

COASTAL CAROLINA UNIVERSITY

FACULTY MANUAL 2012-2013

Effective August 16, 2012

All changes to the terms of employment, tenure, promotion, and post-tenure review expectations and procedures were ratified by the Coastal Carolina University Board of Trustees at the May 2012 meeting.

Title IX Statement

It is the policy of Coastal Carolina University to prohibit discrimination on the basis of age, color, disability, gender, national origin, race, religion, sex, or veteran's status in regard to the administration of all campus programs, services and activities including intercollegiate athletics, and the admission of students, employment actions, or other sponsored activities.

Title IX of the Education Amendments of 1972 and certain other federal and state laws prohibit discrimination on these bases in education programs and activities operated by Coastal Carolina University. Coastal Carolina University complies with the requirements of Title IX of the Education Amendments of 1972, 20 U.S.C. Sec. 1681, et seq., and subsequent regulations, which prohibits discrimination on the basis of sex in all programs and activities receiving federal financial assistance. Coastal Carolina University receives such assistance and complies with this law and its implementation of regulation at 34 C.F.R. Part 106 (<http://www2.ed.gov/policy/rights/reg/ocr/edlite-34cfr106.html>).

Related Links:

University Policies	www.coastal.edu/policies
Sexual Harassment Policy	www.coastal.edu/policies/policyDetails.html?x=85
Sexual Violence/Assault Policy	www.coastal.edu/policies/policyDetails.html?x=141

Purpose of this Faculty Manual:

Coastal Carolina University Faculty Manual, 2012-2013

The faculty and administration of Coastal Carolina University are dedicated to the cooperative achievement of the mission of Coastal Carolina University, and to the betterment of our institution, students, and community. To this end, the University has established the Coastal Carolina University Faculty Manual which:

- Is the campus-wide source of definitions, policies and procedures relevant to faculty roles, rights, responsibilities, and expectations towards achieving the academic mission of the University.
- Serves as a set of guidelines providing direction by broadly defining the processes of University faculty and administrators for the effective conduct of academic roles and responsibilities within the University (it is not an employment contract).
- Defines the academic, legislative, and consultative roles and processes of the faculty within the University in the change or modification of academic practices and policies.
- Is a source of information to direct faculty members and administrators to more specific policies and procedures on campus regarding specific subjects, issues, or questions.
- Does not supplant current or future policies that may be enacted by Federal or State law, legal interpretations of courts or actions by the Board of Trustees of Coastal Carolina University, as the contents of the Faculty Manual are superseded by changes from these legal bodies.

Special Notes:

Timelines in this manual are expressed in calendar days. When a due date falls on a weekend or a holiday, the first business day after that date will serve as the due date.

Official documents delivered under the grievance, disciplinary action, and forfeiture of tenure procedures require proof of delivery via a time-stamp, a signed receipt, or by the use of U. S. Postal certified mail.

The following statement appears by mandate of the State of South Carolina Office of Human Resources:

The language used in the Faculty Manual and/or any other policies and procedures in the handbook/manual issued by any administrative unit within the University does not create an employment contract between the employee and the University. The Faculty Manual does not create any contractual rights or entitlements, either expressed or implied. The University reserves the right to revise the content of the manual, in whole or in part. No promises or assurances, whether written or oral, which are contrary to or inconsistent with the terms of this paragraph create any contract or employment. The University acknowledges that vested tenure is neither diminished nor altered in any manner by this disclaimer.

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I. INTRODUCTION

- A. Mission Statement (*Original approved by the Coastal Carolina University Board of Trustees on April 18, 1997; update adopted by the Coastal Carolina University Board of Trustees on December 14, 2007. 2008 revision approved by the Commission on Higher Education (CHE)*)

Coastal Carolina University is a public comprehensive liberal arts institution that seeks to develop students who are both knowledgeable in their chosen fields and prepared to be productive, responsible, healthy citizens with a global perspective. To deliver on this commitment, Coastal Carolina recruits highly qualified and motivated students, faculty, and staff from the region, state, nation, and world to create a diverse and dynamic student-centered learning environment.

Because Coastal Carolina embraces the teacher-scholar model, it places primary emphasis on high-quality teaching and engaged learning, and it supports faculty research, creative activities, and expert collaboration in the community, state, nation, and world. This focus enables faculty and staff to mentor students in collaborative research, creative opportunities, and internships. To nurture this active learning community, Coastal Carolina maintains a broad range of contemporary technologies, programming, support services, and innovative course offerings and delivery methods. The result is alumni who are well-prepared for professional careers or graduate programs in their chosen fields and who continue to be connected to Coastal Carolina.

Inspired by its founding in 1954 to serve the educational needs of the immediate area, Coastal Carolina has grown with the region to become a mid-sized regional comprehensive University with a tradition of a strong liberal arts core. As such, Coastal Carolina commits its resources to maintaining a population of 8,000 – 12,000 students by building baccalaureate and selective master's programs of national and/or regional significance in the arts and sciences, business, humanities, education, and health and human services. Coastal Carolina fully embraces its leadership role as a regional center of economic and intellectual resources, lifelong learning, cultural and recreational opportunities, and athletic programs.

As Coastal Carolina executes this mission, it recognizes its responsibility to be a role model to the community and to the professions by assuring fair and honest treatment of people with whom it interacts and sustainable stewardship of resources entrusted to it, adopting the highest standards of integrity and accountability, and committing itself to excellence through continuous self-improvement.

II. BOARD, COMMISSION, AND FOUNDATION

- A. Board of Trustees

Coastal Carolina University was created as a separate and distinct institution of higher learning in the State of South Carolina by the South Carolina General Assembly in 1993. The University is a body corporate and politic, in deed and in law, under the name of Coastal Carolina University. The governing body of Coastal Carolina University is the Board of Trustees, which by statute is responsible for overseeing the effective governance of the University.

B. Horry County Commission on Higher Education

The Horry County Higher Education Commission was created by legislative act on April 9, 1959, as the political entity which administers the funds provided by a special tax levy imposed on the citizens of Horry County for the purpose of supporting higher education.

C. Coastal Educational Foundation

The Coastal Educational Foundation is a charitable organization incorporated under the South Carolina Nonprofit Corporation Act and chartered by the Secretary of State of South Carolina. While the primary purpose of the foundation is to promote and provide financial support to Coastal Carolina University, the foundation has no designated powers that would allow it to intervene in University policies and procedures. Conversely, the University has no authority, statutory or otherwise, to become involved in the business of the foundation.

III. FACULTY ORGANIZATION

A. Membership

1. Faculty

Members of the faculty, including administrators with faculty rank, have the right to present motions and vote in general faculty meetings. Persons will be considered members of the faculty if they hold a full-time appointment at the academic rank of:

- Professor
- Librarian
- Associate Professor
- Associate Librarian
- Assistant Professor
- Assistant Librarian
- Senior Instructor
- Instructor
- Senior Teaching Lecturer

Joint Appointments: A faculty member may hold only one probationary or permanent tenure appointment at a professorial rank at any time. This appointment may be held within a single Department or by joint appointment in an additional Department where a fixed tenure rank may apply. The initial appointment will designate the Unit/Department of base appointment where responsibility for processing personnel actions that affect the appointment will be made.

2. Associated Faculty

This Faculty Manual pertains to this group as it relates to professional obligations, academic freedom, and grievance procedures only, as authorized in sections IV. A. and B., V. B. 1. and V. C. respectively. An appointee will be considered a member of the associated faculty who holds the title of:

- Teaching Lecturer

- Teaching Associate
- Visiting Assistant Professor
- Visiting Associate Professor
- Visiting Professor
- Research Assistant Professor
- Research Associate Professor
- Research Professor
- Post-Doctoral Fellow
- Research Associate
- Teaching Graduate Assistant

*** Associated faculty with titles of Teaching Associate and Teaching Graduate Assistant do not have grievance rights in accordance with South Carolina State statutes, regulations and amendments therein pursuant to the Faculty Manual and/or University Policies and Procedures.**

Nothing herein shall deny the above-mentioned ranks the ability to redress a breach of academic freedom as stated in IV.C (Steps 1 and 2 only).

3. Faculty Titles Conferred at Retirement or on Leave

To recognize distinguished service to the University, the Board of Trustees may confer upon faculty during their final year of service, or upon retirement, the following distinguished and/or Emeritus ranks or titles. These ranks and titles are a privilege and not a right.

- a. Distinguished Professor/Librarian: A title that may be awarded and used at the beginning of the final year of service at the University to tenured members of the faculty who have earned the rank of tenured full Professor/Librarian. Upon retirement this title will change to Distinguished Professor Emeritus or Distinguished Librarian Emeritus.
- b. Distinguished Professor/Librarian Emeritus: A title that may be conferred on tenured faculty who at the time of their retirement hold the rank of Professor/Librarian. Recognition of the recipient is presented at commencement.
- c. Emeritus Professor/Librarian: A title that may be conferred on any tenured member of the faculty who at the time of retirement holds the rank of Assistant or Associate Professor/Librarian. Recognition of the recipient is presented at commencement.
- d. Distinguished Instructor/Lecturer: A title that may be conferred on any Senior Instructor/Senior Teaching Lecturer who holds that title at the time of retirement and has made significant contributions to the University. Recognition of the recipient is presented at commencement.

4. University/Center Affiliates

This title is conferred on individuals who volunteer their time and expertise toward the good of the University and the students it serves. These titles are a privilege and not a right.

B. Functions of the Faculty

The faculty, subject to limitations stated below, has legislative authority on:

- Standards of admission
- Student orientation policy
- Requirements for the earning of degrees
- Curriculum and instruction
- Discipline of students
- Educational policies
- Educational standards
- Research
- Graduation policy
- Promotion and tenure
- Faculty recruitment
- Academic calendar
- All other matters pertaining to faculty

Proposals resulting from the exercise of this authority are subject to the review and approval of the President and the Board of Trustees.

The faculty will be consulted on any election or appointment to the offices of President, Provost, and other senior administrative positions reporting directly to the President or the Provost. Through an appropriate committee, the faculty will then communicate its views to the President and the Board of Trustees.

In the event that faculty participation in a full search committee is not possible, the President will inform the Chair of the Faculty Senate, who in consultation with the President and the Executive Committee of Faculty Senate will arrange an appropriate time for the senate or the faculty to meet with the President.

C. Meetings

The Provost will call two general faculty meetings annually, one each regular semester (in the fall and spring). At these meetings the faculty may recommend specific actions to the Faculty Senate, take action on items referred to it by the Faculty Senate, or reverse decisions made by the Faculty Senate under the guidelines set herein and according to parliamentary procedures.

Meetings require a quorum to conduct business. A quorum will be a simple majority (one-half plus one) of the faculty membership. Without a quorum, other non-business agenda items can be presented, but no action or votes taken. Motions before the faculty will require a simple majority vote for passage.

The President or the Provost or their designees may call special meetings of the faculty as necessary. The Provost, after consultation with the President, determines and convenes the order of business for these meetings. A special meeting of the faculty may also be called by a majority vote of the Faculty Senate, by the Executive Committee of the Faculty Senate, or by a written petition signed by ten percent (10%) of the faculty and submitted to the Provost.

D. Faculty Senate Bylaws

The powers of decision and recommendation are vested in the faculty of Coastal Carolina University by the Board of Trustees and manifested through the actions of the faculty at its meetings. These powers are vested in the Faculty Senate for routine execution. The Faculty Senate will have legislative authority on all matters set forth in section III. B. except for changes in promotion and tenure regulations which must be made by a vote of the faculty in a general or special meeting, and by subsequent approval of the Board of Trustees.

Amendments to these Faculty Senate bylaws will be effective upon approval by three-fourths vote of the membership of the Faculty Senate.

1. Membership, Representation and Terms

Each College and the library will elect from their faculty a number of faculty senators equal to fifteen percent (15%) of their faculty. The College/Library will count administrators with faculty rank in the determination of senate representation. Regardless of its size, each College and the library is entitled to at least two senators. The non-academic administration will be represented by one senator who need not hold faculty rank and will be appointed by the President.

The number of faculty in each College/Library will be assessed by the Executive Committee of the Faculty Senate at the start of each semester to verify the number of senators representing each College/Library. In assessing College/Library representation, the Executive Committee of the Faculty Senate and the Dean of the College/Library should disregard fractions less than 0.5 and carry fractions of 0.5 or higher to the next whole number. If a College loses a senator because of a decrease in its number of faculty members, the senator in that College/Library with the shortest term remaining to be served will stand down.

Should a new College be formed, it should elect its senators to serve in staggered terms. If a new College has no faculty who can claim that College as their administrative home, the full faculty will elect two senate representatives for that College. A College is considered to possess sufficient faculty to elect senate and regular (standing) faculty committee representatives when the Executive Committee receives a list of five (5) faculty members whose titles, duties, and administrative home reflects primary affiliation with that College. In cases where a faculty member holds a joint appointment in more than one College, she/he must declare in writing which College serves as the administrative home for the purpose of the Faculty Senate and regular (standing) faculty committee representation. If a College/Library does not have sufficient numbers of faculty for full representation on regular (standing) faculty committees, the Dean (in consultation with the Executive Committee of the Faculty Senate) will determine which committees will have representation and at what level that representation will be. These representatives will be appointed by the Dean in consultation with the Executive Committee until the College is eligible to elect its own representatives as outlined above.

Senators are elected for three-year terms. Every spring semester each College/Library will elect a sufficient number of new senators to fill anticipated vacancies for the upcoming fall semester. Regularly elected senate terms start at the beginning of the first senate meeting of the new academic year in the fall and end at the same time three years later.

For special elections to replace a senator who is leaving the senate before the end of her/his term, the new senator's term will begin the first meeting after the election is held and the former senator resigns her/his term. Such terms will end when the former senator's term ends.

For special elections of additional senators, the new senate term will begin the meeting after the election is held and the reapportionment becomes official. Such terms will last the remainder of the academic year in which they are elected plus two years. In these cases, the replacement terms will begin at the first meeting of the Faculty Senate in the subsequent academic year.

2. Executive Committee of the Faculty Senate: Membership, Elections, and Duties

The Chair, the Vice Chair, and the Secretary of the Faculty Senate are the officers who comprise the Executive Committee. Officers are nominated from among the tenured senate membership for two-year terms and are elected by the entire senate membership. Administrators, excepting Department Chairs/Supervisors, may not be elected to or serve on the Executive Committee. No officer may serve more than two consecutive terms in the same office. Nominees will make a brief presentation before the senate regarding their qualifications and interest. The parliamentarian and the recorder of the Faculty Senate provide services to and work with the Executive Committee, but are not part of the Executive Committee membership.

The Executive Committee prepares the agenda for each senate meeting, determines the time and place of senate meetings, verifies the Colleges'/library's representation on the senate, makes committee appointments to *ad hoc* and regular (standing) faculty committees, and oversees the annual administrator evaluation process.

Executive Committee members will not serve as chairs of regular (standing) faculty committees. The Executive Committee is responsible for implementing any changes to the membership of the senate and its committees that result from changes to Faculty Senate bylaws.

a. The Chair of the Faculty Senate is elected by the Faculty Senate for a two-year term and has the following duties:

- To oversee all senate business and to preside over the meetings of the Faculty Senate and the Executive Committee.
- To monitor and coordinate senate committee progress and reporting (see #7 Committee Reports in this section).
- To forward senate actions, recommendations, and resolutions to the appropriate administrative office and to notify senators of all administrative initiatives taken on senate actions, recommendations, and resolutions.
- To be a representative of the faculty, and as such may not serve on any regular (standing) faculty committees or college promotion and tenure committees.
- To serve as an honorary, non-voting member of the Board of Trustees.

- b. The Vice Chair of the Faculty Senate is elected by the Faculty Senate to a two-year term and has the following duties:
- To manage and update the contents of the Faculty Senate website in conjunction with the Faculty Senate recorder.
 - To collect and compile minutes and agenda of regular (standing) faculty committees for posting on the website.
 - To preside over meetings of the senate in the absence of the Chair.
 - To succeed and to complete the term of the Chair of the Faculty Senate if a Chair is unable to complete the term of office. In such cases a new Vice Chair of the Faculty Senate will be elected to serve the remainder of the term.
- c. The Secretary of the Faculty Senate is elected by the Faculty Senate to a two-year term and has the following duties:
- To maintain the current senate list, to take roll call at each Faculty Senate meeting and verify a quorum.
 - To approve the transcribed minutes of the Faculty Senate meetings for distribution to all faculty within fourteen (14) calendar days of the meeting.
 - To receive, sign, and notify the Chair of the Faculty Senate of all administrative actions received from administration.
 - To report multiple absences of senators to the Executive Committee of the Faculty Senate beginning with the third absence.
 - To distribute notice of special meetings (as specified under section III, D., 3.b., Special Meetings).
- d. The Parliamentarian is appointed by the Chair of the Faculty Senate from the membership of the faculty and has the following duties:
- To maintain a familiarity with *Robert's Rules of Order* and the Faculty Manual.
 - To assist in ensuring that parliamentary procedure is followed at senate meetings.
 - To meet with the Executive Committee of the Faculty Senate.
- e. The Faculty Senate Recorder is appointed by the Provost and has the following duties:
- To establish and meet all senate deadlines in consultation with the Chair of the Faculty Senate.

