Changes to faculty By-laws: The following changes were approved by the Faculty Senate and ratified by the full faculty, as required.

Article V, Section 3. Institution of an Advisory Committee on the First-Year Experience
- To institute an Advisory Committee on First-Year Experience (FYE) and specify its composition and duties
- Originally proposed by ad hoc Committee on General Education and appeared formally in January 30, 2007 proposal of said ad hoc committee.
- Formal proposal approved by Faculty Senate at special general education meeting on March 13, 2007. Text of proposal is available in Faculty Senate minutes at http://facultysenate.cofc.edu/archives/2006-2007/min031307.pdf and complete text is replicated in appendices to this log.
- Ratified by the full faculty. From Faculty Ballot System log, April 20, 2007: Proposed Amendment 1 to Faculty By-Laws, Art. V, Sect. 3. A. 130 yes, 4 no
- Addition to FAM Article V, Section 3.

Article V, Section 3, Part B.7.a(3). To make a correction to the guidelines for membership on the Advisory Committee on Tenure, Promotion, and Third-Year Review
- To specify that faculty undergoing tenure and promotion review should not serve on the Advisory Committee on Tenure, Promotion, and Third-Year Review.
  - The first edition of the 2014-15 FAM incorporated a non-final version of this proposal. With this edition, the final ratified amendment is incorporated.
  - Corrected language (as revised by Bylaws/FAM Committee and presented to Faculty Senate) reads: “No faculty member undergoing promotion review may serve on this committee during the academic year of that review.”
- Introduced Motion to Exclude Faculty Members Currently under Promotion Review from the Advisory Committee on Tenure, Promotion, and Third-Year Review. Change to By-laws Article V, Section 3, B 7 a 5 in October 2013 meeting
- Discussed and passed Motions in December 2013 meeting (minutes: http://facultysenate.cofc.edu/archives/2013-2014/december-2013/Motion%20to%20exclude%20faculty%20under%20promotion%20review%20from%20T%20and%20P.pdf).
- Ratified by the full faculty. From Faculty Ballot System log, Feb 26, 2014: Motion to Exclude Faculty Members Undergoing Promotion Review from T&P Committee 165 yes, 6 no
• Change FAM Article V, Section 3, part B.7a(3)

Article V, Section 3, Part B.15.a(3). To make a correction to the guidelines for membership on the Post-Tenure Review Committee

• To specify that faculty undergoing post-tenure review should not serve on the faculty Post-Tenure Review Committee.
  
  • The first edition of the 2014-15 FAM incorporated a non-final version of this proposal. With this edition, the final ratified amendment is incorporated.
  
  • Corrected language (as revised by Bylaws/FAM Committee and presented to Faculty Senate) reads: “No faculty member undergoing post-tenure review may serve on this committee during the academic year of that review.”

• Introduced Motion to Exclude Faculty Members Currently under Post-Tenure Review from the Post-Tenure Review Committee. Change to By-laws Article V, Section 3, B 15 a 5 in October 2013 meeting

• Discussed and passed Motions in December 2013 meeting (minutes: http://facultysenate.cofc.edu/archives/2013-2014/december-2013/Motion%20to%20exclude%20faculty%20under%20post%20tenure%20review%20from%20PTR.pdf).

• Ratified by the full faculty. From Faculty Ballot System log, Feb 26, 2014: Motion to Exclude Faculty Members Currently under PTR from the PTR Committee 162 yes, 8 no

• Change FAM Article V, Section 3, Part B.15a(3).

Changes to the administration sections of the FAM: Unless otherwise noted, the following changes were proposed, presented, and endorsed by relevant faculty committees and offices, as required.

Sections VI.D.7, VI.D.10, and VI.D.11: Update of three footnotes regarding status of procedural means to request corrections of errors of fact in Departmental Evaluation Panel, Dean, or Advisory Committee’s written recommendation, respectively.

• In 2012-2013 and 2013-2014 FAM, footnotes had said, “This and other changes in procedure to allow for the correction of errors of fact will be analyzed for the extent and appropriateness of their use after two years (AY2012-13 and AY2013-14) by Academic Affairs in consultation with the Advisory Committee on Tenure, Promotion, and Third-Year Review and the Faculty Welfare Committee. These groups will jointly report this analysis to the Faculty Senate. These changes will sunset unless ratified partially or totally by Academic Affairs by Fall 2014.”

