MINUTES
FACULTY SENATE
FEBRUARY 12, 1991

1. Call to Order. President Dunn called the meeting to order at 3:40 p.m., and introduced Beth Jarrard, News Editor, of the Clemson Weekly. Motion was made, seconded, and passed to amend the Agenda so that the ad hoc Committee to Review the Purchase of Business Systems Software by the Office of Business and Finance could present its report earlier.

2. Special Order of the Day. President Dunn introduced George J. Gogue, Vice President for Research. Dr. Gogue discussed institutional compliance requirements, goals, status, and plans at Clemson University (Attachment A). Questions, answers, and discussion followed his presentation.

3. Approval of Minutes. The General Faculty Minutes of December 19, 1990, and the Faculty Senate Minutes of January 8, 1991 were approved as distributed and written.

4. Old Business
   a. Senator Marion made a motion, which was seconded, which asked that President Lennon be called upon to suspend the purchase of the software requested in the RFP until the questions raised by the ad hoc Committee to Review the Purchase of Business Systems Software by the Office of Business and Finance have been answered completely. Motion passed (FS91-2-1 P) (Attachment B).

5. Committee Reports
   a. Senate Committees
      Policy Committee. Senate referred to Policy Committee report in Agenda Packet (Attachment C).
      Scholastic Policies Committee. Senator Louderback submitted this committee report (Attachment E).
b. University Commissions and Committees

1) Senator Graham reported that the Search Committee for the Graduate Dean hopes to have a short list to send to the Provost soon.

2) Senator Louderback reported that the Commission on Undergraduate Studies was not sympathetic to entire policy regarding course syllabi. He advised that if the Faculty Senate wishes to respond, it should do so before the April meeting of the Commission.

3) Senator Luedeman reported that the Facilities and Planning Committee invited a team of consultants from other universities to look at the facilities and planning at Clemson. The consultants will then recommend any changes or improvements.

4) Senator Graham reported that the Commission on Graduate Studies has announced that the Board of Visitors has acquired money to award graduate teaching assistants. The awarding of graduate teaching assistants should be supported, however, certain guidelines must be followed.

5) President Dunn reported that (1) the Handicapped Committee is becoming more active; (2) that the Registration Committee is in the process of making the recommendation that Clemson use Touch Tone phones and computers for registration; and (3) the Calendar Committee is considering the inclusion of Fall Break with Thanksgiving or move Fall Break to October, which may create a problem with Election Day.

6. Senate President’s Report. President Dunn briefly discussed the President’s Report (Attachment G).

7. Old Business (Continued)

b. Senator Luedeman reported that the Committee for Recognition of Credit for Public Service has asked various colleges to send possibilities of public service projects. Accepted projects will be added to budget requests, and will then go to the Legislature for approval.

c. Senator Luedeman reported that the Centennial Professorship Campaign rose to $72,266 during the month of January.

d. Senator Zehr presented a report from the ad_hoc Committee on Faculty Senate Organization and Governance
He then made a motion for a resolution regarding voting rights of the President of the Faculty Senate in meetings of the Vice Presidents of Clemson University (Attachment I). Motion was seconded and discussion followed. Senator Baron moved to suspend debate, which was seconded, and passed. This resolution was postponed until the ad_hoc Committee re-defines it.

e. Senator Murr made reference to the revisions and memorandum mailed to senators concerning the Faculty Manual. He requested that any comments be sent to him by February 20th, so they may be addressed at the March meeting.

f. Senator Luedeman mentioned that the Fine Arts Committee will correct discrepancies within its organization to be in accordance with the Faculty Manual. Senator Luedeman commended the actions of the Senate in calling attention to these discrepancies.

8. New Business

a. Wes Burnett presented the report and recommendations of the International Student Statement Task Force (Attachment J). Senator Luedeman made a motion to accept the position of this ad_hoc Committee. Motion was seconded and passed.

b. Senator Baron presented a statement from the Welfare Committee concerning Summer School Salaries (Attachment K). A motion was made, discussion was held, and a Faculty Senate resolution was passed on Summer School Salaries (FS91-2-2 P) (Attachment L).

c. President Dunn informed the Senate of the Student Government's Peace Vigil, February 15, 1991 from 7:00-9:00 p.m.

9. Adjournment. The meeting adjourned at 5:40 p.m.

Kenneth R. Murr, Secretary

Cathy T. Sturkie, Staff Secretary

INSTITUTIONAL COMPLIANCE REQUIREMENTS
Faculty Senate Discussion
February 12, 1991

Goals

- Briefing on Compliance Requirements for Universities
- Status at Clemson
- Plans

Documents Attached

- Executive Summary
- Table of Contents
- "Draft" Information Flyer on Compliance Areas and Contact Person
EXECUTIVE SUMMARY

Universities involved in research, teaching, and public service activities in which federal funds are involved are required to be compliant with various federal laws, regulations, executive orders, etc. It is important to note that these federal requirements apply to nearly all research, teaching, and public service activities once any federal funds are accepted by the institution and not just those projects or activities directly funded from a federal source. This means that an errant activity in one program could jeopardize numerous activities in unrelated programs campus wide.

Institutions face a rapidly growing and constantly changing set of requirements to be compliant. Penalties vary from the moderate to the extreme within the various areas of compliance with punitive actions focused on the institutions in some cases and on the specific individual(s) in other cases. For the protection of the institution, it is critical that our faculty, staff, and students know the rules, that appropriate policies or assurances are in place, that required training is conducted, and that we have a systematic plan for review and evaluation.

As the research program at Clemson University has grown during the past few years, the number of federal audits and external compliance reviews has increased. We will see much closer scrutiny of our compliance program in the coming years.

This document is an administrator's guide to current compliance requirements. As an overview document it provides general information, but specific questions and detailed discussion should be directed to the contact person for the specific compliance issue raised. There are several components to the document:

- **Institutional Compliance Requirements**
  - Areas of federal compliance responsibilities are listed.
  - General requirements to be compliant are stated.
  - Applicable laws and regulations for each area of compliance are listed.
  - The contact person that can serve as a resource to assist with questions and issues for each area of compliance is listed.
  - The unit or division responsible for each area of compliance is identified.

- **Compliance Oversight Reporting Chart**
- **Risk Assessment for Non-Compliance**
- **Institutional Compliance Budget Requirements**
- **Standard Operating Procedures**
# TABLE OF CONTENTS

**Executive Summary** ................................................................. 1

**Institutional Compliance Requirements**

- Lobbying .................................................................................... 2
- Anti-Kickback Rules ................................................................. 4
- Procurement Integrity (pending) ................................................. 5
- Cost Principles for Educational Institutions ............................. 5
- Uniform Administrative Requirements: Grants and Agreements with Higher Education, Hospitals, and other Non-Profit Organizations ... 6
- Federal Acquisition Regulation System ..................................... 7
- Audits of Institutions of Higher Education and other Non-Profit Organizations ......................................................... 8
- Coordinating Audits and Negotiating Indirect Cost Rates at Educational Institutions ..................................................... 9
- Non-Procurement Debarment and Suspension ............................ 10
- Non-Delinquency on Federal Debt ............................................. 11
- Animal use in Research, Teaching, Testing or Public Service Activities ................................................................. 12
- Human Subjects in Research ...................................................... 13
- Controlled Substances in Research and Instruction .................... 14
- Marine Mammal Protection ....................................................... 14
- Endangered and Threatened Species .......................................... 15
- Biohazardous Materials and Recombinant DNA used in Research, Teaching, and Public Service Activities .................... 16
- Right-to-Know ........................................................................... 17
- Hazardous Waste Management ................................................. 18
- Radioactive Materials and Radiation Producing Machines ........ 18
- Educational and Scientific Diving .............................................. 19
- Construction and Risk Management ......................................... 20
- Citizenship Verification ............................................................. 20
- Drug-Free Workplace Requirements ....................................... 21
- Drug-Free Workforce ................................................................ 22
- Drug-Free Schools and Communities Act ................................. 23
- Historic Sites and Archaeological Resources ............................ 24
- Non-Discrimination ................................................................ 24
- Classified Research .................................................................. 27
- Intellectual Property .................................................................. 27
- International Travel .................................................................. 29
- Scientific Misconduct ............................................................... 29
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conflict of Interest (Pending)</td>
<td>30</td>
</tr>
<tr>
<td>Use of Recycled Paper</td>
<td>31</td>
</tr>
<tr>
<td>News Releases</td>
<td>31</td>
</tr>
<tr>
<td>Occupational Safety and Health, Miscellaneous</td>
<td>32</td>
</tr>
<tr>
<td>Environmental Issues</td>
<td>32</td>
</tr>
<tr>
<td>PCB's</td>
<td>32</td>
</tr>
<tr>
<td>Environmental (Air Pollution)</td>
<td>33</td>
</tr>
<tr>
<td>Environmental (Water Pollution)</td>
<td>35</td>
</tr>
<tr>
<td>Environmental (Solid Waste)</td>
<td>36</td>
</tr>
<tr>
<td>Drinking Water Regulations</td>
<td>37</td>
</tr>
<tr>
<td>Asbestos Containing Building Materials</td>
<td>41</td>
</tr>
<tr>
<td>Other</td>
<td>47</td>
</tr>
<tr>
<td>Compliance Oversight Reporting Chart</td>
<td>48</td>
</tr>
<tr>
<td>Risk Assessment for Non-Compliance</td>
<td>50</td>
</tr>
<tr>
<td>Institutional Compliance Budget Requirements</td>
<td>53</td>
</tr>
<tr>
<td>Standard Operating Procedures</td>
<td>60</td>
</tr>
</tbody>
</table>
INSTITUTIONAL COMPLIANCE REQUIREMENTS

I. LOBBYING

Requirements:

Background

A new Federal law generally prohibits recipients of Federal grants, cooperative agreements, contracts, and loans from using Federal (appropriated) funds for lobbying the Executive or Legislative Branches of the Federal Government in connection with a specific grant, cooperative agreement, contract, or loan. This law also requires that each person who requests or receives a Federal grant, cooperative agreement, contract, or loan must disclose lobbying undertaken with non-Federal (non-appropriated) funds. These requirements apply to (1) grants, cooperative agreements, and contracts exceeding $100,000 (total costs), and (2) a loan, or a Federal commitment to insure or guarantee a loan, exceeding $150,000.

Implementation of Requirements:

- The requirements are effective December 23, 1989.

- The requirements apply to all persons (foreign and domestic) defined as an individual, corporation, company, association, authority, firm, partnership, society, State, and local government, regardless of whether such entity is operated for profit or not for profit.

- Although "lobbying" is not defined, the term "influencing or attempting to influence" means "making, with the intent to influence, any communication to or appearance before an officer or employee of any agency, a Member of Congress in connection with any covered Federal action" (grant, cooperative agreement, contract, loan and "the extension, continuation, renewal, amendment, or modification" thereto).

- There are two types of requirements in connection with a Federal grant or contract:

  1. Prohibited is (a) use of Federal funds to pay lobbyists; and (b) use of Federal funds by grantees to influence the awarding of a specific grant or cooperative agreement.

  2. Disclosure concerning payments to lobbyists with non-Federal funds.

- The prohibition on the use of appropriated funds does not apply to:

  1. Reasonable compensation to an applicant's employee for "agency and legislative liaison activities" not directly related to a specific grant or cooperative agreement.
2. Reasonable payment to an applicant's employee or other individual for "professional or technical services" rendered directly in the preparation, submission, or negotiation of an application for a grant or cooperative agreement, or for meeting requirements imposed by law. Traditional interaction of investigators and other grantee organization personnel with Federal Agency program officials and grants management staff continue to be allowable communications. Some examples of such interaction are:

- technical discussions concerning the investigator's particular science area(s);
- reporting of scientific progress on existing awards;
- information or scientific discoveries germane to continuation of such awards; and
- inquiry concerning the "peer review" and/or "funding" status of grant or cooperative agreement applications.

Unallowable communications include those, when supported by Federal funds, that argue for approval or advocate funding of the grant or cooperative agreement application. Disclosure of payments to lobbyists supported by non-Federal funds are to be reported on Standard Form LLL, "Disclosure of Lobbying Activities".

**Applicable Laws and Regulations:**

Section 319 of Public Law 101-121 amends Title 31, United States Code, by adding a new Section 1352, entitled "Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions."

55 FR 6736, February 26, 1990

The Hatch Act, 5 USC 1501 et. seq., as amended relating to certain political activities of certain State and local employees

Executive Order 12519 as it relates to Anti-Lobbying

**Contact Person:**

Bob Gilliland, Special Projects, Moorman House, Phone 656-0601

Charles Watt, Associate Vice President for Research, E-102 Martin Hall, Phone 656-2375

**Responsibility:**

Senior Associate Vice President for Business & Finance
II. ANTI-KICKBACK RULES

Requirements:

When considering competitive contracts, no contractor may:

1. promise future employment or business opportunities, or
2. give or offer money to, or
3. solicit or obtain sources selection information from the federal procurement officer.

Conversely, no federal procurement officer may:

1. solicit or accept an offer of future employment or business opportunity from, or
2. solicit or accept money from, or
3. disclose source selection information to a potential contractor.

Requires all Federal contractors to have reasonable procedures in place to prevent and detect violations of the act in its own operations and direct business relationships. Kick-back is defined as any money, fee, commission, credit, gift, gratuity, thing of value, or compensation of any kind received.

Applies to all Federal contractors and subcontractors. Application to subcontractors would require inclusion of act to be passed to vendors through purchase order.

Penalty for violation: Reimbursement to the government of the amount of kick-back, suspension and/or debarment. A violation may also be subject to the State of South Carolina Rules of Conduct for Public Officials and Public Employees.

Applicable Laws and Regulations:

53 FR 34224, August 2, 1988
41 USC 51-58

Implemented by Federal Acquisition Regulation (FAR) 3.502-2

The Copeland (Anti-Kickback) Act, 18 USC 874, 40 USC 276c.

Contact Person:

Bill Geer, Director of Grants and Contracts, E-204 Martin Hall
Phone 656-2424

Responsibility:

Senior Associate Vice President for Business & Finance
XI. ANIMAL USE IN RESEARCH, TEACHING, TESTING OR PUBLIC SERVICE ACTIVITIES

Requirements:

Clemson University must register with both the USDA and the Office for Protection from Research Risks (OPRR), National Institutes of Health. Registration involves submitting an assurance document to OPRR. The assurance document must describe how the institution complies with Federal laws and policies regulating animal care and use. Recent amendments to the Animal Welfare Act have resulted in similar compliance requirements for both USDA and PHS. A brief summary of requirements are:

(1) Chief executive officer appoints Animal Care and Use Committee.

(2) Specific membership requirements, including veterinary and public representation, prior review and approval of all activities involving animals, extensive institutional record keeping and reporting, occupational health programs for staff, training programs for investigators, graduate students and technicians, procedures to report concerns about humane care, provision of veterinary care and adequate facilities, including aseptic surgical facilities.

(3) Institutional committee must inspect all facilities and animal use areas, including field sites twice yearly.

Principal investigators are responsible for describing all activities involving live vertebrate animals in the Clemson University Protocol for Use of Live Vertebrates. The protocol must be reviewed and approved by the institutional Animal Research Committee before activities are initiated.

If funding agency determines that conditions of animal care are not in compliance with the Animal Welfare Act, the agency (USDA) or Director of NIH revoke such grant and/or suspend all federal support. USDA conducts unannounced inspections; NIH investigates complaints and randomly audits institutions. The FDA and EPA audit individual projects for conformance with Good Laboratory Practice Regulations. The Animal Research Committee is required by law to report noncompliance to OPRR and is authorized to suspend such research, teaching or testing activities.

Applicable Laws and Regulations:


Health Research Extension Act of 1985 (PL 99-158)

CFR Title 9, Subchapter A, Parts 1, 2, 3, and 4, U.S. Department of Agriculture
Public Health Service Policy on Humane Care and Use of Animals (OPRR)

Guide for the Care and Use of Laboratory Animals (NIH Pub. 86-23; Cooperative State Research Service (CSRS) Animal Care and Use Policy and EPA/FDA Good Laboratory Practice Regulations.

Contact Person:

Faculty should contact the Office for Research Compliance, E-303 Martin Hall, Phone 656-5034, to obtain animal use protocol forms, copies of Federal laws and information regarding training on care and use of laboratory animals. To report concerns regarding animal use activities at Clemson University, contact Dr. Carl Helms, Chairperson of the Animal Research Committee, Phone 656-5034; ARC members; the Office for Research Compliance or Dr. Harold E. Farris, Associate Vice President for Compliance, Phone 656-5034.

Responsibility:

Associate Vice President for Compliance

XII. HUMAN SUBJECTS IN RESEARCH

Requirements:

Clemson University has filed the necessary assurance documents with the U.S. Department of Health and Human Services. Prior review and approval is required for all research involving participants, including faculty and staff projects, surveys, theses, dissertations, and all student research projects. A revision of the Federal Policy for the Protection of Human Subjects has been proposed. The new common policy will be adopted by all federal departments and agencies. Some departments (e.g., the Department of Education) may eliminate the 60-day grace period for reporting IRB approval of human use.

Individuals must describe all activities involving human subjects in the Clemson University Protocol Involving Human Subjects. The protocol contains checklists for exempt, expedited or full committee review studies. The protocol must be reviewed and approved by the Committee for the Protection of Human Subjects before activities are initiated.

Applicable Laws and Regulations:


Contact Person:

A copy of the Clemson University Assurance of Compliance, The Code of Federal Regulations, 45 CFR 46 and other pertinent human subjects information, such as the "Ethical Principles and Guidelines for the Protection of Human Subjects" (Belmont Report)
and copies of the Clemson University Instructions and Checklist for Submitting a Protocol Involving Human Subjects can be obtained from the Office for Research Compliance, E-303 Martin Hall. Conformance activities, including extensive record keeping for research involving human subjects are the responsibility of the Office for Research Compliance and the IRB. The Committee for the Protection of Human Subjects (IRB) meets the second Monday of February, April, June, September, and November. The documents required for IRB review should be submitted two weeks prior to the scheduled meeting. The IRB Chairperson, Dr. Harold E. Farris is prepared to assist with any procedural questions related to implementing our responsibility to individuals who serve as subjects in research Dr. Farris may be contacted at 656-5034.

Responsibility:
Associate Vice President for Compliance

XIII. CONTROLLED SUBSTANCES IN RESEARCH AND INSTRUCTION

Requirement:
The use of controlled substances in teaching and research must comply with all applicable state and federal laws concerning permit requirements.

Applicable Laws and Regulations:

Contact Person:
Dr. Carl Helms, Chair, Animal Research Committee, E-303 Martin Hall, Phone 656-5034, monitors appropriate recordkeeping and use of controlled drugs in live vertebrate animals.

Responsibility:
Associate Vice President for Compliance

XIV. MARINE MAMMAL PROTECTION

Requirements:
Permits issued by the U.S. Department of Interior are necessary for the taking or importation of a marine mammal for purposes of display or scientific research.

Applicable Laws and Regulations:
Marine Mammal Protection Act of 1972, 16 USC 1361-1407
SAMPLE

Information Flyer on Compliance Areas and Contact Person

LOBBYING

Under a recent federal law, recipients of federal grants, contracts, or cooperative agreements of more than $100,000 and loans or loan guarantees for more than $150,000 may not use funds from those agreements to lobby the federal government in connection with specific funding proposals. Also, anyone who requests or receives such federal funds must disclose lobbying undertaken with non-federal funds. This includes non-profit, as well as for-profit, entities. For information, contact:

Alden L. McCracken, Associate Vice President for Sponsored Programs, E-203 Martin Hall, 656-4488.
Bob Gilliland, Special Projects, Moorman House, 656-0601.
Charles Watt, Associate Vice President for Research, E-102 Martin, 656-2375.

ANTI-KICKBACK RULES

It is a violation of federal laws for parties involved in seeking or granting federal contracts to offer or accept kickbacks -- that is, any money, fee, commission, credit, gift, gratuity, thing of value or compensation of any kind. It is also illegal for a contractor to ask for, or a procurement officer to offer, information about source selection.

A violation also may be subject to state of South Carolina rules of conduct for public officials and public employees. For information, contact:

Alden L. McCracken, Associate Vice President for Sponsored Programs, E-203 Martin Hall, 656-4488.

ANIMALS

There are both federal laws and university policies that regulate the use of animals in any fashion -- research, teaching, or public service. The regulations provide for prior review of projects, public and veterinary involvement in that review, facilities inspections, random, unannounced site visits and many other matters. For details, contact:

Harold E. Farris, Associate Vice President for Research Compliance, D140 P&AS, 656-5034.
Carl Helms, Animal Research Committee Chairman, D140 P&AS, 656-5034.
HUMANS

Prior review and approval are required for any projects involving human participants, even surveys and public opinion polls. Many theses, dissertations and student projects would be affected by regulations covering the use of human subjects. For information, contact:

Harold E. Farris, Associate Vice President for Research Compliance, D140 P&AS, 656-5034.

BIOHAZARD MATERIALS AND RECOMBINANT DNA

All activities involving recombinant DNA, biological, chemical or radioactive hazards must be reviewed and approved by the Institutional Biosafety Committee. If hazards are identified after an award is made, work may be suspended until the problems are solved. Guidelines for providing a safe work environment are available. For information, contact:

Harold E. Farris, Associate Vice President for Research Compliance, D140 P&AS, 656-5034.
Faculty Senate ad hoc Committee to Review the Purchase of Business and Finance Software Systems by the Office of Business and Finance

February 12, 1991
FS91-2-1 P

Whereas, the Faculty Senate on October 9, 1990, passed a resolution requesting that the submission of the RFP by the Office of Business & Finance be delayed until adequate input from the Accounting Department, the Computer Science Department, the Division of Administrative Programming Services (DAPS), the Division of Information Services Development (DISD), and the Computer Center at Clemson be obtained, and

Whereas, that resolution was ignored by the Office of Business & Finance, and

Whereas, The Faculty Senate ad hoc Committee to examine this software purchase found that the recommendations of the Deloitte-Touche study are not in the best interest of Clemson University, and

Whereas, a committee appointed by Vice-President Larson is presently evaluating the responses to the RFP, and

Whereas, Deloitte-Touche estimates the cost of this software at 2 to 3 million dollars, and

Whereas, no evaluation of the issues presented by the Faculty Senate ad hoc committee has been undertaken by the administration, and

Whereas, the administration has not addressed the issues raised in the Faculty Senate resolutions of January 8, 1991,

Be It Resolved that President Lennon be called upon to suspend the purchase of the software requested in the RFP until the questions raised by the ad hoc Committee have been answered completely.
FACULTY SENATE POLICY COMMITTEE REPORT
Jeri Milstead, Chair

The Committee met Tuesday, January 22, 1991 in the 5th floor conference room, College of Nursing to attend to the following items.

1. Members reviewed the revised Faculty Manual. Concerns of one Senator were noted and responses will be communicated to him. The group concurred with a new Table of Contents submitted by the Faculty Manual Committee.

2. A memo suggesting creation of a new faculty rank was discussed and rejected. Members believed current positions and ranks were appropriate.

3. There has been no response yet from the Provost to Committee suggestions for a new policy, "Guidelines for Establishing and for Eliminating Academic Departments."

4. Members noted that all business assigned to the Committee this year has been disposed of. The Chair thanked members for their superb work and enthusiasm.

A meeting is scheduled for Tuesday, February 26, 1991 from 11:00 a.m. to 12 noon in the 5th floor conference room, CON.

1/91
JM
pcyrpt3
RESEARCH COMMITTEE FEBRUARY 1991 REPORT

The Research Advisory and University Research Grant Committees will retain their faculty members and described in the faculty manual. The Research Committee discussed these committees with Dr. Gogue, Vice President for Research, and his decision was to retain the committees with faculty representation. These committees will be listed in the Faculty Manual as reporting to the Vice President for Research.
A committee of the Commission on Undergraduate Studies (CUS) recommended against the Senate's Resolution regarding moving the drop date forward to just before the add deadline.

The ScholPol chair was appointed to a committee of the CUS charged to examine policy regarding course syllabi. The committee has met twice and voted to require certain statements on all syllabi. The CUS took up the issue February 8th, declining to vote until its April meeting. Briefly, the committee report recommends that all syllabi include such information as: all course information found in the catalog; info on instructor such as name, telephone number, office hours; all books and other required materials; goals and objectives; topical outline; schedule; method and frequency of testing; scale of grading; and attendance policy. Additionally, the committee recommended that syllabi be filed with the department head who shall cause them to be reviewed for conformance every semester.

The chair's letter to President Lennon regarding his veto over decisions of the Admissions Exception Committee was discussed in light of President Dunn's statement that President Lennon had no objection to the provision in the Faculty Manual requiring approval of exceptions by that committee. The Committee believes that further attention is necessary. The president has invited the chair and others to meet regarding the letter.

Provost Maxwell has promulgated a memo asking for study of the issue of accessibility of teaching evaluations. The Committee discussed the matter and will take it up at next meeting.

Larry Dyck addressed the Committee regarding interdisciplinary education. Provost Maxwell sent a memo stating that the Committee has "... objected to efforts to create interdisciplinary coursework." The Committee reaffirmed that its objections are to circumventing the Faculty Manual's perfectly appropriate concern that Collegiate Faculties originate curriculum.

The Committee believes it appropriate to use Calhoun College to experiment with setting up interdisciplinary studies using, perhaps, a faculty advisory group such as the Alumni Professors.

Joseph G. Louderback, Chair
FACULTY SENATE WELFARE COMMITTEE REPORT

December 1990
January 1991

1 - The committee discussed and accepted a resolution on Summer School Salaries to be presented to the Senate at its February meeting.

2 - The committee received a report from Gary Wells and met with Fran McGuire, a faculty representative to the Recreation Advisory committee to discuss proposed changes in the fee system for the Fike Field House. After hearing from Gary and Fran, the Welfare Committee agreed that proposed changes in the fee system were both appropriate and in the user's best interest.

3 - A subcommittee considering suggested changes in the leave policy for twelve month employees suggested that no changes be proposed at the present time. The committee indicated that there did not appear to be a significant demand by twelve month faculty for change in the present leave policy and that the present economic times would not be conducive to a proposed change in employee benefits. The proposal for a change in policy had come from library faculty. It was suggested that a change was needed to improve recruiting. The subcommittee will meet with library faculty if it is called upon.

4 - Salary data for the Academic year 1990-91 was received the first week in January. The Office of University Research is preparing a summary report for the welfare committee.

5 - The Welfare Committee previously considered a proposal to request tuition reductions for university employee dependents. We decided not to pursue such a proposal at this time, first because of the apparent limited benefit to a significant percentage of faculty and second because of the Provost's suggestion that this would not be a favorable time to request a new fringe benefit for a separate group of state employees. However, we have been advised that the welfare committees of the Staff and Extension Senates are interested in pursuing such benefit. We have advised them that should they do so, we will be supportive of such a proposal.
1. The War in the Persian Gulf has resulted in more than 15 students and 3 faculty and staff members from Clemson being called to active military service. Our concerns and prayers are with them. If the conflict continues, more of our students, colleagues, and staff will be activated, and the faculty has the opportunity to assist these individuals by making the transition from the University to military service as smooth as possible.

2. On January 11, the retirement of Dr. David Maxwell, Provost and Vice President for Academic Affairs, was announced to the Board of Trustees. Dr. Maxwell will retire at the end of the 1991 calendar year. He has served in this position since 1980. The Senate greatly appreciates the support Dr. Maxwell has given the faculty, and the many contributions he has made to the University. He has championed academic excellence and addressed faculty concerns.

On January 28, Dr. Lennon chaired a meeting to determine the composition of the Search Committee to replace Dr. Maxwell. It was decided that the Committee would be composed of four faculty members, two deans, one department head, one member of the Board of Trustees, one staff member, one undergraduate and one graduate student. Dr. Lennon, in consultation with the Advisory Committee of the Faculty Senate, will appoint the Search Committee.

3. Athletic reform has been a priority of the Senate for several years and recent changes made by the NCAA is encouraging. The college presidents are to be commended for their leadership in bringing about the latest reforms. Dr. Lennon's leadership on campus and at the NCAA is to be applauded, for his guidance placed Clemson at the forefront of the reform movement. The college presidents no longer wanted their sports programs to be such a large part of their overall image, and further, they wanted to contain cost and more integration of athletics and academics.

The approved proposals include restrictions on recruiting, eliminating athletic dorms, a limit on training table meals, reduction of scholarships, and a limit on practice time. A good summary of the approved changes can be referenced in the January 16, 1991 issue of The Chronicle on Higher Education (page A40). Next year, academic reform will be the primary concern of
college presidents. This will be a more difficult package on which to reach an agreement.

4. The Division of Student Affairs has announced that the Director of the Academic Learning Center will not be named immediately. The first year of operation will be a time of planning and evaluation, and of defining how the facility will meet the objectives of the Athletic Department's academic assistance program for student athletes. Initially, the duties of Center Director will be added to the responsibilities of Bill D'Andrea, Interim Football Recruiting Coordinator. Construction of the Center will be completed in March or April of this year, and will be ready for occupancy in the summer.

5. Dr. Frankie Felder, Associate Dean, Office of International Programs and Services (OIPS), met with the Executive/Advisory Committee on January 31. Dr. Felder stated that Clemson has established a foundation on which a strong international program can be built, but the University needs to make progress both in assistance to foreign students and in enhancing general international education. She has visited other campus' to review their programs, and proposed a number of changes to Clemson's program. At present OIPS has nine staff members, a strong visa assistance component, and a two-day turnaround time on admissions inquiries.

Annually, Clemson receives approximately 17,000 requests for information on graduate studies. Approximately, 9,000 respond in some form to the information sent to them; 2,500 are admitted, and about 250 enter the University. Our international student population numbers around 600, with India, Peoples Republic of China, and Taiwan composing the largest populations. Fifty-seven countries are represented by only one or two students.

Enhancements are needed in the Study Abroad Program, International Visitors Program, financial assistance for foreign students, support facilities and groups for international students, internationalizing the curriculum, and family assistance. Students from the Middle East are concerned with their families at home, and need special support at this time.

6. The Senate resolutions concerning the purchase of business software by the Office of Business and Finance have been forwarded by Provost Maxwell to Vice President Larson. Senator Hare and myself have met independently with Dr. Lennon to discuss faculty concerns. Vice President Larson has formulated an Evaluation Committee to review the bids received for the software
system. The Chairperson for this committee is Mr. Michael Spicer, Supervisor of Office Systems Procurement, Division of General Services, Budget and Control Board. A copy of the Senate’s ad_hoc Committee to Review the Purchase of Business Systems Software by the Office of Business and Finance Report has been made available to the Evaluation Committee. The Evaluation Committee will make its report to Vice President Larson on May 15.

7. Next year’s budget does not look promising for the University. It appears formula funding will be at 80 percent, and Clemson will receive the same funding as this year. Recent decisions made in Columbia will penalize growing schools such as Clemson and the technical system. Clemson will lose approximately $2.5 million in funding. The State will have approximately $68 million in new money next year. Annualizations and mandated funding of the capital reserve and the general reserve funds will require $64 million. In addition, $9.5 million for higher education that was funded from non-recurring sources in the current fiscal year, $12 million for increases in health insurance premiums, $12 million in a one percent pay raise, and $6 million for textbooks and school buses will also be required. These requirements result in a deficit of $35 million. At this time, no decision has been made on salary adjustment funds.

8. The Senate has received a copy of Clemson University FOI Salary Data. Senator Baron and the Welfare Committee are working with David Fleming, Director of Institutional Research to determine the percent increase of salaries over last year. This information will be available in the near future.

9. Senator Waddle has been elected Chair of the Grievance Board. For 1991-92 the Grievance Board membership will be composed of: Gerald Waddle, Bob Hogan, Edward Pivorun, Brenda Vander Mey, Bob Schalkoff, Kenneth Murr, and Eldon Zehr.

10. Two ad_hoc committees have completed their responsibilities, and the Senate greatly appreciates their efforts on behalf of the faculty. These committees are the Committee on Committees, whose membership consisted of Ken Murr, Lucy Rollin, Jerry Reel, Holley Ulbrich, and Eldon Zehr; and the International Student Statement Task Force, composed of Hassan Behery, Eurico Ferreira, John Huffman, Wes Burnett, and Paula Heusinkveld.

11. The Student Senate is concerned with the scheduling of Fall Break and Thanksgiving Holidays. These breaks are close
together, and has resulted in problems for many students. The Student Senate has requested the Academic Calendar Committee review this situation to see if a combination could occur and both breaks be taken at Thanksgiving or Fall Break occur earlier. If you have suggestions on the schedule, please let me know.

12. Beth Jarrard has been employed to replace Debra Andrews as Editor of the Clemson Weekly. We congratulate Beth on being selected as Editor, and look forward to working with her.
REPORT TO THE FACULTY SENATE
FROM THE AD HOC COMMITTEE TO
REVIEW SENATE ORGANIZATION AND GOVERNANCE

The ad hoc Committee to Review Senate Organization and Governance is studying ways to strengthen the voice of the faculty and expand its inputs into decision-making mechanisms on the university campus. The Resolution attached and the recommendations listed below are intended for that purpose.

The Committee believes that faculty of Clemson University should assume greater responsibility for academic affairs than now exists. To that end, we recommend that:

1. The Faculty Senate should assume responsibility for all University-wide academic committees, including those that now report to the Academic Council.

2. The chairperson of all committees that regulate academic affairs should be a faculty member whose responsibilities are not primarily administrative in nature.

The Committee also believes that the President of the Faculty Senate should meet separately once each month with the President and Provost of the University. We recommend that a statement to that effect be added to the list of duties for the President of the Faculty Senate.

Attachment
Resolution from the *ad hoc* Committee to Review Senate Organization and Governance

*Whereas,* open lines of communication between faculty and administration of Clemson University are essential to maintain effective dialogue, and

*Whereas,* faculty have legitimate concerns in matters in addition to academic affairs, and

*Whereas,* faculty have expertise in these matters which is of value to the University,

*Resolved,* that the President of the Faculty Senate shall be a voting member in meetings of the Vice-Presidents of Clemson University.
Statement on International Studies

The modern world of science, philosophy, commerce and industry operates with little respect of national boundaries. Today, hardly a field of knowledge exists which can be studied in isolation from its global context. An internationalized campus, curriculum and scholarly environment is of necessity central to the accomplishment of university objectives.

Clemson University has the responsibility to engender appreciation for and understanding of the dynamic interdependence of the world's nations. The university must accept the challenge of providing to its students, staff faculty and the people of South Carolina, significant opportunities to acquire global perspectives and of engaging in mutually beneficial communication with the peoples of the world's nations.

This is a particularly compelling need in a university undergoing a transition from serving regional clientele to one with national and international responsibilities. Clemson University must recognize the need to expand its international dimensions in order to be among other leading educational institutions contributing to the knowledge of human kind, and Clemson University must be committed to developing the human and fiscal resources necessary to accomplish this mission.
International Studies: Problems Identified

To date, Clemson University's efforts to address these issues have been woefully inadequate. Clemson needs desperately to develop and improve its international mission in several areas:

1. Study abroad for American students, including identification of opportunities, advising of students seeking foreign study, and transcript evaluation.

2. Cooperative efforts and exchanges with universities abroad, both at the institutional and individual level, including improved procedures for linkage agreements.

3. Stimulation of faculty opportunities for research, study, and scholarships abroad, including diffusion of information about opportunities, streamlining of procedures for faculty leave, and appropriate system of rewarding international work of faculty.

4. Stimulation of visiting scholar programs, including dissemination of information about opportunities at Clemson and improved support services for visiting faculty.

5. Improved services and support for international students at Clemson, so that their stay in the United States and at Clemson may be a productive and positive experience.

6. Increased knowledge and awareness of international issues among all Clemson students and faculty, by means of convocations, symposia, guest speakers and performers, international fairs, and so forth.

7. Administration and management of international programs, so that campus-wide efforts to establish Clemson's international mission may be better coordinated and understood.

By way of example, a particularly vexing problem has been Clemson's management of international student affairs. In order to provide the same level of educational resources to foreign students as their domestic counterparts, and to obtain a maximum benefit for the cultural enrichment of the entire Clemson student body, the University should make every effort to integrate the international students into the University community. The following are some of the services in which the Clemson University needs to provide help and assistance:
Language. In order to more effectively integrate the foreign students and their families into the University community, it is essential that not only the students, but their spouses, acquire the ability to communicate effectively in English. Orientation and guidance to help students and their families to improve their language skills are needed.

Housing. A second major concern deals with housing, particularly for unmarried, male graduate students. The international office should initiate a program to insure that these foreign students have access to suitable housing.

Legal Matters. As most foreign students are unfamiliar with the American legal system, assistance should go beyond routine visa problems to include procedures for obtaining a driver's license, information concerning marriages, divorces, income taxes, and so forth.

Medical Matters. Because some foreign students come from areas with endemic diseases which are not common in the United States, it is essential that these be understood and recognized.

Day-to-day life activities. Assistance to foreign students and their families regarding such common matters as opening a bank account, establishing credit, obtaining utility services, operating appliances, and other matters pertaining to everyday life in the United States is essential.

Social and family support. Some measure of family support needs to be provided, particularly in the area of acquainting foreign students and their families with American social mores and day-to-day living activities.

All these efforts should be coordinated with local off-campus groups who would participate more actively if the University demonstrated a commitment to provide enhanced services for the international students. The University Faculty has the responsibility of serving as a catalyst to bring together the international and local community.
RECOMMENDATION

The concerns regarding foreign students on Clemson’s campus are only the most obvious and visible problems in the area of international studies. Improvement is needed just as desperately in the areas of increased opportunities for Clemson Students and faculty.

It is recommended that the Faculty Senate appoint an ad hoc committee to examine the points outlined and to recommend to the University administration methods of implementing programs to facilitate and promote the international mission of Clemson University. Of particular importance, the Senate should examine aspects of organizational structure and administrative policy necessary to the support of international programs.

Ref: Db:Burnett/International.sen
Faculty Senate Resolution
on
SUMMER SCHOOL SALARIES

Past and present Clemson University administrations have taken the position that summer school must be a self-supporting program. This policy has meant that summer faculty salaries, the major operating expense, had to be generated by summer school tuition. As a result, summer school salaries have been limited. It has always been understood that, the course work provided during summer school would be as academically sound, as that, provided in the fall and spring semesters. For COOP students, students in the College of Education, and others, summer school is a vital part of their educational program. They expect to receive the same educational experience in a summer school course as during the academic year. Summer school salaries however, have not been commensurate with those offered during the academic year.

During the academic year, a full-time teaching load is four, 3 credit courses per semester, with a faculty member expected to participate in additional activities such as student advising and/or committee work. Participation in research or public service activities will result in a reduced teaching load. Thus, during the academic year, a full-time teacher is paid 12.5% per three credit course.

During the summer semesters a teacher will receive 3% of the academic year salary per credit hour; 9% for a comparable three credit course. The responsibilities of the summer school teacher are only these concomitant with the teaching of a University course.

As a result of the effective management and publicizing of the Summer School by the Vice Provost, Dr. J.R. Reel, and the support of the teaching faculty, Summer School has shown a profit for the past several years, including the fiscal year of 1989-90. For the fiscal year 1989-1990 summer school tuition and fees were $3,745,471, expenses $3,329,064. Revenues exceeded expenses by 12.5% percent. Expenses, included faculty and graduate teaching assistant salaries and fringe benefits, the cost of summer publicity, support for the library and the minority recruitment program. As the Summer School is now supported as part of the formula budgeting process by the State of South Carolina, revenues generated by the summer school program were in fact significantly greater.
Whereas: the summer school program is a required part of the academic program at Clemson University and

Whereas: it is expected that the summer school program will maintain the same academic quality as required during the fall and spring semesters and

Whereas: the revenues generated by the Summer School significantly exceed the expense of summer school

Therefore be it resolved: that the salary per course for faculty teaching during the summer shall be raised to a level comparable to that received during the fall and spring semesters

Whereas: a full time teaching load during the fall and spring semesters is essentially four, 3 credit courses per semester

Therefore be it resolved: that the salary for a credit hour taught in summer school be raised from 3% of the academic year salary to 4% of the academic year salary. It is proposed that this raise be accomplished in three stages:

<table>
<thead>
<tr>
<th>Summer</th>
<th>Proposed Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1991</td>
<td>3½</td>
</tr>
<tr>
<td>1992</td>
<td>3¾</td>
</tr>
<tr>
<td>1993</td>
<td>4</td>
</tr>
</tbody>
</table>

Whereas: it is expected that summer teaching salaries will become equal to academic year teaching salaries.

Therefore be it resolved: that when salary parity is achieved, school faculty will accept all of those responsibilities associated with the academic year.

Respectfully submitted
Faculty Senate Welfare Committee
January 15, 1991
February 6, 1991

Ladies and Gentlemen:

You are all aware of the conflict in the Middle East and its effects, not only to our troops, but also to those left at home. Each of us has been touched in some way.

The Clemson University Student Government Council has devised a means to support those brave souls at home, and overseas. WE NEED YOUR SUPPORT!

During the week of February 11 - 15, yellow ribbons will be on sale at the low cost of $.50. Several stations will be set up around campus so that each student and faculty member may obtain their ribbon. Friday, February 15, will be Support Day. We will have a campus wide show of support as each individual displays his or her ribbon. From 7:00 - 9:00 that evening, a Peace Vigil will be held in Tillman Auditorium. It should be emphasized that a Peace Vigil is NOT a demonstration or a religious gathering. It is simply a show of support for world peace and it conveys a profound desire to see our troops safely home.

Speakers will include our President, Max Lennon; Colonel William R. Austin, U. S. Air Force-Retired; Captain J. C. Hayes, U. S. Navy-Retired; and Roberta Nosko, American Red Cross.

The Money that we raise will be donated to the American Red Cross. This Organization has an outstanding history of showing sincere compassion for human need, and would be able to utilize our donation in the most efficient way. More specifically, the money will go for:

1) Care Packages--P. O. W.'s, etc. will receive packages containing candy, toilet articles, and basic medical supplies, etc.
2) ITO's (Invitational Travel Orders)—If a serviceman or woman is wounded, the Red Cross will transport the parents, or next of kin, to that individual.

3) Emergency Communications—If there is an emergency at home, the Red Cross will convey any messages to our troops.

Your support in this is extremely important. As the leaders on this campus, you need to set the pace so that others will follow. We would appreciate it if you would announce this campaign in any classes, meetings, etc. that you have. If you have any questions, feel free to call the Student Government Office at 656-2195. Thank You!

Sincerely,

Baron H. Morgan
S. G. C. Exec. Affairs Coordinator

Derrick A. Pierce
Student Body President

Tracy J. Small
Student Government Council Director

Allen B. Dunn
Faculty Senate President

L. Gregory C. Horton
Student Senate President

A. Max Lennon
President

P. S. Department heads, etc. please copy and distribute as necessary. Thank You!

tjs
cc
In Robert Elsie's review of Albanian scholar Sahri Hamiti's study Vetëvësja letërare (Literary Self-Knowledge), published on page 508 of our Summer 1990 issue, we unfortunately conflated two entries in a lengthy descriptive list of Hamiti's contemporaries. The result was the omission of all reference to Beshep Ismaili (b. 1947), released only last year from brutal solitary confinement in Serbian prisons, and the partial misidentification of Ibrahim Rugova as having been the victim of that incarceration. Our sincere apologies to the reviewer, the author, and the two critics.

A second unfortunate typesetting error in the Summer 1990 issue reversed the meaning of one statement by Giovanni d'Angelo in his review of David Hirst's book Dario Fo and Franco Rame on page 451. The statement should have read (with emphasis added):

"In any case, Fo did not succeed in overturning history, but it was the latter that rectified nonhistory. Hirst is unaware of this . . . ." Our apologies to all parties for this lapse as well.

Reading "Poets of the Baltics," the 19 February 1991 program in the Reading Series at the United Nations, will feature the Estonian poet and WLT editor Ivar Ivask, his wife the Latvian poet Astrid Ivask, and the Lithuanian poet Jonas Mekas. The three will be reading from their own works. The verse of Dorit Kareva and Paul-Eenik Rummo will also be presented. Time: 6:30 P.M. Place: Dag Hammarskjöld Auditorium, First & 42nd, United Nations. Suggested contribution: $5. Presented by Cross-Cultural Communication (Stanley H. Barkan, director) and the U.N. SBC Society of Writers (David Curzon, vice-president). Reservations required. Phone: (212) 963-6664 or (516) 868-5635.

Books for the World Books for the World is a nonprofit organization that collects books in the English language for distribution to Third World countries. Partially funded by the U.S. State Department and the U.S. Information Agency, it is currently focusing its efforts on sending books to African universities. MLA members may wish to inform their faculty senate, deans, provosts, and presidents of this project. Books for the World provides an opportunity to help less-fortunate students, teachers, and scholars. Institutions interested in participating should write or call Barbara Ricks, President / Books for the World / P.O. Box 388 / Yarno City, MS 39194; phone: (601) 746-4131. Individual donations cannot be accepted.

Flashback The Autumn 1940 issue of Books Abroad opened with an essay on translating the Gospels, followed by surveys of recent Swiss and Hungarian literature, discussions of the work of Spain's Ramón J. Sender and the Mexican novelist and playwright Federico Gamboa, current trends in Alsatian literature, and propagandist techniques in Germany, France, and Britain. Among the 250-odd books of 1939 and 1940 vintage reviewed in the issue were: Die Schlafkender by Hermann Broch ("a remarkable stylistic experiment [that] carries through almost consistently the attempt at a polyphonic narrative, a fugal solution of the problem of novel-structure"), Roger Martin du Gard's Epilogue to Les Thibault ("With the Epilogue a work is ended, to observe the growth of which has been a peculiar and great pleasure for everybody interested in modern French literature; since Romains' novel is not finished, only Proust could have offered a similar spectacle, a spectacle of the same intensity"), volumes 17 and 18 of Les hommes de bonne volonté by Jules Romains ("In Venge contre Quinette and even more so in La douceur de la vie appear the main individual features of the conception and practice of Romains in his roman-fleuve: the brusque shiftings of scenes and interests, the smooth transitions from the possible . . . into the most intense [and] arresting real, the evocation of human or material life through . . . subtly converging strokes, the really magic re-creation of past intellectual atmospheres through such an organic blending of analysis, synthesis and poetical divination as defies critical investigation, and throughout a quick but restful, supple, insinuating style, whose charm lies in its utter simplicity"), and La pietra luna by Tommaso Landolfi ("a strange mixture of unbridled fancy and prosaic realism . . . a most fantastic story about scenes of provincial life rendered in an impressionistic and somewhat effective manner").

W. R.
MEMORANDUM

To: All Faculty Senators
From: Kenneth R. Murr, Chair
Faculty Manual Committee
Subject: Revision of the Faculty Manual

Attached you will find the final draft of the Faculty Manual to be approved at the March 12th meeting of the Senate. Please read it carefully. If you find any editorial errors (sentence fragments, etc), please give the corrections to me before the meeting and I will introduce them with the Manual. It was decided at the Senate Advisory / Executive Committees meeting not to entertain motions to change the policy (make sabbaticals available after four years, etc.) during this meeting.

Thank you for your assistance.
5. Strategic Planning Committee.
   a. Environmental Scanning Sub-Committee.
D. Committees Reporting to the Provost and Vice-President for Academic Affairs
   1. Alumni Professors Committee
   2. Computer Advisory Committee
   3. Faculty Development Committee
   4. Faculty Manual Committee
   5. Faculty Salaries and Fringe Benefits Committee
   6. Fine Arts Committee
   7. Libraries Advisory Committee
   8. University Assessment
E. Committees Reporting to the Vice-President for Research
   1. Animal Research Committee
   2. Institutional Biosafety Committee
   3. Protection of Human Subjects Committee
   4. Patent Committee
   5. Research Advisory Committee
   6. Research Grant Committee
F. Committees Reporting to the Vice-President for Student Affairs
   1. Alcohol and Drug Awareness Committee
   2. Athletic Council
   3. Greek Affairs Committee
   4. Financial Aid Committee
   5. Media Advisory Board
   6. Recreation Advisory Committee
   7. Student Health Committee
   8. University Union Board
G. Committees Reporting to the Vice-President for Finance
   1. Accident Review Board
   2. Bookstore Advisory Committee
   3. Vending Machine Committee
H. Other University Councils and Committees
   1. The Council of Academic Deans
   2. Organization of Academic Department Heads
I. The Constitution of the Faculty of Clemson University
ARTICLE I: THE FACULTY
   Section 1. Membership
   Section 2. Functions
   Section 3. Officers
   Section 4. Meetings
   Section 5. Rules of Order
ARTICLE II: THE FACULTY SENATE
   Section 1. Functions
   Section 2. Membership
   Section 3. Officers
   Section 4. Meetings
   Section 5. Committees
   Section 6. Rules of Order
ARTICLE III: THE COLLEGIATE FACULTIES

Section 1. Definition
Section 2. Functions
ARTICLE IV: THE CURRICULUM COMMITTEES
   Section 1. Definition
   Section 2. Membership
   Section 3. Procedure
ARTICLE V: AMENDMENT

Part VII. Professional Practices
A. Overview
B. Work Load
C. Work Schedule
D. Office Hours
E. Teaching Practices
   1. Faculty Class-Meeting Responsibilities
   2. Attendance Policy
   3. Examinations and Grading
   4. Student Rights and Responsibilities
   5. Privacy
   6. Academic Dishonesty
   7. Student Advising
   8. Evaluation of Teaching by Students
   9. Handicapped Students
F. Graduation and Commencement Ceremonies
G. Summer Employment
H. Dual Employment
I. Private Outside Employment
   1. Consulting
   2. Outside Activities
   3. Use of University Facilities and Equipment
   4. Reporting Requirements
J. Sabbatical Leave
K. Graduate Study by Faculty
L. Other Leave and Holidays
M. Professional Travel
N. Conflict of Interest

Part VIII. Summary of Selected Campus Policies
A. General Statement
B. Policy on Sexual Harassment
C. Policy on Political Activity
D. Policy on Nepotism
E. Copyright Policy
F. Patent Policy
G. Human Subject Policy
H. Animal Subject Policy
I. Honorary Degrees Policy

Appendix
A. Board of Trustees
B. Flowcharts of Grievance Procedures
C. Grievance II Form
D. Evaluation Forms
Faculty Manual Final Draft
Table of Contents

PART I. INTRODUCTION
A. The Nature and Function of this Manual
B. Procedures for Updating the Manual
C. Reporting Violations of the Manual

PART II. THE UNIVERSITY'S HISTORY AND ADMINISTRATIVE STRUCTURE
A. University Mission Statement
B. The Clemson Will
C. The Board of Trustees
D. The President of the University
E. The Provost and Vice President for Academic Affairs
F. The Vice-Provosts
G. The Dean of the Graduate School
H. The Dean of Admissions and Registration
I. The Deans of the Colleges
J. The Director of Libraries
K. The Department Heads
L. Selection of the President and Other Academic Administrators
M. Review of Academic Administrators
N. The Non-Academic Administration: University Vice-Presidents and Executive Officers

PART III. THE FACULTY
A. General Philosophy
B. Academic Freedom and Responsibility
C. General Qualifications for Faculty Appointments
D. Regular Faculty Ranks
E. Special Faculty Ranks
F. Endowed Chairs and Titled Professorships
G. The Rights and Privileges of Emeritus Faculty

PART IV. PERSONNEL PRACTICES
A. Procedures for Faculty Appointments
B. Affirmative Action Policies and Procedures for the Recruitment and Appointment of Faculty and Administrators
C. Terms of Appointment
D. Procedures for Renewal of Appointment, Tenure, and Promotion
E. Annual Performance Evaluation
F. Notification of Renewal and Non-Renewal of Appointments
G. Tenure Policies
H. Promotion Policies
I. Salary Determination Procedures
J. Resignation, Termination, and Dismissal

PART V. GRIEVANCE PROCEDURES
A. General Information
B. Faculty Grievance Procedure I
   1. Coverage
   2. Grievances
3. Procedure
4. Appeals
5. Final Decision
6. Continuation of Duties and Salary While Grievance Pending
7. Protection of Faculty Members and Others Involved in Grievance Procedures

C. Faculty Grievance Procedure II
   1. Coverage
   2. Delineation of Grievable and Non-grievable Matters
   3. Procedure
   4. Appeals
   5. Final Decision
   6. Protection of Faculty Members and Others Involved in Grievance Procedures

PART VI. FACULTY PARTICIPATION IN UNIVERSITY GOVERNANCE
A. General Statement
B. Academic Council and Associated Commissions and Committees
   1. The Commission on Undergraduate Studies
      a. Academic Calendar Committee
      b. Admissions and Continuing Enrollment Committee
c. Cooperative Education Committee
d. Degree Progress System Advisory Committee
e. Graduation Ceremony Committee
f. Honors Committee
g. Schedule Committee
h. Scholarships and Awards Committee
i. Student Academic Grievances Committee
j. Teaching Resources and Effectiveness Committee
k. Undergraduate Curriculum Committee

2. The Commission on Graduate Studies
   a. Graduate Admissions Committee
   b. Graduate Awards Committee
c. Graduate Studies Advisory Committee
d. Graduate Student Academic Grievance Committee
e. Graduate Curriculum Committee

C. COMMITTEES REPORTING TO THE PRESIDENT
   1. Campus Names Committee
   2. Facilities Planning Committee
      a. Safety and Fire Prevention
      b. University Parking and Traffic
c. University Committee on Handicapped
   d. Campus Master Plan
   3. Group Insurance Committee
   4. The President's Cabinet
      a. The Commission on Classified Staff Affairs
Part I. INTRODUCTION

A. The Nature and Function of this Manual

The Clemson University Faculty Manual is a compilation of information pertaining to the faculty member's participation in the governance of the University. It includes summaries of those University policies and procedures that are of major concern to faculty. The need to have a manual of manageable size dictates that this document, though comprehensive, be less than complete. Consequently, in certain places the reader is directed to other documents or sources to obtain more detailed information.

The first manual for Clemson University faculty was compiled in 1960 and has undergone four revisions. The guiding principle behind the current revision was desire to retain only those items over which the faculty has control or influence and to improve the readability.

Beginning in 1991, the most current version of the Manual will be available on DORIS (the Document Retrieval Information System runs on the University mainframe computer system and is available from terminals that can access that system). The use of DORIS will eliminate delays required for printing and distributing changes in the Manual.

B. Procedures for Updating the Manual

Overall responsibility for maintaining the Clemson University Faculty Manual is vested in the Office of the Provost and Vice President for Academic Affairs and carried out by the Faculty Manual Committee. Any proposed change for the Manual should be submitted to the President of the Faculty Senate. The President of the Senate shall refer the matter to the appropriate committee or person for a recommendation to the Senate as a whole. Upon receiving the recommendation in the form of a motion, the Faculty Senate shall debate and vote on the motion with a two-thirds majority needed for approval.

The proposal to amend the Manual is forwarded to the Provost for consideration by the University administration. The Provost advises the President of the Faculty Senate of the administration's decision. The Provost forwards approved changes to the Faculty Manual Committee for incorporation into the Manual.

The Faculty Manual Committee edits the proposed changes and incorporates them into the Manual. The Committee then submits its version of the changes to the Faculty Senate for confirmation. The Faculty Senate sends the edited changes to the Provost. Normally, upon approval by the Provost, the changes will take effect. If approval by the Board of Trustees is required, the changes will take effect after that approval is given.

Upon notification by the Provost that the changes have been approved, the Master Copy of the Faculty Manual, maintained in the Faculty Senate Offices by the Staff Secretary, will be updated. The Faculty Manual on the DORIS system will then be updated. The Committee will report to the Senate that the Manual has been amended.

C. Reporting Violations of the Manual
If the procedures and policies outlined in this Manual have not been followed, a report should be made to the President of the Faculty Senate. The report should include the section of the Manual that is not being followed; the person(s), department(s); etc. involved; and, a brief description of the situation. The President may handle the matter or refer it to the relevant committee or person for resolution. The name(s) of the person(s) filing the report shall be kept confidential by the President of the Faculty Senate.

PART II. THE UNIVERSITY'S HISTORY AND ADMINISTRATIVE STRUCTURE

A. University Mission Statement

Clemson University is the scientifically oriented institution of higher education established by the citizens of South Carolina to preserve, enhance, interpret, and disseminate the body of human knowledge. As a publicly assisted, comprehensive land-grant institution, Clemson serves the state, the nation as a whole, and the international community through teaching, research, and public service activities.

The original philosophy guiding the university's mission appeared in the enabling legislation of the Morrill Land Grant Act of 1862, the will of Thomas Green Clemson which calls for the establishment of a "high seminary of learning," and the Act of Acceptance by the General Assembly of the State of South Carolina. Subsequent broadening of the general mission occurred with the passage by Congress of the Hatch Act of 1887, the Smith-Lever Act of 1914, and National Sea Grant Act of 1966. Further refinements are elaborated in the South Carolina Master Plan for Higher Education set forth in 1979 by the South Carolina Commission on Higher Education and through the focus of the Second Century Plan initiated by the University in 1986.

To fulfill its historic, expanded, and evolving mission, Clemson offers undergraduate and graduate programs within nine colleges and a graduate school to a diversified on-campus student body and to a variety of audiences through continuing education courses on and off campus. The institution's role within the State of South Carolina is fulfilled through its mandated thrusts in agriculture and natural resources, architecture, engineering, textiles, basic sciences and technologies, and through an expanded role which also addresses the State's Cultural and economic needs through emphases in health sciences, business, education, and the liberal arts. Clemson University's response to public service is dynamic and unique. It is reflected through the expertise of each of its colleges, the S.C. Experiment Station, the Clemson University Cooperative Extension Service, and numerous regulatory programs which provide technical assistance, continuing education, technology transfer, and extension activities commensurate with life in a changing world and global society.

The fulfillment of Clemson's mission rests, with its faculty, who, individually, collectively, and in cooperation with all University personnel gather, interpret, and disseminate knowledge; generate new knowledge independently and in conjunction with colleagues and students; stimulate creative thought and expression; foster speculative and critical thought; groom leaders; initiate progressive change; prepare students to cope with the world as it is, contribute to developing a better world, and appreciate the interconnectedness of modern life; and advance the common good by anticipating and devising new solutions for intellectual, scientific, social, and technical problems.
As stewards to taxpayers, alumni, donors, and students, Clemson University will husband is resources; engage in strategic planning; implement, direct and review authorized programs, modifying goals and operations as deemed necessary; and assess student, faculty, and administrative performance regularly and in accordance with norms upheld by both the university's evaluative procedures and those of appropriate professional societies.