- To request, compile, and distribute agenda items and supporting materials to all faculty, the President, and the Provost by a set deadline.
- To record and accurately transcribe the minutes of the senate and the general faculty meetings for the Secretary's and Provost's approval, and to distribute them to all faculty.
- To prepare administrative actions related to senate business (with the exception of those from the Graduate Council), and to submit them for approval signatures first to the Faculty Senate Secretary, then the Provost, and then the President.
- To report administrative action approvals or recommendations to the Faculty Senate Chair and the office of the registrar once all approval signatures have been obtained, and to update (monthly) the electronic Administrative Action Index on a monthly basis.
- To update and maintain the accuracy of the Faculty Senate website and the senate computer, including current lists of senators and members of regular (standing) faculty committees, agenda, and minutes at the direction of the Vice Chair.
- To archive all original paper copies of business transacted at meetings of the Faculty Senate, the general faculty, and any special meetings of the Faculty Senate or the general faculty in conjunction with the University archivist for the University archives.

3. Meetings

a. Regular Meetings

Faculty Senate meetings are open to the public. The Faculty Senate will meet according to a standing day and time formally announced and posted on the Faculty Senate website (www.coastal.edu/facsenate). Any changes to the standing day and time will be determined and published prior to the scheduling of classes for the semester in which the dates become effective. The senate meets each month during the academic year from September to December and February to May, and once in the summer. The place of each meeting will be determined by the Executive Committee of the Faculty Senate. Each meeting will not exceed one and one-half hours unless extended by vote of the senate. The attendance of half of the senate membership plus one (simple majority) will constitute a quorum. Every faculty member has the right to attend these meetings and address the senate; however, issues before the senate will be decided by vote restricted to members of the senate. Except where noted, all motions before the senate require a simple majority vote for passage.

b. Special Meetings

Special meetings of the senate may be called by the Chair of the Faculty Senate in consultation with the Executive Committee of the Faculty Senate, or by the Chair of the Faculty Senate upon written request of ten percent (10%) of the members of

the senate, or by the Chair of the Faculty Senate upon written request of ten percent (10%) of the faculty.

The Chair will direct the Secretary to give notice of any special meeting via electronic means and/or mail to all senators two full business days prior to the meeting date. The notice will contain all necessary information available regarding the issue(s) to be discussed. Only the business mentioned in the notice of the special meeting may be transacted at the meeting.

If it becomes urgent to take action on any issue for which no notice was given, that action can only become effective if it is ratified by the senate at a regular meeting. If the matter is of such urgency that immediate ratification is deemed necessary, a motion to adjourn and reconvene another special meeting immediately after adjournment must be passed by a three-fourths majority of the senators present at the meeting.

8 Amendments

Amendments to these bylaws will be effective upon approval by three-fourths (3/4) vote of the membership of the Faculty Senate.

5. Attendance

Senators who cannot attend a meeting are responsible for arranging for a substitute from the College/Library which they represent and to inform the Executive Committee of the name of the substitute prior to the meeting. Substitutes will have all rights and privileges of the senator they are representing. Senators who fail to attend fifty percent (50%) or more senate meetings in an academic year in person (without sufficient cause) will forfeit their seats on the senate. Sufficient cause is determined by the Executive Committee of the Faculty Senate to whom appeals may be made by the senator who stands to lose the seat for non-attendance. No member of the faculty may act as a substitute more than three times in an academic year unless they are appointed to be a substitute for a faculty member unable to attend a number of meetings due to modified duties or scholarly reassignment, or if they are elected as standing substitutes by a College, a Department, or the Library. Appointments will be made by the appropriate Dean or Department. The Executive Committee will be informed of any such appointment in advance of the meetings.

6. Agenda

The faculty will be asked to submit agenda items prior to each meeting of the senate. Members of the associated faculty may submit items through a senator or a member of the faculty. Agenda items must be submitted no later than two weeks prior to a senate meeting. The senate agenda will be distributed to all senators, faculty, and associated faculty at least seven (7) calendar days prior to the next senate meeting.

7. Executive and Other Committee Reports

After approval of the minutes, the Chair will present an Executive Committee report that will include an announcement of any administrative actions signed or returned to

the senate with stipulations. The synopsis of the senate action that prompted the administrative action will be outlined in that report.

Other committee reports that require no senate action will be submitted in written form to be distributed with the agenda. Committee reports that require oral presentation in addition to the written submission will be limited to five (5) minutes excluding questions and feedback from the floor. If a presentation requires more than five minutes, the representative of the committee must seek special permission at the time that the request to add the agenda item is submitted to the Executive Committee.

Progress reports from each regular (standing) faculty committee may be brought to the senate by the committee chair or designee as requested by the Chair of the Faculty Senate. Annual reports from each regular faculty committee must be submitted to the Chair of the Faculty of the Senate by the May senate meeting and must include the committee's past accomplishments, unfinished business, and recommendations for future business. Annual reports from committees that regularly meet in the summer to prepare business for the July meeting will submit their reports prior to the July meeting. All senate agendas, minutes with attachments, committee reports, and senate audio recordings will be housed in the senate office.

Before an *ad hoc* committee disbands, a written report of its actions and recommendations must be presented to the senate.

8. Protocol

Senate meetings will be conducted according to parliamentary procedure as set forth in *Robert's Rules of Order*. The parliamentarian advises the Chair on proper procedures; however, the Chair makes the final judgment on how to conduct the business at hand.

E. Organization and Procedures of Regular (Standing) Faculty Committees

The membership, terms of office, structure, and duties of regular (standing) faculty committees at Coastal Carolina University may be altered only by action of the faculty acting as a whole or through the Faculty Senate.

1. Membership

Regular (standing) faculty committees consist of members from the faculty elected or appointed in accordance with the procedures stated herein. Election to a faculty committee requires a plurality vote of the faculty. Administrators are eligible to be elected or appointed to serve on faculty committees under either of the following explicit conditions:

- Administrators may be appointed as representatives of the administration for service on those faculty committees that have administrative membership.
- Department Chairs/Supervisors may be elected or appointed to serve on any faculty committee with the exception of the University Promotion and Tenure Committee.

An administrator will be defined as any faculty member who is regularly employed by the University on more than a nine-month appointment, excluding librarians and

coaches, or as any faculty member who has supervisory responsibility for faculty including decisions regarding salary, scheduling, promotion and/or tenure, overall performance evaluation, or other matters that may affect the welfare of individual faculty members.

Students who serve on faculty committees will have voting rights on all committees except the Academic Affairs Committee. Student members must be enrolled full-time and above the rank of freshman. Students are appointed by the Student Government Association.

A faculty member may not serve on more than two regular (standing) faculty committees at one time.

2. Vacancies

Vacancies on regular (standing) faculty committees are filled by special election or by appointment. The new member of the committee will serve the remainder of the term of the person that they replace.

3. Terms of Service

The term of service on regular (standing) faculty committees, for both elected and appointed members, will be for three years except where noted. Student representatives will serve one-year terms. When a new committee is established, the terms are staggered to allow for a regular pattern of rotation.

Committee members elected or appointed prior to the beginning of the term to be served during the next academic year begin their term of service on the first day of classes of the new academic year. Committee members elected or appointed after the beginning of the new academic term begin their service immediately.

The specified term of service (one year, two years, or three years) ends on the first day of classes of the new academic year.

4. Meetings

Every regular (standing) faculty committee meets at least four times during the academic year. Meetings of these committees are open to faculty, administrators, staff, students, and the general public. Closed sessions, which are restricted to members of the committee, may be held only for the following reasons:

- Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of a member of the faculty, staff, or administration.
- Discussion of the academic standing, academic records, or discipline of a student.

Prior to commencing a closed session, the committee will vote to enter into the session, and if such vote is favorable, the presiding officer will announce the purpose of the closed session. Any formal action proposed in closed session must be voted upon in public session in order to be enacted. The definition of "closed session" is subject to

changes in the Freedom of Information Act enacted by the General Assembly of the State of South Carolina.

5. Voting Privileges

All committee members as described herein, except non-voting ex-officio and student members serving on the Academic Affairs Committee have voting privileges.

6. Committee Chair Responsibilities

Unless stated otherwise, the Chair is elected from among the voting members who have completed one or more years of service or who have served a previous term on the committee. The election of the Chair takes place no later than September 30. No person may serve more than two consecutive terms as Chair.

The Chair conveys reports and brings recommendations made by the committee to the senate.

At the end of each academic year, the Chair presents a written report to the senate summarizing the committee's yearly activities and recommendations. The Chair is responsible for publishing dates and locations of all meetings (including the meeting agenda) no later than 24 hours prior to the meeting as per University policy, for forwarding all committee minutes to the vice Chair of the Faculty Senate once approved by committee, and for filing the annual report by the end of the academic year.

In cases where the workload of a committee is excessive, the committee will elect a vice Chair who will perform strictly defined duties for that academic year. The Executive Committee of the Faculty Senate will be informed of such an election and provided with information concerning the duties of the Vice Chair. If the increased workload is not of a temporary nature, the committee will vote to change the charge of the committee in the Faculty Manual to include a Vice Chair, stipulating which duties the Vice Chair will be responsible for. Such changes will be submitted to the Faculty Senate for approval. In no case will a committee elect co-chairs.

F. Regular (Standing) Faculty Committees

All senate committees will have a standing day and time for regular meetings of the committee. The standing times and days will be posted on the Faculty Senate website (www.coastal.edu/facsenate). Any changes to the standing day and time must be proposed no less than two semesters prior to the change taking effect and must be approved by the Faculty Senate.

1. Academic Affairs

Membership: Nine to eleven faculty (two elected from each College, one of whom must be a tenured faculty member, and one elected from the Library); two students (non-voting); and Ex-Officio: Provost's designee, Vice President of Enrollment Management, and Registrar. The Chair will be elected from among the voting members who are in their third year of consecutive service.

Purpose: This committee considers and recommends to the senate actions on requests for additions, deletions, or changes in undergraduate courses or programs. The committee also considers and notifies the senate of minor changes in courses, such as course titles, descriptions, or credit hours. These minor changes do not require senate approval, but are submitted to the senate for notification. When considering additions, deletions, or changes to courses, special attention will be given to avoiding duplication or obsolescence. The committee will also evaluate educational policies, admission standards, and new programs of instruction.

Service on this committee may entail significant time commitments such as summer meetings or meetings scheduled with short notice.

2. Buildings and Grounds

Membership: Five to six faculty (one elected from each College and one elected from the Library); two students; and Ex Officio: Vice President for Finance and Administration/designee, Director of University Projects and Planning/designee, and a representative from Law Enforcement.

Purpose: The committee should be aware of all projects posted on the facilities website. The duties of this committee are to consider and recommend suggested campus improvements regarding campus buildings and grounds, including traffic, parking and safety issues, classroom maintenance and housekeeping, campus beautification, and other special requests involving the physical plant of the University. Recommended improvements will reflect a sustainable, functional, aesthetically pleasing, safe, and cohesive campus environment. Recommendations passed by the Faculty Senate will be forwarded to the executive vice President, the senior vice President for Finance and Administration, and the Provost.

3. Calendar

Membership: Five to six faculty (one elected from each College and one elected from the Library); two students; Ex Officio: Registrar; and Ex Officio non-voting: Bursar.

Purpose: The duties of this committee are to establish the dates on which the classes of each term will begin and end. Holidays and days off will be determined with due consideration of the number of classroom hours each class will meet. This committee will also establish the dates and times of final examinations.

4. Core Curriculum

Membership: Nine to eleven faculty (two elected from each College, one of whom must be tenured, and one elected from the Library); Ex Officio: Provost; and Ex-Officio non-voting: University Academic Center Director and Director of the Core Curriculum.

Purpose: This committee oversees and makes recommendations regarding all aspects of the core curriculum, including implementation, modification, and assessment. The committee's recommendations regarding modifications to core curriculum requirements are forwarded to the Academic Affairs Committee for approval prior to requesting senate action. Each individual College is responsible for Core Curriculum student petitions. The College from which a student is requesting a course waiver hears the

petition. Appeals to Core Curriculum petition decisions are heard by the Core Curriculum Committee. The director of the Core Curriculum is responsible, in conjunction with the Office of Institutional Research and the Core Curriculum Committee, for ensuring effective ongoing development, implementation, and assessment of the Core Curriculum. The director of the Core Curriculum reports this data and Core Curriculum recommendations to the University-wide Assessment Committee.

Service on this committee may entail significant time commitments such as summer meetings or meetings scheduled with short notice.

9 Faculty Grievance

Membership: Six to seven faculty (one elected from tenured faculty of each College and the Library and one tenured representative from the Faculty Welfare and Development Committee who is elected for a one-year term).

Purpose: The duties of this committee are to conduct reviews of grievances brought to the President following the third step of the Faculty Grievance Procedure. A faculty member serving on this committee cannot be directly or indirectly involved in the case to be heard. In case of such a conflict of interest, the Chair of the Faculty Senate appoints a temporary replacement to maintain the College's representation. Also, in cases of a member's inability to serve, such as approved absence from the University, the Chair of the Faculty Senate appoints a temporary replacement to maintain the College's representation. This committee conducts its proceedings in accordance with the guidelines defined in Step 3 of the Faculty Grievance Procedure.

Service on this committee may entail significant time commitments such as summer meetings or meetings scheduled with short notice.

10 Faculty Welfare and Development

Membership: Nine to eleven faculty (two elected from each College and one elected from the Library).

Purpose: The duties of this committee are to consider policy matters pertaining to salaries and other aspects of the personal welfare of the faculty; to act as an initial agent of the faculty in matters of forfeiture of tenure; and to review, propose and/or consider policy concerning matters of faculty conduct. In addition, this committee assists in all aspects of faculty development, scholarly research, publication, and travel to professional meetings. Recommendations concerning scholarly reassignment leave applications and the awarding of faculty development grants are forwarded to the Provost. The committee will elect a Chair, Vice Chair, and Secretary. The duties of the Chair are outlined in section III. E. 6. The Vice Chair will be responsible for processing the Professional Enhancement Grant applications and will act as Chair of the committee in the event of the Chair's absence. The Secretary is responsible for compiling all committee meeting minutes.

Service on this committee may entail significant time commitments such as summer meetings or meetings scheduled with short notice.

7. Graduate Council

Voting membership: Eight to ten faculty members (two elected from each College), the Director of Graduate Studies (Ex Officio), and the Registrar (Ex Officio). The Director of Graduate Studies serves as Chair of the committee and votes only in case of a tie. Term of service: three years for elected members. Non-Voting membership: Graduate Coordinators/Directors, the Faculty Senate representative, and the Library representative.

Purpose: Graduate Council considers any academic matters related to graduate education at the University. Specific areas of consideration for the council include new degree program proposals and new graduate courses; changes in degree programs or courses; and new and existing policies, procedures, and assessment related to graduate study. Actions taken by the council related to these matters are forwarded to the Faculty Senate for consideration.

8. Intercollegiate Athletics

Membership: Six to seven faculty (one elected from each College and one elected from the Library); the faculty representative to the NCAA; two students; and Ex Officio: Athletic Director, Financial Aid Office representative, Admissions Office representative, and executive vice President.

Purpose: This committee considers all phases of the intercollegiate athletic program at the University and submits reports and recommendations to the faculty and the administration. The Athletic Director and all coaches are excluded from any elected or appointed position on this committee. (Revised September 2002)

9. International Programs

Membership: Twelve to thirteen members (one elected from each College and one elected from the Library; four appointed by the University President for one-year terms); two students appointed by the Student Government Association; and Ex Officio: Director of International Programs.

Purpose: In cooperation with other relevant entities on and off campus, this committee will help promote major and minor programs of international study and will help further activities of the Office of International Programs. The Committee helps set the direction for the cosmopolitan and cross-cultural enrichment of campus and community at both the human and academic levels.

10. Library Advisory

Membership: Six to seven faculty (one elected from each College and two appointed by the Chair of the Faculty Senate); one student; and Ex Officio: Provost and Dean of Library Services.

Purpose: The Library Advisory Committee studies Library needs in terms of the academic programs and advises the Dean of Library Services on matters of general Library policy, the development of Library resources, and the means by which the

institution may best integrate the Library program with other academic activities of the University.

11. Nominations and Elections

Membership: Three elected faculty.

Purpose: This committee solicits and approves nominations to regular (standing) faculty committees and presents a slate of at-large nominations to the faculty at least one week in advance of the final faculty meeting of the academic year. This committee is responsible for supervising the elections at this meeting, and in the event that new committees are formed, for convening their first meetings of the following year. This committee also notifies the Colleges and Library of all outgoing members of the Faculty Senate and regular (standing) faculty committees in March so that elections can be held by the end of April.

12. Student Conduct Board

Membership: Ten to twelve faculty (two elected from each College and two at large members elected by the faculty), six administrative staff or faculty members (appointed by the President), and twelve students (appointed by the President of the SGA to ensure each College is represented by at least two members). The student members must be in good standing, have completed a minimum of 60 semester hours, and be carrying a minimum of twelve hours. A student will be considered not in good standing if she/he is currently suspended, on disciplinary probation, has non-completed sanctions, or carries a cumulative GPA of less than 2.5.

The Chair of the Student Conduct Board will be a faculty member elected by members of the board. The membership will comprise a pool from which two students and four faculty members will constitute the “sitting” Student Conduct Board for a particular case.

