, and community contributions may draw on specific library skills or on generic professional skills (communications, organization, interpreting, information technology, and administering).

Professional Service activities may include items such as:

- Cooperating in supporting the mission and the goals of the Library and the University
- Involvement in standing or *ad hoc* committees of the faculty, department committees, or special committees or task forces
- Working with student organizations
- Academic advising
- Work with community, state, regional, or national organizations (for example, giving presentations, seminars, etc.)
- Utilizing professional expertise beyond daily work duties
- Working on institutional advancement projects
- Assigned departmental duties (for example, curriculum development and departmental planning)
- Offering assistance to other faculty members (research assistance, etc.)
- Serving as a department chair, coordinator, or other type of administrator
- Participating in a church or synagogue, as a civic volunteer, or in a study or hobby organization in professionally relevant ways

POLICY AND PROCEDURE ON TENURE

Preamble

Tenure is a state of presumed continuous employment awarded before the end of a specific time. After tenure is awarded, the faculty member's employment may be terminated only for adequate cause, cases of bona fide financial exigency, or formal discontinuance of a School/department/academic program, within the limitations and due-process safeguards as

noted in the Francis Marion University *Policy and Procedures concerning Academic Freedom and Tenure*. Tenure status is available only to full-time institutional faculty members as defined in the aforementioned document.

I. Policy on Continuous Tenure

The achievement of continuous tenure of employment is based on merit and founded on the three criteria traditional in higher education: teaching effectiveness, scholarly activity, and professional service, as these are defined in the *Criteria and Procedures for Promotion in Academic Rank*. Consequently, the achievement of continuous tenure of employment parallels closely the achievement of academic promotion.

In exceptional cases a faculty member may apply for promotion early provided that the action has the prior written approval of the department chair (or school dean). In such cases, the faculty member may also apply for early tenure. However, if tenure is not awarded at this time, the individual will not have the opportunity to reapply for tenure.

Tenure decisions are normally made during the sixth full academic year of employment at Francis Marion University. With the approval of the department or school, up to three years of full-time teaching experience at other institutions may be used in partial fulfillment of the time requirement for acquiring tenure. For those using credit from other institutions, the first contract year at FMU is the first probationary year.

When by a majority vote of the tenured members of the department or school, a non-tenure-track position is converted to a tenure-track position, up to five years of full-time teaching experience at Francis Marion University may be used in partial fulfillment of the time requirement for acquiring tenure. At the time of appointment to a tenure-track position contracts will specify both the credit for previous service toward tenure and the tenure decision date. The time to the tenure decision date shall begin with the first tenure-eligible contract at Francis Marion University.

In exceptional circumstances, the President may grant a faculty member tenure at the time of employment based on a favorable recommendation by the tenured members of the department or school, review and recommendation by the appropriate tenure and promotion committee, and review and recommendation by the Provost. If the Provost is the faculty member in question, the recommendation goes from the committee to the President. If the President is the faculty member in question, the recommendation goes from the Provost to the Board of Trustees.

II. Procedure for Continuous Tenure

Continuous tenure of employment is not awarded automatically. Instead, it is the result of planning between the faculty member and the department chair/school dean and between the department chair/school dean, and the Provost.

1. Issues, concerns, and deadlines relating to tenure should be discussed by the department chair/school dean with eligible faculty members at the beginning of the academic year of the tenure decision.

2. The candidate for tenure shall submit tenure application materials to the department chair/school dean by January 15.
3. By February 1, the department chair/school dean, in concert with the candidate for tenure, will submit to the school/college Committee on Promotion and Tenure the following materials, which together constitute the candidate's dossier:
 - a. a detailed *curriculum vitae*, defined to include:
 1. earned degrees, institutions, and dates of receipt
 2. primary areas of emphasis
 3. educational/work experience
 4. honors, awards, and recognitions
 5. research/scholarship*
 6. professional service*
 7. history of instructional or administrative loads*

(*See Annual Faculty Review and Evaluation for examples.)

- b. student course evaluation data
- c. a letter from the department chair/school dean which summarizes the candidate's eligibility for tenure and makes a recommendation regarding the tenure request
- d. copies of the department chair/school dean's Annual Faculty Review and Evaluation and the faculty member's Annual Report for each year of the candidate's tenure-track employment at Francis Marion University.

In addition to the above, the dossier may include:

- e. a brief (one page) candidate statement
- f. letters of support from colleagues
- g. letters of support from current and/or former students
- h. appropriate examples of scholarly work
- i. appropriate examples of professional service.

Because these items are optional, a dossier which excludes them is not to be judged negatively.

4. Upon receipt of the candidate's dossier, the school/college Committee on Promotion and Tenure reviews it and makes a recommendation. In the Schools of Business and Education, the recommendation and dossier will be forwarded to the school dean, with copies of the committee's recommendation sent to the candidate. In the College of Liberal Arts, the recommendation and dossier will be forwarded directly to the Provost. Meetings of the school/college Committee on Promotion and Tenure are closed.

5. In the Schools of Business and Education, upon receipt of the candidate's dossier, the dean reviews it and make a recommendation. The recommendation and dossier will be forwarded to the Provost, with copies of the dean's recommendation sent to the candidate and committee.
6. Upon receipt of the candidate's dossier, the Provost reviews it and makes a recommendation. The recommendation and dossier will be forwarded to the President, with copies of the Provost's recommendation sent to the candidate, the dean/department chair, and the school/college Committee on Promotion and Tenure.
7. Upon receipt of the candidate's dossier, the President reviews it, makes a final decision, and communicates that decision to the Provost, the candidate, the department chair/school dean, and the school/college Committee on Promotion and Tenure. The Provost or his or her designee will also announce the tenure decisions to the faculty.
8. At each stage of the tenure process a candidate for tenure shall be informed in writing, within fourteen working days, of all recommendations, and reasons for negative recommendations must refer to particulars of the employee's record.

III. Appeal Procedures

If the candidate believes that his or her academic freedom has been abridged, he or she may appeal the President's decision in accordance with the *Policy and Procedures concerning Academic Freedom and Tenure*.

CRITERIA AND PROCEDURES FOR PROMOTION IN ACADEMIC RANK

Preamble

This document is a promotion document and therefore does not address original appointment. Original appointment to academic rank is predicated on academic preparation, teaching experience, scholarly productivity, and professional service. The criteria for promotion which follow, however, should serve as a general guideline for all original appointments.

I. Criteria for Promotion in Academic Rank

Promotion in academic rank is based on merit and founded on the three criteria traditional in higher education: teaching effectiveness, scholarly activity, and professional service. Faculty members are expected to develop proficiencies in all three criteria. Particular weighting of the criteria for promotion purposes, however, may vary among departments/Schools to recognize individual variations among faculty. A candidate for promotion cannot be denied because performance in one of the criteria is less than the other two.

Teaching effectiveness is not limited to the classroom or the laboratory. Rather, it is concerned with imparting knowledge and instilling both the desire and ability to continue to learn, and may be defined to include such activities as course and curriculum development, reading for pedagogical improvement, and work with students outside the classroom/laboratory.

Scholarly activity, as it is defined within the context of a faculty member's discipline, serves as the means through which the faculty member remains current in discipline or makes new contributions to it. It includes, but is not necessarily limited to, research, publishing, study at intellectual centers, participation in professional societies, grant development, artistic performance, consulting, extensive reading in field, and other integrative or applicative endeavors which draw on a faculty member's expertise.

Professional service involves activities which are related to a faculty member's professional expertise and are rendered to the University or to community or professional organizations and may include guidance in student activities, participation in departmental, School, and institutional committees, service in faculty governance generally, and public service at the local, state, national, or international level.

Candidates for promotion in rank to assistant professor (a) should hold an earned terminal degree; (b) should be in at least their fourth year as an instructor at Francis Marion University, and (c) must offer evidence of continuing growth in teaching, scholarly activity, and professional service.

Candidates for promotion in rank to associate professor (a) should hold an earned terminal degree; (b) should be in at least their sixth year as an assistant professor, and in at least their third year of continuous service at Francis Marion University; and (c) must offer evidence of demonstrated ability in teaching, scholarly activity, and professional service.

Promotion to professor represents the pinnacle of professional achievement and must be limited to outstanding accomplishment. Candidates for promotion in rank to professor (a) must hold an earned terminal degree; (b) should be in at least their sixth year as an associate professor, and in at least their third year of continuous service at Francis Marion University; (c) must have demonstrated exemplary performance in college teaching; and (d) must have achieved significant accomplishment in scholarly activity and/or professional service.

In exceptional cases a faculty member may apply for promotion early provided that the action has the prior written approval of the department chair (or school dean).

This policy governs normal progression through faculty ranks and is subject to modification by contractual agreement. Written evidence of such contractual agreements shall be submitted as part of the candidate's promotion portfolio.

II. Procedure for Promotion in Academic Rank

Promotion in academic rank is not automatic. Instead, it is the result of specific and continued planning between the faculty member and the department chair/school dean and between the department chair/school dean and the Provost. Each faculty member assumes primary responsibility for both professional development and promotion in academic rank, and promotion issues and concerns should be discussed by the faculty member with his or her department chair/school dean during the faculty member's annual evaluation. The communication between the faculty member and the department chair/school dean and between the department

chair/school dean and Provost is intended to increase the probability that candidates for promotion fulfill the specific promotion criteria.

1. For promotion consideration, by February 1 of each academic year the department chair/school dean, in concert with the candidate for promotion, will submit to the school/college Committee on Promotion and Tenure the following materials which together comprise the candidate's dossier:
 - a. a "Candidate Statement" which summarizes in narrative form the candidate's work performance and compliance with the respective criteria for promotion
 - b. a detailed *curriculum vitae*, defined to include:
 1. earned degrees, institutions, and dates of receipt
 2. primary areas of emphasis
 3. educational/work experience
 4. honors, awards, and recognitions
 5. research/scholarship*
 6. professional service*
 7. history of instructional/administrative loads*

(*See Annual Faculty Review and Evaluation for examples.)

 - c. student course evaluation data
 - d. a letter from the department chair/School dean which summarizes performance evaluation data for each of the three criteria from the appropriate years and makes a recommendation regarding the promotion request
 - e. copies of the FMU Annual Faculty Review and Evaluations and the faculty member's FMU Annual Reports for the period under review. Additional materials may be included at the candidate's discretion.
2. In addition to the above, the dossier may include:
 - f. letters of support from colleagues
 - g. letters of support from current and/or former students
 - h. appropriate examples of scholarly work
 - i. appropriate examples of professional service.

Because these items are optional, a dossier which excludes them is not to be judged negatively.

3. Upon receipt of the candidate's dossier, the school/college Committee on Promotion and Tenure reviews it and makes a recommendation. In the Schools of Business and Education, the recommendation and dossier will be forwarded to the school dean, with copies of the

committee's recommendation sent to the candidate. In the College of Liberal Arts, the recommendation and dossier will be forwarded directly to the Provost. Meetings of the school/college Committee on Promotion and Tenure are closed.

4. In the Schools of Business and Education, upon receipt of the candidate's dossier, the dean will review it and make a recommendation. The recommendation and dossier will be forwarded to the Provost, with copies of the dean's recommendation sent to the candidate and committee.
5. Upon receipt of the candidate's dossier, the Provost reviews it and makes a recommendation. The recommendation and dossier will be forwarded to the President, with copies of the Provost's recommendation sent to the candidate, the dean/department chair, and the school/college Committee on Promotion and Tenure.
6. Upon receipt of the candidate's dossier, the President reviews it, makes a final decision, and communicates that decision to the Provost, the candidate, the department chair/school dean, and the school/college Committee on Promotion and Tenure. The Provost or his or her designee will also announce the promotions to the faculty.
7. At each step in the promotion process a candidate for promotion shall be informed in writing, within fourteen working days, of all recommendations, and reasons for negative recommendations must refer to particulars of the employee's record.

III. Appeal Procedures

1. A candidate for promotion in academic rank may appeal the final promotion decision to the Faculty Grievance Committee.
2. Based on its hearings, the committee shall make a recommendation to the President.
3. Upon receipt of the recommendation from the committee, the President makes a decision and communicates that decision to the candidate, the Provost, the dean, the department chair, the School/College Committee on Promotion and Tenure, and the Faculty Grievance Committee.
4. If the candidate believes that his or her academic freedom has been abridged, he or she may appeal the President's decision in accordance with the *Policy and Procedures concerning Academic Freedom and Tenure* stated in this *Francis Marion University Faculty Handbook*.

POLICY AND PROCEDURES FOR POST-TENURE REVIEW OF FACULTY

I. Policy on Post-Tenure Review

In order to ensure the continued excellence and professional development of its faculty, it is the policy of Francis Marion University to review periodically the performance of tenured faculty members. This review shall be a peer review process, conducted by a Performance Review Committee, and will normally occur at intervals of not more than six years. The performance review must be conducted in terms of the tenured faculty member's performance in the three general criteria of teaching effectiveness, research and creative activities, and professional and public-related service.

Post-tenure review is intended to be a positive mechanism which highlights strengths as identified by peers. The faculty member may respond to the evaluations, challenge the findings, and correct the record by appeal to the Faculty Grievance Committee or to the Academic Freedom and Tenure Grievance Committee (in accordance with III.1 and III.4, respectively). The evaluations are confidential, i.e., confined to the appropriate University persons or organizational bodies and the evaluated faculty member, to be released only at the discretion and with the consent of the faculty member.

As mitigating circumstances may warrant, the period for post-tenure review may be extended by up to two years upon approval by the President. In addition, the majority of faculty within a department/school, the department chair, the school dean, the Provost, or the President may request a post-tenure review prior to the normal six-year period. If a faculty member eligible for post-tenure review was on sabbatical leave during the evaluated time period, detailed information regarding the outcome(s) of the sabbatical must be included within the post-tenure review process. Although promotions in academic rank and post-tenure review follow different processes, the same portfolio of documents may be used for both if reviews for promotions fall within the appropriate time interval and encompass all indicators required by post-tenure review. Faculty members who are in the TERI program with no more than two additional academic years remaining or who have announced plans to retire within two academic years will not be required to undergo post-tenure review.

Post-tenure review at Francis Marion University will fully respect academic freedom and will be consistent with the Best Practices for Post-Tenure Review as specified by the Commission on Higher Education of South Carolina. These guidelines are not intended and should not be construed to alter in any way the existing policies regarding tenure in other institutional documents.

II. Procedures for Post-Tenure Review

The post-tenure review process will be administered by the appropriate department chair/School dean. For the post-tenure review of a department chair/School dean, the Provost shall administer the process.

- A. The Provost will notify the appropriate department chair/school dean of a faculty member's post-tenure review.
- B. The department chair/school dean will notify the faculty member designated for post-tenure review.

- C. The faculty member will submit to the Performance Review Committee a *curriculum vitae* covering the previous six academic years.
- D. A Performance Review Committee will be chosen as follows: the faculty member will select one representative from within his or her school/department and one from outside the school/college; the school dean/department chair will select one representative; and the tenured faculty of the school/department will elect one representative to serve as chair of the committee. All members of the Performance Review committee shall be tenured.
- E. After evaluating the *curriculum vitae*, the Performance Review Committee will submit a report to the faculty member and the department chair/school dean. This report should reflect the consensual views of the committee with respect to the faculty member's continuing performance in discharging conscientiously and with professional competence the duties appropriately associated with the position at the time at which tenure was either initially granted or previously reviewed.
- F. No faculty member may attend a Performance Review Committee meeting during which his or her own case is being considered.
- G. All post-tenure review documents become part of the faculty member's permanent personnel file.
- H. The Administration will appropriately reward those faculty members who demonstrate exemplary achievement on post-tenure reviews.
- I. Procedure Concerning Recommendation of Unsatisfactory Performance
1. If the department chair/school dean receives a recommendation of unsatisfactory performance from the Performance Review Committee, the *curriculum vitae* and report of the Committee will be forwarded to the Provost, and the faculty member's department will begin to develop a procedure for further faculty development. The department chair and faculty member will appoint a Peer Advisory Team of two tenured faculty members, at least one from within the department. The faculty member may refuse any person's appointment to the Peer Advisory Team. The faculty member and the Peer Advisory Team will consensually develop a one-year plan to enhance the faculty member's development in those areas that the Performance Review Committee has indicated were unsatisfactory. The work of the Peer Advisory Team is strictly to assist the faculty member in development of a plan for improvement of performance revealed in the Performance Review Committee's report. The Peer Advisory Team and the faculty member reach a consensual agreement on the changes in the faculty member's behavior that are needed and the necessary institutional resources required to succeed. This procedure is not to be a repeat of the post-tenure review procedure. At the end of the year the Peer Advisory Team will review the faculty member's Annual Report and faculty evaluations and prepare a report for the faculty member, department chair, dean, and Provost. If the Peer Advisory Team's review is positive, the post-tenure review process is

completed for six years. If the Peer Advisory Team's report indicates that there is need for additional improvement, the faculty member and team will repeat the process specified above.

2. In the event that recurring evaluations reveal continuing and persistent problems with a faculty member's performance that do not result in improvement after several efforts and that call into question his or her ability to function in that position, then other possibilities, such as mutually agreeable assignment to other duties or separation should be explored. If these are not practicable, or if no other solution acceptable to the parties can be found, then the administration will invoke peer consideration regarding any contemplated sanctions by referral to the Faculty Grievance Committee or to the Academic Freedom and Tenure Grievance Committee (in accordance with III.1 and III.4, respectively).

The standard for dismissal or severe sanction remains that of adequate cause, and the mere fact of successive negative reviews does not remove the institution's obligation to show cause for dismissal in a faculty forum before an appropriately constituted hearing body of peers convened for that purpose. The Administration is required to bear the burden of proof and demonstrate through adversarial proceedings not only that negative evaluations rest on fact but also that the facts rise to the level of adequate cause for dismissal. The faculty member must be afforded the full procedural safeguards set forth in the 1958 *Statement on Procedural Standards in Faculty Dismissal Proceedings* and the *Recommended Institutional Regulations on Academic Freedom and Tenure*.

III. Appeal Procedures

At each step in the post-tenure review process a candidate for post-tenure review shall be informed in writing, within fourteen working days, of all decisions, and reasons for any negative decision must refer to particulars of the employee's record.

1. A candidate for post-tenure review may appeal a post-tenure review decision to the Faculty Grievance Committee.
2. Based on its hearings, the committee shall make a recommendation to the President.
3. Upon receipt of recommendation from the committee, the President makes a decision and communicates that decision to the candidate, the Provost, the dean, the department chair, the committee, and the Performance Review Committee.
4. If the candidate believes that his or her academic freedom has been abridged, he or she may appeal the President's decision in accordance with the *Policy and Procedures concerning Academic Freedom and Tenure*.

POLICY AND PROCEDURES CONCERNING ACADEMIC FREEDOM AND TENURE

Academic Freedom Defined

All members of the faculty are entitled to academic freedom:

The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his or her other academic duties.

The teacher is entitled to freedom in the classroom and laboratory in discussing his or her subject but should be careful not to introduce into his or her teaching controversial matter which has no relation to his or her subject. Any limitations of academic freedom should be clearly stated in writing at the time of the appointment.

Academic freedom is the freedom to discuss all relevant matters in the classroom, to explore all avenue of scholarship, research, and creative expression, and to speak or write without institutional discipline or restraint on matters of public concern as well as on matters related to professional duties and the functioning of the university.

The university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When he or she speaks or writes as a citizen, he or she should feel free from institutional censorship or discipline, but his or her special position in the community imposes special obligations. As a person of learning and an educational officer, he or she should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he or she is not an institutional spokesperson.

Terms of Appointment

The terms of every appointment to the faculty are stated in a written contract, signed by the Provost of the University and the faculty member, which is the possession of both the institution and the faculty member when the appointment is consummated.

A. Full-time Appointments

Full-time appointments with academic rank at Francis Marion University are of three types only: (1) temporary appointments, (2) probationary appointments, and (3) appointments with continuous tenure.

1. Temporary Appointments

Temporary appointments are for specifically limited terms, clearly stated at the time of appointment. The rank of faculty members holding temporary appointments is qualified by the terms “temporary” or “visiting,” as appropriate, and the rank of lecturer may be used.

If a faculty member who has held full-time temporary appointment is moved into a tenure-track position, up to five years of full-time teaching experience at Francis Marion University may be used in partial fulfillment of the time requirement for acquiring tenure. It is the responsibility of the faculty member's school or

department to recommend how many years' worth of service should be credited toward his or her probationary appointment. At the time of appointment to a tenure track position, contracts will specify both the credit for previous service toward tenure and the tenure decision date. The time to the tenure decision date shall begin with the first tenure eligible contract at Francis Marion University.

2. Probationary Appointments

Probationary appointments are for periods of one academic year (one semester when they begin in the second semester), subject to renewal. The total probationary period does not exceed seven years, including previous full-time service with the rank of instructor or higher in other institutions of higher learning. However, with the exception of faculty members employed at the department chair/School dean level, four probationary years at Francis Marion University are normally required even though, thereby, the total probationary period in the academic profession is extended beyond seven years.

When the initial probationary appointment at Francis Marion University is made, the new faculty member is presented with a written statement of the extent of previous service recognized as applying against the probationary period.

Written notice is given to the faculty member not later than March 1 of the first probationary year (June 1 for a second-semester appointment) or December 15 of the second probationary year at Francis Marion University (March 1 when the initial appointment was made in the second semester) if the appointment is not to be renewed. Thereafter, such written notice is given to the faculty member by May 15, twelve months before the expiration of the appointment. (For the purpose of this paragraph each year of a first-semester appointment is taken to begin on August 15, and each year of a second-semester appointment is taken to begin on January 1.)

3. Appointments with Continuous Tenure

Until retirement of the faculty member, and subject to the procedures specified in Procedures for Hearing Grievances Related to Academic Freedom and Tenure, the appointments of faculty members with tenure are terminable by the institution only for adequate cause or on grounds of bona fide financial exigency or formal discontinuance of an academic department or program.

Adequate cause for dismissal of a tenured faculty member will be related, directly and substantially, to the fitness of the faculty member in his or her professional capacities as teacher and researcher. In cases where "dismissal for adequate cause" is the issue or charge, a final decision will take into account the faculty member's entire record as a teacher and scholar.

Dismissal will not be used to restrain faculty members in their exercise of academic freedom or other rights of American citizens.

B. Part-time Appointments

All part-time teaching appointments are temporary appointments. Part-time faculty members, when teaching university-credit courses, may attend faculty meetings and have the right to speak, but not to vote, and, unless otherwise specified in other University documents and publications, enjoy faculty privileges involving the use of University facilities. Such appointments always state salary, title, and the period of the contract. State and federal income taxes are withheld from part-time faculty members' paychecks. Precise needs of the various Schools and departments are rarely known until registration. Therefore part-time faculty members generally are not given appointments for a longer period than one semester or one summer term. Part-time faculty members may serve on department committees but are not eligible for election to faculty or other University committees.

Definitions of “Termination,” “Nonrenewal,” “Nonreappointment,” and “Dismissal”

In this handbook, “termination” refers to dismissal of a faculty member for cause (which may include moral turpitude), financial exigency, discontinuance of a program or department, or any medical condition making it impossible to perform assigned duties. “Moral turpitude” is defined as behavior that would evoke condemnation by the academic community generally. “Nonrenewal” and “nonreappointment” apply to probationary or temporary appointments and refer to the University’s decision not to renew a contract. “Dismissal,” a more general term, refers to termination or nonrenewal/nonreappointment.

Termination Notice

If an appointment is terminated, the faculty member will receive notice and commensurate salary in accordance with the following schedule: at least three months if the final decision is reached by March 1 (or three months prior to the expiration) of the first year of probationary service; at least six months if the decision is reached by December 15 of the second year (or after nine months but prior to eighteen months) of probationary service; at least one year if the decision is reached after eighteen months of probationary service or if the faculty member has tenure.

This provision need not apply in the event that there has been a finding that the conduct which justified dismissal involved moral turpitude or other adequate cause. On the recommendation of the Academic Freedom and Tenure Grievance Committee or of the President of the University, the Board of Trustees and other state approving bodies (as required by law) may take into account the length and quality of service of the faculty member in determining what (if any) payments will be made beyond the effective date of dismissal.