B. The Clemson Will

Thomas Green Clemson was born in Philadelphia, Pennsylvania, in July of 1807 and died at Fort Hill, Oconee County, South Carolina, on the 6th of April, 1888. His will and the Act of Acceptance of the General Assembly of South Carolina (November 27, 1889) established Clemson as a land-grant, state-supported institution. Pertinent excerpts from the will and the Act follow.

"Whereas, I, Thos. G. Clemson, of the county and State aforesaid, did, on the 14th day of August, 1883, execute my last will and testament wherein I sought to provide for the establishment of a scientific institution upon the Fort Hill place, and therein provided what sciences should be taught in said institution; and, whereas, I am now satisfied that my intention and purpose therein may be misunderstood as intending that no other studies or sciences should be taught in said institution than those mentioned in said will, which was not my purpose or intention. Now, desiring to make my purpose plain as well as to make some other changes in the distribution of my property, than made in said will, I do now make, publish and declare this instrument as and for my last will and testament, hereby revoking all previous wills and codicils by me made, especially the will above referred to, dated August 14th, 1883.

"Feeling a great sympathy for the farmers of this State, and the difficulties with which they had to contend in their efforts to establish the business of agriculture upon a prosperous basis, and believing that there can be no permanent improvement in agriculture without a knowledge of those sciences which pertain particularly thereto, I have determined to devote the bulk of my property to the establishment of an agricultural college upon the Fort Hill place.

"This institution, I desire, to be under the control and management of a board of trustees, a part of whom are hereinafter appointed, and to be modeled after the Agricultural College of Mississippi as far as practicable.

"My purpose is to establish an agricultural college which will afford useful information to the farmers and mechanics, therefore it should afford thorough instruction in agriculture and the natural sciences connected therewith -- it should combine, if practicable, physical and intellectual education, and should be a high seminary of learning in which the graduate of the common schools can commence, pursue and finish the course of studies terminating in thorough, theoretic and practical instruction in those sciences and arts which bear directly upon agriculture, but I desire to state plainly that I wish the trustees of said institution to have full authority and power to regulate all matters pertaining to said institution -- to fix the course of studies, to make rules for the government of the same, and to change them, as in their judgement, experience may prove necessary, but to always bear in mind that the benefits herein sought to be bestowed are intended to benefit agricultural and mechanical industries. I trust that I do not exaggerate the importance of such an institution for developing the material resources of the State by affording to its youth the advantages of scientific culture, and that I do not overrate the intelligence of the legislature of South Carolina, ever distinguished for liberality, in
assuming that such appropriations will be made as will be necessary to supplement the fund resulting from the bequest herein made.

"I therefore give and devise to my executor, hereinafter named, the aforesaid Fort Hill place, where I reside, formerly the home of my father-in-law, John C. Calhoun, consisting of eight hundred and fourteen acres, more or less, in trust, that whenever the State of South Carolina may accept said property as a donation from me, for the purpose of thereupon founding an agricultural college, in accordance with the views I have hereinbefore expressed, (of which the Chief Justice of South Carolina shall be the judge), then my executor shall execute a deed of the said property to the said State, and turn over to the same all property hereinafter given as an endowment of said institution, to be held as such by the said State so long as it, in good faith, devotes said property to the purposes of the donation; provided, however, that this acceptance by the State shall be signified, and a practical carrying-out be commenced within three years from the date of the probate of this my will

"...The seven trustees appointed by me shall always have the right, and the power is hereby given them and their successors, which right the legislature shall never take away or abridge, to fill all vacancies which may occur in their number by death, resignation, refusal to act, or otherwise. But the legislature may provide, as it sees proper, for the appointment or election of the other six trustees, if it accepts the donation. And I do hereby request the seven trustees above named, or such of them as may be living, or may be willing to act, to meet as soon after my death as practicable, and organize, and at once to fill all vacancies that may have occurred, and to exert themselves to effectuate my purposes as herein set forth, and I hereby instruct my executor to notify them of their appointment herein as soon after my death as practicable. The name of this institution shall be the 'Clemson Agricultural College of South Carolina'...."

"[The trustees] shall erect upon the Fort Hill place such a school or college for the youth of South Carolina as, in their judgement, will be for their best interest; provided, that said school or college shall be for the benefit of the agricultural and mechanical classes principally, and shall be free of costs to the pupils, as far as the means derived from the endowment hereinafter provided and the use of the land may permit ...."

From the Act of Acceptance: "That upon the execution of a deed and transfer of said property to the State by the said executor in accordance with the provisions of said will, an Agricultural and Mechanical College shall be, and the same is hereby, established in connection with the aforesaid devise and bequest, to be situated at Fort Hill, in Oconee County, on the plantation so devised, in which college shall be taught all branches of study pertaining to practical and scientific agriculture and other industries connected therewith, and such other studies are not inconsistent with the terms of the said will."

C. The Board of Trustees

The letter and spirit of the Clemson will still govern the University's basic administrative structure. The Board of Trustees, for example, continues to have seven "life trustees" who are empowered to fill any vacancy in their ranks due to "death, resignation, refusal to act, or otherwise." Six other trustees are elected by the General Assembly of South Carolina, three every two years for four-year terms.

The Board of Trustees: adopts the basic long-range objectives of the University and the basic policies for achieving them; provides policy instruction for long-range planning; adopts the statutes of the University; elects the President of the University; employs the Secretary of the Board; maintains ownership of University assets; and oversees the
evaluation of the University.

To accomplish its purposes the Board meets at least four times annually. Its presiding officer is the Chairman, elected for a two-year term (but restricted to no more than three consecutive terms). The Board appoints a Secretary, who serves at its pleasure, and maintains as standing committees an Executive Committee as well as committees for Budget and Finance, Educational Policy, Student Affairs, Agricultural and Natural Resources, and Institutional Advancement. (Names and addresses of current members of the Board of Trustees, and their committee responsibilities are given in Appendix "A".)

To the administration of Clemson University the Board of Trustees delegates authority for: developing plans for achieving basic University objectives; developing short- and long-range plans within the delegated framework; recommending guidelines for University advancement; adopting the President's administrative policies governing University operations; recommending bylaws for implementing Trustees' functions; recommending University statutes to the Trustees; adopting operating budgets and controlling expenditures within approved limits; overseeing administrative control; evaluating the results secured; and investing funds under policy authority.

D. The President of the University

The President is the chief executive officer of the University. To the President the Board of Trustees delegates authority for: giving leadership to all phases of University planning; coordinating the operations of all units of the University; carrying out major University public relations functions; evaluating the results of University plans; and appointing such personnel as report to the President in accordance with policies outlined in II L. The President and his Cabinet review and comment on all policy matters under consideration by the Board of Trustees.

Having the general supervision over all University activities, the President is an ex officio member of all University councils, commissions, and committees and serves as liaison officer between the Board of Trustees and the University Faculty and Staff. The President presides at meetings of the Academic Council and at University commencements. The President approves appointments to Alumni Professorships and endowed professorships and chairs and recommendations for tenure, promotion, dismissal, and termination. Appeals by faculty and students concerning grievances may be heard by the President after regular procedures have been followed. The President appoints the Provost and Vice President for Academic Affairs, as well as the other executive officers, and reviews the appointee's performance in their offices.

E. The Provost and Vice President for Academic Affairs

The Provost and Vice President for Academic Affairs (hereafter referred to as the Provost) is the chief academic officer of the University and Chairperson of the University Faculty. Responsible directly to the President for all academic matters, the Provost has administrative jurisdiction over teaching and computing services. The Provost recommends to the President short- and long-range plans for academic development and formulates policies to implement approved plans. Furnishing direction and guidance to the deans in the development and operation of academic programs and coordinating
the activities of the deans are also responsibilities of the Provost, through whom recommendations from the Faculty Senate, various commissions and committees, and the deans proceed to the President. In the President's absence, the Provost serves as Acting President of the University. As directed by the President, the Provost represents the University on matters relating to academic programs before the Commission on Higher Education and its committees and before other state governmental bodies.

The Provost approves or recommends to the President actions pertaining to faculty recruitment, appointments, re-appointments, tenure, promotion, termination, and dismissal. Recommendations regarding faculty grievances and student academic grievances are received by the Provost for decision. In addition, questions concerning conflict of interest are reviewed by the Provost.

The Provost also receives recommendations on curricular matters from University curriculum committees and forwards recommendations to the President; approves the bylaws of the collegiate faculties and reviews the minutes of their meetings; receives and transmits to the Faculty proposed amendments to the Faculty Constitution; presides at meetings of the University Faculty; evaluates the performance in office of the academic deans; appoints search-and-screening committees for certain administrative positions; recommends the appointment of academic administrators to the President; chairs the Council of Academic Deans; serves as liaison officer between the Faculty Senate and the President; and delegates authority to the Vice Provosts, the Assistant Vice President for Academic Affairs, and the Director of Libraries.

Further, the Provost supervises the preparation of the budgetary requests and budgets of the Library and the colleges, allocates funds for their operation, and approves amendments thereto; establishes guidelines for the implementation of faculty salary increases, and recommends such increases to the President.

F. The Vice Provosts

The Vice Provosts function as staff members of the Office of the Provost and Vice President for Academic Affairs. They assist in administrating the Office of Academic Affairs and perform duties as delegated by the Provost. Among these duties are: coordinating of undergraduate and graduate curricula with collegiate deans; directing and chairing of the Undergraduate and Graduate Studies Commissions; and serving on and occasionally chairing of a variety of committees that are responsible to the two commissions. In addition, the Vice Provosts supervise the computer information services division, the University Libraries, the Honors Program, certain other special recruiting programs, the scholarships and awards programs of the University, summer school, continuing education, off-campus teaching, graduate admission and record-keeping, and such other areas as may be assigned by the Provost. Other duties, including program development, relationships with other schools, and relationships with the Commission on Higher Education, are assigned to the Vice Provosts as necessary by the Provost.

G. The Dean of the Graduate School

The Dean of the Graduate School coordinates all graduate programs and advises the Provost on policies and regulations pertaining to graduate study, e.g., graduate admissions policies, graduate student programs, and the granting of graduate degrees.
The Dean of the Graduate School chairs the Commission on Graduate Studies and the Graduate Curriculum Committee.

H. The Dean of Admissions and Registration

The Dean of Admissions and Registration is an Assistant Vice President of Student Affairs reporting to the Vice President for Student Affairs. The Dean of Admissions and Registration is responsible for administering of undergraduate admissions policies; the registration of all students; maintenance of academic records; coordinating class scheduling; administrating student financial aid, student counseling programs, and academic advising for athletic programs. The Dean of Admissions and Registration sits on the Commission on Undergraduate Studies; the Scholarships and Awards Committee; the Honors Program Committee; the Committee on Admissions and Continuing Enrollment; the Degree Progress System Advisory Committee; and the Athletic Council.

I. The Deans of the Colleges

The deans are the chief administrative officers of Clemson University's nine colleges. (The College of Agricultural Sciences also has a Director of the South Carolina Agricultural Experiment Station/Dean of Agricultural Research and a Dean and Director of the Agricultural Extension Service who oversee the faculty and programs in those areas.) They provide leadership in formulating educational policy and serve as their collegiate faculties' agents in the execution of such policy. Among other duties, the deans are to: represent the college in relations with other colleges of the University; ensure that faculty enjoy academic freedom and exercise academic responsibility; ensure that faculty peer evaluation, where appropriate, is part of the policies and procedures of the several academic departments; review departmental recommendations for appointment, renewal, promotion, tenure, termination, and dismissal, and forward recommendations to the Provost; approve appointments to the college of prospective faculty; send letters of renewal or non-renewal of contract to probationary faculty; monitor Affirmative Action policy implementation by the several departments; review the annual evaluation of each faculty member of the college; periodically review and evaluate the performances of the department heads; allocate the budgets for instruction, supplies and equipment, etc., and monitor the expenditure of all college funds; hear faculty grievances that have been pursued beyond the departmental level and cooperate in formal grievance procedures; monitor faculty workloads and schedules; approve recommendations for sabbatical leaves and leaves of absence; establish ad hoc committees of the collegiate faculty; appoint department heads and other academic administrators from within departments in accordance with policies and procedures specified, and serve on various councils, commissions, and committees as set forth in University policy.

The performance in office of each college dean is reviewed periodically by the Provost. College deans hold faculty rank and engage in the teaching, research, and public service functions of faculty to the extent feasible.

In some colleges of the University the deans are assisted by associate and/or assistant deans and/or directors who are assigned responsibilities by their deans and who report directly to them.
J. The Director of Libraries

The Director of Libraries is the chief administrative officer of the Clemson University Libraries. In dealing with the Library Faculty, the duties of the Director of Libraries are the same as those of the Deans of the Colleges. The Director of Libraries is a member of the Council of Deans.

The performance of the Director of Libraries is reviewed periodically by the Provost. The Director of Libraries holds faculty rank and engages in teaching, research and public service functions of faculty to the extent feasible.

The Director of Libraries is assisted by an Associate Director of Libraries. The Associate Director of Libraries reports directly to the Director. As delineated in the By-Laws of the Library Faculty, the Associate Director of Libraries performs the duties of a Department Head.

K. The Department Heads

Department heads are generally responsible for the activities of their departments, for which they are accountable to the dean of the college. Their primary responsibility is for the teaching, research, and public service of their faculties.

Department heads represent their departments in relations with other departments and with the deans and other administrative officers of the University. In exercising leadership in the improvement of departmental programs and of the departmental faculty, a head is expected to take initiatives to report that unit's needs and advocate its goals and plans.

A department head's specific functions include: approving departmental policies and procedures involving peer evaluations; recommending faculty appointment, reappointment, tenure, promotion, termination, and dismissal; negotiating with prospective faculty; monitoring departmental implementation of Affirmative Action policies and procedures; annually evaluating each member of the department's faculty and staff; allocating funds from instructional and other departmental budgets and developing such budgets; hearing informal faculty grievances and cooperating in formal grievance procedures; supervising the department's program of instruction, including scheduling, faculty workload, and departmental research and public service; ensuring that students' rights are preserved; supervising the advising of departmental majors and graduate students; monitoring student evaluation of instruction, courses, and programs within the department; supervising summer school programs; approving applications for professional travel and sabbatical leave; arranging meetings of the departmental faculty; meeting with the departmental Advisory Committee; establishing ad hoc departmental committees; and carrying out other such duties as shall be assigned by the dean of the college or as are set down in University policy, collegiate bylaws, and departmental bylaws.

Department heads serve at the pleasure of their respective deans, who formally evaluate the performance in office of heads reporting to them every five years. All heads of academic departments hold faculty rank and engage in the teaching, research, and
public service functions of faculty to the extent feasible.

In some larger departments the heads are assisted by associate or assistant heads who are assigned responsibilities by their department heads and who report directly to them.

L. Selection of the President and Other Academic Administrators

In the selection of the President of the University, the Board of Trustees recognizes the interests of the University Faculty and Extension Personnel and other university constituencies. The Presidents of the Faculty Senate and the Extension Senate and one Professor elected for this purpose by the Professors are appointed to the eleven member Screening Committee. The Screening Committee develops a list of approximately ten available candidates and submits their names to the Selection Committee.

The Selection Committee is comprised of five members: three Trustees, the President of the Faculty Senate, and the President of the Student Body. The Chairman of the Board of Trustees is an additional ex-officio member of both committees. The Committee receives the report and recommendations of the Screening Committee and makes recommendations to the Board of Trustees.

The Board of Trustees elects the President of the University to serve at its pleasure. The complete Selection Process for the President of Clemson University can be found in the Trustee Policy Manual. The Board also reserves to itself final review authority over the appointment of officers of the University who report directly to the President and over the appointment of the deans of the University.

When the appointment to any other academic administrative position is to be made, a faculty search-and-screening committee, with student and staff representation when appropriate, shall be formed to recommend persons to fill that position. This committee shall submit a short list of candidates for the position from which the appointment shall be made. If an appointment cannot be made from this list, the search and screening committee may take additional nominations. If no other candidates are acceptable to the committee the matter shall be brought to the attention of the Provost, who shall consult with the appointing administrator and the search and screening committee with regard to appropriate actions.

When feasible, student representatives shall be nominated by student clubs or other assemblies associated with the unit in question; where unfeasible or impractical, student representatives shall be nominated by the President of the Student Senate and/or the President of the Graduate Student Association. At its discretion, each committee shall be empowered to add other individuals as non-voting members.

The selection and appointment of all academic administrators shall be in conformity with applicable University Affirmative Action policies and procedures. In particular, in the selection of each search and screening committee, black and female representatives shall be included whenever feasible.

For the selection of an academic department head or other academic administrators within a department, a committee shall be formed from the faculty within that college, plus
at least one student. The majority of the members of this committee shall be chosen by
the faculty of the affected department; the minority may be appointed by the dean of the
college. The dean shall make the appointment from the list submitted by the committee,
subject to the approval of the Provost and the President.

For the selection of an assistant dean, associate dean, or director within a college, a
committee that includes at least one student from that college shall be formed. A majority
of the members of the committee shall be chosen by the faculty of that college or
equivalent administrative unit (for the Dean and Director of the Cooperative Extension
Service, a majority of the members of the committee shall be chosen by the Extension
Senate); the minority may be appointed by the dean of the college or an equivalent
administrator. The dean shall make the appointment from the list submitted by the
committee, subject to the approval of the Provost and the President.

For the selection of an academic administrator of an off-campus program, the committee
shall represent both the off-campus program and the appropriate on-campus academic
areas. The majority of the representatives to this committee shall be chosen by the
affected faculty; the minority may be appointed by the dean of the college. The dean
shall make the appointment from the list submitted by the committee, subject to the
approval of the Provost and the President.

For the selection of the dean of a college or the Director of Libraries, a committee shall be
formed which includes at least one student, at least one department head (or equivalent)
from within the college, and either an off-campus representative of an appropriate
profession or a dean from another college within the University. The majority of the
representatives to the committee shall be chosen by the faculty from within the affected
administrative unit; the minority may be appointed by the Provost. The Provost shall
make the appointment from the list submitted by the committee, subject to the approval of
the President.

For the selection of a Vice Provost, an academic dean (other than a college dean), or
other academic administrators not specified elsewhere who report directly or indirectly to
the Provost, the Provost (after consultation with the Advisory Committee of the Faculty
Senate) shall appoint a committee which includes at least one student. (For the Vice
President and Vice Provost for Agriculture and Natural Resources, the committee shall
include a county extension agent.) The Provost shall make the appointment to the
position from the list submitted by the committee, subject to the approval of the President.

For the selection of the Provost, the President (after consultation with the Advisory
Committee of the Faculty Senate) shall appoint a committee which includes at least one
graduate student and one undergraduate student. The President shall appoint the
Provost from the list submitted by the committee.

This University policy on the selection of academic administrators was adopted by the
Board of Trustees in July, 1981. It modifies the previous policy by providing for student
participation and for enhanced faculty participation in the selection of all academic
administrators. It is not intended to circumscribe or otherwise constrain the ability of
academic administrators to modify the duties and responsibilities of incumbent
administrators who report to them, or to change the titles of existing positions so as to
alter duties and responsibilities.
M. Review of Academic Administrators

University policy adopted by the Board of Trustees in January 1981, establishes procedures for the review of academic administrators. Administrative officers of the University serve at the pleasure of their respective supervisors. Thus, appointment to an administrative position, whether it be to a department headship, a directorship, a deanship, etc., does not assure continuance in office for any specific period of time. Status as tenured or untenured faculty, however, is not affected by the termination of administrative appointments of such individuals.

In the normal performance of their duties, administrators are subject to evaluations of their performances by their supervisors. To insure the accuracy of these evaluations, the performances of department heads, academic deans, and the Provost shall be subject to formal reviews at regular intervals. Such evaluations shall involve the faculty most affected by a particular administrator as well as that administrator's supervisor.

Before the end of a department head's fifth year in office, the appropriate dean shall conduct a formal review of that head's performance. This review shall include interviews and/or other forms of consultation by the dean with each tenured and tenure-track faculty member of the department. At the discretion of the dean, the affected department's faculty Advisory Committee may be enlisted to assist in the conducting of the formal reviews. When the review process has been completed, the dean shall make a report to the Provost.

Likewise, the Provost shall review the performance of deans, consulting with department heads and directors as well as with representative faculty where feasible. Likewise, the President of the University shall review the performance of the Provost, consulting with the academic deans and with representative department heads and faculty, where feasible.

N. The Non-Academic Administration: University Vice Presidents and Executive Officers

Non-academic University operations are organized under nine areas of administration, each headed by a chief administrative officer, responsible to the President of the University. These administrative officers and the units of the University that report to them are listed below:

1. Vice President for Administration and Secretary of the Board of Trustees:

2. Vice President and Vice Provost for Agriculture and Natural Resources:
   a. Agricultural Research; b. Cooperative Extension Service; c. Livestock-Poultry Health; d. Regulatory and Public Service. As Vice Provost oversees the College of Agricultural Sciences and the College of Forest and Recreational Resources.

3. Vice President for Business and Finance:
   a. Business and Financial Affairs: 1) Accounting Services, 2) Auxiliary Services, 3)
Accounting for Related Organizations, 4) Business Affairs, 5) Financial Services, 6) Purchasing;
b. Budgets and Informational Management: 1) Budgets and Financial Planning, 2) Institutional Research, 3) Telecommunications, 4) Management Services; 5) Information Support Services, 6) Business Information Systems,
c. Facilities Planning and Management: 1) Facilities Maintenance and Operations, 2) Campus Master Planning, 3) Design and Engineering, 4) Business and Property Management, 5) Real Estate Management and Development;
e. Sponsored Programs: 1) Sponsored Programs Administration, 2) Clemson University Research Foundation;
f. Planning.

4. Vice President for Institutional Advancement:

5. Vice President for Research:

6. Vice President for Student Affairs:
a. Admissions, Registration, and Financial Aid; b. Athletic Department; c. Career Services; d. Counseling Center; e. Housing; f. Intramural Sports; g. Student Development; h. Student Health Services; i. Student Union.

7. University Counsel

8. Executive Assistant to the President:
a. Computer Center; b. Division of Administrative Programming Services (DAPS); c. Division of Information Systems Development (DISD).

9. Director of the South Carolina Energy Research and Development Center

The Internal Auditor reports directly to the Board of Trustees.

Part III. THE FACULTY

A. General Philosophy

Institutions of higher learning are communities of scholars in which faculty gather to seek, teach, and disseminate knowledge for its own sake rather than for any immediate
political, social, or economic goal. Such institutions are conducted for the common good and not to further the interests of either the individual faculty member or the institution as a whole. The attainment of that common good depends upon the free search for truth and its free expression.

Academic freedom is essential to these purposes. Colleges and universities can fulfill their missions only when their faculties enjoy the academic freedom to pursue knowledge without fear of pressure from sources inside or outside their institutions. For this reason academic freedom is a right and not a privilege to be granted or withheld. As will be indicated below, however, such freedom carries with it commensurate duties and responsibilities.

It is the policy of Clemson University to preserve and defend academic freedom by vigorously resisting all efforts from whatever source to encroach upon or restrict it. In policy and in practice, the University and its accrediting agency, the Southern Association of Colleges and Schools, adhere to the 1940 Statement of Principles on Academic Freedom and Tenure of the American Association of University Professors, which has long been recognized as providing reasonable and authoritative guidelines for American institutions of higher learning. The section on academic freedom below essentially reiterates the principles set forth in this statement, with some modification and extension consistent with its intent and with later declarations by the Association.

B. Academic Freedom and Responsibility

Their scholarship and mastery of their subjects entitles faculty to hold teaching positions and to enjoy freedom in the presentation of those subjects in the classroom. Thus it is inappropriate and improper for faculty persistently to intrude materials unrelated to their subjects into their teaching. It is likewise a violation of professional responsibility to fail to present the subject matter of a course as announced to students and as approved by the Faculty in its collective responsibility for the curriculum.

Faculty members are entitled to full freedom in research and publication, subject to any restrictions set by law or by applicable codes of professional ethics, and subject to the satisfactory performance of their other academic duties and to stated University policy on outside employment. Research and/or consultation for pecuniary return should be based upon an understanding between the individual faculty member and the institution. Except under conditions of national emergency, a faculty member should not undertake research on University time or using University facilities or funds under any agreement which would (except for a clearly stated, reasonable time) prohibit open communication of the results.

Faculty members are citizens, members of learned professions, and officers of institutions of higher learning. As members of a community, Clemson faculty have the rights and obligations of any citizen. They measure the urgency of these obligations in the light of their responsibilities to their students, disciplines, professions, and to the University. When they speak or write as private persons, faculty shall be free from institutional censorship or disciplinary action, but they shall avoid creating an impression that they are speaking or acting for the University. When they speak or write within the areas of their expertise, faculty have the right to identify themselves by academic rank and institutional affiliation. In so doing, they should not assert or imply that they are acting as
spokespersons for the University. As professional educators and academic officers, they are aware that the public may judge their profession and their institution by their utterances. Hence, faculty members should endeavor to be accurate, to exercise due restraint, to show respect for the utterances of others, and, when appropriate, to indicate that they are not officially representing Clemson University.

Because freedom of access to recorded knowledge is essential to teaching, learning, and research in a democracy, the right and obligation of the University to provide a full range of materials on any subject, however unpopular, controversial, or apparently incorrect, shall not be infringed. The principles of academic freedom shall apply to the acquisition and preservation of such materials and also to those who provide and those who use them.

Because academic freedom also includes the right to hear, Clemson endorses the 1957 Declaration of the American Association of University Professors that the University "...asserts the right of students to listen to anyone whom they wish to hear [in the] belief that it is educationally desirable that students be confronted with diverse opinions of all kinds, [and Clemson further] holds that any person who is presented by a recognized student or faculty organization should be allowed to speak on . . . campus."

Duly constituted organizations at Clemson University then may invite and hear speakers without fear of reprisals. However, in the exercise of this right it is recognized that:

Membership in the academic community imposes upon students, faculty members, administrators, and trustees an obligation to respect the dignity of others, to acknowledge their right to express differing opinions, and to foster and defend intellectual honesty, freedom of inquiry and instruction, and free expression on and off the campus. The expression of dissent and the attempt to produce change, therefore, may not be carried out in ways which injure individuals or damage institutional facilities or disrupt the classes of one's teachers or colleagues. Speakers on campus must not only be protected from violence but must be given an opportunity to be heard. Those who seek to call attention to grievances must not do so in ways that significantly impede the functions of the institution. (1970 Declaration of the AAUP Council)

Academic freedom, then, is inevitably accompanied by academic responsibility. Various aspects of this responsibility are specified below. Nothing in this description is intended to abridge in any way the principles and procedures advanced in the 1940 AAUP Statement of Principles on Academic Freedom and Tenure. The description itself is derived in substantial measure from the AAUP Statement on Professional Ethics (1966).

Faculty members have responsibilities to their students. They shall encourage in students the free pursuit of learning and independence of mind, while holding before them the highest scholarly and professional standards. Faculty shall show respect for the student as an individual and shall adhere to their proper role as intellectual guides and counselors. They shall make every reasonable effort to foster honest academic conduct and to ensure that their evaluation of each student reflects, as nearly as possible, the true worth of the student's academic performance, regardless of considerations of race, creed, gender, or personal beliefs. Faculty shall eschew any exploitation of students for
private advantage and shall acknowledge any significant assistance received from them.

Faculty also have responsibilities to their colleagues, deriving from their common membership in a community of scholars. They shall respect and defend the free inquiry of their associates. In the exchange of criticism and ideas they shall show due regard for the opinions of others and shall acknowledge their intellectual debts. They shall strive to be objective and fair in any professional judgments of their colleagues.

Faculty have responsibility to their disciplines and to the advancement of knowledge generally. In this regard their primary obligation is to seek and to state the truth as they perceive it. To this end, they shall devote their energies to developing and improving their scholarly competence. They shall exercise critical self-discipline and judgment in using, extending, and transmitting knowledge, and they shall at all times practice intellectual honesty.

Faculty have responsibilities to the University. Thus, faculty shall accept a reasonable share of the responsibility for the governance of the University. While exercising their right to evaluate University policies and procedures and to seek to revise them, they shall abide by such policies and procedures as are current, provided these do not contravene academic freedom. While individual faculty determine the amount and nature of the work they perform outside the University, they shall do so within the guidelines set forth in University policy (see VII. l.) and with full regard for their paramount responsibilities within the University. In the eventuality of a foreseen interruption or termination of a faculty member's service with the University, the effects of such a change upon the program of the University shall be taken into account and due notice shall be given.

In their formal capacity as employees of the State of South Carolina, faculty members are bound by the Rules of Conduct... for Public Officials and Public Employees prepared by the S.C. State Ethics Commission. In the main these rules have to do with the use of an official position to obtain personal gain or to exercise improper influence. For example, no faculty member may "use or disclose confidential information gained in the course of or by reason of his/her official position or activities in any way that would result in financial gain for himself/herself or for any other person." Faculty seeking clarification of their status according to the Rules of Conduct or its full text should contact the University Personnel Division.

C. General Qualifications for Faculty Appointments

Individuals appointed to the Faculty of Clemson University are expected to exhibit and maintain mastery of their fields, whether they are appointed primarily for teaching, research, public service, librarianship, or administration. In judging the effectiveness of an individual's work, the quality of performance of assigned duties in teaching, research, public service, librarianship, and/or administration shall be considered, along with knowledge of subject matter, professional stature, contributions to professional societies, and contributions to the University through student counseling, committee work, assigned administrative duties, and public service activities. It is the responsibility of academic administrators to keep faculty clearly informed as to the duties required or expected of them.

Rank at initial appointment and promotion in rank are based on education, experience,
accomplishments, and effectiveness of performance in the areas listed in the preceding paragraph. Specific qualifications are set forth in departmental guidelines. The departmental faculty, through a peer review process, is the primary judge of these qualifications. The details of the peer evaluation process vary among departments, but the general procedure is described in IV. D.

Nonetheless, certain general qualifications (set forth in III. C) indicate the minimum expectations for individuals holding various academic ranks. These standards are not imposed rigidly, however, since illustrious achievements and national or international recognition may overshadow any requirements as to educational level and length of experience. Further, it should be understood that satisfying the minimal educational and experiential requirements does not in itself necessarily justify advancement in rank, for such advancement is based upon ongoing evaluations of a faculty member's professional accomplishments in the context of departmental, college, and University needs and expectations.

D. Regular Faculty Ranks

Regular Appointments. Regular appointments are full-time appointments for individuals expected to have a permanent association with the University. Except for Instructor, these are tenurable appointments. Until tenure is granted, regular appointments are for one-year terms. Non-renewal requires advance notice (see IV. F.). Regular appointments carry voting membership in the University Faculty. The term "relevant experience" used below is broadly interpreted to include professional experience judged to be pertinent to the position to which the faculty member is appointed (see III.C). Degree requirements refer to earned degrees from institutions of recognized standing in subject fields relevant to the field of appointment. The general qualifications for the various ranks follow.

Instructor. Normally, the master's degree or equivalent is required, with preference given to those pursuing the terminal degree. Appointees should show promise for advancement to higher ranks. Instructors not promoted by the end of the fourth year of service will receive a one year terminal appointment. Instructor is not a tenurable rank, but four years of service or less in that rank may be credited toward the tenure probationary period.

Assistant Professor. The terminal degree is normally required, but substantial progress toward the terminal degree may be acceptable. The persons appointed to this rank should show evidence of ability to meet the requirements for advancement in faculty rank.

Associate Professor. Normally, the terminal degree and four years of relevant experience are required. Also expected is evidence of scholarly or creative publication; fulfillment of service responsibilities to the department, the college, and the University; and marked success in teaching, research, and/or public service.

Professor. The terminal degree and not less than nine years of relevant experience are normally required. The rank of Professor is granted on the basis of distinguished scholarly or creative publication, outstanding contributions to the University, and conspicuous success in all assigned areas of responsibility—teaching, research, and/or
public service.

Library Faculty. The library faculty ranks of General Librarian, Assistant Librarian, Associate Librarian, and Librarian correspond to the faculty ranks of Instructor, Assistant Professor, Associate Professor, and Professor. The Guidelines for Appointment, Reappointment, Tenure and Promotion of Library Faculty specify qualifications for these ranks. Provisions of this Manual that refer to specific faculty ranks apply to the corresponding library faculty ranks.

Emeritus Faculty. Regular faculty members who have served at least five years at the University and fifteen years in the academic profession receive the title of Professor Emeritus or Librarian Emeritus upon official retirement. Part III. G. enumerates the rights and privileges of emeritus faculty.

E. Special Faculty Ranks

Special appointments include Visiting, Adjunct, and part-time positions as well as the special ranks of Lecturer and Research Associate (with Faculty Rank). Conditions of appointment must be fully detailed in the appointment letter. Such appointments may be renewable, but they do not normally carry any expectation of renewal, are not tenurable, nor does service in such ranks normally count towards the tenure probationary period. Special appointments do not carry voting privileges except as may be provided in relevant college and departmental faculty bylaws.

Visiting Faculty. The term "Visiting" denotes a temporary appointment of an individual for a term of one year or less, subject to limited renewals. Visiting appointments are appropriate only in cases in which the association with the University is temporary and brief. The qualifications for Visiting Faculty shall be comparable to those for appointment at corresponding regular faculty rank.

R.O.T.C. Faculty. Army and Air Force personnel are nominated by their respective services and are approved by the University for appointment to the faculty of the Reserve Officer Training Corps program. These appointments are generally for three-year terms. The appropriate faculty rank is determined by the qualifications of the individual.

Adjunct Faculty. The term "Adjunct" denotes an advisory appointment. It is assigned to individuals whose principal employer may be other than Clemson University, and who bring needed expertise to the teaching, research, or public service programs of the University. The qualifications for Adjunct Faculty rank shall be comparable to those for appointments at corresponding regular faculty ranks. Adjunct appointments generally do not involve remuneration from the University; are for one year or less; are individually negotiated as to terms; and, may be renewable. Adjunct appointments shall be limited to those making active contributions to the teaching, research, or public service programs of the University, and are subject to review by departmental faculty.

Lecturers. This rank is assigned to individuals with special qualifications or for special functions in cases in which the assignment of other faculty ranks is not appropriate. The term of appointment shall not exceed one year, but may be renewed.

Research Associate (with Faculty Rank). These titles denote temporary appointments for
special research functions, typically in connection with externally funded research projects. The individuals appointed shall have the general qualifications for regular faculty. The rank appearing in the title (e.g., Research Associate/Assistant Professor) indicates the level of qualifications and experience of the appointee. The term of appointment normally shall not exceed one year. Limited renewals are possible.

Part-Time Employment. Individuals who are assigned less than full normal workloads in teaching, research, and/or public service may be appointed to the ranks of Instructor, Assistant Professor, Associate Professor, or Professor with the suffix, "Part-Time." Such appointments are made for one semester or one year, renewable.

Qualifications for rank at initial appointment and for promotion are the same as for regular faculty ranks. These employees participate in the state retirement system, but appointments for less than three-quarters time do not carry any insurance or related fringe benefits, nor do they allow for reduced fees for enrollment in University courses.

F. Endowed Chairs and Titled Professorships

These positions are established in recognition of exceptional levels of achievement. The priorities placed on excellence in teaching, research, and public service vary with the purposes of the particular professorship or chair. A University Chair is funded by an endowment which is the sole or primary source of the holder's remuneration. Holders of Titled Professorships are remunerated with state funds, but receive salary supplements from endowments or from annual grants to the University. Procedures for appointments to these positions are set forth below.

Selection. According to a policy adopted on July 17, 1981, by the Board of Trustees, those appointed to endowed chairs and titled professorships must be selected by members of the academic community. Because of the University-wide importance of such a position, there must be representation on the search-and-screening committee from a college(s) other than the one(s) to which the chair or titled professorship is assigned. In all cases nominations of candidates for the position shall be openly and publicly solicited.

For selection of Alumni Professors, each college elects an advisory committee with representatives from each department offering undergraduate courses. Each advisory committee forwards not more than three nominees for each vacancy to the Dean, who forwards not more than two names for each vacancy to the Final Selection Committee. This committee, composed of the academic deans and chaired by the senior dean in terms of service as dean, recommends at least two candidates for each vacancy to the Provost. The Provost forwards all documentation, along with any comments of his own, to the President for final selection. If the President so directs, the Provost asks the committee for additional nominations.

For all other endowed chairs and titled professorships, the composition of the search-and-screening committees shall receive the approval of the Provost. The majority of each such committee shall be composed of faculty members from the department to which the chair or titled professorship is assigned and shall be elected by the faculty of that department. At least one faculty member from a related discipline in another college
shall be appointed to the committee by the Provost. Administrators in the line of appointment shall not serve on the committee. The committee nominates a slate of candidates and forwards its recommendations to the department head. The department head recommends a candidate for the position and forwards this recommendation, along with the slate of nominees, for review and approval by the dean, the Provost, and the President. If the President so directs, the Provost asks the committee for additional nominations.

Rank and Tenure Status. The rank and tenure status of those appointed to endowed chairs and titled professorships shall be determined by the applicable rules, regulations, policies, and practices governing all appointments to the Faculty of Clemson University.

Conditions of Award. The University community as a whole has a vested and vital interest in the academic contributions of holders of endowed chairs and titled professorships. Consequently, while appointments to such chairs and professorships shall be for an indefinite period, and while the performance of the holders of such appointments shall be subject to the normal reviews of performance to which all faculty members are subject, special or periodic review of the professional performance of these particular faculty members may be conducted, but only if conditions stated at the time of award so stipulate. Such a review may be initiated by the dean of the college if requested by both the departmental faculty Advisory Committee and the department head.

For any such review the Provost shall ensure that a committee (composed in the same manner as the search-and-screening committee that made the initial selection of the holder) evaluates the performance of the holder of the chair or titled professorship. Recommendations for removal by this Committee shall follow the same route as those of the initial search-and-screening committee. Should these recommendations result in a decision by the President to remove the incumbent from the chair or titled professorship, such a decision shall not affect the incumbent's tenure status and professorial rank.

The Alumni Master Teaching Award. Presented annually to a member of the Faculty, this award recognizes outstanding classroom teaching. Nominations for the award may be made by any member of the Clemson University Student Body, Faculty, or Administration. Selection of the recipient is made by the Student Alumni Council.

The Alumni Award for Outstanding Research. Jointly administered by the Clemson University chapters of Sigma Xi and Phi Kappa Phi, this award annually recognizes outstanding contributions to research by Clemson faculty.

The Alumni Award for Distinguished Public Service. This award is presented annually and recognizes distinguished service to the citizenry of South Carolina by Clemson specialists, extension workers and county agents.

G. The Rights and Privileges of Emeritus Faculty

In recognition of their service to the University, their honored place in the University community, and their ongoing capacities for advancing human knowledge and contributing to the intellectual and cultural life of the University, emeritus faculty as scholars have certain rights and privileges accorded to them by Clemson University. For
example, emeritus faculty are members of the University Faculty (see Faculty Constitution, VI. B, Article I, Section 1) and are welcome to participate fully in meetings of the Faculty. Colleges and academic departments may extend similar invitations to their emeritus members.

In addition, it is the policy of the University to enable emeriti (and other retired faculty and staff) to use as many of its facilities and services as practicable. To this end the University provides emeritus faculty, upon request to the University Personnel Division, with an Emeritus Faculty Identification Card which is used for library and other privileges. Emeriti may, upon application, be granted faculty parking privileges, receive reduced rates on athletic tickets, obtain Fike Field House membership, and enjoy any other benefits accorded to faculty which do not exert undue financial burdens upon the University. In addition, emeriti may request the use of available office and/or laboratory space and may apply, upon approval, for University research grants under the same rules as other faculty.
Part IV. Personnel Practices

A. Procedures for Faculty Appointments

Candidates for appointment to the regular faculty shall be recruited and evaluated by a search-and-screening committee composed of members of the regular faculty. Such committees are selected in accordance with departmental bylaws or, in the absence of relevant bylaws, by the departmental faculty Advisory Committee. The credentials of each applicant shall be made available to all regular departmental faculty, from whom information and recommendations regarding selection shall be solicited. The search-and-screening committee shall make nominations of suitable candidates to the department head, including recommended rank and tenure status on appointment. Proposals for appointment with immediate tenure, tenure probationary periods of two years or less, and appointment at a rank higher than Assistant Professor must be reviewed in accordance with the department's regular tenure-and-promotion process. Transfers of tenured faculty between departments shall be reviewed by an appropriate departmental committee and a recommendation forwarded to the appropriate administrator.

The department head shall make recommendations to the dean from the candidates nominated by the search-and-screening committee. If no appointment can be made from this list, additional nominations shall be sought from the committee. In the recommendation to the dean, the department head shall indicate the degree of support of the faculty for the recommended candidate, for his/her suggested rank, and for the candidate's suggested tenure status, where appropriate.

All administrators and search-and-screening committee members shall ensure compliance with Affirmative Action guidelines (see IV. B.) and with Procedures for Employing Non-citizens (see the University Personnel Manual).

The selection of faculty for special appointments to meet temporary and/or short-notice needs requires that the department head have greater discretionary authority. However, it is incumbent upon the head to solicit responses from the faculty and to utilize the procedures for appointment of regular faculty whenever feasible.

B. Affirmative Action Policies and Procedures for the Recruitment and Appointment of Faculty and Administrators

Each college has its own affirmative action coordinator, appointed by the President, who establishes and monitors employment goals and timetables. The coordinator bears the responsibility for insuring that each department in the college complies with both the letter and spirit of the Clemson's affirmative action program. Specifically, each coordinator helps to implement affirmative action policy as related to the college and serves as liaison between the college and the Office of Human Resources.

It is the policy of Clemson University that no person is to be accepted or rejected for employment solely on the basis of sex, minority group membership, or handicap. However, special attention to the identification, recruitment, and selection of minority
group members, women, and handicapped individuals is consistent with State and Federal laws and regulations and with University policy.

Every administrative and academic officer and search-and-screening committee shall take appropriate steps within the areas of their responsibility to ensure that for each faculty and other professional position an active and thorough recruitment effort is made for qualified females, members of minority groups, and handicapped individuals.

Such efforts shall be viewed by the Provost as an important factor in determining the acceptability of any recommendation for a position. Clemson's Affirmative Action policies and procedures are intended to complement the University's previous recruiting efforts. In this regard it is considered proper to define eligibility criteria so as to broaden the base of the talent pool to include special experience, training, and education not normally considered when such factors are important characteristics of eligibility for the position. Such considerations must be applied equally to all candidates for a position. The recommendation for an appointment to a position is to be made on the basis of the candidate's qualifications for the position.

Pre-Recruitment Stage. The search-and-screening committee of the department or equivalent unit shall complete a Position Announcement Form (AA-1) in consultation with the Director of the University's Office of Human Resources. The Director also advises the committee on the most effective ways to distribute information about the availability of the position to minority groups, women, and handicapped persons, so as to encourage applications from these sources. Whenever feasible, the search-and-screening committee itself should include minority group members, women, and/or handicapped individuals.

Recruitment Stage. All correspondence and advertising shall indicate that Clemson University is an "Equal Employment Opportunity/Affirmative Action Employer," and all recruiting sources are to be informed of that fact by the committee. Federal regulations require that Affirmative Action employers collect and maintain data on the race, sex, handicapped status, and ethnic identity of all applicants for employment. This information, however, may not be required of applicants but may be voluntarily provided by applicants completing Affirmative Action Form 2.

If a particular applicant pool contains no or few minority, female, or handicapped candidates, the Director of the Office of Human Resources should be asked to provide the recruiting unit with additional assistance in establishing suitable contacts. The group of applicants considered shall include qualified minorities, handicapped persons, and women unless documentation is supplied that special efforts to recruit them have been made and failed.

There may be instances in which a person is recommended for a position by a search and screening committee without widespread recruitment efforts having been undertaken. Such cases may be justified when a qualified individual may be promoted from within the institution, when time is of the essence, when University operations would suffer as a result of an interim appointment, or when a person is available who is uniquely qualified for a position. By their very nature, such cases are rare. The acceptability of such cases shall be measured not only against the urgency of those particular appointments but also against past efforts to employ members of minority
groups and women in the unit(s) recommending those appointments.

Appointment Stage. When the search-and-screening process has resulted in the selection of a candidate for appointment to a position, a form (AA-3) that documents the recruitment efforts for that position shall be prepared by the department head or equivalent administrator in consultation with the Director, Office of Human Resources. This form shall be submitted to the Provost, without whose approval no offer to candidates shall be made. The dean of the college or equivalent administrator is responsible for monitoring the search-and-screening process to ensure that Affirmative Action policies and procedures are being followed. Upon receipt of the Provost's approval of AA-3 the dean issues the employment offer, utilizing the University's standard contract letter format.

C. Terms of Appointment

The offer of appointment to a prospective faculty member shall be made in writing by the dean of the college concerned, following a standardized procedure that includes establishing the appointment's terms and conditions. Any special understandings or conditions incumbent upon either party must be explicitly stated. The letter of understanding, upon acceptance by the appointee, along with relevant portions of the Faculty Manual, becomes the employment contract.

All regular appointments are to the rank of Instructor or higher. In any regular appointment at Clemson University the initial appointment is for one year or less, subject to renewal for a one-year term. Tenure may be granted under the provision of IV. G. Tenure, having been granted, is continuous thereafter and can be revoked only through termination or dismissal under the terms of IV. J. and V. B.

Special appointments, such as those awarded to Research Associates, Lecturers, Visiting, Adjunct, and Part-time Faculty as well as to R.O.T.C. personnel, generally specify brief associations with the University and limited faculty functions.

Except for faculty with tenured status, individuals holding teaching, research, or public service appointments shall be informed each year in writing of their appointments and of all matters relative to their eligibility for the acquisition of tenure. Any special standards adopted by the faculty member's department or college shall also be brought immediately to the individual's attention.

D. Procedures for Renewal of Appointment, Tenure, and Promotion

Because the faculty of a department or equivalent academic unit is the primary judge of the qualifications of its members, peer evaluation is essential in recommendations for appointment, renewal of appointment, tenure, and promotion. All peer recommendations regarding any individual holding faculty rank in a department shall, therefore, originate with the faculty of that department. Individual departments at Clemson University establish written procedures and committee structures in order to facilitate peer evaluation.

The departmental committee(s) reviewing appointment, promotion, and tenure matters shall be composed of full-time faculty members excluding individuals who, as
administrators, have input into personnel decisions such as appointment, tenure, and promotion. Department Heads may be invited to serve as resource persons but may not be present during committee deliberations and voting. Departmental procedures for peer evaluation shall be in writing and shall be available to the faculty, the department head, the dean, and the Provost. Each department's peer evaluation process shall receive formal approval by the faculty, the department head, the dean, and the Provost. To the maximum extent possible, the procedures followed and criteria used shall be explicit.

The department head shall ensure that any faculty member eligible for renewal of appointment, tenure, or promotion is given an opportunity to be reviewed. The appropriate committee reviews each case in accordance with departmental procedures and policies and renders a formal recommendation. The department head shall render a separate and independent recommendation as to the disposition of the case. The head shall fully inform the faculty members charged with the peer review about his/her recommendations. The department head shall also ensure that the affected faculty member is promptly informed as to the results of and rationale for both recommendations and shall provide a written summary of both at the request of the faculty member. In the cases of promotion or early tenure consideration, the candidate may withdraw from further consideration at this point.

The department head shall forward to the dean both recommendations, the supporting evaluations, and the candidate's dossier. A routing slip shall be attached to provide a record of the review at all administrative levels.

The dean reviews the complete file and renders a separate recommendation. A committee or committees may be established within the college to assist the dean in such reviews. Except in cases of penultimate year tenure review, the candidate is offered the opportunity to withdraw at this stage. The complete file, including all recommendations and supporting evaluations, is then forwarded to the Provost. The dean also shall forward the complete file on those requests for reappointment for which there are one or more negative recommendations from the departmental committee, the department head, or the dean.

The Provost reviews the complete file and forwards a recommendation for final action to the President. The Provost will ensure that the affected faculty member is informed promptly as to the final action.

In the case of proposed new appointments of regular faculty, the primary peer evaluation of candidates' qualifications is made by the appropriate search-and-screening committee. However, appointment with immediate tenure, or with probationary periods of two years or less, or immediate appointment to a rank higher than Assistant Professor must be reviewed in accordance with the department's regular tenure-and-promotion peer evaluation process.

E. Annual Performance Evaluation

Department heads are required to conduct annual evaluations of all faculty under their supervision. A standard set of procedures and forms (see subsequent pages) has been adopted for use in this evaluation.
Early in the academic year, the faculty member's assigned duties and objectives for the academic year are established by the department head in consultation with the faculty member, using Form I. Near the end of the academic year, the faculty member completes Form 2 and submits it to the department head. On the basis of these two forms, personal observations, and a second interview, the department head completes Form 3 and forwards it to the dean. Procedures are provided in the guidelines for disclaimers by the faculty member at any stage of the evaluation process. If any disclaimer is filed, the material is forwarded to the Provost for further review.

Any faculty member may request a summary report of the range of evaluations within a department, i.e., the number rated Excellent, Very Good, etc. If confidentiality can be maintained the report may be by Faculty Rank.

F. Notification of Renewal and Non-Renewal of Appointments

The dean of the college shall notify non-tenured regular faculty members of the terms and conditions of the renewal of their appointments no later than May 16. Because the University budget requires legislative approval, salary notification may be delayed until after the General Assembly has acted.

Regardless of the stated term or other provisions of any regular appointment, written notice that a non-tenured appointment is not to be renewed shall be given to the faculty member in advance of the expiration of the appointment, according to the following schedule: 1) not less than three months in advance of the appointment's expiration if the faculty member is in the first year of service; 2) not less than six months in advance if in the second year of service; 3) at least twelve months before the expiration of an appointment after two or more years of service.

Special appointments do not require notice of non-renewal since such appointments are for stated periods of limited association with the University. The University does renew special appointments on a year-to-year basis in some instances. In such cases the University endeavors to provide reasonable notice of subsequent non-renewal.

G. Tenure Policies

After the expiration of a probationary period, faculty may be granted tenure, with their service terminated only for adequate cause and subject to due process in the consideration of their cases. Tenure is intended to enhance freedom in teaching, research, and other professional activities, and to provide the economic security required to sustain these freedoms.

Faculty with the rank of Assistant Professor or higher are eligible for tenure. However, faculty promoted from Instructor to higher rank may apply for credit towards the tenure probationary period for prior service as Instructor. Such applications shall be made to the department head or equivalent administrator at the time of promotion and shall be subject to peer review. Any decision shall be communicated in writing to the applicant before the next regular semester.

The tenure probationary period for a full-time, regular faculty member shall not exceed
seven years. Included within this period is the faculty member's full-time tenured or tenure-track service at other institutions of higher learning. The inclusion of such service, however, is subject to the provision that, in the case of individuals with more than three years of prior tenured or tenure-track service at another institution(s), a probationary period of up to four years may be mutually agreed upon in writing at the time of the initial Clemson appointment—even though the individual's total period of probationary service for tenure at Clemson might be extended beyond seven years. Agreements for immediate tenure or for a probationary period of two years or less shall be reviewed in accordance with a department's regular tenure peer-evaluation process.

All regular faculty appointments are made on a year-to-year probationary basis until tenure is granted. Each appointment renewal and all grants of tenure (including appointment with immediate tenure) shall be subject to a peer review of the individual's qualifications by the affected department, as set forth in IV. D. All grants of tenure shall be approved by the President of the University, and tenure notification shall be made in writing in accordance with procedures developed by the President.

Normally, the decision to grant tenure shall be made during the penultimate year of the probationary period and becomes effective at the beginning of the next year. In exceptional cases, tenure may be granted earlier. Factors considered in early tenuring may include relevant experience in other than tenure-track positions. Those persons holding tenure elsewhere may be considered for immediate tenure at Clemson, but this procedure shall not be considered as routine. Should notice of the denial of tenure not be given in advance of the expiration of the final probationary appointment (as provided in IV. F), tenure shall become automatic at the end of the probationary period.

Leave time taken which benefits the institution as well as the individual faculty member may count as probationary period service. Time spent as Lecturers or Research Associates, as Visiting, Part-Time, or Adjunct faculty, or in other non-tenure-track positions, shall not count as tenure probationary service.

Terms of faculty service beginning by the first day of class of the spring semester shall be counted as though beginning in the preceding fall semester. Terms beginning later in the academic year shall be counted as beginning in the subsequent fall semester.

H. Promotion Policies

Recommendations for promotion are based upon the evaluations of a faculty member's performance and credentials by peers and administrators. Such evaluations are based on written criteria established by each academic department. Nevertheless, some general attributes and nominal experience requirements are associated with the various ranks.

I. Salary Determination Procedures

Procedures for arriving at an individual faculty member's salary increase vary somewhat among colleges and from year to year. The following description, then, shall only be construed as outlining typical considerations.

The annual University budget received from the state includes an allocation for salaries.
A portion of this is available for salary increases. Normally, the three possible components of salary increments for an individual are cost-of-living, merit, and promotion. In addition, funds may be set aside for special adjustments for various purposes. The allocation of faculty salary funds to promotion, merit, and cost-of-living is normally determined by the University, though the state often imposes constraints on permissible salary increases, exceptions to which may require Budget and Control Board approval.

The amounts of salary increases associated with promotions to the various ranks are determined by the University Administration and are independent of other salary increments. The allocation to the colleges and departments by the Administration for merit and cost of living may not be uniform in percentage terms due to differences in productivity, because of inequities, or for other reasons. The department head has the responsibility for making the initial determinations of individual salary increments. An individual's recommended merit increase is based upon the performance evaluation by the department head, although there may be no precise correlation between the annual faculty evaluation and the amount of a salary increase.

The department head's salary recommendations are forwarded to the dean for review and approval, and are subject to the subsequent reviews by the Provost and the President. Salary notifications are sent to faculty by the dean at the earliest opportunity, normally in June or July. Not infrequently, notices are delayed by the lateness of the General Assembly in passing the state budget.

Any faculty member may request a summary report of the range and number of salary increases within a department, i.e., the number receiving 0-.9%, 1-1.9%, etc. If confidentiality can be maintained the report may be by faculty rank.

J. Resignation, Termination, and Dismissal

A faculty member may resign an appointment effective at the end of an academic year. Notice should be given in writing at the earliest possible opportunity, e.g., within thirty days of acceptance of a new position elsewhere or within thirty days of receiving notification of the Clemson appointment and salary for the next academic year, whichever is earlier. The faculty member may request a waiver of these requirements in the case of hardship, or where the member would otherwise be denied substantial professional advancement or other opportunities. Professional ethics require that the faculty member consider the needs of students and his/her obligation to the academic community in scheduling such a departure and in giving the maximum notification feasible to the University.

"Termination" is to be understood to mean "the removal or discharge of a faculty member with tenure, or of an untenured faculty member before the end of his/her specified term of the appointment, because of institutional exigencies or because of the physical or mental inability of the faculty member to perform normal duties." Specific causes and procedures for termination, and the steps available to the faculty member for appeal, are set forth in V. B. as aspects of Faculty Grievance Procedure I.

"Dismissal" is to be understood as "the removal or discharge of a faculty member from a tenured position, or from an untenured position before the end of the specified term of the
appointment, for cause." Actions that could reasonably be construed as having extremely adverse effects upon Clemson University, such as serious violations of law, could result in the initiation of procedures of dismissal "for cause." In a similar category are: blatantly unprofessional conduct, such as the continued neglect of important responsibilities; markedly sub-standard performance of duties; or highly serious breaches of University regulations such as falsification of credentials submitted in application of a faculty position. Sufficient cause for such a dismissal must be related directly and substantively to the faculty member's professional fitness as a teacher and/or researcher or as a librarian. Specific causes and procedures for dismissal, and the steps available to the faculty member for appeal, are set forth in V. B. as aspects of Faculty Grievance Procedure I.

Part V. Grievance Procedures

A. General Information

Two grievance procedures are available to faculty members to facilitate the redress of alleged injustices. Faculty Grievance Procedure I is concerned primarily with the dismissal or termination of tenured faculty or of non-tenured faculty prior to the expiration of a contract period. It also deals with any complaints based on unlawful discrimination due to race, sex, or any other legally protected status. Faculty Grievance Procedure I has been officially approved by the State Personnel Division as the grievance procedure for Clemson University faculty members for such cases. (As a result of legislative action, the general State Employee Grievance Procedures do not apply to faculty members.)

Faculty Grievance Procedure II was adopted by the University Board of Trustees on July 17, 1981. It applies to matters not covered by Faculty Grievance Procedure I. Such matters as inequitable work assignments, unfair performance reviews, or improper implementation of policies and procedures are encompassed by Faculty Grievance Procedure II.

The non-renewal of untenured faculty appointments may be grievable under either Faculty Grievance Procedure I or Faculty Grievance Procedure II, depending upon the grounds for the complaint. If the complainant alleges that unlawful discrimination or violations of academic freedom were involved in the decision not to reappoint, Faculty Grievance Procedure I is the appropriate avenue for seeking redress. Faculty Grievance Procedure II is applicable if the complainant alleges that departmental, college, or University policies and procedures were not properly followed.

If at any time the Provost determines that a faculty member has filed grievances concurrently under both Grievance Procedure I and II, and that these grievances are based on the same or a related factual situation, the Provost may suspend processing of one petition until a final decision has been reached on the other petition. Grievance Procedure II petitions will usually be addressed first. The Provost may decide, if it is so desirable, to hear the GP-I petition prior to the GP-II petition. In all cases, the Provost will notify the Advisory Committee of the Faculty Senate, the Grievance Board and all parties to the Grievance when either procedure is suspended pending outcome of the other petition.

If a grievance filed under Grievance Procedure II is suspended as stated above, the time
limitations stated in the procedure shall be suspended until such time as the Provost resumes the processing of the grievance.

For all grievances, the time periods given within this section shall refer to calendar days. A flowchart giving the time periods and stages of each grievance procedure is given in Appendix ?.