Elected faculty members will serve three-year staggered terms. Appointed members will serve a one-year term. SGA student members will be appointed for a one-year term. When a Student Conduct Board member resigns, vacancies will be filled as follows: The Executive Committee of the Faculty Senate will appoint or elect faculty for elected faculty vacancies; the University President will make a new appointment for appointed vacancies; and the SGA President will make a new appointment for student representative vacancies.

Purpose: The duties of this committee are to conduct hearings for students alleged to have committed nonacademic infractions of the Code of Student Conduct according to the procedures listed in the code.

Service on this committee may entail significant time commitments such as summer meetings or meetings scheduled with short notice.

13. Student Life:

Membership: Six faculty (four elected and two appointed by the Chair of the Faculty Senate); six students (four of whom will be the SGA Executive Committee); and Ex Officio: Vice President for Student Affairs.

Purpose: This committee considers policies and issues affecting student life and makes recommendations to the appropriate individuals and/or action groups. In addition, the committee makes a continuing study of the operations and effectiveness of the Code of Student Conduct in consultation with the Office of Student Conduct and Office of Academic Integrity.

14. University Promotion and Tenure

Membership: Nine to eleven faculty (two elected from each College and one elected from the Library); alternates (five to six): one elected annually from each College and the Library to replace committee members who are recused or found ineligible to participate in termination hearings (section V. H. 5. a.). Additional alternates selected to serve as replacements should have previously served on the University Promotion and Tenure Committee or on a College/Library Promotion and Tenure Committee.

Membership Conditions: Membership is limited to tenured Associate Professors/Librarians or Professors/Librarians who are not being considered for promotion during the years of service on this committee. Membership terms are three years. No member may serve more than three years consecutively. Department Chairs/Supervisors and members of College/Library Promotion and Tenure Committees are not eligible to serve.

Purpose: The duties of this committee are to consider applications for promotion and/or tenure from eligible faculty who received a recommendation to be denied tenure or promotion from a College/Library promotion and tenure committee and/or the Dean, or have been referred to the committee by the Provost. The committee also reviews all applications recommended for an exceptional rating in post tenure review by the Dean and/or College/Library Promotion and Tenure Committee. The committee forwards its recommendation concerning these cases to administration. The primary responsibility for decisions related to tenure and promotion and for exceptional ratings in post-tenure review belongs, first, with the Department (Chair and Peer Review), and second, with the College/Library (Dean and College/Library Promotion and Tenure Committee). The University Promotion and Tenure Committee members will independently consider each file in cases where there is either disagreement at the Department and/or College/Library level, or apparent or perceived irregularities in due process or procedure. The committee also reviews criteria, policies, and procedures for promotion and tenure, and submits proposed changes to the Faculty Senate for approval prior to a vote by the full voting membership of the faculty before implementation. The proceedings of this committee are confidential with respect to all written materials reviewed and all discussions of individual cases. Failure to maintain confidentiality will be sufficient grounds for dismissal from the committee, which has the authority, through a majority vote, to remove members for such reasons. Further, such conduct may be grounds for disciplinary action (Code of Faculty Conduct section IV. A. 4.). Such vacancies will be filled by an alternate or by election via the appropriate College/Library. Members of the

University Promotion and Tenure Committee may not write letters of recommendation on behalf of candidates for promotion and/or tenure during their year of service on the committee.

Service on this committee may entail significant time commitments such as summer meetings or meetings scheduled with short notice.

G. University-Wide Standing and *ad hoc* Committees

The Provost and the Chair of the Faculty Senate must be notified of the creation and appointment of all University-wide standing and *ad hoc* committees (such as special committees and task forces, etc.), and of the committee charge and membership. Such notice should occur concurrently with appointment of the committee. The Chair of the Faculty Senate is responsible for announcing this information to the Faculty Senate.

Proposed actions and policies created or modified by such committees with faculty representation will be presented to the Faculty Senate for its endorsement. Any proposed actions and policies created or modified by such committees that directly affect areas under the faculty governance responsibilities stated in section III. B. will be presented to the Faculty Senate for action.

Before an *ad hoc* committee disbands, a written report of its actions and recommendations must be submitted to the senate.

IV. FACULTY RESPONSIBILITIES AND RIGHTS (passed by the Faculty Senate 4/01/2009)

A. Faculty Responsibilities

1. Classroom Procedures

In order to maintain academic credibility and consistency in classroom procedures, all faculty members must perform the following duties:

- a. Write and distribute a syllabus for each course taught. All syllabi must include the course objectives, student learning outcomes, grading procedures, and attendance policies (refer to the University Catalog statement on "Class Attendance").
- b. Direct instruction and examinations toward the completion of stated objectives and to return exams promptly.
- c. Maintain consistency between course content and the course description in the current University Catalog.
- d. Make available to students throughout the semester a current evaluation of their progress, including student inspection of examinations and papers. All final examinations and final papers not returned to the student must be retained by the instructor of record for at least one calendar year and be made available to the student for inspection upon request.

- e. Conduct classes according to the published schedule. In the event that a class must be canceled, the faculty member must notify the Department Chair/Supervisor or the Office of the College Dean before the scheduled class meeting.
 - f. Schedule and post reasonable office hours for student conferences. The minimum number of expected office hours per week is determined by the Dean of the College.
 - g. Be available for student advisement during registration periods and to keep current with curriculum changes that influence the advising process. (In addition, faculty members are expected to maintain accurate files for each advisee.)
 - h. Promote a work and educational environment free from harassment.
 - i. Assist in providing program accessibility to self-identified qualified students with disabilities by making reasonable accommodations for the disability.
 - j. Protect the privacy of students as defined in the Family Educational Rights and Privacy Act of 1974 by:
 - Knowing the contents of the University's FERPA policy (located online at www.coastal.edu/registrar/ferpa.html).
 - Never posting grades for students by social security number or student ID (instead, employing computer systems that ensure students see only their own grades and not those of their classmates).
 - Never taking attendance by distributing or displaying a class roster containing social security numbers or student ID number.
 - Never giving out academic information to anyone over the phone.
 - Never giving out academic information in person to anyone except the student (with valid photo identification if you cannot personally identify the student).
 - Never distributing any student's directory information.
2. Examination and Grading Policy

During exam week, faculty members are expected to give final examinations or the equivalent in all classes. Final examinations are given each semester 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 obtained from the authorized College Dean and is reported to the Provost. This provision applies to all examinations except laboratory examinations. Laboratory examinations may be held the last week of class.

No quiz, test, or examinations may be given the last day of classes unless reflected on the syllabus with prior approval of the Dean. Faculty members are expected to follow current grading and grade change procedures as published in the University Catalog.

3. Work Responsibilities

In addition to the regular meeting of classes, the University expects faculty to use time afforded them during normal business hours to engage in University-related activities including committee assignments, meetings, and scholarly pursuits. To permit these activities to be undertaken in a reasonable manner, the Department Chair/Supervisor with the approval of the Dean, will assign a teaching schedule that allows for student access to faculty, permits adequate time for preparation and travel to/from off-campus assignments, and takes into account other special circumstances unique to the courses taught. Adjustments of teaching loads may be made by the Dean of the College in consultation with the Chair/Supervisor of the Department.

As an institution devoted to shared governance, Coastal Carolina University expects that each member of the faculty will engage in University service and comply with the administrative needs of the University in accordance with the terms of employment delineated in the hire letters and/or letter of expectations, and outlined therein. This includes committee service on the Department, College/Library and/or University levels, responsible and timely reporting of all data concerning grades and nonattendance, and supplying assessment data as deemed necessary to contribute to the continuing operation and accreditation of the Department, the College and the University. Each College and the Library will explicitly delimit the level of University service required for continued employment, acquisition of tenure, and promotion to a higher rank in the performance expectations elaboration documents duly ratified by each College/Library and endorsed by the Provost holding office at the time of ratification. Failure to comply with the responsibilities delimited by these elaborations may result in dismissal. The establishment of and changes to these expectations will be ratified by each College/Library and approved by the Provost. Such changes cannot be applied retroactively if they are disadvantageous to the faculty member. Each time a faculty member achieves tenure, promotion, or successfully undergoes post-tenure review, the criteria in place the year of successful promotion/tenure/review will apply in the next review period.

4. Code of Faculty Conduct and Academic Responsibility (passed by the Faculty Senate 7/7/2010)

Faculty members are expected to maintain and expect to experience a working environment free from harassment or discrimination based on race, color, gender, identification/expression, sexual orientation, age, disability, veteran's status, creed, or national origin. Faculty members must maintain and experience the highest standards of professional ethics and academic/creative honesty. Violations of these standards include, but are not limited to: breach of confidentiality in matters concerning tenure and promotion, hiring, matters of personal privacy protected by law, regulation or university policy, assigning grades based on considerations other than the academic, creative, or performance criteria outlined in the course syllabus; claiming intellectual achievements which are not of one's own creation; misrepresenting the nature of publications or creative works by claiming that such works are blind-refereed or juried when they are not; claiming to serve as an officer or board member of a professional society or association when one is not or including another's intellectual/creative contributions in one's works without assigning proper credit, breach of confidentiality in matters concerning tenure and promotion, hiring, and other personnel matters of a sensitive nature; and knowingly falsifying or altering University records/documents. These and other such forms of misconduct may be grounds for suspension without pay,

sanctions such as mandatory counseling, denial of tenure and/or promotion, loss of employment during the probationary period, and may constitute grounds for the forfeiture of tenure. A faculty member may be terminated for cause at any time during the probationary period (see section V. H. for Forfeiture of Tenure regulations and what constitutes cause for termination).

It is inappropriate for a member of the faculty to begin a consensual (or otherwise) relationship of a sexual nature with a student enrolled in a class being taught by that faculty member or whose work is being supervised, evaluated, or otherwise affected by the faculty member. In cases where a student involved in such a relationship must enroll in a course taught by the faculty member she/he is involved with, the faculty member must inform the Department Chair/Supervisor of the situation before classes begin. If possible, the Chair/Supervisor will assign an anonymous grader to evaluate the work of the student. If this is not possible, the Chair will review all graded assignments of the student to eliminate any bias or perceived bias.

It is the responsibility of faculty to report any violation of the faculty code of conduct in accordance with the procedures outlined below.

Procedures: When a faculty member is alleged to have violated the code of conduct, the Chair/Supervisor should be informed of the alleged violation and presented with evidence of the violation as soon as possible. If the alleged violation includes discrimination, harassment, or is of a sexual nature, the EEO Officer must be informed by the Chair/Supervisor. If the alleged violation concerns research misconduct, the Chair/Supervisor will report it to the Chair of the University Research Council to determine if the alleged violation should be investigated under the Research Misconduct Policy procedures.

When indicated, the Chair/Supervisor will schedule a meeting with the faculty member and the Dean to discuss the issues concerned. The Dean will inform, in writing, the faculty member, the Chair, and the Provost of her/his decision on any course of action, including any disciplinary action that is to be taken.

If the Provost agrees that the course of action is appropriate, she/he will inform the Dean in writing, who will then pursue the recommended course of action. The faculty member may appeal the decision by informing the President that she/he wishes to appeal through the grievance procedures contained in this manual (see section IV. C.). The formal Appeal Process will commence at the time the grievance committee is convened to hear the appeal (Step 3, part a).

5. Suspension Policy

Pursuant to South Carolina State Law, all faculty suspensions for misconduct or alleged misconduct will be without pay.

6. Code of Student Conduct and Academic Responsibility

Reporting Procedures: It is the responsibility of faculty to report infractions of an academic or non-academic nature in accordance with the procedures contained in the Code of Student Conduct and the Student Handbook of Coastal Carolina University: <http://www.coastal.edu/conduct/documents/codeofconduct.pdf>

Alleged academic violations should be reported in writing to the instructor of the class or the Office of Academic Integrity within ten (10) business days of receiving knowledge of a possible violation. The report may be submitted by anyone who is aware of the violation, including the student who committed the violation or any student, faculty, or staff member who observed or has knowledge of the violation. The faculty member will report the alleged violation through the Academic Integrity on-line reporting system. (Case files will be maintained by the Office of Academic Integrity.)

Reports of academic violations should include the following information:

- Name of the accused student
- Type of violation
- Name(s) of witness(es)
- Name of person filing the complaint

Note: Anonymous written reports may alert a faculty member to an existing problem in the classroom, but these reports cannot serve as the sole basis for disciplinary action. Intentionally making a false accusation may also constitute an integrity code violation.

A student who has been charged with an academic violation may not withdraw from the class or the University without the permission of the Academic Integrity Officer or designee.

Hearing Process:

a. Student-Faculty Hearing

Within ten (10) business days of receiving knowledge of a possible violation, the student will receive notice in writing of:

- The alleged violation.
- A summary of student rights and responsibilities.
- The date, time, and location of student-faculty hearing, which will take place no later than ten (10) business days from the date of notice. If the violation occurs within the last two weeks of a semester or during a period between semesters, the hearing will occur as soon as practical the following semester. Faculty may give an incomplete for the course if a violation is pending.
- Unusual circumstances may warrant adjustments in the timeline.

At the student-faculty hearing, the alleged violation(s) and possible sanction(s) will be reviewed. The student may respond to the charge(s) in writing in advance of the hearing and/or may respond verbally at the hearing. If a student does not attend the hearing, the hearing may proceed in the student's absence.

Participants at a student-faculty hearing will include the instructor and the accused student, and may also include the student(s), faculty, or staff member(s) who observed and reported the infraction. At the request of the faculty member or student, an

Academic Integrity Officer may be present at this meeting. The Chair of the Department of the course in which the incident occurred should not attend this meeting as they may be involved in the resolution process if the student decides to appeal the decision of the instructor.

At the student-faculty hearing, the faculty member will determine if the student is in violation of the alleged misconduct. If the student is found in violation, the faculty member will determine a sanction. One of the following will occur:

- The student agrees with the faculty member's decision.
- The student does not agree with the faculty member's decision, feels that the imposed penalty is too severe or believes that the University process has been violated. The student may submit a written request for an appeal hearing to the Academic Integrity Officer. This letter will include a brief explanation of the alleged violation and the specific reason for requesting the appeal. The request for an appeal hearing must be made within five (5) business days of receiving the decision of the instructor from the student-faculty hearing.

The Office of Academic Integrity will receive all reports of alleged violations. Students who have been found in violation of a previous offense (academic or non-academic) will be referred to the CAIC for sanctioning. More serious sanctions will automatically be considered for students with more than one violation.

College Academic Integrity Committee (CAIC):

The CAIC will consist of both faculty and student representatives (two faculty members for every student representative). Each College will determine the procedures for committee representation and publish this information on the Office of Academic Integrity webpage (www.coastal.edu/aic). The student representative will be selected from a list of nominees developed by the Student Government Association. The student appointee must be in good disciplinary standing, meaning that she/he is not on probation and/or has no incomplete sanctions. Also, the student member must have completed at least 60 credit hours, be a full-time student, and carry a GPA of 2.5 or better.

The Office of Academic Integrity will notify the accused student in writing of the date, time, location, and purpose of the hearing. At the hearing, the CAIC will review the case. The instructor of the course will be present to summarize the incident and the student will have an opportunity to respond. If the student does not respond to the notification the hearing may proceed in the student's absence.

The CAIC may uphold or modify the decision from the student-faculty hearing. In second-offense cases, the CAIC will not issue a lower-level sanction than was assigned in the faculty hearing.

Appeal Process:

If the student believes that due process was not followed or that substantive issues related to the case were not reviewed at the CAIC hearing, she/he may submit a written

appeal to the Dean of the College in which the course under consideration was offered within five (5) days of receiving the decision of the CAIC. The decision from the Dean is the final step in the resolution process.

Academic Sanctions:

Following the student-faculty hearing, the faculty member may impose one (1) or more of the following sanctions when a student is found in violation:

- Written warning.
- Grade of F on the assignment.
- Grade of FX in the course. (If a penalty grade of FX is imposed in the course, the student will not be able to drop the course, petition a grade change or use the grade forgiveness policy.)
- Mandatory attendance at an academic integrity workshop.
- Other educational sanctions (in consultation with the Academic Integrity Officer).

The CAIC, College Dean, or designee may impose one (1) or more of the following sanctions when a student is found in violation:

- Any student-faculty hearing sanctions
- Loss of privileges
- Disciplinary suspension from the University
- Permanent Dismissal from the University

B. Faculty Rights and Privileges

1. Academic Freedom

Coastal Carolina University adheres in principle to the American Association of University Professors' "Statements of Academic Freedom", and it is its policy to defend academic freedom against any encroachment. The University, as a center of learning, depends upon the free search for truth and its free dissemination. The University has adopted the following: (<http://www.aaup.org/AAUP/comm/rep/A/class.htm> and <http://www.aaup.org/AAUP/pubsres/policydocs/contents/1940statement.htm>).

Faculty members of Coastal Carolina University are entitled to full freedom in research and in the publication of the results subject to the adequate performance of their other academic duties. However, research for pecuniary return will be based upon an understanding with the authorities of the institution. Faculty members are entitled to freedom in the classroom to discuss their subjects but should not introduce controversial material which has no relation to the subject.