Administrative Personnel with Academic Rank

Administrative personnel who hold academic rank are subject to the regulations in this *Francis Marion University Faculty Handbook* in their capacity as faculty members and shall also have available, with reference to the termination of their appointments as administrators, the rights conferred in Procedures for Hearing Grievances Related to Academic Freedom and Tenure, Category 7.

Voluntary Resignation by a Faculty Member

If a member of the faculty desires to resign from an existing appointment or to decline a renewal, in the absence of notice of termination or non-renewal, he or she shall give notice not less than three months, if his or her rank is instructor or assistant professor, and not less than four months, if his or her rank is higher, before the end of his or her duties during an academic year, exclusive of a summer session.

Procedures for Hearing Grievances Related to Academic Freedom and Tenure, as well as Cases Involving Dismissal for Cause

Committees for Hearing Grievances Related to Academic Freedom and Tenure

A. Academic Freedom and Tenure Grievance Committee

The Francis Marion University faculty has established and maintains an Academic Freedom and Tenure Grievance Committee consisting of six elected members, elected from the General Faculty for terms of three years. All members of the Academic Freedom and Tenure Grievance Committee shall have tenure. The committee shall elect the chair. No member of the Academic Freedom and Tenure Grievance Committee shall serve at the same time on the Faculty Grievance Committee, the Mediation Committee, or a School/College-wide or University-wide promotion or tenure committee. The Academic Freedom and Tenure Grievance Committee shall serve as a tribunal for conducting hearings as provided in the committee procedures below.

The Academic Freedom and Tenure Grievance Committee generally hears complaints from seven categories of faculty: (1) faculty who have received notification from the institution that proceedings have been initiated to dismiss them for cause, (2) tenured faculty who have received notification from the institution that proceedings have been initiated to dismiss them on grounds of financial exigency, (3) faculty who believe their nonreappointment is a violation of their academic freedom, (4) faculty who believe they have been terminated unfairly because of discontinuance of a program or department not mandated by financial exigency, (5) faculty who believe they have been terminated unfairly for medical reasons, (6) faculty who believe they have been victims of discrimination in nonreappointment, and (7) faculty who have not been terminated but who believe that their academic freedom has been abridged. The complaints of non-tenured faculty whose terms have not expired and whose academic freedom is not at issue are more properly heard by the Faculty Grievance Committee, since neither issues of academic freedom nor of tenure are involved. In cases that do not fall clearly into one of the categories above, the Academic Freedom and Tenure Grievance Committee shall convene to determine if it has jurisdiction over the complaint.

B. Mediation Committee

The faculty provides also for a Mediation Committee designed to reduce the likelihood of the need for formal hearings. The Mediation Committee is informal in its

deliberations but formal in its non-binding response to the Academic Freedom and Tenure Grievance Committee. The Mediation Committee shall consist of four elected faculty members, elected from the General Faculty for three-year terms. All members of the Mediation Committee shall have tenure. The committee shall elect the chair. No member of the Mediation Committee shall serve at the same time on the Academic Freedom and Tenure Grievance Committee, the Faculty Grievance Committee, or a School/College-wide or University-wide promotion or tenure committee. The Mediation Committee shall, when asked by the Academic Freedom and Tenure Grievance Committee, inquire into circumstances associated with revocation of tenure or abridgement of academic freedom to determine if a solution can be effected by mediation. The Mediation Committee makes its recommendations to the Academic Freedom and Tenure Grievance Committee.

Preliminary Procedures

When questions about the fitness of a faculty member, the termination of a faculty member, or the abridgment of a faculty member's academic freedom arise, the faculty member should discuss the circumstances of the case with the appropriate administrative officers. At this point the matter may be adjusted by mutual consent. However, if adjustment is not achieved, the faculty member may submit an appeal in writing to the Academic Freedom and Tenure Grievance Committee. Once the Academic Freedom and Tenure Grievance Committee has determined that the case is within its jurisdiction, it shall immediately ask the Mediation Committee to inquire informally into the situation in order to attempt to effect a resolution. If such resolution cannot be achieved, the Mediation Committee will submit a non-binding recommendation to the Academic Freedom and Tenure Grievance Committee, and the faculty member will have the right to a full hearing before the Academic Freedom and Tenure Grievance Committee.

Formal Hearing Procedures

1. In cases in which informal resolution cannot be achieved, the President of the University or an appointed representative shall revise or reaffirm the statement of reasons for dismissal.
2. Formal proceedings before the Academic Freedom and Tenure Grievance Committee may be instituted by either the President of the University or the faculty member involved through consultation with the Chair of the Faculty.
3. Service of notice of hearing with specific charges in writing will be made by the Provost at least twenty days prior to the hearing. The faculty member may waive a hearing or may respond to the charges in writing at any time before the hearing. If the faculty member waives a hearing, but denies the charges or asserts that the charges do not support a finding of adequate cause (in cases of dismissal for cause) or contests the institution's actions to dismiss him or her (in cases of dismissal for reasons other than cause), the Academic Freedom and Tenure Grievance Committee will evaluate all available evidence and rest its recommendation upon the evidence of the record. The faculty member will supply at his or her own expense a copy of his or her complaint

and all written evidence to each member of the committee and to each party to the complaint, as well as an additional copy for the University's records.

4. The committee, in consultation with the President and the faculty member, will exercise its judgment as to whether the hearing should be public or private.
5. During the proceedings the faculty member will be permitted to have an academic advisor of his or her choice, who may act as counsel.
6. At the request of either party or the hearing committee, a representative of a responsible educational association will be permitted to attend the proceedings as an observer.
7. A verbatim record of the hearing or hearings will be taken and a typewritten copy will be made available to the faculty member without cost, at the faculty member's request.
8. The hearing committee will grant adjournments to enable either party to investigate evidence about which a valid claim of surprise is made.
9. The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The administration and school or department involved will cooperate with the hearing committee in securing witnesses and making available documentary and other evidence. The faculty member and the adversary will have the right to confront and cross-examine all witnesses. Where the witnesses cannot or will not appear, but the hearing committee determines that the interests of justice require admission of their statements, the hearing committee will identify the witnesses, disclose their statements, and if possible provide for interrogatories.
10. In the hearing of charges of incompetence, the testimony will include that of qualified faculty members from this or other institutions of higher education.
11. The hearing committee will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.
12. The findings of fact and the decision will be based solely on the hearing record.
13. At the end of these proceedings, the Academic Freedom and Tenure Grievance Committee shall make a written recommendation on the disposition of the case to the administration. If the Academic Freedom and Tenure Grievance Committee concludes that adequate cause for dismissal or non-reappointment has not been established by the evidence in the record, it will so report to the President. If the Academic Freedom and Tenure Grievance Committee concludes that adequate cause for a dismissal has been established but that an academic penalty less than dismissal would be more appropriate, it will so recommend, with supporting reasons. If the President rejects the report, the President will state the reasons for doing so, in writing, to the Academic Freedom and Tenure Grievance Committee and to the faculty member and provide an opportunity for response before transmitting the case to the Board of Trustees. Within 30 days of final action by the administration a petition for review of the dismissal or non-reappointment decision can be made in writing to the Board of Trustees. This petition must fully state all grounds of appeal.

1. Procedures for Cases in Category 1: Faculty Who Have Received Notification from the Institution that Proceedings Have Been Initiated to Dismiss Them for Cause

In cases involving termination for cause, the burden of proof that adequate cause for dismissal exists rests with the institution and will be satisfied only by clear and convincing evidence in the record considered as a whole. Dismissal will not be used to restrain faculty members in their exercise of academic freedom or other rights of American citizens.

In cases involving termination for cause, a faculty member who has been notified by the Provost that proceedings have been initiated to dismiss him or her for cause should first seek informal redress of grievances according to the "Preliminary Procedures" above. Following that process, "Formal Hearing Procedures" may be followed if necessary.

2. Procedures for Cases in Category 2: Faculty Who Have Received Notification from the Institution that Proceedings Have Been Initiated to Dismiss Them on Grounds of Financial Exigency

In cases of termination because of financial exigency, termination of an appointment with continuous tenure or of a probationary appointment before the end of the specified term may occur under extraordinary circumstances resulting from a demonstrably bona fide financial exigency, i.e., an imminent financial crisis which threatens the survival of the institution as a whole and which cannot be alleviated by less drastic means.

The burden will rest on the administration to prove the existence and extent of a condition of financial exigency. The findings of a faculty committee in a previous proceeding involving the same issue may be introduced. The faculty shall participate in the decision that a condition of financial exigency exists or is imminent and that all feasible alternatives to termination of appointments have been pursued. Judgments determining where within the overall academic program termination of appointments may occur involve considerations of educational policy, including affirmative action, as well as of faculty status, and should therefore be the primary responsibility of the faculty or of an appropriate faculty body. The faculty shall also exercise primary responsibility in determining the criteria for identifying the individuals whose appointments are to be terminated. The responsibility for identifying individuals whose appointments are to be terminated should be committed to a person or group designated or approved by the faculty.

If the institution, because of financial exigency, terminates appointments, it will not at the same time make new appointments except in extraordinary circumstances where a serious distortion in the academic program would otherwise result. The appointment of a faculty member with tenure will not be terminated in favor of retaining a faculty member without tenure, except in extraordinary circumstances where a serious distortion of the academic program would otherwise result.

Before terminating an appointment because of financial exigency, the institution, with faculty participation, will make every effort to place the faculty member concerned in another suitable position within the institution.

In all cases of termination of appointment because of financial exigency, the faculty member concerned will be given notice or severance salary not less than as prescribed in Terminal Salary or Notice above.

In all cases of termination of appointment because of financial exigency, the place of the faculty member concerned will not be filled by a replacement within a period of two years, unless the released faculty member has been offered reappointment and has declined.

If the administration issues notice to a particular faculty member of an intention to terminate the appointment because of financial exigency, the faculty member should first seek informal redress of grievances according to the Preliminary Procedures listed in category 1. He or she then has the right to a formal hearing before the Academic Freedom and Tenure Grievance Committee.

The Formal Hearing Procedures to be followed in category 2 may include:

- (i) The existence and extent of the condition of financial exigency. The burden will rest on the administration to prove the existence and extent of the condition. The findings of a faculty committee in a previous proceeding involving the same issue may be introduced.
- (ii) The validity of the educational judgments and the criteria for identification for termination; but the recommendations of a faculty body on these matters will be considered presumptively valid.
- (iii) Whether the criteria are being properly applied in the individual case.

3. Procedures for Cases in Category 3: Faculty Who Believe Their Nonreappointment Is a Violation of Their Academic Freedom

The burden of proof that nonreappointment of a faculty member while on probationary or temporary appointment is the result of violation of academic freedom rests with the nonreappointed faculty member. The faculty member making the complaint will request a written statement of reasons for nonreappointment from the administration and is responsible for stating the grounds upon which his or her allegations of violation of academic freedom are based. If the faculty member succeeds in establishing a *prima facie* case, it is incumbent upon those who made the decision against reappointment to come forward with evidence in support of their decision.

Faculty who are not reappointed while on probationary or temporary appointment and who believe their nonreappointment is a violation of academic freedom should first seek informal redress of grievances according to the Preliminary Procedures listed above with the exception that any faculty member who alleges that a decision against reappointment was based significantly on considerations violative of academic freedom will submit a statement that the faculty member agrees to the presentation, for the consideration of faculty committees, of such reasons and evidence as the institution may allege in support of its decision. The faculty member then has the right to a formal hearing before the Academic Freedom and Tenure Grievance Committee.

4. Procedures for Cases in Category 4: Faculty Who Believe They Have Been Terminated Unfairly Because of Discontinuance of a Program or Department Not Mandated by Financial Exigency

Termination of an appointment with continuous tenure or of a probationary appointment before the end of the specified term may occur as a result of bona fide formal discontinuance of a program or department of instruction. The administration's decision to discontinue formally a program or department of instruction will be based essentially upon educational considerations, as determined primarily by the faculty.

A faculty determination that a program or department is to be discontinued will be considered presumptively valid, but the burden of proof on other issues will rest on the institution. Before the administration issues notice to a faculty member of its intention to terminate an appointment because of formal discontinuance of a program or department of instruction, the institution will make every effort to place the faculty member concerned in another suitable position. If placement in another position would be facilitated by a reasonable period of training, financial and other support for such training will be offered. If no position is available within the institution, the faculty member's appointment may then be terminated, but only with provision for severance salary equitably adjusted to the faculty member's length of past and potential service.

A faculty member may appeal a proposed relocation or termination resulting from a discontinuance. He or she should first seek informal redress of grievances according to the Preliminary Procedures listed above. He or she then has the right to a formal hearing before the Academic Freedom and Tenure Grievance Committee.

5. Procedures for Cases in Category 5: Faculty Who Believe They Have Been Terminated Unfairly for Medical Reasons

Termination of an appointment with tenure, or of a probationary appointment before the end of the period of appointment, for medical reasons will be based upon clear and convincing medical evidence that the faculty member cannot continue to fulfill the terms and conditions of the appointment. The decision to terminate will be reached only after there has been appropriate consultation and after the faculty member concerned, or someone representing the faculty member, has been informed of the basis of the proposed action and has been afforded an opportunity to present the faculty member's position and to respond to the evidence. The burden of proof that adequate cause for termination exists rests with the institution. In such cases of termination the faculty member will be given severance salary not less than as described in "Terminal Salary or Notice" above.

If the faculty member believes that he or she has been terminated unfairly for medical reasons, the faculty member should first seek informal redress of grievances in accordance with the preliminary procedures listed above, with the exception that the Academic Freedom and Tenure Grievance Committee will, instead of conducting a full hearing, ultimately review the evidence (if the faculty member so requests) before a final decision is made by the Board of Trustees on the recommendation of the administration.

6. Procedures for Cases in Category 6: Faculty Who Believe They Have Been Victims of Discrimination in Nonreappointment

If a faculty member on probationary or other nontenured appointment alleges that a decision against reappointment was based significantly on considerations violative of governing policies on making appointments without prejudice with respect to race, religion, color, sex, age, national origin, disability, marital status, veteran status, or sexual orientation, the burden of proof rests with the faculty member. The faculty member making the complaint will request a written statement of reasons for nonreappointment from the administration. Likewise the faculty member is responsible for stating the grounds upon which his or her allegations of discrimination are based. If the faculty member succeeds in establishing a *prima facie* case, it is incumbent upon those who made the decision against reappointment to come forward with evidence in support of their decision. Statistical evidence of improper discrimination may be used in establishing a *prima facie* case.

A faculty member who alleges that a decision against his or her reappointment was based significantly on discriminatory considerations will first seek informal redress of grievances according to the Preliminary Procedures listed above, with the exception that any faculty member who alleges that he or she was the victim of discrimination in nonreappointment will submit a statement that the faculty member agrees to the presentation, for the consideration of the faculty committees, of such reasons and evidence as the institution may allege in support of its decision. The faculty member then has the right to a formal hearing before the Academic Freedom and Tenure Grievance Committee.

7. Procedures for Cases in Category 7: Faculty Who Have Not Been Terminated but Who Believe that Their Academic Freedom Has Been Abridged

In cases in which a faculty member believes that his or her academic freedom has been abridged in any manner, he or she will discuss this matter with the appropriate administrative officers. At this point the matter may be adjusted by mutual consent. However, if adjustment is not achieved and the faculty member continues to believe that there is an abridgment of academic freedom, he or she may submit a statement to the Academic Freedom and Tenure Grievance Committee within a reasonable length of time. The Committee will thereupon request a written statement of response from the appropriate administrative officials.

Once the Academic Freedom and Tenure Grievance Committee has determined that the case is within its jurisdiction, it shall immediately ask the Mediation Committee to inquire informally into the situation in order to attempt to effect a resolution of the matter. If such resolution cannot be achieved, the Mediation Committee will submit a non-binding recommendation to the Academic Freedom and Tenure Grievance Committee, and the faculty member will have the right to a formal hearing before the Academic Freedom and Tenure Grievance Committee. The hearing will be conducted in accordance with the applicable portions of the Formal Hearing Procedures, no. 2-9 and 11-12.

The burden of proof that academic freedom has been abridged will rest upon the faculty member.

At the end of these proceedings, the Academic Freedom and Tenure Grievance Committee shall make a written recommendation as to the merits of the faculty member's allegation to the administration and to the faculty member. If the President rejects the report, the President will state the reasons for doing so, in writing, to the Academic Freedom and Tenure Grievance Committee and to the faculty member and provide an opportunity for response before transmitting the case to the Board of Trustees. Within 30 days of final action by the administration a petition for appeal of the case can be made in writing to the Board of Trustees. This petition must fully state all grounds of appeal.

Suspension during Termination Procedures

Until the final decision on termination of an appointment has been reached, the faculty member will be suspended only if immediate harm to himself or herself or to others is threatened by his or her continuance. Before suspending a faculty member, pending an ultimate determination of the faculty member's status through the institution's hearing procedures, the administration will consult with the Academic Freedom and Tenure Grievance Committee concerning the propriety, the length, and the other conditions of the suspension. Suspension shall be with pay. If notice of termination is given, the faculty member shall receive his or her salary for at least the period of notice to which he or she is entitled under these regulations and shall be continued in his or her duties for that period unless his or her welfare or that of the institution requires that he or she be granted a leave of absence.

PROCEDURES FOR FACULTY GRIEVANCE CASES NOT COVERED BY THE POLICY ON ACADEMIC FREEDOM AND TENURE

Composition and Duties of the Faculty Grievance Committee

The Faculty Grievance Committee shall consist of five faculty members elected by and from the General Faculty for three-year terms. All members of this committee must be tenured. Academic administrators including deans, chairs of departments, and the dean of the Library may not serve. No member of the Faculty Grievance Committee shall at the same time serve on the Academic Freedom and Tenure Grievance Committee, the Mediation Committee, or a School/College-wide or University-wide tenure or promotion committee. The Faculty Grievance Committee shall elect its own chair.

The Faculty Grievance Committee shall hear faculty grievance cases in matters not covered by the Policy on Academic Freedom and Tenure, such matters to include but not be limited to discrimination in compensation, promotion, and work assignment. The granting or the failure to grant tenured status to faculty members or the nonrenewal of employment contracts at the end of the contract term shall not be subjects for consideration by the Faculty Grievance Committee.

The committee shall recommend changes in the grievance procedure for faculty in matters not covered by the Policy on Academic Freedom and Tenure.

Procedures for Faculty Grievance Cases Not Covered by the Policy on Academic Freedom and Tenure

1. When any faculty member of Francis Marion University who has completed one year of service is unable to resolve an alleged grievance by discussion and negotiation with his or her chair/dean, the faculty member may then seek the assistance of the Mediation Committee. (Subjects for consideration in any such grievance petition shall include but not be limited to discrimination in compensation, promotion, and work assignment. Subjects for consideration shall not include the granting or the failure to grant tenured status to faculty members or the nonrenewal of employment contracts at the end of the contract term.) If the faculty member is unable to reach a resolution through discussion, negotiation, and mediation, he or she may then appeal in writing to the Faculty Grievance Committee.
2. The Faculty Grievance Committee shall consist of five members duly elected by and from the General Faculty for three-year terms. All members of this committee must be tenured. Academic administrators including deans, chairs of departments, and the dean of the Library may not serve. No member of the Faculty Grievance Committee shall at the same time serve on the Academic Freedom and Tenure Grievance Committee, the Mediation Committee, or a School/College-wide or University-wide tenure or promotion committee. The Faculty Grievance Committee shall elect its own chair.
3. Any written request for a hearing before the Faculty Grievance Committee shall include any necessary factual information and/or data which the faculty member deems appropriate. The faculty member will supply at his or her own expense a copy of his or her complaint and all written evidence to each member of the committee and to each party to the complaint, as well as an additional copy for the University's records.
4. The Faculty Grievance Committee shall review the information and data provided by the faculty member in order to determine the merits of the grievance. If the Faculty Grievance Committee finds that the grievance has merit, then a full hearing will be conducted. If the Faculty Grievance Committee finds no merit in the grievance, then the faculty member will be so notified in written format.
5. If a full hearing is deemed the appropriate action, then the following standards and procedures shall apply in the conduct of said hearing:
 - a. The hearing shall be closed.
 - b. A verbatim record of the hearing or hearings will be taken and a copy made available to the faculty member and to the person against whom the grievance is lodged, on request and without cost.
 - c. Both parties to the grievance may choose an advisor and/or counsel to be present during the hearings.

- d. The committee may grant adjournment to enable either party to investigate evidence to which a valid claim of surprise is made.
 - e. Both parties to the grievance and the advisor and/or counsel shall have the right to confront and cross-examine all witnesses.
 - f. The Faculty Grievance Committee will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved.
 - g. The findings of fact and the decision of the Faculty Grievance Committee will be based solely on the hearing record.
6. The Faculty Grievance Committee will submit its findings and recommendations in writing to the faculty member, to the person against whom the grievance is lodged, and to the President of the University.
7. The President of the University will have 10 days in which to accept or reject the recommendation of the Faculty Grievance Committee. If the President of the University rejects the recommendation of the Faculty Grievance Committee, the President will state in writing, within those 10 days, the reasons for doing so to the Faculty Grievance Committee, the faculty member, and the person against whom the grievance is lodged.
8. Within 30 days of final action by the President the faculty member shall have the right to appeal the President's decision to the Francis Marion University Board of Trustees or to a committee designated by the Board for that purpose, such appeal to be limited to the record of the hearing.

POLICIES CONCERNING TEACHING AND ADVISING

Policy on Teaching Responsibility

The teaching responsibilities of the instructional staff are among those many areas of University life which for generations have been parts of the unwritten code of scholars. Now, however, along with other formerly unwritten contracts, it seems appropriate to set forth these responsibilities in a formal Statement of Policy. The provisions of such a policy are so reasonable to learned and humane individuals that it may appear redundant to state them. However, the University conceives them to be so important that the performance of the instructional staff in meeting the provisions of this code shall be taken into consideration in determining salary increases, tenure, and promotion.

Statement of Policy

1. Faculty members are responsible for stating clearly the requirements of each course they teach at the beginning of each term. It is expected that examinations will be consistent with those requirements. Faculty members are responsible for orienting the content of the courses they are assigned to teach to the course descriptions.
2. Faculty members are responsible for informing students in their classes of the methods to be employed in determining the final course grade and of any special requirements of attendance which differ from the attendance policy of the University. At the request of a student, a faculty member should make available information and/or an evaluation of the student's progress prior to the last date to drop without academic penalty.
3. It is expected that graded examinations and papers will be provided to the student for inspection and discussion. Thus final examinations will be retained for one semester to provide the opportunity for review with the instructor, if the student so desires. It is expected that examinations will be graded within a sufficiently appropriate time to make the examination a part of the student's learning experience.
4. Faculty members are expected to meet their classes regularly and at scheduled times. In case of illness or any other emergency, the instructor will notify the dean or department chair so that appropriate action may be taken.
5. Faculty members are expected to be appropriately available to their students.
6. Faculty members must refrain from engaging in any romantic or sexual relations with students over whom they have academic or supervisory control.
7. Faculty members responsible for academic advising are expected to be appropriately available at specified times during preregistration, priority drop/add, and registration.

Meeting Classes

All classes are expected to meet according to the official schedule, which is made available to faculty members for review and comment before it is printed and given to students. All absences of faculty members shall be reported to the chair of the department following appropriate leave procedures.

Class Attendance Policy

The attendance policy is described in the *University Catalog*.

Emergency Notification Procedures

In the event of ice, snow, flood, or other unusual conditions indicating that a normal workday at the University would not be possible, faculty members will be officially notified by their department chairs or unit coordinators.

Examination and Grading System

Each semester final examinations are given in accordance with a schedule published well in advance of the examination period. No deviation from this printed schedule is permitted

unless specific prior approval has been secured from the chair/dean, and all such deviations shall be reported to the Provost and the Office of the Registrar.

The final class meeting is scheduled to facilitate administration of final examinations. Final examinations are not required. However, attendance at the final meeting is required.

Information concerning student performance in the course should be made available to each student throughout the semester. A student is entitled to an explanation of any grade upon request.

