



Summary of Changes to the By-laws and *Faculty/Administration Manual* for 2018-2019 edition

Last Revised: August 31, 2018

Changes to Faculty By-Laws

- Modifications throughout By-Laws to enact Senate- and full faculty-approved resolution to avoid gender-binary language. *Faculty/Administration Manual* pages reflecting specific changes are attached to this log. These changes, in principle, were approved by the Faculty Senate and ratified by the full faculty.
- **Article V-Committees, Section 3-Standing College Committees, B.12-Faculty Hearing Committee**
 - Subsection a: Modification to By-Laws regarding constitution of Faculty Hearing Committee, moving towards a pool model, addressing how hearing panels are constituted from the full Faculty Hearing Committee, and addressing how cases are assigned to panels. Based on recommendations of the 2016-17 *ad hoc* Committee on Hearings, chaired by Roger Daniels, with modifications by the 2017-18 Committee on the By-Laws and the *Faculty/Administration Manual*, with additional modifications and eventual endorsement by the 2017-18 Faculty Senate at April 2018 meeting.
 - Subsection a: Insertion regarding length of service on Faculty Hearing Committee, the staggering of terms of appointees, and training requirement. Based on recommendations of the 2016-17 *ad hoc* Committee on Hearings, chaired by Roger Daniels, with modifications by the 2017-18 Committee on the By-Laws and the *Faculty/Administration Manual*, with additional modifications and eventual endorsement by the 2017-18 Faculty Senate at an April 2018 meeting.
 - Subsection b(7): Modification of Faculty Hearing Committee's charge to insert "To hear other matters referred by the President to the Committee where a due process hearing is necessary." Based on recommendation of the 2016-17 *ad hoc* committee on hearings, chaired by Roger Daniels, to bring the By-Laws into alignment with the administrative section of the *Faculty/Administration Manual*. Subsequently endorsed by the 2017-18 Committee on the By-Laws and the *Faculty/Administration Manual*, followed with endorsement by the 2017-18 Faculty Senate at an April 2018 meeting.
 - Subsection c, Grievance Procedure: Modified to reference grievance procedures elsewhere in the *Faculty/Administration Manual*, along with other pertinent or referential sections of the *Manual*. Proposals made by the 2017-18 Committee on the By-Laws and the *Faculty/Administration Manual* and endorsed by the 2017-18 Faculty Senate at an April 2018 meeting.

- Each of the above changes to the Faculty By-Laws was ratified by the full faculty, with the exception of the gender-binary language changes, which were ratified in principle, rather than as specific language.

Changes to Administrative Sections

- Modifications¹ throughout the administrative section of the *Manual* to enact Senate-endorsed resolution to remove and replace some, but not all, passages using gender binaries.
- **Article I.A-Approved College History:** Update of and general revisions to the brief College history that is included in the *Faculty/Administration Manual*.
- **Article I.B-Accreditation:** Update to reflect that the College is accredited by the Southern Association of Colleges and Schools Commission on Colleges to now offer the Bachelor of General Studies.
- **Article II.D-The Academic Department Chair:** Revisions to reflect current agreement between the College's President and Provost that academic department chairs are appointed by the Provost with the approval of the President and serve at the pleasure of the Provost, rather than being appointed by and serving at the pleasure of the President of the College of Charleston.
- **Various Articles and Sections:** Miscellaneous changes in deadlines associated with tenure process, grievance filing, and grievance processes. These changes were largely based on recommendations of the 2016-17 *ad hoc* Committee on Hearings, chaired by Roger Daniels, with modifications by the 2017-18 Committee on the By-Laws and the *Faculty/Administration Manual* and additional modifications and eventual endorsement by the 2017-18 Faculty Senate at an April 2018 meeting. The language addressing the timeline for the President's decision was finalized by the Office of the Provost prior to publication of 2018-19 *Faculty/Administration Manual*, consistent with our annual target deadline of March 15.
- **Article IV.C-Statement of Academic Freedom:**
 - Revisions to subsection 4, Complaints of Violations of Academic Freedom or of Discrimination in Non-Reappointment, to emphasize the applicability of this section to adjunct faculty in termination or non-renewal. Changes introduced by Richard Nunan, Chair of the 2017-18 Committee on the By-Laws and the *Faculty/Administration Manual*, and endorsed by the Committee and the Faculty Senate.²
- **Article IV.C-Statement of Academic Freedom**
 - Subsection C, Political Activities of Faculty Members: Insertion of "in the Academic Affairs Division" to clarify that the reference to staff in the third paragraph of this section is a reference to Academic Affairs staff.
- **Article V.D-Probationary Appointments for Tenure-Track Faculty**
 - Insertion of text in this heading and preamble to provide clarity regarding the applicability of this section to Instructors and Senior Instructors. Introduced by the 2017-18 Committee on the By-Laws and the *Faculty/Administration Manual* and endorsed by the Faculty Senate.