Faculty members belong to a scholarly profession and are officers of the institution. When they speak or write as citizens, they will be free from institutional censorship or

discipline, but their position in the community imposes special obligations. As learned and humane individuals, they should remember that the public may judge their profession and their institution by their utterances. Hence, they will at all times be accurate, exercise appropriate restraint, show respect for the right of others to hold their opinions, and make every effort to indicate that they are not speaking for the institution.

Faculty members who feel that their academic freedom has been infringed upon may make written request of the President that an investigation be made of their case. The request should set forth in a clear and concise manner the events and circumstances upon which the charge is based. The President may refer the question to the appropriate faculty committee.

2. Political Activity

As responsible and interested citizens, faculty members are expected to fulfill their civic responsibilities and engage in the normal political processes of society.

However, because of their responsibilities to the institution, full-time faculty may manage state-wide campaigns or seek political positions which pay salary only with notification and approval of the President. Prior to announcement for public office, the President must confirm that there is no conflict of interest between this activity and the responsibility of the individual to the University and to the State of South Carolina. If it is determined that such candidacy and/or election is in basic conflict with the faculty member's normal duties, the President may ask the faculty member to obtain a leave of absence without pay or to resign before announcing for the office (see section VII. A. 6.).

3. Study Opportunities

Any eligible member of the faculty at the rank of Assistant, Associate, or Professor/Librarian may register for up to six semester hours of credit in undergraduate courses each semester, provided written approval is obtained from the registrant's Dean and space is available in the class. To be eligible, one must complete at least one semester of qualified service.

4. Outside Employment of a Professional Nature

A member of the faculty may be permitted to do professional work of an expert character outside the University for compensation during normal business hours when the work in question contributes to the professional development of the faculty member. No such outside work will be undertaken except by prior approval of the authorized Dean. The University reserves the right to declare a conflict of interest at any time. Laboratories, equipment, or other University facilities generally are not available to faculty for consulting work. Matters of patent and copyrights for approved consultant activities may be negotiated subject to applicable University policies and procedures.

In cases where a University employee is hiring a consultant to be paid from a University grant or contract, such consulting is subject to the funding agency's regulations imposed within the grant or contract document. Further, if the consultant to be hired is another University employee, remuneration for such activities is governed by the University's policies on extra compensation and the State's policy on dual employment.

5. Scholarly Reassignment (Sabbatical)

Scholarly reassignment (i.e., scholarly reassignment leave with pay) is intended to allow full-time faculty members relief from normal duties in order to pursue significant projects designed to promote their professional development and to increase their scholarly contribution to the University. This leave is designed to permit faculty members to pursue scholarly goals that require an extended period of time without the demands of regular University duties. Consequently, recipients of scholarly reassignment are to be relieved of all University duties during the period of the leave. Faculty members requesting such reassignment must demonstrate, by a written proposal submitted through the procedure outlined below, how their planned activities will serve the purpose for which scholarly reassignment is intended.

To be considered for scholarly reassignment, applicants must be tenured faculty members with a minimum of four consecutive years of service to the University. Applicants must be eligible to serve for at least one year following completion of the leave. Individuals cannot submit another scholarly reassignment application within three years of the completion of a previous scholarly reassignment leave. Prior to starting reassignment leave, faculty members should contact the Office of Human Resources and Equal Opportunity for information about the continuation of their retirement, insurance plans, and other benefits to be received during the period of leave.

Annual leave will not be accrued by twelve-month faculty while they are on scholarly reassignment.

The following constitute the University procedures for scholarly reassignment:

- a. The Faculty Welfare and Development Committee will publish the schedule of all scholarly reassignment leave deadlines the semester before applications are due.
- b. Any faculty member applying for scholarly reassignment leave will submit the formal written application form to the Department Chair/Supervisor by the first business day in July for reassignment beginning the following spring, or by the first business day in January for reassignment beginning the following fall. The application will contain a detailed statement of the purpose for which the leave is requested and the expected outcomes of the leave.
- c. The Chair/Supervisor will draft a statement on the merits of the proposal and demonstrate that the duties of the faculty member can be reassigned to other faculty or part-time employees. This merit and budget impact statement along with the application will be forwarded to the Chair of the Faculty Welfare and Development Committee. In the event that a Department Chair/Supervisor applies for scholarly reassignment leave, a suitable replacement will be appointed by the Dean prior to the application deadline. In the event that a Dean applies for scholarly reassignment, a suitable replacement will be appointed in consultation with the Provost.
- d. The Chair of the Faculty Welfare and Development Committee will forward a copy of the application materials to each academic Dean and the Provost. If any Library faculty members apply for scholarly reassignment, the Dean of the Library will also receive a copy of all applications and will join the Deans' Committee for

deliberations. The appropriate Dean will draft a statement on how economic practicalities, constraints, and other special circumstances may affect the ranking of each of the applications received from her/his respective College/Library. The Provost will convene a meeting of the academic Deans who will then rank the applications as a committee. Subsequently, the Deans' Committee will forward their ranking and recommendations to the Chair of the Faculty Welfare and Development Committee. Any materials concerning economic factors will be sent to that committee under separate cover. In the event that a Dean applies for scholarly reassignment, a suitable replacement to serve on the Deans' Committee will be appointed by the Provost prior to the submission of the Chair's/Supervisor's statements.

- e. The Faculty Welfare and Development Committee will review all scholarly reassignment application materials and forward them with its ranking and recommendations to the Provost. If a member of that committee applies for scholarly reassignment, a replacement will be appointed by the appropriate College or the Library for the scholarly reassignment deliberations. The appointment will be made prior to the meeting of the Deans' Committee.
 - f. Scholarly reassignment awards are granted by the Provost and the President.
 - g. Upon notification of receiving scholarly reassignment, the faculty member will be required to sign a statement agreeing to return to her/his position or to provide comparable service to the University for at least one academic or fiscal year at the end of the leave period. If this agreement is breached, the faculty member will be liable for all monies received during the period of scholarly reassignment. If the faculty member dies or is permanently disabled due to illness or accident, the University will not exercise its right of repayment.
 - h. Faculty members returning from reassignment leave must submit a written report of their scholarly or creative accomplishments to the Dean within three months of returning to the campus. This report, accompanied by the written evaluation of the Dean, must be forwarded to the Provost and the Faculty Welfare and Development Committee. The faculty member must also deliver a presentation of the outcomes of their reassignment activities to the University Community within two major semesters of returning to service.
6. Professional Growth and Research

The administration supports professional development and growth as an on-going process. Scholarly Reassignment and leaves of absence without pay will be granted when faculty meet the appropriate criteria. Faculty members are encouraged to submit proposals for development to appropriate funding sources. For policies pertaining to research go to www.coastal.edu/grants. Faculty rights and responsibilities related to developed intellectual property and revenue derived from such property are specified in the University's Intellectual Property Policy (<http://www.coastal.edu/policies/pdf/702j-grantsintellectualproperty.pdf>).

7. Faculty Performance Review

All faculty members will be evaluated by their Department Chair/Supervisor and/or Dean as determined by College/Library policy. Department Chairs/Supervisors, Deans, and other administrators will each be evaluated by their immediate supervisor. Part-time faculty will be evaluated based on their assigned duties in accordance with College/Library policies and procedures. The frequency of these evaluations will be no less than once per year. Each full-time member of the faculty will receive an annual written evaluation of her/his performance following College/Library policies and procedures. The review will cover the period from the date of filing the annual report for the previous year until the date of filing the annual report for the current year. The review will be based on the criteria for promotion and tenure outlined in this manual and the College/Library and/or Department performance expectations elaborations documents. The annual review will become part of the faculty member's permanent record that is used in making decisions regarding annual merit raises, promotion, tenure, and post-tenure review.

All faculty members will be evaluated by their Department Chair/Supervisor and/or Dean as determined by College/Library policy. Department Chairs/Supervisors, Deans, and other administrators will each be evaluated by their immediate supervisor.

- a. Each College and the Library will develop Faculty Performance Expectation Evaluation Elaborations and Procedures. Criteria for teaching faculty may include:
 - Teaching assignments
 - Advising
 - Other assigned duties and responsibilities
 - Scholarly or artistic pursuits in the discipline
 - Relevant University, professional, and/or community service

Librarians will be evaluated based on:

- Assigned duties and responsibilities
- Professional and scholarly activities
- Relevant University or community service

These criteria should also reflect any specific academic goals and administrative structure that may exist in that College/Library. Criteria and procedures must be recommended by a majority vote of the College/Library faculty and approved by the Dean and the Provost.

- b. During the year, faculty members will complete Faculty Performance Evaluation Forms in accordance with College/Library policies and procedures.
- c. The reviewer must prepare a written evaluation of the faculty member.
- d. The written evaluation will be signed by both the reviewer and the faculty member. The faculty member's signature does not constitute agreement with the assessment. A copy will be retained by the faculty member.
- e. If the reviewer is the Department Chair/Supervisor, the report and supporting documents will be forwarded to the appropriate Dean for review.

- f. If the faculty member believes that the evaluation is unfair, a letter may be filed with the Dean requesting a written review of the annual report. The Dean will add her/his own written comments and interpretation of the faculty member's performance, citing supporting evidence if her/his evaluation differs from that of the Department Chair/Supervisor.
- g. The Dean will meet individually with all tenure-track faculty to discuss progress towards tenure. The Dean will meet with tenured faculty at either party's request.
- h. The completed review form with all comments and supporting documents will be placed on file in the respective College/Library.

When a faculty member holds a joint administrative/teaching position in different Departments/Offices/Units, the hiring agreement will stipulate which Chair/Supervisor will perform the annual evaluation. That Chair/Supervisor will be supplied with the performance criteria associated with the other position being held by the faculty member and the percentage of time dedicated to that other position.

8. Administrator Evaluations

All faculty have the right and the responsibility to evaluate academic administrators every year. The evaluation procedures and process will be overseen by the Executive Committee of the Faculty Senate.

9. Faculty Reduction-in-Force Policy

If the President determines that there is a financial crisis that threatens the survival of the University she or he will declare as such and request the formation of a Faculty Reduction-in-Force Committee to consider faculty reductions in force.

The President and the Faculty Reduction-in-Force Committee jointly bear the responsibility for determining the need to make decisions regarding faculty reductions in force. This committee will be composed of one non-administrative faculty member from each College/Library who has been elected by faculty from within the College/Library and who is not serving as an administrator above the level of Chair/Supervisor.

The committee will have the following responsibilities:

- a. To meet with the President to receive data that confirm a financial crisis that threatens the survival of the University;
- b. To explore alternatives to faculty reductions, such as:
 - Attrition
 - Reorganization, including use of tenured administrators as teachers
 - Freezes, furloughs, or reductions in salary
 - Other reasonable alternatives
- c. To develop a plan for faculty reduction only after exploring and implementing alternatives. The plan will adhere to the following guidelines:

- that all part-time and temporary faculty positions be eliminated first,
- that all tenured faculty positions be given priority over non-tenured positions, unless non-tenured faculty are functioning in an area which is judged by the committee to be essential to the mission of the University and in an area which cannot be filled by a tenured member,
- that reductions be made in a fair and consistent manner,
- that the plan be approved by a majority vote of the faculty,
- that the Provost and President approve the plan,
- that the Board of Trustees approve the plan.

Any faculty member who receives notification of termination because of financial crisis is entitled to a fair review in accordance with the Faculty Grievance Procedure (see section IV. C.).

If an eliminated faculty position is reinstated within three years and the former faculty member has maintained the proper credentials to fill that position, that faculty member will be given the right of first refusal.

C. Faculty Grievance Procedure

It is the intent of the University to extend to each member of the faculty and selected associated faculty the right to a fair review of any appropriate request or serious complaint arising in the course of employment (see section V. C. Associated Faculty 2. a.-d.).

A formal grievance may be filed by any employee holding faculty rank or title. In this section the term “grievant” refers to Visiting Assistant, Associate, Professor/Librarian; Teaching Associate; Teaching Lecturer; Senior Teaching Lecturer; Instructor; Senior Instructor; Assistant, Associate, Professor/Librarian; Professor; Librarian; and academic administrators who hold faculty rank.

Grievances are limited to issues concerning denial of due process, failure of proper notification in reference to changes to the terms of employment, or breach of academic freedom. The University also extends the right to a fair review of any request or complaint arising from the denial of academic freedom to all persons teaching a for-credit class whether on a full-time or part-time basis.

Promotion, tenure, and post-tenure review are proper subjects for consideration only as they relate to procedural errors not caused by the grievant, or failure of notice of opportunity to be heard. The termination of employment of a tenured faculty member cannot be grieved through this process (see Termination Procedures, section V. H.).

All complaints pertaining to discrimination based on race, color, gender, age, creed, or national origin are to be referred to the EEO Officer (University Policy HREO-107).

The time limits indicated in this policy must be strictly adhered to. Failure of the administration to comply with given time limits entitles the grievant to carry the appeal to

the next step in the process. Failure of the grievant to comply with the time limits will result in forfeiture of the right to continue the grievance. Grievances will be considered filed according to the recorded date of receipt. The appropriate parties are responsible for obtaining a signed, dated proof of receipt for all official communications at each step of the process.

At any time during this process the grievant has the right to legal representation or any other counsel. If an attorney will be present at any formal proceedings, University Counsel must be notified in writing at the time that the formal grievance or appeal is filed with the appropriate body (see Steps 2-4 below).

PROCEDURE

Appointment of Designees: At any step in the process, the person hearing the grievance may need to appoint an appropriate designee to hear the grievance in order to meet the time limits or when it is in the interest of fairness to the grievant. The grievant will be notified of the name of the designee and the reason for appointing the designee in writing at least three (3) calendar days prior to the hearing. If the grievant believes that the designee is directly involved in the matter being grieved or is unable to maintain neutrality in the matter, the grievant may request to forego that step of the process as per the Recusals paragraph immediately below.

Recusals: The grievant may seek to forego steps in this process when the person hearing the grievance is directly involved in the matter being grieved (Chair/Supervisor, Dean, Provost, and/or President). In such cases, the grievant will notify in writing the person hearing the grievance at the step beyond the step(s) being foregone. This letter will state the reasons for the request to forego the previous step(s). Based on the reasons stated in the letter, the person hearing the grievance will determine whether the grievant should return to the previous step or to proceed with the hearing of the grievance at that point in the process.

STEP 1:

- a. **Informal Conciliation:** Prior to filing a formal grievance, a faculty member must seek redress by filing a written Notice of Intent to File a Grievance to the Chair/Supervisor. This written intent to file a grievance notification will outline the nature of the matter being grieved and name the parties involved. If an attorney will be present during this step of the process, the person hearing the potential grievance during the conciliation phase must be informed in the Notice of Intent to File a Grievance or the Request for a Dean Hearing letter. Within fourteen (14) calendar days of receiving the formal intent to file a grievance notification, the Chair/Supervisor or a designee must hold a meeting with the grievant. It is the responsibility of both the grievant and the Chair/Supervisor or the designee to review the matter and its specific issues in good faith. The goal of the conciliation phase is to arrive at a mutually agreed upon, prompt resolution to the matter grieved. The Chair/Supervisor or the designee will supply the grievant with a written letter of resolution outlining the results of the conciliation meeting within (5) five calendar days of the meeting. If the Chair/Supervisor or the designee is directly involved in the matter being grieved, then the informal conciliation may be foregone if approved by the Dean or a designee (see Recusals above).
- b. **Post Conciliation:** In the event that the issue is not resolved within fourteen (14) calendar days of filing the notice of intent, or the grievant wishes to appeal the decision

of the Chair/Supervisor or the designee, the grievant may file a written Request for a Dean Hearing letter to the Dean of the faculty member's academic area. This request must be made within five (5) calendar days of the end of the fourteen (14) day period or receipt of the written resolution letter written by the grievant's Chair/Supervisor or the designee. The written request for a hearing need not follow any particular format but should include a report of the conciliation effort to resolve the matter and the relevant facts at issue. In cases where the Dean or the designee is directly involved in the matter being grieved, the Dean Hearing may be foregone if approved by the Provost or the Provost's designee (see Recusals above).

- c. Dean Hearing: The Dean or the designee will conduct a hearing and prepare a response within ten (10) calendar days following the receipt of the post conciliation request. The Dean or the designee will consider all documentation presented by the grievant and the Chair/Supervisor or designee, and may interview other individuals who are directly involved in the matter. In the event the Dean or the designee fails to respond within ten (10) calendar days of receipt, the Dean Hearing is waived and the grievance proceeds to Step 2. In the event that the grievant is not satisfied with the Dean's or the designee's decision the grievant may proceed to file a formal grievance in accordance with Step 2. In cases where the Provost or the Provost's designee is directly involved in the matter being grieved, the formal grievance filing to the Provost may be foregone if approved by the President or the President's designee (see Recusals above).