For persons seeking assistance in understanding grievance procedures, the Faculty Senate provides the services of grievance counselors. A counselor offers advice on which of the grievance procedures to follow prior to filing a grievance petition. At the request of the petitioner, the grievance counselor will review the petition before it is submitted to assist in clarifying the grievable allegations. The counselor, however, does not render any decision on the merits or substance of the petition. Administrators may also seek advice of counselors on grievance matters. Information about general procedures followed in grievance hearings helpful to the respondent can be obtained from grievance counselors. Grievance counselors will not advise faculty members or administrators from their own colleges and will not act for both parties to the same case. Individual counselors may seek advice from fellow counselors and may refer their clients to other counselors to expedite the grievance process.

Five counselors selected from different colleges will usually be in office at the same time. These counselors are appointed annually by the Faculty Senate Advisory Committee from the ranks of tenured Associate Professors and above who have a thorough knowledge of the Faculty Manual and the grievance processes. At least one of the five counselors appointed will be an academic administrator. The Advisory Committee will attempt to stagger the counselors’ terms on a three-year rotation and to provide minority representation whenever possible. The counselors are authorized to talk with any persons involved in the potential grievance and are accorded the protection afforded faculty members involved in grievance procedures.

The names of the counselors are available from the President of the Faculty Senate and Provost of the University. The full texts of both grievance procedures follow.

B. Faculty Grievance Procedure I

1. Coverage. Any person holding a faculty appointment at Clemson University (see II. D. and E.), including academic administrators, may file grievances under this grievance procedure.

2. Grievances.

a. Dismissal from employment with the University is grievable under this procedure. A dismissal is the "removal or discharge of a faculty member from a tenured position, or from an untended position before the end of the specified appointment, for cause." Adequate cause for dismissal must be related directly and substantively to the fitness of the faculty member in his/her professional capacity as a teacher or researcher, and may be initiated by any administrator in the chain of supervisory responsibility. The burden of proof that adequate cause exists rests with the University. Causes for dismissal are: 1) conduct seriously prejudicial to the University through infraction of law or through moral
turpitude; 2) repeated or significant failure to perform the duties of the position to which the faculty member is assigned, or performance of duty demonstrably below accepted standards; and 3) breach of University regulations that include, but are not limited to violation of confidentiality, falsification of credentials, and plagiarism and that have serious adverse effects on the University.

Action for dismissal of a faculty member must be in writing, must contain a statement of reasons or charges, and must be presented to the individual concerned, subsequent to discussions between the faculty member and appropriate administrative officers looking toward a mutual solution.

Termination from appointment by the University of a faculty member with tenure, or of a non-tenured faculty member before the end of a specified term of appointment, is grievable under this procedure. Causes for termination are: 1) institutional contingencies such as the curtailment or discontinuance of programs, departments, schools, or colleges, or other conditions requiring reductions in staff; 2) financial exigencies which are demonstrably bona fide; and 3) a faculty member's physical or mental inability to perform normal duties.

b. Termination of appointment may be initiated by any administrator in the chain of supervisory responsibility. The faculty member concerned shall be given written notice of termination with reasons therefore as soon as possible, but no less than twelve months in advance of termination. Before a termination of appointment based on the abandonment of a program or department of instruction is initiated, every effort shall be made by the Administration to place the affected faculty member in another suitable position. If an appointment is terminated before the end of the period of appointment because of financial exigencies or because of the discontinuance of a program of instruction, the released faculty member's position shall not be filled by a replacement within a period of two years, unless the released faculty member has been offered reappointment and a reasonable time has elapsed within which he/she may accept or decline the position.

Termination for medical reasons shall be based upon clear and convincing medical evidence.

c. Grievances alleging unlawful discrimination in compensation, promotion, and/or work assignments are also grievable under Grievance Procedure I. Any grievance based on race, color, religion, sex, national origin, age, handicap, or status as a disabled veteran or a veteran of the Vietnam era, alleging discrimination prohibited by federal law or regulation, also may be filed under this procedure.

d. In addition to the above, any non-tenured faculty member who alleges that violations of academic freedom significantly contributed to a decision to cease, in any manner, his/her appointment with the University, may file a grievance under this grievance procedure. In such a case, the burden of proof rests upon the faculty member.

3. Procedure.

a. A faculty member who desires to file under Grievance Procedure I must submit a written petition within thirty days after the date of the alleged grievance. (As an example of the time limits, if notification is given that a faculty member will be dismissed for cause,
the thirty day time period begins with the date that the faculty member was notified. The
time period does not begin with the effective date of dismissal.) The petition is to be
submitted to the Chair of the Faculty Senate Advisory Committee. The grievance petition
must state specifically the parties involved, places and dates, and the relief sought. After
the thirty days have passed, the faculty member forfeits the right to petition under this
grievance procedure and any actions taken with respect to the faculty member shall
become final.

b. The Chairman of the Faculty Senate Advisory Committee shall call a special
meeting of the committee within fifteen days of receipt of a properly submitted petition. A
quorum for this meeting shall consist of five members of the Advisory Committee. If the
Advisory Committee determines the petition is not grievable under this procedure, the
Chair shall notify the faculty member within seven days of that decision and the matter is
closed.

If the Advisory Committee determines that the matter is grievable under this procedure,
the Chair shall notify all parties to the grievance within seven days of that decision. At the
same time, the Chair shall send copies of the petition to the party/ies against whom the
grievance is brought.

c. The Advisory Committee of the Faculty Senate will be the Hearing Panel. They will,
within thirty days after reaching the decision to hear the petition, set a date for the
hearing. The chairperson shall give each party to the grievance thirty days written notice
of the hearing. Notification of the hearing date will include: a) the time, place and nature
of the hearing; b) the procedure to be followed during the hearing; c) a statement of the
legal authority under which the hearing is to be held; d) references to pertinent
University statutes and portions of the Faculty Manual; and e) a short and plain
statement of the matters asserted.

The faculty member may waive the hearing by so notifying the Chairperson of the
Advisory Committee in the grievance petition, in which case the Advisory Committee
shall take whatever action is necessary to ensure a fair and expeditious review of the
grievance and base its recommendation thereon.

Members of the Advisory Committee shall remove themselves from the case if they deem
themselves disqualified for reasons of bias or conflict of interest. The faculty member(s)
concerned shall have a maximum of two challenges each without stated cause. If such
removals and challenges reduce the membership of the Hearing Panel below five, the
President of the Faculty Senate shall make appointments from the Senate to ensure a
committee composition of at least five members.

The faculty member shall be permitted in all proceedings to have and be represented by
an advisor of his/her choice. All matters pertaining to the grievance shall be kept
confidential and the hearing shall be closed to the public. A verbatim record of the
hearing shall be taken and a typewritten copy thereof transcribed and made a part of the
record.

Both parties shall be permitted to offer evidence and witnesses pertinent to the issues;
the Administration, so far as possible, shall assist in securing the cooperation and
attendance of witnesses and shall make available documents and other evidence under
its control. Irrelevant, immaterial, or unduly repetitious evidence shall be excluded. If an objection is made to any evidence being offered, the decision of the majority of the Panel shall govern. When the hearing may be expedited and the interest of the parties shall not be substantially prejudiced, any part of the evidence may be received in written form. Documentary evidence may be received in the form of copies or excerpts if the original is not readily available. At its discretion, the Hearing Panel may grant adjournment to either party to investigate evidence concerning which a valid claim of surprise is made. Both parties may ask questions of witnesses. Members of the Panel may ask questions of any party or witness at any time during the hearing.

d. Findings of fact and recommendations of the Hearing Panel must be based solely on the hearing record and shall be submitted to the Provost. The majority vote of the Panel shall be the recommendation forwarded to the Provost. The recommendation must be submitted to the Provost within fifteen days after conclusion of the hearing. If the hearing procedure has been waived, recommendations of the Panel shall be submitted to the Provost no later than fifteen days after completion of their investigation of the grievance. Both parties to the grievance shall be given copies of the recommendation at the time they are forwarded to the Provost. The Chair shall provide a copy of the transcribed record to both parties as soon as it becomes available.

e. The Provost shall review the record of the hearing and shall render a written decision within thirty days of receipt of the transcribed record. The decision shall include findings of fact and conclusions of law, separately stated. Copies of the decision shall be sent to all parties to the petition and to the Hearing Panel.

4. Appeals. The faculty member may appeal the Provost's decision to the President. A written appeal must be submitted to the Office of the President within ten days after receipt of the Provost's decision. If an appeal is made, the President shall review the hearing record and the decision of the Provost and shall render a written decision within thirty days of receipt of the request for the review. The decision shall include findings of fact and conclusions of law, separately stated. Copies of the decision of the President shall be sent to all parties, the Provost, and the Hearing Panel.

The faculty member may appeal the decision of the President to the Board of Trustees. A written appeal must be submitted to the Secretary of the Board of Trustees within ten days after the receipt of the President's decision. Receipt by the Secretary shall be deemed receipt by the Board. If an appeal is made, the Board of Trustees, or a committee of Board members appointed by the Chairman, shall review the record of the hearing and the decisions of the President and the Provost, and shall render a final decision on behalf of the University. The decision shall be in writing and shall include findings of fact and conclusions of law, separately stated. Copies of the decision shall be sent to all parties, the President, the Provost, and the Hearing Panel.

5. Final Decision. If a grievance is filed in a timely manner under this procedure, the action taken against the faculty member which forms the basis for the grievance shall not become final until the appeals process is exhausted and a final decision is rendered on behalf of the University. If the faculty member does not appeal any step of the procedure within the time limits prescribed herein, the last decision rendered shall become the final decision of the University.
6. Continuation of Duties and Salary While Grievance Pending. If the action which forms the basis for the grievance filed by the faculty member could eventually involve any type of discontinuance of appointment with the University as stated above, the faculty member shall not be removed from his/her University duties until a final decision is rendered under this grievance procedure. The exception to this principle would be that, prior to the final decision being rendered, the faculty member may be relieved of all duties or assigned to other duties if immediate harm to himself/herself or to others is threatened by continuance in the affected individual's normal assignment. Before taking such action the Administration shall consult with the Advisory Committee of the Faculty Senate. The salary of the faculty member shall always continue until a final decision is rendered by the University.

7. Protection of Faculty Members and Others Involved in Grievance Procedures. Each faculty member and any other person involved in grievance procedures shall be free from any or all restraint, interference, coercion, or reprisal on the part of associates or administrators in filing a grievance, in accompanying a faculty member filing a grievance, in appearing as a witness, or in seeking information in accordance with the procedures described herein. These principles apply with equal force after a grievance has been adjudicated. Should these principles be violated, the violations should be brought to the attention of the Provost for appropriate remedial action. Should the faculty member not receive satisfaction from the remedial action taken by the Provost, an appeal may be made to the President, and subsequently (if necessary) to the Board of Trustees.

C. Faculty Grievance Procedure II

1. Coverage. Faculty Grievance Procedure II applies to teaching, research, and extension faculty, librarians, academic administrators, and all other persons holding faculty appointments (see II. D and E) at Clemson University who have grievances that may not be brought under Faculty Grievance Procedure I. If related grievances are filed under both Grievance Procedures I and II, processing of the Grievance Procedure II case may be suspended pending resolution of the Grievance Procedure I case.

2. Delineation of Grievable and Non-grievable Matters. Grievable matters include such actions as:

a. the improper or unfair (to the complainant) implementation of departmental, college, or University policies or procedures by persons authorized to implement such policies or procedures;

b. the improper or unfair (to the complainant) application of recognized criteria or guidelines used in formal review processes by persons authorized to conduct such reviews;

c. the improper or unfair (to the complainant) assignment of professional duties by an administrator;

d. improper or unfair appraisals (by an administrator) of the complainant's performance;

e. the improper or unfair denial (by an administrator) of the complainant's access to departmental, college, or university resources;
f. the improper or unfair determination (by an administrator) of the complainant's salary increment.

g. other matters that the Provost together with the Grievance Board may determine are grievable. The burden of proof that such matters do constitute cases of unfairness lies with the petitioner.

Complaints arising out of the authorized exercise of Faculty and administrative judgment and discretionary powers are usually not grievable. Thus, usually not grievable are recommendations of contract non-renewal and denial of promotion or tenure as long as appropriate policies and procedures have been followed. Minor complaints are usually not grievable. What constitutes a "minor complaint" is left to the discretion of the Provost or the Grievance Board.

3. Procedure.

a. A faculty member with a grievance shall first meet with the department head for an informal discussion of the matter. This discussion must take place within ninety days of the matter's occurrence. Both shall meet in good faith and shall make every attempt to resolve the matter in an equitable and professional manner.

b. If the matter cannot be resolved at the level of the academic department, the faculty member shall meet with the dean for an informal discussion. The faculty member must request this interview within fifteen days of the discussion of the matter with the department head. The dean shall arrange for a meeting with the faculty member within fifteen days upon receiving the request. Again, the resolution of the matter in an equitable and professional manner shall be the primary goal of those involved.

c. If the matter cannot be resolved at the collegiate level, the faculty member has two options: a) he/she may petition the Provost to review the matter and render a decision regarding it; and b) if the faculty member so requests (or if the Provost, with the faculty member's consent, chooses to do so) the Provost shall refer the matter to the Grievance Board (composition given in the Constitution page 7) for its recommendation prior to making the decision. This petition must be in writing and must be received by the Provost within fifteen days of the faculty member's meeting with the dean regarding the matter.

In order for the Provost or the Grievance Board to determine if the matter is grievable under Grievance Procedure II, the grievance petition must state:

i. the specific individual(s) against whom the grievance is filed;
ii. the dates upon which the alleged grievable matter occurred;
iii. the specific provision(s) of this Grievance Procedure under which the grievant believes the matter to be grievable;
iv. a list of the supporting documents appended to the petition; and,
v. the specific relief sought by the grievant.

The Grievance Board or the Provost shall determine to which of the person(s) named in the petition copies of the petitions or relevant portions thereof shall be sent.
d. If the matter is not to be considered by the Grievance Board, the Provost shall review the case and request any additional information from any person involved, as needed. If the Provost determines the matter to be grievable, the Provost shall render a final decision within thirty days of receipt of the petition. If the Provost determines the matter to be non-grievable, the Provost shall also notify all parties. The written decision will be transmitted to the petitioner and other parties concerned in the matter.

e. If the matter is to be referred to the Grievance Board, the Board shall meet within fifteen days after receiving the petition to determine whether the petition meets criteria set forth below delineating grievable and non-grievable complaints. If the Board finds the matter grievable, it shall set a date for review no later than thirty days after their receipt of the matter. If the matter is determined non-grievable, the Board will promptly notify the petitioner, respondent(s) and Provost of its decision, and the matter shall be closed.

i. If the matter is found grievable, the Grievance Board shall convene a three member Hearing Panel. This Hearing Panel shall conduct an expeditious, orderly, and equitable review of the matter, requesting additional information through the Provost as necessary. The Panel shall allow all parties to present any facts or other information bearing on the matter. (These parties shall not meet with the Panel at the same time.) Each party to the petition shall be permitted to have the assistance of an advisor of his or her choice in all proceedings at which the party is present. The role of the advisor, however, shall be solely to advise the party. The advisor shall not be permitted to participate in the proceedings in any other way.

ii. In the review process, the Hearing Board is not asked to substitute its judgment for that of the faculty or administrator who made the decision at issue. The merits of the decision, per se, are not at issue. Rather, the issue is whether or not some unfair or improper influence so colored or affected the judgment of the faculty or administrator that the decision reached would have been different had no such improper or unfair influence existed. Thus, so long as the appropriate policies and procedures were followed the only issues are the existence of improper or unfair influences and the extent of their influence upon the decision involved. The complainant has the burden of proof in establishing that such influence existed and that its presence dictated the nature of the decision reached.

iii. Within fifteen days of the final hearing, the Panel shall submit its findings and recommendations to the Provost along with appropriate documents, and records. Simultaneously, a copy of the Panel's findings and recommendations shall be forwarded to the grievant.

f. Upon receipt of the Hearing Panel's recommendation, the Provost shall review the matter, requesting any persons involved to provide additional information as needed. The Provost shall render a final decision no later than fifteen days after the receipt of the Panel's recommendation. The decision of the Provost shall be transmitted in writing to the faculty member, the Hearing Panel, and other parties directly concerned.

4. Appeals. Any party at interest may submit a written appeal of the Provost's decision to the President. The appeal must be submitted within seven days after receipt of the Provost's decision. At the same time that a party appeals to the President, a copy of the
appeal must be sent to the University Counsel. Upon receipt of an appeal, the President will notify in writing the faculty member, the Provost, the respondent(s), and the Hearing Panel Chair. The President shall review the grievance petition, the recommendations of the Hearing Panel and the decision of the Provost. The President may seek additional information from any person involved in the case. If new relevant information comes to the President, he may remand the appeal to the Provost for reconsideration. The President shall render a final decision on behalf of the University within thirty days after receipt of the written appeal. Copies of the President's decision shall be sent to the Provost, the faculty member, the respondent(s), and the Hearing Panel.

5. Final Decision. If no appeal is made to the President in accordance with the time limitation specified herein, the decision of the Provost shall be the final University decision.

6. Protection of the Faculty Members and Others Involved in Grievance Procedures. All persons involved in grievance procedures shall be free of any or all restraint, interference, coercion, or reprisal on the part of associates or administrators in filing a grievance, in accompanying a faculty member filing a grievance, in appearing before the Hearing Panel or the Provost, or in seeking information in accordance with the procedures described herein. These principles apply with equal force after a grievance has been resolved. Should these principles be violated, the violations should be brought to the attention of the Provost, and subsequently (if necessary) to the President.

Part VI. Faculty Participation in University Governance

A. General Statement

In accordance with the will of Thomas Green Clemson and the Act of Acceptance by the General Assembly of South Carolina, ultimate responsibility for the governance of Clemson University is vested in the Board of Trustees. The Board is charged with setting University policies so as to achieve the goals established by Thomas Clemson in his will and to serve the needs of the State of South Carolina. Thus, final authority and responsibility for all policy decisions rest with the Board.

In order to operate the University effectively, the Board delegates responsibility in various areas to the President, to certain administrative officials, and to the Faculty. The President is the executive officer charged with administering the University in accordance with the policies adopted by the Board and with primary responsibility for leadership and planning for the institution. The President is charged with responsibility for academic, personnel, development, and fiscal and budgetary matters; with providing for and maintaining the physical facilities of the University; with representing the institution to its several publics; and with the administrative implementation of the various policies of the University.

The Faculty, as the repository of learning in the various academic fields of study, is charged with creating the curriculum; setting requirements for degrees; determining when requirements have been met; and approving candidates for degrees. The Faculty likewise has primary responsibility for such academic matters as evaluating the qualifications of current or prospective faculty members, for initiating recommendations for faculty and academic administrative appointments, as well as for faculty
reappointment, tenure, and promotion recommendations.

To carry out its role in the governance of the University, the Faculty is formally organized through a Constitution. The Faculty Senate, various University Committees, and the several college and departmental faculties and their committees facilitate the execution of the business of the Faculty.

The Faculty Senate is the elected body that represents the Faculty in its relationship with the Administration, especially in regard to policy matters involving the academic prerogatives of the Faculty and faculty welfare. To fulfill their academic governance responsibilities at the collegiate and departmental levels, the faculties of the several colleges and departments are formally organized according to by-laws. Indeed, the primary exercise of the academic prerogatives of the Faculty takes place at the departmental level, where the specific professional expertise of a particular discipline can be brought to focus on academic matters, including questions regarding curriculum, appointment, tenure, and promotion.

Since the effective functioning of the University requires communication and cooperation between the Faculty and the Administration, a University council, commission, and committee structure has been established. This structure provides for faculty participation in planning, policy formulation, and decision-making in all areas that bear upon faculty concerns. The most comprehensive body within this structure is the Academic Council, with its subsidiary commissions and committees. As outlined in VI. B., the Academic Council includes representatives from various constituencies of the University (students, non-academic administrators, as well as faculty and academic administrators). This Council reviews and recommends policy to the President. Such policy matters are forwarded from its subsidiary Commissions (Undergraduate Studies and Graduate Studies). These Commissions in turn have various specialized standing committees reporting to them. Additional committees exist outside the Academic Council structure and are organized here by Vice Presidential area.

Unless otherwise stated, the following apply to all Commissions and Committees listed in this section. Faculty representatives to commissions and committees are elected by their college (with the library being considered a college) faculties for three-year terms and are limited to two consecutive terms. Faculty Senate representatives are elected by the Senate to one-year terms. Student representatives are elected by the Student Senate and, where appropriate, the Graduate Student Association, to one-year terms (renewable once). Department Heads are elected by the Organization of Academic Department Heads and Deans elected by the Council of Academic Deans, to serve three-year terms.

B. Academic Council and Associated Commissions and Committees

The purpose of the Academic Council is to advise the President and Provost of the University in formulating and implementing University policy in academic matters. The functions of the Academic Council are:

1. To provide a forum for the exchange of information, concerns and recommendations among the among the academic constituents of the University.
2. To advise the President on matters of University governance.
3) To accept responsibilities and authority delegated to it by the President of the University.
4) To review academic matters proposed by the students, student government, faculty, Faculty Senate, administration, Commission on Undergraduate Studies, and Commission on Graduate Studies, and to make recommendations to the President of the University and the Provost for their consideration.

5) To refer appropriate matters to the Faculty Senate, Student Senate, Commission on Undergraduate Studies, Commission on Graduate Studies, and other University committees, groups, or individuals for consideration and recommendations.

Membership consists of the President (chair), the Provost, the Academic Deans, The Director of the Libraries, the Vice President/Vice Provost for Agriculture and Natural Resources, the Vice Provost for Undergraduate Studies, the Vice President for Research, the chairs of the two Commissions, the President of the Faculty Senate, the Presidents of the Student Senate and Student Body, the President of the Graduate Student Association, a named Professor elected by the Faculty Senate, and the chair of the Organization of Department Heads.

The Commissions on Undergraduate Studies and Graduate Studies report to the Council.

1. The Commission on Undergraduate Studies reviews and recommends to the Academic Council general policies and procedures on undergraduate studies and academic affairs. Members are: the Vice Provost for Under-graduate Studies (chair); the Dean of Admissions and Registration; a faculty representative from each college; the Faculty Senate Scholastic Policies Committee Chair and one additional Faculty Senator; the Student Senate Committee on Academic Affairs Chair; three students from different colleges nominated by the Student Body President and appointed by their collegiate dean; and a Department Head. The following committees report to the Commission on Undergraduate Studies:

a. Academic Calendar Committee. The Calendar committee makes recommendations on the basic principles of the academic calendar such as, but not limited to, amounts of time required for one academic credit; academic holidays (other than those emergencies declared by the President); and semester length. Membership includes the Vice Provost for Undergraduate Studies (chair); Vice Provost for Graduate Studies; the President of the Faculty Senate; a member of the Faculty Senate Scholastic Policies Committee; the Registrar; and, the Presidents of the Student Body and Student Senate.

b. Admissions and Continuing Enrollment Committee. The Admissions and Continuing Enrollment Committee is responsible for establishing the predicted grade-point ratio for admission to each college within the University. This grade-point ratio will be established in consultation with the Dean of each college, the Provost, and the Vice President for Student Affairs. Students failing to meet this minimum will be admitted only upon approval of the Admissions Exceptions Committee. Members are the Vice Provost for Undergraduate Studies (chair); the chair of the Student Senate Committee on Academic Affairs; a representative of the Faculty Senate Scholastic Policies Committee; a representative of the Student Minority Council; the Dean of Admissions and Registration; and one faculty representative from each college. Non-voting members are the Director of Admissions, the Director of Housing, and the Registrar. There are two sub-committees of the Admissions and Continuing Enrollment Committee:
The Continuing Enrollment Appeals Sub-Committee is composed of six of the nine elected faculty representatives on the Admissions and Continuing Enrollment Committee and one minority faculty member appointed by the Provost. The three faculty committee members not represented on the sub-committee could be consulted regarding appeals of students from their College. Since most appeals are necessarily considered between terms (after grades are in and before registration for the next term), ability to serve at these times is a major consideration in establishing this Sub-Committee’s membership. The Assistant Vice President of Student Affairs (Admissions & Registration) will be the chair and a nonvoting member, and the Registrar will be a nonvoting member;

The Admissions Exception Sub-Committee is composed of the other three elected faculty representatives on the Admissions and Continuing Enrollment Committee and two faculty members appointed by the Provost. Minority representation will be ensured by the Provost. The applicants considered by the committee will consist of 1) prospective students who have been rejected by the admissions office and for whom a review has been requested; and 2) prospective students whose acceptance has been recommended by the admissions office, but who fail to meet the minimum predicted grade-point ratio requirement in the college of their choice. The Assistant Vice President of Student Affairs (Admissions & Registration) will be the Chair and a nonvoting member, and the Director of Admissions will be a nonvoting member.

c. Cooperative Education Committee. This committee formulates and recommends policy related to the cooperative education program. Membership consists of the Director of Cooperative Education (chair); a faculty representative from each college; a Faculty Senator; two cooperative education students on complementary schedules sharing one vote (nominated by the Cooperative Education Director and appointed by the Provost); one student representative; and a Registrar’s representative.

d. Degree Progress System Advisory Committee. The duties of the Degree Progress System Advisory Committee include identifying desirable degree progress report changes, recommending programming priorities for the associated development and implementation of the reports, and bring about successful degree progress report implementation, testing, and maintenance for their respective areas. Membership consists of the Degree Audit Coordinator (Chair/non-voting), a (faculty) representative from each college (designated by the dean for an undetermined term), the Assistant Registrar, a student representative appointed by the Student Senate, the Registrar (non-voting), the DAPS System Manager (non-voting), and a DAPS Programmer (non-voting). The committee will meet approximately four times during the academic year.

e. Graduation Ceremony Committee. This committee formulates and recommends policy related to academic ceremonies and coordinates faculty participation in such ceremonies. Members are the University Marshal (chair), the collegiate marshals, the Registrar, the Vice Provosts, a Dean, and the Presidents of the Faculty Senate and the Student Body. The position of University Marshal rotates through the colleges, three year term, and is filled by an appointment by the Dean of a senior faculty member. Collegiate marshals are usually the senior faculty member within each college.

f. Honors Committee. This committee formulates and recommends policy and procedures for the University Honors Program, and assists the Director of the Honors
Program in its administration. The members are the Director of Honors Programs (chair); a faculty representative from each college (preferably, the chair of the college Honors Program Committee); the Dean of Admissions and Registration; two honors students representatives; and a Faculty Senator.

g. **Schedule Committee.** This committee consists of the University Schedule Coordinator (chair), the Vice Provosts, and the Schedule Coordinator of each college (appointed by the dean for an indefinite term). The committee formulates and recommends to the Provost policies and distributional guidelines related to course scheduling and classroom assignments; reviews and adjusts course schedules and classroom requests submitted by each college; and serves to communicate changes in class schedule requirements caused by curriculum changes.

h. **Scholarships and Awards Committee.** This committee formulates and recommends policies and procedures relating to scholarships, awards, and grants-in-aid; selects recipients for University scholarships; and approves nominees for collegiate scholarships and awards. It also plans and coordinates the annual Honors and Awards Day, and approves athletic grants-in-aid. Membership consists of the Director of the Honors Program (Chair); the Dean of Admissions and Registration; a faculty representative from each college (normally, the chair of the College Scholarships Committee); one Faculty Senator; the Director of Financial Aid; the chair of the Athletic Council; the Dean of Student Life; a student Vice President of Phi Kappa Phi; and the President of Phi Eta Sigma or Alpha Lambda Delta (in alternate years).

i. **Student Academic Grievances Committee.** This committee hears all appeals concerning student academic dishonesty and student academic grievances regarding faculty or administrators. In all unresolved cases, the committee makes its recommendations to the President through the Provost. Membership consists of the nine faculty members appointed by the respective college dean for three year terms; nine undergraduate students, nominated by the Student Body President and approved by the Student Senate for one year terms (no more than two students shall be appointed from any one college); and a Office of Student Development representative.

j. **Teaching Resources and Effectiveness Committee.** This committee is concerned with the improvement and evaluation of teaching and with teaching resources, including the Bookstore and audiovisual facilities. It supervises the student-teacher evaluation program. Its membership consists of the Vice Provost for Undergraduate Studies, a faculty representative from each college, and one graduate and three undergraduate students (all from different colleges, rotated). The Director of Electronic and Photographic Services, a member of the Counseling Center, and the Manager of the Bookstore serve as non-voting resource members. The Provost appoints the chair.

k. **Undergraduate Curriculum Committee (See Constitution, page ?).** While not formally reporting to the Commission on Undergraduate Studies, this committee keeps the Commission informed of its actions.

2. **The Commission on Graduate Studies** studies and recommends to the Academic Council policies and procedures concerning graduate studies, and graduate student academic affairs. Chaired by the Dean of the Graduate School, its members include two academic administrators recommended by the Provost and appointed by the President.
from two different colleges; one elected college dean; one elected faculty representative from each college; a Faculty Senator; and, three graduate student representatives.

a. Graduate Admissions Committee. This committee hears petitions by an enrolled or prospective student, or by a department on behalf of a student, with respect to continuation in or admission to the Graduate School. The committee reviews the decisions and policy interpretation made by the Graduate School administration and recommends final resolution. The committee is composed of the Faculty Senate representative, a graduate student, a faculty member from a college awarding the doctorate degree, a faculty member from a college awarding the master's degree only, and a fourth faculty member from a college not already represented. The members are appointed from the membership of the Commission by the Dean of the Graduate School, who designates the committee chair.

b. Graduate Awards Committee. This committee selects annual awardees of university-wide fellowships from departmental nominations. In addition, the committee makes recommendations to the commission on graduate studies and research on all matters related to university-wide awards, both monetary and special recognition awards. The committee consists of four faculty members on the Commission representing four different colleges. The Dean of the Graduate School appoints the members and designates the chair.

c. Graduate Student Academic Grievance Committee. This committee hears all appeals concerning graduate student academic dishonesty and graduate student academic grievances regarding faculty or administrators. Membership consists of two faculty members from different colleges serving two year terms in collegiate rotation appointed by the deans; two graduate students from colleges not having faculty representatives, elected by the Graduate Student Association; and the Dean, Associate Dean or Assistant Dean of the Graduate School. The chair shall be the senior faculty member in committee service.

d. Graduate Studies Advisory Committee. This committee studies and reviews policy on academic issues, graduate student employment and matters not specifically covered by the other standing committees. The committee consists of four faculty from different colleges and one graduate student. The Dean of the Graduate School appoints the members from the membership of the Commission and designates the chair.

e. Graduate Curriculum Committee (See Constitution, page ?) While not formally reporting to the Commission on Graduate Studies, this committee keeps the Commission informed of its actions.

C. Committees Reporting to the President

1. Campus Names Committee. Officially named the Special Advisory Committee on Names to the Board of Trustees, this committee recommends appropriate names for University lands and facilities. The faculty members of this committee are nominated by the chair of the committee from members of the faculty who have long terms of service with the University. They are appointed by the President of the University for indefinite terms. Non-faculty members are Presidential appointees. The chair is appointed by the President.
2. Facilities Planning Committee. The purpose of the facilities planning committee is to establish a broad-based, University-wide committee to provide general oversight for all University physical facilities including land use. The committee is vested with limited executive authority to enhance day-to-day operations of physical facilities. This committee functions to study, formulate and recommend to the President's Staff general policies and procedures relating to physical facilities of the University and to prepare recommendations to ensure that the University's long range goals and objectives are achieved.

The responsibility of the committee is to formulate policies and recommendations to:

a. Establish priorities for Permanent Improvement projects;
b. Insure conformity with the University Campus Master Plan;
c. Insure conformity with the University Landscape Master Plan;
d. Insure coordination of efforts within the area of University telecommunications relative to facilities;
e. Provide general direction for construction, renovation, remodeling, maintenance, and utilization of physical facilities both above ground (buildings) and below ground (utilities and tunnels); and
f. Provide general direction for other special circumstances involving physical facilities, i.e., shortage of domestic water, space utilization, asbestos, etc.

Voting membership of the facilities planning committee is composed of: the Vice President for Business and Finance (Chair); Associate Vice President, Facilities Planning and Management (Vice Chair); a representative appointed by the appropriate Vice President of each of the following areas: Academic Affairs, Administration, Agriculture and Natural Resources, Institutional Advancement, and Student Affairs; the President of the Faculty Senate; the Dean of Architecture; a member of the Council of Deans; three faculty representatives elected by the Faculty Senate; the President of the Student Body; the President of the Student Senate; a Representative appointed by the Commission on Classified Staff Affairs; and, the chair of each sub-committee reporting to the Committee. Non-voting members include a representative from each of the following: Facilities Planning and Design, Facilities Maintenance and Operations, and the Newsletter Office.

The Committee's charge is to:

a. Determine, with adequate input from the various campus offices, the short and long range needs in the area of physical facilities;
b. Establish, again with adequate input from the various campus offices, in an orderly and consistent manner a priority system for recognized University needs in the area of physical facilities;
c. Assure that every effort is made to obtain adequate funding for recognized needs to include adequate and timely requests to appropriate state authority for bond funds and extensive research into federal and other alternative funding sources;
d. Assure timely, thoroughly researched submissions to state authority of both the Overall Permanent Improvements Program and the annual Permanent Improvements Program;
e. Assure timely and well-coordinated effort in the University's space utilization program including up-to-date inventories and equitable allocation of available classroom, laboratory, office and other functional space.
Subcommittees of the Facilities Planning Committee are: Safety and Fire Prevention, University Parking and Traffic, and University Committee on Handicapped.

a. Safety and Fire Prevention Committee. This committee serves to counsel and support the University Safety Coordinator and assist in the development of safety policy and programs. It consists of the University Safety Coordinator; the Director of Athletics (or designee); the Director of Student Health Services; the Manager of the Clemson Forest; one faculty member from each of the Colleges of Agricultural Science, Engineering, Nursing, Sciences, and Commerce and Industry (nominated by the deans of the colleges for three-year terms); one Physical Plant member nominated by the Director of the Physical Plant for a three-year term; a member of the Office of Business and Finance nominated by that Vice President for a three-year term; a graduate student representative; an undergraduate student representative; and a Faculty Senate representative. All are appointed by the President of the University, who also designates the chair.

b. University Committee on the Handicapped. This committee functions to ensure that physically and mentally handicapped persons have the opportunity to participate fully in University programs and activities and are protected from discrimination in the pursuits of employment and education. The committee evaluates University programs and activities as they affect qualified handicapped individuals, monitors compliance by the University with applicable federal laws and regulations, and makes policy and procedure recommendations to the President. The committee consists of one representative from each college and the Library; one representative from the Office of Human Resources nominated by the Director of that office; one representative from the Physical Plant nominated by the Vice President for Business and Finance; one counselor from the Counseling Center nominated by the Vice President for Student Affairs; one handicapped student nominated by the Advisor to Handicapped Students for a one-year term; one Faculty Senate representative; the Advisor to Handicapped Students, and the Executive Officer, President's Office. The chair is authorized to request attendance by the Director of Public Safety, the Campus Master Planner, and the Athletic Director when an agenda item requires their expertise. Members are appointed by the President for three year terms except as otherwise indicated. The chair is elected annually by the committee.

c. The Traffic and Parking Committee. This committee advises the Vice President for Administration to the President's Office on all matters pertaining to traffic and parking. It consists of a chair, appointed by the President; a representative of the Office of Student Affairs; the Director of Public Safety; the Supervisor of Grounds and Special Services; the Campus Master Planner; a representative of the Housing Office; a member of the Athletic Department; the chair of the Traffic and Grounds Committee of the Student Senate; a member of the Civil Engineering Department with appropriate expertise; one faculty member nominated and appointed by the Provost for a three-year term; a Faculty Senate representative; one graduate student representative; and one undergraduate student nominated by the Vice President for Student Affairs for a one-year term. Faculty and student members are appointed by the Provost.

3. Group Insurance Committee. This committee investigates group insurance programs for faculty and staff, and makes recommendations to the President. It also recommends dispersion of any excess income on group insurance programs. Membership consists of
the Director of Payrolls and Employee Benefit Programs (chair); the chair of the Faculty Senate Welfare Committee; the Assistant Director of Personnel; and six faculty or staff members appointed by the President to three-year terms.

4. The President's Cabinet. The President’s Cabinet advises the President of the University on policy decisions affecting all areas of the University and serves as a communications forum between the President and the various administrative divisions of the University. Chaired by the President, the Cabinet is composed of the Vice Presidents; the Special Assistant to the President; the University Legal Counsel; the Associate Vice Presidents for Institutional Advancement and for University Relations; the President of the Faculty Senate; the President of the Student Body; a representative of the Classified Staff Commission; the Director of News Services; and the Assistants to the President for Public Affairs and Human Resources.

a. The Commission on Classified Staff Affairs studies, formulates, and recommends general policies and procedures to the President's Cabinet concerning the staff employees of the University, including job skill development, compensation, benefits, and welfare. Membership (three year terms) is based upon an approximate 1:100 ratio of classified employees within a Vice Presidential area with elections being held annually; plus, the Director, Personnel Division (non-voting) and Director, Payroll and Employee Benefits (non-voting). For a precise breakdown of membership representation, see Clemson University Commission on Classified Staff Affairs Policies and Procedures. The chair is elected annually from the voting membership.

   Executive Committee. The Executive Committee consists of the chair, vice-chair, immediate past chair, the chairs of the standing Committees, treasurer, and the ex-officio members. The committee will propose the annual agenda and refer items to the appropriate committees.

   Communication Committee. This committee studies classified staff concerns; serves as a forum for communication of ideas, and develops a systematic means for communication to all classified staff employees existing university policy, specific actions and feedback concerning all matters considered by the Commission. Two permanent subcommittees shall exist: the Mail Subcommittee shall collect, open, acknowledge, forward and log all mail. The Election Subcommittee shall handle the annual elections.

   Welfare Committee. The welfare committee considers development of job and supervisory skills, compensation, benefits, and other items pertaining to the welfare of the classified staff employees.

   Policy Committee. This committee formulates and recommends university-wide policies and procedures related to classified staff employees.

5. Strategic Planning Committee. Advises the President on Strategic Planning for the University. Analyses trends and recommends specific courses of action to the President. Members are appointed by the President.

a. Environmental Scanning Sub-Committee. This committee surveys the internal and external environment to identify and analyze trends that affect strategic planning. Members are appointed by the President upon recommendation of the Chairs of the Strategic Planning Committee or the Environmental Scanning Sub-Committee for three year terms.

D. Committees Reporting to the Provost and Vice President for Academic Affairs
1. Alumni Professors Committee. Meets periodically to explore interdisciplinary concerns and advise the Provost on teaching awards, candidates for the Master Teacher in Residence, and such other matters as the Provost brings to their attention. Membership consists of all Alumni Professors with the chair elected by the members.

2. Computer Advisory Committee. This committee reviews and advises on policies for the Division of Computing and Information Technology. Membership consists of the Vice Provost Division of Computing and Information Technology (non-voting); one faculty representative from each college, a faculty senator, an undergraduate student, and a graduate student, a staff member from each of the following offices: student affairs, development, finance. The chair is elected annually from the committee membership.

3. Faculty Development Committee. This committee formulates and recommends policy related to faculty professional development. Membership consists of a Vice Provost; one faculty representative from each college and the Library; and one department head elected by the Organization of Academic Department Heads. One of the faculty representatives shall be designated as chair by the Provost.

4. Faculty Manual Committee. This committee shall regularly review the Faculty Manual to ensure that its contents are current and accurate and may draft proposed revisions for submission to the relevant authorities for their consideration. All changes shall be referred to this committee to be edited into the proper form. The edited changes are then forwarded through the Faculty Senate to the Provost for administrative approval. The committee shall report to the Provost and the Faculty Senate on its activities annually or on request. Membership consists of the chair of the Faculty Senate's Policy Committee; three faculty members from different colleges nominated by the Faculty Senate (three year terms); one academic dean, associate dean, or assistant dean selected by the Council of Academic Deans for a one-year term; and a non-voting staff resource person appointed by the Provost. The chair is designated by the Provost.

5. Faculty Salaries and Fringe Benefits Committee. Membership consists of the chair of the Faculty Senate Welfare Committee; four faculty members appointed by the Provost for three year terms; the chair of the Organization of Academic Department Heads; and a college dean elected by the Council of Academic Deans. The chair shall be designated by the Provost. Selected staff members from the Office of Business and Finance shall be appointed as non-voting resource members by the Vice President for Business and Finance.

6. Fine Arts Committee. This committee plans, coordinates, and publicizes the annual program of University concerts, films, lectures, plays, and art exhibits. It consists of a chair appointed by the Provost; the Deans of the College of Liberal Arts and the College of Architecture; one Faculty Senator; one faculty representative from each academic college; one undergraduate and one graduate student. The undergraduate student is elected by the Student Senate, the graduate student by the Graduate Student Association.

7. Libraries Advisory Committee. This committee reviews and advises on policies for the University Libraries. Membership consists of the Director of Libraries (non-voting); one faculty representative from each college, a faculty senator, an undergraduate student representative, and a graduate student representative. The chair is elected annually.
from the committee membership.

8. University Assessment. University Assessment. This committee reviews the progress and reports of the departments, colleges and units as to institutional effectiveness. The committee is responsible for preparing the annual report on institutional effectiveness to the South Carolina Commission on Higher Education. It reviews and recommends policy related to university assessment and ensures that assessment procedures are consistent with current goals and planning objectives. Membership consists of one faculty representative from each college, a faculty senator, an undergraduate student representative, a graduate student representative, two representatives from the Office of Student Affairs (one of which must be from Admissions and Registration), a representative from the Office of Institutional Advancement, the Director of Assessment, and the Head of Institutional Research. The Chair is appointed by the Provost from among the faculty members.

E. Committees Reporting to the Vice President for Research

1. Animal Research Committee. This committee consists of the University Veterinarian; the University Animal Facilities Administrator; a faculty member from each academic college having animal facilities; a wildlife specialist; and a resident of a local community, not an employee of the University. Committee appointments are made by the Vice President for Research for indefinite terms. The committee elects the chair. The committee is the principal University advisor group on the humane care and use of animals. It maintains oversight of the University animal programs, facilities, and procedures, and reviews the care and use of all animals included in the University policy.

2. Institutional Biosafety Committee. This committee consists of the Associate Vice President for Research; four faculty members from disciplines relevant to recombinant DNA technology; two residents of the local community, not employees of the University; and one non-doctoral laboratory technician. All members and chair are appointed by the Vice President for Research to serve indefinite terms. This committee reviews and approves all recombinant DNA activities conducted at or sponsored by the University and assesses the facilities, procedures, practices, and the training and expertise of personnel engaged in recombinant DNA, chemical hazards, and bio-hazards research activities conducted at or sponsored by the University. It also assesses the facilities, procedures, practices, and the training and expertise of personnel engaged in recombinant DNA activities.

3. Committee for the Protection of Human Subjects. This committee consists of the Associate Vice President for Research Compliance (chair); one faculty member from each academic college having a significant number of activities involving human subjects; a medical doctor, nominated by the Vice President for Student Affairs; and a resident of the local community, not an employee of the University. All members are appointed by the Vice President for Research to serve indefinite terms. This committee, functioning as the Institutional Review Board, approves all University activities that involve human subjects and insures that the rights and welfare of subjects are adequately protected, that the risks to subjects are outweighed by potential benefits, and that the informed consent of subjects is obtained by methods that are adequate and appropriate.
4. Patent Committee. This committee consists of the Associate Vice President for Research (chair); the University Legal Counsel (Secretary); the Associate Vice President for Sponsored Programs; the Dean and Director of the S.C. Agricultural Experiment Station; the associate deans of the Colleges of Engineering, Sciences, and Commerce and Industry; one faculty member elected by the Faculty Senate, twice renewable; one faculty representative each from the colleges of Agricultural Sciences, Engineering, Commerce and Industry, and Sciences; two members representing the other colleges of the University, for one-year rotating terms; one graduate student representative; one undergraduate student nominated by the Dean of Student Affairs for a one-year term. This committee recommends patent policy to the Vice President for Research, approves or disapproves patent proposals, submitted in accordance with University patent policies, and makes recommendations to individuals and administrative units submitting patent proposals and to the Vice President for Research.

5. Research Advisory Committee. This committee consists of the Associate Vice President for Research (chair); Associate Vice President for Sponsored Programs; one faculty representative from each of the colleges of Agricultural Science, Engineering, Commerce and Industry, Sciences; and, Forest and Recreation Resources, two members representing the other colleges, for one year rotating terms. Members, whenever possible, should have research experience. The committee recommends policies and procedures that enhance the University faculty research program to the Vice President for Research.

6. Research Grant Committee. This committee consists of the Associate Vice President for Research (chair) and one faculty representative from each college. This committee receives applications from faculty members in all departments of the University for grants in support of research. The committee makes grants to new faculty members initiating research, to faculty members initiating research in a new area, and in areas where other sources of support are inadequate or nonexistent. Grant applications may be obtained in the Office of University Research. Applications are solicited annually during the months of September and October through announcements in the Clemson Newsletter. The committee also administers the Provost Research Awards Program.

F. Committees Reporting to the Vice President for Student Affairs

1. Alcohol and Drug Awareness Committee. In addition to organizing programs and disseminating information regarding alcohol and drugs, this committee studies and recommends policy to the Vice President for Student Affairs. The committee consists of three Student Affairs staff members and two faculty members appointed by the Vice President for Student Affairs; two faculty members elected by the Faculty Senate; seven undergraduate students, six elected by the Student Senate and one elected by the Panhellenic Council/Interfraternity Council; one staff member from the University Police Department; and the Coordinator of Alcohol and Drug Education. The chair is elected annually by the committee.

2. Athletic Council. Institutional control of intercollegiate athletics rests with and is exercised by the President of the University. In this capacity the President is ultimately responsible for insuring that Clemson's athletic policies and programs are in compliance with the rules and regulations of the National Collegiate Athletic Association, the Atlantic
Coast Conference, and any other such body in which the University holds membership. Authority for the administration and management of intercollegiate athletic programs is exercised by the Director of Athletics who is accountable to the President of the University through the Vice President for Student Affairs.

The principal function of the Athletic Council is to advise the Clemson University Administration, through the Vice President for Student Affairs, on all major decisions affecting the administration of the Athletic Department. The Athletic Council shall recommend policy on intercollegiate athletics to the Director of Athletics and, when appropriate, to the President. Specific duties of the Athletic Council include:

a. Monitoring the recruitment, scholastic eligibility, and academic progress of student athletes.
b. Reviewing athletic schedules and ticket prices.
c. Advising the university's faculty representative to the NCAA and ACC on matters of pending legislation.
d. Evaluating athletic policies and programs to ensure their compatibility with the overall aims and mission of the university.
e. Participation in the screening and selection of applicants for the position of Director of Athletics.

The Athletic Council is composed of 23 voting members chosen or appointed as follows:

a. Ten faculty representatives. In addition, the colleges and the library shall each elect one alternate who shall have voting rights and shall serve on the Council in the absence of the elected representative.
b. Three full-time enrolled members of the student body, one each appointed by the President of the Student Body, the President of the Student Senate, and the President of the Graduate Student Association.
c. Two full-time enrolled student athletes, one representing revenue-producing sports and one from non-revenue producing sports, appointed by the Director of Athletics.
d. One representative of the Clemson Alumni Association appointed by the Alumni National Council.
e. One member of IPTAY who may be the President of IPTAY or the President's designate.
f. One member of the Faculty Senate appointed by the Advisory Committee of the Faculty Senate.
g. Three at-large appointees of the President of the University.
h. One member of the Commission on Classified Staff Affairs appointed by the Chair of the Commission.
i. One representative (unclassified field staff) appointed by the Extension Senate.

Student members of the Athletic Council serve one-year terms consecutive up to two years. Except as described above, all voting members of the Athletic Council serve one-year terms consecutive up to three years. The term of membership begins on May 16th of each year and ends on May 15th of the subsequent year.

Ex-officio nonvoting members include the Director of Institutional Compliance, the University's NCAA/ACC representative, the Director of Athletics, one Associate Director of Athletics designated by the Director of Athletics, the Vice President for Student Affairs, and the chair of the University Scholarship and Awards Committee.

At the biennial March meeting of the Athletic Council the voting members elect from the
regular, full-time faculty members a Chair and Vice Chair whose two-year terms commence at the first Athletic Council meeting after May 15th of that year. All regular, full-time faculty Athletic Council members are eligible for election to these offices regardless of the length of time remaining on their terms.

There are three standing committees of the Athletic Council:

a. Admissions and Scholarships monitors the scholastic eligibility, admissions, and academic progress of student athletes.
b. Facilities and Planning reviews athletic building programs and facilities and advises the Council on matters of long range planning.
c. Policy and Regulations monitors and reports on compliance with NCAA/ACC regulations and reviews and comments on the Council's internal policies and procedures.

For additional information about the Athletic Council, its officers, and Committees refer to *Clemson University Athletic Council Policies and Procedures* available from the Office of Student Affairs.

3. Greek Affairs Committee. This committee studies and recommends all policy on fraternities and sororities to the Vice President for Student Affairs. The committee consists of the Advisor for Greek Affairs, the President of the Panhellenic Council; the President of the Interfraternity Council; the President of the Pan-Greek Council; the Associate Director of Housing; two faculty members elected by the Faculty Senate to two year terms; and one independent student nominated by the Student Body President. The Chair is designated by the Vice President for Student Affairs.

4. Financial Aid Committee. This committee reviews and recommends policy on financial aid to the Vice President for Student Affairs. Members are the Director of Financial Aid; a graduate student representative; one undergraduate student selected by the Student Senate President; one undergraduate student elected by the Minority Council; and four faculty members elected by the Faculty Senate to two-year terms.

5. Media Advisory Board. The duties of the Media Advisory Board include advising the joint media adviser on any matter concerning the operation of the media, hearing complaints and suggestions from any person concerning any media organization or the media in general, and accepting or rejecting the annual budget proposal as presented by the joint media adviser. The board consists of the joint media adviser (chair), an administrator appointed by the Vice President for Student Affairs, one member of the faculty elected by the Faculty Senate, one non-faculty employee from University Relations, two members of the Student Senate elected by the Student Senate to serve one-year terms, two students-at-large who shall be selected by the President of the Student Body to serve one-year terms, the editors of TAPS and The Tiger, and the program director of WSBF.

6. Recreation Advisory Committee. This committee studies, formulates, and recommends all policy relating to physical recreation facilities and programs to the Vice President for Student Affairs. The committee's membership consists of two undergraduate students selected by the President of the Student Senate; a graduate student representative; three faculty members (one from the Department of Parks,
Recreation and Tourism Management) elected by the Faculty Senate for three year terms; one staff member each from the offices of Business and Finance, Student Affairs, and Institutional Advancement (each selected by the appropriate Vice President or Director); the Director of the University Union (non-voting); the Director of Fike Recreation Center (non-voting) and the Director of Tennis. The chair is elected annually by the committee.

7. Student Health Committee. This committee formulates and recommends policy on food services, health service, counseling and career planning, and student insurance to the Vice President for Student Affairs. Members are the Director of Redfern Health Center; the Director of Counseling Center; the Business Manager of the Office of Business Services; the Associate Dean of Student Development; the Associate Director of Housing; the chair of the Student Senate Food and Health Committee and one member of that committee nominated by the chair; one undergraduate student nominated by the Student Body President; one undergraduate student appointed by the Vice President for Student Affairs; one graduate student representative; and one faculty member elected by the Faculty Senate to a two year term. The chair is designated by the Vice President for Student Affairs.

8. University Union Board. The Board governs the Clemson University Union and has the responsibility for all program activities of the Union. It formulates and recommends policy to the Vice President for Student Affairs. The board consists of six students; a faculty member elected annually by the Faculty Senate; the University Union Director (non-voting) and the Union Program Director (non-voting). The student members are the President, Vice President, and Secretary of the Union; the chair of the Union Program Committee; and two students appointed by the Student Senate. The President of the Union is chair.

G. Committees Reporting to the Vice President for Business and Finance

1. Accident Review Board. This committee consists of the Director of Risk Management and Safety (chair), one representative from each Vice Presidential area, representatives of the Faculty Senate; Classified Staff Affairs, the Organization of Academic Department Heads, Student Government and Transportation Services. The board reviews accidents which involve University vehicles according to State guidelines. It also makes recommendations to the appropriate agencies or departments for improving safety.

2. Bookstore Advisory Committee. This committee reviews and advises on policies for the University Bookstore. Membership consists of the Manager of the Bookstore (non-voting); one faculty representative from each college, an undergraduate student representative, and a graduate student representative. The chair is elected annually from the committee membership.

3. Vending Machine Committee. This committee consists of the Budget Director (chair); the Provost; the Vice President for Student Affairs; the President of the Faculty Senate; the President of the Graduate Student Association; the President of the Student Body; and the Assistant Vice President for Business Services. The committee reviews requests from university departments or organizations for the funding of special activities from the Vending Machine Fund.
H. Other University Councils and Committees

1. The Council of Academic Deans. This group advises the Provost and Vice President for Academic Affairs on policy questions and serves as a forum for communication between the Provost and the several colleges. Chaired by the Provost, membership includes the Vice Provosts, the College Deans, the Director of University Research, the Director of Libraries, the Director of Computing and Information Technology, and the President of the Faculty Senate.

2. Organization of Academic Department Heads. This group serves as a forum for communication between the Academic Department Heads and others at the University, such as the Faculty Senate, the Council of Deans, the Academic Council, and the University Administration. This organization also provides advice on academic and administrative matters. An Executive Committee composed of a member from each College represents the group between meetings of the membership.

I. The Constitution of the Faculty of Clemson University

The faculty of Clemson University was first formally organized in 1956, with separate Constitutions and Bylaws for the Academic Faculty and for the Research Faculty. In 1970 these two bodies were unified under a single Constitution and Bylaws of the Clemson University Faculty, with the Faculty Senate as the sole representative assembly of the Faculty. A second major revision, approved by the Clemson University Faculty on December 11, 1981, and by the Clemson University Board of Trustees on January 22, 1982, incorporated the Collegiate Faculties and the University Curriculum Committees into the formal Faculty organization. As part of this thorough revision a unitary Constitution format was adopted in place of the previous Constitution and Bylaws structure.

THE CONSTITUTION OF THE FACULTY OF CLEMSON UNIVERSITY

PREAMBLE

To fulfill its role of preserving, interpreting, and advancing knowledge, a university depends upon the scholarship and professionalism of its faculty. It is by virtue of that scholarship and professionalism that university faculties are entrusted with major responsibilities with respect to academic issues and concerns. In recognition of these principles, Clemson University makes provision for faculty participation in planning, policy-making, and decision-making with regard to academic matters. The University also provides for such participation in matters of faculty welfare and general University concern.

To facilitate such participation the Faculty is formally organized in accordance with this Constitution as approved by the Clemson University Board of Trustees. Various faculty functions are assigned to an elected assembly, the Faculty Senate; to the Undergraduate and Graduate Curriculum Committees; and to the Collegiate Faculties and their respective Departmental Faculties. In addition, the Faculty is represented on various University councils, commissions, and committees which act in concert with the
University Administration in developing University policies and procedures.

ARTICLE I: THE FACULTY

Section 1. Membership
The Faculty of Clemson University consists of the President of the University; the Provost and Vice President for Academic Affairs; other administrators with faculty rank; faculty with regular appointments as Professor, Associate Professor, Assistant Professor, or Instructor; Librarians; Emeritus Faculty; and such other individuals as the Faculty may duly elect.

A petition for the election to membership in the Faculty of any person who is not automatically a member must be submitted to the Faculty Senate and referred by that body, with its recommendation, to the Faculty for action at the next regular meeting of the Faculty. Election to membership shall be by simple majority vote of the members present.

Section 2. Functions
The functions of the Faculty shall be to approve candidates for degrees; to fulfill its responsibilities in academic matters such as curriculum, requirements for earned degrees, academic regulations, admissions and registration; through departmental and collegiate review processes to recommend the appointment, tenure, and promotion of its prospective and current members; to participate in the selection and evaluation of academic administrators as provided for in established University policies; to participate in formulating policies affecting the teaching, research, and public service functions of the University; and to consider any matters that may affect the welfare of its members.

On matters pertaining specifically to the individual colleges, these functions are exercised by the Collegiate Faculties, with review at the University level as specified by established University policies. Similarly, the Collegiate Faculties recognize the primary authority of the faculty of each academic department on academic matters pertaining to that department. The Faculty may refer to the Faculty Senate for investigation and action matters that relate to the welfare of the Faculty, as well as to the teaching, research, and public service policies of the University, and other matters of general institutional concern. The Undergraduate and Graduate Curriculum Committees act for the Faculty in reviewing curricular proposals emanating from the several Collegiate Faculties, and recommend their disposition to the Provost and Vice President for Academic Affairs.

The Faculty shall receive regular reports from the Faculty Senate, and may act upon any matters brought before it by the Faculty Senate or by individual faculty members.

Section 3. Officers
The Provost and Vice President for Academic Affairs shall be chairperson of the Faculty. The Provost shall appoint a Secretary and, when necessary, shall appoint a presiding officer to serve in his or her absence.

Section 4. Meetings
Regular meetings of the Faculty shall be held at the beginning of the academic year and at the end of each long semester. Special meetings of the Faculty may be called by the Chairperson, by the Faculty Senate, or by written petition of at least ten percent of the
Faculty. A notice of the meeting and the agenda shall be distributed to the Faculty at least five days in advance of the meeting.

The quorum for any meeting of the Faculty shall be that number of members deemed necessary by the presiding officer to transact business, except that the quorum shall be at least one-half of the Faculty for amendment of the Constitution, exclusive of emeritus faculty.

For any meeting of the Faculty, the following order of business shall be adhered to:
1) Call to Order;
2) Reports;
3) Unfinished business;
4) New business;
5) Adjournment.

The Minutes of each Faculty meeting shall be approved by the Faculty Senate.

Section 5. Rules of Order
The Faculty shall conduct all parliamentary procedure in accordance with the most recent edition of Robert's Rules of Order.

ARTICLE II: THE FACULTY SENATE

Section 1. Functions
The Faculty Senate is the representative assembly of the Faculty. It represents the Faculty of Clemson University in its relationship with the University Administration; recommends new policies or changes in existing policies to the Provost and Vice President for Academic Affairs; and promotes the welfare of the Faculty and of its individual members. Specifically, the Faculty Senate acts:

1) to review and recommend academic policies, procedures, and practices at the University level;
2) to preserve collective and individual faculty prerogatives as they are set forth in established University policies and procedures;
3) to make recommendations on matters affecting faculty welfare;
4) to provide good offices for the redress of faculty grievances;
5) to articulate and promulgate faculty positions on issues of general concern within the University;
6) to maintain liaison with the faculties of other colleges and universities on matters of common concern.