• Consistent with decision of Provost Hynd and communication in 2014, prior to 2013-14 reviews, including joint Provost / Advisory Committee memo to candidates, this footnote now reads, “This and other changes in procedure to allow for the correction of errors of fact, in place since AY2012-13, will be reviewed every three years by Academic Affairs in consultation with the Advisory Committee on Tenure, Promotion, and Third-Year Review and the Faculty Welfare Committee to assess the extent and appropriateness of their use. These groups will jointly report this analysis to the Faculty Senate.”
Section VIII.A.9  Amendments to the “Class Attendance” language to provide guidance to faculty regarding student absences as representatives of the College.

- Developed and introduced by faculty Committee on Student Affairs and Athletics (chaired by Andrea DeMaria) and reviewed by 2013-14 Academic Standards and Council of Chairs.
- Brought to Senate in January 2014 by the committee for information, discussion, and feedback. Speaker Cherry noted to the Senate that the proposed revision would be to a section of the FAM over which the faculty does not have direct control.
- Taken up by Bylaws/FAM Committee in Fall 2014
- Taken back to Faculty Senate by Bylaws/FAM Committee and endorsed by Senate in December 2014.
- Changes to FAM Section VIII.C

Section VIII.C. Amendments to section on Students with Disabilities

- To clarify the roles of students, faculty members, and the Office of Disability Services regarding academic accommodations for students with disabilities
- Prepared by: Deborah Mihal, Director, Center for Disability Services in consultation with Deanna Caveny-Noecker, Associate Provost, Lynne Ford, Associate Vice President for the Academic Experience, and Sarina Russotto, Director of Policy and Compliance.
- Considered and revised by Bylaws/FAM Committee in Fall 2014. Taken to November 2014 Faculty Senate meeting for feedback. Revised version of this section was developed and endorsed by Bylaws/FAM Committee and reviewed at December 2014 Faculty Senate meeting.
- Further revised by Interim Provost Brian McGee. Final version incorporated into the FAM was reviewed by Deb Mihal, Director, Center for Disability Services, Jeri Cabot, Interim Executive Vice President for Student Affairs, Katie Walker, Interim General Counsel, the Academic Council, and members of the Committee on Bylaws and Faculty/Administration Manual.
- Changes to FAM Section VIII.C

Other administrative updates

- Update edition date
- Incorporation of Mission Statement (in Section I.C, Statement of Institutional Purpose) as approved by the Board of Trustees on August 25, 2014, and approved by the South Carolina Commission on Higher Education and announced by President Glenn F. McConnell on September 4, 2014
- Correct numbering and formatting errors, including in Post-Tenure Review section.
- Correct miscellaneous typographical, capitalization, and editorial errors.
Attachments
Changes to the 2014-2015 Faculty/Administration Manual, version 2
Proposed change
Introduction of Advisory Committee on First-Year Experience
Approved by Faculty Senate on March 13, 2007
in special Senate meeting on general education proposal

Faculty By-Laws, Art. IV, Sect. 3.

Insert a new Standing College Committee, the Advisory Committee on the First-Year Experience.

a. Composition: Seven regular faculty members, at least three of whom shall be teaching in the First-Year Experience program (i.e., teaching either a First-Year Seminar or a Learning Communities Course) during the relevant academic year or have taught in the First-Year Experience program during the preceding academic year. Preferably, each academic school should be represented on the committee. The committee shall have one voting student member selected by the Student Government Association. The Associate Vice President for the Academic Experience (or other administrator designated by the Provost), the Assistant Vice President for New Student Programs (or other administrator designated by the Provost), the Dean of Students, and the Director of the First-Year Experience program are ex officio, non-voting members.

b. Duties:

(1) In consultation with the relevant administrators, to support and advise the First-Year Experience program on all matters relevant to the program, including program development, budget requests, and other issues germane to program support;

(2) In consultation with the Director of the First-Year Experience program, to review and assess the First-Year Experience program and to make non-binding recommendations for revisions to the program;

(3) To request and review proposals for First-Year Experience courses (sections of FYSM 101 and Learning Communities); and

(4) To assist the Director of the First-Year Experience program in recruiting students for First-Year Experience courses and to recruit and plan the training for new First-Year Experience faculty and peer facilitators for Learning Communities.

c. Implementation: The Advisory Committee on the First-Year Experience shall be constituted only if the Provost and the Speaker of the Faculty certify in a written notice addressed to the members of the Faculty Senate that a coordinated, comprehensive, and unified First-Year Experience program has received the necessary approvals and shall be implemented in a timely fashion. Such written notice shall be supplied no later than August 15, 2009, or the ratification for which Art. VI, Section 1.A. provides shall be null and void and this committee description shall be removed from the Faculty By-Laws.
TITLE: Motion to Exclude Faculty Members Currently under Review from the Advisory Committee on Tenure, Promotion and Third-Year Review. Change to By-laws Article V, Section 3, B 7 a 5

INTRODUCTION:
This change in the by-laws will explicitly exclude faculty members undergoing any level of promotion review from serving on the Advisory Committee on Tenure, Promotion and Third-Year Review.