STEP 2:

- a. Formal Grievance Filing to Provost: To be considered formally, a grievance must be filed in writing with the Provost within five (5) calendar days following receipt of the written decision of the Dean or the designee if that hearing was held. The grievant must submit the following materials in the formal grievance notification letter:
 - A description of the issues involved in the grievance
 - A copy of the materials presented to the Dean or the designee (if any)
 - The Dean's or designee's written decision (if any)
 - Evidence of specific conciliation efforts made in Step 1 (if any)
- b. Provost Action: The Provost/designee, will conduct a fact-finding review including separate consultations with the parties involved, an independent investigation, and take any other appropriate action in order to reach a resolution. The Provost/designee must complete this process and render a written decision to the grievant within seven (7) calendar days after receipt of the grievance by the Provost. In cases where a large number of individuals are involved in the grievance, or if the issues involved are very complex, the Provost/designee may extend this period of time in consultation with the grievant. Extensions must be in writing and signed by both the Provost/designee and the grievant.
- c. The grievant, if not satisfied with the Provost's/designee's decision as received, may petition the President within five (5) calendar days of receipt of the Provost's/designee's decision. In cases where the President or the President's designee is directly involved in the matter being grieved, the petition will be filed with the Chair of the Grievance Committee within five (5) calendar days of receipt of the Provost's/designee's decision. The Chair of that committee will then convene to Grievance Committee as per Step 3 below.

STEP 3:

- a. **Petition to the President:** If a petition is filed with the President, the President will convene the Grievance Committee to conduct a review and investigation of the grievance. The Chair of the Grievance Committee will take prompt, reasonable, and necessary actions to insure an equitable, orderly, and expeditious decision. The Provost or the Provost's designee will serve in any capacity deemed appropriate by the Chair of the Committee, but is not to be directly involved in the grievance proceedings. The review will commence within nine (9) calendar days from the date the grievant files the petition to the President/designee or Chair of the Grievance Committee.
- b. **Grievance Committee Hearing Process and Conflict of Interest Policy:** At this stage of the process, members of the Committee may disqualify themselves due to any bias or conflicts of interest, and the parties involved may raise questions regarding disqualification of committee members. The Chair of the Grievance Committee will determine if the bias raised is significant enough to warrant disqualification. As a basis for making disqualification decisions, the Chair will be mindful of the need for committee members to avoid conflicts of interest or the appearance of conflicts of interest.

If the Chair cannot make such a determination, or if the Chair has been asked to recuse herself/himself, the eligible members of the Committee will elect an Acting Chair to make a determination. An alternate committee member from that College/Library will replace any disqualified member(s) for the duration of the proceedings. The alternate(s) will be appointed by the Chair of the Faculty Senate, or by the Faculty Welfare and Development Committee if the Chair of the Faculty Senate is deemed to have a conflict of interest by the Grievance Committee.

The grievant, the Dean or the designee, and any person whose alleged conduct was the cause of the grievance will appear separately before the Committee. Each party has the right to call and cross examine witnesses and to produce whatever relevant evidence they wish. Cross examination may also be conducted by members of the Grievance Committee. The committee has the authority to call for files, records, and documents pertinent to the investigation, to determine the order of the appearance of witnesses, to call additional witnesses, and to take any other action deemed necessary to determine the facts of the case.

- c. **Grievance Committee Decision:** The Grievance Committee will deliver a written finding and submit its specific recommendation, together with the committee's vote, to the President/designee and the grievant within four (4) calendar days following the conclusion of the hearing. In cases where the President is directly involved in the matter being grieved, the grievant may appeal the decision of the committee directly to the Chair of the Academic Affairs Committee of the Board of Trustees (see Recusals above).
- d. **President's Decision:** The President/designee may accept the recommendation of the Grievance Committee or conduct a further review and hold additional discussion of the case with the parties either together or separately. The grievant, the Provost, and appropriate committee Chairs will be notified of the President's/designee's decision within seven (7) calendar days after the receipt of the committee's decision.

STEP 4:

- a. Appeal to the Board of Trustees of Coastal Carolina University: Final authority for adjudication of grievances rests with the Board of Trustees of Coastal Carolina University. If the grievant wishes to appeal the President's/designee's decision, a written appeal must be sent to the Chair of the Academic and Student Affairs Committee of the Board of Trustees within five (5) calendar days of receipt of the President's/designee's decision letter. In cases where the Presidential decision phase has been foregone, the grievant must file the written appeal within five (5) calendar days of receipt of the letter from the Chair of the Grievance Committee. In the event that the Chair of the Academic and Student Affairs Committee of the Board of Trustees cannot be reached, the appeal may be registered with the Chair of the Faculty Senate or with the Provost's Office. The Academic and Student Affairs Committee will review the record and may, at its discretion, conduct a new hearing. The Academic and Student Affairs Committee will have twenty eight (28) calendar days in which to complete its review and communicate its decision to the President and the grievant. The number of days may be extended by mutual consent of the grievant and the Chair of the Academic and Student Affairs Committee. The decision of the Academic and Student Affairs Committee of the Board of Trustees is final and binding within the University.

V. APPOINTMENTS, PROMOTION, AND TENURE

A. Terms of Employment

The regular period of employment for the members of the faculty is a nine-month academic year. Variations to the normal term of employment must be established in writing and approved by the President. In the event full-time faculty employment consists of a single semester (except summer semester) the faculty salary will be one-half (50%) of the nine-month academic year salary.

In circumstances when a faculty member begins or ends employment within a semester, the daily rate of compensation will be calculated in accordance with the Coastal Carolina University.

All members of the faculty will be available for work seven calendar days prior to the first day of classes through May 15. The terms and conditions of each faculty member's teaching, research, and service will be recommended by the Dean and Provost and will be outlined in a letter of appointment issued by the President.

Outside employment of a professional nature during normal working hours is permitted only when in compliance with the policies put forth in section IV. B. 4.

Continuing full-time members of the faculty (i.e. full-time appointments not made for a specific time period) may teach during summer sessions depending on the size of enrollment, class availability, and the availability of funds.

Faculty members may not receive compensation for tutoring students in any course for which they have the authority to grant the student credit or grades. This provision will not be interpreted as prohibiting any faculty member from tutoring for remuneration in instances for which they have no authority to grant student credit or grades.

Employment and compensation in excess of an employee's regular salary for temporary, part-time contractual, honoraria, or consultative service performed for any State agency is considered "dual employment" and must be approved by the State Budget and Control Board (University Policy HREO-114).

Faculty members who feel that action with regard to their salaries is inadequate may request further review of their records by submitting documentation they deem appropriate for consideration by the President. Only after following the procedure described in this section may the faculty member initiate a grievance according to the Faculty Grievance Procedure (see section IV. C.).

B. Appointments

1. Equal Employment Opportunity Statement

Coastal Carolina University is committed to the policy and practice of affirmative action and equal opportunity in education and employment for all qualified persons regardless of race, color, religion, sex, national origin, age, disability, or veteran status.

2. English Proficiency Requirement (English Fluency in Higher Education Act)

Faculty must possess adequate written and spoken English skills so as to be able to deliver instruction in a coherent, effective manner. All candidates who are interviewed for University teaching positions will be evaluated on both written and spoken English proficiency.

As part of the interview process, the Dean of the College/Library will ensure that the faculty search committee considers English proficiency during its determination of the successful candidate. Examples of written materials will be a part of each candidate's application and file. Each candidate will make an oral presentation as part of the interview process. The presentation will be made before faculty and, when possible, students. The Chair of the Faculty Search Committee will certify, as part of the committee's recommendation, that the successful candidate possesses adequate written and spoken English skills.

3. Nature of Policy Changes

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

4. Procedures

The existence of new positions and vacancies is established by agreement of the President, the Provost, and the Dean of the College/Library. After consultation with faculty in the appropriate discipline, the Dean will establish a search committee that will consist of at least two faculty members from the same or related discipline (in accordance with College/Library policies). The Dean will not be a member of the committee, but will assume leadership of the search process and is expected to:

- Determine procedural guidelines.
- Ensure compliance with affirmative action policies.
- Communicate qualifications and criteria expected of a successful candidate.
- Receive committee recommendations for applicant interviews and arrange the interview schedules.
- Receive recommendations for candidates selected by the committee.
- Forward the committee's and Dean's recommendations to the Provost.
- Contact the selected candidate to complete the hiring procedures once agreement with the Provost is reached regarding his/her selection of a candidate.

The role of the Department Chair/Supervisor will be determined by College/Library policies and procedures.

Once a candidate has been selected from the applicant pool, approval to make an offer must be obtained from the President or President's designee. The following documents must be attached to the request for the approval to make an offer: a copy of the advertisement, curriculum vitae, and reference letters as per College/Library and University policies and procedures. Candidates will also be required to submit to and to have passed a background check as required by University policies and/or by law.

5. Nepotism Policy

All appointments will be made strictly on the basis of merit. No relative by blood or marriage within the fourth degree of any faculty or staff member, nor any unmarried member of the faculty member's household may be appointed to any position under that faculty or staff member's jurisdiction unless the position in question could not otherwise be properly filled. In such situations, an exception must be made only on an emergency, temporary basis and shall require the advance approval of the President and the State Budget and Control Board (University Policy HREO-113).

C. Faculty/Associated Faculty Ranks and General Promotion Guidelines

As a general policy, the qualifications for appointment and promotion are set forth below. These requirements are not intended as justification for automatic promotion; conversely, justified exceptions may be made if warranted.

After a promotion or appointment, faculty members will be expected to serve a minimum of three years in that particular rank prior to being considered for tenure or promotion. This expectation can be waived in unusual circumstances. A faculty member who unsuccessfully seeks promotion to the rank of Professor or Librarian must wait two full years from the time of application before applying for promotion again.

When applying for promotion, the candidate should refer to the description of that rank in the Faculty Manual and use the tenure criteria of intellectual contributions and professional activities as a guideline in preparing her/his file. For the purposes of this manual, the term

“intellectual contributions” will include research, creativity, or performance in the arts as per College/Library and Departmental guidelines.

The University recognizes the following unclassified academic ranks and titles listed below.

1. Faculty:

- I. Tenured and Tenure Track Appointments with Academic Rank: Rights and responsibilities applicable to full-time appointees are outlined in the Faculty Manual. Continuation in these ranks is subject to the post-tenure review process (see section V. G.).
 - a. Professor: To be eligible for the rank of Professor, a faculty member must have a sustained record of outstanding performance involving teaching, intellectual contributions, professional contributions in the discipline, and University service. It is expected that the faculty member will hold the appropriate terminal degree or meet the established alternative qualifications, and have at least nine years of effective and relevant experience.
 - b. Librarian: To be eligible for the rank of Librarian, the individual must have a sustained record of outstanding performance including intellectual contributions, other recognized professional contributions in the discipline, and University service. It is expected that the faculty member will hold the appropriate terminal degree or meet the established alternative qualifications, and have at least nine years of effective and relevant experience.
 - c. Associate Professor: To be eligible for the rank of Associate Professor, a faculty member must have a record of effective performance over a probationary period usually involving teaching, intellectual contributions, other recognized professional contributions in the discipline, and University service. The faculty member must possess strong potential for further development as a teacher and as a scholar. It is expected that the faculty member will hold the appropriate terminal degree or meet the established alternative qualifications.
 - d. Associate Librarian: To be eligible for the rank of Associate Librarian, the individual must have a record of effective performance, including recognized professional contributions in the discipline, and University service. The faculty member must possess strong potential for further development as a librarian and as a scholar. It is expected that the faculty member will hold the appropriate terminal degree or meet the established alternative qualifications.
 - e. Assistant Professor: To be eligible for the rank of Assistant Professor, a faculty member must possess strong potential for development as a teacher and as a scholar. It is expected that the faculty member will hold the appropriate terminal degree or meet the established alternative qualifications.
 - f. Assistant Librarian: To be eligible for the rank of Assistant Librarian, the individual must possess strong potential for development as a librarian and as a scholar. It is expected that the faculty member will hold the appropriate terminal degree or meet the established alternative qualifications.

- II. Non-tenure Track Appointments with Academic Titles: Rights and privileges applicable to non-tenure track appointments are outlined in the Faculty Manual (see section V. B.). These appointments may be renewable and are not eligible for tenure. Continuation of these appointments does not constitute de facto tenure.
 - a. Senior Instructor: To be eligible for the title of Senior Instructor, the faculty member must have completed 18 graduate hours in the relevant discipline, hold a master's degree or meet the established alternative qualifications, have a record of excellent teaching and service to the University, and hold a full-time appointment under the title of Instructor at the University for a minimum of six years. Initial appointment may not be made under this title; appointment must be by promotion from the title of Instructor.
 - b. Instructor: To be eligible for the title of Instructor, the faculty member must have completed 18 graduate hours in the relevant discipline, hold a master's degree or meet the established alternative qualifications, and possess a strong potential for excellence in teaching. The University no longer hires faculty under this title effective August 16, 2008.
 - c. Senior Teaching Lecturer: To be eligible for the title of Senior Teaching Lecturer, the faculty member must have completed 18 graduate hours in the relevant discipline, hold a master's degree or meet the established alternative qualifications, have an outstanding record of teaching, and hold a full-time appointment under the title of Teaching Lecturer or higher at the University for a minimum of six years. Appointments holding this title must be conferred following promotion from Teaching Lecturer. Individuals holding this title are not allowed to vote on issues concerning tenure and promotion policies and procedures for tenured and tenure track faculty.
2. Associated Faculty:
 - I. Temporary Appointments with Academic Titles: These are temporary appointments of persons hired to teach on a semester-to-semester or academic year basis dependent upon University needs. Associated Faculty members are not eligible for tenure, and employment is not governed by the Faculty Manual except for issues pertaining to professional obligations, academic freedom and grievance procedures.
 - a. Teaching Lecturer: To be eligible for the title of Teaching Lecturer, the individual must have completed 18 graduate hours in the relevant discipline, hold a master's degree or meet the established alternative qualifications, and exhibit strong potential for excellence in teaching. This is an annual teaching appointment that may be renewed based on enrollment needs, and appointees are not eligible for tenure. This title may be extended when indicated to include Artist-in-Residence, Writer-in-Residence, or Executive-in-Residence. Individuals holding this title do not have faculty governance responsibility.
 - b. Teaching Associate: To be eligible for the title of Teaching Associate the individual must have completed 18 graduate hours in the relevant discipline, and hold a master's degree or meet the established alternative qualifications.

Teaching assignments for this title are arranged on a per course basis according to enrollment demands each semester.

- c. Visiting Assistant, Associate, or Professor: To be eligible for these ranks the appointee must have completed 18 graduate hours in the relevant discipline and hold at least a master's degree, or the established alternative qualifications. Individuals who hold these ranks must be eligible for comparable academic rank elsewhere and may be on leave of absence from a home institution.

It is expected that part-time or adjunct faculty will have qualifications of regular, full-time faculty with regard to academic preparation, experience, and performance. As a minimum qualification, all part-time faculty members must have completed at least 18 graduate hours in the relevant discipline and hold a master's degree or meet the established alternative qualifications. This applies to the employment of any faculty member teaching courses for credit. Exceptions to this policy may be allowed for those teaching physical education activities courses, or those who have distinguished experience in their field. Exceptions to this policy must be approved by the authorized Dean and the Provost.

Alternative Qualifications include but are not limited to:

- Other degrees and concentrations
- Certificates or diplomas
- Professional licensure or certification
- Special training
- Documented excellence in teaching in the discipline
- Honors, awards, or special recognitions
- Related work experience
- Other documented teaching competencies and achievements

II. Temporary Appointments with Research Titles: These are temporary appointments of persons hired on a semester-to-semester or academic year basis depending on the needs of the University. Appointees are not eligible for tenure, and employment is not governed by the Faculty Manual.

- a. Research Assistant, Associate, or Professor: These positions apply to individuals of substantial professional caliber who are engaged primarily in research. The research professor has usually earned a doctoral degree and has considerable experience in the research field (This title may be extended to a visiting appointment.).
- b. Post-Doctoral Fellow: This title is conferred to an individual who has recently completed requirements for the doctorate and is engaged in further study through research projects and activities. It is a temporary appointment. Involvement in the classroom is strongly encouraged.
- c. Research Associate: This is a temporary staff position, usually funded with non-appropriated funds, held by an individual who possesses a master's degree or substantial work beyond the bachelor's degree. The research associate plans and conducts research.

- d. Teaching Graduate Assistant: Persons holding this title are fully admitted graduate students who performing services in support of University operations.

III. University/Center Affiliates: This title may be conferred on individuals who volunteer their time and expertise toward the good of the University and the students it serves. These titles are a privilege and not a right.

D. Tenure/Promotion/Reappointment of Non-tenure Track Positions

1. Tenure Regulations and Re-appointment

Coastal Carolina University generally adheres to the standards of the American Association of University Professors regarding the rights, privileges and benefits accorded faculty members. Where University policies differ from those standards, the regulations stated herein or those subsequently modified by the University will apply.