¹ Note that the Student Grievance Procedure (Article VIII.D) was not modified to eliminate gender binaries, as that procedure is copied from the College of Charleston policy website and from the Student Handbook, the latter of which is maintained by the leadership of the Division of Student Affairs.

² One change endorsed by the Committee and the Senate was not approved by the Provost for insertion in the *Faculty/Administration Manual*. An explanatory memo was provided by the Provost to the Speaker of the Faculty and to the 2018-2019 membership of the Committee on the By-Laws and the *Faculty/Administration Manual*.

- Revision of section 1 of this article to clarify the applicability of language regarding credit towards tenure. Specifically, insertion of two instances of “for tenure-track appointments.”
- Additional modifications to this section to provide clarity regarding what notification is required and what actions are grievable, based on appointment type. Introduced by Richard Nunan, Chair of the 2017-18 Committee on the By-Laws and the *Faculty/Administration Manual*, modified and eventually endorsed by that Committee, and endorsed by the Faculty Senate.
- **Insertion of Article IV.E-Adjunct Faculty Appointments:** The language of this new section acknowledges the nature of adjunct faculty employment and the College’s obligations with respect to non-renewals and mid-appointment terminations, including the obligation to notify, where such exists. Introduced by Richard Nunan, Chair of the 2017-18 Committee on the By-Laws and the *Faculty/Administration Manual*, modified and eventually endorsed by that Committee, and endorsed by the Faculty Senate.
- **Article V.E (now V.F)-Unclassified Administrators:** In Subsection 3, Grievance Procedure for Unclassified Administrators and Faculty Members with Administrative Appointments Grieving Matters Related to their Administrative Duties: Replacement of “tape-recorded” with recorded and “tape” with “recording.”
- **Article VI.D-Procedures for Third-Year Evaluation, Tenure and Promotion of Instructional and Library Faculty:** In Subsection 14 addressing appeals of tenure and promotion decisions to the Board of Trustees, replacement of “tape-recorded” with “recorded” and “tape” with “recording.”
- **Article VI.G-Tenure-Clock Modification Policy:** Insertion of the parenthetical phrase “or the decision regarding promotion to Senior Instructor” to this section to emphasize the applicability of the policy to the schedule for review for promotion to Senior Instructor.
- **Article VI.H-Post-Tenure Review:**
 - Clarification of guidelines for when a faculty member can seek a superior post-tenure review rating. Based on the recommendation of the 2016-17 Post-Tenure Review Committee, following consultation with Associate Provost for Faculty Affairs, Deanna Caveny, and endorsed by the 2017-18 Post-Tenure Review Committee, the 2017-18 Committee on the By-Laws and the *Faculty/Administration Manual*, and the Faculty Senate.
 - Removal of “exceptional professional commitments” as a basis for a post-tenure review deferral, based on the recommendation of the 2016-17 Post-Tenure Review Committee, and supported by the 2017-18 Post-Tenure Review Committee, the 2017-18 Committee on the By-Laws and the *Faculty/Administration Manual*, and the Faculty Senate.
 - Clarification of expectations for a superior post-tenure rating, including the relationship of superior post-tenure review ratings to departmental guidelines for promotion to Professor. Proposal introduced by Richard Nunan, Chair of 2017-18 Committee on the By-Laws and the *Faculty/Administration Manual*, endorsed by the Committee and the Faculty Senate, and while preserving the general goals, substantially condensed by the Provost.
 - Modification of the use of departmental post-tenure review panels when the department chair is undergoing post-tenure review and seeking a satisfactory rating. Proposed by Associate Provost for Faculty Affairs (Deanna Caveny) and endorsed by the 2017-18 Committee on the By-Laws and the *Faculty/Administration Manual* and the Faculty Senate.
 - Clarification of role of departmental post-tenure review panel chair when department chair is seeking superior post-tenure review. Proposed by Associate Provost for Faculty Affairs

and endorsed by the 2017-18 Committee on the By-Laws and the *Faculty/Administration Manual* and the Faculty Senate.