The President of the Faculty Senate shall report to the Faculty annually at the meeting of the Faculty held prior to the Spring Commencement. To keep the Faculty adequately informed, special reports shall be made as necessary.

Section 2. Membership
Members of the Faculty Senate shall be elected by the Faculty, voting by colleges in accordance with policies and procedures set forth in the Bylaws of the several Collegiate Faculties. These Bylaws may also establish provisions for the recall of the colleges'
Faculty Senators, with the exception of those holding elected Senate office. Senate terms shall be three years except as otherwise provided. For the allocation of Senate seats and all other provisions of this Article, the librarians shall be considered as a faculty representing a college.

Any member of the Faculty may be eligible for membership on the Faculty Senate, except those with primarily administrative duties.

Elections shall be held in March of each year, with terms of office to begin with the April meeting of the Senate. The election of members of the Faculty Senate shall be by secret ballot.

When a new college is officially established it shall be entitled to representation in the Faculty Senate as soon as an election can be held. A new college shall have one member in the Faculty Senate until the next allocation of seats. Whenever a new college is established, the next allocation of seats shall be obtained in the February following official establishment.

Vacancies created on theFaculty Senate for any cause shall be filled for the unexpired terms by supplementary elections within the colleges concerned as soon as such vacancies occur. Senators absent for the summer or for other temporary leaves such as sabbaticals, or appointed to temporary or interim administrative positions, shall request leaves of absence from the Senate and shall be replaced during their absences by substitutes elected by the Collegiate Faculty.

Each college shall elect one alternate on a yearly basis. The alternate shall have the status of a full member at any Senate meeting attended in the stead of a regular member.

With the exception of those Senators who have served one year or less, members of the Faculty Senate may not succeed themselves.

As a rule, there shall be thirty-five members of the Faculty Senate. Emeritus faculty are excluded from the Faculty count for the purpose of Senate seat allocation. Senate seats shall be allocated according to the ratio of the number of members of the Faculty in a college to the total number of members of the Faculty in the University, with each college having at least one member and no college having more than twenty-five percent of the total representation of the Senate. If the ratio of faculty members in a college to the total number of faculty members in the University exceeds twenty-five per cent, that college is assigned eight Senate members. The remaining Senate seats are allocated on the ratio of the number of faculty members in each of the remaining colleges to the total number of members of the Faculty in remaining colleges. The above ratios are multiplied by the number of un-allocated seats. The remaining colleges shall have as many seats as are in the largest whole number when its ratio was multiplied by the number of un-allocated seats.

If the total number of seats allocated thus far is less than thirty-five, the remaining seats are allocated to the colleges with the larger fractions until there is a total of thirty-five members. If this formula produces an exact tie for a seat, each college involved shall be awarded a seat.
The President of the Faculty Senate shall obtain a new allocation from the Chairperson of the Faculty during February of every odd-numbered year after the most recent allocation. This allocation shall be given to the Dean of each College in time for the March election and shall control the numbers elected to the Faculty Senate at that time. If one or more members are gained, the Collegiate Faculty may designate new seats to have terms of less than three years in order to balance the terms within the College delegation. If one member is lost in the new allocation, one fewer member shall be elected to the Faculty Senate at that election. If the new allocation results in the loss of one or more members whose terms have not expired, the membership of the Senate shall be temporarily enlarged to accommodate the new allocation. New allocations shall be based on the number of members of the Faculty at the beginning of the fall semester.

Section 3. Officers
The officers of the Faculty Senate shall be the President, the Vice President, who shall be the President-Elect, and the Secretary. The Vice President and the Secretary shall be elected at the regular meeting in March of each year. The Senate term of the Vice President shall be extended by one year, if necessary, to permit his or her service as President. Should such an extension of term be necessary, his or her successor shall serve a two-year term.

The Advisory Committee shall submit to the Senate no less than two nominees for each elective office. Election of officers shall be by secret ballot, with a simple majority required for election.

In order to recall an officer of the Faculty Senate, a petition signed by not less than two-thirds of the elected members of the Senate shall be required. If an office is vacated by recall, resignation, or other cause, the Faculty Senate shall elect at the next regular meeting a successor for the unexpired term.

The retiring officers shall serve at the April meeting through the completion of Unfinished Business. The retiring president shall give the Senate report at the subsequent meeting of the Faculty.

Section 4. Meetings
The date and time of the regular monthly meetings of the Faculty Senate shall be determined by the Advisory Committee. The schedule of the meetings for the year shall be announced not later than the first day of May through appropriate communications. With the approval of a majority of the Advisory Committee, special meetings of the Faculty Senate may be called at any time by the President of the Faculty Senate.

Except for executive sessions, all meetings of the Faculty Senate shall be open to any member of the Faculty. Any member of the Faculty may present any problem or suggestion to the Senate for the Senate's consideration, provided the faculty member notifies the President of the Faculty Senate at least one week prior to the Senate meeting. Visitors may be invited by a member of the Advisory Committee to participate in any specific discussion.

Two-thirds of the membership of the Faculty Senate shall be the quorum for the transaction of all business.
Section 5. Committees
The Chairperson and at least a majority of the members of all committees of the Faculty Senate shall be members of that body, and any other members shall be members of the Faculty. The basic functions of such committees shall be to consider matters pertaining to faculty concerns and to make recommendations to the Senate. Committees may act on their own initiatives or on instruction from the Senate or its presiding officer. The committees, through the Faculty Senate, may be requested by the Faculty, the Provost and Vice President for Academic Affairs, or the President of the University to consider and report on any matter of faculty concern.

The standing committees of the Faculty Senate shall be as follows:

The Advisory Committee. The Advisory Committee shall be composed of the officers of the Faculty Senate and one member from each college elected by the delegation of that college prior to the April meeting. The President of the Faculty Senate shall be the Chairperson of this committee. It shall be the function of this committee to advise the President of the Faculty Senate and to serve as the nominating committee for the Faculty Senate. In no case shall nominations by the Advisory Committee preclude nominations from the Senate floor. The Advisory Committee shall appoint the members of the other standing committees (except the Grievance Board) and any special committees and shall designate the chairpersons thereof. The chairpersons of the standing committees shall as a rule be from different colleges. The Advisory Committee also hears grievances brought under Faculty Grievance Procedure I.

The Welfare Committee. The Welfare Committee shall make recommendations concerning such policies as relate to: work loads; extra curricular assignments; summer employment; non-University employment; salaries; leaves of absence; sabbatical leaves; travel; retirement; and such other policies as affect faculty welfare and morale.

The Scholastic Policies Committee. The Scholastic Policies Committee shall be concerned with all policies of an academic nature which pertain to students. Such policies include recruitment; admissions; transfer credit; class standing requirements; academic honors policies; graduation requirements; class attendance regulations; student counseling and placement; and other related policies.

The Research Committee. The Research Committee shall study and make recommendation on policies, procedures, and practices primarily related to research.

The Policy Committee. The Policy Committee shall concern itself with general University policies, particularly as they relate to the Faculty. Such policies include those which pertain to: academic freedom and responsibility; faculty professional ethics; the appointment, tenure, and promotion of faculty; and faculty participation in University governance. Other matters of particular faculty interest, which are not within the purview of the other standing committees and which are not of such a specialized nature as to justify ad hoc committees, would normally be referred to the Policy Committee.

The Grievance Board. The Grievance Board shall consist of seven members selected from the ranks of Full and Associate Professors who are members or alternates of the Faculty Senate at the time of their election. Board members shall all be from different
colleges. The term of service on the Grievance Board shall be two years. The election shall be held each January in such a manner that no more than four (4) Board members are replaced at one time. This restriction in no way inhibits selection of additional members to replace those who are no longer able to serve. The Chair shall be selected by the Advisory Committee. The Board hears grievances brought to it in accordance with Faculty Grievance Procedure II.

Section 6. Rules of Order
The Faculty Senate shall conduct all parliamentary procedures in accordance with the most recent edition of Robert's Rules of Order. A parliamentarian shall be appointed by the President of the Faculty Senate.

The Faculty Senate shall be empowered to develop those procedural bylaws which facilitate the achievement of its purposes.

ARTICLE III: THE COLLEGIATE FACULTIES

Section 1. Definition
The faculty members of each college within the University are organized as Collegiate Faculties according to individual college by laws approved by the Provost and Vice President for Academic Affairs.

Section 2. Functions
Each Collegiate Faculty exercises the authority and responsibility of the Faculty on academic matters pertaining to the individual college, subject to the primary authority of the several departmental faculties on academic matters pertaining to the respective departments. Specifically, a Collegiate Faculty approves candidates for all graduate and undergraduate degrees, and recommends all proposals for new or revised academic requirements, courses, and curricula within the College. Where provided by college by-laws, collegiate peer review processes offer recommendations on appointment, re-appointment, tenure, and/or promotion in addition to the primary recommendations which emanate from the review processes of the several academic departments.

ARTICLE IV: THE CURRICULUM COMMITTEES

Section 1. Definition
The University Curriculum Committees act for the Faculty in reviewing all proposals for curricular changes, and recommend such changes to the Provost and Vice President for Academic Affairs. The Undergraduate and Graduate Curriculum Committees shall have jurisdiction over undergraduate and graduate matters respectively.

Section 2. Membership
The Undergraduate Curriculum Committee shall be comprised of a Vice Provost or other member of the Provost's staff designated by the Provost as non-voting Chairperson, plus the chairpersons of the under-graduate curriculum committees of the several colleges. The Graduate Curriculum Committee shall likewise be composed of a non-voting Chairperson from the Provost's staff, plus the chairpersons of the graduate curriculum committees of the several colleges. Should a college have a single curriculum committee, the chairperson shall serve on the University Undergraduate Curriculum Committee and the college committee shall elect a representative to the University
Graduate Curriculum Committee.

Section 3. Procedure
The Curriculum Committees shall review all curricular proposals in their respective areas of jurisdiction that emanate from the several Collegiate Faculties, and shall ensure the adherence of such proposals to all applicable University policies and regulations. The Curriculum Committees may initiate curricular proposals whose effects would be University-wide, but may not act upon such proposals until all Collegiate Faculties have had an opportunity to review and respond to them.

Curricular proposals recommended by either University Curriculum Committee shall be submitted to the Provost and Vice President for Academic Affairs. The Provost shall forward these curricular proposals with his or her recommendations to the President of the University for final approval. The Provost shall inform the Curriculum Committees and all affected Collegiate Faculties of the President's actions.

ARTICLE V: AMENDMENT

Constitutional amendments may be proposed by either of two methods.

A proposed amendment may be submitted by at least ten members of the Faculty to the Faculty Senate at a regular meeting of that body. The Faculty Senate must vote on the proposed amendment at no later than the fourth meeting after submission. A simple majority vote is required for the proposed amendment to be submitted to the Faculty.

Alternatively, a proposed amendment to this Constitution may be submitted in writing to the Provost and Vice President for Academic Affairs one month before the next scheduled Faculty meeting. Signatures of at least ten percent of the members of the Faculty must accompany the proposed amendment in order to validate the proposal.

The Provost shall publicize a proposed amendment at least three weeks prior to the meeting at which action is to be taken. Amendments may be considered at either of the regular Faculty meetings held at the conclusions of the long semesters. A two-thirds majority vote of the members present is required for passage. Any amendment passed by the Faculty shall become effective upon approval by the Clemson University Board of Trustees.

Part VII. Professional Practices

A. Overview

The first responsibility of teaching faculty is to their students. Because faculty teach not only by formal instruction but also by example, they must be fully aware of their responsibilities to their students and must endeavor to fulfill those responsibilities conscientiously.

Some policies concerning faculty-student relationships—particularly those regarding class attendance, academic dishonesty, and student rights and responsibilities—are set forth in greater detail in the University's Student Handbook, a copy of which each faculty member receives. Various policies contained in the Handbook are subject to review by
the Faculty Senate or the Commission on Undergraduate Studies, or both. Faculty are advised to become conversant with the Handbook, especially as it pertains to the kinds of academic matters dealt with below.

B. Work Load

The normal faculty workload entails teaching and research assignments; service to a department, a college, and the University; and other professional activities. The usual teaching assignment at Clemson University is 9-12 credit hours for each of the two regular semesters. The particular teaching assignment of an individual faculty member may, for a number of reasons, vary from department to department and even within departments. Departments with heavy faculty research obligations may in some instances reduce teaching loads and assign the hours so released to research. Released time may also be provided through funded research. Unusually heavy service assignments (e.g., committee work, administrative duties, advisory responsibilities, extramural service) may also lead to reduced teaching assignments, depending upon the staffing situation in a given department. In some instances graduate courses, off campus courses, or unusually large classes may be considerations in workload decisions.

Off campus courses are offered by some Colleges. The program at Furman University leading to the Master of Business Administration degree through the College of Commerce and Industry and the courses taught at the Greenville Higher Education Center (GHEC) are two examples. These courses are taught by Clemson faculty and carry University credit.

Faculty on non-teaching appointments and librarians have their work assignments made on the basis of particular tasks to be accomplished or periods to be covered. Faculty members whose responsibilities include teaching as well as non-teaching assignments have their workloads established on a percentage basis.

Courses are assigned to faculty by their department head on the basis of established departmental procedures. Factors taken into consideration include: departmental needs, faculty expertise, faculty preferences for particular teaching assignments, faculty schedules, and the nature and extent of non-teaching workloads.

C. Work Schedule

Members of the learned professions, whether faculty or administrators, by tradition and practice give generously of their time, energies, and abilities to further their institutions' goals and purposes and their own professional pursuits. There is no reasonable way of regulating the hours devoted to such activities and no meaningful way of measuring them. Truly professional scholars, teachers, researchers, and administrators devote significant portions of their waking hours to such pursuits. Clemson University recognizes that this unique combination of responsibilities for teaching, research, public service, and administrative activities mandates considerable variation in professional work schedules.

Except for formally scheduled classes and other regular activities, the duty schedules of the full-time teaching faculty are necessarily flexible. The discretion of the individual faculty member, therefore, governs the use of non-classroom time in accordance with the
various demands of University and of public service, continuing scholarly development, research, writing, and other professional activities. Those in administrative positions and in full-time research have similarly unpredictable demands made upon their time. Beyond the fundamental requirement that faculty meet their scheduled classes and fulfill other regular commitments, faculty are evaluated on the quality of their performance as scholars, teachers, and researchers rather than on such quantitative bases as the number of their preparation hours or the regularity of their work schedules.

Because of the extended schedule of hours for which library service must be available, librarians have their work loads distributed over long working days and seven-day working weeks. Librarians' total work loads, however, should be comparable to those of professional personnel similarly situated in other University positions.

D. Office Hours

Faculty members should also be accessible to students with respect to course work outside of scheduled class-meeting times. Because of the diverse nature of the academic departments, each department establishes its own written office hour policy (approved by the college dean and the Provost).

E. Teaching Practices

Lecture courses meet fifty minutes per week per credit hour. Two or three contact hours of laboratory are assigned per credit hour. A semester is normally fifteen class weeks in length, exclusive of final exams. Three-credit classes meet for fifty minutes Monday, Wednesday, and Friday or for seventy-five minutes Tuesday and Thursday. This pattern allows for a fifteen-minute break between classes. Prompt dismissal of classes permits students who must travel between widely separated classroom buildings to enter their next class on time. A three-credit-hour summer course meets for ninety minutes, five days per week, for twenty-five meetings. Appropriate adjustments are made for courses with more or fewer credit hours, or for laboratory courses.

A limited number of regular semester courses and summer courses are offered on variant schedules. Most of these are late afternoon or evening courses intended for graduate students and other special groups.

Clemson University's master schedule is coordinated by the University Schedule Committee. Course offerings are listed in advance of pre-registration, which occurs in April for the fall semester and in November for the spring semester. Listings of summer offerings are usually available at the November pre-registration.

1. Faculty Class-Meeting Responsibilities. Teaching faculty are obligated to meet their classes regularly at the appointed times. When there are valid reasons for being absent from class (e.g., illness and other emergencies, or travel on University business), the faculty member should notify the affected classes in advance if at all possible. Suitable arrangements, such as, substitute instructors, library assignments, or other appropriate utilization of class time, should also be made. If no advance arrangements are made, students are authorized to leave after a fifteen-minute wait.
2. Attendance Policy. The full attendance policy for undergraduates is set forth in the Student Handbook but key points are as follows. The faculty member is obligated to inform students in writing about attendance policy during the first full week of classes. In some departments attendance policy is established on a departmental basis. Students are expected to attend all sessions of lectures and laboratories punctually and regularly. Absences are matters to be resolved between faculty member and student, and it is the student's responsibility to make up work missed due to absence from class. The Student Health Service does not issue official "medical excuses." Students in the infirmary are provided an in/out slip, and a faculty member can telephone the health center to confirm an illness. (No diagnosis or other confidential information is given.)

A student who incurs excessive absences in a given course may be dropped from a course by the instructor in accordance with stated course policy. Students may withdraw from a course by obtaining a Schedule Change Form from the Registrar's Office and having it signed by the instructor. The signature indicates that the instructor has been notified of the student's intention to drop the course and is not to be construed as an authorization for so doing. Students who withdraw after the first four weeks of classes shall have grades recorded for those courses. Prior to the last five weeks of classes, this grade would normally be "W." Students are limited to no more than fourteen hours of "W" grades during their academic careers. Transfer students, however, may withdraw from no more than ten percent of their total academic work (up to fourteen hours of course work, whichever is fewer) remaining in their chosen undergraduate curriculum at the time of their transfer to Clemson University.

3. Examinations and Grading. Faculty should announce course requirements, procedures for examinations, and grading standards during the first full week of classes. Written final examinations are required in all undergraduate lecture courses, except in certain laboratory or practical courses in which final examinations are not deemed necessary by the departmental faculty. Faculty may not depart from the published examination schedule without the permission of the Schedule Coordinator. Faculty, however, may at their discretion excuse from final examinations students who have achieved an "A" average in course work prior to the final examinations.

Clemson University authorizes the assignment of the following undergraduate grades: A-excellent work; B--above average work; C--satisfactory work; D--unsatisfactory but passing work; F--failure (to receive credit the student must repeat the course and earn a "D" or above); W--withdrew from the course prior to the last five weeks of classes in the regular semester; I-- incomplete work (to be used only when a relatively small part of all course requirements has not been completed). Under some circumstances a course can be taken on a Pass/Fail basis.

A student receiving an "I" is allowed thirty days after the beginning of the next regular semester to make up the incomplete work. One extension of the deadline may be granted in unusual circumstances if approved by the instructor and department head. A make-up grade form is sent to each instructor who gives an "I" grade, and the form has a place to approve an extension. The grade of "I" remains on the academic record until the make-up grade is received in Student Records. Even though the "I" grade is computed like an "F" in the student's grade average, the instructor should submit a make-up grade of "F" if that is intended to be the final grade.
An undergraduate may not repeat a course for credit in which a grade above "C" has been earned. Both grades are recorded in the student's transcript. For more detailed information on examinations and grading, faculty should consult the section, "Scholastic Regulations," in the University catalog.

4. Student Rights and Responsibilities. As indicated in the 1967 Joint Statement on Rights and Freedoms of Students of AAUP, academic institutions exist for the transmission of knowledge, the pursuit of truth, the intellectual development of students, and the general well being of society. Free inquiry and free expression are indispensable to attaining these goals. As members of the academic community, students should be encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth.

Freedom to teach and freedom to learn are indispensable elements of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the community at large. Students are expected to exercise their freedom responsibly.

The responsibility to secure and respect general conditions conducive to the freedom to learn is shared by all members of the academic community. The faculty member, in the classroom and in conference, should encourage free discussion, inquiry, and expression. Students should be free to take reasoned exception to the data or views offered in any course of study and to reserve judgments about matters of opinion; however, they are responsible for learning the content of any course of study for which they are enrolled.

Student performance is to be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards. Students receive protection against prejudiced or capricious academic evaluation by means of orderly procedures set forth in the Student Handbook.

Information about student views, beliefs, and political associations which faculty members acquire in the course of their work as instructors, advisors, and counselors is confidential. It is a faculty member's professional obligation to guard against the improper disclosure of such information. Faculty judgments concerning the ability and character of any student are to be provided only as the academic growth and development of the student may be fostered and only on a need-to-know basis.

5. Privacy. Specifically, the privacy of students and the regulation of access to and release of their University-maintained records come under the federal government's Family Educational Rights and Privacy Act of 1974. This act accords students the right of access to their "educational records"--defined as records, files, documents, and other materials (including, but not limited to, handwriting, print, tapes, film, microfilm, and microfiche) which both contain information directly related to a student and are physically maintained by the University or by anyone acting for the University. However, not included in the definition of "educational records"--and thus excepted from such student access--are supervisory, instructional, and administrative personnel records and such items pertaining thereto as grade books, observational notes, and notes for recollection purposes so long as they remain in the sole possession of their authors and are not revealed to any person other than the authors' substitutes. Thus federal law (as well as
the South Carolina Freedom of Information Act) does not require faculty and administrators to give students access to such records as are personally maintained by faculty and are kept in strict confidence by faculty.

For faculty, then, the main significance of the Family Educational Rights and Privacy Act is that the right of access to information concerning student grades and other performance evaluations is limited to the students themselves and not to any third party except those with a clear need to know (such as substitute faculty and official custodians of records). Thus, for example, grades received by an individual student for any type of scholastic work performed may not be publicly communicated either in oral or written form that uses any personally identifiable information (e.g., the name, address, or Social Security number of the student) without the written consent of the student. Likewise, faculty should not allow potential third-party access to graded tests and papers--for example, by placing them in a receptacle outside the door of a faculty office for student pickup or by making them available in a departmental office.

Faculty should also be aware that students have the right to review confidential recommendations that are used in application for employment or for admission to the University or to other educational institutions, or that contains information concerning honors and awards--provided that such recommendations are included in educational records maintained by the University and that the students have not waived this right.

Under the South Carolina Freedom of Information Act, scholastic records prepared and maintained by individual faculty may be kept in confidence and are not subject to mandatory disclosure to any person, including students. That is, the Act specifically excludes such "scholastic records" from those "public records" to which it gives citizens access.

It should be noted, however, that the Act could be interpreted to include such scholastic "tools" as syllabi, textbooks and other assigned readings, illustrations, photographs, films, phonograph materials, etc. used in a course of instruction, and any other documentary materials prepared, owned, used, in the possession of, or retained by a public body such as Clemson University. All such items then are potentially accessible for inspection by citizens upon due application.

The full University policy statement regarding compliance with the Family Educational Rights and Privacy Act of 1974 is available from the office of the Vice President for Student Affairs and Dean of Students (Sikes Hall). Information concerning and interpretations of federal and state laws governing such matters can be obtained from the University Executive Officer or the University Counsel (Office of the President, Sikes Hall).

6. Academic Dishonesty. Academic dishonesty is construed as the giving, using, or receiving of unauthorized aid in the performance of academic work. Included within this concept is plagiarism, defined as the copying of the language, the structure, or the ideas of another and attributing the result--explicitly or by implication--solely to one's own efforts.

The penalties for academic dishonesty are listed in the Student Handbook. For a first offense the maximum penalty is a grade of "F." Further offenses are punishable with a
grade of "F" as well as with dismissal from the University. The President of the University must approve suspension or dismissal.

The procedure for dealing with academic dishonesty is as follows:

a. the instructor informs the student in private of the nature of the charge and requests in writing that the department head verify from the Registrar whether or not there have been prior offenses;

b. upon receipt of that information, the instructor notifies the student in writing of the charge of academic dishonesty and of the penalty recommended by the instructor and the department head;

c. the student has seven days from the receipt of the written notice in which to file a grievance with the Academic Grievance Committee;

d. if no grievance is filed, the instructor forwards copies of the written notification to the dean of the college and the Registrar.

7. Student Advising. Advising is a unique form of teaching and offers special rewards to both students and faculty. Faculty with special dedication to students and with commitment to perform work more demanding than classroom teaching should be the faculty chosen as academic advisors. It follows, therefore, that advising along with classroom teaching is considered in assessing performance.

The primary purpose of academic advising is to assist students in their pursuit of educational programs designed to attain their life goals and meet career objectives. An academic advisor helps students identify and assess alternatives and evaluate consequences of their decisions. Good advising assists students in understanding institutional policies and procedures; in making academic decisions and examining progress toward goals; and in understanding available institutional and community support services. Therefore, the signature of an advisor indicates that the student has sought consultation and not necessarily approval of their decision.

Each academic unit has an Academic Advising Coordinator who assumes primary responsibility for knowing academic regulations and policies; attends university meetings on advising; disseminates information to other advisors; and monitors and assists other advisors.

All advisors will schedule adequate and convenient office hours to meet student needs for consultation. Special attention will be given to student advising needs during pre-registration, orientation, and late registration periods.

8. Evaluation of Teaching by Students. The University provides a standard form for student evaluation of teaching faculty. Individual departments may develop their own forms. These forms are usually distributed near the end of the semester. The instructor should announce to the students that completed forms will not be examined until course grades have been submitted. It is recommended that instructors leave the room while forms are being completed by students.

Unless departmental guidelines provide otherwise, the use of University forms is at the discretion of the instructor and results need not be shared with others. Administrators responsible for faculty evaluation may request that a faculty member submit these forms if
evaluations are based wholly or in part upon classroom teaching effectiveness.

9. Handicapped Students. Federal law prohibits discrimination in programs and activities receiving federal financial assistance. Clemson University is in compliance with these laws including Section 504 of the Rehabilitation Act of 1973 which states:

No otherwise qualified handicapped individual in the United States shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Clemson University has established a Committee on the Handicapped to assist the University's advisor to the Handicapped in counseling students. This Committee aids the advisor selecting curriculum and planning academic programs for students. (Committee responsibilities are listed in VI. C1c.)

Faculty may encounter many types of handicapped individuals. Instructors are encouraged to ascertain any special needs of students within their classes. Suggestions for working with handicapped students may be obtained from the Advisor for the Handicapped and the Counseling Center.

F. Graduation and Commencement Ceremonies

Faculty members are required to participate, in appropriate academic regalia, in at least one graduation/commencement ceremony per year. The Faculty of each college will develop a policy for faculty representation at each graduation or commencement ceremony. The college deans shall ensure that an appropriate representation of faculty is present at each ceremony. For each ceremony, a marshal and a standard bearer shall be chosen to lead the college faculty into service.

G. Summer Employment

Faculty on nine-month appointments may accept compensated summer employment elsewhere, in the University's two summer sessions, or in connection with such specific assignments (e.g., special administrative or committee duties or research) as may be offered through the University. Faculty on nine-month appointments are not required to teach in summer sessions. Faculty on twelve-month appointments, however, are normally required to perform year-round duties, with time off for annual leave (vacation).

Faculty who teach at Clemson in either of the two summer sessions are expected to fulfill the regular responsibilities associated with University instruction, such as holding classes as scheduled and maintaining reasonable office hours. Likewise faculty with special summer research or other responsibilities should make known to their supervisors where and when they may usually be contacted.

Compensation for summer school teaching is computed on the basis of the faculty member's base salary per credit hour. Other Summer Employment. Compensation for other teaching, for sponsored research, and/or for extension activities performed during the months between the academic years (fall and spring semesters) and not related to a summer session is computed at the same rate as for a nine-month faculty member's
"base period" for the immediately preceding academic year. (Here "base period" means either a semester or an academic year.)

H. Dual Employment.

Faculty members may be employed on an overload pay basis for services which are outside the requirements of their primary job responsibilities. Such dual employment may be either internal (e.g., overload teaching at Clemson) or external (work for another state agency.) Dual employment requests must be submitted on the appropriate forms and approved through administrative channels. The University Personnel Division (656-2426) can supply further details.

I. Private Outside Employment

"Private outside employment" refers to both private consulting activities and other remunerative outside activities of faculty members. "Consulting activity" is defined as professional work performed outside University auspices that is substantively related to a faculty member's area of expertise and duties at the University. "Outside activities" refers to employment or business activities (other than personal and private financial transactions) designed to enhance the income or wealth of the faculty member but not directly related to his/her area of expertise as a faculty member. Professional employment by the University clearly presumes a commitment of time and effort considerably beyond simply fulfilling such scheduled duties as meeting classes. Excessive involvement in private outside employment of any kind must by definition have detrimental effects upon the performance of professional duties. Such lowered performance levels by necessity affect decisions regarding tenure, promotion, and salary.

1. Consulting. Consulting activities can contribute to the professional development and stature of the faculty member, and thus may benefit the University as well as the faculty member, so long as such activities are kept within reasonable bounds. The University, therefore, encourages consulting activities, provided that they present no conflicts of interest and do not diminish the quantity and quality of professional services rendered to the University as part of the faculty member's normal duties and responsibilities. The primary safeguard is the requirement that the faculty member secure advance approval for consulting activities from the department head and the dean. Department heads and deans shall evaluate the merits of each request to consult to ensure that the activity is beneficial to the University in that no conflicts of interest exist, no conflict with University duties or responsibilities is present, and the total amount of consulting by the faculty member is not excessive. Guidelines developed by the dean of each college for use in this evaluation shall be provided to the faculty after review by the Provost to ensure consistency with this policy.

2. Outside Activities. Outside activities are not viewed as beneficial to the University and are not encouraged. If engaged in, they must pose no conflict of interest or result in any lessened contribution by the faculty member to the University. The outside activities of part-time as well as full-time faculty members must not impinge in any way upon the duties and responsibilities of the faculty member to the University.

3. Use of University Facilities and Equipment. University facilities and equipment shall not be used in the furtherance of outside activities in any instance, and shall only be used
in the furtherance of consulting activities when: 1) such facilities and equipment are not available commercially, and 2) approval in advance has been secured from the Vice President for Business and Finance.

4. Reporting Requirements. A form for securing approval in advance for consulting activities must be submitted for any proposed consulting that is to occur during the faculty member's period of employment. Faculty members on nine-month appointments need not complete this form for consulting that is to occur during the period in which they are not employed by the University.

Faculty members are not required to secure advance approval for outside activities, but should be prepared to disclose the nature and extent of such activities to their department head and dean if a possibility of conflict of interest or impingement upon the proper performance of duties arises.

J. Sabbatical Leave

Sabbatical leave may be granted by the President of the University to any tenured faculty member who has completed at least six years of full-time service with the University. The purposes of sabbatical leave are to relieve faculty of normal duties so that they might pursue significant projects facilitating their professional growth and development, thus enhancing their future contributions to the mission of the University. Such leaves, therefore, are not granted automatically upon completion of the necessary period of service. Other constraints operating upon the granting of sabbatical leave may be departmental staffing, faculty work loads, and budget restrictions or limitations.

A request for sabbatical leave shall be submitted to the department head or equivalent administrator on the standard form and must be accompanied by a narrative outline of the project to be pursued, a statement explaining how that project will contribute to the faculty member's professional growth and development and his/her future contributions to the University's mission, and the faculty member's qualifications for undertaking and completing that project. When possible, faculty are advised to submit such applications at least six to twelve months prior to the date on which the proposed leave is to begin.

The head shall forward a recommendation on the requested sabbatical leave to the dean or the equivalent administrator. (College bylaws may provide that such matters are reviewed by a collegiate personnel committee.) If, upon review, the dean concurs with a positive recommendation, the application shall be forwarded for approval to the Provost and thence to the President. If the dean does not concur with the positive recommendation emanating from the department, he/she shall consult with the head and render a decision.

Applications for sabbatical leave by faculty on nine-month appointments may entail a request for one semester of leave at full pay or for two successive semesters at half pay. Applications for sabbatical leave by faculty on twelve-month appointments and administrators with faculty rank may be made for periods up to six months at full pay or for periods of over six months to one calendar year at half pay. Certain fringe benefits may be continued during sabbatical if arrangements are made in advance with the Personnel Office.
Sabbatical leaves are granted in good faith. When such a leave is ended, a faculty member is expected to return to regular service with the University for at least one contract year or, at the University's request, refund the remuneration received from the University during that time. Upon return from sabbatical leave faculty file a written report on their professional activities during the leave period with the department head.

K. Other Leave and Holidays

As state employees, faculty are eligible for state leave and holiday benefits. For a full explanation refer to the Personnel Manual. A brief explanation of some of the leave benefits follow.

1. Annual leave (twelve month appointments only), often called vacation leave, accrues monthly and may be used for any purpose.
2. Sick leave accrues monthly and may be used when personal illness or injury prevents one from performing regular duties. May also be used for medical appointments and care of immediate family members (limited).
3. Funeral leave is available on request to attend the funeral of an immediate family member.
4. Court leave is granted for obedience to a subpoena or other legal direction by a proper authority to serve on a jury, testify, or serve as a witness. When a faculty member is a voluntary witness in litigation as an individual, and not in any official capacity, court leave is not granted.
5. Military leave is granted, up to the maximum accorded by state law, for active duty or training with the armed forces of the United States or the National Guard. The leave need not be consecutive and may involve more than one tour of duty.
6. Holiday leave is granted for official holidays; however, teaching schedules and other circumstances may require the faculty member's presence. Nine-month faculty receive the regular student holidays listed in the University catalog unless special circumstances require their presence.

L. Graduate Study by Faculty

With the approval of the appropriate administrators and the Dean of the Graduate School, University faculty, administrators, and staff may pursue graduate work for credit at Clemson. However, no faculty member with a rank higher than Instructor may be considered as a candidate for an advanced degree at Clemson University in his/her primary area of professional responsibility nor in the department in which he/she is a member.

M. Professional Travel

Clemson University recognizes the importance of attendance at professional meetings to faculty growth and development and encourages faculty participation in such activities. Thus the University provides financial support for professional travel to the extent that financial circumstances permit. Funds in the University's travel budget are disbursed to the deans of the several colleges, who in turn make allotments to the academic departments. Department heads are responsible for establishing travel criteria and priorities. Such criteria and priorities can vary from year to year depending upon the travel funds available, the number of faculty applying for professional travel allotments,
the nature of faculty participation in particular meetings, distances to be travelled, modes of travel, etc. On these bases, department heads allocate travel funds among departmental faculty. Departments normally try to maintain small contingency travel funds for special circumstances.

To be reimbursed for travel expenses the faculty member completes a Travel Voucher and attaches to it receipts for registration, transportation, and lodging. Meal reimbursement is subject to the state per diem schedule. Reimbursement for official travel in personal vehicles is only allowed under certain conditions. Cash advances for travel may be secured by completing a Travel Cash Advance form (available from the departmental office) and taking the signed form to the Office of Financial Management. Travel outside the United States and Canada involves special procedures for approval.

N. Conflict of Interest

When faculty engage in either sponsored or University-supported research or such other activities as serving as paid or unpaid consultants, as part-time employees of any organization or agency, or as owners with significant interests in private businesses, their conduct may be subject to the Conflict of Interest Statutes (Title 18 USC 202209, as presently constituted). Also of possible relevance in such cases are the guidelines set forth in "On Preventing Conflicts of Interest in Government-Sponsored Research at Universities" (AAUP Policy Documents and Reports, January 1977, pp. 81-82). These and other relevant documents are available in the Office of University Research.

Faculty are responsible for being alert to actual and potential conflicts of interest when they are involved in sponsored University activities at the same time that they have significant interests in private businesses, engage in outside part-time work, or provide consultative services. Prior to initiating such activities, faculty are expected to notify their immediate supervisors in writing of any actual or potential conflicts of interest. The supervisor shall forward such statements for review to the Provost or to an administrator designated by the Provost. A written opinion as to whether or not conflict of interest exists shall be transmitted to the faculty member concerned and to his/her supervisor.

Part VIII. Select Campus Policies

A. General Statement

As University and State employees, faculty must adhere to numerous personnel policies. These policies are given in their entirety in the Clemson University Personnel Manual which is available in the Library. The following summaries are of policies which are of interest to the majority of the faculty.

B. Policy on Sexual Harassment

Title VII of the Civil Rights Act of 1964, as amended, provides that it shall be unlawful discriminatory practice for any employer, because of the sex of any person, to discharge without just cause, to refuse to hire, or otherwise discriminate against any person with respect to any matter directly or indirectly related to employment. Harassment of any employee on the basis of sex violates this Federal law. The Equal Employment Opportunity Commission has issued guidelines as to what constitutes sexual harassment of an employee under Title VII.
Title IX of the Education Amendments of 1972, as amended, prohibits sexual discrimination in any educational program or activity receiving Federal financial assistance. Clemson University receives such assistance. The Office for Civil Rights which is responsible for enforcement of Title IX has not issued guidelines as to what constitutes sexual harassment under that law.

The Board of Trustees has determined that the Title VII guidelines on sexual harassment against employees shall be equally applicable in the instance of sexual harassment of students by faculty or staff, and has issued the following guidelines.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment or academic standing; or submission to or rejection of such conduct by an individual is used as a basis for employment or for arriving at academic decisions affecting an individual; or such conduct unreasonably interferes with an individual's work or academic performance or creates an intimidating, hostile, or offensive working or academic environment.

Sexual harassment of University faculty, staff or students is prohibited and shall subject the offender to dismissal or other sanctions after compliance with procedural due process requirements. In the event a claim of harassment arises, the claimant may use University grievance procedures which have been established for faculty, staff and students, as appropriate.

In addition to the guidelines stated above, the Board of Trustees, believing that sexual harassment is not merely a one-direction transgression, has determined that Clemson University's policy on sexual harassment prohibits faculty and staff from sexually harassing a supervisor and a student from sexually harassing a faculty or staff member. If such actions occur, the offended individual should take corrective measures in accordance with usual practice and procedure.

C. Policy on Political Activity

The University recognizes that, as citizens, members of the Clemson faculty, administration, and staff undertake civic duties and participate in political life at its local, state, and national levels. However, any individual so associated with the University who seeks election to state or federal government political office shall be granted and must take leave-without-pay commencing on or before the date that such candidacy is officially announced. (Candidacy is official when a filing fee is paid or a political convention selects a candidate.) If elected to such a state or federal government political office the individual must submit his/her resignation to the University.

The above policy also applies to any member of the University faculty, administration, or staff who seeks election to county, municipal, or other local offices, the duties of which vest in the office holder an exercise of control over the University or its activities through financial support, direction of academic research or public service functions, or employment of personnel. Thus, the holding of county, municipal, and other local offices is permitted, but with the exceptions noted above. The holding of such an office,
however, must not conflict with the performance of assigned University duties.

In encouraging participation in the political life of the community, the state, and the nation, the University does not take any position in favor of or in opposition to any candidate or to any non-University-related political position. The political actions of Clemson personnel are to be understood as being taken by them individually, as citizens, and do not and cannot commit the University to whatever they may advocate.

D. Policy on Nepotism

It is the policy of Clemson University that there shall exist neither in writing nor in practice any prohibition, restriction, or limitation on the simultaneous employment of two or more members of the same family which has an adverse impact on one or the other. For the purposes of this policy, the term "members of the same family" includes any combination of two or more of the following: each spouse, and the father, mother, brother, sister, daughter, son, niece and nephew of each spouse.

Members of the same family may be employed in academic or non-academic positions, in the same or different departments or offices, provided that when one member of a family would be required to function in a supervisory capacity in specific situations involving another member of the same family, the prior approval of the appropriate administrative officer for such an arrangement must be obtained. In such cases the administrative officer shall determine whether a member of the same family would be required to initiate or participate in institutional decisions involving a direct benefit—for example, appointment, re-appointment, tenure, promotion, salary, leave of absence, etc.—to an applicant from the same family. A good faith determination by the appropriate administrative officer that it would not be in the best interests of the University to establish such a close working relationship between members of the same family, and that the additional family member should be denied employment, would not constitute a denial of equal employment opportunity to one sex over another. In such cases the University shall make reasonable efforts to place the applicant in some other University position for which the applicant is qualified.

In situations wherein one family member could influence personnel decisions affecting the other member of the same family, propriety dictates that the former excuse himself/herself from the decision-making process.

E. Copyright Policy

Clemson University recognizes the right of faculty to engage in the uncommissioned creation of all scholarly, pedagogical, and artistic work subject to copyright, to copyright such works, and to receive royalties from their use. "Uncommissioned creations" are defined as those which do not receive aid from the University or from an outside agency through University channels. As to other creations and their copyrights, the University relies on the discretion and professional ethics of faculty.

Computer programs developed by faculty without University support will at all times be solely owned by the authors of the copyright. Computer software programs developed with university support are subject to the University Computer Software Copyright Policy. For further information, contact the Office of University Research.
F. Patent Policy

Clemson University recognizes that research and scholarship should be encouraged as such without regard to potential financial gain; however, the University also recognizes that patentable inventions and discoveries may arise from such research. The policies governing the administration of such inventions should provide adequate recognition and incentive to inventors and at the same time ensure that the University will share in the rights pertaining to inventions in which it has an equity. Any profits accruing to the University shall be used in the furtherance of the University's academic mission. Decisions as to the disbursement of such funds shall take into account recommendations by the Patent Committee.

The rights of Clemson University in patents arising from research will vary depending on the proportionate contribution of the institution. Faculty members, staff, and students who believe they have patentable inventions shall submit proposals to the Patent Committee in accordance with the guidelines promulgated by the Committee.

The University's Patent Committee (see VI. E4.):
1) evaluates proposals prepared and recommends whether the University should accept the proposal and attempt to obtain the patent;
2) recommends the equity of the University and of the inventor within the limits specified in the patent policy;
3) recommends how the patents of Clemson University shall be assigned.

It is recognized that certain intellectual properties created by faculty while using University time and/or property may exist. These properties, while not eligible for patent, may produce income. Rights to these properties should be assigned on an individual basis by the Patent Committee and the parties involved.

G. Human Subject Policy

Clemson University has filed the required general assurances of compliance with the regulations of the U.S. Department of Health and Human Services for the protection of human subjects. Although the assurance applies to human subject activities supported by federal funds, it has been adopted as University policy and, as such, applies to all human subject activities carried out by University personnel. Faculty contemplating such activities must submit a form for approval to be reviewed by the Committee for Protection of Human Subjects (see V. E3.). The Committee ascertains whether the rights and welfare of subjects are adequately protected, the risks to subjects are outweighed by the potential benefits, and the informed consent of subjects is obtained by adequate and appropriate methods.

Further, faculty engaging in human subject research are responsible for adhering to the relevant guidelines established by their professional and/or accrediting organizations. For further information faculty should contact the Office of Research Services.

H. Animal Subject Policy

Clemson University has established a policy and protocol for the use of animals in
research, instruction, and public service activities. Use of vertebrate animals is reviewed
and approved by the Animal Research Committee (V. E1). Faculty contemplating such
activities must submit a form requesting approval to the Committee. For further
information, faculty should contact the Office of Research Services.

I. Honorary Degrees Policy

Clemson University confers honorary degrees in recognition of eminent achievement in
scholarship or creativity, or of high distinction in public service, including meritorious
contributions to the University. The awarding of honorary degrees is to be regarded as a
method by which the University expresses its ideals and recognizes exceptional
attainments. The following policy, adopted by the Board of Trustees, governs the
selection of honorary degree recipients.

Nominations of candidates for honorary degrees may be made by any interested person
to the President of the University or to the Selection Committee by submitting in written
form the accomplishments of the nominee.

A selection committee shall be established consisting of the Provost and Vice President
for Academic Affairs, who shall serve as Chairperson; the President of the Faculty
Senate, who shall serve as Secretary; the most recent past president of the Faculty
Senate currently in the employ of Clemson University; an Alumni Professor appointed by
the President; and the Chairman of the Institutional Advancement Committee of the
Board of Trustees. The Committee shall evaluate the candidates and submit its
recommendations for the awarding of honorary degrees to the President of the
University. The President will forward his recommendation to the Board of Trustees for
approval. Consideration for the awarding of honorary degrees shall be limited to
occasions of special significance to Clemson and when the awarding would clearly
express the ideals of the University or recognize exceptional attainment.
MINUTES
FACULTY SENATE
MARCH 12, 1991

1. **Call to Order.** President Dunn called the meeting to order at 3:33 p.m.

2. **Approval of Minutes.** The Faculty Senate Minutes of February 12, 1991 were approved as written.

3. **Special Order of the Day.** President Dunn introduced Paul Aaron, NCAA Compliance Director, who spoke on the highlights of legislation at the recent 1991 NCAA Convention and how they relate to Clemson University. These resolutions govern: cost containment, student life time demands reduction, and evaluation of the student life experience.

   Ken Hatfield, Head Football Coach, then presented information on the football program at Clemson and its place academically. The football mission is the same as that of the University mission - assist students in obtaining a diploma. Recruiting criteria include the: character of prospective student/athlete, academic ability to graduate from Clemson, natural athletic ability, and definition of our needs at Clemson in the football program.

4. **Nomination and Election of Senate Vice President/President-Elect and Secretary.** The Advisory Committee brought forth its slate of candidates for Vice President/President-Elect and Secretary. The floor was opened for additional candidates; there being none, each candidate gave comments to the Senate and elections were held. William Baron was elected Vice President/President-Elect and Gerald Waddle was elected Secretary. Senator Marion made a motion which was seconded to make these elections unanimous. Motion passed.

5. **Committee Reports**
   
   a. **Senate Committees**

   **Policy Committee.** No report to present. Next meeting will be held on April 2, 1991.

   **Research Committee.** No report was given.
Scholastic Policies Committee. Senator Louderback reported that he and President Dunn had met with Dr. Lennon regarding the Admissions Exceptions Committee. Dr. Lennon said that he did not believe the President should overrule the Admissions Exceptions Committee, and therefore, he wished the Faculty Manual policy to remain the same. President Dunn and Senator Louderback were pleased with President Lennon's position; and the Faculty Senate appreciates this vote of confidence. Senator Louderback also reported that the mid-year check for continuing enrollment will not be done this year.

Welfare Committee. Senator Baron stated that the salary analysis should be ready for distribution soon, and requested that President Dunn write a letter of thanks to the Office of Institutional Research for the work on this report.

b. University Commissions and Committees

1) Senator Loge reported from the Continuing Enrollment Admissions Committee that the applicant pool is declining, but that when it increases, it will create drastic changes such as race, sex, education levels, etc. More and more non-traditional students are entering Clemson University. Senator Loge will be glad to share these statistics.

2) Senator Louderback reported that the Commission on Undergraduate Studies proposal on the general education requirements should be ready within the next 3-5 months. A copy of this proposal can be obtained from departmental offices.


7. Old Business

a. Senator Hare reported that the Council of Deans passed a resolution on February 25, 1991, urging the proposed purchase of software be deferred. Senator Hare also presented a response from Dr. Lennon (Attachment B) regarding this subject.

b. Senator Luedeman plans to present a report on the recognition of public service at the April Faculty Senate Meeting.

c. Senator Luedeman reported that the Centennial Professorship is now at $72,391.
d. Senator Zehr, as Chair of the ad hoc Committee on Faculty Senate Organization and Governance, made a motion to accept a Resolution on Ex-Officio Membership in Meetings of Vice-Presidents (Attachment C) (FS91-3-1 P). This motion was seconded, and passed unanimously.

Senator Zehr read a proposed Resolution on Faculty Senate Input for University Academic Committees (Attachment D), and made a motion for acceptance, which was seconded. After discussion and friendly amendments, motion failed (FS91-3-2).

Senator Zehr made a motion to accept a Resolution on Chairs of University Academic Committees, which was seconded. After discussion, motion passed (Attachment E) (FS91-3-3 P).

e. Senator Murr presented the new Faculty Manual to the Senate and asked for its approval. Senator Harris presented a Procedural Motion for Controlling Debate Regarding Revised Faculty Manual. The Faculty Manual was accepted as presented.

f. President Dunn will ask Mechthild Crangston, Professor of Languages, to coordinate the Book Collection Project.

8. New Business

a. Senator Luedeman made a motion to accept the Resolution on Declaration of Senior Vice President. Motion was seconded and passed unanimously (Attachment F) (FS91-3-4 P).

b. Senator Luedeman introduced a motion to Endorse the Resolution that was forwarded from the Council of Deans. This motion was seconded and passed (Attachment G) (FS91-3-5 P).

9. Adjournment. The meeting adjourned at 5:58 p.m.

Kenneth R. Murr, Secretary

Cathy Toth Sturkie, Staff Secretary

Senators absent: G. Christenbury, D. Graham, S. Wallace, M. Bridgewood, J. Liburdy
PRESIDENT’S REPORT
MARCH, 1991

1. The first meeting of the Provost/Vice President for Academic Affairs Search Committee was held on March 6. An extensive search will be conducted, and faculty are encouraged to suggest names of potential candidates.

2. From across the campus concern is being expressed for the faculty and staff of the Cooperative Extension Service. Extension has a projected deficit of $1 million to $1.25 million for this fiscal year. This deficit has resulted from the expenditure of $1.9 million over the past three years for salaries which have not been covered by allocations. These salary costs were mandated state raises and participation in the salary enhancement program. In addition, the State has recalled all monies which were given in salaries for this year, therefore, an equivalent amount of money was returned to the State, and an additional budget cut of one-half of one percent has been.

Appeals have been made to the University and the Budget and Control Board, but assistance from neither has been received. The University must absorb a $2 million cut this year from the E & G budget, and the Budget and Control Board is working with a projected State deficit of $132 million.

It appears the only two options for Extension is: to have a reduction-in-force next year which would involve the livelihood and careers of 40 individuals; or to take a voluntary reduction in hours. The State does not have a mandated furlough policy, so this is not an alternative. The voluntary furlough will be for the remainder of this year, and will involve one day per pay period for the remaining pay periods of the year. Next year Extension personnel will be asked to voluntarily take a reduction in hours; that will be equitable to a five percent annual reduction in salary.

The Senate will be working with the Extension Senate and Extension faculty on this matter, and issues of faculty rights will be watched closely.

3. Bills have been introduced into the Legislature concerning English fluency of instructors. One bill introduced by Rep. Kirsh would require an evaluation of instructional faculty for fluency in English; the penalty for noncertification would be $10,000 per uncertified faculty member per course. Senator Stillwell’s Fluency Bill provides for a grievance
procedure for students. Clemson was successful in getting some of the language in the Kirsh bill changed.

4. Provost Maxwell has responded negatively to the Senate's Resolution on Summer School Salaries. His actions are based on two reasons: (1) a number of expenses are not prorated against summer school revenue, thus making it appear revenue greatly exceeds expenses; and (2) anticipated summer school revenues are a part of the University's total revenue and will be needed next year to offset anticipated budget cuts. The Welfare Committee is reviewing Dr. Maxwell's decision.

5. Because of the short-fall in revenues for the remainder of this year and for the 1991-92 fiscal year, and the urgent need to make budgetary decision in February, the Senate was asked to consider postponing the implementation of the mid-year check provision of the Continuing Enrollment Policy. The Scholastic Policies Committee agreed, and the mid-check will be delayed for a year. The other provisions of the policy will be implemented.

6. The editorial revision of the Faculty Manual is now complete, and will be voted on at our March meeting. This revision has brought the Manual up to date, eliminated sections whose material is found elsewhere, and improved consistency in language. Following proper procedure, changes in policy must be taken up individually. The Senate greatly appreciates the work of Kenneth Murr on the Manual, and thanks him for his dedication on behalf of the Clemson faculty.

7. With the creation of the position of Vice President for Research, changes occurred in the structure and mission of the Commission on Graduate Studies and Research. The Senate had two representatives on the Commission; one was the Chair of the Research Committee, and the other an elected senator. The Senate was asked by the Graduate School to review its representation on the restructured Commission on Graduate Studies. The Executive/Advisory Committee decided that because the Commission is composed of faculty members from the various colleges, and since research is no longer a responsibility, that the Chair of the Research Committee need not serve, and the Senate will be represented by an elected senator.

8. Concern has been expressed that as the University has grown, faculty, staff, and students, have lost the sense of community that once typified Clemson. The presidents of the Commission on Classified Staff Affairs, Extension Senate, Graduate Student Association, Student Government and Senate, Faculty Senate, and Dr. Lennon have agreed to create a committee
to enhance the community spirit on campus. The faculty representatives to this committee are Debbie Johnson (3932), Peter Loge (0599), and Jerry Waldvogel (3825). Please give them your ideas and suggestions.

9. As prescribed by the Constitution of the Faculty, the allocation of Senate seats by college is to be assessed every odd-numbered year. This year's allocation has been completed and there will be no changes in the allocation. March is the month for Senate elections; please encourage colleagues to seek vacant Senate seats.

10. Paul Aaron, NCAA Compliance Director, and Ken Hatfield, Head Football Coach, will be our Special Orders of the Day at the March meeting. Athletic reform and the relationship between the Athletic Department and the academic colleges has been of concern to the Senate for the last few years. Please invite your colleagues to the meeting.

11. Continue to encourage participation in the campaign to fund the Centennial Professorship. If possible, we need to complete the campaign this year.

12. Attached is a copy of the Faculty Salary Report for 1990-1991. The Senate's Salary Survey has been completed, and copies will be given to: each senator, department head, and dean; the Provost; and Dr. Lennon. Also, a copy will be placed in the Library.
MEMORANDUM

TO: Dr. Allen Dunn
    President, Faculty Senate

FROM: Max Lennon, President

SUBJECT: Faculty Senate Resolution on the Purchase of Software by the Office of Business and Finance (FS91-2-1 P)

March 4, 1991

Your concern that the process of selecting from among the proposals of software suppliers the particular software that would be best for the Office of Business and Finance and the University is very much appreciated.

It is anticipated that this process will reach a point in approximately six weeks at which the alternatives will be clearly delineated making the comparison of the alternatives more feasible. Please be assured that a thorough evaluation of the alternatives will be made at that time and that the evaluation will be guided by what is deemed best for the University.

ML/ep

cc: David Larson
    David Maxwell
RESOLUTION ON EX-OFFICIO MEMBERSHIP IN MEETINGS OF VICE-PRESIDENTS

FS91-3-1 P

Whereas, open lines of communication between faculty and administration of Clemson University are essential to maintain effective dialogue, and

Whereas, faculty have legitimate concerns in matters in addition to academic affairs, and

Whereas, faculty have expertise in these matters which is of value to the University,

Resolved, that the President of the Faculty Senate shall be an ex-officio member in meetings of the Vice-Presidents of Clemson University.
RESOLUTION ON FACULTY SENATE INPUT FOR UNIVERSITY ACADEMIC COMMITTEES
FS91-3-2

WHEREAS, faculty responsibilities include establishment and oversight of academic standards; and

WHEREAS, academic standards established for education and research are formulated and promulgated in University committees;

RESOLVED, that reports and recommendations from the Commission on Undergraduate Studies, the Commission on Graduate Studies, Undergraduate Curriculum Committee, Graduate Curriculum Committee, and the Research Advisory Committee must be reviewed for comment and input by the Faculty Senate before implementation as University policy.
RESOLUTION ON CHAIRS OF UNIVERSITY ACADEMIC COMMITTEES
FS91-3-3 P

WHEREAS, faculty serving on University committees that formulate and promulgate academic standards exercise major responsibility for developing academic standards, and

WHEREAS, the chairperson of such committees provides important initiative and motivation for innovation in academic policy,

RESOLVED, that the chairperson of these committees be a faculty member whose responsibilities are not primarily administrative in nature.
RESOLUTION ON DECLARATION OF SENIOR VICE PRESIDENT

FS91-3-4 P

Whereas, the primary purpose of Clemson University is the education of students, and

Whereas, this purpose is academic, and

Whereas, all other activities of the University are to enhance, extend, and support the academic experience, and

Whereas, the Provost and Vice-President for Academic Affairs is the chief academic officer,

Resolved, that the Faculty Senate requests that the Provost and Vice President for Academic Affairs be declared the Senior Vice President.
MOTION TO ENDORSE THE RESOLUTION
FORWARDED FROM THE
COUNCIL OF DEANS

FS91-3-5 P

Whereas, the Faculty Senate has passed a resolution to delay the purchase of computer software until adequate input from the Accounting Department, the Computer Science Department, DAPS (Division of Administrative Programming Service), DISD (Division of Information Systems Development), and the Computer Center at Clemson is obtained,

Resolved, the Faculty Senate endorses Resolution "O" from the February 25, 1991 Minutes of the Council of Academic Deans which states that such purchase be deferred.
March 4, 1991

MEMORANDUM

TO: Council of Academic Deans
    Strom Thurmond Institute
    National Dropout Center

FROM: W. David Maxwell, Provost

SUBJECT: End of Year "Bonus" for those Receiving Salary Adjustments

As I indicated earlier there will be no end of the year "bonus" for those receiving salary adjustments during the current fiscal year.

As you may recall, last year we were able to pay such a "bonus" to compensate for the fact that the salary adjustments were not effected until after the fiscal year had begun. This year we will not be able to continue this practice because of adverse opinions from the Office of the Attorney General.

Please ensure that all of your faculty members who received salary adjustments are aware of the situation.

WDM/ep

cc: David Larson
    Jim Roberts
    Roger Patterson
STATUS OF FACULTY SENATE RESOLUTIONS

FS89-3-1 P  SENATE REPORT ON PRIORITY LIST FOR FRINGE BENEFITS
The Welfare Committee presented a prioritized list of fringe benefit requests of the faculty. Based on a survey of the faculty, the list included changes to the state retirement plan along with increases in life insurance and tuition waivers for faculty dependents. The Provost/Vice President for Academic Affairs has responded.

FS89-12-3 P  RESOLUTION ON MOVING THE LAST DATE FOR STUDENTS TO DROP COURSES WITHOUT RECORD
The Faculty Senate recommends that the Administration move the first drop date to one day before the last day to add a class. The Provost/Vice President for Academic Affairs has responded.

FS90-2-3 P  REVISED POLICY ON RESEARCH ETHICS. The revised policy incorporates suggestions from the Senate, Professor Jonathan Black, and University Counsel Ben Anderson. The Provost/Vice President for Academic Affairs has responded.