To promote the welfare of the University, the policy in general will be to provide, after a probationary period, the opportunity for tenure of its faculty members, except in the case of retirement due to age or special or extraordinary circumstances, or because of financial exigencies and/or curtailment or discontinuance of programs. To implement this protocol, it is the intent of the University to impose these regulations:

- a. Tenure is not acquired automatically.
- b. New members of the faculty shall be informed at the time of appointment of the tenure regulations applicable on the effective date of appointment. Changes in tenure regulations shall not be applied retroactively if disadvantageous to the faculty member.
- c. No later than the first Friday in April prior to the mandatory date for tenure consideration, a faculty member will be notified in writing by the Provost to declare the intention to seek tenure/promotion and to submit a current file, forwarded through appropriate channels for its consideration.
- d. The maximum probationary period for full-time faculty hired at the rank of Associate Professor/Librarian is satisfactory service at that rank for five years at Coastal Carolina University. Eligible faculty will receive written notification in the spring of the third year to apply for tenure during the fall of the fourth year. The decision of the President will be ratified by the Board of Trustees in the summer preceding the fifth year. If tenure is not awarded, the fifth year will be the final year of employment. The probationary period may be extended or suspended by action of the Provost in consultation with the Dean and the President.
- e. The maximum probationary period for full-time faculty hired at the rank of Assistant Professor/Librarian is seven years of continuous service with the University at that rank. Credit toward tenure may be awarded to an Assistant Professor/Librarian at the point of hire and must be reflected in the appointment letter issued to the faculty member at the time of appointment. The letter will stipulate the semester and year that the faculty member must apply for tenure. Credit toward tenure should not exceed two years. The probationary period may be

extended or suspended by action of the Provost in consultation with the Dean and the President.

- f. The Provost will notify, in writing, tenure-eligible faculty members to prepare tenure application files two years prior to the end of the probationary period. The decision of the President will be ratified by the Board of Trustees in the summer prior to the final academic year of the probationary period. If tenure is not awarded, the last year of the probationary period will be the final year of employment. In extraordinary cases, a faculty member may apply for early tenure with the written permission of the Chair/Supervisor and the Dean. If tenure is not awarded, the following year will be the final year of employment.
- g. If, for any reason, the faculty member is not notified of tenure eligibility in accordance with stated policy, the probationary period will be extended one year.
- h. Instructors, Senior Instructors, Teaching Lecturers and Senior Teaching Lecturers are not eligible for tenure. Instructors, Senior Instructors, Teaching Lecturers and Senior Teaching Lecturers administratively appointed to the rank of Assistant Professor may not apply previous years' service towards the probationary period for tenure. Notification of non-reappointment of Instructors, Senior Instructors, Teaching Lecturers and Senior Teaching Lecturers in the second or subsequent consecutive years of service will be given in writing by the second Friday of December (or the second Friday of April for a second semester appointment). Notification of non-reappointment for Teaching Lecturers in the first year of appointment (or in the first year of a non-consecutive appointment which is not a product of a leave of absence granted by the University) will be given in writing by the first business day of March (or the first business day of July for a second semester appointment).
- i. Armed forces personnel performing teaching assignments, Teaching Associates, part-time faculty members, and individuals otherwise employed by the University are not eligible for tenure. If Associated Faculty are administratively reappointed to the rank of Assistant Professor, previous years' service may not be applied towards the probationary period for tenure.
- j. A period of time during which a faculty member is on leave without pay in excess of one semester may not be counted as part of the probationary period for tenure. Leave without pay does not affect tenure already acquired.
- k. If, during the first year of probationary appointment, it is deemed in the best interest of the University to terminate the appointment at the end of the first year, notice of such termination will be given in writing by the first business day of March (or the first business day of July for a second semester appointment). If, during the second year of probationary appointment, it is deemed in the best interest of the University to terminate the appointment at the end of the second year, notice of such termination will be given in writing by the second Friday of December (or the second Friday of April for a second semester appointment). Thereafter, notice in writing of the termination of any appointment to which the provisions of this section apply will be given at least twelve months prior to the date of termination.

- l. Administrators cannot acquire tenure by virtue of administrative positions or duties. The tenure status or tenure eligibility of a member of the faculty appointed to an administrative position will not be adversely affected by such an appointment; similarly, the tenure status of a tenured faculty member relieved from or who has resigned from an administrative position will not be adversely affected by such relief.
 - m. Untenured faculty who are appointed to the position of Department Chair, Assistant/Associate Dean, or Assistant/Associate Director of the Library will be eligible for tenure under the guidelines for their faculty rank. (see section V. D. l. e.).
 - n. Senior administrators hired with faculty rank must meet the eligibility requirements for tenure and the rank at which they are appointed.
2. Tenure Criteria

Application for tenure must precede promotion to Associate Professor/Associate Librarian, or it may be simultaneous with application for promotion.

- a. A faculty member applying for tenure as a non-librarian will be evaluated primarily based on teaching effectiveness. In addition to teaching effectiveness, faculty members applying for tenure will be evaluated based on intellectual contributions and professional activities/University service. The specific criteria for tenure and promotion are determined by College and Department guidelines and performance expectation elaborations.
- b. A professional librarian applying for promotion and/or tenure will be evaluated primarily according to professional competence and also according to intellectual contributions and professional activities/University service as defined by Library guidelines and performance expectation elaborations (teaching will be taken into account depending on the specific expectations associated with the position in question).

E. Promotion and Tenure Procedures

1. No change will be made to the promotion and tenure regulations described herein except by vote of the full voting membership of the faculty of the University, by recommendation of the President, and by final approval by the Board of Trustees. The faculty member will be subject to the promotion, tenure, and Post-tenure criteria in place at the time of her/his hiring, last promotion, or last Post-tenure review.
2. The Provost, in consultation with the Chair of the University Promotion and Tenure Committee, will establish and publish a calendar of dates relevant to promotion and tenure for the upcoming academic year and distribute it to the faculty no later than the first Friday in April of each year. The deadline for submission of the files from the candidates to the Dean will be no later than the second Friday in September for consideration for the respective academic year.
3. No later than the first Friday in April of each year, the Dean of each College and the Dean of Library Services will provide their faculty with a written summary of the College/Library promotion and tenure criteria, the internal College/Library deadlines,

and a copy of the College/Library Performance Expectations Elaboration documents. The Department Chair/Supervisor will provide faculty members with any additional performance expectations elaborations documents unique to that Department or area by the first Friday of April. Candidates for promotion to the rank of Professor/Librarian will also be provided with the College/Library policies and procedures concerning external review of their intellectual contributions/professional contributions to the discipline as outlined below.

4. Candidates for promotion/tenure will be responsible for preparing an application file that contains all of the following materials in the proper order: (Candidates for promotion to the rank of Professor/Librarian will also submit the materials necessary to undergo the process of external review.)
 - a. A completed Coastal Carolina University cover sheet for promotion and/or tenure file. (This form is available at www.coastal.edu/forms)
 - b. Department and/or College/Library Performance Expectations Elaborations documents and/or Performance Expectations in effect at the time of last hiring, promotion, or post-tenure review.
 - c. A cover letter addressed to the Dean of the College/Library.
 - d. An updated curriculum vitae;
 - e. All annual reports, evaluations (including the Chair's/Supervisor's evaluation of the file), and supporting documents as per College/Library policies.
 - f. Copies of all teaching evaluations: student and/or peer and/or administrative (when applying for the rank of Professor, the file will include all annual evaluations and teaching evaluations since achieving the rank of Associate Professor). Library Faculty generally will not have teaching evaluations in the file but may include teaching evaluations and/or evaluations from faculty that address teaching effectiveness or service quality in their areas of responsibility when applicable.
 - g. Evidence of intellectual contributions as per College/Library policies.
 - h. Evidence of University and professional service as per College/Library policies.
 - i. Materials relevant to Performance Expectations Elaborations documents not enumerated above.
5. Candidates for promotion will be evaluated on their record since their last appointment or promotion. Candidates for tenure will be evaluated primarily on their record since their hire at Coastal Carolina University. (Evaluation criteria adopted by the Department, College and/or the University subsequent to appointment, and officially accepted by the Provost and President can be used to evaluate the candidate only if the candidate expressly requests that those criteria be applied at the time the file is submitted to the Office of the Dean as per the deadline stated in this manual)
6. Each College will have a college promotion and tenure committee consisting of tenured faculty representing each Department. The College Promotion and Tenure Committee

must have a minimum of three members. Members are to be elected by the full-time tenured and tenure-track faculty of their Departments. In the event a Department does not have an eligible faculty member to serve, it will elect a full-time tenured colleague from another Department within the College. Candidates for promotion and/or tenure, candidates undergoing post-tenure review, Department Chairs/Supervisors, Assistant Deans, Associate Deans and the Chair of the Faculty Senate are not eligible to serve on college promotion and tenure committees.

7. The Library will have a Library Promotion and Tenure Committee consisting of at least three full-time tenured members from the Library. If there are not three Library faculty members eligible to serve on this committee, then membership will be drawn from full-time tenured colleagues from any of the academic colleges. Members are elected by a vote of the full-time tenured and tenure track faculty of the Library. Candidates for promotion and/or tenure, candidates undergoing Post-tenure review, Assistant Directors, or Associate Directors and the Chair of the Faculty Senate are not eligible to serve on the Library Promotion and Tenure Committee.
8. External Review: The candidate will submit a list of at least three but not more than five possible referees in the candidate's discipline from outside the University (along with contact information for each referee on the list) to the Dean. The Dean will meet with the Chair/Supervisor from the candidate's area to discuss appropriate referees for the file. At that meeting additional referees will be considered in addition to those supplied by the candidate in keeping with College/Library policies and procedures. Three referees will be chosen, with at least two coming from the list supplied by the candidate. If an insufficient number of the outside referees from the candidate's list are available, the candidate will be asked to submit additional names until two referees proposed by the candidate agree to review the file.
9. The Dean will handle all communication with external referees and will be responsible for the timely submission of their reports and their inclusion in the file *as per* College/Library policies and procedures. The cover letter sent to the referees will indicate the performance criteria under which the candidate will be evaluated as well as the normative teaching and service responsibilities of faculty. Within this context the referees will only evaluate the intellectual contributions/professional contributions to the discipline aspects of the file. The reports will be general assessments in the same sense that professional scholars referee grant applications and manuscripts. The nature of the materials forwarded to the external reviewers and the deadlines for submission will be determined by College/Library policies and procedures.
10. The Dean of the College/Library will confirm that the file is complete and confirm any credit towards tenure by signing the completed Coastal Carolina University cover sheet for promotion and/or tenure. The Dean will add any external letters of reference to the file at this time. The Dean will then convene the College/Library Committee to review the candidates' files. Members of the College/Library Promotion and Tenure Committee may not write letters of recommendation on behalf of candidates from their College/Library for promotion and/or tenure.
11. After convening the College/Library Promotion and Tenure Committee, the Dean will forward the candidate's file to the committee. The College/Library Promotion and Tenure Committee will meet, review, and evaluate each candidate's file, and prepare a letter of recommendation based on the College/Library performance expectations

elaborations documents and the promotion and tenure criteria stated in the Faculty Manual. This letter will delineate the recommendation of the committee. A favorable decision from the College/Library Promotion and Tenure Committee requires a simple majority vote. The letter will include a brief description of the evaluation process and reasons for the committee's recommendation. Members who are not in agreement with the majority opinion may present an anonymous dissenting opinion that will accompany the promotion and tenure letter for inclusion in the file. The committee shall send a separate letter to the Dean stating the numerical vote of the committee. This letter will accompany the file throughout the process but will not be included in the file. The Dean and the Department Chair/Supervisor do not participate in this review process or in the formulation of the letter of recommendation; however, the College/Library Promotion and Tenure Committee may clarify any information in the candidate's file by contacting the Dean, Department Chair/Supervisor, or the candidate.

12. The College/Library Promotion and Tenure Committee letters are addressed and forwarded, along with the candidates' files, to the Dean. After reviewing each file, the Dean will write a letter of recommendation based on both the College/Library promotion and tenure criteria and the promotion and tenure criteria stated in the Faculty Manual. This letter is placed in the candidate's file. The decision to recommend or not to recommend is communicated to the College/Library Promotion and Tenure Committee. The Dean will meet with the candidate to discuss the College/Library Promotion and Tenure Committee recommendation, the recommendation of the Department Chair/Supervisor, and the recommendation of the Dean. At that meeting, the candidate will be given copies of these letters.

Should the candidate wish to address the assessments and recommendations noted in any of these letters, the candidate may write a letter responding to these specific issues and provide it to the Dean for inclusion in the file. The letter must be submitted to the Dean within seven (7) calendar days beginning on the day of the meeting with the Dean.

Should the Dean disagree with the College/Library Promotion and Tenure Committee's recommendations, there will be a meeting of the College/Library Promotion and Tenure Committee and the Dean. At that meeting the Dean will share with the College/Library Promotion and Tenure Committee any letter from the candidate responding to the evaluation. At the conclusion of the meeting, the Dean and the College/Library Promotion and Tenure Committee will issue a comprehensive letter that describes the results of that meeting. The candidate may withdraw from the process at this point, in which case the file will be returned to the candidate.

13. If the candidate elects to continue with this process, the complete file will be forwarded by the Dean to and thereafter housed in the Provost's Office. No files will be accepted after the published deadline. Once the file has been received in the Provost's Office, the candidate may not withdraw from the promotion and tenure process, and no materials may be added to or removed from the file.

Files which received positive recommendations from both the Dean and the College/Library Promotion and Tenure Committee are routed directly to the Provost who reviews them and makes her/his own recommendation. If the Provost's recommendation is positive, such files are not required to undergo review by the University Promotion and Tenure Committee and are forwarded to the President.

If the Provost determines that a file receiving two positive ratings needs further review, that file will be made available to the University Promotion and Tenure Committee for review.

The files which received either one or two negative recommendations from the Dean and/or the College Promotion and Tenure Committee will be made available to the University Promotion and Tenure Committee for review.

14. When a University Promotion and Tenure Committee review is required, the Committee and the Provost each will review the candidate's file independently and reach a decision based on both the Department's and the College's/Library's performance expectations elaborations documents and the promotion and tenure criteria stated in the Faculty Manual. The University Promotion and Tenure Committee may clarify information in the candidate's file. For this purpose, contact by the committee is limited to the candidate, Department Chair/Supervisor, Dean, and/or the College/Library Promotion and Tenure Committee. A positive recommendation from the University Promotion and Tenure Committee regarding a candidate's status requires a two-thirds majority vote.

The Provost and the Chair of the University Promotion and Tenure Committee will meet to exchange recommendations on each candidate.

- a. If the University Promotion and Tenure Committee and the Provost agree positively, the Provost prepares a letter of recommendation to the President which summarizes the findings of each step of the process. This letter becomes part of the candidate's file and all files are forwarded to the President for review.
 - b. If the University Promotion and Tenure Committee and the Provost agree negatively, the file is not forwarded to the President. Candidates who receive a negative decision will be notified in writing by the Provost and will be invited to meet with the Provost to discuss that decision.
 - c. If the University Promotion and Tenure Committee and the Provost reach different decisions on a candidate, the Committee and the Provost will meet to discuss the differences. If there is still a difference following this meeting, the Provost will compose a letter that summarizes the findings and recommendations at each step of the process and that reflects her/his recommendation. The Chair of the University Promotion and Tenure Committee will also compose a letter reflecting the recommendations of the committee. The letter from each office will state the reasoning for the recommendations and standards applied. Both letters are added to the candidate's file, and the complete file will be forwarded to the President who will make her/his decision regarding the file.
15. The President will send a letter to the candidate indicating the final decision and will forward all files with positive recommendations to the Board of Trustees prior to their final meeting of the academic year. The Board of Trustees will vote to ratify the decision of the President.
 16. After the Board of Trustees meets, the external letters of review will be removed from the candidate's file and stored in the Provost's Office. Candidates will be notified by the Provost to retrieve their files from the Provost's Office.

17. A faculty member may appeal a decision through the faculty grievance procedure only in cases of procedural errors not caused by the grievant, or failure of notice of opportunity to be heard (see section IV. C.). Cases of alleged violation of anti-discrimination laws pertaining to federally protected categories will be referred to the EEO Officer (University Policy HREO-107).

F. Promotion to Senior Instructor and Senior Teaching Lecturer

1. No change will be made to the promotion regulations described herein except by vote of the full voting membership of the faculty of the University, by recommendation of the Provost, President, and final approval by the Board of Trustees.
2. Instructors are eligible to apply for promotion to Senior Instructor after six years of employment at that title.
3. A Teaching Lecturer may be identified as a candidate for Senior Teaching Lecturer by recommendation of the Department Chair and Dean after a minimum of six years of service at the title of Teaching Lecturer or higher. At the time of recommendation for candidacy, the Teaching Lecturer must specify in writing that she/he intends to seek promotion within two calendar weeks beginning on the date of recommendation. Candidates who intend to seek promotion will be provided with copies of the College and Departmental criteria and guidelines for promotion. A letter of expectations including any changes in teaching load and service requirements will be drafted by the Dean and Department Chair and provided to the candidate. The voting rights of the candidate will be determined by Departmental and College policies. Candidates will not have voting rights at the University level.
4. The Provost, in consultation with the Deans, will establish and publish a calendar of dates relevant to promotion to Senior Instructor/Senior Teaching Lecturer for the academic year and distribute it to the eligible faculty members no later than the first Friday in September each year. The Department Chair and Dean of each College will provide their eligible faculty members with a written summary of the College/Departmental criteria, the internal College/Departmental deadlines, and a copy of the College/Department promotion guidelines at that time. The deadline for submission of the files from the candidates will be no later than the second Friday in February for consideration for the respective academic year.
5. Candidates for promotion to Senior Instructor/Senior Teaching Lecturer will be responsible for preparing an application file that contains all of the following materials in the proper
 - A completed Coastal Carolina University cover sheet for promotion file. (This form is available at: www.coastal.edu/forms/)
 - Department and/or College promotion guidelines and/or performance expectations in effect at the time of initial hire at their current title.
 - A cover letter addressed to the Dean of the College.
 - An updated curriculum vitae.