MOTION:
Insert Article V, Section 3, B 7 a 3 to the by-laws:

No faculty member undergoing any level of administrative review (i.e., promotion or post tenure review) may serve on this committee during the academic year of that review.

The current subsections 3, 4, and 5 would be renumber to 4, 5, and 6.

RATIONALE:
Current practice, based on guidance from the Provost’s Office, is exclude from service on the Advisory Committee on Tenure, Promotion and Third-Year Review any faculty member going up for promotion to full Professor or undergoing post-tenure review. This motion would formalize that practice.
TITLE: Motion to Exclude Faculty Members Currently under Review from the Post-Tenure Review Committee. Change to By-laws Article V, Section 3, B 15 a 5

INTRODUCTION:

This change in the by-laws will explicitly exclude faculty members undergoing any level of Post-Tenure review from serving on the Post-Tenure Review Committee.

MOTION:

Insert Article V, Section 3, B 15 a 3 to the by-laws:

No faculty member undergoing any level of administrative review (i.e., promotion or post-tenure review) may serve on this committee during the academic year of that review.

The current subsections 3, 4, and 5 would be renumbered to 4, 5, and 6.

RATIONALE:

Current practice, based on guidance from the Provost’s Office, is to exclude from service on the Post-Tenure Review Committee any faculty member going up for promotion to full Professor or undergoing post-tenure review. This motion would formalize that practice.
NOTICE OF INTENT: To Change Faculty Administrative Manual to More Clearly Define Faculty Obligations with Regard to Class Attendance Policy.

With specific changes to FAM Administration section

Article VIII. FACULTY INTERACTION WITH STUDENTS
9. Class Attendance:

**INTENT:** The change will clarify instructors’ responsibility to recognize instances where students are asked to be official representatives of the College of Charleston as excused absences. It also requires faculty to state in course syllabi a policy for making “reasonable accommodations” to make up work missed for excused absences.

The Student Affairs and Athletics Committee has indicated its acceptance of these changes. The 2013-14 Academic Standards committee expressed no concerns with the changes but the 2014-15 Academic Standards Committee has a unanimous reservation about these changes that they feel should be brought to the attention of the senate. The original concerns of the 2014-15 Academic Standards committee, which they want to share with the senate, are as follows:

The Faculty Committee on Academic Standards (FCAS) has reviewed the FAM proposed change on excused absences. We have the following concerns:

1. **A.9, 1st paragraph:** This paragraph should start with a statement of recognition of the faculty’s discretionary right to decide attendance policies. Furthermore, the language “... will recognize absences ...” is too prescriptive because it impinges on the faculty’s academic freedom without consultation with the faculty. We suggest “... are asked to consider absences ...” or similar language.

2. **A.9, 2nd paragraph:** If the language does not change per #1 above, then insert a phrase that indicates that “in all other cases” faculty have discretion in setting their own attendance policy. Also change “two weeks prior to the scheduled absence” to “one week prior to the scheduled absence” to keep the wording consistent with the SNAP notification procedure.

3. **Some definitions are needed to inform this document:**
   1. college-sponsored activities - including a representative listing. On the one hand, these likely include athletic events and academic meetings and conferences, for example. On the other hand, do they include SGA club meetings on and/or off campus?
   2. Who is the final arbiter of the definition in 3.a above?

In general, our feeling is that since you posit in your email that this section of the FAM is administrative only and does not require faculty approval, it then follows that any change to this document cannot constrain faculty rights.

The statements herein should not be construed as an endorsement of this change to FAM, but merely our observations and concerns.
For these changes a single strike through text is a deletion from existing language, underlined text is new language. While not required, since this section of the FAM is under administrative control, a vote in favor of this change would indicate to the administration, faculty senate agreement to the change.