Faculty members may post final semester grades in a convenient place as soon as they are completed at the end of each semester; however, identifiable information such as Social Security numbers must not be used. It is important that the Provost be advised in advance if a faculty member cannot meet a stated deadline for reporting grades.

The grading system of the University is described in the *University Catalog*. The faculty member should retain a grade file and, upon leaving the University's employ, submit that file to his or her dean or department chair.

Grade Appeals Policy

The Grade Appeals Committee will consist of five faculty members to be elected by the faculty at large. The committee will elect the chair. The committee will hear appeals concerning final course grades when those appeals are not resolved at the level of the academic unit.

Unless the faculty member has acted in an arbitrary or capricious manner in the assignment of the final course grade in question, or unless the instructor's grading policy is in violation of the guidelines established by the University or his or her own policies as noted in the syllabus or other written documents, it is the right of the instructor to determine whether or not the final course grade should be changed.

The committee will meet as necessary, and as called by the committee chair. Appeals for grade changes may not be made after sixty days from the date the grade was given. The following procedures will be followed:

1. The student will first attempt to resolve the issue by consulting with the instructor.
2. If the issue is unresolved after consultation with the instructor, the student will then consult with the department chair/School dean to attempt a resolution.
3. If the matter is not resolved after consultation with the instructor and the chair/dean, then the student may petition the chair/dean, who will forward the matter to the Grade Appeals Committee. The petition must include the following items: a completed petition form signed by the instructor of the course (unless the instructor is no longer a member of the Francis Marion University faculty), the student's adviser, and the chair/dean of the academic unit that offered the course; a letter explaining the basis for the grade appeal; and, if applicable, supporting documents and a list of any other evidence to be presented. The student's argument will be limited to statements from the student and the evidence delineated in the petition.
4. Upon receipt of a completed grade appeal petition, the chair of the Grade Appeals Committee will promptly inform the faculty member, the appropriate department chair/School dean, and the Provost. The committee chair will also make available to the faculty member a copy of the petition and the supporting documentation.

5. The Grade Appeals Committee, upon receipt of a student's grade appeal petition, might seek additional information and advice, as it deems necessary. In some cases the committee may conduct a hearing, as when the student, faculty member, or committee members might ask for one. Because this hearing would be for informational purposes only, it should not replicate judicial proceedings. No legal counsel shall be permitted to appear.
6. Within ten workdays after a decision, the chair of the Grade Appeals Committee will notify the student, the faculty member, the appropriate department chair/School dean, and the Provost of the committee's findings and recommendations. If the Grade Appeals Committee, through its inquiries and deliberations, determines that the grade should be changed, it will request that the instructor make the change, providing the instructor with a written explanation of its reasons. Should the instructor decline, he or she will provide an explanation for refusing.
7. If after considering the instructor's explanation the Grade Appeals Committee concludes that it would be unjust to allow the original grade to stand, the committee may then recommend to the appropriate department chair/School dean that the grade be changed. The chair/dean in consultation with the instructor will assign the appropriate grade. Only the chair/dean, upon the written recommendation of the Grade Appeals Committee, has the authority to effect a change in grade over the objection of the instructor who assigned the grade.

Faculty Role in Cases of Alleged Academic Dishonesty Involving Students

If a faculty member believes a student has committed an act of cheating or plagiarism, he or she should notify the student of the allegation and give the student an opportunity to respond. Whenever possible, this process should occur prior to the submission of final grades. When notification occurs after the submission of grades, the instructor will provide the student a *post factum* opportunity to rebut the charge.

If, in the judgment of the instructor, the student is able to show that the charge is unsubstantiated, the instructor will withdraw the allegation and remove the academic penalty. If the faculty member determines that a violation has in fact occurred, she or he must then notify the Provost's Office in writing of the allegation, with copies sent to the faculty member's dean or department chairperson.

The Provost or designee will serve as an adviser to the faculty member to assure that all appropriate due process is provided to the student and that proper procedures are followed. Notice to the Provost also serves as a record of the alleged violation. The notice must include a statement of, and (if appropriate) copies of evidence that the faculty member has which leads him or her to believe that the student has committed the act in question.

Upon receipt of this material, the Provost or designee shall confirm the allegation by providing written notice to the student. This notice shall include the alleged violation, a brief description of the persons presenting information regarding the alleged violation, a summary of the evidence against the student, a statement of the academic penalty imposed by the instructor, and a date by which the student must respond to the allegation.

The notice will provide the student with an opportunity to contest the allegation. Should the student deny responsibility for the act, the Provost /designee shall inform the student of his or her right to a hearing before the Honor Council.

Should the student accept responsibility for the act, the Provost/designee may choose to let the academic penalty stand without further action or, in severe or repeat cases, may choose to levy an additional sanction as described in the Code of Student Conduct.

Should the student wish to contest the charge, the matter will be referred to the Honor Council for adjudication. The Honor Council consists of four faculty members--three council members and one alternate--appointed by the Provost. The Provost's designee will serve as nonvoting chairperson at Council hearings. Each hearing board of the Honor Council shall consist of three voting members. Decisions shall be based upon a majority vote of those present.

(See the section entitled "Academic Integrity" in the *FMU Student Handbook* for further information.)

Copyright Regulations

Faculty members should be familiar with the current copyright regulations and associated user guidelines for print, non-print, and computer software materials. It is the responsibility of each faculty member to comply with these regulations and guidelines as they apply to his or her specific discipline. Information regarding copyright regulations and user guidelines is available in Rogers Library, Cauthen Educational Media Center, and the Academic Computer Center.

POLICIES CONCERNING SCHOLARLY ACTIVITY

Integrity in Research and Scholarship

The integrity of the programs of the University requires that all faculty (as well as students and staff) be aware of potential misconduct in themselves and others and that allegations of misconduct be resolved in a just manner, ensuring that there be no recriminations for a person bringing an allegation in good faith. "Misconduct" in this regard is defined as:

1. fabrication, falsification, plagiarism, or other serious deviation from accepted standards and practices in proposing, carrying out, or reporting the results of scholarly undertakings;
2. material failure to comply with University, government, or professional requirements for protection of researchers, human subjects, or the public, or for ensuring the welfare of laboratory animals;
3. failure to meet other material professional standards or legal requirements governing research.

Honest error and differences in interpretation or judgment of data do not constitute misconduct.

Charges of alleged misconduct as defined above shall be considered by a faculty tribunal committee constituted and empowered as follows:

1. The committee shall be *ad hoc* in nature.
2. The committee shall consist of three individuals, one each to be appointed by the Chair of the Faculty, the chair of the Faculty Life Committee, and the chair of the concerned department. When an allegation of misconduct against a faculty member is brought by or originates from a department chair, the chair shall not appoint a representative to the faculty tribunal committee. Instead, the tenured members of the department faculty will select or elect from among themselves the individual from the department to serve on the committee.
3. The committee will elect its own chair.
4. The committee will report its finding(s) to the Provost, who will make a recommendation to the President, regarding disposition of the case. The actions may range from censure to dismissal.
5. Any appeal of the committee's judgment will take place through the existing faculty grievance procedures.

Professional Development

The University seeks to assist faculty members to realize their individual professional development plans through limited reassigned time and sabbaticals (q.v.), through partial support for travel to professional meetings (particularly when the faculty member requesting financial support is chairing a session or delivering a paper), and through limited funding for research. After consultation with the chair/dean, faculty members should make requests to the Professional Development Committee (or the appropriate subcommittee thereof) for reassigned time, sabbaticals, travel grants or research funds.

Grant Application

Application for all federal grants and for all state and private grants for which the University will serve as fiscal officer must follow the schedule as outlined in the *Procedures for Administration of Grants and Contracts*.

SEXUAL HARASSMENT POLICY AND PROCEDURES

I. Policy

It is the policy of Francis Marion University, in keeping with efforts to maintain an environment in which the dignity and worth of all employees and students of the University are respected, that sexual harassment of students, employees, and visitors at Francis Marion University is unacceptable conduct and will not be tolerated. Sexual harassment may involve the behavior of a person of either sex against a person of the opposite or same sex, when that behavior falls within the definition as contained in the sexual harassment policy on the University website.

Offenders of sexual harassment will be subject to disciplinary action which may include but is not limited to oral or written warnings, demotions, transfers, suspension without pay, or dismissal for cause.

Sexual harassment is a form of sex discrimination which is prohibited under Title VII of the Civil Rights Act of 1964 for employees and under Title IX of the Education Amendments of 1972 for students. The South Carolina State Human Affairs Law also prohibits sex discrimination.

II. Procedure

Any University employee (faculty or staff; full-time or part-time) who feels that she or he has been sexually harassed and who wishes further information or who wishes to file a complaint should contact the Vice President for Administration immediately.

Any student who feels that she or he has been sexually harassed under the definition in the University sexual harassment policy and who wishes further information or who wishes to file a complaint should contact immediately one of the following: the Vice President for Student Affairs or the Vice President for Administration. Any faculty or staff member receiving a complaint of sexual harassment should seek the advice of the Vice President for Administration.

Details of the University's sexual harassment policy and administrative procedures are contained in the *Sexual Harassment Policy* available on the University website and in the Human Resources Office.

SUBSTANCE ABUSE COMPLIANCE POLICY

Francis Marion University Policy prohibits the unlawful manufacture, distribution, dispensation, possession, or use of drugs and alcohol on the University campus or at any University-sponsored event by faculty, staff, and students regardless of whether the student or employee is part-time, full-time, temporary, probationary, or permanent, pursuant to state and federal laws. This policy is set forth in the *Substance Abuse Compliance Policy* available from the University's website and from the Human Resources Office.

Violation of this policy by academic employees, regardless of tenure status, will lead to the initiation of procedures for disciplinary action and may have legal consequences.

Violation of this policy by staff employees will be cause for disciplinary action pursuant to "Progressive Discipline Policy" and may have legal consequences.

Violation of this policy by students or student employees will lead to sanctions detailed in the student alcohol and drug policy as contained in the *Francis Marion University Student Handbook*.

Faculty, staff, and students are required to abide by the terms of this policy as a condition of employment or student status. In addition, grant or contract employees are required to notify the Vice President for Administration of any criminal drug statute conviction for a violation occurring in the workplace not later than five days after the conviction. Federal law requires the University to notify the granting or contracting agency of a criminal drug statute conviction in the workplace within ten days of the date the University receives notification. Upon receiving

notice, the Vice President for Administration will notify the granting or contracting agency so that the notice requirement will be satisfied.

Additional information on the procedures of this requirement is available in the Human Resources Office.

POLICY AND PROCEDURES FOR THE EVALUATION OF ACADEMIC ADMINISTRATORS

Instrument and General Procedures

The evaluation instrument contains statements about administrators to which the faculty indicate the degree of their agreement on a five-point scale from strongly disagree to strongly agree. A sixth category will be offered for indication of a respondent's desire not to respond to an item. The items are selected to represent an administrator's leadership style, interpersonal skills, and performance of duties, as well as the status of the unit. Definitions of these areas are in Table 1.

Faculty members are also given space to provide additional evaluative comments and recommendations. Evaluative comments and recommendations will be given only to the person being evaluated. Ratings will be made on an op-scan sheet to facilitate scoring and data management. The data are scored at the Academic Computing Center and a report containing the same summary statistics on each item used for the Faculty Evaluation forms computed.

The Executive Committee of the Faculty Senate is responsible for conducting the evaluation. Summary statistics from each year may be used to judge change in the views of the academic administrators and effectiveness of their leadership. A data summary work group of faculty members, including some trained in data analysis and measurement, shall be appointed by the Executive Committee of the Faculty Senate to prepare final analyses and summaries. Ratings shall be made at approximately the middle of each spring semester. The data shall remain with the Executive Committee. The Executive Committee and data summary work group shall maintain the confidentiality of the data summaries. The Provost's office will make the data summaries available for review by full-time faculty who were eligible to participate in the evaluation of a chair/dean, the Provost, or the President. The data summaries are not to be copied or removed. In the case of chairs/deans, a majority vote of faculty eligible to participate in the evaluative process may request a meeting with the chair/dean to discuss strengths/weaknesses and/or recommendations.

Departmental/School Procedure

Each full-time member of a department or School will complete the rating sheets and may offer additional evaluative comments concerning the administrative competence of the chair/dean. The data summaries will be given to the chair/dean and the Provost. The chair/dean will discuss the data summaries with the Provost.

Procedure with regard to the Provost

Each full-time faculty member of the University will fill out the rating sheets and may offer additional evaluative comments concerning the administrative competence of the Provost. The reports will be given to the Provost and the President. The Provost will discuss the data summary with the President.

Procedure with regard to the President

Each full-time member of the University will fill out the rating sheets and may offer additional evaluative comments concerning the administrative competence of the President. The data summary will be given to the President and the Chair of the Board of Trustees. The President and the Chair of the Board or their designees will discuss the summary.

Table 1: Items for Evaluation of Academic Administrators

Leadership Style

1. Recognizes and rewards faculty fairly.
2. Holds effective and timely department/School meetings.
3. Includes faculty in the decision-making process.
4. Exercises fairness in making course assignments during fall, spring, and summer sessions.
5. I rate the administrator's overall performance in this section as good.

Duties

6. Develops the departmental/School budget with appropriate faculty input.
7. Handles the budget fairly and wisely.
8. Supports curriculum changes when needed.
9. Evaluates faculty fairly (including annual merit ratings).
10. Encourages and supports faculty research and scholarship.
11. Assesses department/School needs and sets goals.
12. Provides encouragement to the faculty members of the department.
13. Facilitates obtaining grants and contracts.
14. I rate the administrator's overall performance in this section as good.

Skills

15. Fosters positive faculty morale as a priority.
16. Uses discretion in handling confidential matters.
17. Communicates readily and easily with individuals.
18. Keeps abreast of ideas and new developments in the discipline and the profession that affect the department/School.
19. Acknowledges his or her own mistakes.
20. Leads the department/School with input from the faculty and staff.
21. I rate the administrator's overall performance in this section as good.

Status and Progress of the Department/School

22. Possesses the skills and knowledge necessary to evaluate teaching.
23. Effectively represents departmental/School needs to the University.
24. Supports faculty community involvement.
25. Exercises leadership in the development of a long-term plan for program enhancement.
26. I rate the administrator's overall performance in this section as good.

OTHER FACULTY REGULATIONS AND POLICIES

Confidentiality

Employees entrusted with information of a confidential nature must not reveal such information to co-workers or others without proper authorization.

Employee Assistance Program Policy

Francis Marion University, recognizing the dignity, value, and contributions of all employees, has established an Employee Assistance Program to ensure administrative support for any employee experiencing personal difficulties that may result in personal stress or problems that could have an impact on job performance. This policy is to provide confidential, professional referral assistance to employees experiencing personal difficulty in order to help them continue to be productive employees. Staff and faculty members are encouraged to call whenever need arises. Copies of the Employee Assistance Program Policy are available in the Human Resources Office.

Firearms

With the exception of employees of Public Safety and other law enforcement agencies engaged in the performance of their duties, no one will bring firearms, ammunition, or other weapons onto University property.

Fund Raising, Sales, and Solicitations

Any academic or administrative department or division which plans to solicit funds from the private sector must coordinate and secure approval for such activities through the Community Relations Office. The department shall notify the Community Relations Office in writing of the nature of the project to be funded, list prospective donors, and describe how the funds will be used. (An External Solicitation Approval Form may be obtained in the Community Relations Office.) The Director of Community Relations and the President of the University shall approve all requests.

Selling on the campus by outside business agents is prohibited. Vendors are asked to deal only with the Director of Purchasing. However, members of the staff are urged to participate in worthwhile community drives. All University personnel are asked to refrain from solicitation of

any type (monies, goods, or services) while on the University campus. So many worthy causes are represented that this kind of control appears necessary to protect the good professional relationships that exist on campus.

Receiving of Gifts

It is the policy of Francis Marion University that personal gifts and special benefits of more than nominal value from vendors are not to be accepted by employees of the University. This is not to be construed to mean that employees are to decline lunch or dinner invitations or other appropriate social invitations that may occur in the conduct of their duties or that employees may not accept memo pads, key rings, calendars, or similar promotional material.

Bookbuyers on Campus

The *Policy for Bookbuyers on Campus* is available on the University website or in the Human Resources Office.

Official Academic Functions

Faculty members are expected to be present in appropriate academic regalia for University functions such as commencement exercises in the fall and spring.

Outside Employment

Limited consulting work and temporary undertakings which will not interfere with the successful discharge of University responsibilities may be undertaken. Outside employment of greater scope or magnitude that does not conflict with the mission and goals of the University may be approved by the Provost. However, any employment by another State agency must be in accordance with the State's Dual Employment policies and procedures and the Ethics Act. University equipment and facilities are not to be used in the furtherance of outside work for pay. Requests for approval of outside employment should be submitted in accordance with the *Outside Employment Policy*. Requests for approval must be resubmitted each year if such outside employment is contemplated. Information concerning the Ethics Act regulations and Dual Employment regulations may be obtained from the Human Resources Office.

Political Activity

Full-time employment with the University is a time-consuming responsibility. The University, therefore, does not encourage outside employment for compensation, political or non-political, which does not contribute effectively to professional advancement and University work. Political activity may be limited by State and Federal laws. If it is determined that candidacy for or election to political office is in basic conflict with the faculty member's normal duties, the President may ask the employee to obtain a leave of absence without pay or to resign before announcing for the office.

Smoking Policy

Francis Marion University is committed to providing an environment conducive to its mission that is safe, healthy, and comfortable. Due to well documented health and safety risks related to smoking, and the University's commitment to support the comfort and well-being of its various constituents, Francis Marion University is a "smoke-free" campus.

Smoking is prohibited on all property owned or controlled by Francis Marion University, the Francis Marion University Foundation, and the Francis Marion University Real Estate Foundation. This prohibition includes all buildings and grounds, as well as within vehicles owned, leased, or rented by the University and its related entities.

To support the smoke-free initiative, the following policy provisions have been enacted.

1. The sale or distribution for marketing purposes of products designed to be smoked is prohibited on all property owned or controlled by the University and its entities.
2. Advertising and marketing efforts related to products designed to be smoked is prohibited in public spaces owned or controlled by the University and its entities, as well as all publications produced by the same.
3. All employees are informed of this policy at the time of their initial employment.
4. Resources to support smoking cessation for members of the campus community are available from Student Health Services and the Office of Human Resources.
5. Signs designating FMU as a Smoke Free Campus are placed in appropriate locations owned and controlled by the University and its entities.

Travel Regulations

Specific regulations for travel and/or reimbursement guidelines are reflected in the *Travel Policy for Faculty, Staff, Student, or Student Group Travel*.

Policy Changes

From time to time, changes in the rights, privileges, and benefits accorded faculty members may be made as conditions warrant. Changes providing additional rights, privileges, and benefits shall apply to faculty members employed prior to the promulgation of such changes.

LEAVE POLICIES

General Policies

Leave slips should be submitted for the actual type of leave taken. If an employee has used all of a particular type of leave, the leave slip will be adjusted by the Human Resources Office. Annual leave, where applicable, should be requested in advance, and leave slips should be sent to the Human Resources Office prior to leave being taken.

If a personal emergency arises which requires an employee to be absent, the employee is responsible for reporting his or her situation to the department chair as early as possible but in no event later than the time he or she is to report for work. If the situation continues beyond one day, the employee must notify his or her department chair as to the expected length of absence or call in each day. If he or she cannot contact the department chair, he or she should then attempt to contact the School dean. If the School dean cannot be reached, the Office of the Provost should be notified. If proper notification is not given, the absence may be charged as leave without pay. If an employee is absent without prior approval and for a reason which is not, in the opinion of the dean/Provost, sufficient to constitute an emergency, the absence may be charged as leave without pay.

Example: If an employee is out sick but does not have any sick leave, he or she should indicate "sick leave" on the leave slip. The leave will be changed to either annual leave, if applicable, or leave without pay by the Human Resources Office.

Sick Leave

The 1974 Sick Leave Act for State Employees established a standard sick-leave earning rate that shall apply to all permanent State employees in accordance with the following guidelines:

Sick leave shall be granted to and accrued by (1) permanent and probationary full-time employees and (2) permanent and probationary part-time employees who are scheduled to work at least one half of the work week of the agency on a twelve-month basis during the full school or academic year of nine months or more.

The University shall maintain a leave record for each employee covered by this Act. These records are maintained in the Human Resources Office and are updated as follows:

Sick leave is credited to the employee's permanent record at the beginning of each month for the previous month. (Example: November accrual is credited on December 1.) Sick leave is charged to the employee's permanent record from employee leave slips.

All permanent and probationary full-time State employees shall be credited with sick leave on the basis of one and one-fourth working days for each full calendar month of service not to exceed a maximum accumulation of 180 days. All permanent and probationary part-time

employees shall be credited with sick leave on a pro-rata basis for each full calendar month of service.

Employees shall not be credited with leave for any month in which they are not in a pay status for one half or more of the workdays of the month. An employee shall be credited with sick leave earnings while on annual leave (if applicable), sick leave, or other authorized leave with pay.

When employees are absent because of sickness, their leave records shall be charged for the actual time the employees must be away from the job; however, leave shall not be charged in units of less than one quarter hour.

The use of sick leave shall be subject to verification. When there is reason to believe that sick leave is being abused or when the absence is more than three consecutive workdays, a doctor's statement should be required before approval can be granted. The doctor's statement must describe the disability and give the inclusive dates. If sick leave is known in advance (example: surgery), the doctor's statement should be provided in advance of the leave.

Each employee is responsible for reporting his or her illness to his or her chair/dean as early as possible but no later than the time he or she is to report for work. If illness continues beyond one day, the employee must notify the chair/dean as to the expected length of absence or call in each day. If he or she cannot reach the department chair, the employee should then attempt to contact the School dean. If the School dean cannot be reached, then the Office of the Provost should be notified. If proper notification is not given, the absence may be charged as annual leave, if applicable, or leave without pay.

Individual leave slips must be completed and properly executed before sick leave can be approved. Leave slips are then forwarded to the Human Resources Office for verification of accrued leave and record keeping. After such leave is verified, the employee will be notified as necessary.

Faculty members on a nine-month basis do not earn, nor are they eligible to use, sick leave during the summer months.

An employee shall be granted sick leave if absent for any of the following reasons:

Personal illness or injury incapacitating the employee to perform duties of the position.

Exposure of contagious disease such that presence on duty could endanger the health of fellow employees or students.

Appointment for medical or dental examination or treatment when such appointment cannot reasonably be scheduled during non-working hours. To the extent possible, examination appointments must be approved in advance.

Sickness or temporary disability due to pregnancy. The date on which sick leave for maternity purposes is to begin shall be the determination of the employee and her doctor. In no event shall such date be prescribed unilaterally by an appointing

authority except on the basis of professional medical opinion that the employee is physically incapable of performing normal duties or that continuing to perform normal duties would be hazardous to the employee. When an employee is anticipating an absence due to maternity, she should notify the Human Resources Office within the fourth month of pregnancy. It will be necessary for the requesting employee to provide a statement at the earliest possible date from her doctor to her chair/dean who will then forward the statement to the Human Resources Office recommending when the employee should stop work due to the pregnancy, noting the expected date of delivery, and noting the expected date when the employee would normally return to work. Dates set forth by the physician can be amended only by the physician and only for medical reasons based on the mother's condition as a result of pregnancy.

Adoption of a child. When an employee adopts a child, he or she may use accrued leave for the purposes of arranging for the adopted child's placement or for caring for the child after placement. Use of sick leave is restricted to six weeks after placement of the child.

Treatment for alcoholism. Sick leave may be used for the purpose of participating in public and/or private treatment and rehabilitation programs for alcoholics that have been approved by the South Carolina Department of Mental Health.

Family Sick Leave. Employees earning sick leave may use not more than eight days of sick leave annually to care for ill members of their immediate families. For purposes of this section, "immediate family" means the employee's spouse and children and the following relatives of either the employee or the spouse of the employee: mother, father, brother, sister, grandparent, and legal guardian, as well as grandchildren if the grandchildren reside with the employee and the employee is the primary caretaker of the grandchildren.