- The six most recent annual reports, evaluations (including Chair's/Supervisor's evaluation of the file), and supporting documents as per College policies.
 - Copies of all teaching evaluations from the past three years: student and/or peer and/or administrative.
 - Evidence of University and professional service (if applicable) as per College policies.
 - Materials relevant to promotion guidelines not enumerated above.
6. The Department Chair/Supervisor will prepare a letter of evaluation and include it in the file as per College guidelines.
 7. The file will be submitted to the Dean who will forward it to the College Promotion and Tenure Committee. The College Promotion and Tenure Committee will meet, review, and evaluate each candidate's file, and prepare a letter of recommendation based on the College promotion guidelines and those stated in the Faculty Manual. A favorable decision from the College Promotion and Tenure Committee requires a simple majority vote. The letter will include a brief description of the evaluation process and reasons for the committee's recommendation. Members who are not in agreement with the majority may submit an anonymous dissenting opinion that will accompany the committee letter for inclusion in the file. The committee shall send a separate letter to the Dean stating the numerical vote of the committee. That letter will accompany the file throughout the process but will not be included in the file.
 8. The College Promotion and Tenure Committee letters are addressed and forwarded, along with the candidates' files, to the Dean. After reviewing each file, the Dean will write a letter of recommendation based on both the College promotion criteria and those stated in the Faculty Manual. This letter is placed in the candidate's file. The decision to recommend or not to recommend is communicated to the College Promotion and Tenure Committee. The Dean will meet with the candidate to discuss the College Promotion and Tenure Committee recommendation, the recommendation of the Department Chair/Supervisor, and the recommendation of the Dean. At that meeting, the candidate will be given copies of these letters.
 9. If both the committee and the Dean agree that promotion should not be granted, the candidate may draft a letter and appeal the decision to the Provost. The letter must be submitted to the Provost within seven (7) calendar days beginning on the day of the meeting with the Dean. Upon receipt of that letter the Dean will include it in the file and forward the file to the Provost for review. If the Provost disagrees with the committee and the Dean, a letter reflecting the position of the Provost will be added to the file and the file will be forwarded to the President who will make the final decision.
 10. If the Dean disagrees with the College Promotion and Tenure Committee's recommendation, there will be a meeting of the College Promotion and Tenure Committee and the Dean. Prior to that meeting the candidate will have fourteen (14) calendar days to submit a letter responding to the negative evaluation for inclusion in the file beginning on the day of the meeting with the Dean cited in subsection 8. above. At the meeting of the College Promotion and Tenure Committee and the Dean, the Dean will share with the College Promotion and Tenure Committee any such letter

from the candidate. At the conclusion of the meeting, the Dean and the College Promotion and Tenure Committee will issue a comprehensive letter that describes the results of that meeting and add it to the file. The file will be forwarded to the Provost who will make the final decision.

11. If both the committee and the Dean agree that promotion should be granted, the file will be forwarded to the Provost by the Dean. If the Provost concurs, the candidate will be promoted in title and no less than \$1,500 will be added to the base salary effective August 16 of the following academic year. If the Provost disagrees, a meeting will be held between the Dean, the Chair of the College Promotion and Tenure Committee, and the Provost in order to reach a resolution.
 - a. If a resolution is reached to grant promotion, the candidate will be promoted in title and no less than \$1,500 will be added to the base salary effective August 16 of the academic year the promotion becomes effective.
 - b. If a resolution cannot be reached, the candidate will be allowed fourteen (14) calendar days beginning on the date of notification to draft a response to any negative evaluation that has yet to be responded to for inclusion in the file. The file then will be forwarded to the President who will make the final decision within fourteen (14) calendar days beginning on the date of receipt of the file.
 - c. If a resolution is reached to deny promotion, a letter will be drafted reflecting the basis of that decision and added to the file. The candidate will be given a copy of that letter by the Provost's Office, and allowed fourteen (14) calendar days beginning on the date of notification to draft an appeal to the President to be included in the file. The file then will be forwarded to the President who will make the final decision.
12. If promotion is not granted to an Instructor or Teaching Lecturer, that candidate must perform two years of service before being allowed to apply for promotion again.
13. A faculty member may appeal a decision through the faculty grievance procedure only in the case of procedural errors not caused by the grievant, or failure of notice of opportunity to be heard (see section IV. C.). Cases of alleged violation of anti-discrimination laws pertaining to federally protected categories will be referred to the EEO Officer (University Policy HREO-107).

G. Post-Tenure Review

Pursuant to SC Code of Laws Title 59-103-30, Coastal Carolina University maintains a system of post-tenure review. The purpose of post-tenure review is to ensure continued satisfactory performance of tenured faculty and to reward exceptional performance among Professor and Librarian rank faculty. It is not intended to impinge upon academic freedom within the classroom or in research, publication, creative performance, or creative production in the arts.

All tenured faculty (except for the Dean of Library Services) will undergo post-tenure review during the sixth year subsequent to the awarding of tenure, promotion, or post-tenure review, subject to the following conditions:

- The faculty member is not applying for promotion at the time they are eligible for post-tenure review.
- The faculty member (excluding Library faculty) has taught 36 credit hours during the period since the previous successful application for tenure, promotion, or post-tenure review.

The evaluation of the candidate will be based on the six years of past performance beginning with the academic year of the most recent successful application for tenure, promotion, or post-tenure review, and ending at the close of the academic year prior to the year of application for post-tenure review.

Associate Professors/Librarians who are awarded a rating of exceptional for post-tenure review are not eligible to apply for promotion to Full Professor/Librarian until the fourth year subsequent to receiving the exceptional rating.

1. Assistant and Associate Professors/Librarians, Professors/Librarians

a. Ratings:

- **Exceptional:** For Assistant/Associate Professor, a rating of exceptional indicates outstanding and sustained service. Evidence of strong, effective, dedicated teaching is also required, as is proof of contributions to the discipline through intellectual contributions/professional contributions. For Professors/Librarians, a rating of exceptional indicates outstanding, sustained contributions to the discipline through intellectual contributions, professional contributions to the discipline. Evidence of strong, effective, dedicated teaching is also required, as is proof of substantial service. For Assistant/Associate Librarians and Librarians, a rating of exceptional indicates outstanding service as a librarian and strong, productive scholarly activity.
- **Favorable:** The evaluation will be based on satisfactory performance in all areas reflected in the criteria for the position and rank of the faculty member as stated in the Faculty Manual. For Assistant/Associate Professors and Professor, a favorable rating will be based on some evidence of intellectual contributions/professional contributions to the discipline, quality teaching, and average service activity; it should also indicate reasonable expectations of continued development and contributions. For Assistant/Associate Librarians and Librarians, a favorable rating will be based on evidence of quality service as a librarian and evidence of scholarly activity.
- **Conditional:** For Assistant/Associate Professors and Professor, a conditional rating indicates below-average performance as evidenced by the lack of intellectual contributions, professional contributions to the discipline and/or substandard teaching. For Assistant/Associate Librarians and Librarians, a conditional rating indicates below-average performance as evidenced by the lack of quality service as a librarian and/or a lack of scholarly activity.
- **Unfavorable:** This rating indicates failure to make reasonable progress in achieving stated professional goals after a conditional rating.

b. The Evaluation Process

The deadline for submission of post-tenure review files will be determined by the Provost in consultation with the Chair of the University Promotion and Tenure Committee no later than the last Friday of April of the academic year prior to submission of said files. All eligible faculty will be notified that they must apply for post-tenure review no later than the first Friday of that May. The Deans will determine the internal College/Library deadlines so that the completed files may be submitted to the Provost no later than the second Friday in February. The appropriate College/Library Promotion and Tenure Committee will be informed of the internal deadlines no later than the first Friday of September.

The process of post-tenure review begins with the submission of a cover letter, the College/Library and Department performance criteria, a current curriculum vitae, and the six annual reports filed since the most recent successful application for tenure, promotion, or post-tenure review.

Additional materials included in the file will be dictated by College/Library policies to ensure adequate evidence of satisfactory performance in each of the performance areas cited in section a. above.

1. Based on the materials in the file, the Chair/Supervisor will prepare a letter of evaluation and include it in the file to be submitted in keeping with College/Library policies and procedures.
2. The Dean will convene the College/Library Promotion and Tenure Committee and submit the file to the committee.
3. The committee will evaluate the file and prepare a letter that reflects the criteria applied by the committee and the rating assigned to the candidate. The vote will be by simple majority.
4. The letter will be placed in the file and is submitted to the Dean by the internal deadline. The vote tally will be submitted to the Dean under separate cover.
5. The Dean will review the file and prepare a letter of evaluation which includes her/his rating of the candidate and will include the letter in the file.
6. The Dean will then meet with the candidate to review the file and discuss the evaluation. A copy of each of the evaluation letters will be supplied to the candidate.
7. After this meeting, the dean will submit the complete file to the Provost who will evaluate the file. If the Provost agrees with the recommendations of the College/Library Promotion and Tenure Committee and the Dean, the Provost will compose a letter assigning that rating to the candidate and add it to the candidate's personnel file. If the Dean and the committee have conflicting recommendations, the Provost will meet with the Dean and the Chair of the committee to discuss these differences. Subsequent to this meeting, the Provost will make the final decision, compose the letter assigning that rating to the candidate, and add it to the personnel file. If the Provost does not agree with the recommendation of the Dean

and the committee, the Provost will compose a letter recommending an alternative rating, includes it in the file and forwards the complete file to the President. The President will meet with the Provost, Dean, and the Chair of the committee to discuss these differences. Subsequent to that meeting the President will make the final decision. The President will assign the rating and a letter reflecting the rating will be added to the personnel file by the Provost.

8. At the conclusion of the process, the candidate will be notified by the Provost of the results of the review and asked to retrieve the file from the Provost's Office.

c. The Evaluation Process for Exceptional Ratings:

Assistant/Associate Professors/ Librarians and Professors or Librarians who believe that they merit a rating of exceptional must ensure that adequate evidence of performance at a high level is contained in the file submitted to the College/Library Promotion and Tenure Committee in accordance with College/Library policies.

Additionally, based on evidence provided by the candidate, either the College/Library Promotion and Tenure Committee or the Dean may recommend that any candidate pursue an exceptional rating through the process described below. Candidates cannot pursue an exceptional rating without recommendation from one or both of these parties. Candidates who have received a recommendation to pursue an exceptional rating from the College/Library Promotion and Tenure Committee and/or the Dean have two options:

d. The Application Procedure for an Exceptional Rating:

Assistant and Associate Professors/Librarians should **only** follow steps 3 and 4 outlined below. Full professors/Librarians should follow **all** the steps outlined below.

1. The candidate will submit a list of at least three but not more than five possible referees in the candidate's discipline from outside the University (along with contact information for each referee on the list) to the Dean. The Dean will meet with the Chair/Supervisor from the candidate's area to discuss appropriate referees for the file. At that meeting additional referees will be considered in addition to those supplied by the candidate in keeping with College/Library policies and procedures. Three referees will be chosen, with at least two coming from the list supplied by the candidate. If an insufficient number of the outside referees from the candidate's list are available, the candidate will be asked to submit additional names until two referees proposed by the candidate agree to review the file.
2. The Dean will handle all communication with external referees and will be responsible for the timely submission of their reports. The cover letter sent to the referees will indicate the performance criteria under which the candidate will be evaluated as well as the normative teaching and service responsibilities of faculty. Within this context the referees will only evaluate the intellectual contributions, professional contributions to the discipline aspects of the file only. The reports will be general assessments in the same sense that professional scholars referee grant applications and manuscripts.

3. The file containing the three college evaluation letters and any new materials added by the candidate must be submitted to the Provost's Office no later than the last Friday in February. Any referee review letters will be added to the file no later than the third Friday in March. The Provost and the University Promotion and Tenure Committee will consider the applicant's file and the opinions of the referees (if any) to determine whether or not to validate the exceptional rating. Regardless of the outcome, whether positive, negative, or split, the President will be informed of the result of this process and will make the final determination.
4. If the exceptional rating is not awarded, the individual will receive a favorable rating. Once the process is completed the candidate will be notified by the Provost of the results of the review and asked to retrieve the file from the Provost's Office. Any letters from external referees will be removed from the file and stored in the Office of the Provost.

3. Consequences of Evaluation

Faculty members receiving ratings of favorable, conditional, or unfavorable will be notified by the Provost of the results of post-tenure review no later than the last Friday in March. Those being considered for the rating of exceptional will be notified by the Provost of the results no later than the last Friday in April.

- a. Exceptional: An Associate/ Assistant Professor or Librarian given an exceptional rating will receive a salary increase of \$3,500.00 added to the base pay (which will be in addition to any other salary adjustments earned in that academic year). A Full Professor or Librarian given an exceptional rating will receive a salary increase of \$5,000.00 added to the base pay (which will be in addition to any other salary adjustments earned in that academic year). A subsequent review will take place according to the schedule in section 1. b. above.
- b. Favorable: A faculty member given a favorable rating will receive a salary increase of \$1,500.00 added to the base pay (which will be in addition to any other salary adjustments earned in that academic year). A subsequent review will take place according to the schedule in section 1. b. above.
- c. Conditional: A faculty member given a conditional rating must present a one-year professional plan to the Chair/Supervisor and the Dean for approval no later than the second Friday in May of the academic year in which the conditional rating was given. The plan will outline specific measures that the faculty member must take to address the professional deficiencies outlined in the evaluation letters. The faculty member must undergo an additional post-tenure review in the academic year following the completion of the one-year plan. The evaluation will be based on the criteria cited in section 1. a. above.
- d. Unfavorable: A faculty member receiving a conditional rating who fails to achieve a favorable rating in the second post-tenure review will receive the rating of unfavorable. A faculty member given an unfavorable rating will meet with the Chair/Supervisor and Dean to initiate a one-year mentoring/monitoring plan that will state the goals to be achieved and the means by which success will be measured. It may include but will not be limited to such elements as peer review of classroom performance, the opportunity

to collaborate on research/creative projects, and attendance at off-campus faculty development seminars and professional meetings. The faculty member must undergo an additional post-tenure review in the academic year following the completion of the one-year mentoring/monitoring plan. The evaluation will be based on the criteria cited in section 1. a. above. If a rating below favorable has been earned based on the lack of reasonable progress toward the performance goals, the faculty member will be subject to revocation of tenure for habitual neglect of duty.

4. Appeals

Post-tenure review may be appealed through the faculty grievance procedure only in cases of procedural errors not caused by the grievant, failure of notice of opportunity to be heard, or discrimination as defined by federal and state protected categories (in the last case the matter will be forwarded to the EEO Officer). The termination of employment of a tenured faculty member cannot be grieved (see section IV. C.).

H. Forfeiture of Tenure

Tenure may be forfeited in one of two ways only:

- A faculty member may resign her/his tenure by informing the President of the University in writing, explicitly releasing the University of its obligation to continue the services of that faculty member with the rights associated with tenure.
- The University may exercise its right to terminate a tenured faculty appointment for cause following the procedures outlined in this section.

The University understands and affirms that tenure is an acquired property right that cannot be revoked without due process of law. Accordingly, these procedures are established to satisfy as fully as possible the high standards of fundamental due process that are traditionally anticipated and required by the State and Federal Judiciary.

Faculty members facing forfeiture of tenure under this process are strongly advised to consult their own legal advisor(s) prior to the commencement of the hearing procedures.

1. Adequate cause for termination will include one or more of the following:

- a. Endangerment of the welfare of or unethical exploitation of students, employees, visitors, or volunteer workers of the University.
- b. Conviction of a felony or serious misdemeanor since the commencement of employment at the University, or the willful concealment of any conviction in applying for employment at the University.
- c. Gross misconduct detrimental to the mission of the University.
- d. Fraudulent misrepresentation of professional credentials, accomplishments, or experience in connection with initial hiring or in the submission of materials for

- publication or for professional presentations or for evaluation for promotion, tenure, post-tenure review or annual reviews.
- e. Habitual neglect of duty, including failure to achieve a favorable rating one year after receiving an unfavorable rating in the post-tenure review process as outlined in section V. G.
 - f. Unauthorized leave or failure to resume duties after an authorized leave.
 - g. Failure to perform the duties required for the position due to mental or physical incapacity, even if provided with accommodations.
 - h. Demonstrable *bona fide* reduction in staff; provided that such a reduction is performed pursuant to section IV. B. 9.
 - i. Curtailment or discontinuance of a Department or program.
2. Initial Notification: After the Provost is notified of an alleged violation, the faculty member has a right to a meeting with the Provost before termination procedures commence. The Provost will notify the faculty member that forfeiture of tenure is being considered by U. S. Postal certified mail, and a meeting will take place within fourteen (14) calendar days of receipt of notification. At any time during the process outlined below, the faculty member and the Provost may agree upon a sanction short of forfeiture of tenure. Any such agreement must be in writing and signed by the President. By agreeing to a lesser sanction the faculty member relinquishes the right to file a grievance appealing the terms of that agreement. Any such agreement ends the forfeiture of tenure process. If at any time throughout the process the faculty member no longer wishes to appeal or fails to appeal the forfeiture of tenure within the allotted time limits, the faculty member will be presumed to have waived their right to appeal and the Provost will inform the President. The President will send a letter of termination via U. S. Postal certified mail. The letter of termination is final and binding. Failure of the University to meet the deadlines of notification or to adhere to the procedures below will end the forfeiture of tenure process and the faculty member will be reinstated to their pre-existing status.
 3. Initial Meeting with the Provost and Faculty Welfare and Development Committee Proceedings: If the Provost and the faculty member are unable to reach a resolution, the Provost will inform the Faculty Welfare and Development Committee of the Faculty Senate of her/his desire to terminate a tenured member of the faculty within five (5) calendar days of the meeting with the faculty member. At that time, the Provost will give the committee a statement of specific charges together with the factual basis for each charge. If the Provost believes that the violation(s) is/are of such a nature that require(s) the faculty member be removed from campus, the faculty member will be placed on suspension without pay pending investigation and action by the Faculty Welfare and Development Committee. If a suspended faculty member is exonerated of the allegations, payment equivalent to lost wages and benefits will be reimbursed to the faculty member. The function of the committee is to determine whether the alleged behaviors, if true, substantiate the charge(s), and, whether the alleged charge(s) are of such a serious nature to warrant termination. The discussions, records, and recommendations of the committee will remain confidential, except as otherwise required by law. The committee will meet and come to a decision on its

recommendations within seven (7) calendar days upon the date of receiving the Provost's letter.