A. Faculty Responsibilities to Students

9. Class Attendance

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

During the first week of classes, instructors will announce and distribute their attendance policies, including criteria to be used in determining excused absences. The professor Instructors determines whether absences are excused or unexcused, whether make-up work will be permitted, and for the purposes of participation grades, in-class assignments, and laboratories. Regarding formal graded work (such as exams, presentations, papers), instructors will make “reasonable accommodations” when a student misses class for an event at which s/he is an official representative of the College of Charleston. Examples of reasonable accommodations might include: rescheduling an exam, altering presentation times, or flexibility in assignment submission dates. Students are required to submit documentation of their College representation-related commitment from the appropriate College authority at least one week prior to the scheduled absence in order to be eligible for reasonable accommodations by the instructor. Regardless of any accommodation granted, students are responsible for satisfying all academic objectives, requirements, and prerequisites as defined by the instructor and the College.

Instructors ascertain whether both excused and unexcused absences count in determining the basis for a grade of “WA,” which stands for “withdrawn excessive absences” and is equivalent to a failing grade. If attendance is used for grading purposes, the instructor is responsible for keeping accurate attendance records. Each student, whether absent or not, is responsible for all information disseminated in the course. If a student has more than the maximum allowed absences, as
defined in the course syllabus; the professor may instruct the registrar to record a grade of assign a “WA,” for the student. Instructors are required to submit an electronic “WA” form (located in MyCharleston faculty tab) The grade of “WA” is a failing grade. The procedure for assignment of this grade requires that the professor provide written notification to the Registrar on or before the last meeting day of the class. The Registrar will then send a courtesy copy of the notice an email notification to the student. The student is responsible for keeping personal addresses and contact information current through the Office of the Registrar. All students, whether absent or not, are responsible for all information disseminated in the course.

If students who participate in athletics competitions or other college-sponsored events want to be assured that they are in compliance with the faculty member’s attendance policy, they must provide written notification to all course instructors of dates and times when regularly-scheduled classes and labs will be missed.
C. Students With Disabilities

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

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

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

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

It is the responsibility of the student to:

1. meet and comply with the academic and technical standards of the College;

2. make a request to be approved for SNAP (Students Needing Access Parity) services, provide adequate evidence of the disability based on established criteria, and communicate with CDS reasonably in advance of situations for which SNAP services and reasonable accommodations are necessary;

3. meet obligations related to the accommodations recommended by CDS (e.g., providing appropriate notification to the instructor); and

4. communicate concerns related to accommodations to a CDS administrator.

It is the responsibility of CDS to:

1. provide information to the faculty about types of disabilities, disability-related issues and the availability of services;
2. review documentation provided as evidence of disability;

3. recommend reasonable accommodations;

4. enter into a dialogue with faculty whenever there is a disagreement about an accommodation, with the intent of collaboratively resolving such disagreements at the earliest opportunity, normally before the conclusion of the drop/add period at the beginning of a semester or academic term; and

5. communicate to the student, faculty member, Department Chair or Program Director, and Dean, as appropriate, those agreements that have been reached in any case involving a dispute over reasonable accommodation.

It is the responsibility of the faculty member to:

1. maintain the confidentiality of a student’s disability status and accommodations;

2. be familiar with the availability of disability services at the College;

3. provide and administer reasonable accommodations;

4. contact CDS at the earliest opportunity if the faculty member believes the accommodations recommended by CDS are unduly burdensome or fundamentally alter the nature of the course and, additionally, to communicate those concerns and recommend alternative accommodations to a CDS administrator; and

5. inform her or his Department Chair or Program Director if the faculty member believes that a dispute over reasonable accommodation will not be quickly resolved through a dialogue with CDS.

It is the responsibility of the College administration to:

1. ensure that the institution complies with state and federal law;

2. provide support to academic units in the provision of reasonable accommodations; and

3. resolve concerns and appeals related to accommodation requests;

In those cases where there is a continuing dispute between a faculty member and CDS about a proposed accommodation, the faculty member and CDS should work collaboratively with the Department Chair or Program Director to agree on the accommodations that will be offered, with an agreement to be reached within ten (10) business days of the faculty member contacting the Department Chair or Program Director. The Department Chair or Program Director, or CDS, may request the additional involvement of the relevant Academic Dean(s), a representative of the Office of Academic Affairs, and the General Counsel (or General Counsel’s designee) to facilitate a timely agreement. When an agreement cannot be reached within ten
(10) business days, CDS and the faculty member shall promptly inform the Provost in writing
regarding the nature of the dispute. Within five (5) business days of receiving written notice
in such a case, the Provost shall make a determination of the reasonable accommodations to
be made. The Provost’s decision is final and cannot be appealed.\footnote{Nothing in this section shall be interpreted in such a way as to override the provisions of the Americans with Disabilities Act.}

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