FS90-4-1 P  SCHOLASTIC POLICIES COMMITTEE REPORT ON ADMISSIONS EXCEPTIONS FOR SCHOLARSHIP ATHLETES. The Senate recommends the admissions policy for scholarship athletes be written down and approved by appropriate bodies, clarification of duties of Admissions Exceptions Committee in the case of scholarship athletes, no admission of students who have little chance of graduating, increased pressure on NCAA and ACC to raise admissions standards for athletes, and goal of a single admission standard for all students. The Vice-President for Student Affairs has responded.
STATUS OF FACULTY SENATE RESOLUTIONS

FS90-5-1 P RESOLUTION ON THE UNIVERSITY POSTAL SYSTEM. The Senate recommends that the University allocate sufficient personnel, space, and financial resources and provide adequate training for personnel to operate the Postal System in such a manner that prompt, efficient service is assured. The Vice President for Business and Finance has responded.

FS90-8-1-P RESOLUTION ON THE EVALUATION OF DEPARTMENT HEADS The Faculty Senate requests that each Department Head be evaluated by the Dean beginning with the third year of his or her administrative service and continuing every third year thereafter. The Dean shall solicit written opinions of all permanent faculty and a representative of classified employees regarding areas of concern. The Dean shall summarize these views in reports to the Department Head and the Provost. The Provost/Vice President for Academic Affairs has responded.

FS90-10-1 P RESOLUTION ON THE REMOVAL OF SMOKING MATERIALS AND ASHTRAYS. The Faculty Senate recommends that the sale of smoking materials be prohibited on campus, and that ashtrays be removed from those areas in which smoking is prohibited. The Provost/Vice President for Academic Affairs has responded.
STATUS OF FACULTY SENATE RESOLUTIONS

FS90-10-2 P  RESOLUTION ON THE PROPOSED PURCHASE OF COMPUTER SOFTWARE BY THE OFFICE OF THE VICE PRESIDENT FOR BUSINESS AND FINANCE. The Faculty Senate expresses concern over the proposed purchase of business and financial software costing approximately $2-3 million by the Vice President for Business and Finance. It is proposed that the purchase of computer software be delayed until adequate input from the Accounting Department, the Computer Science Department, DAPS (Division of Administrative Programming Service), DISD (Division of Information Systems Development), and the Computer Center is obtained. The Provost/Vice President for Academic Affairs has transmitted this information to the Vice President for Business and Finance.

FS90-11-1 P  RESOLUTION IN SUPPORT OF UNIVERSITY COMPUTER ADVISORY COMMITTEE PROPOSAL. The Faculty Senate concurs with the recommendation of the University Computer Advisory Committee that a student computer use fee is required to maintain and improve remote academic computer facilities. The Provost/Vice President for Academic Affairs has responded.

FS91-1-1 A-D P  RESOLUTION TO REVIEW THE PURCHASE OF BUSINESS AND FINANCE SYSTEMS SOFTWARE BY THE OFFICE OF BUSINESS AND FINANCE. The Faculty Senate requests a delay in the purchase of new software for the Business and Finance Computer System to allow further study of the related costs, advantages and disadvantages of changing systems, and that faculty and staff be involved in assessments. The Provost/Vice President for Academic Affairs has transmitted this information to the Vice President for Business and Finance.
RESOLUTION IN SUPPORT OF STUDENT SENATE RESOLUTION NO. 37, "HANDICAP VANS". The Faculty Senate strongly supports the handicapped resolution as stated by the Student Senate. The resolution has been forwarded to the Provost/Vice President for Academic Affairs.

RESOLUTION TO PRESIDENT LENNON TO SUSPEND THE PURCHASE OF THE SOFTWARE REQUESTED IN THE RFP. The Faculty Senate would like President Lennon to suspend the purchase of the software requested in the RFP until the questions raised by the ad hoc Committee have been answered completely. The resolution has been forwarded to the Provost/Vice President for Academic Affairs. President Lennon has responded.

RESOLUTION ON SUMMER SCHOOL SALARIES. The Faculty Senate supports an increase in summer school pay to be done in three stages; and upon the reaching of parity, full departmental responsibilities will be met by faculty members. The Provost/Vice President for Academic Affairs has responded.

RESOLUTION ON EX-OFFICIO MEMBERSHIP IN MEETINGS OF VICE-PRESIDENTS. The Faculty Senate requests that the President of the Faculty Senate be an ex-officio member in meetings of the Vice-Presidents of Clemson University. The Provost/Vice President for Academic Affairs has transmitted this information to the President of the University.

RESOLUTION ON CHAIRS OF UNIVERSITY ACADEMIC COMMITTEES. The Faculty Senate supports the position that chairs of University committees be a faculty member whose responsibilities are not primarily administrative in nature. The Provost/Vice President for Academic Affairs has responded.
FS91-3-4 P RESOLUTION ON DECLARATION OF SENIOR VICE PRESIDENT. The Faculty Senate requests that the Provost and Vice President for Academic Affairs be declared the Senior Vice President. The Provost/Vice_President_for_Academic_Affairs_has_transmitted_this_information_to_the_President_of_the_University.

FS91-3-5 P MOTION TO ENDORSE THE RESOLUTION FORWARDED FROM THE COUNCIL OF DEANS. The Faculty Senate endorses Resolution "O" from the Council of Academic Deans stating that purchase of software by the Office of Business and Finance be deferred. The_resolution_has_been_forwarded_to_the_Provost/Vice_President_for_Academic_Affairs.

March 25, 1991
June 14, 1990

TO: Allen Dunn
   President of the Faculty Senate

FROM: W. David Maxwell
   Provost and Vice President for Academic Affairs

SUBJECT: Priority List for Fringe Benefits (FS89-3-1)

As you know, some small progress was made in the last legislative session with respect to retirement benefits. We will continue to work with legislators and others to improve these benefits in subsequent years.

However, I believe that there is little point in attempting to secure, for our employees, benefits that would not accrue to all State employees. The Legislature has not been receptive to the idea of singling out our employees for preferential treatment no matter how justifiable we regard this to be. In my opinion we can only make progress in this area by being a part of a coalition of State agencies and organizations that are working toward the same goal. Even then, progress will be slow.

I will take the request for additional life insurance to the upper administration. You should bear in mind, however, that the cost of the increased coverage will come from funds that would otherwise be devoted to other purposes, including salary adjustments. Even so, it may still be a good idea and I'm sure that you considered this point in arriving at this decision.

As indicated above, I think that there is little point at this time in trying to get tuition waivers solely for the spouses and children of employees of State colleges and universities. It would be divisive, highly likely to cause a "back lash," and, again, the lost revenue would have to be compensated for from other sources. Additionally, the present limitations on the number of permissible waivers might well be a problem.

With respect to faculty development funds the central administration no longer controls these funds. They are a component of each college's block grant, the distribution of which is the responsibility of the college and its departments.
With respect to the request for long term care insurance I will take this request also to the central administration.

The administration on a number of occasions has considered proposals for the provision of child care. So far, none have been approved (usually because of their cost) but I will inform the administration of your continued interest in this topic.

WDM/b

cc: President Lennon
    Mr. David Larson
MEMORANDUM

TO: Dr. Allen Dunn
   President, Faculty Senate

FROM: W. David Maxwell, Provost

SUBJECT: Moving the Last Day to Drop Courses Without Record (FS89-12-3 P)

October 5, 1990

At present a student may drop a course during the first four weeks of classes without penalty. As I understand it the resolution recommends that the last day for dropping a course be the day before the last day to add a course. Since the last day to add is one week after classes begin the resolution, if accepted, would cut the drop without penalty period from four weeks to one (less one day).

The Student Affairs Division has been informed of the resolution and the matter is also being referred to the Undergraduate Studies Commission.

The effect of the resolution from a financial point of view cannot be accurately determined but since the count of student credit hours is reported to the CHE during the present drop period the effect would probably be negative and might be of significant magnitude. (Last year’s "drops," if priced, would total approximately $1.6 million but I don’t know how much the reported SCH would change if the drop period were shortened. In the opinion of the Admissions Office there would be significant negative effect upon revenue). If there were a reduction in revenue it would have to have an adverse effect upon other expenditures (e.g., operating funds, equipment, salaries).

WDM/ep
March 5, 1990

MEMORANDUM

TO: Dr. Gordon Halfacre  
President, Faculty Senate

FROM: W. David Maxwell, Provost

SUBJECT: Policy on Research Ethics (FS-90-2-3P)

In my view, the policy statement on research ethics is a good one but I do have several questions:

1. (3rd paragraph of 3rd page).

   As worded, the paragraph requires that any recommendation re’ disciplinary action will be referred to the appropriate dean, etc.

   What if, in his decision, the Provost does not accept a recommendation?

2. Are you certain that you wish there to be no appeal from the decision of the Provost? (Both GPI and GPII provide such an appeal)

3. May the accused have the benefit of counsel during the investigatory hearing? If not, does the absence of counsel constitute, per se, grounds for a grievance? (e.g., improper or unfair implementation of University policies or procedures)

4. Who is responsible for implementing the last sentence on the third page?

WDM/ep

cc: Mr. Ben Anderson (encl.)
MEMORANDUM TO: Dr. Allen Dunn  
President, Faculty Senate

SUBJECT: Admissions Policies - Scholarship Athletes

The administration appreciates and shares the concerns expressed by the members of the Scholarship Policies Committee regarding admissions exceptions for scholarship athletes. It is the normal practice of the University to require applicants for admission to meet uniform and exacting admissions standards established for the respective colleges of the University. It is the goal of the administration to both enhance and protect the academic standards of the University. Consequently, it is important that exceptions to the generally applicable admissions policy be carefully considered and understood.

In the case of scholarship athletes, the policy at Clemson is the same as that of all other ACC schools. Student athletes recruited by Clemson who meet the NCAA academic requirements for freshman eligibility are accepted for admission even though some do not meet the University's regular admission standards. It is unclear when the policy was first put in place, but it has been in practice since the mid-1970's. The rationale for the policy was to allow Clemson to be competitive in intercollegiate athletics. It was felt that in order to do so, Clemson would have to recruit and admit student athletes by the same rules as its competition.

Since 1986, the credentials of student athletes admitted under this special authority have been reviewed by the Faculty Admissions Exceptions Committee. It is felt that this is an appropriate way of letting the faculty know how the academic credentials of this group compare with other exceptions and with students who do meet regular admission standards. The intent is for the Exceptions Committee to review the applications of these athletes but not to deny admission, unless they fail to meet NCAA requirements.

It is the strong desire of the administration to increase the academic standards required by the NCAA for participation by student athletes. In this regard, President Lennon, Athletic Faculty Representative Bob Skelton, and Athletic Director Bob Robinson are working through the ACC to improve academic standards in both the ACC and throughout the NCAA. Bob Skelton, in addition to being Clemson's ACC representative, also serves as the ACC's representative.
on the NCAA Council and is Vice President of NCAA Division I. In these key roles, Dr. Skelton has the opportunity of representing both the ACC and Clemson University on committees of the NCAA that address academic standards. He has sponsored and supported policies to increase the academic requirements for participating by student athletes for all NCAA institutions. In addition, Clemson has supported proposals to reduce practice time and encourage the return of student athletes to the mainstream of the campus. (See attached draft report by Conferences of Conference Participants.)

The Scholastic Policies Committee also raises the issue of the realistic chances of academic success on the part of these students. The committee correctly points out that absent any special efforts on the part of the University, it would be unfair to admit some of these students to the University. Clemson's commitment to the academic progress of student athletes is best reflected by the Learning Center now under construction. Recognizing that some student athletes do not meet normal admission standards, it is important that the University provide tutorial programs that will enhance the chances of these students receiving a degree. In this effort, all freshmen student athletes are required to attend a 2 hour study hall Sunday through Thursday evenings for their first semester. Those failing to maintain a 2.0 GPR, and also all upperclassmen with less than a 2.0 GPR, are required to continue in the study hall. While not mandatory, walk on athletes are given the opportunity of attending both the study hall and tutoring sessions. The administration does not want to recruit student athletes who do not have a chance of graduating from Clemson University. The Learning Center is an important tool in this effort. In addition, the Faculty Admissions and Scholarship Committee of the Athletic Council would be expected to continue to closely evaluate the progress of student athletes in the coming years, a process that was initiated several years ago.

To summarize, the policy of admitting scholarship athletes who meet NCAA academic requirements was established, and has been continued, to enhance Clemson University's ability to remain competitive in collegiate athletics. The policy is complemented by an aggressive tutorial program for student athletes. In addition, Clemson officials, including the president, are working through the ACC and NCAA to increase academic standards for student athletes while preserving competitive balance.

Manning N. Lomax

MNL/me
Attachments
cc: Dr. Max Lennon
    Dr. David Maxwell
    Dr. Cecil Huey
    Dean Bob Skelton
    Mr. Bob Robinson
MEMORANDUM

TO: David R. Larson
Vice President for Business and Finance

THROUGH: Wanda B. Hill
Senior Associate Vice President for Business and Finance

FROM: Lydia K. Whisenant
Director of Information Support Services

SUBJECT: Response to Faculty Senate Resolution on the University Postal System (FS90-5-1)

In response to the Faculty Senate Resolution on the University Postal System (FS90-5-1), I would first like to thank the Senate for bringing their problems with University Postal Services to our attention, and for their support. Since we are a service organization, it is helpful to know what problems our customers are experiencing. This enables us to address these problems more proficiently and resolve them to ensure continued improvement of the campus postal system.

There have been several improvements in University Postal Services within the last few months which we feel have abated several problems. The distribution, sorting and metering process was moved to a building located in the Clemson Shopping Center. This gave us approximately 3,500 square feet of workable space. Nine employees, both permanent full-time and temporary full-time employees, have been reassigned to this area. Productivity has been noticeably enhanced since personnel now have space to adequately organize the distribution process. When this area was located in Johnstone Hall, there was approximately 450 square feet of workspace, hardly adequate to house and process all incoming, outgoing, interoffice, interagency and student mail which consists of approximately 40,000 pieces per day.

The area in Johnstone Hall, Student Postal Services operation, has now been redesigned to handle all student mail with the window area for postal services remaining unchanged. This area will also be able to handle and store the 6,000 UPS parcels received when students move to campus each fall semester. In past years, these parcels were stored in rented tractor trailers or in the basement of Fike Recreation Center. This created many opportunities for error since the parcels had to be moved after they were received by University Postal Services.

Welcome relief has also come in the form of additional personnel for University Postal Services. Resources have been reallocated for two new full-time positions with a third position pending for the 1990-91 fiscal year. Plans are to utilize these personnel in the distribution process. An additional delivery route will be possible which would apportion the delivery process over four routes rather than three serving 130 rooms twice each day and 4 rooms once each day, within 54 buildings on campus. This will also free up time for delivery personnel to assist in the sorting and metering procedures—they currently spend the majority of their workday on delivery routes.
We realize the postal system is an integral operation for the ongoing effective communication of all University functions. We are optimistic these changes and improvements will speed the delivery of mail to its destination. Policies have also recently been implemented for mail to be metered to remain within the confines of University Postal Services no more than 24 hours. In other words, mail received for metering in the afternoon run will be metered no later than the following afternoon at the regular pickup time.

University Postal Services personnel feel the following suggestions would help streamline the delivery process of incoming and outgoing mail.

1. Use correct zip codes and be sure correspondents have your correct address. Zip codes designated for Clemson are as follows: 29631 for Clemson city street addresses; 29632 for CU student post office boxes; 29633 for Clemson city post office boxes; and 29634 for University departments and administrative units. Always use a five-digit zip code plus the four-digit number (department number) on all out-going mail and ask correspondents to use these numbers on all incoming mail. The four-digit number enables sorting of incoming mail by department number. This four-digit add-on is also used for billing postage to departments for outgoing mail.

2. Avoid using the University postal system for personal mail. Instead, use the federal post office collection boxes for personal stamped mail. Stamps on first-class mail pay for handling by federal postal employees only—reimbursement is not made to Clemson University for these services. Consider having noneducational journals and magazines delivered to your home address.

3. Use correct and complete addresses for interoffice correspondence. Avoid name or department abbreviations.

4. Separate mail into stamped mail, mail to be metered, and interoffice mail. Fasten mail in these categories together to improve handling efficiency.

5. Do not mix metered mail originating from two or more departments, or mail to be charged to different account numbers.

6. Promptly notify University Postal Services (656-0632) of changes in name or address of departmental personnel. Do not assume the Postal Services is informed immediately of these changes.

7. For bulk mailings of memorandums, etc., sort mail by departments, not by individual name. (It takes approximately two hours for three employees to sort bulk mailings which are received for individual distribution. When they are sorted by department, this process takes approximately 20 minutes.)

Training programs for new employees have recently been implemented for new full-time and temporary employees of University Postal Services. These programs stress efficiency in productivity as well as an urgency for expediency. Workshops for campus faculty and staff detailing mailing procedures, in conjunction with the United States Postal Service, are presently being organized. These workshops are scheduled to begin in the 1990 fall semester.

In order to better understand the postal system situation on the Clemson campus, we have recently sent surveys to the Southern University Group Data Exchange (SUG Group) to compare our system to other universities comparable in size to Clemson University. This information is now being received and analyzed, and will be compiled into a report to be distributed to appropriate administrative personnel.
With the anticipated growth in volume of University-related mail to increase by 20 percent yearly (University Postal Services currently handles 40,000 pieces daily—a 20 percent increase equals 48,000 pieces daily next year), thought must be given to future improvements in the University Postal System. Additional personnel will be needed as volumes increase, as well as adequate space to handle and process the mail. New buildings both on and off campus create the need for new University employees and add to the presently overburdened postal system.

As you can ascertain, improvements are being made, but we still have a long way to go. Perfection in our postal system may not be possible due to sheer volumes, but a concerned and energetic staff will allow us to continue the ongoing problem solving process and to find new avenues to pursue.

xc: Paul Storey
Katrina Skelton
David Dallas
December 18, 1990

MEMORANDUM

TO: Dr. Allen Dunn
    President, Faculty Senate

FROM: W. David Maxwell, Provost

SUBJECT: Faculty Senate Resolution on Computer Fees (FS90-11-1P)

Subject resolution was brought before a meeting of the President and Vice Presidents on December 17, 1990. This body failed to support the resolution.

WDM/ep
MEMORANDUM

TO: Dr. Allen Dunn
President, Faculty Senate

FROM: Max Lennon, President

SUBJECT: Faculty Senate Resolution on the Purchase of Software by the Office of Business and Finance (FS91-2-1 P)

March 4, 1991

Your concern that the process of selecting from among the proposals of software suppliers the particular software that would be best for the Office of Business and Finance and the University is very much appreciated.

It is anticipated that this process will reach a point in approximately six weeks at which the alternatives will be clearly delineated making the comparison of the alternatives more feasible. Please be assured that a thorough evaluation of the alternatives will be made at that time and that the evaluation will be guided by what is deemed best for the University.

ML/ep

cc: David Larson
    David Maxwell
MEMORANDUM

TO: Dr. Allen Dunn
President, Faculty Senate

FROM: W. David Maxwell, Provost

SUBJECT: Summer Salary Rate
       (FS91-2-2 P)

February 27, 1991

I regret to respond negatively to subject resolution but must do so for two reasons. First, a number of expenses are not prorated against summer school revenue. This makes it appear that summer school revenue greatly exceeds summer school expenses, this appearance being largely illusory.

Secondly, the anticipated revenue is a part of the total revenue for the fiscal year that is balanced against anticipated total cost for this period and I believe that almost all of us expect that a budget cut will be the result of this comparison.

In short, increasing summer salaries at this juncture would only increase the shortfall that we have to cover for fiscal 1991-92. When fiscal conditions improve we can perhaps improve these as well as other salaries.

I am not certain that I understand the final "Resolved" but I am confident that those of our faculty who accept summer employment will provide to our students and to the University all of the services that members of the professoriate normally perform. If there are those who cannot do so they should not accept summer employment.

WDM/ep

cc: Jerry Reel
    David Larson
March 19, 1991

MEMORANDUM

TO: President Max Lennon
FROM: W. David Maxwell, Provost
SUBJECT: Faculty Senate Resolution on Meetings of Vice Presidents (FS91-3-1 P)

Forwarded for your consideration is a Faculty Senate resolution requesting that the President of the Faculty Senate be an ex-officio participant at meetings of the Vice Presidents.

WDM/ep

cc: Allen Dunn
March 19, 1991

MEMORANDUM

TO: Dr. Allen Dunn  
    President, Faculty Senate

FROM: W. David Maxwell, Provost

SUBJECT: Resolution on Chairpersons of Academic Committees  
          (FS91-3-3 P)

I'm sorry but I have difficulty in responding to this resolution because I don't understand the reasoning behind it.

The first "whereas" says that faculty "exercise major responsibility for developing academic standards."

The second "whereas" says that chairpersons "provide important initiative and motivation."

I think that I understand each of these two points. What I don't understand is how the conjoining of these two statements leads to the "Resolved" statement. Has it been shown or is it contended that chairpersons do not "provide important initiative and motivation" if their responsibilities are primarily administrative? If so, it appears to me that your second "whereas" needs to be something like the following:

Whereas, only chairpersons whose responsibilities are primarily non-administrative have been shown to provide initiative and motivation and

Whereas initiative and motivation are to be desired

With these changes I believe your conclusion to be valid. However I am not at all convinced that it is true because I do not know that the modified second "whereas" has been shown to be true.

WDM/ep
March 19, 1991

MEMORANDUM

TO: President Max Lennon
FROM: W. David Maxwell, Provost
SUBJECT: Senior Vice President (FS91-3-4 P)

Forwarded for your consideration is a resolution of the Faculty Senate requesting that the Provost and Vice President for Academic Affairs be declared the "Senior Vice President."

WDM/ep

cc: Allen Dunn
MINUTES
FACULTY SENATE
APRIL 9, 1991

1. **Call to Order.** President Dunn called the meeting to order at 3:37 p.m.

2. **Approval of Minutes.** The Faculty Senate Minutes of March 12, 1991 were approved as written.

3. **Special Order of the Day.** President Dunn introduced Max Lennon, President of Clemson University. In response to Faculty Senate Resolution FS91-3-4 P (that the Provost and Vice President of Academic Affairs be declared Senior Vice President), Dr. Lennon stated that Clemson University is looking for an aggressive academic leader who will act in the absence of the President. Dr. Lennon stated that he does not support the idea of a senior vice president because he wants more than one person reporting to him. He asked the Senate to work with him, and encouraged questions. Dr. Lennon hears the Senate saying it wants aggressive leadership, but that his style is not compatible with a senior vice presidency. Avenues of faculty input are through its representation on the Academic Council and the President's Cabinet.

The second resolution Dr. Lennon addressed was that of the President of the Faculty Senate to attend Vice Presidents' meetings (FS 91-3-1 P). Dr. Lennon believes that if he agrees to this request, other organizations on campus (Classified Staff, Student Body, etc.) would want representation also.

Dr. Lennon asked the Senate's support of the Search Committee for the Provost. Because this person will work with deans, department heads, faculty, and students Dr. Lennon stressed that this is an important search, and will require aggressive leadership.

Dr. Lennon expressed his appreciation to the faculty for the time given and the work done for the University. In closing, Dr. Lennon stated that it is important that the faculty decide the issues important to them; that the faculty provide input for these issues; and that the administration looks forward to the input from the faculty.

Questions and answers were then exchanged between Dr. Lennon and the Faculty Senate.
4. Committee Reports

a. Senate Committees

Policy Committee. Senator Liburidy presented the Committee’s Final Report (Attachment A).

Research Committee. Senator Zehr presented as information a memorandum from Joe Boykin, Director of Clemson University Libraries, which pertains to the change of loan periods for faculty, staff, and students.

Scholastic Policies Committee. Senator Louderback presented the Final Report of this Committee (Attachment B). He urged the Senate to look at the new general education proposal and send responses to him or their college Curriculum Committee representative as soon as possible as action will take place very shortly.


b. University Commissions and Committees

5. Senate President’s Report. President Dunn called attention to the President’s Report (Attachment D), and announced that the Commission on Classified Staff Affairs has offered to fund the publication of the CU_Roster.

6. Old Business

a. Senator Hare submitted a resolution which requests that the Chair of the Computer Advisory Committee and one representative appointed by the President of the Faculty Senate be added to the Administrative Systems Software Selection Committee. Motion was seconded and passed (Attachment E) (FS91-4-1 P).

b. Senator Zehr presented a report from the ad_hoc Committee on Faculty Senate Organization and Governance (Attachment F).

c. Senator Luedeman submitted to the Faculty Senate the Final Report of the Task Force on Public Service (Attachment G) for approval. It was moved to make this a report of the Senate and forward it to the Provost. Motion was seconded, and passed.
d. Senator Murr presented two changes to the Faculty Manual received from Provost Maxwell for approval (Attachment H). Following an explanation of these changes, a move for acceptance was made, and seconded. Both motions for acceptance were approved.

7. Remarks from outgoing President Dunn were received before he introduced the new Senate President, John K. Luedeman. New officers were installed at 5:05 p.m.

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Kenneth R. Murr, Secretary

8. New Business

a. President Luedeman stated that the introduction of new senators will be made at the next meeting since not all colleges have held elections.

b. Margaret Pridgen, News Services, presented a draft issue of the news circular, Inside Clemson, and asked that any comments and/or suggestions be forwarded to her by May 1st.

c. Senator Louderback thanked all members of the Scholastic Policies Committee; presented a Draft Statement of Policy on Undergraduate Education (Attachment I); and asked that written input be sent to him.

d. President Luedeman made reference to the Committee Preference form, and requested all senators to complete and return immediately to the Faculty Senate Office so that assignments can be made.

e. Senator Moon questioned the accompaniment of a copy of vehicle registration with the Parking Registration Application. President Luedeman will contact Bill Pace about this request.

9. Adjournment. The meeting adjourned at 5:26 p.m.

Gerald L. Waddle, Secretary

Cathy Toth Sturkie, Staff Secretary

FACULTY SENATE POLICY COMMITTEE
April 9, 1991

The Policy Committee held nine regularly scheduled meetings during the 1990-1991 academic year and attended to the following business:

1. Revised the Faculty Manual.

2. Reviewed and made appropriate recommendations for the following policies:
   a. Athletic Council Policies and Procedures
   b. Trustees Manual
   c. Smoking Policy
   d. University Substance Abuse Policy
   e. Guidelines for Establishing and Eliminating Academic Departments
   f. University Social Policy (two proposed revisions)
   g. Ad Hoc Committee to Revise Senate Organization and Governance

3. Received and considered
   a. individual requests from faculty and others
   b. composition of committees across campus
   c. resolutions for full Senate vote.

Members are Lloyd Blanton, Eleanor Hare, James Liburdy, George Lucas, Lucy Rollin, Gerald Waddle, John Zanes, and Jeri Milstead, Chair. The group always was prepared, analytical, responsive, and productive.

4/91
JM
pcyrpt5
The following summarizes the major items that the Committee undertook during the year and the disposition of these and items from last year.

The Committee was to monitor the new retention policy, including the mid-year evaluation. The mid-year evaluation has been postponed, with the Senate's consent.

The Senate Resolution on moving the first drop date back to before the last day to add a class was rejected by a committee of the Commission on Undergraduate Studies (CUS).

A committee of the CUS has promulgated a lengthy set of requirements for syllabi. Scholastic Policies is generally in favor of the proposal, but the Committee does not favor all of the details of the proposal and the chair will so argue in the CUS.

The Committee has addressed and, we hope, resolved, some questions regarding the admissions of scholarship athletes, including the question of the role of the Admissions Exception Committee.

We have worked to try to find reasonable solutions to the problems of interdisciplinary courses.

Student evaluations were due much earlier this fall semester than in the past and some faculty complained. The Committee pursued the matter and evaluations will be done later in the future.

The Committee has discussed, briefly, the recent proposal for Undergraduate General Education. We will continue to examine the proposal.

Provost Maxwell has asked about the possibility of making teaching evaluations more accessible. The Committee believes that there will be some trend toward public evaluations regardless of what the faculty does and so is gingerly in favor of some distribution of evaluations, subject to the consent of the faculty member.

The Committee has spent a great deal of time discussing the statement of policy on undergraduate education that accompanies this report.
FACULTY SENATE WELFARE COMMITTEE
FINAL REPORT APRIL 1991

1. The Welfare committee submitted a resolution calling for an increase in summer school salaries. The resolution was accepted by the Faculty Senate and forwarded to the Provost. The Provost rejected the proposed increase in summer salary. The resolution will go back to the Welfare committee for reconsideration.

2. The committee received a report from Gary Wells and met with Fran McQuire, a faculty representative to the Recreation Advisory committee to discuss proposed changes in the fee system for the Fike Field House. After hearing from Gary and Fran, the Welfare Committee agreed that proposed changes in the fee system were both appropriate and in the user's best interest.

3. A subcommittee considering suggested changes in the leave policy for twelve month employees suggested that no changes be proposed at the present time. The committee indicated that there did not appear to be a significant demand by twelve month faculty for change in the present leave policy and that the present economic times would not be conducive to a proposed change in employee benefits. The proposal for a change in policy had come from library faculty. It was suggested that a change was needed to improve recruiting. The subcommittee will meet with library faculty if it is called upon.

4. Salary data for the Academic year 1990-91 was received the first week in January. The office of University Research at the request of the Faculty Senate prepared the annual salary report. Copies of the salary report were made available to all Faculty Senators, Department Heads, and Deans.

5. The Welfare Committee previously considered a proposal to request tuition reductions for university employee dependents. We decided not to pursue such a proposal at this time, first because of the apparent limited benefit to a significant percentage of faculty and second because of the Provost's suggestion that this would not be a favorable time to request a new fringe benefit for a separate group of state employees. However, we have been advised that the welfare committees of the Staff and Extension Senates are interested in pursuing such benefit. We have advised them that should they do so, we will be supportive of such a proposal.
The earliest European universities were established during the twelfth century. These universities were organized as guilds and individuals were tested, and upon satisfactory passage were granted a license, and given the title of Masters of Arts. Individuals holding the Masters of Arts became the faculty and the governing body of the institution. This model of faculty-based collegial governance was used by most universities in Western Europe.

In colonial America, the first universities adopted the European collegial governance model. Later, schools established a shared governance model in which a lay Board of Trustees was empowered to make administrative policy and allocate resources, with the faculty having responsibility for academics. In theory, the trustees were the center of authority, but with time power shifted to their appointed executive, the president. At this time the president was not only the chief executive officer, but the principal teacher of the university. With the establishment of public institutions, the shared governance model was adopted, and faculty interacted with their Board of Trustees and presidents in a collective fashion.

In 1870, universities in the United States averaged ten faculty members and ninety students, but by 1910, some schools had grown to more than five thousand students. This tremendous rate of growth caused presidents to delegate responsibilities, and administrative assignments became more formal. The growing number and specialization of faculty led to academic departments. The positions of dean and vice president became common in the 1890's. Since the early 1900's, the department has been the principal unit by which faculties have participated in university governance.

Clemson University has been built on the foundation of history, and on January 27, 1956, the general faculty approved the recommendation of its Special Committee on Faculty Organization and created a Faculty Senate. Its Senate has been an active participant in the University's evolutionary progress. As the Senate enters the last decade of the twentieth century, it is imperative that foundations be established which will allow continued progress into the twenty-first century. These foundations, I believe, must include the following:
1. UNIVERSITY DEFINED

Clemson University is in the process of redefinition, and one of the most important components in this process is the faculty. How the faculty defines and prioritizes undergraduate and graduate education, international programs, research, faculty status, public service, student life, and resource allocation determines how the University will be defined. Will we continue to be an academic institution, or will we become an institution which offers academics?

2. GOVERN

Based on its definition of the University, the faculty must make a critical determination on what it wishes to govern. Traditionally, the faculty has been responsible for areas such as curriculum, subject matter, instructional methods, promotion and tenure, search and screening procedures, and grievances. Should this list be expanded or decreased? One critical determination is what the faculty considers to be a faculty decision as opposed to an administrative decision.

3. ORGANIZATION

The faculty is collectively represented by its Senate. This body must be organized in such a manner that it can govern those areas of the University within its mandate. How many members are needed to ensure appropriate representation and to carry on the work of the body, how long should its officers serve, should administrators serve, on what committees and commissions should its members sit, what standing committees are needed, and what committees and commissions should report to it are all critical faculty governance questions.

4. FACULTY INVOLVEMENT

The Senate must continually seek ways of better communication with the faculty, and ways to involve the faculty in its operations, but an equal responsibility rests with the faculty to be involved with university governance and its Faculty Senate. When seminars are presented, are they attended; publications produced, are they read; calls for involvement, are they accepted; and committee decisions, are they prepared for?
5. ACCOUNTABILITY

With increased involvement in decision-making, comes increased accountability. In setting foundations for the future the faculty must be willing to accept more accountability, and be ready to invest itself in rectifying those consequences of incorrect actions. The faculty who serve on the Senate must possess a University perspective, and not only represent their units, but have a concern for all. With this perspective better decisions can be made.

6. COOPERATION

With the complexity of the University increasing, a greater urgency exists for all components of the University to cooperate in an atmosphere of respect and understanding. The faculty should take leadership in removing walls of separation which divide the campus. All have a vested interest in the success of the University, and that success depends on mutual respect and cooperative actions. In addition, the faculty should build a strong foundation of cooperation with other faculties in the State. Our fates are not mutually exclusive.
Faculty Senate  
April 9, 1991  
FS91-4-1 P

Whereas, the Computer Advisory Committee and the Faculty Senate have expressed great concern for the best interest of Clemson University with respect to the purchase of computer software systems by the Office of Business & Finance, and

Whereas, neither the Computer Advisory Committee nor the Faculty Senate has representation on the Administrative Systems Software Selection Committee,

Be It Resolved that the administration be called upon to add the Chair of the Computer Advisory Committee and one representative appointed by the President of the Faculty Senate to the Administrative Systems Software Selection Committee.

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Note: the Administrative Systems Software Selection Committee currently consists of:

David Palmer, Chair  
Joe Boykin, Library  
Chris Duckenfield, DCIT  
Mike Freeman  
Richard Gray, B&F  
Wanda Hill, B&F  
Wayne Madison, CpSc  
Paul Michaud  
Jerry Trapnell, Acct
REPORT FROM THE AD_HOC COMMITTEE
TO REVIEW SENATE ORGANIZATION AND GOVERNANCE

In recent years, there have been instances when the Faculty Senate was not well informed of, or did not have sufficient voice in, decisions relating to academic affairs. Sometimes, established procedures outlined in the Faculty Manual were not followed; in other instances communication was not effective. Our Committee believes that faculty must safeguard their rights and responsibilities in matters relating to academic policy and must be kept fully informed of decisions in their formative stages and not be forced to react after decisions have already been made.

To improve communication and enhance cooperation between the Faculty Senate and committees that formulate academic policy, our committee believes that two steps should be taken:

1. Faculty Senate representatives to the various University academic commissions and committees should report regularly to the Faculty Senate about issues that are being discussed and decisions that are being made by these commissions and committees.

2. The Faculty Senate should have a representative on all committees that formulate academic policy, including the graduate and undergraduate curriculum committees. The purpose of such representation should be to help keep the Faculty Senate in touch with current issues so that the Senate can respond in a timely fashion.
Final Report

Faculty Senate Task Force on Public Service

Members:
William Baron, College of Engineering
Richard Blackbourn, College of Education
John Luedeman, Chairman
Judith Melton, College of Liberal Arts
Mary Ann Reichenbach, College of Nursing
Douglas Rippy, College of Commerce and Industry
Bobby Wixson, College of Sciences

Introduction

This task force was formed in the Fall Semester of 1990 by Faculty Senate President B. Allen Dunn to consider the definition of Public Service, ways in which faculty could receive credit towards tenure and promotion for public service, and ways to increase public service efforts by the non-extension faculty of Clemson University. These considerations are consistent with the statements made on numerous occasions by University President A. Max Lennon.

Definition of Public Service

Public Service consists of actions taken by individual faculty of Clemson University to improve the quality of life of citizens of South Carolina. These actions must of necessity use the academic expertise of the individual faculty member and have some positive impact/effect on the University. Whether or not the faculty member receives additional remuneration in addition to regular salary for these actions is irrelevant to the definition of public service.

Activities of a mathematical sciences faculty member as a scout leader, Red Cross volunteer, or First Aid Instructor would not count as public service. Work by a member of the textile faculty to test a manufacturing process, under contract, for a nearby textile company would count as public service. General service on a curriculum committee
as a departmental representative would not count as public service. Service on a University-wide committee by an architect faculty member using his/her expertise as an architect to select the winning contractor for a building would count as public service. Service by a faculty member as an officer in a professional society in his/her field of study would count as public service. Work by a member of the nursing faculty as a volunteer nurse practitioner in a health facility would count as public service. Teaching in a continuing education course for professional engineers or a professional development course in business would count as public service. These examples are intended to be indicative but not exhaustive.

Value of Public Service Activities to the University

Public service activities are of immense value to the University. The activities of the Extension Service have placed Clemson University's name before every farmer throughout the state. However, most such activities are performed by extension faculty rather than by general faculty of Clemson. Public service activities by the general faculty will increase the visibility of individual departments, increase public appreciation of the value of higher education, assist in recruiting the best students for enrollment in Clemson, and bring faculty expertise to improve the quality of life in the state.

The value of public service activities to the University is consistent with the value of public service activities to business and industry. In industry, businessmen and women use their expertise in Junior Achievement work, lawyers do pro bono legal work, accountants assist the elderly in completing income tax returns, and medical personnel donate time to the Red Cross. In these examples, the subject area expertise is used in the public service activities.

Credit for Tenure and Promotion

Credit for public service has always been given towards tenure and promotion. Provost Maxwell states that in many cases public service activities have tipped the scales for promotion and tenure. However, deans and department heads agree that research activities and teaching excellence count more in tenure and promotion recommendations. A survey of chairs of departmental tenure and promotion committees
showed that public service does not count as much as research and teaching towards tenure and promotion.

The reasons for this are complex. However, many agree that public service is more difficult to evaluate than teaching or research. Research may be evaluated by counting the number of publications in refereed journals, the number of citations in the Citation Index, or the amount of funding which the individual's research brings in. Teaching is annually evaluated by department heads and by students in the university required student evaluations. Teaching popularity can also be evaluated by class enrollment. The number of public service projects can be counted for each faculty member but unless the projects are funded or outside reviewers of note are used, it may be difficult to evaluate their quality or value.

*If Clemson University regards Public Service as important, then the reward system must demonstrate this.* Administrators can encourage public service activities through raises and by public verbal recognition of such activities as well as recognition of service activities in making teaching assignments. It is *important* that the academic administration continue to publicly state the importance of service activities and to demonstrate their support in awarding promotion and tenure. Intra-departmental discussions are one way to address this issue. Academic Deans and the Provost approve the departmental criteria for promotion and tenure thus providing another vehicle to emphasize their support for and recognition of service activities.

Another way to do this may be to develop a competitive funding process for public service activities. This is not to say that public service activities performed without remuneration are of less value, but rather paying for these activities may assist tenure and promotion committees in placing a value on such activities by comparison.

**Where the Funds Originate**

This committee, after consultation with the Vice President for Agriculture and Natural Resources and the Director of Extension, envisions a sum of $1 million dollars annually to be used for public service projects by the general faculty. These funds will come from an addition to the Public Service Activity (PSA) Budget of the University.
Each year the Extension Service develops a series of statewide issues to be addressed. (This year they are water quality; waste management; controversial issues in natural resource management; profitability and sustainability of agriculture; food quality, nutrition, and health; and youth-at-risk.) Paragraphs will be included in the PSA budget request which detail general activities which the faculty can perform to address these issues. The PSA budget is funded directly by the legislature separate from the South Carolina Commission on Higher Education and so will not affect block budgeting of academic affairs units (colleges). However, it is funded on a line-item basis and so not all funds requested are received and those funds received are targeted for specific programs. With strong lobbying and support from our president who has often publically stated that faculty should become more involved in public service activities extending the land-grant university's mission, most of the additional funds requested should be received.

The Competitive Process

A committee of faculty members without administrative responsibilities will be elected, one member from each college. This committee will develop a set of guidelines for written proposals for public service projects. This committee will also develop a review process to assist in making awards of these funds. A strong component of these proposals must be an evaluation process to determine the success or failure of the activity.

Of the funds available for award by this committee, one-third will be set aside to fund items for which request-for-proposals (rfp's) will be developed by the Dean of Extension of the College of Agriculture. The other two-thirds will be awarded to proposals submitted by faculty irregardless of topic. If rfp's are not written to exhaust the one-third of the funds set aside for this purpose, the remaining funds will be awarded from among the other proposals.

The closing date for proposals will be in February with award of the funds by March 15. The funds awarded may be spent beginning July 1. This will enable faculty and departments to prepare for release time, hire necessary replacement faculty, assistants, etc.

The proposals successful in the funding process must submit a final
report after completion of the project. This report can be used for evaluation of this project vis-a-vis tenure and promotion.

**Conclusion**

It is hoped that the process outlined above will increase faculty perception of the value of public service by placing public service on the same level as research and education in terms of funding opportunities. This perception should carry over to other types of service whether funded or not. This carry over should improve the perception of service activities of the general faculty and increase options for a faculty member to exercise his/her academic expertise while not hindering unduly the chance for tenure or promotion.
Revision of the Faculty Manual

II M. Review of Academic Administrators

Current:

Before the end of a department head's fifth year in office, the appropriate dean shall conduct a formal review of that head's performance.

Change to:

Before the end of a department head's second and fifth year in office and every fifth year thereafter, the appropriate dean shall conduct a formal review of that head's performance.

VII. D. Office Hours

Current:

... each department establishes its own written office hour policy (approved by the college dean and the Provost).

Change to:

... each department establishes its own written office hour policy approved by the college dean.
DRAFT

STATEMENT OF POLICY ON UNDERGRADUATE EDUCATION

Clemson University is committed to the breadth and depth of education of undergraduate students. The University aims to prepare graduates to cope with the world and to work toward a better world. Clemson's primary goal is therefore to prepare broadly educated and technically skilled graduates who can take their places as informed and productive citizens. Such education requires careful allocation of resources, dedication of faculty and administration, and regular evaluation of all undergraduate programs. Clemson University is committed to the participation of faculty and students in planning and implementing undergraduate programs and to the recognition of excellence in undergraduate teaching.

All undergraduates at Clemson deserve--and can receive--a total education through association with faculty and administrators. The Clemson undergraduate education includes myriad opportunities for curricular, co-curricular, and extra-curricular activities.
MINUTES
FACULTY SENATE
MAY 7, 1991

1. **Call to Order.** President Luedeman called the meeting to order at 3:33 p.m.

2. **Approval of Minutes.** The Faculty Senate Minutes of April 9, 1991 were approved as written.

3. **Election of Senate/Faculty Representatives to University Committees.** President Luedeman noted changes to the Ballot. Motion made by Senator Harris to suspend normal voting rules and elect by plurality was seconded and passed. Senators then marked their ballots.

4. **Committee Reports**
   a. **Senate Committees**

      **Research Committee.** Senator Marion presented a letter to Jay Gogue concerning the possible expansion of the Savannah River Plant (Attachment A). This letter represents Senator Marion's reply upon a quick examination of the NPR Environmental Impact Study.

      **Scholastic Policies Committee.** Senator Louderback stated that this committee will meet soon, and welcomed new members to the Scholastic Policies Committee.

      **Welfare Committee.** Senator Harris stated that there was no report.

      **Policy Committee.** Senator Hare stated that there was no report.

   b. **University Commissions and Committees**

      1) Senator Waldvogel, as Chair of the ad_hoc Committee to Enhance Community Spirit Among the Faculty, Staff, and Students of Clemson University, reported that it was charged to find a way to bring together these three groups. This committee has broken into sub-committees and will get back together in the Fall to submit responses to this issue and possible alternatives to pursue. Senator Waldvogel asked that
the Senate get in contact with him if there are any comments and/or ideas.

2) Senator Murr reported for the Faculty Manual Committee that he had received a letter from the Provost stating that he approves the Faculty Manual as re-written, and that it does not need to go to the Board of Trustees for approval.

3) Senator Christenbury reported that the Traffic & Parking Committee had met and is considering the formation of guidelines to charge fees for parking on campus when attending University-sponsored events. After discussion, Senator Louderback moved that this issue be referred to Committee. Motion was seconded, and passed. The Welfare Committee will consider this issue.

5. Senate President’s Report. President Luedeman discussed the items mentioned in his report (Attachment B). He then expressed the need for the Faculty Senate to be proactive rather than reactive; to become more aware of how the University operates; and for the Senate to work closely with other campus Senates on issues of common concern.

6. Old Business
   a. Senator Hare stated that the Faculty Senate had received no response from the Provost regarding the resolution which requests the addition of the Chair of the Computer Advisory Committee and one representative appointed by the President of the Faculty Senate to the Administrative Systems Software Selection Committee. A similar resolution was then introduced by Senator Hare. After discussion, there was a call to vote. With eleven (11) votes in favor, and ten (10) votes against, the resolution passed (FS91-5-1 P) (Attachment C).
   b. Senator Murr brought forward Faculty Manual changes for approval (Attachment D). Motion was made by Senator Louderback to accept these changes to the Faculty Manual, which was seconded, and passed.

7. New Business
   a. President Luedeman introduced and welcomed the new Faculty Senators.
   b. Grievance Counselor nominations were received from the Senate. These include: John Huffman, Bill Steirer, Holley Ulbrich, Doyce Graham, Clarence Hood, Mary Ann Reichenbach, and
Robert Green.

c. Senator Hare introduced a resolution requesting the addition of a faculty representative from each unrepresented college to the Provost/Vice President for Academic Affairs Search Committee. Motion was seconded and discussion followed. Motion passed (FS91-5-2 P) (Attachment E).

d. Senator Marion questioned the Draft Resolution regarding the Alcohol and Drug Abuse Policy. Senator Conover explained the process which led to the Draft Resolution, and recommended this issue be returned to the Policy Committee for consideration at the appropriate time.

8. Adjournment. The meeting adjourned at 4:45 p.m.

Gerald L. Waddle, Secretary

Cathy Toth Sturkie, Staff Secretary

Senators Absent:  J. Brittain, W. Stringer, F. Eubanks, W. Kennedy, W. Baron, W. Owens, T. Tisue, K. Dieter, E. Ruppert (J. Waldvogel attended)
G. Jay Gogue  
Vice President for Research  
Clemson University

Dear Jay,

I, and several members of the Faculty Senate Research Committee, have examined the NPR Environmental Impact Study and would like to offer the following comments.

We concur with the statements from the other study groups which have submitted letters relative to the EIS. We are particularly concerned, however, about the "urgent" nature of the project as outlined in the EIS document. The limited time for review of this document leaves little room for appropriate response. The pending decision is of potential significant importance to the state of South Carolina, both in terms of positive financial benefit and in terms of potential hazards. Unless absolutely necessary, decisions of this magnitude should not be so "urgent" that thorough reflection is precluded; absolute necessity was not demonstrated in the EIS document, as Lewis Duncan, College of Sciences, noted in his response.

Specifically, the short time-frame for consideration of the EIS leaves little time to adequately reflect on the following:

• Dangers associated with transportation of hazards materials to and from the site. We defer to Dr. Lewis’ discussion of this matter.

• Risk associated with potential release of radioactive or toxic material. The brief time for analysis gave little opportunity to determine whether this subject was adequately dealt with by the EIS document. In terms of human impact, this and the transportation concern are the most potent issues relative to the proposal, and they should be dealt with at length.

• Potential damage to the biotic environment. The study referred to a 1.1% to 1.5% destruction of biotic life (Table S.1, p. S-27, Volume I). We failed to find a comparison to current destruction rates at the site, but this may be because of the required brevity of our review. At any rate, this does not seem insignificant, as is suggested by the EIS. A more thorough review of the problem by an environmental biologist would seem to be suggested.

• The release of water that is 7° C above normal water temperatures, and thus in excess of Federal standards under the Clean Water Act. We feel that a thorough review by a biologist is warranted.
- The ability of surrounding communities to support the demands on their resources. Will the tax dollars generated by the project be sufficient to expand public facilities to meet increased demand? What will become of expanded facilities (school expansions, for example) after the construction period?

We appreciate the thoroughness of the EIS document, and are aware that the financial benefit that this project could have for the state of South Carolina is enormous and much needed. Given the threat that such a project could pose for quality of life in the area, however, we suggest that careful thought be given to potential hazards. Once again, we reiterate our concern about the lack of time to adequately respond to the document. We hesitate to give our imprimatur to this document for that reason, and strongly encourage the state to insure its thorough review.

Sincerely,

R.A. Marion, Chair
Faculty Senate Research Committee
President's Report

May, 1991

1. President Lennon has appointed another staff member to the Provost Search Committee. Staff were concerned that the staff representative to the committee held an administrative position. Garth Spencer, College of Sciences, has been appointed to the Provost Search Committee. The Colleges of Liberal Arts, Education, and Architecture do not have representation on this committee.

2. The selection of a new Dean of the Graduate School is in its final stages. Three external and one internal candidate are being invited for interviews this month. Interviews are scheduled on June 5 (Dr. Brown) and June 5 (Dr. Koran). I will meet with the candidates to represent the Faculty Senate.

3. The Fike Recreation Center is considering a 90% increase in fees next year. A $20 annual fee for use of a reserved locker and a $25 fee for use of Fike facilities by a member's family may be charged. Day use lockers will remain free with membership. Currently these privileges are part of a member’s $50 annual fee. The rationale behind this increase is that the increased minimum wage has raised the cost of referees for intramural sports.

4. The Provost has appointed an Ad Hoc Formula Review Committee to become familiar with our current block budgeting system and to recommend improvements. Members are Jimmy Sheriff (C&I), Joe Louderback (C&I), Jerry Whitmire (Engineering), Paul Gable (Agriculture), John Clemens (F&RR), Roger Patterson (Business & Finance), Bill Weathers (DISD), and David Fleming (Institutional Research).

5. The Council of Academic Deans has recommended that a policy statement be adopted which would prohibit personal profit from the sale of classroom materials.

6. The Spring Graduation will be the largest ever. This year the largest number of Ph. D.s and the largest number of undergraduates will graduate. Last year 1178 graduates attended Commencement, this year over 1400 candidates will attend. The faculty will not process in from the floor, rather they will descend and be seated behind the podium. The commencement address will be given by US Rep Dan Rostenkowski, chair of the House Ways and Means Committee. Rep. Rostenkowski and Charlotte businessman Bill McCall will receive honorary degrees.

7. Both South Carolina State College and the College of Charleston want to become universities. A subcommittee of the House Education Committee will consider the issue this week.

8. On July 12, 1991, the Board of Trustees will elect a new chair.

9. Enrollment projections are for a freshman class of 2200 to 2300. The pool of potential freshmen will be decreasing for the next five years. The colleges will need to decide whether to retain the current requirements for admission or whether to maintain enrollment. In either case, more faculty involvement in recruiting of undergraduates is needed.

10. The revised Patent Policy and Research Ethics Policy have been approved by the Council of Academic Deans.

11. Gary Ransdell, VP for Institutional Advancement, has requested the Senate to create a
Foundation Relations Committee. Assets in the Clemson Foundation are growing to the point where they play a significant role in resource management and allocation for faculty programs. Familiarity and confidence among the faculty in Foundation operations would be increased with the formation of this committee. I will appoint such an ad-hoc committee.

12. The Assessment Committee has asked whether the Faculty Senate wishes to have representation on that Committee. I responded, yes.

13. The University Library has decreased the circulation loan periods for faculty to three months. Unlimited renewals will remain in effect. This has already resulted in many faculty complaints.

14. The Office of the Governor is actively pursuing the return of indirect costs for educational grants to the General Fund. This will adversely effect the University.

15. Where do we go from here? This is an exceedingly important year for the Faculty Senate. We will bid farewell to our Provost, David Maxwell, who has been one of our biggest advocates during his tenure at Clemson. David served through three presidents, played a large part in developing our Faculty Manual which is the basis for our contractual relationship with the administration, and has been a strong supporter of many of our causes.

In January, we should welcome a new Provost. We need to be prepared to hit the ground running with this person. The new Provost should early become aware of the concerns of the faculty such as the faculty's view on important issues like undergraduate and graduate education, the role of research and public service for the faculty, and important issues like retirement, fringe benefits, and salary. We need to be PROACTIVE rather than REACTIVE. To this end, I ask each of the standing committees to prepare a statement on how the faculty views each of these issues. I hope that the Faculty Senate can approve these statements by October so they may be presented to final candidates for the Provost position.

I also hope to have the Faculty Senate become more aware of how the University operates. To this end I will appoint ad hoc committees on Finances and the University Foundation. The charge for these committees will be to learn how the University is financed, how it distributes funds, and to make recommendations on priorities for distributing these funds.

I want the Faculty Senate to work closely with the Student Senate, Staff Commission, and Extension Senate on issues of common concern. I am particularly concerned with the safety of the students on this campus. I hope to have monthly meetings with the presidents of these bodies including participation by President Lennon.

I see the Faculty Senate taking a leadership role on this campus. The faculty can work together with Business and Finance departments to develop grants for outside funds to improve parking, Fike Recreation Center, etc. These cooperative ventures will not only improve our fringe benefits, they will develop new opportunities for pure and applied research.

I recognize that it is difficult to shoot for these lofty goals when little gnats are attacking our legs and distracting us. I propose that the best way to remove these distractions is to point them out. The President has often asked that the campus bureaucracy develop a "can do" attitude to make our job easier. I would like to know of any continual "can't do" attitudes which make our job more difficult. Difficulties perceived by the Faculty should be brought to the attention of the Faculty Senate. Difficulties which occur across the University should be addressed and improved. However, let us keep these difficulties in perspective. While using an atom bomb to kill a mouse works, it is definitely an overreaction. I pledge that I will keep the Senate informed of all changes (both proposed and actual) occurring within the University as soon as I hear about them. This will enable us to be proactive and become an active participant in productive changes at Clemson. Reaction is a much more confrontational and
difficult way to achieve progress and should only be our last resort.

I am looking forward to an exceedingly interesting and productive year. Our interaction with the new Provost during the initial six months of his/her tenure will set the tone for the next several years. I approach this year with a positive attitude and look for a productive year from the Faculty Senate.
Faculty Senate  
May 7, 1991  
FS91-5-1  P

Whereas, the Computer Advisory Committee and the Faculty Senate have expressed great concern for the best interest of Clemson University with respect to the purchase of computer software systems by the Office of Business & Finance, and

Whereas, neither the Computer Advisory Committee nor the Faculty Senate has representation on the Administrative Systems Software Selection Committee,

Be It Resolved that the administration be called upon again to add the Chair of the Computer Advisory Committee and one representative appointed by the President of the Faculty Senate to the Administrative Systems Software Selection Committee.

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Note: the Administrative Systems Software Selection Committee currently consists of:

David Palmer, Chair
Joe Boykin, Library
Chris Duckenfield, DCIT
Mike Freeman
Richard Gray, B&F
Wanda Hill, B&F
Wayne Madison, CsSc
Paul Michaud
Jerry Trapnell, Acct
MEMORANDUM

To: Faculty Senate
From: Kenneth R. Murr
Subject: Faculty Manual

I have been informed by Dean Waller and the Provost that as of July 1, the Dean of Admissions and Registration shall be moved from the Office of Student Affairs to the Office of the Provost and that the title shall be changed to Vice Provost for Admissions and Registration. This requires a few changes in the Manual as given below.

Part II Section F. The Vice Provosts

... In addition, the Vice Provosts supervise the computer information services division, the University Libraries, the Honors Program, the general admissions and registration programs, certain other special recruiting programs, the scholarships and awards programs....

Bold face is added text.

For internal consistency, Sections G and H were switched.

F. The Vice-Provosts
G. The Vice Provost for Admissions and Registration
H. The Dean of the Graduate School
I. The Deans of the Colleges

Is now how they are listed.
The appropriate title or office change was made in the following sections.

Part II  Section G (Previously section H, see above)
Part VI  Sections B1, B1b, B1f, B1h, D8

The titles for these sections are

B. Academic Council and Associated Commissions and Committees
   1. The Commission on Undergraduate Studies
      b. Admissions and Continuing Enrollment Committee
      f. Honors Committee
      h. Scholarships and Awards Committee

D. Committees Reporting to the Provost and Vice-President for Academic Affairs
   8. University Assessment

Submitted for your approval by

[Signature]

Your faithful servant
RESOLUTION TO ADD FACULTY FROM UNREPRESENTED COLLEGES TO THE PROVOST SEARCH COMMITTEE

FS91-5-2  P

Whereas, the faculties of the College of Liberal Arts, the College of Education and the College of Architecture have no representation on the Provost/Vice President for Academic Affairs Search Committee, and

Whereas, these colleges are the third largest, sixth largest and seventh largest of the ten academic divisions, and

Whereas, these colleges represent 27% of the Faculty of Clemson University, and

Whereas, two additional people have already been added to this committee since it was formed, and

Whereas, this committee already has 13 members and can no longer be classified as "small", and

Whereas, the faculty has a special responsibility to the Provost,

Resolved, that administration be called upon to add a representative from each unrepresented college faculty to the Provost/Vice President for Academic Affairs Search Committee.
1. **Call to Order.** President Luedeman called the meeting to order at 3:33 p.m.

2. **Approval of Minutes.** The Faculty Senate Minutes of May 7, 1991 were approved as written.

3. **Committee Reports**
   a. **Senate Committees**
      i. **Research Committee.** Senator Marion stated that there was no report.
      ii. **Scholastic Policies Committee.** Senator Louderback stated that there was no report.
      iii. **Welfare Committee.** Senator Harris reported that this Committee had met to prioritize the agenda for the year. He requested that items to be addressed be sent to the Faculty Senate Office or to his office. The Welfare Committee will meet next month to decide which items affecting faculty welfare will be taken under consideration.
   b. **Policy Committee.** Senator Hare submitted the Policy Committee Report (Attachment A). The Policy Committee submitted a resolution that a statement in the 1989-91 Clemson University Self-Study be replaced. After discussion that the Self-Study was complete, a vote was taken and resolution failed (FS91-6-1) (Attachment B).

   The Committee had received a statement from a subcommittee of the Council of Deans regarding the sale of books and materials (see Attachment A). The proposed policy statement from the Policy Committee was read, and Senate support was requested. Senator Baron moved to strike the entire first paragraph. Motion was seconded and failed. Senator Baron then made a motion to delete everything after "...This policy should apply to all individuals." This motion was seconded and passed. Upon hearing the changed version of the proposed statement, motion was made to change the last sentence to read: "The instructor may not profit from sale of material required or
suggested for use in his or her courses." Two piggy-back friendly amendments were offered - first, to delete the words "or suggested" in the last paragraph; and the second, not to delete these words. Senator Vander Mey made a motion to delete the words, "or suggested", from the last paragraph which was seconded. Vote was taken and motion failed. Motion to accept the most recent version of the proposed statement was made, seconded, and passed. The accepted Policy Committee Statement which will be submitted to the Council of Deans appears on Page 2 of Attachment A.