- **Article VII-Faculty Discipline, Misconduct, and Termination, Section A, Policy Governing Termination:** Clarifying modification to the opening sentence of this section, replacing “At the end of the probationary period,” with “At the end of the probationary period for faculty holding tenure-track appointments.”
- **Article VIII.A-Faculty Responsibilities to Students:**
 - Subsection 2, Course Objectives: Clarifying revisions made by Office of the Provost.
 - Subsection 5, Office Hours: Clarifying revisions made by Office of the Provost.
 - Subsection 8, Classroom Procedures: Clarifying revisions made by Office of the Provost.
 - Subsection 9, Class Attendance: Clarification of the meaning of WA grade, per recommendation of University Registrar, Mary Bergstrom, and endorsement of the Committee on the By-Laws and the *Faculty/Administration Manual* and the Faculty Senate.
 - Subsection 11, Final Examinations and Final Course Grades: Change text from “drop date” to “withdrawal date,” based on recommendation of Associate Provost for Curriculum and Institutional Resources, Lynn Cherry. Endorsed by the Committee on the By-Laws and the *Faculty/Administration Manual* and the Faculty Senate. Additional clarifying changes made to this section by Office of the Provost.
 - Subsection 13, Midterm Grades: Clarifying revisions made by Office of the Provost.
- **Article X.C-Policy Affecting Travel and Entertainment by Faculty and Academic Staff:** Revised to reflect current delegations of authority applicable to employee and student travel originating within the Academic Affairs Division.
- **Article X-Selected Administrative Policies for Faculty, I-Grievances Before the Faculty Hearing Committee**
 - Modification to reflect the new composition of the Faculty Hearing Committee and hearing panels, per the revised Faculty By-Laws. These changes originated with the recommendations of the 2016-17 *ad hoc* Committee on Hearings, chaired by Roger Daniels, and were modified by the 2017-18 Committee on the By-Laws and the *Faculty/Administration Manual*, followed by additional modifications and subsequent endorsement by the 2017-18 Faculty Senate at April 2018 meeting. These proposed changes were further modified in the Office of the Provost prior to finalization of the 2018-19 *Faculty/Administration Manual* to ensure consistent clarity about the role and responsibilities of the assigned hearing panel relative to that of the Faculty Hearing Committee.
 - Insertion of language regarding conflicts of interest and perceived conflicts of interest. These changes originated with the recommendations of the 2016-17 *ad hoc* Committee on Hearings, chaired by Roger Daniels, and were modified by the 2017-18 Committee on the By-Laws and the *Faculty/Administration Manual*, followed by additional modifications and subsequent endorsement by the 2017-18 Faculty Senate at April 2018 meeting. Prior to finalization of the 2018-19 *Faculty/Administration Manual*, the proposed language was modified as deemed necessary and appropriate by the College administration, including the Provost.
 - Insertion of footnote to provide references for guidance in determinations of conflict of interest.

- Revisions to more explicitly address the role of the alternate on a hearing panel. Based on recommendations of the 2017-18 Committee on By-Laws and the *Faculty/Administration Manual*, with modifications and eventual endorsement by the 2017-18 Faculty Senate at April 2018 meeting.
- Additional substantive process changes, including changes in language regarding witnesses, cross-examinations, and evidence. Based on recommendations of the 2016-17 *ad hoc* Committee on Hearings, chaired by Roger Daniels, with modifications by the 2017-18 Committee on By-Laws and the *Faculty/Administration Manual*, and with endorsement by the 2017-18 Faculty Senate at April 2018 meeting.
- Modification of language regarding transcripts to remove the expectation of production of a written transcript. Replacement of “tape-recorded” with “recording” and replacement of “tape” and “tape recording” with “recording.”
- Insertion of clarifications regarding details of post-hearing processes. Based on recommendations of the 2016-17 *ad hoc* Committee on Hearings, chaired by Roger Daniels, with modifications by the 2017-18 Committee on the By-Laws and the *Faculty/Administration Manual*, and endorsement by the 2017-18 Faculty Senate at the April 2018 meeting.
- Insertion of missing page regarding certain appeals to the College of Charleston Board of Trustees. Based on recommendation of the 2017-18 Committee on the By-Laws and the *Faculty/Administration Manual*, and endorsed by the 2017-18 Faculty Senate at April 2018 meeting. The inserted language from the 1985-86 *Faculty/Administration Manual* (as originally applied to the non-defunct State College Board of Trustees) was modified to reflect current practices of the College of Charleston Board of Trustees and to reflect “recording” rather than the outdated “tape recording.”
- Correction of organizational errors, names, and titles of positions and offices throughout.
- Formatting corrections throughout.