For an extended illness, disability, or maternity leave exceeding the amount of accrued annual and/or sick leave, the employee may apply for leave-without-pay status for a period not to exceed 180 days. The written request for leave-without-pay status shall specify the inclusive dates and provide a physician's certificate describing the disability and giving the projected inclusive dates. The request will not be denied for bona fide illness or disability for permanent employees. Francis Marion University shall require a physician's certificate or other acceptable documentation verifying the disability and giving the projected inclusive dates of disability prior to approval. Only the physician can amend dates set forth by the physician. Francis Marion University may require additional documentation from the physician issuing the certificate or may secure additional medical opinions from other physicians. As long as disability is certified by a physician, the amount of leave authorized shall not exceed (1) 180 calendar days of combined leave with pay and leave without pay or (2) 180 working days of leave with pay; otherwise the employee shall forfeit reinstatement privileges and be separated from University service. In extenuating circumstances, the President, at his discretion, may extend the period of leave to a total of 365 days. Leave taken under this section may qualify under the terms of the Family and Medical Leave Act and, if so, will run concurrently. Under the Americans with Disabilities Act of 1990 certain

extended illnesses may be protected as disabilities and may require reasonable accommodation.

Family and Medical Leave Act

The Family and Medical Leave Act (FMLA) of 1993 requires Francis Marion University to provide up to 12 weeks of unpaid, job-protected leave each calendar year to eligible employees for specified family and medical leave reasons. However, if an employee is requesting leave for a condition which is covered under the sick leave policy, he or she must use all accrued sick leave for which he or she is eligible before requesting unpaid leave. If this leave qualifies under FMLA, it is included in the 12 weeks of FMLA leave.

For a Francis Marion University employee to be eligible for FMLA benefits, he or she must have worked for the State of South Carolina for a total of at least 12 months and have worked for the State of South Carolina at least 1,250 hours over the previous 12 months.

Employees are eligible for a total of 12 weeks of FMLA leave during a calendar year for one or more of the following reasons:

- A. For a birth or placement of a child for adoption or foster care. This leave must conclude within 12 months of the birth or placement.
- B. To care for an immediate family member (spouse, minor or disabled child, or parent, not parents-in-law) with a serious health condition. FMLA may be taken intermittently whenever necessary to care for a seriously ill immediate family member. However, leave must be in quarter-hour increments.
- C. To take medical leave when the employee is unable to work because of a serious health condition. FMLA leave may be taken intermittently whenever necessary because the employee is seriously ill and unable to work. However, leave must be in quarter-hour increments.

If both spouses work for the State of South Carolina, they are jointly entitled to a combined total of 12 work weeks of family leave for a birth or for placement of a child for adoption or foster care or for caring for parents.

A "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:

- A. any period of incapacity or treatment connected with in-patient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility;
- B. any period of incapacity requiring absence of more than three calendar days from work or other regular daily activities that also involves continuing treatment by or under the supervision of a health care provider;
- C. continuing treatment by or under the supervision of a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days, and for prenatal care.

Employees seeking to use FMLA leave will be required to provide:

- A. 30-day advance notice of the need to take FMLA leave when the need is foreseeable;
- B. medical certification supporting the need for leave due to a serious health condition affecting the employee or an immediate family member; and
- C. periodic reports during FMLA leave regarding the employee's status and intent to return to work.

Francis Marion University may require second or third medical opinions and periodic recertification (at FMU's expense) from employees seeking FMLA leave.

When leave is needed to care for an immediate family member or the employee's own illness, and is for planned medical treatment, the employee must try to schedule treatment so as not unduly to disrupt the normal routine of the department.

Group insurance will be maintained for the employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. Employees will be required to pay for their share of the health insurance premiums while on leave in the same manner as they were paid while the employees were working.

An employee will be restored to his or her original position, or to an equivalent position with equivalent pay, benefits, and other employment terms and conditions. The employee will not lose any benefit that the employee earned or was entitled to before using FMLA leave.

Workers' Compensation

Employees have certain benefits under the South Carolina Workers' Compensation Act if they sustain accidental injuries or contract an occupational disease while performing official duties as University employees. In case of an accident an employee should:

- A. Notify his or her department chair/dean as soon as possible after the accident.
- B. Contact the Public Safety Office for follow-up medical assistance. The responding officer informs Human Resources of injuries warranting further medical attention.
- C. Report to the Human Resources Office for further medical attention and CompEndium notification. (CompEndium will notify the physician or the ER of the injury and the arrival of the injured employee. The physician or the ER will call CompEndium before the injured worker leaves the facility to receive authorization for treatment. Immediately following, the Medical Manager Nurse Consultant will call the FMU Human Resources Office with a report on the status of the employee's condition and work status. The physician's report or case notes will be faxed within 24 hours of receipt of treatment.)

In cases covered by Workers' Compensation an employee may elect one of the following options (which is irrevocable as to each individual accident):

- A. To be placed on paid-leave status, using accrued sick and/or annual leave. (When such credits are exhausted before the employee can return to work, the employee shall

be entitled to Workers' Compensation at the time the specified amount of leave is exhausted.)

- B. To use Workers' Compensation benefits awarded in accordance with Title 42 of the 1976 Code. (Under this method the employee would receive the disability benefits equal to 66 2/3 percent of the employee's gross weekly pay, not to exceed the current rate authorized by the SC Workers' Compensation Fund.)
- C. To receive sick and/or annual leave on a prorated basis in conjunction with Workers' Compensation according to the formula approved by the Budget and Control Board.

Death in Immediate Family

An employee, upon request to and approval of the department chair, shall be granted up to three consecutive days of leave with pay on the death of any member of the employee's immediate family. "Immediate family" is defined as the spouse, great-grandparents, grandparents, parents, brothers, sisters, children, grandchildren, and great-grandchildren of either the employee or the spouse. "Immediate family" includes step relatives and half relatives when the employee lived within the same household for a prolonged period of time. Leave slips must be approved and submitted to the Human Resources Office and must indicate the name of the deceased and the relationship to the deceased on the leave slip.

Court Leave

Court leave is leave granted for jury duty or court subpoena. Any permanent or probationary employee who is summoned as a member of a jury panel shall be granted leave with pay, and any jury fees and travel payment shall be retained by the employee.

Any permanent or probationary employee subpoenaed as a witness shall be granted leave with pay.

Any permanent or probationary employee subpoenaed in the line of duty to represent a State agency as a witness or defendant shall not be granted leave with pay, and appearance in such cases shall be considered a part of the employee's job assignment. The employee shall be reimbursed according to the Budget and Control Board's regulations for any meals, lodging, and travel expenses that may be incurred while serving in this capacity.

In no case shall leave with pay be granted for court attendance when an employee or a member of his or her immediate family is engaged in personal litigation; however, an employee may be granted annual leave or leave without pay when annual leave is not available. In such cases the agency must approve the request.

Any day an employee is excused from service on a jury, the employee is expected to return to the job; otherwise, the time the employee is excused from court service will be charged to annual leave, if applicable, or leave-without-pay. A copy of the summons or subpoena must be attached to the leave slip. The employee must also attach a statement from the court which details his or her days of service and the time he or she was released from service each day.

Military Leave

Up to 15 work days of leave with pay will be granted to regular employees who are members of a reserve component of the Armed Forces or the National Guard for training or other such duties ordered by the Governor or the Department of Defense. This leave cannot be used for any other purpose. The employee must make a one-time declaration to the employer of the year (calendar or military fiscal) under which he or she is scheduled. In the event an employee is called upon to serve during a declared emergency, the employee shall be entitled to additional emergency military leave for a period not to exceed 30 additional days.

Reassigned Time

The purpose of reassigned time at Francis Marion University is to provide the faculty member with a reduction in teaching load (three contact hours per week for one semester) so that the faculty member may have time to devote to scholarly effort and individual professional development. Typical activities might include researching and writing conference papers, journal articles, or books, or producing artistic works. Reassigned time will not be granted for course preparation or administrative purposes. Faculty may be denied reassigned time if their awards have become too frequent in recent history.

The application for reassigned time should include a description of the task to be accomplished, any related work already done, and the future direction of the project. The application is not complete without a letter from the faculty member's immediate supervisor that contains a statement of support and an indication of how the department will cover the loss in teaching time. The Professional Development Committee or a subcommittee thereof will review each application in light of the stated purpose and chances of success and then make recommendations to the Provost, who will make the final decision.

The application for reassigned time should be sent to the chair of the Professional Development Committee (or the appropriate subcommittee thereof). The cut-off date for receipt of applications will be the end of the first full week of classes for reassigned time in the following semester. The chair will send reports to the Provost's office within ten working days following the deadline for submission.

Faculty members receiving reassigned time must send the Provost and the committee chair a final written report within three months following the reassigned time. This report should describe the progress made on the project.

Sabbatical Leave

A. Purpose

The purpose of sabbatical leave at Francis Marion University is to provide the faculty member an extended opportunity for enrichment in scholarly activity or teaching effectiveness. In granting sabbatical leave, the University affirms the faculty member's previous accomplishments and approves the faculty member's sabbatical plan for continued growth. In accepting sabbatical leave, the faculty member affirms a commitment to participate fully in the sabbatical project(s) contained in the proposal. The faculty member affirms his or her intention to return to Francis Marion University for at least one year following the end of the sabbatical leave.

B. Eligibility

The opportunity to apply for sabbatical leave is open to those who hold faculty rank at Francis Marion University and who (1) possess the terminal degree in field, (2) are tenured, (3) have been employed full-time for the previous six continuous years at Francis Marion University, and (4) have not taken sabbatical leave in the past six academic years.

C. Benefits

Sabbatical leave may be taken for one semester (full pay) or for the academic year (half pay). During the period of leave, it is understood that no changes will take place in the faculty member's benefits. For example, the University will continue to make the normal payroll deductions and employer contributions, leave time will count toward retirement, the faculty member may apply to the Professional Development Committee for grants, and the faculty member's eligibility for a salary increase the following year will not be adversely affected. In the event a faculty member is scheduled for sabbatical leave the spring during which the faculty member is bringing forward his or her name for promotion consideration, the faculty member must prepare the appropriate materials and submit them to his or her immediate supervisor prior to taking sabbatical leave or by other prior arrangement acceptable to both parties. In no other way will the possibility of promotion or the procedure for application for promotion differ as a result of sabbatical leave.

Faculty members are encouraged to secure funding, when appropriate, to support their proposed sabbatical project(s). Any employment or compensation must be for the purpose of covering extra living and travel expenses incurred during the sabbatical period, may not be for the purpose of financial gain, and must not interfere with the pursuit of the sabbatical project(s). A faculty member's total compensation during leave is not to exceed the faculty member's normal salary at the University plus all extra expenses related to the sabbatical. If this compensation level is exceeded, the University will normally adjust the faculty member's sabbatical leave salary.

D. Application Process

The number of sabbatical leaves granted at any one time is limited and depends on the extent to which the applications meet the purpose of the sabbatical leave program, the quality of the proposals, and the amount of funds available for replacing those faculty members on leave.

The quality of the proposal and the likelihood of its successful completion will be the primary reasons for the awarding of sabbatical leave. Seniority may be a consideration when applications of equal quality are submitted, but it should not be the overriding criterion.

Applications must be presented to the chair of the Professional Development Committee (or the appropriate subcommittee thereof) by the second Monday of November in the school year prior to the proposed sabbatical leave year. No late applications will be accepted unless prior arrangements are made.

Each proposal must contain:

1. an abstract indicating the specific period for which the sabbatical leave is being requested, describing the project(s), and summarizing the purposes and anticipated results;
2. a narrative fully detailing the significance, objectives, rationale, and method of the sabbatical project(s);
3. a full discussion of the sabbatical project's(s') significance and impact upon the enhancement of the faculty member's scholarly activity or teaching effectiveness;
4. the faculty member's *curriculum vitae*;
5. and an appendix containing any supportive material essential to understanding and appreciating the proposal, including:
 - a. any applicable financial information relating to the sabbatical project(s), including grant proposals for project funding, extra living expenses, and travel expenses, and details concerning any proposed services for which compensation is anticipated or being negotiated;
 - b. a letter of evaluation from a faculty member's immediate supervisor, including a statement of how the proposed sabbatical will be handled by the supervisor;
 - c. and correspondence from host institutions, including libraries, regarding such matters as contractual agreements, commitments, compensation, access to facilities, and fees or other expenses.
 - d. Optional: letters of support from colleagues knowledgeable in the discipline.

E. Review Process

All proposals for sabbatical leave will be reviewed by the chair of the Professional Development Committee (or the appropriate subcommittee thereof) and then presented to the committee or subcommittee in late November for consideration. Proposals will be forwarded to the office of the Provost by December 1 in recommended priority order. The committee or subcommittee will include in writing any additional observations it chooses to make.

The Provost will make the final decision regarding sabbatical leaves. Announcement of the final decision will be made by January 20.

F. Final Report

A final written report to the Provost should be submitted by the end of the first semester immediately following the faculty member's return to full-time employment at Francis Marion University. This report should relate results of the sabbatical leave to the expectations given in the original application.

Annual Leave (for Personnel Employed on a Twelve-Month Basis Only)

Faculty members employed on less than a twelve-month basis do not earn annual leave. Eligible permanent part-time employees accrue annual leave on a pro-rata basis.

Annual leave shall be accrued by and granted to permanent and probationary full-time and permanent and probationary part-time twelve-month employees (in slotted positions) who are scheduled to work at least one half of the work week on a twelve-month basis or who are scheduled to work the equivalent of one half of the work week on a twelve-month basis during the full school or academic year of nine months or more.

Such leave must be requested in advance; and if prior approval is not obtained, the leave may be charged as leave without pay. Each department is responsible for scheduling leave for employees so the office can operate on a normal basis. The minimum amount of annual leave permitted is 15 minutes and such leave must be taken in units of one quarter hour. Annual leave for full-time twelve-month employees with state service of less than ten years is earned at the rate of one and one-fourth days for each calendar month of employment. Employees with State service of more than ten years shall earn an additional one and one-fourth days per year for each year of continuous service over ten years, not to exceed 30 working days' accumulation per calendar year.

Any eligible employee in pay status half or more of the workdays of the month will be credited with the full month's earnings. An eligible employee who is not in pay status for half of the month will not be credited with any leave earnings for the month.

The following general restrictions apply with respect to annual leave:

1. A maximum of 30 days' annual leave may be taken in one year.
2. A maximum of 45 days' annual leave may be carried over as of January 1. However, all employees are urged to take their vacation time each year. Eligible employees who do bring the maximum accumulation into a calendar year shall be entitled to earn and use annual leave up to a maximum of 30 days during the year.
3. A maximum of 45 days may be accumulated and paid as terminal leave.

Annual leave will accrue to the credit of an eligible employee who is on a leave-with-pay status such as annual, sick, or military leave. Eligible employees, however, shall not be credited with any leave earnings for a month in which they are not in a pay status for one half or more of the work days of the month.

On termination of employment with the State, eligible employees shall be paid in lump sum for all authorized, unused annual leave accumulated to their credit, not to exceed the maximum of 45 days' accumulation. Leave credit will be determined as of the last day of work. Upon retirement from State employment or upon the death of an employee while in active service, a lump-sum payment will be made for unused leave not to exceed 45 days. Upon the death of an employee while in active service, the legal representative shall be entitled to the lump-sum payment.

Up to 45 days of unused annual leave may be included in the average final compensation for retirement. This will possibly increase retirement benefits if paid in a high quarter of earnings. Up to 90 days of unused sick leave may be used to increase service credit at retirement, thereby increasing retirement benefits. The unused sick leave may not be used to qualify for service credit eligibility levels for retirement.

If an employee transfers from one State agency to another, the employee can transfer his or her annual leave accumulation not to exceed 45 days, provided that the employee report to the employing agency within 15 calendar days following the last day for which the employee was paid by the losing agency.

Members of the academic staff on twelve-month appointment with no stipulation of term who work at least half-time accumulate annual leave at the rate of one and one-fourth days per month of continuous employment if in a pay status for at least half of the working days of the month. After ten years of service employees earn additional annual leave for each year in excess of ten years' service, up to a maximum accrual of 30 days per calendar year. Eligible part-time employees earn annual leave on a pro-rata basis. All time taken for vacation, personal business, etc., must be reported on the University leave slip and will be deducted from accrued leave.

Faculty members working on grants or contracts and earning annual leave may be required to use all accumulated annual leave prior to the termination of the grant or contract.

Faculty members who experience a basis change to other than a twelve-month basis may be required to use all accumulated annual leave prior to the basis change.

The maximum annual leave which may be used in a calendar year is 30 days. Upon separation from employment (except in cases of retirement) employees are paid for a maximum of 45 days of unused annual leave, minus any annual leave which has been used during the current calendar year. Upon retirement, employees are paid up to a maximum of 45 days' unused annual leave without regard to any leave used during the year.

For further information, see the *University Policies and Procedures Manual*.

Leave of Absence (Without Pay)

Aside from the leave mandated by the Family and Medical Leave Act (FMLA), An employee may be granted a leave of absence without pay provided his or her request is approved by his or her department chair, his or her School dean, and the Provost. Normally a leave of absence without pay will be granted only for short periods and when circumstances permit such an absence without undue hardship for the University. Annual and/or sick-leave credits are not earned in any month during which an employee is on leave without pay for more than half the working days of the month. Leave without pay must have been approved by the department chair, the School dean, and the Provost and reported to the Human Resources Office prior to the time the employee goes on leave.

An employee must use all annual leave and/or sick leave before going into a leave-without-pay status for anything other than for a disability as explained under the Sick Leave guidelines. If the employee fails to return at the end of the period for which the leave without pay was granted, he or she shall be treated as having voluntarily resigned from his or her position.

The employee should refer to Sick Leave guidelines for the use of leave without pay with regard to personal illness.

Summary of leave without pay :

1. Leave without pay may be granted for an extended period of disability due to illness, injury, or maternity. (See "Sick Leave.")
2. Leave without pay may be granted for active military service. (See "Military Leave.")

3. Special leave of absence without pay may be granted for good cause by the President on the recommendation of the department chair/school dean, and the Provost under circumstances wherein the best interest of the University will be served. Requests for a special leave of absence without salary shall normally be made not later than May 1 if the leave is to commence at the beginning of fall semester or not later than October 1 if the leave is to commence at the beginning of the spring semester. When a special leave of absence is granted, the Provost shall determine a date by which the faculty member on leave is obligated to inform the University whether or not he or she intends to return to the University. The faculty member's failure to do so by the date specified will result in termination of his or her appointment. If a faculty member fails to return after the period for which leave is granted, the appointment is terminated. The authorization of leave without pay is a matter of administrative discretion and may be considered in the following circumstances:
 - (a) extended absence in the interest of the University, such as advanced academic training, research, or experiences which lead to increased competence and promote the interest of the University as well as that of the faculty member. Such leave without pay may be granted for a maximum continuous period of one year, unless special permission for an extension is granted by the President;
 - (b) absence for personal reasons for up to ten consecutive calendar days authorized by the department chair or School dean and upon proper notification being sent to the Vice President for Administration. An employee must obtain approval prior to going on authorized leave without pay. Failure to do so may result in the absence being charged as unauthorized leave.

Annual leave and sick leave do not accrue during periods of leave without pay, but accumulated totals are not forfeited. Before starting leave, faculty members should contact the Human Resources Office for information on the continuation of retirement credit, insurance plans, and other employee benefits during the period of leave.

Leave Transfer Program

Faculty and staff who earn annual leave or sick leave may donate leave to, or apply for leave from, the appropriate University Leave Transfer Program. Sick leave donors must maintain a 15-day sick-leave balance, and they may donate no more than half of the amount of leave earned during the current calendar year. Donated leave may not be restored or returned to the donor. Leave donors may not designate the recipient. Requests to use leave from the pool must be based on severe, catastrophic personal emergencies requiring a prolonged period of time away from work which would result in a substantial loss of income because of the unavailability of paid leave. Leave transfer requests are subject to the certification of the requesting faculty member's department chair or School dean, the availability of funds to pay for the leave, and the approval of the Vice President for Administration. For additional information and procedures, see the Employee Leave Transfer Program policy in the *University Policies and Procedures Manual*.

Holidays

The State of South Carolina generally has eleven legal holidays. Because some of these holidays fall during the period when classes are in session, the following holidays are usually observed: New Year's Day, Thanksgiving, and Christmas Day. The extra days are normally applied during the Christmas/New Year's season and at other appropriate breaks.

INSURANCE BENEFITS

Health insurance is provided to full-time State employees with the following options for health insurance:

State Group Health Plan (administered by Blue Cross/Blue Shield). This plan provides comprehensive medical insurance. Employees may choose from either the Economy or Standard levels of the plan. Also included in this plan are a MediCall program, a Hospital Network, a Physician Network, a Prescription Drug Program, a well-child care program, a Mammography Testing Program, and a Pap Smear Program. All plan details are discussed in the *Insurance Benefits Guide*, available from the Human Resources Office.

Health Maintenance Organizations (HMO's). Coverage is offered by CIGNA (formerly Healthsource). Each participating employee selects a primary care physician from the list of providers to provide personal, ongoing care. Each HMO sets its own specific deductibles and guidelines. Details are discussed in the plan brochure, available from the Human Resources Office.

Also included in the employee's health insurance program is **\$3,000 Employee Life Insurance** and **Basic Long-Term Disability Insurance** which covers up to 62.5 percent of current annual salary, not to exceed \$800 per month. **Supplemental Long Term Disability Insurance** provides extra coverage in case of disability.

Dental Insurance is provided at no cost to the employee; however, employees must pay for insurance for spouses and dependents.

MoneyPlus is South Carolina's flexible benefits program that pays for certain benefit premiums and expenses with pretax dollars.

Employees may elect to have their health and dental premiums deducted pre-tax. If an employee participates in this **Pre-tax Group Insurance Premium Feature**, then he or she may also elect to set aside pre-tax income for the **Medical Spending Account** or the **Dependent Care Spending Account**. The Medical Spending Account allows employees who have been employed with the State for one year to redirect part of pre-tax income to an account to pay medical expenses not paid by health and dental plans. The expenses could include deductibles, copayments or items that are not covered, vision care, etc. The Dependent Care Spending Account covers expenses such as day care, whether in the home or outside the home, for any dependent child under the age of 13. Also eligible are expenses for a physically or mentally handicapped dependent of any age, or care provided for a disabled or elderly dependent. Use of this benefit is limited to those employees who need dependent care to permit both the employee and his or her spouse to work.

Long-Term Care Insurance is insurance to cover attendants if an employee becomes disabled and needs attendants either at home or in a nursing home. It will not cover attendants in a hospital.

Optional Life Insurance is also available to State employees in \$10,000 increments up to \$300,000. Newly enrolled employees and new hires can elect coverage in \$10,000 increments up to three times their basic annual earnings or \$200,000, whichever is less, without providing medical evidence of good health. This figure will be rounded down to the nearest \$10,000. If an employee is eligible for additional coverage up to \$300,000, medical evidence of good health will be required for all coverage over \$200,000.

Group Life Insurance equal to two and one-half times the individual employee's salary, rounded to the higher thousand (not to exceed \$100,000 coverage), is also offered to FMU employees.

Colonial and AFLAC Supplemental Insurance includes cancer, universal life, short-term disability, accident, hospital income and other supplemental coverages. These products are offered to employees and their relatives at group rates.

The **Vision Care Program** offers employees and their dependents discounted vision care services. An employee does not have to subscribe to the State Health Plan or a health maintenance organization to take advantage of this program, because it is not associated with any State health coverage. The Vision Care Program benefits are as follows:

Participating ophthalmologists and optometrists throughout the State have agreed to charge no more than \$50 for a routine, comprehensive eye examination. Employees fitted for contact lenses may have to pay additional charges, because the fitting of contacts can require additional services.

Participating providers, which also include opticians, have agreed to give a 20 percent discount on eye glasses and permanent contact lenses.

Other types of insurance available: Several other types of insurance are available to full-time employees, including supplemental insurance offered through Colonial Life and Accident Insurance Company. Employees desiring information should contact the Human Resources Office.

OTHER FINANCIAL SERVICES FOR FACULTY

Annuities

Information on the various participating companies can be obtained from the Human Resources Office.

Bookstore Discount

Employees will receive a ten percent discount on merchandise purchased through the Patriot Bookstore, with the exception of University textbooks.