President Luedeman has written the President requesting that a Faculty Senate representative be appointed to both the Strategic Planning and Advising and Retention Committees.

Senator Hare then presented a resolution expressing appreciation to Louis P. Batson, Jr. for his many years of leadership and service. Motion was seconded and passed (FS91-6-2 P) (Attachment C).

b. University_Commissions_and_Committees

4. Senate_President's_Report. President Luedeman discussed the items mentioned in his report (Attachment D). After discussion, it was moved by Senator Baron that Item #16 (concerning Computer Center charges) be referred to the Policy Committee. Motion was seconded and passed.

5. Old_Business

a. Senator Hare reported that indications were that a software purchase would be made, and that costs would be more than estimated. Proposals considered were: (1) to buy the majority of software from American Management Systems (AMS), and use DAPS to provide the systems that cannot be provided by AMS; (2) to develop much of the software in-house using DAPS, but buy outside packages that DAPS feels are consistent with Clemson's needs and resources; or (3) to re-bid the package by re-writing the RFP utilizing the information learned during the evaluation process. The Selection Committee has not been able to identify all of the costs associated with any of the proposals.
6. **New Business** (None)

7. **Adjournment.** The meeting adjourned at 4:43 p.m.

Gerald L. Waddle, Secretary

Cathy Toth Sturkie, Staff Secretary

Policy Committee Report
June 11, 1991

1. Proposed policy statement with respect to profit from sales of notes, textbooks and other classroom materials:

In Part III.B of the Faculty Manual (The Faculty. Academic Freedom and Responsibility) one finds that "In their formal capacity as employees of the State of South Carolina, faculty members are bound by the Rules of Conduct ... for Public Officials and Public Employees prepared by the S. C. State Ethics Commission. In the main these rules have to do with the use of an official position to obtain personal gain ..."

Thus, it would seem that the statement in the Faculty Manual prohibits personal profit from the sale of classroom materials and no further policy statement is required. However, the following additional references are cited:

The laws of South Carolina in Code Section 8-13-10 state:

"The General Assembly hereby finds and declares that elected public office and public employment is a public trust and any effort to realize personal gain through official conduct is a violation of that trust."

From page 7, Ethics Guidelines, published by the State Ethics Commission, 1122 Lady Street, Columbia, S.C. 29201, under "(3) Rules of Conduct - Provides certain standards of conduct for public officeholders:

1. Prohibits utilization of a public position for financial gain (Sec. 8-13-410)
3. Prohibits the receipt of additional compensation for advice or assistance rendered in the course of employment (Sec. 8-13-430)

"Authoring of textbooks contributes to faculty recognition in the academic community and to students' recognition and perception of faculty expertise. Thus, authoring of textbooks should be highly encouraged. However, in order to be in compliance with statements in Ethics Guidelines, faculty who receive royalties from the use of their textbooks in their classes are encouraged to make an appropriate contribution to the University representing estimated royalties received from their classes at Clemson.

The following policy should apply to all required materials other than commercially available textbooks. Such materials include, but are not limited to, notes, software and privately published books.

No profit shall be realized from the sale of material required or suggested for use in a course of study. This policy should apply to all individuals and to all departments, colleges, and other units of the University."

2. Present a motion that a representative of the Faculty Senate be appointed to the Strategic Planning Committee
3. Present a motion that a representative of the Faculty Senate be appointed to the Advising and Retention Committee.
4. Request President Luedeman to write a letter to the University of Kansas Senate Executive Committee acknowledging problems in the ROTC and thanking them for making us more aware of these problems. (letter sent 6-4-91)
"Writing of textbooks contributes to faculty recognition in the academic community and to students' recognition and perception of faculty expertise. Thus, writing of textbooks should be highly encouraged. However, in order to be in compliance with statements in Ethics_Guideposts, faculty who receive royalties from the use of their textbooks in their classes are encouraged to make an appropriate contribution to the University representing estimated royalties received from their classes at Clemson.

The following policy should apply to all required materials other than commercially available textbooks. Such materials include, but are not limited to, notes, software and privately published books. The Instructor may not profit from sale of materials required or suggested for use in his or her courses."
Faculty Senate Resolution
June 11, 1991
FS91-6-1

Whereas, the 1989-91 University Self-Study contains the statement (page 427): “Finally, Clemson might consider following other institutions in including the audit function, the security department, and the broad responsibilities for computers and computer services within the Business and Finance areas”, and

Whereas, on page 61 of the supplement to the 1989-91 Self-Study with reference to the above statement is found: “This statement is not intended to be a recommendation for the organizational structure of the named items, especially the audit and computer activities. It is, however, an attempt to note that a review of the university’s organization is appropriate, and that periodic reviews are needed to assure that the campus is in agreement with its organization and its fiscal policies and procedures.”, and

Whereas, on Feb. 25, 1991, the Council of Deans passed a resolution opposing the recommendation found in the SACS Self-Study that the Computer Center be placed under the Office of Business and Finance,

Be It Resolved that the statement, “Finally, Clemson might consider following other institutions in including the audit function, the security department, and the broad responsibilities for computers and computer services within the Business and Finance areas,” in the 1989-91 Clemson University Self-Study be replaced by: “A review of the University’s organization is appropriate. Periodic reviews are needed to assure that the campus is in agreement with its organization and its fiscal policies and procedures.”
RESOLUTION OF APPRECIATION TO
LOUIS P. BATSON, JR.

FS91-6-2 P

Whereas, Louis P. Batson, Jr., has ably served the faculty, students and administration of Clemson University as a Trustee for more than eleven years, and

Whereas, Mr. Batson has chaired the Board of Trustees for more than six years, and

Whereas, Mr. Batson has served Clemson University through the Alumni Association, the Engineering Advisory Board, the Founders Society, the Centennial Executive Committee and in numerous other capacities,

Resolved, that the Faculty Senate of Clemson University hereby expresses its appreciation to Louis P. Batson, Jr. for his many years of leadership and service.
1. The Fike Recreation Center has instituted a $25 fee for use of Fike facilities by a member's family. The Recreation Advisory Committee approved this fee at its April 25 meeting but objected to the "erosion of Fike privileges to the faculty." Day use lockers will remain free with membership. Guests will be charged $4.00 daily. The rationale behind this increase is that the increased minimum wage has raised the cost of referees for intramural sports.

2. Enrollment projections for the Freshman class have improved. We should enroll about 2400 Freshmen.

3. On May 14, 1991, the Budget and Control Board instituted a spending freeze. This freeze is of indefinite duration. The implications and boundaries of the regulations governing this freeze are being determined currently. Although originally frozen, summer school teaching positions have been thawed. Faculty positions for next year will soon follow. Administrative positions such as Provost, Dean of the Graduate School, and Director of the Honors Program will be handled on a case-by-case basis. Last Friday, the University announced another $2.3 million budget cut.

4. The Clemson University Foundation has developed a sub-foundation called, the Clemson University Real Estate Foundation. A proposed description of the purposes of this foundation may be found in the attachments. Note that the Board of Directors of this foundation "shall be pleased to offer guidance in the creation and growth of a proper set of courses and/or learning experiences in any of Clemson's academic departments which prepare students to understand real estate concepts and successfully apply the traits of successful real estate development."

5. The Conference Committee of the House and Senate have agreed on the state budget. The compromise is about $82,069,000 for Clemson which is about two-thirds of the way between the Senate (low) and House (high) versions. The PSA budget is about $45,278,000. There is a very good possibility of additional budget cuts during the next year.
6. A staff member has been indicted for possession of cocaine. The University has changed his duties so he does not represent Clemson to the public. The University has been instructed by the Attorney General of South Carolina not to conduct its own investigation. To do so could be construed as obstruction of justice. All comments released by the University stress that this person does not come in contact with students (i.e. is not a faculty member).

7. Ninety of the state's most gifted students have been chosen as the 1991 South Carolina All-State Academic Team. Fourteen of these have chosen Clemson University to continue their education, more than any other school. See the attached article for more information.

8. The Honors Director search has been reopened. Two internal candidates, Larry Dyck and Stephen Wainscott, were interviewed before June 4.

9. The Council of Deans has requested the Faculty Senate to consider whether students who are candidates for graduation, but do not meet all graduation requirements, should be allowed to participate in the graduate exercises.

10. The Council of Deans has approved the following changes in the processing of student academic forms:

   a. On the Change of Grade Form a line should be added for a brief explanation of why the grade is being changed.
   b. On the Request for Special Examination Form the signatures of the collegiate dean and the Dean of Admissions and Registration will be deleted.
   c. The signature of the collegiate dean will be deleted from the Request for Placement Credit and Waiver of Course Requirements Form and the Change of Major Course Form.
   d. On the Form to Request Substitution for a Required Course the signature of the Dean of the college in which the student is taking the course is deleted.

11. The Council of Presidents has developed a long-range plan for increasing grass roots support for higher education. They have secured the services of the Chernoff-Silver Public Relations firm to assist in this plan. Brochures, speeches, film clips, etc. will be available soon for statewide distribution. The theme is that the crisis is for students and student opportunity. Even if state support for Clemson University was not forthcoming, Clemson University would survive as a private
institutions. Consequently, the crisis is not for Clemson, but for the educational opportunities for the students in South Carolina. Attached is a synopsis of this plan.

12. The President has agreed to add three faculty members to the Provost Search Committee, one each from the Colleges of Architecture, Education, and Liberal Arts.

13. The NCAA has begun a preliminary inquiry into the University's basketball program. Although no specific allegations were contained in the letter received by the University, officials understand that the inquiry concerns the 1988 recruitment and certification of Wayne Buckingham. Any infractions during 1988 would not trigger the "death penalty". Mr. Buckingham, a sophomore, remains enrolled and is meeting academic requirements.

14. I have enclosed a copy of the grade point averages of all sports teams at the University for the Spring semester, 1991. The previous year's averages are also listed.

15. The Athletic Council has requested that the Faculty Senate jointly monitor athletic admissions to the University. I have referred this matter to the Scholastic Policies Committee.

16. Computer Center costs will be real if they exceed last year's amount.
## ACADEMIC PERFORMANCE BY ATHLETES DURING SPRING SEMESTER 1991

<table>
<thead>
<tr>
<th>Sport by Gender</th>
<th>No. of Athletes</th>
<th>Semester GPR Average</th>
<th>Cumulative GPR Average</th>
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<tr>
<td>Baseball (men)</td>
<td>31</td>
<td>2.38</td>
<td>2.57</td>
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<tr>
<td>Basketball (men)</td>
<td>16</td>
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<td>2.24</td>
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<tr>
<td>Basketball (women)</td>
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<td>Soccer (men)</td>
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<td>2.37</td>
<td>2.24</td>
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<tr>
<td>Swimming (men)</td>
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<td>Wrestling (men)</td>
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<td>2.64</td>
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<tr>
<td>Managers/Trainers</td>
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<td>Trainers</td>
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</tr>
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<td>5.</td>
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<td>2.52(9)</td>
</tr>
<tr>
<td>6.</td>
<td>Baseball</td>
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<td>2.57(8)</td>
</tr>
<tr>
<td>7.</td>
<td>Managers</td>
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<td>2.62(6)</td>
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<td>8.</td>
<td>Women's Track</td>
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<td>2.64(5)</td>
</tr>
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<td>9.</td>
<td>Wrestling</td>
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<td>2.37(14)</td>
</tr>
<tr>
<td>10.</td>
<td>Men's Tennis</td>
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<td>2.60(7)</td>
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<td>Soccer</td>
<td>2.43</td>
<td>2.38(13)</td>
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<td>Golf</td>
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<td>2.52(9)</td>
</tr>
<tr>
<td>13.</td>
<td>Men's Track</td>
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<td>2.40(12)</td>
</tr>
<tr>
<td>14.</td>
<td>Women's Basketball</td>
<td>2.35</td>
<td>2.43(11)</td>
</tr>
<tr>
<td>15.</td>
<td>Football</td>
<td>2.16</td>
<td>2.17(15)</td>
</tr>
<tr>
<td>16.</td>
<td>Men's Basketball</td>
<td>1.97</td>
<td>2.07(16)</td>
</tr>
</tbody>
</table>
W. David Maxwell  
May 30, 1991

The following Mission Statement for Clemson University excerpted from:

MISSIONS AND GOALS: A SUMMARY  
May 24, 1991  
HIGHER EDUCATION IN SOUTH CAROLINA  
A BRIEF PROFILE

Clemson University

Clemson is a scientifically-oriented comprehensive land-grant university established to preserve, enhance, interpret and disseminate human knowledge. It serves the State, the nation as a whole, and the international community through teaching, research, and public service activities. The institution's role within the State of South Carolina if fulfilled through mandated thrusts in agriculture and renewable natural resources, architecture, engineering, textiles, basic sciences and technologies, and through expanded programs in health sciences, business, education and the liberal arts.

Clemson offers a range of baccalaureate degree programs in agriculture and natural resources, liberal arts, sciences, engineering, and in textiles and ceramic engineering. Baccalaureate programs in teacher education and business are also offered.

Graduate programs leading to the doctorate are concentrated in agriculture, business, the biological and physical sciences, and engineering.

High priority is given to research and professional programs which are competitive on a national and international scale and which support masters and doctoral programs of excellence. Clemson operates the South Carolina Experiment Station system and the Cooperative Extension Service, and it provides a number of regulatory services related to agriculture, food production, and pesticide control for the State.

The above to be reviewed by Academic Council, Cabinet, Vice Presidents, and Council of Academic Deans
1. Call_to_Order. President Luedeman called the meeting to order at 3:36 p.m.

2. Approval_of_Minutes. The General Faculty Minutes dated May 9, 1991 were approved as written; as were the Faculty Senate Minutes of June 11, 1991.

3. Special_Order_of_the_Day. Greg Horton, President of the Clemson University Student Body, spoke to the Faculty Senate about items on this year's Student Body Agenda, and asked for the Senate's assistance. Items of particular concern are: course evaluation and accountability; recruitment of students; student/teacher interaction; and campus safety. Ideas and comments were then exchanged between the Senate and Mr. Horton.

4. Committee_Reports
   a. Senate_Committees
      Research_Committee. Senator Marion read a minor change to the Policy on Research Ethics which was received from the Board of Trustees, and explained that the Research Committee had approved this change. Senator Marion has been asked to be a member of an ad hoc committee to perform an external evaluation of research support resources at Clemson University to reduce the problems of research support structure. The Committee itself will do an investigation, and then an external review will be done. Senator Marion asked for any comments or suggestions for issues to address; names of faculty members who would be interested in serving on this committee; and universities that could be represented for external review.

      Scholastic_Policies_Committee. Senator Louderback submitted a proposal (Attachment A) from the University Self Study and Senator Schaffer, and stated that a resolution will be brought forward next month. Senator Louderback mentioned that he will serve on a committee formed by the the Athletic Council regarding athletic admissions.

   Welfare_Committee. Senator Harris reported that the Committee will finalize its agenda at the meeting on Tuesday,
August 27th at 3:30 p.m. in the Room LL3 of Cooper Library. This meeting will be open and Senator Harris invited all who have concerns to attend. Issues of particular interest include the evaluation procedure, defining the rights associated with tenure, and reforming the grievance procedures.

**Policy Committee.** Senator Hare stated that the billing of mainframe accounts may incur the payment of real money for use in excess of the use during the previous year. Senator Hare reported that the Budget Review Committee appointed by Provost Maxwell has endorsed an incremental hard money charge policy which is intended to protect outside revenue to the Computer Center from erosion if internal use rises significantly faster than external use. The policy details have not been worked out. A resolution was presented from the Policy Committee (Attachment B) regarding the removal of the line requiring the signature of the dean of the college in which a required subject is taught from the Form to Request Substitution for a Required Course. A friendly amendment was offered by Senator Schaffer to remove the fourth "Whereas" as written and add a new statement (Attachment B). Senator Baron called to question. The friendly amendment was seconded and a vote was taken. The amendment passed unanimously. Motion was made to adopt resolution as amended, and was seconded. Vote was taken and resolution passed (FS91-8-1 P) (Attachment C).

b. **University Commissions and Committees**

1. **Budget Formula Review Committee** - Senator Louderback stated that this committee could possibly be continued. He has told the committee that it should be broader-based than it is at the present time. Senator Louderback is the only faculty member on this committee with no administrative duties.

2. **Committee to Enhance Community Spirit** - Senator Waldvogel stated that this committee has met and will meet soon to prepare a report of the situation on campus. He asked that comments be sent to him.

3. **Search Committee - Director of Public Safety** - Senator Vander Mey reported that this Committee has met once and will meet again this week.

5. **Senate President's Report.** President Luedeman discussed the items mentioned in his report (Attachment D). The Senate was informed of a meeting scheduled for Thursday, August 22, 1991 at 4:00 p.m. to address any concerns about the software
package purchase. This meeting will be held in the Auditorium of the Strom Thurmond Institute.

President Luedeman announced that due to financial constraints, Jay Gogue, the Vice President for Research, has been appointed as Dean of the Graduate School. Concern was expressed regarding the reputation of Clemson University which endures a search process, selects an individual, and then does not have the money to fund that person. Senator Hare presented a motion "that the University be requested to adhere to the provisions of the Faculty Manual in seeking a Dean of the Graduate School and any other official they may choose to hire." This motion was seconded by Senator Schaffer and discussion followed. At this time, Senator Schaffer withdrew his second to the motion. Senator Harris presented a resolution regarding the refusal of the Faculty Senate to recognize any permanent appointment as Dean of the Graduate School. This resolution was seconded and was followed by discussion. A call to question was given, and a vote was taken. This resolution was passed unanimously (FS91-8-2 P) (Attachment E).

6. Old Business

a. Senator Hare mentioned that a system that is not a database system, but runs on an access method, may be purchased. Encouragement was given to all to attend the above-mentioned meeting on August 22.

b. The Centennial Professorship total is now $83,474.00.

7. New Business

a. The date of the Board of Trustees/Faculty Senate Breakfast will be announced soon.

8. Adjournment. The meeting adjourned at 5:21 p.m.

Gerald L. Waddle, Secretary

Cathy Toth Sturkie, Staff Secretary

Senators Absent: W. Bridges (D. Decoteau attended), G. Christenbury, J. Mumford, M. Bridgwood, F. Tainter, K. Dieter, E. Ruppert (J. Waldvogel attended), A. Steiner, T. Tisue
Recommendation 4.1-14 (page 82):

The strongest consideration should be given to inserting in the Announcements a regulation along the following line:

Clemson University requires all undergraduates to complete six hours of mathematics, eight hours of a laboratory science, and six hours of composition as part of the General Education program. These courses must be completed with a passing grade before the student finishes the semester in which he or she will accumulate 60 semester hours.

Students transferring to Clemson with fewer than 30 hours of credit who have not completed these basic courses will be held to the standard established above. Students transferring to Clemson with more than 30 hours of credit must fulfill this requirement before the end of their first year.

Students who do not meet this requirement must complete these basic courses with a passing grade before being allowed to enroll in any other university courses.
Faculty Senate  
August 20, 1991

Whereas, on May 27, 1991, the Council of Deans approved removing the line requiring the signature of the dean of the college in which a required subject is taught from the Form to Request Substitution for a Required Course, and

Whereas, this action may compromise the general education requirements of Clemson University, and

Whereas, individuals in one college may not be in a position to evaluate the substitutability of courses taught in another college, and

Whereas, Section 3, Article IV of the Constitution of the Faculty of Clemson University (p. 61 of the Faculty Manual) provides procedures for initiation and review of all curricular proposals, and

Whereas, this action is in violation of the intent of said provision of the Faculty Manual,

Resolved, that the Faculty Senate requests that this action not be implemented pending further review.

FRIENDLY AMENDMENT

Deletion of fourth "Whereas" and the addition of the following paragraph:

Whereas, the Faculty Manual establishes two committees which should review this change, i.e. the Scholastic Policies Committee of the Faculty Senate and the Commission on Undergraduate Studies, and
RESOLUTION TO DELAY ACTION TO REMOVE DEAN'S SIGNATURE FROM THE FORM_TO_REQUEST_SUBSTITUTION_FOR_A_REQUIRED_COURSE

FS91-8-1 P

Whereas, on May 27, 1991, the Council of Deans approved removing the line requiring the signature of the dean of the college in which a required subject is taught from the Form_to_Request_Substitution_for_a_Required_Course, and

Whereas, this action may compromise the general education requirements of Clemson University, and

Whereas, individuals in one college may not be in a position to evaluate the substitutability of courses taught in another college, and

Whereas, the Faculty Manual establishes two committees which should review this change (i.e. the Scholastic Policies Committee and the Commission on Undergraduate Studies, and

Whereas, this action is in violation of the intent of said provision of the Faculty Manual,

Resolved, that the Faculty Senate request that this action not be implemented pending further review.
1. The spending freeze has been lifted as of 4 August 1991.

2. From the 1991-92 budget, another one (1%) percent cut has occurred. Moreover, another two (2%) percent must be held in escrow for a possible emergency. This situation will continue into next year's budget. Possible items which must be considered in this light are raises, salary adjustments, and the Academic Probation Policy which the Senate passed and the Administration adopted last year. Recall that the Academic Probation Policy was not implemented this year because of budget restrictions.

3. The Strategic Planning Committee has drafted goals for Clemson University. Benchmarks for each of the goals have been written. The draft is attached to this report. The Senate will meet in a workshop with the Strategic Planning Committee in the near future.

4. The Council of Deans has approved a new course substitution form which completely changes the course substitution policy. From this time on, if a student's major advisor, department head, and dean agree on a course substitution, the substitution becomes approved. The dean and faculty of the college in which the course is taught has no formal input. This can possibly negate the General Education Requirements.

5. The Council of Presidents will host a Higher Education Summit on November 5 and 6, 1991 in Columbia.

6. The South Carolina Commission on Higher Education is moving ahead with a project to create a massive student-specific student records system. Please read the attached Memorandum from Provost George Reeves from the University of South Carolina. The ramifications of such a project are disturbing.
RESOLUTION TO REFUSE TO RECOGNIZE ANY PERMANENT APPOINTMENT AS DEAN OF THE GRADUATE SCHOOL

FS91-8-2 P

WHEREAS, no individual, nominated by the Search Committee for appointment as Dean of the Graduate School, has been selected,

RESOLVED, the Faculty Senate refuses at this time to recognize any permanent appointment as Dean of the Graduate School.

Resolution was passed unanimously by the Faculty Senate.
1. **Call to Order.** President Luedeman called the meeting to order at 3:34 p.m.

2. **Approval of Minutes.** The Faculty Senate Minutes dated August 20, 1991 were approved as written.

3. **Committee Reports**
   
a. **Senate Committees**

   **Research Committee.** Senator Marion reported that the Committee had received a memorandum from Lewis Duncan, Chair of the University Research Grant Committee, which asks that the University take a look at its policy for awarding University research grants, the Provost Awards, and other in-house grants. The Research Committee will take this under consideration.

   **Scholastic Policies Committee.** Senator Louderback shared a draft memorandum responding to President Luedeman's request that standing committees prepare a statement to submit to the new Provost. Senator Louderback encouraged senators to share the memorandum with colleagues. The statement will be finalized at the next Scholastic Policies Committee meeting. A memorandum from Provost Maxwell regarding the SACS recommendation to form a joint ad hoc committee with members of the Faculty Senate and the Commission on Graduate Studies was read by Senator Louderback. Senators Schaffer (Liberal Arts) and Hare (Sciences) agreed to serve on this ad hoc committee.

   **Welfare Committee.** Senator Harris reported that the committee has finalized its agenda which includes: reform the grievance process, definition of faculty rights and tenure, and revision of University standards for promotion, evaluation, and review. Five documents were submitted to the Senate to read, share, and comment upon (Attachments A, B, C, D, E).

   **Policy Committee.** Senator Hare presented and discussed the Policy Committee Report (Attachment F). Issues addressed include: the combination of the Vice President of Research and Dean of the Graduate School; method of selection of Director of Brooks Center; availability of salary for Dean of
Graduate School; parking; inability to pay Fike fees through mail; University officials doing non-University business; and use of University offices for conducting non-University business.

b. University Commissions and Committees

Community Spirit. Senator Waldvogel stated that the name of this committee has been changed to the ad_hoc Committee to Promote the Clemson Experience (PCE). A document presenting communication goals will be drafted and shared with the University.

Commission on Graduate Studies. Senator Bridges requested input from senators on criteria for graduate faculty to present to the Self-Study Committee. He also requested that senators submit input regarding the evaluation of graduate course teaching by students, and what type of policy they would like.

4. Senate President’s Report. President Luedeman discussed the items mentioned in the President’s Report (Attachment G).

Senators were reminded to obtain written information from faculty within their college concerning the goals and benchmarks of the Strategic Planning Committee.

President Luedeman announced that the Office of Business and Finance had decided not to issue an intent to award relative to the software RFP. He expressed thanks to Senator Hare and the ad_hoc Committee to Review the Purchase of Business Systems Software by the Office of Business and Finance for their diligent efforts concerning this important issue.

Senators Harris, Waldvogel and Owens volunteered to serve on a Student Body committee on faculty assessment.

Senator Baron volunteered to serve on a committee to review the purpose and format of Scholarships and Awards Day.

"Class of '39 Award for Excellence nomination letters will be mailed to the Deans soon; nominations are due by October 29, 1991.

5. Old Business

a. Senator Hare thanked the members of the ad_hoc Committee to Review the Purchase of Business Systems Software by the Office of Business and Finance. Senator Hare thanked the ad
hoc Committee for their work in behalf of the University and stated that all of her endeavors had been to represent the expertise of the Committee. Committee members were:

Tony Connor, Computer Science, formerly Staff General Manager for International Marketing with Control Data Corporation
Jim Davis, Accountancy, Certified Managerial Accountant and formerly Department Head of Accounting
Eleanor Hare, Computer Science, a Faculty Senate representative from the College of Sciences
Nancy Longcier, Nursing, member of the Computer Advisory Committee
Russ Marion, Education, Chair of the Computer Advisory Committee
Jack Peck, Computer Science, a recognized authority in database management systems

b. The Centennial Professorship total remains at $83,474.00.

c. Board of Trustees/Faculty Senate Breakfast will be Saturday, September 21, 1991 at 9:00 a.m. at the Clemson House.

6. New Business

a. Senator Waldvogel conveyed the comments received from colleagues regarding the parking situation on campus, particularly during orientation. Several concerns were then raised during discussion.

b. Election of one member from the Scholastics Policies Committee to represent the Senate on the Advising and Retention Committee was held. Senator Dick Conover was elected to serve.

c. Senator Harris presented, from the Executive/Advisory Committee, a Resolution to Qualify Remarks. Discussion followed. Vote was taken and resolution passed unanimously (Attachment H) (FS91-9-1 P).

d. Senator Baron submitted a Resolution of Endorsement from the Executive/Advisory Committee. Following discussion, vote was taken and resolution passed (Attachment I) (FS91-9-2 P).
e. Senator Schaffer questioned the manner in which resolutions are transmitted and responses received. The Executive/Advisory Committee will reconsider this process.

7. Adjournment. The meeting adjourned at 5:14 p.m.

Gerald L. Waddle, Secretary

Cathy Toth Sturkie, Staff Secretary

Senators Absent: L. Blanton, J. Brittain, F. Eubanks, K. Dieter, A. Steiner (J. Waldvogel attended), T. Tisue, G. Waddle
Faculty Grievance Procedures Outside Collective Bargaining: The Experience at AAU Campuses

MARTEN ESTEY

Grievance procedures for faculty members are now found at most major colleges and universities in the United States, those both with and without collective bargaining. Virtually all collective bargaining agreements have grievance procedures, covering large numbers of faculty. However, grievance procedures outside collective bargaining are now increasingly prevalent and available to an even greater number of faculty.

Faculty grievance procedures, both inside and outside collective bargaining, tend to be a relatively recent phenomenon. Although some faculty grievance procedures outside collective bargaining go back to the early 1960s, the majority of procedures examined for this report have been established within the past ten or fifteen years, and some as recently as the past two years.

Their development appears to be related to a number of factors, including the publication of the AAUP’s 1968 Recommended Institutional Regulations on Academic Freedom and Tenure, which proposed a structure for a grievance procedure; Title IX of the 1972 Education Amendments to the 1964 Civil Rights Act, under which the federal government encouraged institutions of higher education to establish procedures for handling allegations of sex discrimination; the growth of collective bargaining in higher education and its stimulus to the development of grievance procedures generally; and, finally, the increasing bureaucratization of the university.

This study is focused on the fifty campuses affiliated with the Association of American Universities (AAU), which provide a diverse yet manageable sample. In some respects these campuses differ greatly. They are almost evenly divided between publicly supported (twenty-six) and private (twenty-four) institutions; they are widely distributed geographically; they range in size from the California Institute of Technology, with fewer than 350 faculty members, to New York University, with over 5,400; they include both church-related and nondenominational institutions. Yet they have other factors in common. Each is a major research institution; none is currently covered by a collective bargaining agreement; nearly all have faculty grievance procedures; standards originating at these major universities have often influenced the academic profession as a whole.

In undertaking this study, I have not attempted to depict a “typical” grievance procedure, spelled out step by step and provision by provision. To do so would be not only difficult but also impractical. Even if a “typical” grievance procedure could be produced, it would provide little guidance to the issues that have been faced and resolved in the process of its creation. Instead, I shall focus on the issues that tend to arise in the process of developing and administering a grievance procedure, and show some of the various ways in which these issues have been resolved. This way seems most likely to provide those involved in the grievance process with helpful comparisons to their own experience.

THE SCOPE OF THE GRIEVANCE PROCEDURE

A faculty grievance is an elusive thing, the description of which varies from campus to campus. The faculty and administration on each campus decide what constitutes a faculty grievance; they determine who may use the faculty grievance procedure, and what, when, and where they may grieve. A faculty grievance might be defined as a com-
plaint by an appropriate (eligible) person, about an appropriate issue, at an appropriate time, to an appropriate committee. A complaint that passes all these tests qualifies as a faculty grievance, but if it fails any of them it will not be a faculty grievance. It may be something equally important, but it will not be a faculty grievance, and it will not show up in data on faculty grievances.

In response to our first question, "who is eligible to use the faculty grievance procedure?" one is tempted to reply, "faculty members, who else?" But we are left with the question of which members of the college or university community are regarded as faculty, and the task of drawing the line between faculty members eligible to use the faculty grievance procedure and other employees who must use a different procedure.

Some universities with medical schools have two faculty grievance procedures, one for the medical school and one for the rest of the faculty. Thus, Harvard has one faculty grievance procedure for the Faculty of Arts and Sciences and another for the Medical School. Separate grievance procedures for their medical schools are also found at Brown, the University of Southern California, Stanford, and Wisconsin, among others.

The rationalization for separate grievance procedures for the medical schools appears to stem from their special needs and problems, as well as from such mundane reasons as the frequent location of medical schools physically "off campus." Perhaps foremost among their special circumstances are their extensive reliance on soft money, their widespread use of clinical appointments, and, last but not least, the medical school culture, still strongly influenced by the hierarchical structure of the medical profession, which, as someone has put it, is not "process oriented."

Another consequence of the size and complexity of the large research universities may be the establishment of separate grievance procedures for those in academic positions that do not carry faculty status. Thus, the University of Illinois at Champaign-Urbana has grievance procedures both for the faculty and for the academic professional staff. The faculty includes professors, associate professors, assistant professors and lecturers, and teaching and clinical associates—including adjunct clinical, visiting, and research ranks. Academic professionals are defined in the handbook as those staff members designated as meeting specialized administrative, professional, or technical needs."

At Michigan, the faculty grievance procedure is available to 'instructional staff members, both regular (professors, associate professors, assistant professors, instructors, and lecturers) and supplemental (all ranks of adjunct, clinical, and visiting instructional appointments),' while the grievance procedure for "primary research staff" applies to research investigators and assistant, associate, and (full) research scientists. And at Indiana, an aggrieved librarian turns not to the Faculty Review Board but to the all-University Librarians' Review Board.

Even on those campuses with a single grievance procedure for faculty and for other academics, the definition of faculty members eligible to use the faculty grievance procedure varies widely. Many grievance procedures make no attempt to define "faculty," presumably on the assumption that the term is clear and unambiguous, which it may well be at certain universities. But at many large universities, especially those with large research staffs, the meaning of the term "faculty" is hardly self-evident. The University of Maryland at College Park, for example, lists twenty-six titles for faculty members eligible to use the faculty grievance procedure. At Michigan State, the faculty grievance procedure is available to all full-time or part-time faculty, not only those of professional rank, but also "lecturer, instructor, assistant instructor, research associate, specialist, or librarian." At Berkeley and UCLA, furthermore, not all faculty members have equal access to the faculty grievance procedure (the Privilege and Tenure Committee), which is normally limited to members of the Academic Senate. Those who are referred to as non-senate faculty (e.g., acting instructors, visiting professors, acting assistant professors, adjunct professors) generally have their grievances heard by the administration, rather than the Privilege and Tenure Committee. An interesting exception is described later.

Still another issue concerns part-time faculty. As their members grow, so does the importance of the question of their eligibility to use the faculty grievance procedures. Frequently, this issue is not addressed at all in the written statements on grievance procedures. Where it is specifically addressed, part-time faculty are often considered
"...alleged discrimination cases are often assigned to a special committee or to the affirmative action officer".

making process except those which involve conclusionary judgments about professional competence" (emphasis added). At Berkeley, in grievances involving tenure, promotion, or reappointment, the Privilege and Tenure Committee may determine the validity of complaints that such decisions were made in violation of university rules, or on the basis of improper criteria, but

...it is not empowered to re-evaluate the academic qualifications or professional competence of the complainant.

The University of Pennsylvania specifies that the grievance panel may propose remedies (where it believes that decisions were reached improperly), but that "the panel shall not however have the responsibility or the authority to make a reevaluation of professional competence." This limitation on the use of the grievance procedure is in accordance with the AAUP Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments, Recommendation 6 (Petition for Review Alleging Inadequate Consideration), which recommends that "the review committee should not substitute its judgment on the merits for that of the faculty body."

A second major constraint on the grievance process prohibits its use for challenging general university policy. Thus, the Stanford procedure specifies that:

a grievance does not include dissatisfaction with a university policy of general application challenged on the ground that the policy is unfair or inadvisable.

Michigan's revised grievance procedure specifies that:

these (grievance) procedures shall not be available for challenges to the desirability of unit or university policy.

And the University of Maryland's prohibits, among other things, grievances over

broad areas of the fiscal management, staffing or structure of the University of Maryland or of the College Park campus; any matter pertaining to differences in faculty salaries and benefits that are based upon general market factors such as availability of faculty, demand for a particular academic discipline, or reputation of a department.

Such limitations on using the grievance procedure to challenge policy are not universal. An almost diametrically opposed approach is found at Berkeley and UCLA. There, non-senate faculty, who (as mentioned above) were not normally eligible to participate in the faculty grievance process, have generally been permitted, with the consent of the administration, to use the faculty grievance procedure when their grievance involved "broad educational issues" or issues of urgent interest to the Academic Senate. And, as we have noted above, the procedure at the University of Illinois, with a very broad definition of grievances, permits a faculty member to "request attention of the grievance committee to any matter in the interest of the university" (emphasis added).

A more specific limitation, which touches on an especially sensitive current issue, is found at the University of Washington. There, the Code and Regulations Committee concluded in 1983 that, after the president of the university has decided that a program is to be terminated, the merits and procedures involved in that decision "may not again be inquired into by the Grievance Committee. The Grievance Committee may consider only possible injustices resulting from the decision to terminate the program that may have been caused to particular petitioners."

In contrast, the procedure at the University of Nebraska provides that "if the grievance alleges that a discontinuance of a department or program is not bona fide, or that no extraordinary circumstances because of financial exigency exist, the committee shall investigate and state its factual findings, conclusions and recommendations in writing, which shall be filed with the chancellor...."

The question of when an issue is grievable becomes important in several circumstances. On the one hand are those cases in which a grievant alleges discrimination in the appointment process. Thus, at Princeton, a person who has been offered a faculty appointment (whether or not it is accepted) is eligible to gripe if he or she believes the offer to have been discriminatory. Similarly, the University of Illinois procedure provides for "pre-employment complaints and grievances" on grounds of discrimination. On the other hand are grievances alleging improper termination of employment (as distinct from discharges), as a result of which a grievance may
...the most common limitation is the insistence that the grievance procedure deal only with matters of improper or unfair procedures...."

eligible without restrictions, as at Michigan State and the University of Pennsylvania. At Maryland, on the other hand, access to the faculty grievance procedure is restricted to persons holding one of the twenty-six faculty titles listed in the grievance procedure, "in a 50 percent or greater time capacity."

In collective bargaining, a grievance may be defined as an allegation that the employer has violated the collective bargaining agreement; the collective bargaining agreement specifies, more or less succinctly, the rights of those who are covered by it, and, consequently, what is grievable. At institutions without collective bargaining agreements, such as the ones under consideration here, it is necessary to define what is grievable.

First, a terminological note. Although in some faculty handbooks "complaint" is used synonymously with "grievance," a complaint can cover broader ground—a "complaint" does not always constitute a "grievance." One may complain that no parking lot is close enough to his or her office to be convenient on a cold or rainy day, but regardless of how annoying that may be, unless it is discriminatory or unfair per se, it is probably not grievable. And, it should be added, even a grievable complaint is generally not considered a grievance unless it is submitted in writing (filed) and unless it is supported by prima facie evidence that it is a legitimate case. As any member of a grievance committee can attest, many inquiries and discussions about complaints do not result in the filing of a grievance.

So what constitutes the basis for a grievance? One may say that a grievance is a particular kind of complaint—a complaint that a decision that adversely affects an individual in his or her professional or academic capacity has been reached unfairly or improperly. A definition close to this is found at the University of Michigan, where a grievance is a charge that "a decision concerning any aspect of an eligible grievant's employment is manifestly unfair or illegal."

Grievable issues may be defined broadly or narrowly. Perhaps the broadest definition of what may be grieved is at the University of Illinois, where...

Any faculty member may present a suggestion or grievance to any member of the Faculty Advisory Committee. The faculty member may request committee attention to any matter in the interest of the university, and specifically to any grievance. (emphasis added).

At Catholic University the Faculty Grievance Committee may hear any petition by any member of the faculty "alleging any grievance whatsoever except dismissal."

Many institutions, however, define grievances more specifically. At Indiana University grievances are:

- complaints of faculty members regarding academic freedom, reappointment, tenure, promotion, salary adjustment and the nature and conditions of work.

And at Case-Western Reserve, a grievance is:

an alleged action which adversely affects the complainant and is a violation of the Constitution of the University Faculty, the by-laws of the Faculty Senate, Constituent Faculty, or department: these policies and procedures (i.e., those set forth in the Handbook), or accepted norms of academic personnel practice.

Finally, a few institutions provide grievance procedures only for single issues—most notably, alleged discrimination. Thus Harvard, in 1978, established a grievance procedure for the Faculty of Arts and Sciences, for the "resolution of grievances which may arise alleging discrimination on the basis of race, color, religion, sex, or national origin."

Just as the faculty and administration can decide what is grievable, they may and do decide what issues may not be dealt with through the grievance procedure. Perhaps the most common limitation is the insistence that the grievance procedure deal only with matters of improper or unfair procedures, and not with substantive judgments, particularly those relating to professional competence. Thus, in grievances involving personnel actions—promotions, reappointments, and tenure—it is usually specified that the grievance committee or grievance officers cannot substitute their judgment for that of their fellow faculty members: they may only recommend a reassessment of that decision if they find that it was reached improperly.

The terminology varies, but the basic point is essentially the same from campus to campus. Thus, at Michigan, it is specified that "grievances...may challenge all aspects of the decision-
"The requirement that an effort be made to resolve the grievance before it goes to a formal hearing is almost universal among the institutions surveyed."

Many institutions require that faculty members must exhaust other available remedies before filing a grievance. This generally means that grievants must first have gone through "administrative channels" with their grievance—which is to say that they must have appealed without avail to the maker of the decision being appealed (generally a chair or a dean) and then to that officer's superior (a dean, provost, or vice-president). If these appeals fail to produce success, then the faculty member may turn to the grievance process.

Where the grievance process is supplemented by or complemented by an ombudsman available to faculty, grievants may be required first to avail themselves of the services of the ombudsman—a logical extension of the prevailing preference for informal mediatory efforts as the first step in a grievance process.

The question of committee jurisdiction must also be resolved. Not all grievances are necessarily within the responsibility of the grievance committee. In practice, the assignment of a grievance to the proper committee depends on both the issue involved and the committee structure of the particular campus.

Grievances may be handled according to two sharply contrasting patterns of committee structure. In one, all major types of grievances are under the jurisdiction of a single faculty committee, so that the problem of determining which committee has jurisdiction over a grievance is largely eliminated. At Brown University, the single committee is the Faculty Policy Group, which is designated as the faculty's agent in resolving grievances involving academic freedom, failure to follow prescribed procedures in matters relating to reappointment or promotion, and discrimination based on race, sex, ethnic origin, religion, or age. The Faculty Policy Group, which has other assignments in addition to grievances, initially delegates grievance issues to its Grievance Mediation Subcommittee. Similar broadly inclusive approaches to the matter of jurisdiction over faculty grievances may be found at Berkeley and UCLA, where Senate Committees on Privilege and Tenure deal with grievance cases, including those involving tenure, promotion, and reappointment.

At the other extreme, we find the University of Illinois. There, although the Faculty Advisory Committee is empowered to receive "any grievance," and to deal with it if it is "within its
"...at most institutions the majority of grievances are settled informally."

scope." grievances involving academic freedom, tenure, or dismissal for cause may go to the Committee on Academic Freedom and Tenure, and cases involving salary discrimination to the Faculty Salary Equity Review process, while still other procedures are available for handling complaints of discrimination and of sexual harassment. Here we have a multitude of grievance committees, each handling a specific type of grievance.

This degree of specialization permits each grievance committee to develop expertise in the particular type of problem it handles. But it may also involve delicate questions as to the proper assignment of a grievance. At the University of Pennsylvania, for example, the grievance procedure requires that:

In the event it should appear to the chair of the grievance committee that the grievance raises a matter of academic freedom, he/she shall refer the notice of grievance to the Senate Committee on Academic Freedom and Responsibility, which shall promptly determine whether the grievance is in fact within the jurisdiction of the appropriate school committee on academic freedom and responsibility.

The complex relationship between different committees on a given campus can readily lead to jurisdictional disputes, if not jurisdictional confusion. At the University of Virginia, when questions of jurisdiction over particular grievances occur, they are resolved by the senate. Thus, the Senate Committee on Faculty Relations (the grievance committee) may refuse to mediate a dispute if it lies "within the jurisdiction of another committee of the senate or the university, the jurisdictional question to be determined by the senate."

In between these two poles is the common situation in which one or two kinds of grievances come under the jurisdiction of some committee other than the grievance committee. In particular, because of the need to comply with federal law, alleged discrimination cases are often assigned to a special committee or to the affirmative action officer.

At Duke, a Faculty Discrimination Grievance Committee deals only with issues of alleged employment discrimination, and at Harvard (as we have noted) the grievance procedure for the Faculty of Arts and Sciences officially applies only to grievances alleging discrimination on the basis of race, color, religious belief, sex, national or ethnic origin, handicap, and age. Alleged violations of academic freedom, similarly, are often assigned to a committee on academic freedom and responsibility—and specifically removed from the consideration of the grievance committee. The grievance committee may be prohibited from infringing upon the jurisdictions of other longstanding committees and procedures. At Michigan State, for example, the grievance procedure is specifically not to pre-empt existing procedures dealing with anti-discrimination or with the activities of the Tenure Committee.

RESOLVING THE GRIEVANCE

After a grievance has been submitted, passed all the appropriate tests described above, and been accepted, the grievance committee customarily makes an effort to mediate the dispute. The requirement that an effort be made to resolve the grievance before it goes to a formal hearing is almost universal among the institutions surveyed. The 1968 Recommended Institutional Regulations on Academic Freedom and Tenure stated that "the (grievance) committee may seek to bring about a settlement of the issue satisfactory to the parties. If in the opinion of the committee such a settlement is not possible or is not appropriate, the committee will report its findings and recommendations to the petitioner...

Many grievance procedures define this step as "mediation." Others simply call for "informal" resolution of the dispute. At Brown, the function of the Grievance Mediation Subcommittee of the Faculty Policy Group is to "informally and confidentially... attempt a reconciliation of the differences between the parties to the dispute." At Catholic University, "It is the policy of the (Faculty Grievance) Committee to resolve all grievances in an informal, confidential and amicable way, and strive to avoid hearings and formal reports." Case-Western Reserve provides that the Committee on Faculty Personnel is available "for informal advice, investigation, and conciliation, on the informal request of the faculty member." Perhaps the most extensive use of mediation of faculty grievances is provided at the Massachusetts Institute of Technology, where the whole Institute complaint process is described as "mediation-oriented."

The use of mediation as one of the first steps in the grievance procedure is thus widespread. But mediation outside of collective bargaining may differ significantly from mediation under collective bargaining. In collective bargaining, mediation customarily refers to the use of "outside neutrals"
"The status of grievance committee recommendations is of central importance to the effectiveness of the procedure."

who have had no previous connection with either the employer or the employees. In the grievance procedures with which we are dealing here, the mediator is likely to be neither an outsider nor a true neutral, but, instead, a fellow faculty member (the grievance officer) or committee of faculty members (the grievance committee). In this respect, the grievance officer or committee perhaps more closely resembles the ombudsman than the traditional mediator of labor disputes. And, indeed, at a number of institutions, an ombudsman is available to assist in mediation of faculty grievances.

Nevertheless, grievance officers and grievance committees, in their mediative activities, do share two important characteristics with the traditional collective bargaining mediator. First, the essence of mediation is that the mediator works between the grievant and the defendant; the grievance committee is truly an intermediary, bringing into the process faculty members not previously involved in the dispute. Second, like the labor mediator, the grievance committee has no authority to impose a settlement on either the grievant or the defendant; mediation is an effort to achieve a voluntary resolution of the grievance.

The importance of mediation, or informal procedures, as compared to formal hearings, is underscored by the evidence that at most institutions the majority of grievances are settled informally. On campus after campus, we were told how seldom grievances go to a formal hearing. These observations are generally substantiated by the written reports of grievance committees. At Berkeley, we were told by a former chair of the Committee on Privilege and Tenure that the committee "goes for mediated settlements." And, in fact, in 1979-82 the committee handled thirty-four grievances, of which only one went to full formal hearings. At Brown, Provost Maunce Glicksman reported that although mediation is not used to resolve cases involving salaries or sex discrimination, all other faculty grievances from 1974 to 1984 were resolved by mediation. At MIT, with its emphasis on preventive mediation, formal grievances are extremely rare. At Michigan State, which has the most detailed and voluminous records that were available to us, the reports of the faculty grievance officer show that of 250 grievances settled between August 1972, when the office was established, and June 1983, some 180 were settled informally, as against 70 settled formally.

Should mediation fail to satisfy the grievant, he or she may request a formal hearing. Within higher education, standards for the conduct of formal hearings—whether they involve grievances, termination for financial exigency, or dismissal for cause—have been long established, particularly by the AAUP, and tend to be followed rather closely in grievance procedures.

These standards stress that a formal hearing is not a legal proceeding and that the legal rules of evidence do not apply. Nonetheless, the role of lawyers in the grievance procedure has received special attention. At UCLA, for example, I was told that it was necessary to "always have a law school faculty member on the Committee on Privilege and Tenure, or [it would] court disaster."

At the University of Oregon, a grievance that reaches the third step of the grievance procedure is submitted to the president of the university, who may either decide the case or assign it to a grievance hearing officer. The grievance hearing officer must be a member of the law or business school faculties, or someone with training in law or personnel negotiations. And, perhaps uniquely, in each case the president must decide in advance whether the grievance hearing officer is to "render recommendations or to be delegated authority to render a final decision." Thus, a member of the faculty rather than the administration may be authorized to resolve a grievance.

At the University of Pennsylvania, grievances may have a colleague to help in the presentation of their case, but the colleague may not serve as legal advocate in the presentation. This provision led to a dispute over whether a member of the law faculty could serve as a grievant's "colleague." Not surprisingly, the law faculty won the battle, emerging with the right to serve as colleagues but with the understanding that they would not act as advocates. The result is that most grievances now seek members of the law faculty as colleagues. Another distinctive feature of the University of Pennsylvania's grievance procedure is that the Grievance Commission has its own "independent legal officer" to assist the commission in its operations. The legal officer is not a faculty member but a lawyer employed by the senate (not the Grievance Commission); he or she assists the chair during grievance hearings and is authorized to obtain all relevant documentary evidence from the respondent. The author can testify that the legal officer is an invaluable addition to the grievance process.
"...administrations are normally expected to concur in the recommendations of grievance committees."

The end product of formal hearings, of course, is the recommendation from the grievance committee for resolution of the grievance. The status of grievance committee recommendations is of central importance to the effectiveness of the procedure.

In sharp contrast to the wide variety found in most other provisions dealing with faculty grievances, we found almost complete unanimity on one important point: with the exception of the University of Oregon, in none of the AAU institutions were the recommendations of the grievance committees or grievance officers binding on the administration; they are only advisory. And in none is there provision for arbitration as the final step in the grievance procedure.

Some faculty members have expressed dissatisfaction and concern that, especially when a grievance involves a dispute between a faculty member and an administrator, the final judge of the grievance is not the faculty but the administration. Still, administrations are normally expected to concur in the recommendations of grievance committees.

As the Stanford chapter of the AAUP noted in 1974, in connection with a proposed grievance procedure:

> Obviously refusal to follow or to be influenced by the recommendations of the Faculty Grievance Panel could not be carried to excess without destroying the harmony with the faculty that the university administration has sought and will no doubt continue to seek. At a university such as Stanford, there is every reason to believe that the recommendations of the faculty groups empowered to review faculty grievances will have substantial influence.

A similar assumption underlines the wording of the grievance procedure at the University of Pennsylvania, stipulating that "the panel’s report is to be accorded great weight." (emphasis added).

In spite of these assumptions, the grievance process generates considerable tension between faculty and administration; a common problem in handling faculty grievances is the natural inclination of both administration and faculty participants to support their respective constituents and to regard their opponents as biased. Top administrators may tend to support the decisions of chairs and deans, and faculty representatives may favor their peers.

One high-level administrator acknowledged that "I am very supportive of my deans." At Berkeley, a former chair of the Privilege and Tenure Committee reported that the administration tends to support chair, but he added that, if a chair were in the wrong, the administration would find it easier for a grievance committee to say so than to say so itself.

Administrators, for their part, fear that grievance committee members may be biased in favor of fellow faculty grievances and against chairs and deans. At the University of Washington, both faculty and administration spokesmen reported reluctance by the administration to accept grievance committee recommendations—in part because of administration belief of bias on the part of the grievance committee.

Given these perhaps unavoidable tensions, a crucial question is the extent to which administrations do follow the advice of grievance committees, especially when their recommendations support the grievant. Indeed, the question of administration response to grievance committee recommendations appeared to be the most critical issue at most of the campuses visited in the course of this survey. The nature of that response was considered to be at once the best indicator of the effectiveness of the grievance procedure and of the quality of faculty-administration relations. But just what sort of record should we expect from administrators in this situation? What standards do faculty grievance committees have in mind?

One criterion was provided by a former chair of the Privilege and Tenure Committee at Berkeley, who suggested that it would be a serious matter if grievance committee recommendations were rejected "more than 5 percent of the time." A former president of the AAUP chapter at the University of Southern California thought an appropriate yardstick would be how often the president of the university vetoed a unanimous recommendation of a grievance committee (something that had not happened at USC in thirty years).

But how does the record jibe with this high standard? At one end of the scale are institutions which, like USC, appear to meet it. At the University of Wisconsin-Madison, for example, members of both faculty and administration who were interviewed agreed with the assessment that the recommendations of the University Committee, which handles grievances as one of its numerous functions, are "almost never rejected by the administration," perhaps in part because the committee and the administration negotiate their differences until settlement. Indeed, the vice chancellor for
"...the number of grievances actually filed is perhaps surprisingly small, even at large universities."

academic affairs went so far as to assert that "it is unlikely that any chancellor would refuse to accept a recommendation of the University Committee." At Northwestern, the associate provost reported that the administration "hardly ever turns down a unanimous recommendation of the faculty grievance committee," and would do so only if the process were flawed.

What might be called the middle ground on this issue was defined by the vice chancellor for faculty relations at UCLA, whose response to this question was, "Faculty governance at UCLA is central to the institution's well-being. When the senate speaks, the administration listens—but it is not a rubber stamp." (He cited two "celebrated rejections" of grievance recommendations to demonstrate his point.)

On the other hand, grievance committees may encounter serious problems in gaining administration acceptance of their recommendations.

At the University of Washington, the Grievance Committee reported to the senate that seven grievances were considered and completed in the academic year 1980-81. "Of seven completed cases, two received concurrence by the president, three were overturned by the president on one or more major points, and two were withdrawn by the grievant."

At Michigan, the experience of the Senate Advisory Review Committee (the final stage of the grievance mechanism between 1969 and 1981) seems to have been even more frustrating. In its 1978-79 annual report (when a previous administration was in office), SARC noted that:

In eight of the twelve appeals since 1969, SARC had decided in favor of the grievant. It appeared that SARC's recommendations had not been implemented in any of these cases, although in some cases financial settlements had been offered.

SARC concluded that its recommendations "may be rejected by the administration respondents without accountability to the faculty, due to the strict confidentiality of the grievance appeal process."

What happens, then, when the faculty grievance process proves so ineffective? And what accounts for failures like those described above?

At Michigan, SARC's functions were brought to a complete standstill in 1981, when its unanimous recommendation to review an unfavorable tenure decision was rejected by the dean of the school involved, by the president, and, on appeal, by the board of regents. At that point, not surprisingly, there was a widespread conclusion that the grievance procedure was not working. Recognizing the need for a grievance procedure, the administration took the lead in the effort to design a new procedure. As the Task Force on Instructional Staff Grievance Procedures stated,

Many feel that a major flaw in the review by SARC was that its advice came after several often long and involved proceedings in the school or college and after the position of the unit administrators had been reaffirmed. Our proposal moves faculty review to a much earlier stage of the process.

This new procedure went into effect in the fall of 1984—whether it lives up to expectations remains to be seen.

Effectiveness of grievance procedures may also be judged in terms of their cost in time and energy, the length of time they take, the extent of faculty awareness and use, and how often grievants "win" or "lose." Grievance procedures appear to be unavoidably costly in terms of time and effort. The time and energy consumed by all parties to the grievance procedure are illustrated by the 1982-83 report of the Privilege and Tenure Committee at UCLA:

As the workload was heavy we met all summer. It is not merely meeting time—there is also the time involved in reading dossiers and running down information pertinent to the issues. Because the case load is heavy as well as complex, a good deal of frustration develops on the part of all concerned—committee members, grievants, and undoubtedly the administration. If the complex workload continues, some other kinds of structures or supports must be set forth and made available so that issues and cases can be dealt with in a manner we all think is effective.

At the University of Pennsylvania, my experience was that a grievance involving formal hearings seldom took less than an academic year to conclude, and some took longer. The need to speed up the process, without sacrificing quality, is clearly recognized as essential to making the procedures more effective.

Yet, even as they struggle with the time-consuming work a grievance entails, grievance committees have expressed their concern that their procedures are not well known to the very group they are designed to serve, the faculty. The Senate Advisory Review Committee at Michigan, in its 1977-78 report, noted that:
"...no procedure is likely to be very effective when faculty-administration relationships are strained."

... the role of SARC (the Senate Advisory Review Committee)—even its existence—is not widely understood throughout the university. This may be unfortunate if it means that certain faculty members are unaware of the options that the committee’s existence provides them in the appeal processes of the university.

As if to confirm this concern, the number of grievances actually filed is perhaps surprisingly small, even at large universities. Few of the institutions for which we have data report handling an average of as many as ten grievances a year. This may, of course, reflect faculty recognition of the high real costs of using the grievance procedure, rather than ignorance of its existence.

Finally, the best evidence we have on the odds that grievants will "win" their cases comes from the annual reports of the faculty grievance officer at Michigan State. Those reports show that, in the decade July 1, 1973, through June 30, 1983, thirty-eight cases were resolved in favor of the grievant, and thirty-four for the respondent. In an additional sixty-eight cases, the grievant was reported as "satisfied" (i.e., a compromise acceptable to both parties was reached). Another forty-nine were dropped. Incidentally, grievants fared much better in informal resolutions than in formal ones, winning eighteen of twenty-four informal settlements, as against twenty of forty-eight formal ones.

No single "key" to an effective grievance procedure may exist, though we may certainly observe that prompt resolution of grievances is highly desirable and that continued emphasis should be given to informal rather than formal settlements. While we might not go so far as to say that the quality of faculty-administration relationships alone determines the quality of a grievance procedure, we can certainly say that no procedure is likely to be very effective when faculty-administration relationships are strained.

One measure of success for grievance procedures is whether the administration generally accepts the recommendations of the grievance committee, and this situation seems to prevail on campuses with long traditions of faculty involvement in governance, a tradition which often includes practices (such as rotation of faculty in and out of administrative positions) which discourage ingrained difference in administration-faculty outlook.

In the last analysis, the "ethos" of an institution (as Bernard Cohen, vice chancellor for academic affairs at the University of Wisconsin-Madison expressed it) may be the single most important factor in determining the effectiveness of a faculty grievance procedure.

NOTES
1. This reflects the requirements of Title VII of the Civil Rights Act of 1964, as interpreted by the Equal Employment Opportunity Commission.
2. In the last analysis, even faculty recommendations on tenure are only advisory. As the 1966 Joint Statement on Government of Colleges and Universities notes in regard to determinations of faculty status, "The governing board and president should...concur with the faculty judgment except in rare instances and for compelling reasons which should be stated in detail."
4. A former vice chancellor also noted that the University Committee is not a due process body; under its charge it "may use whatever means and procedures it considers most likely to be effective in settling the matter" (a great time-saver).
1940 Statement of Principles on Academic Freedom and Tenure
With 1970 Interpretive Comments

In 1940, following a series of joint conferences begun in 1934, representatives of the American Association of University Professors and of the Association of American Colleges agreed upon a restatement of principles set forth in the 1925 Conference Statement on Academic Freedom and Tenure. This restatement is known to the profession as the 1940 Statement of Principles on Academic Freedom and Tenure.