The committee will send a written copy of its decision to the Provost and the faculty member (including its reasons for its decisions) within three (3) calendar days via U. S. Postal certified mail. Should the Provost wish to pursue the termination process, she/he will send a letter via U. S. Postal certified mail informing the faculty member of her/his intention to terminate employment within five (5) calendar days of receipt of the Faculty Welfare and Development Committee recommendation letter. That letter will include a precise statement of specific charges. The letter will also inform the faculty member of the right to request a hearing before the University Promotion and Tenure Committee.

4. Faculty Request for Hearing: If the faculty member desires a hearing before the University Promotion and Tenure Committee, the Chair of the University Promotion and Tenure Committee and the Provost must be informed in writing within fourteen (14) calendar days of receipt of notification letter sent by the Provost expressing the intent to pursue termination.

If the faculty member takes no action within fourteen (14) calendar days of receipt of notification by the Provost, the faculty member will be presumed to have waived further process and the Provost, without recourse to further proceedings, will send a letter of termination via certified mail which is final and binding.

5. Hearing Procedures: Upon receipt of a written request for a hearing, the Chair of the University Promotion and Tenure Committee will schedule a hearing no sooner than twenty (20) calendar days and no later than thirty (30) calendar days from the date of receipt (in cases where that date falls on a weekend or holiday the first business day after the date will apply). All parties must be given written notice as to time, date, and place. All information pertaining to the case including the charges, evidence, claims of conflict of interest and/or bias, and the communications between the Chair and the parties involved will be revealed to the Chair of the committee alone. Members of the committee will be privy only to what is presented at the formal hearing proceedings. During those proceedings all parties will refrain from mentioning the pre-hearing interactions in the opening and closing statements as well as in the presentation of their respective cases (as triers of fact in a procedure insulated by State rules and regulations, the members of the University Promotion and Tenure Committee are protected by possessing quasi-judicial immunity in their role as committee members).
 - a. Committee Conflict of Interest Processes: At this stage, members of the committee may recuse themselves due to bias or conflicts of interest. Committee members who served on the Faculty Welfare and Development Committee during their deliberations will be ineligible to serve on the University Promotion and Tenure Committee for the hearing of the case. The Chair of the University Promotion and Tenure Committee will determine if the bias raised is significant enough to warrant ineligibility. As a basis for making such decisions, the Chair at all times will be mindful of the need for committee members to avoid conflicts of interest or the appearances of conflict of interests

If the Chair cannot make such a determination, for any reason, or if the Chair wishes to recuse herself/himself due to bias or conflict of interest, then the eligible members of the committee will elect an Acting Chair to make such a determination. The

alternate University Promotion and Tenure Committee member from that College/Library will replace any ineligible or recused member(s) for the duration of the proceedings (section III. F. 12.). If the alternate also has an apparent bias or conflict of interest or is unavailable, another alternate will be appointed by the Dean in consultation with the Chair of the Faculty Senate.

Once the committee membership hearing the case is determined, a list of the membership and their respective alternates will be delivered to the faculty member and to the Provost or Provost's designee. If either party believes that a member of the committee has a conflict of interest and/or a bias in the case, a written charge of conflict of interest and/or bias must be delivered to the Chair of the committee and the other party within seven (7) calendar days beginning with the day after the list of committee membership was delivered. If said party believes that the respective alternate(s) also has/have a conflict of interest and/or bias, a written charge addressing that/those conflict(s) must also be delivered to the Chair of the committee and the other party at the same time. The party making said charge will then have three (3) calendar days (beginning on the day of delivery of the written claim) to deliver a written evidence substantiating the charge(s) concerning all members being challenged to the Chair of the committee and the other party.

In cases where a member of the committee and the alternate are challenged, the Chair of the committee will identify two additional alternates as per section a., paragraph 2 above. The names of those alternates will be disclosed to all parties no less than three (3) calendar days prior to the scheduling of the Pre-hearing Conference. If evidence is received according to the time table above, a Pre-hearing Conference will be scheduled. If no evidence is received according to the time table above the hearing will take place as scheduled (as per section 5. paragraph 1. above).

- b. Pre-hearing Conference: The Chair of the University Promotion and Tenure Committee will hold a conference with the faculty member, her/his respective Advisor(s)/Counsel, and the Provost or Provost's designee in order to resolve matters concerning the potential ineligibility of the committee member(s) in question. If the Chair of the committee determines that a member of the committee is ineligible, the alternate will be seated. If the alternate is also found to be ineligible, the Chair will hear evidence of conflict of interest or bias for the alternate(s) at that time. One of the three alternates or the original committee member will be seated. At the conclusion of the conference the hearing will take place as scheduled (see section 5. paragraph 1. above).
- c. Hearing Process Requirements: The procedures below delimit the nature and scope of the inquiry as an official University process. The committee hearing is not a formal court of law; therefore, the rules of evidence and rights to make motions will be those and only those stipulated below. The committee will not be bound by the 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.
 1. The faculty member will be permitted to have an advisor and/or counsel of choice present during the proceedings.

2. No less than ten (10) calendar days prior to the hearing, each party will deliver a written list of witnesses and evidence to the other. The faculty member will be afforded the opportunity to obtain necessary witnesses, cross examine witnesses, and present relevant documentary or other evidence. The Provost will cooperate with the committee in securing witnesses and making documentary and other evidence available.
 3. The faculty member, any advisor or counsel, and the Provost or her/his designee will have the right to question all witnesses (such questioning will be limited to relevant issues). The Chair of the committee controls the manner and duration of questioning and testimony. Where the witnesses cannot or will not appear but the committee determines that the interests of justice require admission of a statement, the committee will identify the witnesses, disclose sworn statements, and, if possible, provide for interrogatories under oath.
 4. Members of the committee have the right to ask questions during the presentation of the case phases of the hearing with the permission of the Chair. Opening and closing statements will proceed without interruption.
 5. The committee may grant continuances to enable either party to investigate evidence as to which a valid claim of surprise is made. A claim of surprise is the only motion that must be considered by the committee Chair.
 6. All hearing information may be exempt under the provisions of the Freedom of Information Act.
 7. The burden of proof that adequate cause exists rests with the University and will be satisfied only upon a showing, taking account as a whole, of clear and convincing evidence in the record which is a less stringent standard than the beyond a reasonable doubt standard applied in criminal cases. If the faculty member had means, motive and opportunity, the alleged behavior/events did occur, and it is unlikely that another person is guilty of the behavior or brought about the events, then the standard of clear and convincing evidence will have been met.
 8. The findings of fact and the decision of the committee will be based solely on the hearing record.
 9. A verbatim audio recording of the hearing or hearings will be taken by electronic means. Upon completion of the hearing, a copy will be delivered to the faculty member without cost within fourteen (14) calendar days.
- d. Hearing Protocol: The hearing agenda will be as follows:
- Opening Statement by the Chair of the Committee (5 minutes maximum)*
 - Opening Statement by the Plaintiff's Representative (10 minutes maximum)*
 - Opening statement by the Defendant or Counsel (10 minutes maximum)*
 - Presentation of the case by the Plaintiff's Representative
 - Presentation of the case by the Defendant or Counsel

- Closing Statement by the Plaintiff's Representative (10 minutes maximum)*
- Closing by the Defendant or Counsel (10 minutes maximum)*

* The Chair of the committee may extend time if necessary as long as equal time is given to each party.

6. Committee Decision and Recommendations:

If the committee concludes that adequate cause for termination has been established, it will so inform the faculty member, the Provost, and the President in writing. The notification letter will contain supporting reasons.

If the committee concludes that a sanction less severe than termination would be more appropriate, it will inform the faculty member, the Provost, and the President in writing. The notification letter will contain supporting reasons and a recommendation as to the type of sanction that is appropriate.

If the committee concludes that adequate cause for termination has not been established, it will inform the faculty member, the Provost, and the President in writing. The notification will include supporting reasons.

7. President's decision: Within fourteen (14) calendar days of receipt of the committee's recommendation, the President will inform the faculty member and the committee of her/his final decision in writing. The notification will address the committee recommendation and contain supporting reasons for the decision of the President. The President will make her/his decision based on the committee recommendations, the Provost's recommendation, the audio recording, and any other relevant information.
8. Appeal: The President will inform the faculty member of the right to appeal an adverse decision to the Academic and Student Affairs Committee of the Board of Trustees of Coastal Carolina University. The written intention to appeal must be delivered within fourteen (14) calendar days of receipt of notification by the President. The appeal letter will be delivered via U. S. Postal certified mail to the Chair of the Academic and Student Affairs Committee of the Board of Trustees.

If the faculty member takes no action within fourteen (14) calendar days of receipt of notification by the President, the faculty member will be presumed to have waived her/his right to appeal, and the President will send a letter of termination via U. S. Postal certified mail. That letter is final and binding.

9. Board of Trustees Academic and Student Affairs Committee Decision: The Academic and Student Affairs Committee of the Board of Trustees will review the entire record and any allegation of legal error, whether procedural or factual. The committee may conduct further fact finding as it deems appropriate. The decision by the Academic and Student Affairs Committee is final. If the committee's decision is to support the decision

of the President, the President will send formal notification of termination to the faculty member.

VI. BENEFITS AND PRIVILEGES

A. Leave

1. Annual Leave

Full-time, permanent members of the academic staff on a twelve-month appointment accumulate annual leave at the rate of one and one-quarter days per month of continuous employment. After ten years of service, employees earn additional annual leave for each year in excess of ten years of service up to a maximum accrual of thirty days per calendar year. Part-time permanent, classified employees earn annual leave on a pro rata basis. All time taken for vacation, personal business, and other annual leave must be reported 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 thirty days. Upon separation from employment or retirement, employees are paid for a maximum of forty-five days of unused annual leave.

Faculty members employed on less than a twelve-month basis do not earn annual leave.

For further information, see the annual leave policy in the Coastal Carolina University.

2. Sick Leave

For the purposes of calculating sick leave and other issues pertaining to compensation, the normal work day of a full-time faculty member is considered to be seven and one-half (7 ½) hours per day. Permanent faculty members who are scheduled to work at least one-half of the scheduled work-week of the University are eligible to earn sick leave.

Sick leave is accrued at the rate of one and one-quarter work days per month (9.375 hours) of active employment (9 months for regular faculty and 11 months for faculty on 11 month contracts). Part-time permanent faculty earn sick leave on a pro-rated basis. The maximum sick leave which may be accrued is 195 days; however, the maximum sick leave which may be carried over into a new calendar year is 180 days.

Sick leave should be deducted in work days or partial work days with the understanding that the work week is normally Monday through Friday, 8:30 am through 5:00 pm. For instance, if a faculty member teaches a morning class and cancels class due to illness, the sick leave taken would amount to a full day (7.5 hours) if the faculty member does not report to work that afternoon, or as a half day (3.75 hours) if the faculty member reports to work by 1:30 pm that day. A faculty member unable to perform normal work

responsibilities due to illness should report sick leave even if she/he is not scheduled to teach a class on that particular day (not taking sick leave when one is unable to perform normal work responsibilities due to illness may affect eligibility for disability).

Sick leave will accrue for a faculty member on leave-with-pay status.

Employees may use up to ten (10) days of sick leave during a calendar year to care for their immediate family. For the purpose of this policy only, immediate family is defined in the Sick Leave Act as spouse, child, mother, father, a spouse's mother and father, legal guardian, a spouse's legal guardian, and grandchild (if the grandchild resides with the employee and the employee is the primary caretaker of the grandchild). In such cases, sick leave may be granted for the same reasons that employees are granted use of sick leave (University Policy HREO-141).

Family and Medical Leave Act (FMLA): Pursuant to the Family and Medical Leave Act of 1993, up to 12 weeks of unpaid leave may be available to faculty who meet eligibility requirements (University Policy HREO-141). In cases where a faculty member wishes to take a leave of absence for a FMLA-based situation, it is incumbent upon the faculty member to inform the Chair/Supervisor of the situation and to meet with the Chair/Supervisor and Dean as soon as possible in order to determine a course of action in accordance with FMLA regulations. The Provost must approve of the course of action mutually agreed upon by the parties involved. This may include but is not restricted to, course reductions, suspending the tenure/post-tenure review time periods, reassignment to other duties that do not require presence on campus, and re-structured teaching, service, or intellectual contribution requirements for promotion, tenure and/or post-tenure review as per College/Library/Departmental elaborations documents.

3. Court Leave

As responsible citizens, faculty members are expected to fulfill their civic duties and engage in the normal political processes of society. A University employee summoned to jury duty or subpoenaed as a witness for other than personal litigation will be granted leave with pay. For more detailed information, consult the Coastal Carolina.

4. Military Leave

Short Term Military Training: All officers and employees of this State or a political subdivision of this State, who are either enlisted or commissioned members of the South Carolina National Guard, the United States Army Reserve, the United States Air Force Reserve, the United States Naval Reserve, the United States Marine Corps Reserve, or the United States Coast Guard Reserve are entitled to leaves of absence from their respective duties without loss of pay, time, or efficiency rating, for one or more periods not exceeding an aggregate of 15 regularly scheduled average workdays in any one year during which they may be engaged in training or any other duties ordered by the Governor, the Department of Defense, the Department of the Army, the Department of the Air Force, the Department of the Navy, the Department of the Treasury, or any other department or agency of the government of the United States having authority to issue lawful orders requiring military service. Saturdays, Sundays, and State holidays may not be included in the 15-day aggregate unless the particular Saturday, Sunday, or holiday to be included is a regularly scheduled workday for the officer or employee involved.

In the event any such person is called upon to serve during an emergency, she/he is entitled to such leave of absence for a period not exceeding 30 additional days. Any one year means either a calendar year or, in the case of members required to perform active duty for training or other duties within or on a fiscal year basis, the fiscal year of the National Guard or reserve component issuing the orders (S.C. Code Ann. 8-7-90).

Long Term Military Leave of Absence: Every employee of the State or any political subdivision thereof who, on or after June 25, 1950, has been, or shall be commissioned, enlisted, or selected for service in the Armed Forces of the United States (excluding short term training) shall, so long as the requirements and regulations of the Armed Forces shall prevent her/his return to her/his civil employment for a period of 90 days thereafter, but in no event for a period longer than five years from the date of entry into the Armed Forces of the United States, be entitled to leave of absence from her/his duties as an employee of the State or any political subdivision thereof, without loss of seniority or efficiency or register ratings. The word "employee" as used herein shall not be construed to mean an officer or official elected or appointed to a term pursuant to a statute or the Constitution of this State (S.C. Code Ann. 25-1-2250 and 8-7-20).

5. Death in Family

Regular faculty members are allowed up to three consecutive workdays of leave with pay for a death in the immediate family.

6. Leave without Pay

Leave of absence without pay may be granted for good cause by the President under circumstances which serve the best interest of the University. The authorization of leave without pay is a matter of administrative discretion and may be considered under the following circumstances:

- a. Professional leave such as extended absence in the interest of the University, e.g. advanced academic training, research, or experiences which lead to increased competence and promote the interest of the University as well as the faculty member.
- b. Personal/medical reasons; for eligibility requirements for leave without pay for personal/medical reasons.

When applying for leave without pay for the above reasons, the Chair/Supervisor will be notified as soon as possible. The Chair/Supervisor will forward a recommendation to the Dean who will forward a recommendation to the Provost. The Provost will forward a recommendation to the President who will make the final determination.

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 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 Office of Human Resources and Equal Opportunity for information on the continuation of retirement credit, insurance plans, and other employee benefits during the period of leave.

If a faculty member fails to return after the period for which leave is granted, her/his appointment is terminated.

Leave without pay may be granted for a maximum continuous period of one calendar year unless special permission is granted by the President for an extension.

B. Benefits

Coastal Carolina University provides eligible faculty with a comprehensive benefits package. For a full description of benefits programs, see the University Policies and Procedures Manual or contact the Office of Human Resources for relevant publications. University policies can also be found by visiting www.coastal.edu/hreo/workplace.