Check Cashing

Checks of \$50 or less may be cashed in Accounting and in the Patriot Bookstore.

Employee Fee Advance Program

Francis Marion University has an Employee Fee Advance Program which allows any full-time employee to borrow money at six percent interest to pay for Francis Marion University courses taken by the employee. The payment for the courses is made in the form of a payroll deduction from September through November for the fall semester and February through April for the spring semester. The promissory note and related forms are available from the Human Resources Office.

Payroll Deductions

Annual Fund: Payroll deductions can be made on a fiscal-year basis. Sponsored by the Friends of FMU, contributions provide FMU Scholar awards for outstanding academic achievement. Additional information is available from the Office of Community Relations.

Credit Unions: Payroll deductions can be made for the South Carolina State Credit Union and the Florence Educators Credit Union. Forms are available in the Human Resources Office.

Deferred Compensation: Payroll deductions can be made if one is interested in participating in this program. Information can be obtained from the Human Resources Office.

Swamp Fox Club: Payroll deductions can be made on a fiscal-year basis. Swamp Fox Club contributions provide scholarship funds for the FMU athletic program. Additional information is available from the Office of Community Relations.

Scholarship Fund: Payroll deductions can be made on a fiscal-year basis for any special (named) scholarship as designated by the employee. Additional information is available from the Office of Community Relations.

United States Savings Bonds: Payroll deduction can be made if one is interested in participating in this program. Forms authorizing payroll deductions are available in the Human Resources Office.

State Employees Association

This Association is a corporation organized and sponsored by State employees for their welfare. One may join by voluntary payment of dues prorated according to salary. Dues can be payroll-deducted.

Tuition (General University Fees) Assistance Policy

Section 59-111-15 of the *Code of Laws of South Carolina as Amended* authorizes State-supported colleges and universities to provide tuition assistance for permanent faculty and staff. As a result of this legislation the following policy and procedures are established:

I. Policy

A. Francis Marion University permanent faculty and staff, regardless of race, color, religion, national origin, gender, sexual orientation, age, disability, marital status, or veteran status, will be allowed to take up to four credit hours each semester at no cost to the employee under this legislation. However, the employee will be responsible for all costs associated with books, supplies, etc.

B. Eligibility

1. Faculty: To be eligible to apply for tuition assistance, faculty must be employed in a slotted position, have successfully completed six months of employment, and have been admitted to FMU through the appropriate admissions process.
2. Staff: To be eligible to apply for tuition assistance, staff must be employed for at least 30 hours per week in a permanent slotted position, have satisfactorily completed six months of employment, and have been admitted to FMU through the appropriate admissions process.

C. Program Provisions

1. Eligible faculty and staff may apply to take one three-hour course (four hours in the case of a lab course) for academic credit per semester at no charge, on a space-available basis. Employees taking additional courses will pay the regular fee rate in effect at the time of enrollment. Audit courses are excluded from this policy.
2. Employees must pay all application fees, undergraduate and graduate, as well as all expenses incurred for textbooks, field trips, laboratory fees, etc.

3. Employees who drop a course prior to the end of the semester must pay for the next course for which they enroll, unless there were extenuating circumstances for dropping the course, i.e., death in the family, serious illness of employee, etc.
4. Employees who terminate employment prior to the end of the semester must pay for the entire cost of the course or drop the course prior to the final paycheck being released.
5. Employees must pass the course for which tuition assistance is supplied or the employee must pay for the next course for which he or she enrolls.
6. Employees must use other available educational or scholarship funds prior to applying for tuition assistance. Student loans or other programs which require that money be paid back will not disqualify employees from being eligible for this program.

D. Class Scheduling

1. Whenever possible, faculty and staff should enroll in class during hours which do not conflict with normal working hours. However, when an approved class cannot be scheduled during non-work hours, the department chair may elect to adjust the work schedule. The department chair may deny participation in the Tuition Assistance Program if the scheduled time of the course would interfere with the academic or business needs of the department.
2. When an approved class cannot be scheduled during non-work hours and it is not feasible to adjust work schedules, participants who earn annual leave may be allowed to take leave for the purpose of attending class. The employee must either take annual leave, make up the time, or take leave without pay if the course is taken during normal work hours. Both annual leave and authorized leave without pay must be approved in advance.

II. Procedures

- A. Employee: The employee electing to take a Tuition Assistance course must complete the application form (for course/s to be taken by employee). Application forms are available from the Human Resources Office.
- B. Department chair: The form is then given to the department chair for signature, indicating approval for the employee to take the course. The department chair forwards the form to the Provost.
- C. The Provost forwards the completed form to the Vice President for Administration.
- D. The Vice President for Administration notifies the employee that the course has been approved or disapproved. The Vice President for Administration will maintain records of employees taking courses. Final approval of the tuition assistance application does not register or enroll a participant in the requested course nor does it guarantee admission as a student to FMU. Faculty and staff are responsible for applying for admission to FMU and for receiving academic advisement.
- E. Employee: At the end of each semester the employee will submit documentation to the Human Resources Office certifying completion of the course with a passing grade. If the employee did not complete and pass the course, he or she will be required to pay for the next course taken (unless there were extenuating circumstances, i.e., death in the family,

serious illness of employee, etc.). Documentation must also be submitted showing that the next course has been paid for before approval of an additional course under this policy will be considered.

STATE RETIREMENT PLANS

There are two retirement plans available to faculty--the South Carolina Retirement System and the Optional Retirement Plan. Prior to July, 1987, only the South Carolina Retirement Plan was available. Information on both of these plans is available in the FMU Human Resources Office.

South Carolina Retirement System: General Information

The South Carolina Retirement System was established July 1, 1945. It covers public school employees; public higher education personnel; State employees; and city, county, and other local public employees of participating employers. SCRS provides a complete range of benefits. Some benefits included are service and disability retirement, vesting rights, and survivor benefits. Employers may elect to participate in group life insurance coverage for employees. (Francis Marion University does make this election.) Preretirement education seminars and other special presentations are also available to public employees at the request of the employer.

Rights under the Retirement System are established by the Retirement System and not by the *Faculty Handbook*. These rights change from time to time; therefore, employees should not make decisions based solely on the following summary of retirement benefits. These retirement benefits are conditional upon final retirement legislation and approval.

A member may retire one of the following ways:

Normal retirement (unreduced benefits):

age 65 or

28 years of service credit (A member with at least 25 years of service credit may elect to purchase up to 3 years' additional credit.)

Early retirement (reduced benefits):

age 60 (with benefits permanently reduced 5% for each year under age 65, partial years being prorated); or

age 55 with 25 years of service (with benefits permanently reduced 4% for each year under 28 years of service).

NOTE: Health insurance restrictions may apply. Contact the Office of Insurance Services for more information.

A member must file an application to retire. Members may contact the Human Resources Office or the State Retirement Systems for the application forms.

Service Retirement Benefit Formula

- A. Total 12 highest consecutive quarters of salary and divide by 3;
- B. Multiply the amount by 1.82%;

- C. Multiply the result of (B) by years, months, and days of creditable service;
- D. Divide by 12.

Example (unreduced retirement benefits):

Average final compensation (AFC)	\$25,000
\$25,000 X .0182 =	\$455
Creditable retirement service	28 years
Annual retirement allowance = \$455 X 28 =	\$12,740
Maximum monthly benefit = \$12,740 divided by 12 =	\$1,061.66 /month*

*Note: Choosing an option to provide an allowance for a beneficiary will reduce the amount.

Early Retirement Benefits: If retirement occurs at age 60 without 28 years of creditable service, compute the benefit using the four steps. Reduce the results of step D by 5% for each year under age 65. (Partial years are prorated.) If retirement occurs at age 55 or older **and** with 25 years of creditable retirement service, compute the allowance using the four steps. Reduce the results of step D by 4% for each year under 28 years of creditable retirement service. (Partial years are prorated.)

Unused Sick Leave at Retirement: A member may receive service credit for up to 90 days (four and one-half months) of unused sick leave at retirement (step 3 of the benefit formula above). It may not be used to establish eligibility for retirement. Sick leave is reported by the employer after retirement.

Vesting (Leaving before Retirement)

A member who terminates employment and is vested (has at least 5 years of earned retirement service) may leave the contributions on deposit with SCRS and later elect to receive a monthly retirement benefit.

Disability Retirement Information

An active member with at least 5 years of earned retirement service is eligible to submit an application for disability benefits, provided he or she is under age 65.

The member must file within 90 days of termination, and the disability application must be on file with the Retirement Systems 30 days before disability retirement can become effective. A disability application is valid for 9 months from the date of receipt by the Retirement Systems.

The disability application must be approved by the Medical Board after review and recommendation by the South Carolina Vocational Rehabilitation Department. Periodic medical reexaminations may be required for persons on disability up to age 65.

A disability retiree who regains earning capacity in part or full is subject to the disability benefit being discontinued or reduced. At age 65, a disability retiree is subject to the same earnings limitation as a service retiree.

For more information, refer to the *Disability Retirement Information Brochure* (available from the Human Resources Office or from www.scrs.state.sc.us).

Retiree Group Life Insurance

Upon the death of a retiree whose most recent employer prior to retirement is covered by the Group Life Insurance program, a benefit will be paid as follows:

10-19 years' service credit	\$2,000
20-27 years' service credit	\$4,000
28 or more years' service credit	\$6,000

This Group Life Insurance after retirement shall be paid to the designated beneficiary(ies).

Payment Methods/Plans at Retirement

The member selects the method of payment at retirement. This selection may not be changed after retirement. However, certain exceptions may apply in the event of a change of marital status as a result of death, divorce, or marriage. The member should contact the Retirement Systems for additional information when applying for retirement.

The payment methods/plans available are:

Option A (Maximum Retiree Only): Option A is a retiree-only monthly annuity plan that will pay one a standard lifetime benefit based on his or her average final compensation, years of service, and a multiplier. Upon one's death, the Retirement Systems will return, through a lump-sum payment to the beneficiary or estate, any member contributions and interest not paid to the retiree in benefits during retirement.

Option B (100% - 100% Joint Retiree-Survivor): Option B is a joint retiree-survivor plan through which one will receive a reduced (from the maximum) monthly benefit for life. Upon the retiree's death, the benefit (100% of the retiree's benefit including granted cost-of-living increases) will continue throughout the beneficiary's lifetime. If the designated beneficiary predeceases the retiree, the retiree's benefit will revert to Option A (maximum payment plan), including cost-of-living increases granted since the retiree's retirement date.

Option C (100% - 50% Joint Retiree-Survivor): Option C is a joint retiree-survivor plan similar to Option B. However, upon the death of the retiree, the beneficiary(ies) will receive one-half of the retiree's benefit for his or her lifetime.

If multiple beneficiaries are designated, all beneficiaries must predecease the retiree for the retiree to revert to Option A.

Change in marital status: Regardless of the original option selected, the retiree may select a new beneficiary and option within one year of a change in marital status. The retiree may

make this change only twice. Reverting to Option A counts toward this limitation of post-retirement changes.

Cost-of-Living Adjustments (COLA's)

The monthly benefit is increased by 4% each July 1, provided that the retirement was in effect the previous July 1 and the Consumer Price Index (CPI) increased at least 4% during the preceding calendar year. If the CPI is less than 4%, the COLA will be equal to the CPI. COLA's are not guaranteed. They are granted subject to the availability of funds as determined by the actuary.

Note: COLA's do not apply to members who retire early at age 55 with at least 25 years of service, until the second July 1 after age 60 or the second July 1 after the member would have had 28 years of service credit.

Returning to Covered Employment

A member receiving a service retirement benefit may return to work for a public employer (covered by the South Carolina Retirement Systems) and earn up to \$25,000 per fiscal year (July 1-June 30). After earning \$25,000, the retirement benefit is discontinued for the remainder of the fiscal year.

A member receiving a retirement benefit, who works 48 continuous months under covered employment with an annual salary at least 75% of the AFC used to calculate the retirement benefit, may again become an active member of SCRS. The member may repay his or her retirement benefits and purchase service credit for that 48-month period, and his or her subsequent retirement benefit will be computed as if he or she is retiring for the first time.

Minimum Service Requirement

One must have five years of **earned service** (paid employment as a teacher or employee during which regular contributions are paid to the system) to be vested, to qualify for service or disability retirement, and to qualify a survivor for a monthly annuity after an in-service death.

Establishing Service Credit

An active member may establish service credit for various types of previous employment or certain types of leaves of absence. There are several payment methods available to purchase service credit, including a lump-sum payment, an installment service purchase (an after-tax loan with interest), and a tax-deferred rollover from the State Deferred Compensation Program 401(k) plan or from another qualified retirement plan (under Internal Revenue Code 401[a]).

Members should contact the Human Resources Office or the South Carolina Retirement Systems Service Department for information on establishing any additional service.

Public Service: Any period of paid public service that is service as an employee of the government of the United States, a state, or a political subdivision of the United States. One

may purchase service for a period of public service for which one also may receive a retirement benefit from another retirement plan. Student employment, other than as a bus driver, is not eligible for purchase.

Educational Service: Any period of paid classroom teaching consisting of grades kindergarten through 12 in a public, private, or sectarian school. One may not purchase service for a period of educational service for which one also may receive a retirement benefit from another retirement plan.

Military Service: Any period of military service up to six years, including National Guard and Select Reserves. Discharge from service must be under conditions other than dishonorable.

Leave of Absence: Any period of employer-approved leave up to a maximum of two years per leave of absence. The leave of absence must be with an employer participating in the Retirement Systems.

Previously Withdrawn Service: Any period of service previously withdrawn. The reestablished service must be earned service to qualify toward the required five-year minimum of earned service for retirement benefit eligibility. The cost is based on the amount withdrawn plus interest.

Non-qualified Service: Any period of non-qualified service up to a maximum of five years. One is eligible to purchase non-qualified service if one has five years of earned service. The cost is 35% of current salary or career highest fiscal-year salary, whichever is greater.

Special Monthly Contributor: A member who has at least 25 years of service may elect to receive up to three additional years of service credit by paying the employee and employer contributions based on the salary level in effect during those years. Contributions under this program begin at the time of termination from covered employment.

Service Purchase Cost

The cost for service purchases, except for previously withdrawn service, non-qualified service and special monthly contributor, as described above, is 16% of current salary or career highest fiscal-year salary, whichever is greater. The cost for purchases of periods less than one year is prorated. The cost remains unchanged for converting Class I service to Class II service and transferring service between correlated systems. Contact the Retirement Systems for more detailed information about the cost of purchasing service.

Teacher and Employee Retention Incentive (TERI) Program (available to SCRS members who retire on or after January 1, 2001)

An active member of the South Carolina Retirement System (SCRS) who is eligible for service retirement on or after January 1, 2001, may participate in the Teacher and Employee Retention Incentive (TERI) Program.

The TERI Program allows one to retire and begin accumulating retirement benefits without terminating employment. By participating in the TERI Program, one may defer retirement benefits for up to five years. The deferred retirement benefit is placed in a special trust account and, upon termination of employment or at the end of the TERI period, whichever is earlier, one will receive the accumulated retirement benefit in either a taxable, lump-sum distribution or through a rollover into a qualified, tax-sheltered retirement plan. One will then begin receiving the monthly service retirement benefit plus any cost-of-living increases granted during the TERI period.

No interest is paid on the deferred monthly benefit during the TERI period. Since, as a TERI participant, the employee is technically retired, he or she will not make SCRS contributions. Neither does the employee earn service credit during the TERI period. Likewise the TERI participant is ineligible to receive active group life insurance benefits or disability retirement benefits. An employee may participate in the TERI Program and receive a benefit only once. During the TERI period, the employee is exempt from the service retirement earnings limitation. If the TERI participant continues to work for a covered employee once the TERI period ends, he or she will be subject to the service retirement earnings limitation.

If the employee dies while a TERI participant, the designated retirement annuity beneficiary will receive the balance of the accumulated TERI retirement benefit in a taxable, lump-sum distribution. A spousal beneficiary may also roll over the taxable portion of the benefit into an Individual Retirement Account (IRA) only.

If the employee fails to terminate employment with an employer participating in SCRS within one month after the end of the TERI period, he or she will receive the normal retirement benefit and the balance of the accumulated TERI retirement benefit in either a taxable, lump-sum distribution or through a rollover into a qualified, tax-sheltered retirement plan.

For employment purposes during the TERI period, one retains all the rights and benefits of an active employee (including tenure, if applicable).

Taxes

Benefits are subject to federal and state income taxes. South Carolina offers a state income tax exclusion of \$3,000 or \$10,000. If an employee does not have taxes withheld from his or her retirement check, he or she may need to file estimated taxes each quarter. Members should check with their accountants or tax advisors regarding their tax liability.

Optional Retirement Plan (ORP): General Information

Faculty and unclassified staff hired on or after July 1, 1987, are eligible to choose either the South Carolina Retirement Plan or the Optional Retirement Plan. The Optional Retirement Plan is a defined contribution plan with retirement benefits based on the value of the account. The employee contribution for the Optional Retirement Plan is 6% of the member's salary, and the employer contribution credited to the member's account is 5%.

Currently four companies are represented under the Optional Retirement Plan: Aetna, Nationwide, TIAA-CREF, and VALIC. Multiple investment options are available depending on the optional retirement plan selected. For more information on each company and its individual investment options, see brochures that are available in the Human Resources Office.

FACILITIES AND SERVICES

Athletic and Cultural Events

Artist and Lecture Series: All faculty and staff are eligible to attend the artist and lecture series of the University free of charge.

Athletic Events: All faculty and staff (including their spouses and children) are eligible to attend home athletic events free of charge by presenting family passes and/or the FMU Card.

E-Mail Usage and Privacy Issues

Electronic mail is intended for authorized business use only. It is widely recognized that authorized University personnel must have unrestricted access to information stored on the electronic mail system. This may include retrieving business information, trouble-shooting hardware and software problems, preventing system misuse, assuring compliance with software distribution policies, and complying with legal and regulatory requests for information. Given these business requirements, the University cannot guarantee the privacy of documents and messages stored in University-owned files, desks, storage areas, or electronic media.

Equipment and Supplies, State-Owned

The equipment at Francis Marion University is provided by the State of South Carolina for the single intent of assisting the University to accomplish its purpose. Because this purpose is educational, any use of equipment at the University must have a demonstrable impact on the educational program. State regulations prohibit the use of State-owned equipment for personal or other noneducational purposes. Furthermore, University policy explicitly forbids the use of equipment, supplies, or services purchased with University funds for personal needs. This includes, but is not limited to, all types of University equipment, cars, office supplies, postage, campus mail service, and copying facilities. Loans of University equipment to individuals, organizations, or faculty and staff members for personal use are not permitted.

Occasionally, members of the University community are sponsored by an outside agent, or themselves, to engage in an activity that necessitates the use of University equipment. Because the University does not directly sponsor the activity, the University must evaluate the degree to which the activity affects the educational program. Thus, before any University members use State-owned equipment in such activities, they must obtain official approval in writing by completing and submitting an Equipment Use Form. Equipment Use Forms are available from Financial Services.

Equipment and Tools, Personally Owned

If employees use items of personal property (equipment and tools) on University premises, such items should be tagged, engraved, or labeled to indicate personal ownership.

Personal equipment remains on campus at the owner's risk. The University's insurance does not cover personally owned property, and the University cannot assume responsibility for maintenance or upkeep of such property.

Facilities, Faculty Use of

Rogers Library: Rogers Library is open to all employees upon presentation of the FMU Card.

University Center: These facilities are available on a scheduled basis to faculty and staff members and their families.

FMU Card

The FMU Card is the official University identification card for faculty/staff upon validation of the card. New employees should go to the Rogers Library within the first week of employment to have their FMU cards made.

Human Resources Records

It is the employee's responsibility to provide current information for his or her human resource file. The Human Resources Office should be notified immediately whenever there are changes in home address, marital status, number of dependents, beneficiaries on insurances and retirement, etc. Employees who acquire additional education or training should be sure this information is entered in their records.

Keys, Loss or Replacement of

If a key holder loses or misplaces a key, or if a key for which a key holder has signed is stolen or missing, the key holder must complete a lost key report. For keys issued by the Physical Plant, the key holder should make this report at the Physical Plant office and must do so to receive a replacement key. For keys that individual departments keep on file and issue, such as casework keys, the key holder should make this report to Public Safety. In either case, the key holder should make the report as soon as the loss or theft of a key is known, even if the key holder does not want a replacement key. The Physical Plant will furnish a copy of all lost key reports made at the Physical Plant office to Public Safety, which will follow up on any lost key reports when circumstances warrant. Departments should make sure that their key-control procedures reflect these policies for the keys they keep on file and issue.

Employees who lose keys signed out to them (or, upon termination of employment, fail to turn in such keys to the Physical Plant) will be charged \$4.00 per key or \$24.00 per Intellikey.

Lost and Found

Public Safety administers a lost-and-found service.

Parking and Traffic Regulations

Public Safety enforces regulations regarding the operating and parking of vehicles on campus. Employees are asked to familiarize themselves with Francis Marion University's *Traffic Regulations*. (Copies are available in the Office of Business Affairs or in Public Safety.) Parking decals and temporary parking permits are available from the Human Resources Office.

SUMMARY OF FRANCIS MARION UNIVERSITY'S OBLIGATIONS UNDER THE LAW

Anti-Discrimination and Affirmative-Action Legislation

Title VII of the Civil Rights Act of 1964, as amended by the **Equal Employment Opportunity Act of 1972** and the **Pregnancy Disability Act of 1978**, covers employers with 15 or more employees as well as federal, state, and local governments. It requires that neither the employer nor its representatives, i.e., managers, supervisors, etc., discriminate in selection, promotion, compensation, fringe benefits, training, or other conditions of employment based on race, sex (including pregnancy), color, religion, and national origin. Harassment (sexual, racial, etc.) is one kind of prohibited discrimination.

Executive Order 11246, as amended by **Executive Order 11375**, covers employers holding federal contracts or subcontracts of \$10,000 or more and some branches of state or local government. It prohibits discrimination in employment (including hiring, upgrading, salaries, fringe benefits, training, and other conditions of employment) on the basis of race, color, religion, national origin, or sex. It also requires federal contractors to include a nondiscrimination clause in all contracts and subcontracts in excess of \$10,000 and all construction projects financed, even in part, with federal funds. **Revised Order No. 4** requires a written affirmative action program from contractors with 50 or more employees and contracts of \$50,000 or more.

Revised Order No. 4 is a regulation of the U.S. Department of Labor which sets forth in detail the required contents of affirmative action plans to be developed and maintained by non-construction contractors with the federal government. Such plans must include a utilization analysis and projections of goals and timetables.

Equal Pay Act of 1963 covers nearly all employees. It covers federal and almost certainly state and local governments. It prohibits discrimination in salary and fringe benefits between men and women in the same establishment for equal work on jobs requiring equal skill, effort, and responsibility performed under similar working conditions.

Title IX of the Education Amendments of 1972 (Higher Education Act) prohibits sex discrimination against students or others in education programs or activities.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the grounds of race, color, or national origin by educational programs receiving federal funds. This legislation provides coverage for students and others. Employment policies and practices are exempted from coverage.

The **South Carolina Human Affairs Law** is a law passed by the General Assembly of South Carolina in 1972 and amended in 1973 and 1979. The law prohibits discrimination in employment because of race, religion, color, sex, age, or national origin and creates the South Carolina Human Affairs Commission to seek to eliminate and prevent such discrimination.

Age Discrimination in Employment Act of 1967, as amended in 1974 and 1978, covers any employer with 20 or more employees who work 20 or more calendar weeks in a calendar year as well as federal, state, and local governments. It requires that neither the employer nor the employer's representatives "fail or refuse to hire or to discharge any individual or otherwise discriminate with respect to his or her compensation, terms, conditions, or privileges of employment because of such individual's age." (This Act covers those 40 years of age and older [with limited exceptions]. State laws vary on both upper and lower age limits.)

Sections 503 and 504 of the Rehabilitation Act of 1973 cover employers with federal contracts or subcontracts of \$2,500 or more. They require that government contractors and subcontractors take affirmative action to employ and advance in employment qualified handicapped individuals, and that neither government contractors, subcontractors, nor their representatives discriminate against such individuals because of their physical or mental handicap in any employment practice (hiring, training, compensation, upgrading, etc.).