The 1940 Statement is printed below, followed by Interpretive Comments as developed by representatives of the American Association of University Professors and the Association of American Colleges during 1969. The governing bodies of the associations, meeting respectively in November 1989 and January 1990, adopted several changes in language in order to remove gender-specific references from the original text.

The purpose of this statement is to promote public understanding and support of academic freedom and tenure and agreement upon procedures to assure them in colleges and universities. Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.[1]

Tenure is a means to certain ends; specifically: (1) freedom of teaching and research and of extramural activities, and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence, tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.

ACADEMIC FREEDOM

(a) Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
(b) Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject.[2] Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.[3]

[1]The word "teacher" as used in this document is understood to include the investigator who is attached to an academic institution without teaching duties.
[2]Bold-face numbers in brackets refer to Interpretive Comments which follow.

AAUP Policy Documents and Reports - 1990 Edition
(c) College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.[4]

ACADEMIC TENURE

After the expiration of a probationary period, teachers or investigators should have permanent or continuous tenure, and their service should be terminated only for adequate cause, except in the case of retirement for age, or under extraordinary circumstances because of financial exigencies.

In the interpretation of this principle it is understood that the following represents acceptable academic practice:

1. The precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated.

2. Beginning with appointment to the rank of full-time instructor or a higher rank,[5] the probationary period should not exceed seven years, including within this period full-time service in all institutions of higher education; but subject to the proviso that when, after a term of probationary service of more than three years in one or more institutions, a teacher is called to another institution it may be agreed in writing that the new appointment is for a probationary period of not more than four years, even though thereby the person’s total probationary period in the academic profession is extended beyond the normal maximum of seven years. Notice should be given at least one year prior to the expiration of the probationary period if the teacher is not to be continued in service after the expiration of that period.[7]

3. During the probationary period a teacher should have the academic freedom that all other members of the faculty have.[8]

4. Termination for cause of a continuous appointment, or the dismissal for cause of a teacher previous to the expiration of a term appointment, should, if possible, be considered by both a faculty committee and the governing board of the institution. In all cases where the facts are in dispute, the accused teacher should be informed before the hearing in writing of the charges and should have the opportunity to be heard in his or her own defense by all bodies that pass judgment upon the case. The teacher should be permitted to be accompanied by an advisor of his or her own choosing who may act as counsel. There should be a full stenographic record of the hearing available to the parties concerned. In the hearing of charges of incompetence the testimony should include that of teachers and other scholars, either from the teacher’s own or from other institutions. Teachers on continuous appointment who are dismissed for reasons not involving moral turpitude should receive their salaries for at least a year from the date of notification of dismissal whether or not they are continued in their duties at the institution.[9]

5. Termination of a continuous appointment because of financial exigency should be demonstrably bona fide.

1940 INTERPRETATIONS

At the conference of representatives of the American Association of University Professors and of the Association of American Colleges on November 7–8, 1940, the following interpretations of the 1940 Statement of Principles on Academic Freedom and Tenure were agreed upon:

1. That its operation should not be retroactive.
policy. (A revision, adopted in 1987, was published in *Academe: Bulletin of the AAUP* 73 [July-August 1987]: 49.)

2. The intent of this statement is not to discourage what is "controversial." Controversy is at the heart of the free academic inquiry which the entire statement is designed to foster. The passage serves to underscore the need for teachers to avoid persistently intruding material which has no relation to their subject.

3. Most church-related institutions no longer need or desire the departure from the principle of academic freedom implied in the 1940 *Statement*, and we do not now endorse such a departure.

4. This paragraph is the subject of an Interpretation adopted by the sponsors of the 1940 *Statement* immediately following its endorsement which reads as follows:

If the administration of a college or university feels that a teacher has not observed the admonitions of paragraph (c) of the section on Academic Freedom and believes that the extramural utterances of the teacher have been such as to raise grave doubts concerning the teacher's fitness for his or her position, it may proceed to file charges under paragraph (a)(4) of the section on Academic Tenure. In pressing such charges the administration should remember that teachers are citizens and should be accorded the freedom of citizens. In such cases the administration must assume full responsibility, and the American Association of University Professors and the Association of American Colleges are free to make an investigation.

Paragraph (c) of the 1940 *Statement* should also be interpreted in keeping with the 1964 "Committee A Statement on Extramural Utterances" (*AAUP Bulletin* 51 [1965]: 29), which states *inter alia:* "The controlling principle is that a faculty member’s expression of opinion as a citizen cannot constitute grounds for dismissal unless it clearly demonstrates the faculty member’s unfitness for his or her position. Extramural utterances rarely bear upon the faculty member’s fitness for the position. Moreover, a final decision should take into account the faculty member’s entire record as a teacher and scholar."

Paragraph V of the *Statement on Professional Ethics* also deals with the nature of the "special obligations" of the teacher. The paragraph reads as follows:

As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of other obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

Both the protection of academic freedom and the requirements of academic responsibility apply not only to the full-time probationary as well as to the tenured teacher, but also to all others, such as part-time faculty and teaching assistants, who exercise teaching responsibilities.

5. The concept of "rank of full-time instructor or a higher rank" is intended to include any person who teaches a full-time load regardless of the teacher's specific title.*

6. In calling for an agreement "in writing" on the amount of credit for a faculty member's prior service at other institutions, the *Statement* furthers the general policy of full understanding by the professor of the terms and conditions of the appointment. It does not necessarily follow that a professor's tenure rights have been violated because of the absence of a written agreement on this matter. Nonetheless, especially because of the variation in permissible institutional practices, a written understanding concerning these matters at the time of appointment is particularly appropriate and advantageous to both the individual and the institution.**

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**For a more detailed statement on this question, see "On Crediting Prior Service Elsewhere as Part of the Probationary Period," *AAUP Bulletin* 64 (1978): 274-75.
2. That all tenure claims of teachers appointed prior to the endorsement should be determined in accordance with the principles set forth in the 1925 Conference Statement on Academic Freedom and Tenure.

3. If the administration of a college or university feels that a teacher has not observed the admonitions of paragraph (c) of the section on Academic Freedom and believes that the extramural utterances of the teacher have been such as to raise grave doubts concerning the teacher’s fitness for his or her position, it may proceed to file charges under paragraph (a)(4) of the section on Academic Tenure. In pressing such charges the administration should remember that teachers are citizens and should be accorded the freedom of citizens. In such cases the administration must assume full responsibility, and the American Association of University Professors and the Association of American Colleges are free to make an investigation.

1970 INTERPRETIVE COMMENTS

Following extensive discussions on the 1940 Statement of Principles on Academic Freedom and Tenure with leading educational associations and with individual faculty members and administrators, a joint committee of the AAUP and the Association of American Colleges met during 1969 to reevaluate this key policy statement. On the basis of the comments received, and the discussions that ensued, the joint committee felt the preferable approach was to formulate interpretations of the Statement in terms of the experience gained in implementing and applying the Statement for over thirty years and of adapting it to current needs.

The committee submitted to the two associations for their consideration the following "Interpretive Comments." These interpretations were adopted by the Council of the American Association of University Professors in April 1970 and endorsed by the Fifty-sixth Annual Meeting as Association policy.

In the thirty years since their promulgation, the principles of the 1940 Statement of Principles on Academic Freedom and Tenure have undergone a substantial amount of refinement. This has evolved through a variety of processes, including customary acceptance, understandings mutually arrived at between institutions and professors or their representatives, investigations and reports by the American Association of University Professors, and formulations of statements by that association either alone or in conjunction with the Association of American Colleges. These comments represent the attempt of the two associations, as the original sponsors of the 1940 Statement, to formulate the most important of these refinements. Their incorporation here as Interpretive Comments is based upon the premise that the 1940 Statement is not a static code but a fundamental document designed to set a framework of norms to guide adaptations to changing times and circumstances.

Also, there have been relevant developments in the law itself reflecting a growing insistence by the courts on due process within the academic community which parallels the essential concepts of the 1940 Statement; particularly relevant is the identification by the Supreme Court of academic freedom as a right protected by the First Amendment. As the Supreme Court said in Keyishian v. Board of Regents 385 U.S. 589 (1967), "Our Nation is deeply committed to safeguarding academic freedom, which is of transcendent value to all of us and not merely to the teachers concerned. That freedom is therefore a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom."

The numbers refer to the designated portion of the 1940 Statement on which interpretive comment is made.

1. The Association of American Colleges and the American Association of University Professors have long recognized that membership in the academic profession carries with it special responsibilities. Both associations either separately or jointly have consistently affirmed these responsibilities in major policy statements, providing guidance to professors in their utterances as citizens, in the exercise of their responsibilities to the institution and to students, and in their conduct when resigning from their institution or when undertaking government-sponsored research. Of particular relevance is the Statement on Professional Ethics, adopted in 1966 as Association
7. The effect of this subparagraph is that a decision on tenure, favorable or unfavorable, must be made at least twelve months prior to the completion of the probationary period. If the decision is negative, the appointment for the following year becomes a terminal one. If the decision is affirmative, the provisions in the 1940 Statement with respect to the termination of services of teachers or investigators after the expiration of a probationary period should apply from the date when the favorable decision is made.

The general principle of notice contained in this paragraph is developed with greater specificity in the Standards for Notice of Nonreappointment, endorsed by the Fiftieth Annual Meeting of the American Association of University Professors (1964). These standards are:

Notice of nonreappointment, or of intention not to recommend reappointment to the governing board, should be given in writing in accordance with the following standards:

(1) Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.

(2) Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.

(3) At least twelve months before the expiration of an appointment after two or more years in the institution.

Other obligations, both of institutions and of individuals, are described in the Statement on Recruitment and Resignation of Faculty Members, as endorsed by the Association of American Colleges and the American Association of University Professors in 1961.

8. The freedom of probationary teachers is enhanced by the establishment of a regular procedure for the periodic evaluation and assessment of the teacher's academic performance during probationary status. Provision should be made for regularized procedures for the consideration of complaints by probationary teachers that their academic freedom has been violated. One suggested procedure to serve these purposes is contained in the Recommended Institutional Regulations on Academic Freedom and Tenure, prepared by the American Association of University Professors.

9. A further specification of the academic due process to which the teacher is entitled under this paragraph is contained in the Statement on Procedural Standards in Faculty Dismissal Proceedings, jointly approved by the American Association of University Professors and the Association of American Colleges in 1958. This interpretive document deals with the issue of suspension, about which the 1940 Statement is silent.

The 1958 Statement provides: "Suspension of the faculty member during the proceedings is justified only if immediate harm to the faculty member or others is threatened by the faculty member's continuance. Unless legal considerations forbid, any such suspension should be with pay." A suspension which is not followed by either reinstatement or the opportunity for a hearing is in effect a summary dismissal in violation of academic due process.

The concept of "moral turpitude" identifies the exceptional case in which the professor may be denied a year's teaching or pay in whole or in part. The statement applies to that kind of behavior which goes beyond simply warranting discharge and is so utterly blameworthy as to make it inappropriate to require the offering of a year's teaching or pay. The standard is not that the moral sensibilities of persons in the particular community have been affronted. The standard is behavior that would evoke condemnation by the academic community generally.

ENDORSERS

Association of American Colleges .................................................. 1941
American Association of University Professors ................................. 1941
American Library Association (adapted for librarians) ......................... 1946
Association of American Law Schools ............................................. 1946
American Political Science Association ........................................... 1947
American Association of Colleges for Teacher Education ........................................... 1950
American Association for Higher Education .......................................................... 1950
Eastern Psychological Association ............................................................................. 1950
Southern Society for Philosophy and Psychology .................................................... 1950
American Psychological Association ......................................................................... 1953
American Historical Association .............................................................................. 1961
Modern Language Association of America ............................................................. 1961
American Economic Association .............................................................................. 1962
American Agricultural Economics Association ....................................................... 1962
Midwest Sociological Society ................................................................................... 1962
Organization of American Historians ....................................................................... 1963
American Philological Association ........................................................................... 1963
American Council of Learned Societies .................................................................. 1963
Speech Communication Association ....................................................................... 1963
American Sociological Association .......................................................................... 1963
Southern Historical Association .............................................................................. 1963
American Studies Association .................................................................................. 1963
Association of American Geographers ..................................................................... 1963
Southern Economic Association ............................................................................... 1963
Classical Association of the Middle West and South ................................................ 1963
Southwestern Social Science Association ............................................................... 1964
Archaeological Institute of America ........................................................................ 1964
Southern Management Association .......................................................................... 1964
American Theatre Association .................................................................................. 1964
South Central Modern Language Association ....................................................... 1964
Southwestern Philosophical Society ......................................................................... 1964
Council of Independent Colleges ............................................................................. 1965
Mathematical Association of America ...................................................................... 1965
Arizona-Nevada Academy of Science .................................................................... 1965
American Risk and Insurance Association .............................................................. 1965
Academy of Management ......................................................................................... 1965
American Catholic Historical Association .............................................................. 1966
American Catholic Philosophical Association ......................................................... 1966
Association for Education in Journalism ................................................................. 1966
Western History Association .................................................................................... 1966
Mountain-Plains Philosophical Conference ............................................................. 1966
Society of American Archivists ................................................................................ 1966
Southeastern Psychological Association .................................................................. 1966
Southern Speech Communication Association ..................................................... 1966
American Association for the Advancement of Slavic Studies ................................ 1967
American Mathematical Society .............................................................................. 1967
College Theology Society ......................................................................................... 1967
Council on Social Work Education ........................................................................... 1967
American Association of Colleges of Pharmacy ..................................................... 1967
American Academy of Religion ................................................................................ 1967
Association for the Sociology of Religion ............................................................... 1967
American Society of Journalism School Administrators ........................................ 1967
John Dewey Society ................................................................................................. 1967
South Atlantic Modern Language Association ...................................................... 1967
American Finance Association ................................................................................. 1967
Association for Social Economics ............................................................................. 1967
United Chapters of Phi Beta Kappa ......................................................................... 1968
American Society of Christian Ethics ....................................................................... 1968
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<tr>
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<td>American Physical Therapy Association</td>
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American Association of Teachers of French ................................................................. 1968
Eastern Finance Association ....................................................................................... 1968
American Association for Chinese Studies ................................................................. 1968
American Society of Plant Physiologists ................................................................... 1968
University Film and Video Association ..................................................................... 1968
American Dialect Society ........................................................................................... 1968
American Speech-Language-Hearing Association ...................................................... 1968
Association of Social and Behavioral Scientists ......................................................... 1968
College English Association ....................................................................................... 1968
National College Physical Education Association for Men ........................................ 1969
American Real Estate and Urban Economics Association ......................................... 1969
History of Education Society .................................................................................... 1969
Council for Philosophical Studies .............................................................................. 1969
American Musicological Society ................................................................................. 1969
American Association of Teachers of Spanish and Portuguese ............................... 1969
Texas Junior College Teachers Association ............................................................... 1970
College Art Association of America ............................................................................ 1970
Society of Professors of Education .............................................................................. 1970
American Anthropological Association ..................................................................... 1970
Association of Theological Schools ............................................................................. 1970
American Association of Schools and Departments of Journalism ......................... 1971
American Business Law Association .......................................................................... 1971
American Council for the Arts .................................................................................... 1972
New York State Mathematics Association of Two-Year Colleges ............................. 1972
College Language Association .................................................................................... 1973
Pennsylvania Historical Association .......................................................................... 1973
Massachusetts Regional Community College Faculty Association ......................... 1973
American Philosophical Association*** ..................................................................... 1974
American Classical League ......................................................................................... 1974
American Comparative Literature Association .......................................................... 1974
Rocky Mountain Modern Language Association ..................................................... 1974
Society of Architectural Historians ............................................................................. 1975
American Statistical Association ................................................................................ 1975
American Folklore Society ......................................................................................... 1975
Association for Asian Studies ..................................................................................... 1975
Linguistic Society of America ...................................................................................... 1975
African Studies Association ........................................................................................ 1975
American Institute of Biological Sciences .................................................................. 1975
North American Conference on British Studies ........................................................ 1975
Sixteenth-Century Studies Conference ....................................................................... 1975
Texas Association of College Teachers ....................................................................... 1976
Society for Spanish and Portuguese Historical Studies .............................................. 1976
Association for Jewish Studies ................................................................................... 1976
Western Speech Communication Association .......................................................... 1976
Texas Association of Colleges for Teacher Education ............................................... 1977
Metaphysical Society of America ............................................................................... 1977
American Chemical Society ....................................................................................... 1977
Texas Library Association ........................................................................................... 1977
American Society for Legal History ............................................................................ 1977
Iowa Higher Education Association ............................................................................ 1977

***Endorsed by the Association's Western Division in 1952, Eastern Division in 1953, and Pacific Division in 1962.
Recommended Institutional Regulations on Academic Freedom and Tenure

Recommended Institutional Regulations on Academic Freedom and Tenure set forth, in language suitable for use by an institution of higher education, rules which derive from the chief provisions and interpretations of the 1940 Statement of Principles on Academic Freedom and Tenure and of the 1958 Statement on Procedural Standards in Faculty Dismissal Proceedings. The Recommended Institutional Regulations were first formulated by Committee A on Academic Freedom and Tenure in 1957. A revised and expanded text, approved by Committee A in 1968, reflected the development of Association standards and procedures as set forth in the 1961 Statement on Recruitment and Resignation of Faculty Members, the 1964 Statement on the Standards for Notice of Nonreappointment, and the 1966 Statement on Government of Colleges and Universities. Texts with further revisions were approved by Committee A in 1972 and again in 1976.

The current revision, approved by Committee A in 1982, is based upon the Association's continuing experience in evaluating regulations actually in force at particular institutions. The 1982 revision is also based upon further definition of the standards and procedures of the Association as set forth in the 1970 Interpretive Comments of the 1940 Statement of Principles, the 1971 Council Statement on Freedom and Responsibility, the 1971 Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments, the 1972 Statement of Principles on Leaves of Absence, recommended procedure adopted by the Council in 1976 on Termination of Faculty Appointments Because of Financial Exigency, Discontinuance of a Program or Department, or Medical Reasons, the 1976 policy On Discrimination, and the 1977 statement On Processing Complaints of Discrimination on the Basis of Sex. The Association will be glad to assist in interpretation of the regulations or to consult about their incorporation in, or adaptation to, the rules of a particular college or university.

FOREWORD

These regulations are designed to enable the [named institution] to protect academic freedom and tenure and to ensure academic due process. The principles implicit in these regulations are for the benefit of all who are involved with or are affected by the policies and programs of the institution. A college or university is a marketplace of ideas, and it cannot fulfill its purposes of transmitting, evaluating, and extending knowledge if it requires conformity with any orthodoxy of content and method. In the words of the United States Supreme Court, "Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die."

1. STATEMENT OF TERMS OF APPOINTMENT

(a) The terms and conditions of every appointment to the faculty will be stated or confirmed in writing, and a copy of the appointment document will be supplied to the faculty member.
Any subsequent extensions or modifications of an appointment, and any special understandings, or any notices incumbent upon either party to provide, will be stated or confirmed in writing and a copy will be given to the faculty member.

(b) With the exception of special appointments clearly limited to a brief association with the institution, and reappointments of retired faculty members on special conditions, all full-time faculty appointments are of two kinds: (1) probationary appointments; (2) appointments with continuous tenure.

(c) Except for faculty members who have tenure status, every person with a teaching or research appointment of any kind will be informed each year in writing of the appointment and of all matters relative to eligibility for the acquisition of tenure.

2. PROBATIONARY APPOINTMENTS

(a) Probationary appointments may be for one year, or for other stated periods, subject to renewal. The total period of full-time service prior to the acquisition of continuous tenure will not exceed ___ years,1 including all previous full-time service with the rank of instructor or higher in other institutions of higher learning [except that the probationary period may extend to as much as four years, even if the total full-time service in the profession thereby exceeds seven years; the terms of such extension will be stated in writing at the time of initial appointment].2 Scholarly leave of absence for one year or less will count as part of the probationary period as if it were prior service at another institution, unless the individual and the institution agree in writing to an exception to this provision at the time the leave is granted.

(b) The faculty member will be advised, at the time of initial appointment, of the substantive standards and procedures generally employed in decisions affecting renewal and tenure. Any special standards adopted by the faculty member's department or school will also be transmitted. The faculty member will be advised of the time when decisions affecting renewal or tenure are ordinarily made, and will be given the opportunity to submit material believed to be helpful to an adequate consideration of the faculty member's circumstances.

(c) Regardless of the stated term or other provisions of any appointments, written notice that a probationary appointment is not to be renewed will be given to the faculty member in advance of the expiration of the appointment, as follows: (1) not later than March 1 of the first academic year of service if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination; (2) not later than December 15 of the second academic year of service if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination; (3) at least twelve months before the expiration of an appointment after two or more years of service at the institution. The institution will normally notify faculty members of the terms and conditions of their renewals by March 15, but in no case will such information be given later than _______.3

(d) When a faculty recommendation or a decision not to renew an appointment has first been reached, the faculty member involved will be informed of that recommendation or decision in writing by the body or individual making the initial recommendation or decision; the faculty member will be advised upon request of the reasons which contributed to that decision. The faculty member may request a reconsideration by the recommending or deciding body.

(e) If the faculty member so requests, the reasons given in explanation of the nonrenewal will be confirmed in writing.

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1Under the 1940 Statement of Principles on Academic Freedom and Tenure, this period may not exceed seven years.
2The exception here noted applies only to an institution whose maximum probationary period exceeds four years.
3April 15 is the recommended date.
(f) Insofar as the faculty member alleges that the decision against renewal by the appropriate faculty body was based on inadequate consideration, the committee which reviews the faculty member’s allegation will determine whether the decision was the result of adequate consideration in terms of the relevant standards of the institution. The review committee will not substitute its judgment on the merits for that of the faculty body. If the review committee believes that adequate consideration was not given to the faculty member’s qualifications, it will request reconsideration by the faculty body, indicating the respects in which it believes the consideration may have been inadequate. It will provide copies of its findings to the faculty member, the faculty body, and the president or other appropriate administrative officer.

3. TERMINATION OF APPOINTMENT BY FACULTY MEMBERS

Faculty members may terminate their appointments effective at the end of an academic year, provided that they give notice in writing at the earliest possible opportunity, but not later than May 15, or thirty days after receiving notification of the terms of appointment for the coming year, whichever date occurs later. Faculty members may properly request a waiver of this requirement of notice in case of hardship or in a situation where they would otherwise be denied substantial professional advancement or other opportunity.

4. TERMINATION OF APPOINTMENTS BY THE INSTITUTION

(a) Termination of an appointment with continuous tenure, or of a probationary or special appointment before the end of the specified term, may be effected by the institution only for adequate cause.

(b) If termination takes the form of a dismissal for cause, it will be pursuant to the procedure specified in Regulation 5.

Financial Exigency

(c) (1) Termination of an appointment with continuous tenure, or of a probationary or special appointment before the end of the specified term, may occur under extraordinary circumstances because of a demonstrably *bona fide* financial exigency, i.e., an imminent financial crisis which threatens the survival of the institution as a whole and which cannot be alleviated by less drastic means.

[NOTE: Each institution in adopting regulations on financial exigency will need to decide how to share and allocate the hard judgments and decisions that are necessary in such a crisis.

As a first step, there should be a faculty body which participates in the decision that a condition of financial exigency exists or is imminent, and that all feasible alternatives to termination of appointments have been pursued.

*This committee, which can be the grievance committee noted in Regulation 15, is to be an elected faculty body. Similarly, the members of the committees noted in Regulations 4(c)(2), 4(d)(3), and 10 are to be elected. A committee of faculty members appointed by an appropriate elected faculty body can substitute for a committee that is elected directly. [Preceding note adopted by Committee A in June 1990.]*

*See "The Role of the Faculty in Budgetary and Salary Matters" (AAUP Bulletin 62 [1976]: 379-81), and especially the following passages:

The faculty should participate both in the preparation of the total institutional budget and (within the framework of the total budget) in decisions relevant to the further apportioning of its specific fiscal divisions (salaries, academic programs, tuition, physical plant and grounds, etc.). The soundness of resulting decisions should be enhanced if an elected representative committee of the faculty participates in deciding on the overall allocation of institutional resources and the proportion to be devoted directly to the academic program. This committee should be given access to all information that it requires to perform its task effectively, and it should have the opportunity to confer periodically with representatives of the administration and governing board.*
Judgments determining where within the overall academic program termination of appointments may occur involve considerations of educational policy, including affirmative action, as well as of faculty status, and should therefore be the primary responsibility of the faculty or of an appropriate faculty body. The faculty or an appropriate faculty body should also exercise primary responsibility in determining the criteria for identifying the individuals whose appointments are to be terminated. These criteria may appropriately include considerations of length of service.

The responsibility for identifying individuals whose appointments are to be terminated should be committed to a person or group designated or approved by the faculty. The allocation of this responsibility may vary according to the size and character of the institution, the extent of the terminations to be made, or other considerations of fairness in judgment. The case of a faculty member given notice of proposed termination of appointment will be governed by the following procedure:

2. If the administration issues notice to a particular faculty member of an intention to terminate the appointment because of financial exigency, the faculty member will have the right to a full hearing before a faculty committee. The hearing need not conform in all respects with a proceeding conducted pursuant to Regulation 5, but the essentials of an on-the-record adjudicative hearing will be observed. The issues in this hearing may include:
   (i) The existence and extent of the condition of financial exigency. The burden will rest on the administration to prove the existence and extent of the condition. The findings of a faculty committee in a previous proceeding involving the same issue may be introduced.
   (ii) The validity of the educational judgments and the criteria for identification for termination; but the recommendations of a faculty body on these matters will be considered presumptively valid.
   (iii) Whether the criteria are being properly applied in the individual case.

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

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

5. In all cases of termination of appointment because of financial exigency, the faculty member concerned will be given notice or severance salary not less than as prescribed in Regulation 8.

6. In all cases of termination of appointment because of financial exigency, the place of the faculty member concerned will not be filled by a replacement within a period of three years.

Circumstances of financial exigency obviously pose special problems. At institutions experiencing major threats to their continued financial support, the faculty should be informed as early and specifically as possible of significant impending financial difficulties. The faculty—with substantial representation from its non-tenured as well as its tenured members, since it is the former who are likely to bear the brunt of the reduction—should participate at the department, college or professional school, and institutionwide levels in key decisions as to the future of the institution and of specific academic programs within the institution. The faculty, employing accepted standards of due process, should assume primary responsibility for determining the status of individual faculty members.

*See "Joint Statement on Government of Colleges and Universities" (Academe 76 [May-June 1990]: 45-48), and especially the following passage:

Faculty status and related matters are primarily a faculty responsibility; this area includes appointments, reappointments, decisions not to reappoint, promotions, the granting of tenure, and dismissal. The primary responsibility of the faculty for such matters is based upon the fact that its judgment is central to general educational policy.
unless the released faculty member has been offered reinstatement and a reasonable time in which to accept or decline it.

**Discontinuance of Program or Department Not Mandated by Financial Exigency**

(d) Termination of an appointment with continuous tenure, or of a probationary or special appointment before the end of the specified term, may occur as a result of *bona fide* formal discontinuance of a program or department of instruction. The following standards and procedures will apply.

1. The decision to discontinue formally a program or department of instruction will be based essentially upon educational considerations, as determined primarily by the faculty as a whole or an appropriate committee thereof.
   
   [NOTE: "Educational considerations" do not include cyclical or temporary variations in enrollment. They must reflect long-range judgments that the educational mission of the institution as a whole will be enhanced by the discontinuance.]

2. Before the administration issues notice to a faculty member of its intention to terminate an appointment because of formal discontinuance of a program or department of instruction, the institution will make every effort to place the faculty member concerned in another suitable position. If placement in another position would be facilitated by a reasonable period of training, financial and other support for such training will be proffered. If no position is available within the institution, with or without retraining, the faculty member's appointment then may be terminated, but only with provision for severance salary equitably adjusted to the faculty member's length of past and potential service.
   
   [NOTE: When an institution proposes to discontinue a program or department of instruction, it should plan to bear the costs of relocating, training, or otherwise compensating faculty members adversely affected.]

3. A faculty member may appeal a proposed relocation or termination resulting from a discontinuance and has a right to a full hearing before a faculty committee. The hearing need not conform in all respects with a proceeding conducted pursuant to Regulation 5, but the essentials of an on-the-record adjudicative hearing will be observed. The issues in such a hearing may include the institution's failure to satisfy any of the conditions specified in Regulation 4(d). In such a hearing a faculty determination that a program or department is to be discontinued will be considered presumptively valid, but the burden of proof on other issues will rest on the administration.

**Termination for Medical Reasons**

(e) Termination of an appointment with tenure, or of a probationary or special appointment before the end of the period of appointment, for medical reasons, will be based upon clear and convincing medical evidence that the faculty member cannot continue to fulfill the terms and conditions of the appointment. The decision to terminate will be reached only after there has been appropriate consultation and after the faculty member concerned, or someone representing the faculty member, has been informed of the basis of the proposed action and has been afforded an opportunity to present the faculty member's position and to respond to the evidence. If the faculty member so requests, the evidence will be reviewed by the Faculty Committee on Academic Freedom and Tenure (or whatever title it may have) before a final decision is made by the governing board on the recommendation of the administration. The faculty member will be given severance salary not less than as prescribed in Regulation 8.

**Review**

(f) In cases of termination of appointment, the governing board will be available for ultimate review.

*When discontinuance of a program or department is mandated by financial exigency of the institution, the standards of Regulation 4(c) above will apply.*
5. DISMISSAL PROCEDURES

(a) Adequate cause for a dismissal will be related, directly and substantially, to the fitness of faculty members in their professional capacities as teachers or researchers. Dismissal will not be used to restrain faculty members in their exercise of academic freedom or other rights of American citizens.

(b) Dismissal of a faculty member with continuous tenure, or with a special or probationary appointment before the end of the specified term, will be preceded by: (1) discussions between the faculty member and appropriate administrative officers looking toward a mutually acceptable settlement; (2) informal inquiry by the duly elected faculty committee [insert name of committee] which may, failing to effect an adjustment, determine whether in its opinion dismissal proceedings should be undertaken, without its opinion being binding upon the president; (3) a statement of charges, framed with reasonable particularity by the president or the president's delegate.

(c) A dismissal, as defined in Regulation 5(a), will be preceded by a statement of reasons, and the individual concerned will have the right to be heard initially by the elected faculty hearing committee [insert name of committee].* Members deeming themselves disqualified for bias or interest will remove themselves from the case, either at the request of a party or on their own initiative. Each party will have a maximum of two challenges without stated cause.*

(1) Pending a final decision by the hearing committee, the faculty member will be suspended, or assigned to other duties in lieu of suspension, only if immediate harm to the faculty member or others is threatened by continuance. Before suspending a faculty member, pending an ultimate determination of the faculty member's status through the institution's hearing procedures, the administration will consult with the Faculty Committee on Academic Freedom and Tenure [or whatever other title it may have] concerning the propriety, the length, and the other conditions of the suspension. A suspension which is intended to be final is a dismissal, and will be treated as such. Salary will continue during the period of the suspension.

(2) The hearing committee may, with the consent of the parties concerned, hold joint prehearing meetings with the parties in order to (i) simplify the issues, (ii) effect stipulations of facts, (iii) provide for the exchange of documentary or other information, and (iv) achieve such other appropriate prehearing objectives as will make the hearing fair, effective, and expeditious.

(3) Service of notice of hearing with specific charges in writing will be made at least twenty days prior to the hearing. The faculty member may waive a hearing or may respond to the charges in writing at any time before the hearing. If the faculty member waives a hearing, but denies the charges or asserts that the charges do not support a finding of adequate cause, the hearing tribunal will evaluate all available evidence and rest its recommendation upon the evidence in the record.

(4) The committee, in consultation with the president and the faculty member, will exercise its judgment as to whether the hearing should be public or private.

(5) During the proceedings the faculty member will be permitted to have an academic advisor and counsel of the faculty member's choice.

(6) At the request of either party or the hearing committee, a representative of a responsible educational association will be permitted to attend the proceedings as an observer.

(7) A verbatim record of the hearing or hearings will be taken and a typewritten copy will be made available to the faculty member without cost, at the faculty member's request.

*This committee should not be the same as the committee referred to in Regulation 5(b)(2).

*Regulations of the institution should provide for alternates, or for some other method of filling vacancies on the hearing committee resulting from disqualification, challenge without stated cause, illness, resignation, or other reason.
(8) The burden of proof that adequate cause exists rests with the institution and will be satisfied only by clear and convincing evidence in the record considered as a whole.

(9) The hearing committee will grant adjournments to enable either party to investigate evidence as to which a valid claim of surprise is made.

(10) The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The administration will cooperate with the hearing committee in securing witnesses and making available documentary and other evidence.

(11) The faculty member and the administration will have the right to confront and cross-examine all witnesses. Where the witnesses cannot or will not appear, but the committee determines that the interests of justice require admission of their statements, the committee will identify the witnesses, disclose their statements, and if possible provide for interrogatories.

(12) In the hearing of charges of incompetence, the testimony will include that of qualified faculty members from this or other institutions of higher education.

(13) The hearing committee will not be bound by strict rules of legal evidence, and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.

(14) The findings of fact and the decision will be based solely on the hearing record.

(15) Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements and publicity about the case by either the faculty member or administrative officers will be avoided so far as possible until the proceedings have been completed, including consideration by the governing board of the institution. The president and the faculty member will be notified of the decision in writing and will be given a copy of the record of the hearing.

(16) If the hearing committee concludes that adequate cause for dismissal has not been established by the evidence in the record, it will so report to the president. If the president rejects the report, the president will state the reasons for doing so, in writing, to the hearing committee and to the faculty member, and provide an opportunity for response before transmitting the case to the governing board. If the hearing committee concludes that adequate cause for a dismissal has been established, but that an academic penalty less than dismissal would be more appropriate, it will so recommend, with supporting reasons.

6. ACTION BY THE GOVERNING BOARD

If dismissal or other severe sanction is recommended, the president will, on request of the faculty member, transmit to the governing board the record of the case. The governing board’s review will be based on the record of the committee hearing, and it will provide opportunity for argument, oral or written or both, by the principals at the hearings or by their representatives. The decision of the hearing committee will either be sustained or the proceeding returned to the committee with specific objections. The committee will then reconsider, taking into account the stated objections and receiving new evidence if necessary. The governing board will make a final decision only after study of the committee’s reconsideration.

7. PROCEDURES FOR IMPOSITION OF SANCTIONS OTHER THAN DISMISSAL

(a) If the administration believes that the conduct of a faculty member, although not constituting adequate cause for dismissal, is sufficiently grave to justify imposition of a severe sanction, such as suspension from service for a stated period, the administration may institute a proceeding to impose such a severe sanction; the procedures outlined in Regulation 5 will govern such a proceeding.

(b) If the administration believes that the conduct of a faculty member justifies imposition of a minor sanction, such as a reprimand, it will notify the faculty member of the basis of
the proposed sanction and provide the faculty member with an opportunity to persuade the administration that the proposed sanction should not be imposed. A faculty member who believes that a major sanction has been incorrectly imposed under this paragraph, or that a minor sanction has been unjustly imposed, may, pursuant to Regulation 15, petition the faculty grievance committee for such action as may be appropriate.

8. TERMINAL SALARY OR NOTICE

If the appointment is terminated, the faculty member will receive salary or notice in accordance with the following schedule: at least three months, if the final decision is reached by March 1 (or three months prior to the expiration) of the first year of probationary service; at least six months, if the decision is reached by December 15 of the second year (or after nine months but prior to eighteen months) of probationary service; at least one year, if the decision is reached after eighteen months of probationary service or if the faculty member has tenure. This provision for terminal notice or salary need not apply in the event that there has been a finding that the conduct which justified dismissal involved moral turpitude. On the recommendation of the faculty hearing committee or the president, the governing board, in determining what, if any, payments will be made beyond the effective date of dismissal, may take into account the length and quality of service of the faculty member.

9. ACADEMIC FREEDOM AND PROTECTION AGAINST DISCRIMINATION

(a) All members of the faculty, whether tenured or not, are entitled to academic freedom as set forth in the 1940 Statement of Principles on Academic Freedom and Tenure, formulated by the Association of American Colleges and the American Association of University Professors.

(b) All members of the faculty, whether tenured or not, are entitled to protection against illegal or unconstitutional discrimination by the institution, or discrimination on a basis not demonstrably related to the faculty member’s professional performance, including but not limited to race, sex, religion, national origin, age, physical handicap, marital status, or sexual or affectional preference.

10. COMPLAINTS OF VIOLATION OF ACADEMIC FREEDOM OR OF DISCRIMINATION IN NONREAPPOINTMENT

If a faculty member on probationary or other nontenured appointment alleges that a decision against reappointment was based significantly on considerations violative of (1) academic freedom or (2) governing policies on making appointments without prejudice with respect to race, sex, religion, national origin, age, physical handicap, marital status, or sexual or affectional preference, the allegation will be given preliminary consideration by the [insert name of committee], which will seek to settle the matter by informal methods. The allegation will be accompanied by a statement that the faculty member agrees to the presentation, for the consideration of the faculty committees, of such reasons and evidence as the institution may allege in support of its decision. If the difficulty is unresolved at this stage, and if the committee so recommends, the matter will be heard in the manner set forth in Regulations 5 and 6, except that the faculty member making the complaint is responsible for stating the grounds upon which the allegations are based, and the burden of proof will rest upon the faculty member. If the faculty member succeeds in establishing a prima facie case, it is incumbent upon those who made the decision against reappointment to come forward with evidence in support of their decision. Statistical evidence of improper discrimination may be used in establishing a prima facie case.
11. ADMINISTRATIVE PERSONNEL

The foregoing regulations apply to administrative personnel who hold academic rank, but only in their capacity as faculty members. Administrators who believe that a consideration violative of academic freedom, or of governing policies against improper discrimination as stated in Regulation 10, significantly contributed to a decision to terminate their appointment to an administrative post, or not to reappoint them, are entitled to the procedures set forth in Regulation 10.

12. POLITICAL ACTIVITIES OF FACULTY MEMBERS

Faculty members, as citizens, are free to engage in political activities. Where necessary, leaves of absence may be given for the duration of an election campaign or a term of office, on timely application, and for a reasonable period of time. The terms of such leave of absence will be set forth in writing, and the leave will not affect unfavorably the tenure status of a faculty member, except that time spent on such leave will not count as probationary service unless otherwise agreed to.¹⁰

[NOTE: Regulations 13, 14, and 15 are suggested in tentative form, and will require adaptation to the specific structure and operations of the institution; the provisions as recommended here are intended only to indicate the nature of the provisions to be included, and not to offer specific detail.]

13. GRADUATE STUDENT ACADEMIC STAFF

(a) The terms and conditions of every appointment to a graduate or teaching assistantship will be stated in writing, and a copy of the appointment document will be supplied to the graduate or teaching assistant.
(b) In no case will a graduate or teaching assistant be dismissed without having been provided with a statement of reasons and an opportunity to be heard before a duly constituted committee. (A dismissal is a termination before the end of the period of appointment.)
(c) A graduate or teaching assistant who establishes a *prima facie* case to the satisfaction of a duly constituted committee that a decision against reappointment was based significantly on considerations violative of academic freedom, or of governing policies against improper discrimination as stated in Regulation 10, will be given a statement of reasons by those responsible for the nonreappointment and an opportunity to be heard by the committee.
(d) Graduate or teaching assistants will have access to the faculty grievance committee, as provided in Regulation 15.

14. OTHER ACADEMIC STAFF

(a) In no case will a member of the academic staff¹¹ who is not otherwise protected by the preceding regulations which relate to dismissal proceedings be dismissed without having been provided with a statement of reasons and an opportunity to be heard before a duly constituted committee. (A dismissal is a termination before the end of the period of appointment.)
(b) With respect to the nonreappointment of a member of such academic staff who establishes a *prima facie* case to the satisfaction of a duly constituted committee that a consideration violative of academic freedom, or of governing policies against improper discrimination as stated in Regulation 10, significantly contributed to the nonreappointment, the academic staff member will be given a statement of reasons by those responsible for the nonreappointment and an opportunity to be heard by the committee.

¹¹Each institution should define with particularity who are members of the academic staff.
15. GRIEVANCE PROCEDURE

(a) If any faculty member alleges cause for grievance in any matter not covered by the procedures described in the foregoing regulations, the faculty member may petition the elected faculty grievance committee [here name the committee] for redress. The petition will set forth in detail the nature of the grievance and will state against whom the grievance is directed. It will contain any factual or other data which the petitioner deems pertinent to the case. Statistical evidence of improper discrimination, including discrimination in salary, may be used in establishing a prima facie case. The committee will decide whether or not the facts merit a detailed investigation; if the faculty member succeeds in establishing a prima facie case, it is incumbent upon those who made the decision to come forward with evidence in support of their decision. Submission of a petition will not automatically entail investigation or detailed consideration thereof. The committee may seek to bring about a settlement of the issue satisfactory to the parties. If in the opinion of the committee such a settlement is not possible or is not appropriate, the committee will report its findings and recommendations to the petitioner and to the appropriate administrative officer and faculty body, and the petitioner will, upon request, be provided an opportunity to present the grievance to them. The grievance committee will consist of three [or some other number] elected members of the faculty. No officer of administration will serve on the committee.

NOTE ON IMPLEMENTATION

The Recommended Institutional Regulations here presented will require for their implementation a number of structural arrangements and agencies. For example, the Regulations will need support by:

(a) channels of communication among all the involved components of the institution, and between them and a concerned faculty member.
(b) definitions of corporate and individual faculty status within the college or university government, and of the role of the faculty in decisions relating to academic freedom and tenure.
(c) appropriate procedures for the creation and operation of faculty committees, with particular regard to the principles of faculty authority and responsibility.

The forms which these supporting elements assume will of course vary from one institution to another. Consequently, no detailed description of the elements is attempted in these Recommended Institutional Regulations. With respect to the principles involved, guidance will be found in the 1966 Statement on Government of Colleges and Universities, jointly formulated by the American Council on Education, the Association of Governing Boards of Universities and Colleges, and the American Association of University Professors.

Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments

The statement which follows, a revision of a statement originally adopted in 1971, was approved by Committee A on Academic Freedom and Tenure, adopted by the Council as Association policy in November 1989, and endorsed by the Seventy-sixth Annual Meeting.

Except for special appointments clearly designated at the outset as involving only a brief association with the institution, all full-time faculty appointments are either with continuous tenure or probationary for tenure. Procedures bearing on the renewal or nonrenewal of probationary appointments are this statement’s concern.

THE PROBATIONARY PERIOD: STANDARDS AND CRITERIA

The 1940 Statement of Principles on Academic Freedom and Tenure prescribes that “during the probationary period a teacher should have the academic freedom that all other members of the faculty have.” The Association’s Recommended Institutional Regulations on Academic Freedom and Tenure prescribe further that “all members of the faculty, whether tenured or not, are entitled to protection against illegal or unconstitutional discrimination by the institution, or discrimination on a basis not demonstrably related to the faculty member’s professional performance . . . .” A number of the rights of nontenured faculty members provide support for their academic freedom and protection against improper discrimination. They cannot, for example, be dismissed before the end of a term appointment except for adequate cause that has been demonstrated through academic due process—a right they share with tenured members of the faculty. If they assert that they have been given notice of nonreappointment in violation of academic freedom or because of improper discrimination, they are entitled to an opportunity to establish their claim in accordance with Regulation 10 of the Recommended Institutional Regulations. They are entitled to timely notice of nonreappointment in accordance with the schedule prescribed in the statement on Standards for Notice of Nonreappointment.

Lacking the reinforcement of tenure, however, academic freedom and protection against improper discrimination for probationary faculty members have depended primarily upon the understanding and support of their tenured colleagues, the administration, and professional organizations, especially the Association. In the joint Statement on Government of Colleges and Universities, the Association and the other sponsoring organizations have asserted that “faculty status and related matters are primarily a faculty responsibility; this area includes appointments,

1The Standards for Notice are as follows:
1. Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination;
2. Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination;
3. At least twelve months before the expiration of an appointment after two or more years in the institution.

AAUP Policy Documents and Reports - 1990 Edition
reappointments. decisions not to reappoint, promotions, the granting of tenure, and dismissal."
Collegial deliberation of the kind envisioned by the Statement on Government will minimize the
risk of a violation of academic freedom, of improper discrimination, and of a decision that is
arbitrary or based on inadequate consideration.

Frequently, young faculty members have had no training or experience in teaching, and their
first major research endeavor may still be uncompleted at the time they start their careers as
college teachers. Under these circumstances, it is particularly important that there be a proba-
tionary period—a maximum of seven years under the 1940 Statement of Principles on Academic
Freedom and Tenure—before tenure is granted. Such a period gives probationary faculty mem-
ers time to prove themselves, and their colleagues time to observe and evaluate them on the
basis of their performance in the position rather than on the basis only of their education, train-
ing, and recommendations.

Good practice requires that the institution (department, college, or university) define its criteria
for reappointment and tenure and its procedures for reaching decisions on these matters. The
1940 Statement of Principles prescribes that "the precise terms and conditions of every appoint-
ment should be stated in writing and be in the possession of both institution and teacher before
the appointment is consummated." Moreover, fairness to probationary faculty members
prescribes that they be informed, early in their appointments, of the substantive and procedur-
al standards that will be followed in determining whether or not their appointments will be re-
newed or tenure will be granted.

The Association accordingly recommends:

1. Criteria and Notice of Standards. Probationary faculty members should be advised, early in their ap-
pointment, of the substantive and procedural standards generally accepted in decisions affecting renew-
al and tenure. Any special standards adopted by their particular departments or schools should also
be brought to their attention.

THE PROBATIONARY PERIOD: EVALUATION AND DECISION

The relationship of the senior and junior faculty should be one of colleagueship, even though
nontenured faculty members know that in time they will be judged by their senior colleagues.
Thus the procedures adopted for evaluation and possible notification of nonrenewal should not
endanger this relationship where it exists, and should encourage it where it does not. Nontenured
faculty members should have available to them the advice and assistance of their senior col-
leagues; and the ability of senior colleagues to make a sound decision on renewal or tenure will
be enhanced if an opportunity is provided for a regular review of the candidate's qualifications.
A conjunction of the roles in counseling and evaluation may be productive: for example, an
evaluation, whether interim or at the time of final determination of renewal or tenure, should
be presented in such a manner as to assist nontenured faculty members as they strive to im-
prove their performance.

Any recommendation regarding renewal or tenure should be reached by an appropriate faculty
group in accordance with procedures approved by the faculty. Because it is important to both
the faculty member and the decision-making body that all significant information be consid-
ered, the candidate should be notified that a decision is to be made regarding renewal of ap-
pointment or the granting of tenure and should be afforded an opportunity to submit material
that the candidate believes to be relevant to the decision.

The Association accordingly recommends:

2. (a) Periodic Review. There should be provision for periodic review of a faculty member's situation during
the probationary service.
(b) Opportunity to Submit Material. Probationary faculty members should be advised of the time when
decisions affecting renewal and tenure are ordinarily made, and they should be given the opportu-
nity to submit material that they believe will be helpful to an adequate consideration of their
circumstances.
Observance of the practices and procedures outlined above should minimize the likelihood of reasonable complaint if nontenured faculty members are given notice of nonreappointment. They will have been informed of the criteria and procedures for renewal and tenure; they will have been counseled by faculty colleagues; they will have been given an opportunity to have all material relevant to their evaluation considered; and they will have a timely decision representing the views of faculty colleagues.

NOTICE OF REASONS

Since 1971 it has been the Association's position, reached after careful examination of advantages and disadvantages, that nontenured faculty members notified of nonreappointment should, upon request, receive a statement of the reasons for the decision. In reaching this position, the Association considered the needs both of the institution and of the individual faculty member.

A major responsibility of the institution is to recruit and retain the best qualified faculty within its goals and means. In a matter of such fundamental importance, the institution, through the appropriate faculty agencies, must be accorded the widest latitude consistent with academic freedom, equal opportunity, and the standards of fairness. The Association recognized that the requirement of giving reasons could lead, however erroneously, to an expectation that the decision-making body must justify its decision. A notice of nonreappointment could thus become confused with dismissal for cause, and under these circumstances the decision-making body could become reluctant to reach adverse decisions which could culminate in grievance procedures. As a result there was some risk that the important distinction between tenure and probation would be eroded.

Weighed against these important institutional concerns, however, were the interests of the individual faculty members. They could be honestly unaware of the reasons for a negative decision, and the decision could be based on a judgment of shortcomings which they could easily remedy if informed of them. A decision not to renew an appointment could be based on erroneous information which the faculty member could readily correct if informed of the basis for the decision. Again, the decision could be based on considerations of institutional policy or program development which have nothing to do with the faculty member's professional competence, and if not informed of the reasons the faculty member could mistakenly assume that a judgment of inadequate performance has been made. In the face of a persistent refusal to supply the reasons, a faculty member may be more inclined to attribute improper motivations to the decision-making body or to conclude that its evaluation has been based upon inadequate consideration. If the faculty member wished to request a reconsideration of the decision, or a review by another body, ignorance of the reasons for the decision would create difficulties both in reaching a decision whether to initiate such a request and in presenting a case for reconsideration or review.

The Association's extensive experience with specific cases since 1971 has confirmed its conclusion that the reasons in support of the faculty member's right to be informed outweigh the countervailing risks. Every notice of nonreappointment, however, need not be accompanied by a written statement of the reasons for nonreappointment. It may not always be to the advantage of the faculty member to be informed of the reasons for nonreappointment, particularly in writing. The faculty member may be placed under obligation to divulge them to the appointing body of another institution if it inquired. Similarly, a written record is likely to become the basis for continuing responses by the faculty member's former institution to prospective appointing bodies.

At many institutions, moreover, the procedures of evaluation and decision may make it difficult, if not impossible, to compile a statement of reasons which precisely reflects the basis of the decision. When a number of faculty members participate in the decision, they may oppose a reappointment for a variety of reasons, few or none of which may represent a majority view. To include every reason, no matter how few have held it, in a written statement to the faculty member may misrepresent the general view and damage unnecessarily both the morale and the professional future of the faculty member.

17
In many situations, of course, a decision not to reappoint will not reflect adversely upon the faculty member. An institution may, for example, find it necessary for financial or other reasons to restrict its offerings in a given department. The acquisition of tenure may depend not only upon satisfactory performance but also upon a long-term opening. Nonrenewal in these cases does not suggest a serious adverse judgment. In these situations, providing a statement of reasons, either written or oral, should pose no difficulty, and such a statement may in fact assist the faculty member in searching for a new position.

Should the faculty member, after weighing the considerations cited above, decide to request the reasons for the decision against reappointment, the reasons should be given. The faculty member also should have the opportunity to request a reconsideration by the decision-making body.

The Association accordingly recommends:

3. Notice of Reasons. In the event of a decision not to renew an appointment, the faculty member should be informed of the decision in writing, and, upon request, be advised of the reasons which contributed to that decision. The faculty member should also have the opportunity to request a reconsideration by the decision-making body.

**WRITTEN REASONS**

Having been given orally the reasons which contributed to the decision against reappointment, the faculty member, to avoid misunderstanding, may request that they be confirmed in writing. The faculty member may wish to petition the appropriate faculty committee, in accordance with Regulation 10 of the Association's *Recommended Institutional Regulations*, to consider an allegation that the reasons given, or that other reasons which were not stated, constitute a violation of academic freedom or improper discrimination. The faculty member may wish to petition a committee, in accordance with Regulation 15 of the *Recommended Institutional Regulations*, to consider a complaint that the decision resulted from inadequate consideration and was therefore unfair. The faculty member may believe that a written statement of reasons may be useful in pursuing a professional career.

If the department chair or other appropriate institutional officer to whom the request is made believes that confirming the oral statement in writing may be damaging to the faculty member on grounds such as those cited earlier in this statement, it would be desirable for that officer to explain the possible adverse consequences of confirming the oral statement in writing. If in spite of this explanation the faculty member continues to request a written statement, the request should be honored.

The Association accordingly recommends:

4. Written Reasons. If the faculty member expresses a desire to petition the grievance committee (such as is described in Regulations 10 and 15 of the Association's *Recommended Institutional Regulations*), or any other appropriate committee, to use its good offices of inquiry, recommendation, and report, or if the request is made for any other reason satisfactory to the faculty member alone, the reasons given in explanation of the nonrenewal should be confirmed in writing.

**REVIEW PROCEDURES: ALLEGATIONS OF VIOLATION OF ACADEMIC FREEDOM OR OF DISCRIMINATION**

The best safeguard against a proliferation of grievance petitions on a given campus is the observance of sound principles and procedures of academic freedom and tenure and of institutional government. Observance of the procedures recommended in this statement—procedures which would provide guidance to nontenured faculty members, help assure them of a fair professional evaluation, and enlighten them concerning the reasons contributing to key decisions of their colleagues—should contribute to the achievement of harmonious faculty relationships and the development of well-qualified faculties.
Even with the best practices and procedures, however, faculty members will at times think that they have been improperly or unjustly treated and may wish another faculty group to review a decision of the faculty body immediately involved. The Association believes that fairness to both the individual and the institution requires that the institution provide for such a review when it is requested. The possibility of a violation of academic freedom or of improper discrimination is of vital concern to the institution as a whole, and where either is alleged it is of cardinal importance to the faculty and the administration to determine whether substantial grounds for the allegation exist. The institution should also be concerned to see that decisions respecting reappointment are based upon adequate consideration, and provision should thus be made for a review of allegations by affected faculty members that the consideration has been inadequate.

Because of the broader significance of a violation of academic freedom or of improper discrimination, the Association believes that the procedures to be followed in these two kinds of complaints should be kept separate from a complaint over adequacy of consideration. Regulation 10 of the Recommended Institutional Regulations provides a specific procedure for the review of complaints of academic freedom violation or of discrimination.²

If a faculty member on probationary or other nontenured appointment alleges that a decision against reappointment was based significantly on considerations violative of (1) academic freedom or (2) governing policies on making appointments without prejudice with respect to race, sex, religion, national origin, age, physical handicap, marital status, or sexual or affectional preference, the allegation will be given preliminary consideration by the [insert name of committee], which will seek to settle the matter by informal methods. The allegation will be accompanied by a statement that the faculty member agrees to the presentation, for the consideration of the faculty committees, of such reasons and evidence as the institution may allege in support of its decision. If the difficulty is unresolved at this stage, and if the committee so recommends, the matter will be heard in the manner set forth in Regulations 5 and 6, except that the faculty member making the complaint is responsible for stating the grounds upon which the allegations are based, and the burden of proof will rest upon the faculty member. If the faculty member succeeds in establishing a prima facie case, it is incumbent upon those who made the decision against reappointment to come forward with evidence in support of their decision. Statistical evidence of improper discrimination may be used in establishing a prima facie case.

The Association accordingly recommends:

5. Petition for Review Alleging an Academic Freedom Violation or Improper Discrimination. Insofar as the petition for review alleges a violation of academic freedom or improper discrimination, the functions of the committee that reviews the faculty member’s petition should be the following:
(a) To determine whether or not the notice of nonreappointment constitutes on its face a violation of academic freedom or improper discrimination.
(b) To seek to settle the matter by informal methods.
(c) If the matter remains unresolved, to decide whether or not the evidence submitted in support of the petition warrants a recommendation that a formal proceeding be conducted in accordance with Regulations 5 and 6 of the Recommended Institutional Regulations, with the burden of proof resting upon the complaining faculty member.

REVIEW PROCEDURES: ALLEGATIONS OF INADEQUATE CONSIDERATION

Complaints of inadequate consideration are likely to relate to matters of professional judgment, where the department or departmental agency should have primary authority. For this reason, the basic functions of the review committee should be to determine whether the appropriate faculty body gave adequate consideration to the faculty member’s candidacy in reaching its decision and, if the review committee determines otherwise, to request reconsideration by that body.

²Faculties processing complaints under Regulations 10 and 15 may wish to secure the further advice of the Association’s Washington office.
It is easier to state what the standard "adequate consideration" does not mean than to specify in detail what it does. It does not mean that the review committee should substitute its own judgment for that of members of the department on the merits of whether the candidate should be reappointed or given tenure. The conscientious judgment of the candidate's departmental colleagues must prevail if the invaluable tradition of departmental autonomy in professional judgments is to prevail. The term "adequate consideration" refers essentially to procedural rather than substantive issues: Was the decision conscientiously arrived at? Was all available evidence bearing on the relevant performance of the candidate sought out and considered? Was there adequate deliberation by the department over the import of the evidence in the light of the relevant standards? Were irrelevant and improper standards excluded from consideration? Was the decision a bona fide exercise of professional academic judgment? These are the kinds of questions suggested by the standard "adequate consideration."

If in applying this standard the review committee concludes that adequate consideration was not given, its appropriate response should be to recommend to the department that it assess the merits once again, this time remedying the inadequacies of its prior consideration.

An acceptable review procedure, representing one procedural system within which such judgments may be made, is outlined in Regulation 15 of the Recommended Institutional Regulations, as follows:

If any faculty member alleges cause for grievance in any matter not covered by the procedures described in the foregoing regulations, the faculty member may petition the elected faculty grievance committee [here name the committee] for redress. The petition will set forth in detail the nature of the grievance and will state against whom the grievance is directed. It will contain any factual or other data which the petitioner deems pertinent to the case. Statistical evidence of improper discrimination, including discrimination in salary, may be used in establishing a prima facie case. The committee will decide whether or not the facts merit a detailed investigation; if the faculty member succeeds in establishing a prima facie case, it is incumbent upon those who made the decision to come forward with evidence in support of their decision. Submission of a petition will not automatically entail investigation or detailed consideration thereof. The committee may seek to bring about a settlement of the issue satisfactory to the parties. If in the opinion of the committee such a settlement is not possible or is not appropriate, the committee will report its findings and recommendations to the petitioner and to the appropriate administrative officer and faculty body, and the petitioner will, upon request, be provided an opportunity to present the grievance to them. The grievance committee will consist of three [or some other number] elected members of the faculty. No officer of administration will serve on the committee.