The **Vietnam Era Veterans Readjustment Act of 1974** covers employers with federal contracts or subcontracts of \$10,000 or more. Section 403 covers federal employers. It requires that government contractors and subcontractors take affirmative action to employ and advance in employment qualified special disabled veterans and veterans of the Vietnam era.

The **Americans With Disabilities Act** forbids discrimination by schools, colleges, and other employees against disabled people who can perform the necessary functions of a job with or without "reasonable accommodation."

Family and Medical Leave Act (FMLA)

The Family and Medical Leave Act (FMLA) of 1993 requires Francis Marion University to provide up to 12 weeks of unpaid, job-protected leave each calendar year to eligible employees for specified family and medical leave reasons. In order to be eligible for FMLA benefits, a Francis Marion University employee must have worked for the State of South Carolina for a total of at least 12 months and have worked for the State of South Carolina at least 1,250 hours over the previous 12 months. (See full description of the Family and Medical Leave Act in this *Faculty Handbook* section designated "Leave Policies.")

Freedom of Information Act (FOIA)

The South Carolina Freedom of Information Act #593, effective July 18, 1978, was enacted by the General Assembly to ensure that "public business be performed in an open and public manner so that citizens shall be advised of the performance of public officials and of the decisions that are reached in public activity and in the formulation of public policy."

For additional information see the University's *Freedom of Information Act Policy and Procedures*, copies of which are available in the Human Resources Office.

Motor Vehicle Requirements

Under certain circumstances a driver safety course may be recommended for anyone who operates a vehicle for University business.

Occupational Safety and Health Administration (OSHA) Guidelines

Francis Marion University follows the Occupational Safety and Health Administration (OSHA) general industry standard that includes a general duty clause which specifies that the employer must provide a safe and healthful work place for employees. Some specific standards under OSHA include hazard communication (material safety data sheets), laboratory standards, confined space standards, electrical lockout standards, and other standards for specific industries. Faculty members in charge of laboratories or other potentially hazardous areas are responsible for adhering to OSHA safety guidelines. For policies governing accident investigation and reporting, see the Workers' Compensation section of this *Faculty Handbook*.

APPENDICES

APPENDIX 1. CONSTITUTION OF THE FACULTY

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CONSTITUTION OF THE FACULTY OF FRANCIS MARION UNIVERSITY

PREAMBLE

In order to promote faculty participation in the governance of Francis Marion University, foster communication among the faculty, the administration, and the Board of Trustees, and further relations among academic units, the faculty of Francis Marion University do institute and ordain this constitution.

The Board of Trustees is the governing body of the University and delegates the powers of the President and the faculty in accord with its bylaws and policies. An act passed by the faculty is subject to approval by the President, and by the Board of Trustees when necessary.

ARTICLE I. THE FACULTY

Section 1. Duties and Responsibilities

- A. The faculty shall be responsible for University policy related to admission standards; curriculum; degree and certificate requirements; class attendance; conduct of the classroom; academic freedom; faculty tenure, promotion, and grievance procedures; and all matters pertaining to the conduct of faculty affairs.
- B. The faculty may make recommendations on all matters pertaining to the use of financial and physical resources of the University, student life, athletic programs, and the general welfare of the University.
- C. The faculty shall have the authority to establish such standing committees and *ad hoc* committees as it shall deem necessary to carry out its responsibilities.
- D. The faculty shall have the following prerogatives:
 - 1. to request reports from committees;
 - 2. to receive reports from the Faculty Senate;
 - 3. to ratify, return or reject proposals from the Faculty Senate;
 - 4. by a two-thirds vote of the voting faculty present and voting, to resolve itself into a committee of the whole to consider modifications to a specific proposal from the Faculty Senate;
 - 5. to approve candidates for graduation.

Section 2. Membership

- A. The faculty of Francis Marion University shall consist of all Francis Marion University employees who hold the rank of professor, associate professor, assistant professor, or instructor.

B. The voting faculty shall consist of full-time tenured, probationary (i.e., tenure-track), and temporary faculty who normally teach at least two courses that total a minimum of six credit hours or nine contact hours per semester. These faculty are in coded and slotted (FTE) positions and are eligible for state-funded benefits. Department chairs are voting members of the faculty. All full-time librarians hold academic rank and are voting members of the faculty. All faculty who had voting privileges at the time of the ratification of the 2001 Constitution shall retain them for the duration of their continuous employment in their present position. Furthermore, all faculty who (1) had voting privileges as of April 1997, (2) have retained faculty status, and (3) at the time of the ratification of the 2001 Constitution serve in the same position as of 1997 shall retain voting privileges for the duration of their continuous employment in their present position.

C. The non-voting faculty may attend faculty meetings and shall have the privilege of the floor. Non-voting members of the faculty may not vote at faculty meetings, may not serve on committees of the Faculty Senate or the faculty, and may not serve as officers of the faculty.

Section 3. Officers of the Faculty

A. The Chair of the Faculty is elected at the first faculty meeting of the spring semester. The official term of office shall begin the following July 1. The Chair may not also serve as a faculty senator.

B. In the event that the office of the Chair becomes vacant, the vacancy shall be filled by the Vice-Chair for the duration of the term.

C. The Vice-Chair of the Faculty Senate shall serve as Vice-Chair of the Faculty.

D. The Secretary of the Faculty Senate shall serve as Secretary of the Faculty.

E. Duties and Responsibilities of Faculty Officers

1. The Chair of the Faculty shall:

- a. preside over meetings of the faculty and vote only to break a tie;
- b. preside over meetings of the Faculty Senate;
- c. report to the Academic Affairs Committee of the Board of Trustees concerning the activities of the Faculty Senate and the faculty;
- d. customarily attend meetings of the Board of Trustees and present relevant information to the faculty and, at the invitation of the President of the

University and/or the chair of the Board of Trustees, attend other events of the Board of Trustees;

- e. receive from the Secretary of the Faculty Senate a copy of changes in the Bylaws of the Board of Trustees and communicate such changes to the Faculty Senate and the faculty;
 - f. serve as chair of the Executive Committee of the Faculty Senate;
 - g. appoint *ad hoc* committees;
 - h. appoint a parliamentarian at the first fall meeting of the faculty or Faculty Senate. The parliamentarian shall advise the Chair of the Faculty concerning proper parliamentary procedure at meetings of the Faculty Senate and the faculty. The parliamentarian shall serve for a one-year term and may be reappointed for an unlimited number of terms.
2. In the absence of the Chair at faculty meetings, the Vice-Chair of the Faculty Senate shall preside.
 3. The Secretary of the Faculty Senate shall keep the minutes and records of the meetings of the faculty. The Secretary shall preside over the meetings of the faculty in the absence of the Chair and Vice-Chair.

Section 4. Meetings of the Faculty

- A. The faculty shall meet at least three times during each academic year to conduct the business of the faculty. The Faculty Senate Executive Committee and the Provost shall determine and announce the dates of the meetings at the beginning of the fall semester.
- B. The agenda for all meetings of the faculty shall be determined by the Executive Committee of the Faculty Senate and be distributed to each member of the faculty and to administrative officers not less than one week in advance of each meeting. The agenda shall include the minutes of the last meeting of the faculty.
- C. A quorum for meetings of the faculty shall consist of thirty percent of the voting members of the faculty.
- D. The presiding officer at a faculty meeting shall not vote except to break a tie.
- E. Voting on all matters in meetings of the faculty shall be by voice vote, show of hands, or secret ballot. No absentee voting will be allowed except for the first ballot of elections.
- F. All elections shall be by secret ballot.

- G. Except for elections, a secret ballot will be conducted when a motion to conduct the vote by secret ballot is approved by a majority of the voting faculty present and voting.
- H. Ordinary business brought before the faculty will require approval by a majority of the voting faculty members present and voting.
- I. The President of the University, the Provost, or the Chair of the Faculty may call special meetings of the faculty. In addition, the Chair of the Faculty shall call a meeting of the faculty within 30 days of receiving a petition for such a meeting signed by forty or more members of the voting faculty. Special meetings are limited to the topics and purposes specified in the call or petition.
- J. At the request of the Faculty Senate or the faculty, the Chair of the Faculty shall invite the President of the University to address the faculty on matters of faculty or institutional concern.
- K. The current edition of *Robert's Rules of Order* shall govern the conduct of all meetings of the faculty unless otherwise specified.

Section 5. *Ad hoc* Committees

The President, the Provost, or the Chair of the Faculty shall have the power to appoint *ad hoc* committees of the faculty, name the chairs of those committees, and provide their charges.

Section 6. Faculty Appeal

If the President of the University or the Provost chooses not to implement an act approved by the faculty, his or her decision and reasons shall be communicated in writing to the entire faculty within fifteen days of receiving the minutes of the faculty meeting. By a two-thirds vote of the voting faculty present and voting, the faculty may ask the President to reconsider such a decision. The Chair of the Faculty will deliver the appeal to the President. If the President continues to oppose an act approved by the faculty, the Chair of the Faculty has the right to petition the Executive Committee of the Board of Trustees for a hearing with the Board.

ARTICLE II. THE FACULTY SENATE

Section 1. Duties and Responsibilities

- A. With the President, Provost, other officers of the University, deans, and department chairs, the Faculty Senate shall be concerned with the planning and guidance of the educational programs of the University and policies concerning the well-being and security of the faculty.
- B. The Faculty Senate may receive proposals originating from academic units, committees, academic support services, individual faculty members, the administration of the

University, or other sources. Proposals shall be in writing. All proposals (other than those originating from a standing or ad hoc committee) shall ordinarily be referred to the appropriate standing or ad hoc committee by the Executive Committee.

C. The Faculty Senate may receive proposals originating from academic units, committees, academic support services, individual faculty members, the administration of the University, or other sources. Proposals shall be in writing. All proposals (other than those originating from a standing or ad hoc committee) shall ordinarily be referred to the appropriate standing or ad hoc committee by the Executive Committee.

D. The Faculty Senate may respond to a proposal by:

1. Passing a resolution that expresses the opinion of the Faculty Senate. For a resolution to be approved it must be passed by a majority of the members present.
2. Passing an act that will change policy and/or procedures when fully approved by the faculty, the President, and (when necessary) the Board of Trustees. For an act to be approved, it must be passed by a majority of the members present.
3. Defeating it.

Section 2. Membership

A. Eligibility

A candidate must be a member of the voting FMU faculty.

B. Composition

1. One Senator (two if Department/School exceeds twenty voting members) shall be elected from the following academic units:
 - a. each academic department within the College of Liberal Arts
 - b. Library
 - c. School of Business
 - d. School of Education
2. Eight additional Senators shall be elected at large.

C. Elections

1. At large Senators will be elected at the first Faculty meeting of the Spring semester.

2. Following the election of at large Senators, the Senators from each Academic unit shall be elected in accordance with the procedures established by the respective academic units.
3. The term for a faculty senator shall be three years beginning July 1.
4. Terms of office shall be staggered so that approximately one-third of the senators are elected every year.
5. When a vacancy occurs, the affected faculty unit shall hold an election to fill the remainder of the vacated term.

Section 3. Officers of the Faculty Senate

A. Election of Officers of the Faculty Senate

1. The Chair of the Faculty who shall be elected at the first faculty meeting of the spring semester will preside over meetings of the Faculty Senate with the term of office beginning on July 1.
2. The continuing and newly elected Faculty Senators shall convene for the purpose of electing a Vice-Chair and a Secretary, in that order, at the end of the spring semester. The terms of office of the Vice-Chair and Secretary shall begin officially on July 1.
3. The chair of the Nominating Committee shall meet with the new Faculty Senate and conduct the election of officers.
4. Candidates for office shall be nominated from the floor, and election to office shall require a majority of the votes cast.
5. The term of each officer shall be one year.
6. The Chair of the Faculty and Secretary of the Faculty Senate shall have a 50% and a 25% reduction in workload, respectively, to allow for reassigned duties.
7. The Chair of the Faculty shall serve under an eleven-month contract.
8. In the event that the office of the Vice-Chair or Secretary becomes vacant, the vacancy shall be filled by a special election of the Faculty Senate.

B. Responsibilities of the Presiding Officer of the Faculty Senate

The Chair of the Faculty shall preside over meetings of the Faculty Senate without participating in the debate and without vote.

C. Responsibilities of the Vice-Chair of the Faculty Senate

1. The Vice-Chair of the Faculty Senate shall serve jointly as Vice-Chair of the Faculty.
2. The Vice-Chair of the Faculty Senate shall discharge all of the duties of the Chair of the Faculty in the latter's absence.
3. The Vice-Chair serves as a member of the Executive Committee.

D. Responsibilities of the Secretary of the Faculty Senate

1. The Secretary of the Faculty Senate shall serve jointly as Secretary of the Faculty.
2. The Secretary of the Faculty Senate shall be responsible for keeping the minutes of the Faculty Senate and the faculty (which will be kept on record at James A. Rogers Library), shall circulate the meeting dates and agenda for meetings of both bodies to each member of the faculty and to administrative officers, and shall oversee the Faculty Senate budget and expenditures.
3. The Secretary of the Faculty Senate shall receive minutes of all meetings of the Francis Marion University Board of Trustees and its standing committees and changes in bylaws of the Board, forward a copy to the Chair of the Faculty, and place a copy on reserve in the Library.
4. The Secretary of the Faculty Senate shall discharge all of the duties of the Chair of the Faculty in the absence of both the Chair and the Vice-Chair.
5. The Secretary serves as a member of the Executive Committee.

Section 4. Meetings of the Faculty Senate

- A. The Faculty Senate shall normally meet monthly from September through April of each academic year.
- B. All meetings shall be open meetings.
- C. Two-thirds of the members of the Faculty Senate shall constitute a quorum.
- D. The agenda for regular meetings of the Faculty Senate shall include the minutes of the last Senate meeting and shall be distributed to each member of the faculty and to administrative officers not less than one week in advance of each meeting.
- E. A special meeting may be called by the President or by the Chair of the Faculty, or upon the request in writing of a majority of senators or of forty voting members of the faculty. Special meetings are limited to the topics and purposes specified in the petition.

F. Privilege of the Floor

1. Any member of the faculty shall have the privilege of the floor at a meeting of the Faculty Senate by making prior arrangements, at least three days before the meeting, with the Secretary of the Faculty Senate. The presiding officer may limit the time of these individual presentations.
2. Chairs of standing committees shall have the privilege of the floor as described in Article II. Section 5B.
3. Department Chairs/School Deans shall have the privilege of the floor to discuss proposals originating in their departments/schools.

Section 5. Faculty Senate Committees: Selection and General Membership

The consideration of matters within the areas of concern of the Faculty Senate shall be delegated by the Executive Committee to committees. There shall be three types of committees: executive, standing, and *ad hoc*.

A. Executive Committee

1. The Executive Committee shall consist of the Chair of the Faculty, the Vice-Chair, and the Secretary of the Faculty Senate.
2. The Executive Committee shall meet with the President and Provost at least once a month and with other officers of the administration as needed during the academic year to discuss issues of faculty and institutional concern. The committee shall report on these meetings to the Faculty Senate and the faculty.
3. The Executive Committee shall take office on July 1.

B. Standing Committees

1. There shall be sixteen standing committees of the Faculty Senate:

- Academic Affairs
- Academic Freedom and Tenure Grievance
- Academic Support
- Admissions, Advising, and Retention
- Budget Review and Planning
- Distinguished Professor Selection
- Faculty Grievance
- Faculty Life
- Grade Appeals
- Graduate Council

Honors Program
Information Technology
Institutional Effectiveness
Mediation
Nominating
Professional Development

2. All standing committees shall consist of elected faculty members and, when appropriate, administrators, staff, and/or faculty appointed by the President or Provost.
3. Elections for standing committees shall occur at the last meeting of the spring semester.
4. Committee terms shall be staggered so that approximately one-third of the committee members are elected every three years.
5. Senators may be elected by the faculty to serve on standing committees and shall have full privileges of membership.
6. The chair (or the secretary, in the absence of the chair) of each standing committee should attend any open meeting of any committee of the Board of Trustees that deals with issues with which the standing committee is concerned.
7. The chair of a standing committee shall have full privilege of the floor during Faculty Senate meetings to introduce a proposal from that standing committee and to participate in the related discussion.

C. *Ad hoc* Committees

The President or the Provost of the University, the Chair of the Faculty Senate, or the Faculty Senate as a body shall have the power to appoint *ad hoc* committees of the Faculty Senate, name the chairs of those committees, and provide their charges.

Section 6. Funding of the Faculty Senate

The operation of the Faculty Senate shall be funded through the regular budgeting and funding process of the University. The Chair of the Faculty shall submit a budget request to the President of the University once each year. The Secretary of the Faculty Senate shall authorize expenditures.

ARTICLE III. AMENDMENTS TO THE *CONSTITUTION OF THE FACULTY* and the *BYLAWS OF THE FACULTY SENATE*

Section 1. Amendments to the *Constitution of the Faculty*

Amendments to the *Constitution of the Faculty* must be proposed and ratified. An amendment may be proposed by either a two-thirds' vote of the members of the Faculty Senate present and voting or by a majority of the members of the voting faculty present and voting.

Ratification of an amendment to the *Constitution of the Faculty* shall be considered at the next meeting of the faculty, providing that at least two weeks have passed between the time the amendment is proposed and the meeting of the faculty. Ratification will require a majority vote of the entire voting faculty, the approval of the President of the University, and, when needed, the approval of the Board of Trustees.

Section 2. Amendments to the *Bylaws of the Faculty Senate*

Amendments to the *Bylaws of the Faculty Senate* must be proposed and ratified. Either the Faculty Senate or the faculty may propose an amendment.

Ratification of an amendment to the *Bylaws of the Faculty Senate* will require the approval of the faculty. Consideration of ratification of a proposed amendment to the bylaws will occur at the next meeting of the faculty, providing that at least two weeks have passed between the time the amendment is proposed and the meeting of the faculty. Ratification will require a majority vote of the voting faculty present and voting, the approval of the President of the University, and, when needed, the approval of the Board of Trustees.

APPENDIX 2. BYLAWS OF THE FACULTY SENATE

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BYLAWS OF THE FACULTY SENATE

ARTICLE I. MEETINGS

Section 1. Scheduling Regular Meetings

The Faculty Senate shall normally meet monthly from September through April of each academic year. Meeting dates and times shall be established in August by the Executive Committee and communicated to the faculty. Any changes in meeting dates and times shall be communicated to the senators and to the members of the faculty no later than one week before a scheduled meeting.

Section 2. Length of Meetings

Meetings of the Faculty Senate shall not exceed 90 minutes without a vote to extend the time. Upon a majority vote, the length of a meeting may be extended in thirty-minute increments.

Section 3. Absences

- A. When a senator cannot be present at a meeting of the Faculty Senate and requests to be excused, the request must be addressed to the chair of the Faculty Senate, preferably in writing.
- B. A position will be considered vacant when a senator has more than one unexcused absence in a semester.

Section 4. Rules of Order

The Senate shall determine the rules of order for the conduct of business meetings. Unless otherwise specified, the current edition of *Robert's Rules of Order* shall govern all actions and proceedings of the Faculty Senate. Absentee voting shall not be permitted in the Faculty Senate.

ARTICLE II. ORDER OF BUSINESS

The order of business at meetings of the Faculty Senate shall be as follows:

- A. Roll Call
- B. Approval of Minutes
- C. Reports from Administrators, if requested in advance by the Faculty Senate
- D. Reports of Committees
 - 1. Executive Committee

- 2. Standing Committees
- 3. *Ad Hoc* Committees
- E. Old Business
- F. New Business
- G. Announcements
- H. Adjournment

ARTICLE III. PROPOSALS TO BE ACTED UPON BY THE FACULTY SENATE

- A. Any proposal brought before the Faculty Senate must appear on its agenda before action on it can be completed. Appropriate documentation for proposals will be made available with each agenda.
- B. All proposals originating from individual Faculty Senators, individual members of the faculty, or any other source (other than a standing committee) shall ordinarily be referred to the appropriate standing or ad hoc committee by the Executive Committee.
- C. Any undergraduate proposal germane to the academic mission and program of the University or the curriculum of a School or department must be referred to the Academic Affairs Committee. Any graduate proposal must be referred to the Graduate Council.
- D. All proposals originating from standing committees shall be referred to the Faculty Senate, unless otherwise specified in Article IV, Section 3, of these bylaws.
- E. The Executive Committee will determine the agenda of the Faculty Senate meeting.

ARTICLE IV. FUNCTION AND SCOPE OF THE EXECUTIVE COMMITTEE, STANDING COMMITTEES, AND *AD HOC* COMMITTEES

Section 1. Executive Committee

The Executive Committee shall establish the times, dates, and agenda of regular and special meetings of the Faculty Senate.

Section 2. Guidelines concerning Standing Committees

- A. Unless otherwise specified in Article IV, Section 3, of the *Bylaws of the Faculty Senate*, each standing committee shall elect its own chair and secretary.
- B. Standing committees shall report directly to the Faculty Senate unless otherwise provided in the *Faculty Constitution* or the *Bylaws of the Faculty Senate*.
- C. Faculty are expected to participate fully in the activities of the committees to which they are appointed. In those instances in which the committee chair believes the faculty

member has been absent too frequently, the chair should raise the concern with the faculty member. If the matter continues, the committee chair should bring the issue to the attention of the Faculty Chair, at which point replacement of the individual will be considered.

Section 3. Standing Committees

A. Academic Affairs

1. *Membership.* The committee shall consist of twelve tenured faculty members and the Registrar, who shall serve without vote. The faculty members shall be elected as follows:
 - a. six elected from and by the faculty of the University
 - b. one from each School or College elected by the faculty of the University
 - c. one from each School or College elected by the faculty of the respective School or College

Each elected member shall be elected for a three-year term and may not serve more than two consecutive complete terms. A quorum shall consist of eight voting members.

2. *Responsibilities.* The committee shall:
 - a. advise the Faculty Senate on all undergraduate curriculum matters, including proposed courses, course changes, or new academic programs, being responsible in particular for checking all such proposed courses, changes, or new programs for accuracy, numbering courses, prerequisites, issues of redundancy or overlap with existing courses, and related matters taking in account the impact of curricular proposals on other disciplines and the university as a whole;
 - b. review guidelines and make recommendations when appropriate for the general education program requirements for the various degree programs of the University.

B. Academic Freedom and Tenure Grievance

1. *Membership.* The committee shall consist of six tenured members elected from the faculty for three-year terms. No member of the Academic Freedom and Tenure Grievance Committee shall serve concurrently on the Faculty Grievance Committee, the Mediation Committee, or a School/College-wide or University-wide tenure and promotion committee.
2. *Responsibilities.* The committee shall:
 - a. recommend changes in policies and procedures concerning academic freedom and tenure;

- b. hear complaints of faculty members whose tenure has been revoked, who may have been denied tenure due to an abridgement of academic freedom, or who satisfy any of the criteria for filing a grievance that are listed in the *Policies and Procedures concerning Academic Freedom and Tenure*;
- c. advise the administration and the President of the University on ways to correct whatever injustices the committee may discover or resolve conflict between the faculty member and the University.

C. Academic Support

- 1. *Membership*. The committee shall consist of seven members elected from the faculty for three-year terms. The dean of the Library and directors of the Media Center and the Physical Plant shall serve as *ex officio* members without vote.
- 2. *Responsibilities*. The committee shall:
 - a. advise the Faculty Senate on issues related to the Library, the Media Center, and the Physical Plant as they have an impact on the academic activities of faculty and students;
 - b. advise the Provost concerning the University calendar.

D. Admissions, Advising, and Retention

- 1. *Membership and Chair*. The committee shall consist of five faculty members elected from the faculty for three-year terms. In addition, a) the Associate Provost for Enrollment Management, (b) the Director of Admissions, (c) the Coordinator for Orientation and Provisional Programs, and d) the Registrar shall serve as members. A Representative from the Financial Assistance Office shall serve without vote.
- 2. *Responsibilities*. The committee shall:
 - a. review petitions filed by applicants who have failed to meet the established admissions criteria and grant waivers for good cause;
 - b. review petitions for readmission from students who have been dismissed or for any reason are ineligible to continue at Francis Marion University and grant waivers for good cause;
 - c. recommend policies to the Academic Affairs Committee concerning (1) admissions, (2) the Advanced Placement program, and (3) recruitment, advising, and retention of students.

E. Budget Review and Planning

1. *Membership and Chair.* The committee shall consist of three faculty members elected at large for three year terms; the Chair of the Faculty; the chairs of the following committees: (a) Academic Affairs, (b) Academic Support, (c) Faculty Life, (d) Institutional Effectiveness, (e) Information Technology, and (f) the Council of Department Chairs; the Provost; and the vice presidents for (a) Administration, (b) Student Affairs, and (c) Business Affairs. The Vice President for Business Affairs shall serve as chair.

2. *Responsibilities.* The committee shall:
 - a. normally receive and review two weeks prior to its meetings all information that it requires to perform its tasks effectively.
 - b. review and recommend to the President, as appropriate, revisions to the current annual budget procedure;
 - c. advise the President and the Board of Trustees on all issues related to the University's budget;
 - d. review the budgetary needs of all University departments, including auxiliaries and scholarships, to assist in assigning priorities for funding;
 - e. recommend to the President an annual plan for the allocation of University funds;
 - f. assist in overall planning for the University budget over a three- to five-year period.

F. Distinguished Professor Selection

1. *Membership and Chair.* The committee shall consist of three students, preferably one from each school and college, and all Distinguished Professors under contract with the University. Each year, after consultation with chairs and deans, the Provost shall appoint all student members. The Provost shall chair the committee without vote

2. *Responsibilities.* The committee shall:
 - a. Select a group of finalists from those faculty nominated for Distinguished Professor. Both students and faculty determine this selection. Candidates shall be permitted to nominate themselves for consideration for the Distinguished Professor award or be nominated by any other faculty member, any Francis Marion University student who has been enrolled within the last twelve months, or any current staff member.

- b. Select from the finalists, and recommend to the Provost, the individual to be named Distinguished Professor. The faculty members on the committee make this selection.
- c. Recommend to the Faculty Life Committee changes in the criteria and procedures for selection of the Distinguished Professor.

The newly selected Distinguished Professor will represent the University as the nominee for the South Carolina Distinguished Professor Award that year.

G. Faculty Grievance

1. *Membership.* The committee shall consist of five tenured members elected from the faculty for three-year terms. Academic administrators including deans, department chairs, and the dean of the Library may not serve. No member of the Faculty Grievance Committee shall serve concurrently on the Academic Freedom and Tenure Grievance Committee, the Mediation Committee, or a School/College-wide or University-wide tenure and promotion committee.
2. *Responsibilities.* The committee shall:
 - a. hear faculty grievance cases in matters not covered by the *Policy and Procedures concerning Academic Freedom and Tenure*. Such matters include but are not limited to discrimination in compensation, promotion, and work assignment. The granting or the failure to grant tenured status to faculty members or the nonrenewal of employment contracts at the end of the contract term shall not be subjects for consideration.
 - b. recommend changes in the grievance procedure for faculty in matters not covered by the *Policy and Procedures concerning Academic Freedom and Tenure*.

H. Faculty Life

1. *Membership.* The committee shall consist of seven members, one elected by the voting faculty of the University from each of the following categories for three-year terms:
 - a. Humanities
 - b. Science and Mathematics
 - c. Social Sciences and Psychology
 - d. Fine Arts and Mass Communications
 - e. School of Business
 - f. School of Education, the Library
 - g. At-large

2. *Responsibilities.* The committee shall:

- a. address matters and recommend policies dealing with the well-being and security of Francis Marion University faculty members on subjects not specifically addressed by other committees. Issues of primary concern include salaries, benefits, workload, student evaluations, and faculty role in establishing University policy.
- b. make recommendations concerning tenure and promotion policies and procedures;
- c. develop policies and procedures concerning tenure and promotion;
- d. make recommendations concerning long-term financial planning and the allocation of funds within categories;
- e. make recommendations concerning long-range institutional planning;
- f. name the recipients of the annual research, service, and teaching awards from among the nominees;
- g. choose the faculty member who will serve as the University's nominee for any award, other than the South Carolina Distinguished Professor, to be offered by a group or institution other than Francis Marion University.

I. Grade Appeals

1. *Membership.* The committee shall consist of five members elected from the faculty for a three-year period.
2. *Responsibilities.* If a student appeals a final grade in a course and that appeal cannot be resolved at the level of the academic unit, the committee shall determine if (1) the instructor acted in an arbitrary or capricious manner, (2) the instructor's grading policy is in violation of the guidelines established by the University, or (3) the assigned grade is in violation of the grading policy of the instructor as described in his or her syllabus or other written documents. If any of these conditions exist, the committee will follow the procedure described in the *Faculty Handbook*.

J. Graduate Council

1. *Membership.* The voting membership of the council shall consist of the following:
 - a. the head of each school or department that offers graduate degrees or his/her designee.
 - b. one tenured faculty member from each school or department that offers

graduate degrees, elected by the general faculty, plus an equal number of tenured faculty members from any other schools or departments, also elected by the general faculty.

All voting members of the council should be eligible for membership in the graduate faculty. Elected members shall serve a three-year term. The Director of Graduate Programs, Chair of the Academic Affairs Committee and the Registrar shall serve as *ex officio* members without vote.

2. Responsibilities. The council shall:

- a. oversee and coordinate graduate programs; approve applicants for admission to graduate study; approve candidates for graduate degrees; and consider appeals for readmission from graduate students who have been dismissed from the university;
- b. notify the faculty of all graduate curricular proposals prior to Council action;
- c. advise the Faculty Senate on all graduate curriculum matters, including proposed graduate courses, graduate course changes, or new graduate programs, being responsible in particular for checking all such proposed courses, changes, or new programs for accuracy, numbering courses, prerequisites, issues of redundancy or overlap with existing courses, and related matters taking in account the impact of curricular proposals on other disciplines and the university as a whole.

K. Honors Program

1. *Membership and Chair.* The committee shall consist of three members elected from the faculty for three-year terms, the Director of the Honors Program, and a representative elected from and by the Academic Affairs Committee for a one-year term. Two officers of the Honors Student Association shall serve without vote. The Director of the Honors Program shall serve as chair.
2. *Responsibilities.* The committee shall:
 - a. propose policy changes for the Honors Program to the Academic Affairs Committee;
 - b. select, with department or School concurrence, the Honors courses that are offered each semester;
 - c. approve proposals for Honors Independent Studies;
 - d. propose changes in requirements for the admission of students to the Honors courses;

- e. certify those students who fulfill the requirements for a degree with University Honors;
- f. select the student who receives the Honors Award on Awards Day;
- g. maintain contact with Honors students through advising, registration, and informal meetings;
- h. assist and encourage academic achievement at the University.

L. Information Technology

- 1. *Membership.* The committee shall consist of seven members elected from the faculty for three-year terms. The Chief Information Officer and the Directors of the Academic Computer Center and Administrative Computing Services shall serve *ex officio* and without vote.
- 2. *Responsibilities.* The committee shall advise the administration and the faculty on (a) the planning, development, policies, and operation of University information technology and equipment and (b) priorities for the acquisition of equipment.

M. Institutional Effectiveness

- 1. *Membership.* The committee shall consist of six faculty members elected from the faculty for three-year terms and the Director of Institutional Effectiveness, who shall serve *ex officio* without vote.
- 2. *Responsibilities.* The committee shall recommend criterion-referenced assessment instruments for the evaluation of academic programs, academic support programs, and other areas where assessment is deemed appropriate.

N. Mediation

- 1. *Membership.* The committee shall consist of four tenured faculty members elected from the faculty for three-year terms. No member of the Mediation Committee shall serve concurrently on the Academic Freedom and Tenure Grievance Committee, the Faculty Grievance Committee, or a School/College-wide or University-wide promotion and tenure committee.
- 2. *Responsibilities.* The committee shall:
 - a. when asked by the Academic Freedom and Tenure Grievance Committee, inquire into circumstances associated with revocation of tenure or charges of abridgement of academic freedom to determine if a solution can be mediated;

- b. when asked by the Faculty Grievance Committee, inquire into circumstances associated with faculty grievance cases in matters not covered by the *Policy and Procedures concerning Academic Freedom and Tenure* to determine if a solution can be mediated;
- c. make its recommendations to the Academic Freedom and Tenure Grievance Committee or to the Faculty Grievance Committee, as appropriate.

O. Nominating

1. *Membership.* The committee shall consist of six members elected from the faculty for three-year terms.
2. *Responsibilities.* The committee shall:
 - a. solicit candidates for the Chair of the Faculty and at-large Faculty Senate and committee positions requiring election by the faculty;
 - b. prepare a slate of candidates who meet stated requirements and present this slate of candidates to the faculty;
 - c. conduct elections for Chair of the Faculty, faculty senators, and committee positions requiring election by the faculty;
 - d. periodically review the election process and propose any necessary changes;
 - e. maintain information concerning the election process for distribution to future committee members;
 - f. conduct elections for Faculty Senate officers.

P. Professional Development

1. *Membership.* The committee shall consist of seven members, one elected by the voting faculty of the University from each of the following categories for three-year terms:
 - a. Humanities
 - b. Science and Mathematics
 - c. Social Sciences and Psychology
 - d. Fine Arts and Mass Communication
 - e. School of Business
 - f. School of Education, the Library
 - g. At-large
2. *Responsibilities.* The committee shall make recommendations to the Provost concerning:

- a. The distribution of funds to the faculty in a way that will provide opportunities for professional development such as awarding sabbaticals, reassigned time, travel grants, and research funds;
- b. The establishment of policies guiding the preceding awards.

Section 4. *Ad Hoc* Committees

The Chair of the Faculty Senate shall have the power to appoint *ad hoc* committees, whose membership shall consist of full-time members of the faculty and others as necessary. The Chair of the Faculty Senate shall appoint the chair of an *ad hoc* committee. *Ad hoc* committees shall make their reports to the Faculty Senate.

ARTICLE V. INSTITUTIONAL FINANCIAL AND CLERICAL SUPPORT

Adequate supplies, equipment, and clerical support shall be provided for the Faculty Senate to carry out its duties. Each year the Executive Committee, through the Chair of the Faculty Senate, shall submit a budget request to the President. A line item for Faculty Senate expenses shall be included in the annual budget of the University.

APPENDIX 3. BYLAWS OF THE FRANCIS MARION COLLEGE OF LIBERAL ARTS

The Bylaws of the Francis Marion College of Liberal Arts (the College) are designed to promote participation of the College and its faculty in the governance structure of Francis Marion University as the College, in coordination with the Schools of Business Administration and Education, implements the mission of the University.

The faculty of the College may through its established organization consider policies, programs, and procedures which in its judgment affect the quality of the College's educational program or the professional welfare of its faculty. The College's faculty makes recommendations to the Dean of the College (Provost), the deans and faculties of the Schools of Business Administration and Education, the General Faculty, the President, other administrative officers, or the Board of Trustees, as appropriate, concerning any policies, programs, or procedures which affect the excellence of the educational programs of the College or the welfare of the faculty of the College.

Article I: Membership and Voting Privileges

The membership of the faculty of the College consists of the President, the Provost (Dean of the College), and all persons appointed within the College on a full-time or part-time basis with the rank of professor, associate professor, assistant professor, or instructor, including any full-time administrative officer holding such rank. Faculty members have the right to attend

meetings of their programs and departments and of the College and have the privilege of the floor at these meetings.

The voting members of the faculty of the College shall consist of full-time tenured, probationary (i.e., tenure-track) and temporary faculty who normally teach at least two courses that total a minimum of six credit hours per semester. These faculty are in coded and slotted positions and are eligible for state-funded benefits. Department Chairs are voting members of the faculty. Only voting members of the faculty may fill the designated faculty positions on committees of their programs and departments and of the College.

Article II: Meetings

The College faculty will meet at least once each semester to conduct the business of the faculty and to hear reports from committees and administrators.

Special meetings of the College faculty can be called by the President, by the Dean of the College (Provost), or by request of ten voting members of the College faculty.

The Dean of the College will prepare meeting agendas composed of items proposed by the Dean and/or voting members of the College faculty and will preside at College faculty meetings. Items proposed by ten or more faculty members for discussion at a College meeting will be placed on the next meeting's agenda. The agenda for all meetings of the College faculty will be distributed to members at least three working days before the meeting. The specific purpose of any special meeting will be included in its agenda. Only matters included on the meeting agenda can be voted on at the meeting.

An assistant to the Dean of the College (Provost) will serve as Secretary to the College and prepare minutes of College faculty meetings for distribution. In the event of the absence of the Dean of the College, the Dean will designate a faculty member of the College to preside at a College faculty meeting.

The current edition of *Robert's Rules of Order* will govern the conduct of all meetings of the College.

Article III: Committees

Members of committees who are elected by the College faculty will be elected at a College faculty meeting within the first four weeks of the fall semester, except for the election of the CLA-chosen member of the Academic Affairs Committee of the Faculty Senate. That election shall be held during the spring semester. Vacancies on elected committees will be filled, at the earliest time possible, by the processes of election referenced in Article III, Sections 1 and 2.

The Francis Marion College of Liberal Arts will have the following committees:

1. Elections Committee

Membership: one faculty member from each department within the College. Each Department within the College will elect one faculty member to serve for a three-year term, with no member to be elected to more than two consecutive terms. The committee will elect the chair.

Powers and Duties: The committee will solicit candidates for at-large College elections, prepare a slate of candidates who meet stated eligibility requirements, conduct elections, and keep records of elections to be passed on to subsequent committees.

2. Tenure and Promotion Committee

Membership: one tenured faculty member from each department within the College. The College faculty will elect one tenured faculty from each department for a two-year term. No member may be reelected to a consecutive term. The committee will elect the chair.

Powers and Duties: The committee will advise those faculty members applying for tenure and/or promotion, and their respective department chairs, on matters related to the granting of appointments with continuous tenure and of promotion. The committee will receive and review applications for tenure and/or promotion from College faculty and make recommendations with respect to these applications to the Dean of the College. The committee will also recommend changes in tenure and promotion policies when the committee judges such change is needed.

3. Advisory Committee on Enrollment and Retention

Membership: Chairs of all departments within the College and the Dean of the College. The Dean will chair the committee.

Powers and Duties: In conjunction with each department, the committee will coordinate and plan projects to enhance enrollment and retention.

4. *Ad Hoc* Committees

The Dean of the College or the faculty of the College by majority vote may create *ad hoc* committees whose membership would consist of voting members of the College faculty, and/or others as necessary.

Article IV: Amendments

Amendments to these Bylaws can be approved at any regular meeting of the College faculty by a two-thirds vote of the members present, provided that at least one month has elapsed since the first reading of the proposed amendment at a meeting of the College faculty.

APPENDIX 4. BYLAWS OF THE SCHOOL OF BUSINESS

The following Bylaws for the School of Business of Francis Marion University shall provide the general principles for participation by the School in the academic governance structure of Francis Marion University.

Article I: Membership and Voting Privileges

The faculty of the School of Business includes the President, the Provost, the dean of the School, and all persons appointed on a full-time basis within the School with the rank of professor, associate professor, assistant professor, or instructor, including any full-time administrative officer holding such rank. Part-time faculty are members in accordance with the bylaws of the School.

The voting members of the faculty of the School are those full-time and part-time faculty who devote at least fifty percent of a full workload to teaching, scholarly activity, artistic activity, and/or public service. Through documentation provided at the beginning of the fall and spring semesters, and in concert with the Human Resources Office, the dean of the School shall determine which part-time faculty are eligible to vote. Department chairs/program coordinators are voting members of the faculty. Full-time faculty who have administrative responsibilities of more than fifty percent are eligible to vote. Only voting members of the faculty may serve on committees of the School or on the Faculty Senate.

Area Coordinator

The Dean will appoint area coordinators for Accounting, Computer Science, Economics, Finance, Management, Marketing, Management Information Systems within the first two weeks of the Fall term. The term for coordinators will be limited to the scheduling of classes of the faculty of the area, and writing the Institutional Effectiveness report and similar documents. They are prohibited from participating in the evaluation process of other faculty members.

Associate Dean

The Associate Dean is selected (i.e. appointed) from within the School of Business by the Dean. The selection of the Associate Dean is subject to the prior approval of the Provost and the President. (It is understood that the appointee would have the rank, tenure status, and experience appropriate for an Associate Dean's position.)

The term of an Associate Dean is annual and is renewable upon recommendation of the Dean to the Provost and President.

The Associate Dean is an administrative and staff assistant to the Dean of the School of Business. The Associate Dean has such authority and responsibility as the Dean of the School of Business has delegated. The Associate Dean reports directly to and is accountable to the Dean of the School of Business. Since the Associate Dean is not evaluated by the faculty, (s)he is prohibited from writing faculty evaluations.

The evaluation of the Associate Dean is conducted solely by the Dean of the School of Business.

Subject to the approval of the Provost and President, the Dean may remove the Associate Dean prior to the end of the one year term.

MBA Director

The MBA Director is selected (i.e., appointed) from within the School of Business by the Dean. The selection of the MBA Director is subject to the prior approval of the Provost and the President. (It is understood that the appointee would have the rank, tenure status, and experience appropriate for an MBA Director's position.)

The term of an MBA Director is annual and is renewable upon recommendation of the Dean to the Provost and President.

The director of the MBA program handles the graduate program under the Dean's direction.

The evaluation of the MBA Director is conducted solely the Dean of the School of Business.

Subject to the approval of the Provost, and President, the Dean may remove the MBA Director prior to the end of one year term.

Article II: Committee Elections

Membership of School of Business committees will be elected within the first four weeks of the fall semester. Vacancies on committees will be filled by the process of special election or temporary appointment by the dean if elections are not feasible. School representatives to the Faculty Senate will be elected within the last four weeks of the preceding spring semester.

1. Curriculum Committee

Membership: seven voting faculty, one elected by each discipline, for three-year terms (with not more than two consecutive terms). The chair will be elected from the committee, and the dean of the School serves as an ex officio member.

Powers and Duties: The committee will serve as advisory to the faculty and to the dean of the School on all curricular matters, including proposed courses, course changes, and/or academic program changes.

2. Nominating Committee

Membership: five voting faculty, elected for three-year terms (with not more than two consecutive terms), with the chair elected from the committee.

Powers and Duties: The committee solicits candidates for School elections, prepares a slate of candidates who meet stated requirements, and conducts elections. The Committee also keeps records of elections to be passed on to subsequent committees.

3. Promotion and Tenure Committee

Membership: seven tenured faculty, when possible, one from each discipline within the School, elected by the School faculty for one-year terms (with not more than two consecutive terms). The chair will be elected from the committee.

Powers and Duties: The committee will advise those faculty members eligible for tenure and/or promotion on matters related to the granting of appointments with continuous tenure and faculty promotion. The committee may also recommend changes in promotion and tenure policies.

4. MBA Committee

Membership: six voting graduate faculty members, one from each of the following disciplines: Accounting, Computer Information Systems Management, Economics, Finance, Management, and Marketing. In addition, the MBA Director serves as chair, and the dean of the School serves as an ex officio member.

Powers and Duties: The MBA Committee addresses all academic matters relative to the Master of Business Administration program including program development, curriculum changes, and admission and retention standards. Recommendations are forwarded to the dean of the School and/or the Graduate Advisory Committee of the University.

5. Dean's Advisory Committee

Membership: Area/discipline coordinators and the MBA Director. The dean serves as chair.

Seven voting faculty members, one from each of the following disciplines: Accounting, Computer Science, Economics, Finance, Management, Marketing, and Management Information Systems. One of these is the MBA director. The dean serves as chair. The six representatives from disciplines not represented by the MBA director are elected by the school faculty for a one-year term.

Powers and Duties: This committee meets as needed and addresses matters of policy and procedure in the administration of the academic programs in Business and Computer Science. This committee serves as a resource for advice and counsel to the dean. The committee through its individual membership serves as a communications link to the faculty and students of the School of Business. This committee also addresses enrollment and retention issues at the undergraduate level.

6. *Ad Hoc* Committees

The dean may create *ad hoc* committees as necessary, and membership to said committees will be consistent with the charge to the committee(s).

Article III: Faculty Meetings

The School faculty will meet at least two times each academic year to conduct the business of the faculty and to hear reports from committees and administrators. The dean of the School or his or her designee will preside.

Special meetings of the School faculty can be called by the President, the Provost, or the dean of the School or by request of seven voting members of the School faculty.

The dean will prepare meeting agendas composed of items proposed by the dean and/or voting members of the School faculty. The agenda for all meetings of the School faculty will be distributed prior to the meeting. The specific purpose of any special meeting will be included in its agenda. Only matters included on the meeting agenda can be voted on at that meeting.

The Administrative Assistant to the dean of the School will serve as Secretary to the School.

The current edition of *Robert's Rules of Order* will govern the conduct of all meetings of the School.

Article IV: Amendments

Amendments to these bylaws can be approved at any regular meeting of the faculty of the School of Business by a two-thirds vote of the members present, provided that at least one week has passed since the first reading of the proposed amendment at a duly constituted meeting of the School of Business.

APPENDIX 5. BYLAWS OF THE SCHOOL OF EDUCATION

The faculty of Francis Marion University is organized into departments, Schools, and a College of Liberal Arts as established by action of the Board of Trustees. The departmental/School/College organization is designed to provide for the proper development of the University and to enable the University to meet the needs of the constituency served by the University. Also, the organization is guided by master planning for statewide coordination of academic programs and services through the South Carolina Commission on Higher Education.

The structure is designed to recognize and utilize the specialized competencies and interests of the faculty and to maximize the effectiveness of academic decision making through the appropriate division of labor based on disciplinary competence. In carrying out delegated functions and responsibilities for the design and conduct of educational programs and services, the General Faculty of the University relies heavily on the specialized planning of the College/Schools and departments of the faculty. Appropriate review of such plans by the General Faculty is maintained to assure coherence of educational program development and to preserve a focus on a shared concept of the mission of the University.

The following Bylaws for the School of Education of Francis Marion University shall provide the general principles for participation by the School in the academic governance structure of Francis Marion University.

Article I: The Faculty of the School of Education

Section 1: Membership

The faculty of the School consists of the dean of the School and all persons appointed within the School on a full-time or part-time basis with the rank of professor, associate professor, assistant professor, or instructor.

Section 2: Voting Privileges

The voting members of the faculty of the School are those full-time faculty who teach at least six hours during the fall and spring semesters and ordinarily engage in scholarly activity and in service to the University. The dean of the School is a voting member of the School faculty.

Article II: Functions and Responsibilities of the Faculty of the School of Education

Section 1: Educational Plans and Policies

The faculty of the School shall adopt educational plans and policies affecting the curriculum, the conferring of degrees, the admission or exclusion of students, and standards of academic performance, subject to the appropriate review of such plans in accordance with the mission of the University and the educational policies of the Board of Trustees.

Section 2: Peer Evaluation

The faculty of the School shall follow established procedures for peer evaluation of faculty performance concerning faculty up for promotion and/or tenure in accordance with the policies of the Board of Trustees.

Section 3: Consideration of Other Matters

The faculty of the School may through its established organization consider matters which in its judgment affect the effectiveness and quality of the School's educational program or the professional welfare of its faculty and students and make recommendations to other School faculties, the General Faculty, the Provost, the President, other administrative officers, or the Board of Trustees as appropriate concerning any policies, programs, or procedures which affect the excellence of the educational programs or faculty welfare of the School.

Section 4: Elections to Faculty Senate.

Article III: Meetings

Section 1: Regular Meetings

The School faculty shall meet regularly during each academic semester to conduct the business of the School. In September and January of each academic semester the dean shall set a schedule of meetings to conduct the business of the School.

Section 2: Special Meetings

Special meetings of the School faculty may be called by the President, Provost, or dean or by request of 50% of the eligible voting members of the School faculty.

Section 3: Meeting Agendas

The dean shall prepare meeting agendas drawn from items proposed by voting members of the School and/or the dean. Only items appearing on the published agenda may be voted on at School faculty meetings. Agenda items which require a vote must be submitted one week in advance of the scheduled meeting. Meeting agendas should be published one week prior to the meeting date. Items not requiring a vote can be added at any time prior to the scheduled meeting if approved by the dean. Items relating to the Bylaws and/or curricular matters and other important agenda items cannot be voted on at the same meeting when they appear initially on the agenda.

Section 4: Quorum

A quorum will consist of a simple majority of those members of the School of Education who are eligible to vote.

Section 5: Rules

The current edition of *Robert's Rules of Order* shall govern the conduct of all meetings of the School faculty unless otherwise specified.

Article IV: Standing Committees

Section 1: Election and Structure

Members and/or chairs of standing committees shall be elected by the faculty or appointed by the dean near the conclusion of the spring semester or beginning of the fall semester and shall take office at the beginning of or in the academic year of their election or appointment. The exact date for the beginning of the academic year shall be the date

specified in the annual faculty contracts. Vacancies shall be filled at the earliest time possible as determined by the Nominating Committee.

The chair of each committee shall determine the structure of each committee. The chair with input from all eligible voting members of the School determines the agenda for each committee.

A quorum shall consist of a simple majority of those faculty present and eligible to vote.

Section 2: Floor Privileges

All meetings of each standing committee shall be open to the School faculty, but only members of the committee shall have the privilege of the floor unless nonmembers are recognized by the chair of the committee.

Section 3: School Committees (Role, Charge, Governance)

1. Undergraduate Curriculum Committee

The Undergraduate Curriculum Committee consists of three program coordinators, the M.A.T. (Learning Disabilities) Advisor, the Clinical Coordinator, and a chair appointed by the dean.

The Undergraduate Curriculum Committee will review and approve undergraduate curricular modifications, proposals, policy revisions, or other recommendations for further action by the School faculty.

The Undergraduate Curriculum Committee will review and approve undergraduate catalog changes for further action by the School faculty.

The Undergraduate Curriculum Committee will continually assess the content and efficacy of undergraduate programs in terms of program substance, delivery, and student performance. Findings will be forwarded to the School faculty.

2. Graduate Curriculum Committee

The Graduate Curriculum Committee consists of the Graduate Program advisors and a chair appointed by the dean.

The Graduate Curriculum Committee will review and approve graduate curricular modifications, proposals, policy revisions, or other recommendations for further action by the School faculty.

The Graduate Curriculum Committee will review and approve graduate catalog changes for further action by the School faculty.

The Graduate Curriculum Committee will continually assess the content and efficacy of graduate programs in terms of program substance, delivery, and student performance. Findings will be forwarded to the School faculty.

The Graduate Curriculum Committee will review and approve graduate students' proposals and products for capstone completion for further review and approval by the dean.

3. Educational Technology Committee

With the intent of reflecting the principal areas of disciplinary competence within the School, the committee shall consist of three members appointed by the dean of the School. The Director of Academic Computing Services shall be an ex officio member of the committee.

The committee shall develop and maintain educational technology plans for the School.

The committee shall select a chair from the three appointed members. The committee shall meet at least once a semester.

4. Nominating Committee

The Nominating Committee shall consist of three members. The Nominating Committee will present a slate of candidates for each of the positions to be voted on. The slate will consist of those members of the School of Education faculty who have been nominated and meet the criteria for each of the positions.

The committee shall meet at the beginning of the fall semester and at the beginning of the spring semester to determine the eligibility of faculty to vote and to present a slate of candidates for needed positions.

The committee shall select a chair from the three elected members.

5. Strategic Planning and Institutional Effectiveness Committee

The Strategic Planning and Institutional Effectiveness Committee shall consist of two members, appointed by the dean. The Director of the Office of Institutional Effectiveness and Planning shall be an ex officio member of the committee.

The committee shall serve as advisory to the dean of the School and to the faculty of the School on matters of strategic planning and institutional effectiveness by recommending planning procedures and priorities and assuring that institutional effectiveness efforts at the program level are connected to planning, recruitment and retention, budgeting, performance indicators, and resource allocation policies and practices.

The committee shall meet once each fall and once each spring semester prior to University budget hearings and may meet at other times as called by the dean.

6. Promotion and Tenure Committee

The Promotion and Tenure Committee shall consist of five members. Eligible voting members of the faculty may submit nominations to the Nominating Committee, which will prepare a slate of candidates who are tenured. The committee will be elected by vote of a majority of eligible voting members. All elected members must be tenured.

The committee shall meet as determined by the dean.
The committee shall select its chair.

7. *Ad Hoc* Committees

The dean of the School with input from School faculty may create *ad hoc* committees whose membership shall consist of faculty members who are eligible to vote.

All meetings of each *ad hoc* committee shall be open to the School faculty, but only members of the committee shall have the privilege of the floor unless nonmembers are recognized by the chair of the committee.

Section 4: Amendments

Amendments to these bylaws may be approved at any regular meeting of the School faculty by a majority vote of all faculty who are present and eligible to vote.

All amendments must be approved by the School faculty. Amendments become effective upon final approval of the School faculty.

APPENDIX 6. BYLAWS OF THE LIBRARY

The following bylaws for the Library Faculty of Francis Marion University shall provide the general principles for participation by the librarians in the academic governance structure of Francis Marion University.

Article I: Membership and Voting Privileges

The faculty of the Library includes the President, the Provost, the dean of the Library, and all persons appointed on a full-time basis within the Library with the rank of professor, associate professor, assistant professor, or instructor, including any full-time administrative officer holding such rank.

The voting members of the faculty of the Library are those who are full-time librarians.

Article II: Committee Elections

Library faculty committees will be elected as needed. Vacancies on the committees will be filled by the process of special election or temporary appointment by the dean if elections are not feasible. The Library's representative to the Faculty Senate will be elected during the spring semester.

1. Promotion and Tenure Committee

Membership: three tenured faculty, when possible, elected by the Library faculty for one-year terms and one at-large member of the FMU faculty, appointed by the Dean in concert with the committee, for a one-year term. The chair will be elected from the committee.

Powers and Duties: The Committee will receive and review applications for tenure and/or promotion from the Library faculty and make recommendations with respect to these applications to the Dean of the Library. The Committee will also recommend changes in tenure and promotion policies when the Committee judges such change is needed.

Ad Hoc Committees

The dean may create ad hoc committees as necessary, and membership to said committees will be consistent with the charge to the committee(s).

Article III: Faculty Meetings

The Library faculty will meet at least two times each academic year to conduct the business of the faculty and to hear reports from committees and administrators. The dean of the Library or his or her designee will preside.

Special meetings of the Library faculty can be called by the President, the Provost, or the dean of the Library or by request of half of the library faculty.

The dean will prepare meeting agendas composed of items proposed by the dean and/or voting members of the Library faculty. The agenda for all meetings of the Library faculty will be distributed prior to the meeting. The specific purpose of any special meeting will be included in its agenda. Only matters included on the meeting agenda can be voted on at that meeting.

A quorum of the Library faculty consists of a simple majority of the library faculty. The Administrative Assistant to the dean of the Library will serve as Secretary to the faculty.

The current edition of Robert's Rules of Order will govern the conduct of all meetings of the Library.

Article IV: Amendments

Amendments to these bylaws can be approved at any regular meeting of the Library faculty by a majority vote of the quorum present, provided that at least one week has passed since the first reading of the proposed amendment at a duly constituted meeting of the librarians.

APPENDIX 7. BYLAWS OF THE BOARD OF TRUSTEES

1. Corporate Name

The governing body of Francis Marion University is the Board of Trustees, which is by statute constituted a body corporate and politic under the name of the Board of Trustees for

Francis Marion University and is charged with responsibility for overseeing the effective governance of the University.

2. Powers and Duties of the Board

The powers of the Board of Trustees are stated with clarity and comprehensiveness in the statute establishing the Board. [See SC Act 510 of 1988, Chapter 133; and H.3716, 2/12/92.] The Board of Trustees has the authority under the statute to manage and control the activities and policies of the University in accordance with applicable provisions of public law. The Board may adopt such policies, rules, and regulations as it may deem proper for its own governance and for the governance and management of the activities and resources of the University. The powers and duties of the Board of Trustees include, but are not limited to, the following illustrative functions:

1. To safeguard the purposes of the University and the ideals by which it is guided; to periodically review the mission and purpose of the University in the light of educational, economic, and societal change and to revise the mission and educational philosophy as needed, within the statutory framework and statewide coordination under which the University functions.
2. To assure the effective operation of educational programs and services so as to effectively carry out the University's mission; to review and approve proposals for major revision of degree programs and educational support services in accordance with the University's mission and resources; to confer degrees upon recommendation of the President and the faculty.
3. To assure the effectiveness of University governance, policy formation, and decision making; to establish an appropriate delegation of authority and responsibilities within the University; and to assure the effectiveness of communications, consultation, and cooperative decision making among the various sectors of the University community.
4. To appoint the President as the chief executive officer of the University; to delegate his responsibilities, evaluate his performance, provide for his leadership and welfare, and set appropriate conditions of employment, renewal, or termination.
5. To authorize the President to establish the administrative organization of the University and to appoint the senior administrative officers of the University in accordance with the bylaws and policies of the Board of Trustees.
6. To review and approve policies and procedures bearing on faculty appointment, promotion, tenure, and nonrenewal and to authorize the President to appoint members of the faculty; to review and approve general personnel policies, including protection for all employees against any form of discrimination or any violation of due process rights in employment.
7. To assure the effectiveness of comprehensive and mission-based institutional planning; to review, approve, and adopt plans for program development, financial strengthening, and capital and campus development; to assure the effective implementation of plans and to monitor the formation of short-term plans and decisions in the light of long-term goals for University development.

8. To delegate the functions and responsibilities of the faculty and to provide for the effectiveness of the faculty in discharging those functions and responsibilities.
9. To review and approve the annual operating budget of the University; to regularly monitor the financial condition of the University and to establish plans, financial policies, and investment practices designed to assure the financial strength and stability of the University.
10. To assure the effectiveness of comprehensive planning for procurement of current and capital funds; to authorize the acceptance of major gifts and bequests in accordance with Board policies and public law.
11. To authorize the construction of new buildings and the major repair or renovation of existing buildings.
12. To assure the accountability of the University to fundamental social values and to the provisions of public law; to facilitate communications between the University and State government or other agencies and constituencies.
13. To protect the academic environment of the University from improper pressure or interference adversely affecting the functions of scholarship, teaching, and learning; to assure the academic freedom of faculty and students.
14. To assure appeal procedures in disputes or grievances involving faculty, administrative officers, staff, and/or students.

3. Membership of the Board of Trustees

- A. The Board of Trustees is composed of the Governor of the State of South Carolina, an *ex officio* member of the Board; and sixteen members, with fifteen of these members to be elected by the General Assembly and one member to be appointed from the state at large by the Governor.
- B. The term of elective members is four years. The member occupying Seat Sixteen serves a term coterminous with the term of the Governor appointing him.
- C. The term of office of an elective trustee commences on the first day of July of the year in which the trustee is elected.
- D. Members of the Board of Trustees are expected to attend all regularly scheduled and called meetings of the full Board and its committees. State statute requires that a member who has three consecutive unexcused absences of regularly scheduled meetings is considered removed from the Board and a vacancy is created. Excused absences are within the discretion of the chair.

4. Officers of the Board

The officers of the Board of Trustees shall consist of the Chair, the Vice Chair, and the Secretary. Election of officers shall be held at the quarterly spring meeting each year. New officers will assume office at the summer annual meeting. Each officer is elected for one year or until a successor is elected and qualified. Vacancies in any office may be filled at any meeting.

The Chair's and Vice Chair's respective terms are limited to four consecutive terms of one year each.

A. Chair

The Chair of the Board of Trustees is charged with the duty of maintaining a level of interest and activity among the Board which will contribute to the determination of Board policies, wise planning for the future, intelligent and considerate observance of the rights of the faculty and student body, and the maintenance of the independence of the Board from outside influences harmful to the interest of the University. Powers and duties of the Chair include the following:

1. Preside over the meetings of the Board. If the Chair is absent, the Vice Chair shall preside if present. Otherwise the Chair shall designate some other trustee to preside.
2. With the Secretary execute all papers to which it is necessary to affix the seal of the University.
3. Appoint all committees, subject to the approval of the Board.
4. Serve as member *ex officio* of all committees of the Board.
5. Upon request of the Board, act as its spokesperson or representative.
6. Perform those additional duties which may be imposed upon his office by statute or by direction of the Board.

B. Vice Chair

In the absence or inability of the Chair to discharge the duties of office, all the duties of the Chair of the Board shall devolve upon and be executed by the Vice Chair.

C. Secretary

The powers and duties of the Secretary shall include the following:

1. Keep a faithful record of all proceedings.
2. Conduct correspondence for the Board.
3. Give notice of time and place of meetings.
4. See that all documents entrusted to his care are filed and safely kept at the University.
5. Make documents entrusted in his care available for inspection by the Board or any committee of the Board.
6. Surrender documents under his control only to an agent or officer authorized to receive them.
7. Maintain a file of minutes of all committees of the Board.
8. Ensure that the Board is acting at all times in accordance with these bylaws and consistent with the policies of the Board.

The Secretary of the Board may be assisted by a recording secretary who shall be appointed by the President from the staff of the University.

5. Meetings of the Board of Trustees

A. Meetings

The Board of Trustees shall hold four meetings annually, one in each quarter of the calendar year, on dates and at places as the Board shall determine. An annual meeting of the Board will be held in the summer of each year to give the members the opportunity to plan and organize for the coming academic year.

B. Special Meetings

Special meetings of the Board of Trustees shall be held whenever called by the Chair of the Board of Trustees or by a majority of the trustees. Written notice of special meetings shall be sent to all trustees by the Chair or Secretary of the Board with a clear statement of purpose(s) at least five days in advance. Business at such special meetings shall be confined to the stated purpose(s).

C. Action Without Formal Meeting

Action by the Board may be taken without a formal meeting if all the members of the Board consent in writing to the adoption of a resolution authorizing such action. The resolution and written consents shall be filed with the minutes of the action.

D. Quorum

A quorum for the transaction of business at meetings of the Board of Trustees shall consist of a majority of the members.

E. All meetings of the Board and its committees shall be conducted in accordance with *Roberts' Rules of Order - Revised for Deliberative Assemblies*.

F. Freedom of Information Act

As required by the South Carolina Freedom of Information Act, all meetings of the Board of Trustees shall be open to the public. The Board may move into executive session as stipulated in Section 30-4-70 of the act. The Board may invite anyone it chooses to the executive sessions.

G. Each member of the Board of Trustees shall have one vote on all matters that require a formal recording of votes. Proxy voting shall not be permitted when members are absent from the meeting. Trustees absent from a meeting can make their views known to other board members beforehand, but will not be allowed to delegate their vote to another board member.

However, a member of the Board of Trustees who makes arrangements in advance to participate in board meetings via electronic means (telephone or video conference) may have their vote recorded when roll-call votes are taken.

6. Committees of the Board

A. Executive Committee

1. The Executive Committee shall consist of not less than three members appointed by the Chair subject to the approval of the Board at the annual meeting. The members of the Executive Committee shall serve for a term of one year.
2. The Executive Committee may exercise the powers and transact business of the Board of Trustees in recess except for the following actions, which shall be reserved for the Board:
 - a. To elect officers of the Board.
 - b. To appoint or remove the President.
 - c. To change the institutional mission or purposes of the University.
 - d. To take any final action on any question radically affecting the indebtedness, the tangible property, the operating budget, or the general policies of the University.
3. All actions taken by the Executive Committee in the interim between meetings of the Board shall be reported promptly to the Board by the Secretary and thereafter ratified by the full Board.
4. The Executive Committee shall assist the Chair of the Board and the President to assess the performance of the Board and its members in carrying out their functions and duties and to assure the effectiveness of the Board of Trustees and its committees.

B. Standing Committees

1. The Board shall establish such standing committees as it shall consider necessary and appropriate for the discharge of its duties. Each shall have a written statement of purpose, role, and scope as approved by the Board.
2. Each standing committee shall consist of no less than three members appointed by the Chair at the annual meeting of the Board. At the time of appointment, the Chair shall designate the chair of each committee.
3. Each standing committee shall provide for the keeping of minutes of its meetings and shall send such minutes to the Secretary of the Board for distribution to the members of the Board.

C. Special Committees

1. Special committees may be constituted at any time either by action of the Board or by direction of the Chair. Special committees shall have a term not to exceed one year unless renewed for a specific time by action of either the Board or the Chair.

2. Each special committee shall consist of no less than three members appointed by the Chair. At the time of appointment, the Chair shall designate the chair of each committee.
3. Each special committee shall present its report and recommendations as required to the Board, to the President, or, upon request of the Chair, to the Executive Committee.

7. Administration of the University

A. Vesting Authority

The authority for the administration of the University is vested by the Board of Trustees in the President and such other officers of the University as may from time to time be appointed by the President.

B. President

1. Appointment

- a. The President is appointed by the Board of Trustees to serve for such term and on such conditions as the Board considers appropriate. The President serves at the pleasure of the Board of Trustees.
- b. When the office of the President becomes vacant, or a vacancy is pending, the Chair shall appoint a special committee on the nomination of a president from among the membership of the Board and the faculty to seek and recommend to the Board a person to fill the vacancy.

2. Powers and Duties of the President

The authority and functions of the President are explicitly delegated by the Board of Trustees and include responsibility for all University educational and managerial affairs. The President is the chief executive officer of the University and the executive agent of the Board of Trustees. He/she exercises a general superintendence over all the affairs of the University in accordance with the policies of the Board of Trustees and provides leadership and advice to the Board in carrying out its responsibilities. The functions of the President include, but are not limited to, the following:

- a. To perform all acts and execute all documents necessary to make effective any actions taken by the Board of Trustees and to implement all policies and plans adopted by the Board.
- b. To coordinate the preparation of policies and plans presented to the Board for its adoption or approval, to consult with the Board in timely fashion on matters appropriate to its policy-making functions and fiduciary responsibilities, to provide the Board with the information it requires to meet its policy-making responsibilities, and to advise the Board concerning actions to be taken.

- c. To organize the administrative services of the University in consultation with the Board and in accordance with Board policy, and to appoint administrative officers and other professional staff by authority of the Board of Trustees.
- d. To exercise leadership in working with the faculty and academic officers in developing plans and proposals for educational programs and policies; to review and evaluate faculty proposals for major revision of educational programs and policies and to present them to the Board with his recommendation concerning their action; to bear responsibility for the orderly implementation of educational programs and policies.
- e. To appoint members of the faculty by authority of the Board of Trustees and to provide leadership to the faculty in carrying out their responsibilities in teaching, scholarship, and public service.
- f. To have the power of final approval of all initial appointments, renewals of appointment, promotions in rank, compensation, conferral of tenure and termination of faculty and members of the administration and staff on recommendation or advice of the appropriate vice president or other officers of the University.
- g. In the absence of specific provisions to the contrary in the bylaws and policies of the Board of Trustees, to serve as the medium of communication between the Board and the administration, faculty, staff, students, and alumni of the University.
- h. To assure the orderly management of fiscal and personnel affairs, the auxiliary enterprises of the University, and the maintenance and development of its financial and physical resources; to coordinate the preparation of the operating and capital budgets of the University and to submit proposed budgets to the Board of Trustees for its review and approval; to keep the Board fully informed of the financial condition of the University and concerning trends affecting the University's financial stability and strength.
 - i. To provide for the effective conduct of systematic, comprehensive, and information-based institutional planning, to present such plans to the Board of Trustees with his advice concerning action which may be needed, and to monitor the effectiveness of educational and educational support programs of the University in the light of its mission and long range development plans.
- j. To represent the University in its relationships with related associations, other institutions, the news media, governmental agencies, alumni, and the general public; to assure the effectiveness of communications among internal constituencies of the University on matters of shared concern; to assure the effectiveness of communication between the University and its external constituencies; to serve as the chief spokesperson of the University and to represent the University and the Board of Trustees to the public, interpreting the goals and values of the University to the community and also bringing back to the University information concerning community needs and how the University might meet those needs.

C. Chief Financial Officer

1. Appointment

The chief financial officer of the University shall be appointed by the President for such term and under such conditions as the President considers appropriate.

2. Functions and Responsibilities

The chief financial officer shall have the responsibility to control expenditures and to initiate enforcement measures for conducting the financial affairs of the University with maximum security, efficiency, and effectiveness. The powers and duties of the chief financial officer include the following:

- a. To be responsible for the collection of all income and revenues of the University, to maintain adequate records of all financial assets, liabilities, and transactions of all authorized appropriations, and to determine that funds expended pursuant thereto are properly accounted for.
- b. To submit to the President and the Board of Trustees periodic and annual financial reports, to prepare such supplementary reports as may be necessary from time to time to keep the President and the Board of Trustees fully informed concerning the current financial condition of the University.
- c. To submit to the President estimates of income and expense and to submit such information as may be necessary or useful to the President and the Board of Trustees in the determination of sound financial policy and plans and the adoption of current and capital budgets.

D. Other Administrative Officers

1. Administrative Organization

The administrative organization of the University, including the functions and responsibilities of senior officers of the University, shall be determined and established by the President, subject to the approval of the Board of Trustees.

2. The President shall have final approval on the appointment of vice presidents and other senior officers of the University. Individuals appointed to such positions shall serve in their capacities at the pleasure and will of the President, who shall be responsible for the effective performance of their function and responsibilities.

8. Amendments

- A. None of these bylaws shall be subject to change by appeal, alteration, or suspension except by vote of two-thirds of the members present at a meeting of the Board, those voting to amend being also a majority of the entire Board.

B. Proposed amendments shall be submitted in writing to all members of the Board at least thirty days before the meeting at which action on the amendment is to be taken by the Board.

Revised by action of the Board of Trustees 7/17/97; amended 7/21/2000

APPENDIX 8:



FRANCIS MARION UNIVERSITY STUDENT RATING FORM

Your opinions are important in helping the University maintain and improve the quality of its courses. Please answer each item honestly and thoughtfully. **Remember, this evaluation process is strictly confidential.** Your instructor will not receive the results of this survey until after final grades have been submitted.

Course Section Number

A	B	C	D
0	0	0	0
1	1	1	1
2	2	2	2
3	3	3	3
4	4	4	4
5	5	5	5
6	6	6	6
7	7	7	7
8	8	8	8
9	9	9	9

Correct Mark



Incorrect Marks



Use a #2 Pencil to Mark Your Answers.

Do Not put your name or social security number on the answer form.

Please Rate the Instructor Using the Scales Provided

	Excellent	Good	Fair	Poor	Cannot Rate
1. Instructor's ability to present material in a clear and understandable manner was:	(A)	(B)	(C)	(D)	(E)
2. Instructor's ability to stimulate interest in the subject was:	(A)	(B)	(C)	(D)	(E)
3. Instructor's ability to improve understanding of the subject was:	(A)	(B)	(C)	(D)	(E)
4. Instructor's knowledge of the subject was:	(A)	(B)	(C)	(D)	(E)
5. Instructor's ability to encourage critical thinking was:	(A)	(B)	(C)	(D)	(E)
6. Instructor's explanation of course assignments was:	(A)	(B)	(C)	(D)	(E)
7. Overall, the quality of instruction was:	(A)	(B)	(C)	(D)	(E)

Please indicate your satisfaction with the availability of the instructor outside the classroom

8. <i>(In selecting your rating consider the instructor's availability via established office hours, appointments, and other opportunities for face-to-face interaction as well as via telephone, e-mail, fax, and other means):</i>	Very Satisfied	Satisfied	Dissatisfied	Very Dissatisfied
	(A)	(B)	(C)	(D)

Please Rate the Course

	Excellent	Good	Fair	Poor	Cannot Rate
9. Overall quality of this course as a learning experience was:	(A)	(B)	(C)	(D)	(E)
10. Relevance of assignments to the course description:	(A)	(B)	(C)	(D)	(E)
11. The textbook and/or other required materials used in this course were:	(A)	(B)	(C)	(D)	(E)

Please Rate the Grading System Used in this Course

	Excellent	Good	Fair	Poor	Cannot Rate
12. Timeliness on returned graded materials was:	(A)	(B)	(C)	(D)	(E)
13. Overall, the fairness of the grading policy used in this course was:	(A)	(B)	(C)	(D)	(E)

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FRANCIS MARION UNIVERSITY BOARD OF TRUSTEES