The Association accordingly recommends:

6. Petition for Review Alleging Inadequate Consideration. Insofar as the petition for review alleges inadequate consideration, the functions of the committee which reviews the faculty member's petition should be the following:

(a) to determine whether the decision of the appropriate faculty body was the result of adequate consideration, with the understanding that the review committee should not substitute its judgment on the merits for that of the faculty body;

(b) to request reconsideration by the faculty body when the committee believes that adequate consideration was not given to the faculty member's qualifications (in such instances, the committee should indicate the respects in which it believes that consideration may have been inadequate);

(c) to provide copies of its report and recommendation to the faculty member, the faculty body, and the president or other appropriate administrative officer.
CLEMSON UNIVERSITY LIBRARIES

GUIDELINES FOR APPOINTMENT, REAPPOINTMENT, TENURE, AND PROMOTION OF LIBRARY FACULTY

Approved by Library Faculty December 20, 1989
Approved by Director and Provost January 24, 1990

Introduction

All appointment, reappointment, tenure and promotion decisions are subject to the policies and procedures described in the University Faculty Manual. These guidelines provide additional information, policy, and procedure relevant to the distinct nature of the library and library faculty. Although there should be no conflict between these guidelines and the Faculty Manual, it should be understood that the Manual contains the official statement of University policy.

For the purpose of this document, a librarian is a person who possesses a graduate degree in library science and who holds an unclassified position within the library system. The library faculty consists of librarians. Only full-time regular faculty are eligible for tenure. The Director of Libraries shall serve as and be referred to as Dean and the Associate Director of Libraries shall serve as Department Head and be referred to as Head for the purposes of this document.

Library Faculty Review Committee

In order to provide for broader based peer evaluation, there shall be a Library Faculty Review Committee (hereafter, referred to as the Committee) to advise the Head or Dean, as appropriate, on all appointments at a rank higher than Assistant Librarian or with probationary periods of two years or less, all reappointments, and all tenure and promotion decisions. It shall be composed of three library faculty members of the rank of Assistant Librarian or higher. Two members shall be tenured and one, non-tenured. The alternate shall serve when a member of the Committee is being considered for reappointment, promotion or tenure or when a member must be absent.

Committee members shall be elected by a secret ballot in August of each year with service beginning immediately thereafter. The immediate past member of the Committee shall serve as the alternate member. Members continue to serve only so long as they meet the criteria under which they were elected. Committee members shall not succeed themselves but may be elected to serve any number of times. The Committee shall elect its own chairperson.

1. PROFESSIONAL EFFECTIVENESS

Professional effectiveness is demonstrated by the performance of one's professional responsibilities. Meritorious performance should be considered the most important criteria in the evaluation of faculty for appointment, reappointment, tenure and promotion. Professional responsibilities may include systematic development of library resources, cataloging, or otherwise extending bibliographic control over the collection, instruction to staff and users on a professional basis, provision of information services ranging from answering of specific questions to guidance in the use of the collection, or coordinating the operations of a library area.

2. ACADEMIC ACHIEVEMENT

Academic achievement is determined by one's formal degrees and intellectual pursuits. To merit distinction, evidence of an effective program of continuing education must be shown. Continuing education may include such activities as course work, attendance at workshops, an independent study program, or advanced instruction beyond the position requirements. Academic achievement is also evidenced by the conducting of seminars for library faculty and staff.

3. RESEARCH ACCOMPLISHMENTS

Support of the research of others, through bibliographic analysis and direct service to users, is an integral part of the librarian's role. Successful performance in the library indicates competence in this area. To merit distinction in research, one must demonstrate evidence of scholarly or creative research and publication. This may be shown by contributions to edited or refereed publications in librarianship or other academic fields; presentation of papers at workshops or meetings; and/or creation of bibliographies and special reports.

4. PROFESSIONAL ACTIVITY

The assessment of professional activity recognizes one's contribution to the advancement of librarianship. Consideration will be given to the effort to keep abreast of new trends and developments in the library profession and to integrate them into the discharging of one's responsibilities. Memberships in professional organizations and attendance at meetings or conferences evidence an expected level of professional commitment. To merit distinction, active involvement in the profession is required. This may include holding of office, serving on committees, participating on panels, and providing consultation services.
5. SERVICE

As a participant in University affairs, a faculty member is expected to attend appropriate campus functions. Since the ability to represent Clemson University and the library conscientiously is expected, any noteworthy participation in civic or community activities or provision of special library services to the community will be examined. One's usefulness is exemplified by ability to perform in a range of professional responsibilities beyond the requirements of a given position. To merit distinction one must provide effective service on committees or in the community. Total service to the institution or community will be determined by the depth, breadth and variety of experience of the individual. Primary consideration shall be given to service to the Library and/or University. Committee work may be appointive, elective or voluntary.

APPOINTMENT, REAPPOINTMENT, TENURE AND PROMOTION PROCESS

The Dean shall refer for review and advice all appointments at a rank higher than Assistant Librarian or with probationary periods of two years or less, all reappointments, and all tenure and promotion decisions to the Committee. Through this process, significant information with respect to the services and accomplishments a faculty member is rendering within the library, the University, and the profession will be presented. Although no general statement of duties can be formulated within this document, it is the duty of the Dean to keep faculty members clearly informed as to their responsibilities and at least in a general way, the relative importance of each of these responsibilities. In every personnel decision, peer and administrative judgement will be based upon various factors rather than an emphasis on one factor. A decision to deny appointment, reappointment, tenure or promotion may NOT be based upon any of the following:

1. Exercise by the faculty member of the right of academic freedom;
2. Discrimination related to age, race, sex, religion, or national origin of the individual;
3. Personal malice.

Appointment

The master's degree in library science from a library school accredited by the American Library Association is the appropriate terminal degree for academic librarians. This degree, its historical antecedent, or its foreign equivalent shall be required of all those who are appointed as librarians.

Appointees to the library faculty must meet the criteria of the rank to which appointed and must show promise of meeting the criteria for tenure. Academic achievement and professional effectiveness as documented by letters of reference, transcripts, and the record of previous work experience will be considered indicators of the individual's potential.

Candidates for appointment to the regular Library Faculty shall be recruited and evaluated by a search and screening committee composed of members of the regular faculty. Such committees shall be appointed by the Library Advisory Committee. The full credentials of each applicant must be made available to all faculty, and may be made available to other faculty with the approval of the Library Faculty Review Committee. Faculty shall be solicited for information and recommendations regarding selection of nominees. The process of selection of candidates to be interviewed and the interview process is contained in Library Procedure Statement ADP-4 and should be followed by each search and screening committee. The search and screening committee shall make nominations of suitable candidates to the Head, including recommended rank and tenure status on appointment.

The Head shall make recommendations to the Dean from the candidates nominated by the search and screening committee. If no appointment can be made from this list, additional nominations shall be sought. In the recommendation to the Dean, the Head shall indicate the degree of support of the faculty for the recommended candidate and a suggested rank and tenure status, where appropriate.

The selection of faculty for special appointments to meet temporary or short-notice needs requires that the Head have greater discretionary authority. However, it is incumbent upon the Head to solicit responses from the faculty and to utilize the procedures for the appointment of regular faculty whenever feasible.

Administrative Appointments

For the selection of individuals for Associate Director, assistant directors, and coordinators of divisions or other such administrative positions which may be created within the Libraries, a search and screening committee shall be formed from the faculty within the Library. Three of the members of the committee shall be chosen by the faculty; two will be appointed by the Dean. The Dean shall make the appointment to the position from the list of acceptable candidates submitted by the committee, subject to the approval of the Provost and President of the University.

For the selection of the Director of Libraries, the procedures described in the Faculty Manual will be
followed.

General Procedures for Reappointment Tenure and Promotion.

The following procedures are followed for all reappointment, tenure and promotion reviews. Additional procedures applying to a review will be found under the procedures section for that review.

The Dean shall give written notice to the Head and to the Committee of the dates recommendations are due to the Dean. The Head shall give the Committee written notice of the dates the recommendations are due to that office.

The Head shall notify the Committee of faculty up for review. The Committee shall give written notice to all faculty being reviewed and shall specify dates for documentation to be submitted.

Each candidate shall submit to the Committee a dossier including a statement of progress, current resume, samples of work such as bibliographies, copies of publications, and a summary sheet of accomplishments. The Committee shall inform the library faculty when one of their peers is being reviewed, shall distribute copies of the candidates’ summary sheet, and shall encourage written comments. The Committee may solicit other information as required to carry out its functions. The Committee shall submit its recommendation, with justification and all documentation, to the Head. The Head shall render a separate and independent recommendation. The Head shall fully inform the Committee as to the rationale of his/her recommendations. The Head shall also ensure that the affected faculty member is promptly informed as to the results of and rationale for both recommendations.

The Head shall forward both recommendations to the Dean along with the supporting evaluations and the candidate’s dossier. A routing slip shall be attached to provide a record of the review at all administrative levels.

The Dean shall review the recommendations by the Committee and the Head and make a separate recommendation. If required, the Director shall forward the complete file, including all recommendations, to the Provost.

In the event that the Head is being reviewed, the Committee’s recommendation is sent directly to the Dean. In the event that the Dean is being reviewed, the Committee’s recommendation is sent directly to the Provost.

Reappointment

Every non-tenured, regular faculty member shall be reviewed for reappointment each year...Every tenure-track faculty member must show progress toward meeting all criteria for tenure. General Librarians must show progress toward promotion to Assistant Librarian. While rates of improvement will vary with levels of experience, an increasing level of competence will be expected each year.

Specific Procedures:
After review by the Dean, if there is one or more negative recommendations, the Dean shall forward the complete file, along with a separate recommendation to the Provost. Any reappointment file submitted to the Provost shall contain a routing slip; the statements of the Committee, Head, and Dean; and the candidate’s resume.

The Dean shall notify non-tenured faculty members of the terms and conditions of the renewal according to the timetable established by the Provost to comply with the Faculty Manual.

As indicated in the Faculty Manual, “Regardless of the stated term or other provisions of any regular appointment, written notice that a non-tenured appointment is NOT to be renewed shall be given to the faculty member in advance of the expiration of the appointment, according to the following schedule: 1) not less than three months in advance of the appointment’s expiration if the faculty member is in the first year of service; 2) not less than six months in advance if in the second year of service; 3) at least twelve months before the expiration of an appointment after two or more years of service at Clemson.”

At the end of four years in the rank of General Librarian, a librarian will be either promoted or given a terminal one-year appointment.

Tenure

All tenure-track faculty in their sixth year of service must be considered for tenure. Faculty with the rank of Assistant Librarian or higher are eligible for tenure. General Librarian is not a tenurable rank, but faculty promoted from General Librarian to higher rank may apply for credit towards the reduction of the tenure probationary period for prior service as General Librarian. Such applications shall be subject to peer review.

To be granted tenure, library faculty must have proven professional effectiveness by EXCELling in their area of library specialization and by developing new programs, services or policies. In addition, they must have merited distinction in at least two of the remaining areas of Criteria.” Tenure constitutes more than recognition of past professional experience and accomplishments. The granting of
tenure indicates strong potential for continued growth at Clemson and in the library profession.

As indicated in the Faculty Manual, "Normally, the decision to grant tenure shall be made during the penultimate year of the probationary period and becomes effective at the beginning of the next year. In exceptional cases, tenure may be granted earlier. Factors considered in early tenuring may include relevant experience in other tenure-track positions. Those persons holding tenure elsewhere may be considered for immediate tenure at Clemson, but this procedure shall not be considered as routine. Should notice of denial of tenure not be given in advance of the expiration of the final probationary appointment (as provided in II.K.), tenure shall become automatic at the end of the probationary period."

Specific Procedures:

After the review by the Head or Dean, a candidate being considered for tenure prior to the penultimate year may withdraw from further consideration.

The file forwarded to the Provost must contain a routing slip; the statements of the Committee, the Head, and the Director; the candidate's resume; and a document indicating the number of years of credit granted toward the probationary period, the appointment date to a tenure-track position, and the penultimate year.

Promotion

The most important criterion for promotion shall be professional effectiveness. Only those faculty members who have discharged their responsibilities with distinction and demonstrated continued growth and contributions in other categories of activity will be promoted. Promotion represents acknowledgement of accomplishments and is not automatic. Primary consideration shall be given to accomplishments since appointment/promotion. Any librarian may submit a request for a promotion review at any time.

Library Faculty will be appointed to ranks as described below. There will be no maximum years in any rank except for General Librarian. At the end of four years in the rank of General Librarian, a faculty member will be promoted or given a terminal one-year appointment.

Ranks

General Librarian: Library faculty at this initial rank are in an orientation period. Academic excellence and the potential for advancement to higher ranks are expected. No previous professional experience is required.

Assistant Librarian: Library faculty at this rank should have proven competence in their area of library specialization and should have developed new programs, services, or policies. Potential for continued development is a further requirement. Two years of relevant professional experience is the normal minimum.

Associate Librarian: Library faculty at this rank must have demonstrated advanced professional expertise and knowledge and must have taken initiative in developing new programs, services, or policies. A record of substantial contributions in the assigned areas of responsibility as well as having merited distinction in at least three of the remaining areas of "Criteria." Four years of relevant professional experience is the normal minimum.

Librarian: Library faculty at this rank must have excelled in all aspects of their area of library specialization. The rank of Librarian is reserved for faculty members whose professional library performance, academic achievement, research accomplishments, professional activity, and service have been outstanding. State, regional, or national recognition should reflect their superior achievements and leadership. Nine years of relevant professional experience is the normal minimum.

Specific Procedures:

The Head shall call for nominations for promotion. Nominations may originate with the individual or with any other library faculty member with the written approval of the nominee. The nomination should be submitted by memorandum to the Head or Dean, as appropriate, who will ask the Committee to begin the review.

After either the Head's or the Dean's review, a candidate being considered for promotion may withdraw from further consideration.
Policy Committee Report
September 10, 1991

The Policy Committee met Tuesday, September 3, 1991, at 3:30 p.m. in Room LL3, Cooper Library. Members present: J. Brittain, J. Davis, E. Hare, G. Lovedahl, M. Moon, W. Owens, G. Wells.

The committee received a letter concerning the decision of President Lennon to merge the office of the Dean of the Graduate School and the office of the Vice President for Research. It was felt that the faculty needs to be in the decision-making loop and the committee thought that this might best be addressed by inviting President Lennon to the Senate for commentary and questions.

The committee discussed President Lennon's statement to the General Faculty Meeting regarding the Provost Search Committee. "My advice to the Committee is to make doggone sure you have at least one internal candidate. At least one, because if we get caught in that bind, as unfortunate as it would be to restrict ourselves, ..." The Faculty Manual states that, "The President shall appoint the Provost from the list submitted by the committee." The committee thought that this might best be addressed by inviting President Lennon to the Senate for commentary and questions.

The committee received an inquiry regarding the method by which the permanent directorship of the Brooks Center (performing arts center) was selected. (July 16, 1991) The Faculty Manual (Part IV, Section L, Selection of the President and Other Academic Administrators, page 11) requires that "for the selection of an assistant dean, associate dean, or director within a college, a committee ... shall be formed. ... The dean shall make the appointment from the list submitted by the committee, subject to approval of the Provost and the President." Apparently, due to budgetary constraints, there was no search. -- continued to the next committee meeting.

It should be noted that the Faculty Manual does not require an external search. Please send any suggestions to E. Hare before the September 17 meeting of the Policy Committee.

The committee received an inquiry regarding the availability of Dean Schwartz' salary for hiring a Dean of the Graduate School. Provost Maxwell said that part of this salary was used for expansion of the graduate school during the last 2 1/2 years. The remainder was needed for the budget cut and to make up for anticipated deficits. According to the Provost, a budget deficit of as much as $100,000 in the Provost's budget may result from moving Admissions to the Provost's budget.

The committee received an inquiry regarding the following parking concerns: 1) the use of faculty/staff lots for orientation; 2) the need to be able to load/unload equipment used in off-campus teaching; 3) the requirement to include a copy of car registration when applying for a parking permit; and 4) the requirement to use a hang-tag. The chair will reply to the individual.

Further discussion involved:
Visitor spaces -- tickets are given for parking in visitor spaces without a permit. However there is no indication on the signs that a permit is required. Visitor spaces are usually occupied when you need them. (One member of the committee stated that at some schools a visitor may park in any legal space. If a ticket is received, the person being visited has the ticket cancelled.)
Use of parking lots after 4:30 -- Students may park in faculty lots. Faculty may not park in student lots. Visitor parking places are for visitors only, 24 hours a day.
Registration of cars -- One member of the committee had observed some unregistered cars driven by students and parked on campus, sometimes in visitor spaces.
The committee received an inquiry regarding the **inability to pay Fike fees through inter-office mail**. This matter will be discussed with the bursar's office and continued to the September 17 meeting of the committee.

The committee received an inquiry regarding the **use of University offices for conducting non-University business**. The committee feels the Faculty Manual adequately addresses this concern (1 Private Outside Employment, 3. Use of University Facilities and Equipment, page 71) "University facilities and equipment shall not be used in the furtherance of outside activities in any instance, and shall only be used in the furtherance of consulting activities when: 1) such facilities and equipment are not available commercially, and 2) approval in advance has been secured from the Vice President for Business and Finance."

Some concerns that the committee would like to address this year are:

- Including faculty in decision-making loops throughout the University
- Horizontal communication across the University
- Establishing a Faculty Club

Note: According to the Provost, the **Form to Request Substitution for a Required Course** currently requires both dean's signatures.

The next meeting of the Policy Committee will be September 17, at 3:30 p.m. in Room LL3, Cooper Library.
PRESIDENT’S REPORT
SEPTEMBER, 1991

1. At the August meeting of the South Carolina Commission on Higher Education during the presentation by President Palms of the University of South Carolina, the following questions were asked: "What is a full faculty load?", "How much does research really cost the University?" These are questions whose answers must be on the tip of our tongues!

2. Please note the "Scheduling Room Availability Report for Fall Semester 1991."

3. Please note the changes in our Freshman Class. The SAT scores of incoming Freshmen dropped six points.

4. To date, we have 59 non-degree students, 2472 Freshmen, 77 transfer students, 310 former students returning, 9538 continuing students, and 2837 graduate students. The total enrollment is 13,149 undergraduate students. The graduate enrollment should increase when off-campus courses are registered.

5. Concerning the Fall registration, 61.3% of the students got the schedule for which they asked, 74.9% got a clean schedule (no courses missing), 19.1% had some courses closed out, and 5.9% had problems such as measles checks, parking fines, etc. which precluded them from registering.

6. I request you all to meet with your collegiate faculty to discuss the goals and benchmarks of the Strategic Planning Committee. The goals are not yet in concrete and your comments are solicited and will have an effect.

7. Provost Maxwell has asked the Commission on Undergraduate Studies to consider the issue of the signature of the Dean of the College in which the course is taught on the Required Course Substitution Form.

8. At the Fall Faculty Meeting, President Lennon announced the appointment of Jay Gogue as Interim Dean of the Graduate School.
9. Remember the Faculty Senate Breakfast for the Board of Trustees on Saturday, September 21, 1991.

10. On Thursday, September 26, 1991 the Faculty Senate, in conjunction with Student the Student Body, Classified Staff Commission, and Extension Senate, will sponsor a Jail-and-Bail to benefit the March of Dimes. Your support is appreciated.
Whereas, the Provost is the chief academic officer of the University, and

Whereas, the appointment of a new Provost is an infrequent event with enormous long term effects on the well being of the University, and

Whereas, the selection of a Provost Search Committee was a complex and highly contested process that reflected the depth of concern on the part of all members of the University community, and

Whereas, President Lennon has indicated he would use his personal influence to impress upon the Legislature the importance and need to adequately fund the position of Provost, and

Whereas, the Provost Search Committee is currently engaged in an extensive national search for nominees to the position of Provost, and

Whereas, President Lennon in addressing the General Faculty at a meeting on August 21, 1991, stated that due to possible budgetary constraints the Provost Search Committee should include an on-campus candidate when it submits its nominees to the President, and

Whereas, the Provost Search Committee might improperly interpret the President's remarks to be a requirement that they include an on-campus candidate in their list of nominees even if they feel that the on-campus candidate is less desirable than others, and

Whereas, unqualified reports of the President's remarks might discourage outstanding individuals at other universities from pursuing nominations for the position of Provost at Clemson University,

Resolved:

The Faculty Senate requests that President Lennon qualify his remarks concerning the nomination of Provost candidates and consider the possibility of an interim appointment to the position of Provost in the event that a financial crisis prevents a suitable permanent appointment.

This resolution was passed unanimously.
RESOLUTION OF ENDORSEMENT
FS91-9-2 P

Whereas, the University is severely compromised by the current financial exigency at the state level, and

Whereas, President Lennon has worked hard to protect the academic activities of the University from the impact of imposed budgetary constraints,

Resolved, the Faculty Senate of Clemson University thanks President Lennon for his efforts vis a vis the University's budgetary problems. We add our endorsement for his call for both faculty and administration to use creative methods of dealing with what we all hope will be a brief and temporary crisis.
MINUTES
FACULTY SENATE
OCTOBER 8, 1991

1. **Call_to_Order.** President Luedeman called the meeting to order at 3:34 p.m.

2. **Approval_of_Minutes.** The General Faculty Minutes of August 21, 1991 and the Faculty Senate Minutes dated September 10, 1991 were approved as written.

3. **Special_Order_of_the_Day.** A. Max Lennon, President of Clemson University, began by stating that he wanted to be sure the Senate was aware of what is being done in South Carolina for education. The Council of Presidents, the Commission on Higher Education, and a group of business leaders have indicated a renewed effort to improve awareness and support for higher education in South Carolina. It is essential for this community to help carry that message to the public and in particular, to members of the General Assembly. The Governor endorses this project, and will hold a Governor's Summit in November.

The proposal is the result of David Maxwell's efforts on our behalf with colleagues from colleges and universities to develop a consensus as to the issues of higher education, and the strategies of these issues. The issues include:

1. **Access** - South Carolinians should have access to higher education.
2. **Quality** - To date, our education has been funded on the basis of numbers. We must determine how to get quality into our system.
3. **Accountability** - With the creation of an Audit Committee, Clemson University will be accountable to the public of South Carolina.
4. **Partnerships** - There should be more partnerships between Clemson and the University of South Carolina and other state institutions and partnerships between Clemson and the K-12 system state-wide.

This is the kind of agenda that will be discussed at the Governor's Summit. After that meeting, a political strategy will be developed. We are aware that if the revenue situation stays like it is, that it is not logical to expect a doubling of our budget next year. Dr. Lennon stated that he is optimistic because the presidents of the institutions are bonded like they have never been bonded before.
A question and answer period followed Dr. Lennon's remarks. Questions of particular interest included rewards for faculty, public service versus research, involvement of faculty in decision-making process, and communication between administration and faculty.

4. Committee Reports

a. Senate Committees

Research Committee. Senator Liburdy reported that this Committee is dealing with research ethics policy and is collecting recommendations. Focal points include: the definition of ethics, the disposition of results of ethics investigations, the disposition of complaints, and the composition of the committee. The Research Committee will work on the current policy relating to the allocation of Provost and Research Awards.


Welfare Committee. There was no report.

Policy Committee. Senator Hare submitted the Policy Report (Attachment B). Senator Hare then presented a resolution stating that a student assigned to a committee be considered a representative of the Student Body. Vote was taken and resolution passed (FS91-10-1 P) (Attachment C).

b. University Commissions and Committees

Campus Safety Committee. Senator Vander Mey reported that this Committee is comprised of four senators and students. Safety tips will begin to appear in the "Tiger." The Committee will meet soon with the Clemson Bikeways Advisory Committee, and will look at proposal to seek funding from the Vending Machine Committee to cover costs of heightening rape awareness on campus.

Traffic and Parking Committee. Senator Conover reported that this Committee consists of three faculty members and three students. Three requests were heard at a recent meeting: request for more motorcycle spaces - denied; request from department head regarding visitors' parking spaces - denied; and a petition asking that space be given in new commuter lot for faculty and staff.
Facilities Planning Committee. Senator Schaffer reported that this Committee had met recently, and had voted that the "phantom" parking lot be a student-oriented recreation area, not a parking lot. Senators were encouraged to watch this situation. This Committee voted against the installation of parking meters on campus.

Administrative Growth. Kenneth Murr submitted the University Growth Report (Attachment D). Mr. Murr provided an explanation of this report, and discussion followed. Mr. Murr recommended that University growth be re-evaluated every two years.

5. Senate President's Report. President Luedeman discussed the President's Report (Attachment E). He announced that Max Skidmore, a candidate for the position of Provost and Vice President for Academic Affairs, will meet with the Faculty Senate at 3:00 p.m. on Friday, October 11, 1991 in the Student Senate Chambers, and encouraged all to attend. Schedules of additional candidates were shared with the Senate. Open Forums will also be held to provide an opportunity for all faculty to meet the candidates.

6. Old Business

a. There were no contributions to the Centennial Professorship Campaign in September. Therefore, the total remains at $83,474.

7. New Business

a. Senator Waldvogel presented a resolution to support student efforts to evaluate courses and instructors (Attachment F). Motion was seconded and discussion followed. Senator Owens offered a friendly amendment, and after further discussion, vote was taken. Resolution passed unanimously (FS91-10-2 P (Attachment G).

8. Adjournment. The meeting adjourned at 5:47 p.m.

Gerald L. Waddle, Secretary

Cathy Toth Sturkie, Staff Secretary

Senators Absent: F. Eubanks, J. Harris, J. Louderback, Jr. Milstead (A. Privette attended), L. Rollin (M. Slann attended), E. Ruppert, W. Stringer
REPORT
SCHOLASTIC POLICIES COMMITTEE
OCTOBER 8, 1991

The Committee met on October 1.

It postponed action on a proposal to require that students complete some general education requirements before they earn 60 credits.

The Committee decided not to act on the administration's postponing of the mid-year check.

We discussed several matters relating to scholarship athletes.

We discussed, without conclusion, a proposal by the Commission on Undergraduate Studies to reject the Deans' proposal regarding signatures on Course Substitution Forms. The Commission wants to retain the signature of the Dean of the course-offering college and drop that of the dean of the student's college.

We discussed the draft memo circulated last meeting and had no changes.
Policy Committee Report  
October 3, 1991

The Policy Committee met:
- September 17, at 3:30 p.m. in Room LL3 of Cooper Library. Members present were: J. Brittain, J. Davis, E. Hare, M. L. Moon, W. Owens, G. Wells.
- September 24, at 3:30 p.m. in Room 416 Daniel. Members present were: J. Brittain, J. Davis, E. Hare, G. Lovedahl, M. L. Moon, W. Owens, G. Wells.
- October 1, at 3:30 p.m. in Room 416 Daniel. Members present were: J. Davis, E. Hare, G. Lovedahl, M. L. Moon, W. Owens.

Item 1. Copies of department and college bylaws are being collected and will be kept in the Faculty Senate office.

Item 2. President Lupehaman has requested the administration to redefine the organizational chart involving the Brooks (performing arts) Center so as to include the responsibilities of the Fine Arts Committee as defined in the Faculty Manual.

Item 3. The Policy Committee is beginning to prepare a collection of position papers relevant to the Faculty Manual. These will consist of rulings and opinions by Provost Maxwell and reflect present interpretations of the Faculty Manual.

Item 4. The following resolution is submitted to the Faculty Senate:

Whereas, the Faculty Manual provides for student representation on committees, and

Whereas, this student is appointed to represent the student body, and

Resolved, that a student assigned to a committee be considered a representative of the student body rather than a representative of the student’s college.

Item 5. A letter was sent to Provost Maxwell (10-2-91) concerning the failure of the Dean of Liberal Arts to conduct a search for a director of the Brooks (Performing Arts) Center, as required by the Faculty Manual. The Provost has been requested to investigate and rectify this violation. No response has been received. (However, we note that the letter was sent exactly one week ago.)

The next meeting of the Policy Committee will be in room 416 Daniel at 3:30 p.m., Tuesday, October 15.
RESOLUTION ON STUDENT REPRESENTATION ON UNIVERSITY COMMITTEES

FS91-10-1  P

Whereas, the Faculty Manual provides for student representation on committees, and

Whereas, this student is appointed to represent the student body,

Resolved, that a student assigned to a committee be considered a representative of the Student Body rather than a representative of the student's college.
University Growth
Report to the Faculty Senate
October, 1991

Submitted by Kenneth Murr and Robert Kosinski

In 1988, the Faculty Senate initiated an effort to measure and document the numerical changes of administration, staff, faculty and students at Clemson. An ad hoc committee (Kenneth Murr, Mary Ann Reichenbach and chairperson Leo Gaddis), reported in October 1988 on its measurements of the size of the study groups during the 1978-1987 period. This report is a continuation of that study and reports on growth at Clemson for the years 1988 and 1990.

The 1988 committee developed the procedure which was followed to create this report. The primary enumeration for both studies was made by counting entries in the University telephone book for the appropriate year. Mr. Gentry of the admissions office provided data on student enrollment. The rules for classification of positions into faculty, staff, administration, and special categories or deletions which were followed for this report are summarized below:

Faculty-- all on-campus (656 telephone numbers) entries having title of professor, associate professor, assistant professor, instructor, research associate with faculty rank, military science instructor, or librarian are counted as faculty if the title does not also include the term head, dean, or director. Visiting faculty, adjunct faculty and lecturers are not counted in any category.

Administrators-- all on-campus (656 telephone numbers) entries having title of head (except for librarians--only two librarians are administrators), dean (associate or assistant), director (associate or assistant), vice-provost (associate or assistant) or vice-president (associate or assistant), plus specific administrators who could be identified by title (e.g. registrar, president, and general counsel.) Directors of institutes also listed with faculty rank were equally divided between administration and faculty.

Staff-- all on-campus (656 telephone numbers) entries not covered in other categories and intended to be classified personnel. The range of titles is extensive. Some directors were classified as staff (e.g., Lab Dir USDA and Dir of Spec Events).

Omissions-- all athletic people (in Jervey), all off-site (non 656 telephone numbers) personnel, visiting faculty, adjunct faculty and lecturers were not counted in any category. Part-time faculty and staff are not listed in the telephone directory and so are not included.

Table 1. Size of Study Groups

<table>
<thead>
<tr>
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<tbody>
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<td>204</td>
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<td>283</td>
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<tr>
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<td>887</td>
<td>940</td>
<td>883</td>
<td>946</td>
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<td>1388</td>
<td>1813</td>
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<tr>
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<td>11959</td>
<td>12781</td>
<td>14251</td>
<td>15193</td>
</tr>
</tbody>
</table>

A number of comparisons and relationships may be derived from these data. Some graphical presentations are given in Figures 1-5.
In Figure 1 the percentage growth of students, faculty, staff and administration since 1978 is shown. The student and staff growth rates have been almost equal and represent an average growth rate of 4% per year for staff and 3% per year for students. The faculty has had small increases and decreases since 1978, but has had a net average growth of less than 1% per year. The administration's growth since 1978 has averaged 6% per year. However, it was 0% from 1978 to 1983 and has averaged almost 10% per year since 1983. This trend shows no signs of moderating—administrative growth in the most recent period (1988-1990) was 13% per year.

Figure 2 presents the ratio of each group to student body size normalized with the 1978 ratio equaling 1. Points above the ratio = 1.0 indicate faster growth than student growth, and points below the line indicate slower growth. The growth of the administration relative to the student body and the decline of the faculty/student ratio are obvious.

Figure 3 depicts the relative growth of each of the study groups at the various sampling times. It is normalized with the 1978 size of each group equaling 1.

Figure 4 gives the ratio of students to faculty. During the 1978-1990 period, the student/faculty ratio rose from 12.3 to 16.1—a change of 31%. It should be noted that classroom size may have not been affected since visiting and part-time faculty are not included in this study.

Figure 5 is a pie chart showing the distribution of percentage growth since 1978. The sum of the percentage growth of all groups was treated as 100%. Thus, the increase in the faculty represents less than 5% of the total growth rate since 1978.

In summary, the data sources evaluated indicate the following conclusions:

Over the 1978-1990 period, the administration grew faster than all other components of the university. Until recently, staff and student body size grew approximately in tandem at a slower rate. The faculty has had little net growth.

Administrative growth was concentrated in the years following 1983, and (in terms of percentage growth per year) attained its highest rate in the most recent period. Thus, there is little evidence that the growth rate of the administration is slowing.

The growth of the regular faculty has not kept up with the growth of the student body. The student/faculty ratio has grown by 31% since 1978.

Kenneth P. Meen

Robert J. Kasenik
TOTAL GROWTH SINCE 1978

1978
1980
1982
1984
1986
1988
1990

YEAR

100
90
80
70
60
50
40
30
20
10
0

PERCENT INCREASE

ADMINISTRATION
STAFF
FACULTY
STUDENTS

FIGURE 1
RATIO TO STUDENTS
(NORMALIZED 1978=1)

ADMINISTRATION
STAFF
FACULTY

YEAR
RATIO
0.6 0.7 0.8 0.9 1.0 1.1 1.2 1.3 1.4

FIGURE 2
Relative Growth of Study Groups

![Bar chart](image)

Figure 3
Ratio of Students to Faculty

Figure 4

Overall Growth = 100%

Figure 5
PRESIDENT'S REPORT
OCTOBER, 1991

1. The Jail and Bail held on September 26, 1991, raised over $7,000 for the March of Dimes. Thank you all for your assistance and support.

2. The State Higher Education Executive Officers have proposed federal legislation that would make accreditation a federally-financed function of the state. This general accreditation is now a function of regional associations such as the Southern Association of Colleges and Schools. This legislation provides for each of the fifty states, as well as the District of Columbia and the Commonwealth of Puerto Rico, the opportunity to enter into an agreement with the Secretary of Education which would establish, for each participating state, a "State Postsecondary Approving Agency" to approve or disapprove postsecondary institutions and educational programs. This approval or disapproval decision would serve as a significant factor in the determination of eligibility for federal financial assistance.

3. From next year on, the Freshman Class will be limited to 2300.

4. Please read the enclosure from the Strategic Planning Committee which lists the results from the SPC/Faculty Senate Workshop.

5. Stay tuned for a report on "Growth at Clemson University" which will be forthcoming in the near future. The report shows that since 1983, the staff has increased by 563 people, the faculty has increased by 59 people, the student body has increased by 3254, and the administration has increased by 139.

6. The Review Committee for the Class of '39 Award for Excellence is: Provost David Maxwell, Ex-Officio; Dixie Goswami, Chair; Joel Brawley; Clarence Hood; Leo Gaddis; Holley Ulbrich; and Peggy Cover, Alternate.

7. The search for a new Provost is entering its final stages. One-hour meetings between the candidates and the Faculty Senate will be scheduled. I remind the standing committees that their report concerning what we wish the University to be vis-a-vis the interests of each standing committee are due. These will be forwarded to each Provost candidate.
RESOLUTION TO SUPPORT STUDENT EFFORTS TO EVALUATE COURSES AND INSTRUCTORS

Whereas, students at many of the nation's most respected universities now operate their own systems of evaluating courses and instructors, and

Whereas, the Student Senate at Clemson University is currently involved in an effort to develop a system for evaluating courses and instructors that is similar to the one used at Georgia Tech,

Resolved, the Faculty Senate supports student efforts to evaluate courses and instructors in accordance with the format currently used by the student organization at Georgia Tech.
RESOLUTION ON FACULTY SENATE SUPPORT OF STUDENT EVALUATIONS

FS91-10-2  P

Whereas, students at many universities now operate their own systems of evaluating courses and instructors, and

Whereas, Student Government at Clemson University is currently involved in an effort to develop a system for evaluating courses and instructors,

Resolved, the Faculty Senate supports the use of student evaluations as one approach to promoting excellence in college teaching and is willing to provide input and expertise in the development and use of instruments for such evaluations.

This resolution was passed unanimously.
1. **Call to Order.** President Luedeman called the meeting to order at 3:35 p.m.

2. **Approval of Minutes.** The Faculty Senate Minutes dated October 8, 1991 were approved as written.

3. **Class of '39 Award for Excellence.** President Luedeman appointed Paula Heusinkveld to assist the Provost in the counting of ballots for the Class of '39 Award for Excellence. Following this appointment, the election was held.

4. **Committee Reports**
   a. **Senate Committees**

      **Research Committee.** Senator Milstead reported that this committee met recently; and that a guest from URGC discussed with them changes and ideas for the process of Provost grants.

      **Scholastic Policies Committee.** Senator Louderback distributed two draft resolutions and asked the Senate to provide feedback before the next meeting.

      **Welfare Committee.** Senator Harris stated that the committee met and heard reports from various committees. This committee continues to work on the Grievance process. The Welfare Committee will meet soon with Ben Anderson, Legal Counsel for Clemson University, at a closed meeting. Senator Vander Mey provided information regarding faculty fluency in the English language. This ad_hoc committee is at the stage of a raw draft of student grievance procedures, and must move quickly. Senator Vander Mey informed the Senate that Clemson University has a contract with Budget Car Rental and that this company must be used by Clemson University employees unless a less expensive company is found.

       Senator Harris reported that while discussing the importance and role of the Faculty Senate with Dean Amacher, the Dean related an anecdote. A couple of years ago Dean Amacher was talking with a Nobel Prize winner in Economics, George
Stigler, and Dean Amacher asked him about the importance of Faculty Senate work. Dr. Stigler related to Dean Amacher that he thought it was extremely important, that all of the better faculty at the University of Chicago wanted to serve on the Senate, and that he had served on his Faculty Senate for three terms. When asked by Dean Amacher what he got out of it, Dr. Stigler's answer was simply, "a better University."

**Policy Committee.** Senator Hare submitted and discussed the Policy Committee Report (Attachment A).

b. **University Commissions and Committees**

**Community Spirit.** Senator Waldvogel stated that this committee is looking at community issues. There seems to be difficulty in getting student groups to talk with them. This committee report will be brought forward early next semester.

**Provost Search Committee.** Dean Amacher strongly encouraged all to send input regarding the Provost candidates to the Search Committee by November 19th at the very latest.

5. **Senate President's Report.** President Luedeman discussed the President's Report (Attachment B).

6. **Old Business**

a. Contributions in October, 1991 have brought the total of the Centennial Professorship to $83,504.

7. **New Business**

a. Senator Conover will ask Alternate Senator Fran McGuire if he would like to replace Senator Vander Mey on the Handicapped Committee.

b. Senator Schaffer presented a resolution to express thanks to the various Self-Study Committees. Motion was seconded and passed unanimously (FS91-11-1 P) (Attachment C).

c. Senator Schaffer presented a resolution regarding unauthorized use of software. After discussion, Senator Harris made a motion to refer proposed resolution to the Policy Committee. This motion was seconded and passed.

d. Senator Vander Mey reported that a student representative to the Commission on Undergraduate Studies attempted to introduce a resolution regarding student evaluation
forms similar to those in use at the University of Illinois. There is now a sub-committee studying the evaluation forms students bring forward.

e. Senator Waldvogel stated that he had received a draft survey from a group of faculty to evaluate upper level administrators (Attachment D) to be presented to the Senate for discussion and consideration. Discussion followed. Any comments regarding this survey may be directed to Senator Walt Owens.

8. Adjournment. The meeting adjourned at 5:02 p.m.

Gerald L. Waddle, Secretary

Cathy Toth Sturkie, Staff Secretary

Senators Absent: W. Bridges (D. Decoteau attended), G. Christenbury, W. Stringer, S. Wallace, F. Eubanks, R. Marion, W. Baron, M. Bridgwood, L. Rollin, K. Dieter, T. Tisue (J. Waldvogel attended)
Policy Committee Report
November 12, 1991

The Policy Committee met October 15, 1991, at 3:30 p.m. in Room LL3, Cooper Library. Members present: J. Brittain, J. Davis, E. Hare, M. L. Moon, W. Owens, G. Wells. The Committee also met October 29, 1991, at 3:30 p.m. in Room LL3, Cooper Library. Members present: J. Davis, E. Hare, G. Lovedahl, M. L. Moon, W. Owens, G. Wells.

Chip Egan, Department Head of Performing Arts spoke about the Brooks Center.

Eleanor Hare and John Luedeman met with Provost Maxwell and Dean Waller to discuss the violation of the Faculty Manual in appointing a Director of the Brooks Center without a search. A letter has been received from Dean Waller acknowledging the violation of the Faculty Manual and stating his intention to be more careful in future.

Dean Waller also agreed to take appropriate steps to place the Fine Arts Committee in the organizational chart for the Brooks Center. Because of the number of groups involved, the revised organizational chart may not be available until the middle of the spring semester.

A proposed amendment to the Faculty Manual regarding the identification of funding sources for authors of editorials failed to receive support.

The composition of the equipment item in the Proposed Budget of Academic Affairs, page 28 of the Clemson University Proposed Budget, 1991-1992, was discussed.

Priority items for future meetings are an employee survey relating to observance of the Faculty Manual and an amendment to the Faculty Manual allowing class action grievances resulting from violations of the Faculty Manual.

The next meeting of the Policy Committee will be November 19, at 3:30 p.m. in room LL3 of Cooper Library.
PRESIDENT'S REPORT

NOVEMBER, 1991

1. The Governor's Summit on Higher Education was held in Columbia on November 5 and 6. The purpose of the Summit is to get state leaders involved in higher education. If funding does not increase, there will be a lack of opportunity for state students to receive a higher education. This will effect business and industry.

2. The Strategic Planning Committee met with the deans and vice-presidents at Camp Hope. One message sent at this meeting was that for the Strategic Plan to be implemented, some top down leadership must occur to support the necessary changes at the University.

3. The Council of Academic Deans had a separate workshop with the Strategic Planning Committee to develop benchmarks for the goals of the Strategic Plan. I have attached the comments about the Strategic Plan from meetings with students and others.

4. The Graduate Student Association has expressed concern that increases in fees, tuition, etc. are being made without any group looking at the whole picture to determine the reasonability of the sum total increases. The Student body is also concerned about this problem.

5. The new State Ethics Bill has been passed and will take effect on January 1, 1992. This bill has several severe implications for faculty. First, no honoraria can be accepted by state employees. Second, all consulting, etc. income must be reported. Life will be interesting in the coming year. Francis Canavan will be assisting with answers to interpretations of the Ethics Bill. If you have any upcoming activity which you think might possibly conflict with the Ethics Bill, please call Francis. He will be coordinating with the legislature for valid interpretations of the bill.

6. Per the Ethics Bill, all lobbyists can do is to talk. This will necessitate a change in which all lobbyists work. One of Clemson University’s responses to this change is that the Clemson University Board of Visitors will now become advocates for the University with the Legislature.
7. There will no longer be pre-registration, but it will be replaced by online registration. When the student completes his/her registration process on the computer, (s)he will be registered in the courses.
RESOLUTION TO EXPRESS THANKS TO THOSE WHO SERVED ON THE SELF-STUDY COMMITTEES

FS91-11-1 P

Whereas, the recently completed decennial self-study of the University gives the faculty an enormous amount of information about the strengths and weaknesses of our academic programs, our system of governance, and the way in which the University is administered, and

Whereas, the Self-Study was the product of much time and hard work by dedicated members of the faculty,

Resolved, the Faculty Senate expresses its thanks to the many faculty who served on the various self-study committees and in particular to Professor Stephen Melsheimer who, as Chair of the University-Wide Self-Study, coordinated the work of the various faculty committees, acted as liaison with the Southern Association of Colleges and Schools, and provided leadership to the self-study effort over a period of more than two years.

This resolution passed unanimously.
There is no mechanism currently available for evaluation of upper level administrators by the general faculty. Therefore, this poll is being circulated to determine the faculty views regarding the performance and direction of Clemson University's administration. Please answer the four questions below (since many participants may wish to remain anonymous, please do not sign form unless you have specific comments you might want to discuss in greater detail).

1. Do you feel that Clemson University is currently a stimulating academic environment?

2. Do you feel that the university provides those things necessary for you to be successful professionally?

3. How would you characterize your interaction with other faculty, staff, students and administrators?

4. Have you personally experienced incidents which you might consider as unethical or unprofessional so as to be detrimental to the stated goals of the university?
MINUTES
FACULTY SENATE
DECEMBER 10, 1991

1. Call to Order. President Luedeman called the meeting to order at 3:34 p.m.

2. Approval of Minutes. The Faculty Senate Minutes dated November 12, 1991 were approved as corrected.

3. Committee Reports
   a. Senate Committees
      Research Committee. Senator Marion stated that there was no report.
      Scholastic Policies Committee. Senator Louderback presented two resolutions from the Policy Committee: Resolution on Continuing Enrollment Policy (FS91-12-1 P)(Attachment A) and a resolution regarding undergraduate hours as part of the General Education Program (FS91-12-2 P) (Attachment B). Vote was taken and both resolutions passed unanimously.
      Welfare Committee. Senator Harris reported that the committee had met and continues to work on the definition of tenure and grievance procedures. The Committee has met with Ben Anderson, Legal Counsel for Clemson University to explore some terminology. Another major concern of the Welfare Committee is the termination of faculty members in a program by declaration that the program will be curtailed.
      Policy Committee. Senator Hare submitted the Policy Committee Report (Attachment C). Senator Hare then called for Executive Session to present a resolution from the Policy Committee thanking David Maxwell for his many accomplishments (FS91-12-3 P) (Attachment D). Vote was taken and passed unanimously.

A resolution was introduced from the Policy Committee (FS91-12-4) (Attachment E) and following discussion, was divided into two points of consideration. After a friendly amendment from Senator Harris, the first "Resolved" passed unanimously (FS91-12-5 P) (Attachment F). Discussion continued concerning the second part of the proposed resolution, the
designation of the Provost as the Senior Vice President of Clemson University. Senator Schaffer moved to table this part of the resolution; vote was taken, and tabling of issue passed.

Senator Hare presented a resolution from the Policy Committee concerning student appointments to University committees. Resolution was unanimously passed following a friendly amendment from Senator Harris (FS91-12-6 P) (Attachment G).

Senator Hare referred to Section 7. Permanent Committees of the Policy Committee Report of December 10, 1991; and Senate approval was requested so that the inclusion of a standing Finance Committee in the Constitution may be presented to the general faculty at its next meeting. Vote was taken and this Constitution inclusion passed unanimously.

b. University Commissions and Committees

Facilities Planning Committee. Senator Schaffer reported that at its last meeting this Committee: discussed and approved the location of the Cadet Memorial which will be between Tillman Hall and Bowman Field; the addition to Jervey Athletic Center; a practice field for the University Band located on Perimeter Road; and the location of the East Campus Activity and Auxiliary Center to be on the Hanover House property.

ad_hoc Committee to Promote the Clemson Experience. Senator Waldvogel reported that a final report will be presented early next semester.

4. Senate President's Report. President Luedeman discussed the President's Report (Attachment H). President Luedeman reported that President Lennon recommended that the Faculty Senate come out with a discrimination/harrassment policy to condemn the cheerleading issue (only female cheerleaders were invited to travel to Tokyo). Discussion followed and many suggestions were offered by senators i.e. refer to Policy Committee to present a statement; invite the Athletic Director to discuss issue with Policy Committee; and/or sponsor a workshop or conference on sexual harrassment and discrimination.

5. Old Business

a. Centennial Professorship total has risen to $83,704.00.

b. Class of '39 Award for Excellence will be
presented at the December Graduation Exercise, and the Faculty Senate ceremony will be held at the January meeting.

6. **New Business**

   a. Syble Oldaker and Jerry Lovedahl were nominated as Grievance Board members. Nominations will remain open and may be brought to the Executive/Advisory Committee meeting on December 18th.

7. **Special Order of the Day.** President Luedeman introduced Provost and Vice President for Academic Affairs, William David Maxwell. Provost Maxwell began by saying that he was very proud of the Faculty Senate, and that the Senate commands and has the respect of the academic community at Clemson University. The Grievance Board members and those who assisted with the composition of the Faculty Manual were especially commended by Provost Maxwell. Dr. Maxwell stated that he is proud of the tenure and promotion procedures that were implemented during his time as Provost. Dr. Maxwell suggested that the Senate increase the closeness of the relationships with the Faculty Senate at the University of South Carolina and at other state institutions. President Luedeman then presented a retirement gift to Provost Maxwell from the Faculty Senate, a bound and signed copy of the 1991 Faculty Manual.

8. **Adjournment.** The meeting adjourned at 4:43 p.m. and a reception honoring Provost Maxwell followed.

Gerald L. Waddle, Secretary

Cathy Toth Sturkie, Staff Secretary

Senators Absent: L. Blanton, W. Bridges, W. Stringer, F. Eubanks, J. Davis, G. Lovedahl, M. Bridgwood, J. Liburdy, K. Dieter, E. Ruppert (J. Waldvogel attended), A. Steiner, T. Tisue
Clemson University
Faculty Senate
Resolution on Continuing Enrollment Policy
FS91-12-1 P

Whereas, Clemson University identifies the quality of Undergraduate Education as its primary responsibility and concern, and

Whereas, the continued presence of weak or uninterested students in classes semester after semester can degrade the learning atmosphere and experience, plus deny desperately needed class space to more qualified students, and

Whereas, the non-implementation of a mid-year check coupled with the lack of any check for freshman can enable a new student to remain at Clemson for four semesters while passing few if any courses, and

Whereas, anticipating a mid-year check could motivate marginal students to try harder and succeed during their fall semester, effectively improving rather than worsening their GPRs, and

Whereas, some students who are suspended sooner might also return sooner, before more damage is done to either their own GPRs or Clemson’s academic reputation, and

Whereas, of 32 other schools whose policy on continuing enrollment was clearly stated, 30 have checks for continuing enrollment after each semester or quarter,

Be it resolved:

The Clemson Faculty Senate earnestly and strongly recommends that Clemson University check GPR for continuing enrollment of all sophomores, juniors and seniors in December, 1992 and continue to do so each December thereafter.

This resolution passed unanimously.
RESOLUTION OF REQUIREMENTS AS PART OF THE GENERAL EDUCATION PROGRAM

Whereas, the SACS criteria for accreditation require that "In each degree program, there must be an orderly, identifiable sequence of courses leading to the degree," and

Whereas, each degree program at Clemson has an "identifiable sequence of courses," but nothing in the University's rules and regulations requires students to take courses in an orderly sequence, and

Whereas, this creates a potential problem for students particularly with those courses in mathematics, science, and English composition which are deemed basic to all other university studies,

Be it therefore resolved, that the strongest possible consideration be given by the Commission on Undergraduate Studies to inserting in the Announcements a regulation along the following lines:

Clemson University requires all undergraduates to complete six hours of mathematics, eight hours of a laboratory science, and six hours of composition as part of the General Education Program. These courses must be completed with a passing grade in or before the semester during which the student accumulates 75 semester hours. Students transferring to Clemson with fewer than 45 hours of credit will be held to that standard. Students transferring to Clemson with more than 45 hours of credit must fulfill this requirement by the end of their first year at Clemson University. Students who do not meet this requirement must satisfy it before being allowed to enroll in any other university courses.

This resolution passed unanimously.
Policy Committee Report
December 10, 1991

The Policy Committee met November 19 at 3:30 p.m. in Room LL3, Cooper Library and December 3 at 3:30 p.m. in Room 407, College of Nursing Building.

A proposed policy statement on computer software copyrights was considered. The committee approves of the intent of the statement, but feels that it should be in the Personnel Manual and the Student Handbook, rather than the Faculty Manual. Procedures for this are being investigated.

A letter to Dean Waller, verifying his agreement to place the Fine Arts Committee in the organization chart of the Brooks Center, was approved.

Work continues on a survey of Faculty perception of Clemson University.

A resolution that students on University committees represent the student body rather than a college was approved.

A resolution in honor of Provost retirement was approved.

The following new item is recommended for inclusion in The Constitution of the Faculty of Clemson University:

Article II: The Faculty Senate:

Section 7. Permanent Committees

Permanent committees, in addition to the standing committees provided for in the constitution, may be created for purposes which extend beyond those normally associated with ad hoc committees.

The permanent committees, and their duties are:

a. Finance Committee. The Finance Committee investigates and reports to the Faculty Senate relevant to financial matters of the University.

Any change to the Constitution must be presented to a general Faculty meeting.

Information received by the committee: In the past, Clemson Scholars have received a scholarship which covers their entire tuition. Last year's entering freshmen receive $2460 for the 1991-1992 academic year. Effective with this fall's entering freshman class, Clemson Scholars will receive only $2000/year. 164 Clemson Scholars enrolled in 1991. Of these, 93 (57%) were black. 89 (54%) of the Clemson Scholars graduated either first or second in their high school class, and 148 (90%) graduated in the top 10%.

The next meetings of the Policy Committee will be January 9, at 3:30 in LL3, Cooper Library.
Faculty Senate Resolution
December 10, 1991
FS91-12-3 P

Whereas, W. David Maxwell has capably served Clemson University for more than eleven years as Provost of the University, and

Whereas, Dr. Maxwell served the University as Acting Vice-President for Business and Finance for one year while simultaneously serving as Provost, and

Whereas, Dr. Maxwell encouraged and promoted the creation of the current Faculty Manual, which is our assurance of fair and equitable treatment within the University, and

Whereas, Dr. Maxwell-initiated open and democratic searches for academic administration positions, and

Whereas, Dr. Maxwell, by diligent review of promotion and tenure documentation has assured fairness in that procedure, and

Whereas, Dr. Maxwell instituted a process for airing faculty grievances and has overseen the fair implementation of that process,

Resolved, that the Faculty Senate thank David Maxwell for his many accomplishments, and especially for his tireless devotion to faculty governance and academic freedom, which have put Clemson in the mainstream of higher education practice today.

This resolution passed unanimously.
Faculty Senate Resolution
December 10, 1991
FS91-12-4

Whereas, Clemson University has this past week selected a new Provost,

Be It Resolved that the Faculty Senate welcome Charles Jennett as Provost, and

Be It Further Resolved that the Provost be designated the Senior Vice President of Clemson University.
RESOLUTION TO RECOGNIZE J. CHARLES JENNETT AS PROVOST

FS91-12-5 P

Whereas, Clemson University has this past week selected a new Provost.

Resolved, that the Faculty Senate looks forward to working with J. Charles Jennett as Provost of Clemson University.

This resolution passed unanimously.
RESOLUTION ON STUDENT APPOINTMENTS TO UNIVERSITY COMMITTEES

FS91-12-6 P

Whereas, the Faculty Manual provides for student representation on University committees, and

Whereas, this student is appointed to represent the Student Body, and

Whereas, in the past the administration has indicated that the student represents a college and has used this as a rationale for excluding faculty representatives from that college on some committees,

Resolved, that a student appointed to a University committee be considered a representative of the Student Body rather than a representative of the student's college.

This resolution was passed unanimously.
PRESIDENT'S REPORT

DECEMBER, 1991

1. The winner of the Class of '39 Award for Excellence has been selected, and will be announced at the December Graduation Exercises. The award will also be presented at the January Faculty Senate meeting. President Lennon will assist with the presentation of the award.

2. A "Class Scheduling Distribution Policy" has been developed by Stanley Smith, et. al. "Prime Time" classes are MWF 9:05, 10:10, 11:15, and 12:20 and TTH 9:30, 11:00, 12:30 and 2:00. Under this policy a DEPARTMENT could schedule at most 60% of its classes in "Prime Time." The Council of Academic Deans expressed concerns about how this policy could affect students in e.g. Engineering who take many of their courses in other colleges e.g. Sciences.

3. A new policy on "Distribution of Interdisciplinary Recovered Indirect Costs and Incentive Funds Generated as a Result of State Matching Funds" is being proposed. I am sending a draft of this policy to the Research Committee.

4. Please note the letters from President Lennon about the "Growth Report" issued by the Senate. Our concerns will be considered by the Administration.

5. The new State Ethics Bill has been passed and will take effect on January 1, 1992. This Bill has several severe implications for faculty. First, no honoraria can be accepted by state employees. Second, all consulting, etc. income must be reported. Life will be interesting in the coming year. Francis Canavan will assist with answers to interpretations of the Ethics Bill. If you have any upcoming activity which you think might possibly conflict with the Ethics Bill, please call Francis. He will coordinate with the Legislature for valid interpretations of the Bill.

6. The Student Senate has requested a "Dead Week" before final examinations. During this time no faculty member will be permitted to give any sort of examination. They are requesting that this become University Policy. The Provost has noted that enforcement will be a problem. The Faculty Senate President has noted that this could possibly preclude exemptions from the final examinations because material will be covered on which the student will not be tested.
7. A possible difficulty is brewing in Washington, DC. Congress is considering a law which gives states (SCCHE) the accrediting power over institutions of higher learning. Coupled with this could be the possibility of no federal student loans made to students at non-accredited institutions.

8. From the "South Carolina Higher Education Statistical Abstract" of March 1991, we have the following items of interest:

1) Clemson University has the third highest Student/Faculty ratio of state schools (19.8) ranking behind South Carolina State College (22.3) and the College of Charleston (19.9). The ratio for the University of South Carolina at Columbia is 17.0.

2) The average faculty salary at Clemson University is $43,554 which is $1,581 less than that of the University of South Carolina at Columbia (with the Medical School deleted).

9. Next year, the University will move $300,000 from the E & G Budget to PSA.
MINUTES
GENERAL FACULTY
DECEMBER 18, 1991

1.0 Call to Order. Provost W. David Maxwell called the meeting to order at 10:03 a.m.

2.0 Show & Tell. Vice Provost Jerome C. Reel, Jr. introduced a surprise slide presentation depicting the life and work of Provost William David Maxwell.

3.0 Approval of Minutes. The Minutes of the General Faculty Meeting dated August 21, 1991 were approved as distributed.

4.0 Announcement(s). Provost Maxwell announced that the Southern Association of Colleges and Schools (SACS) reaffirmed its accreditation of Clemson University.

5.0 Program

5.1 Mr. Matt Watkins, Assistant Vice President for Alumni Relations, presented the Alumni Award for Distinguished Service to Carolyn Tolson, Clemson Extension Service Director in Lancaster County. Senator Caldwell T. Hinson was in attendance to honor Ms. Tolson's receipt of this Award.

5.2 Provost Maxwell presented the 1991 Lyons Distinguished Teachers Award to Bhuvenesh C. Goswami, Professor of Textiles.

5.3 The Friend of Extension Award was presented by Amos Wells, County Extension Agent in Anderson County and Immediate Past President of the South Carolina Chapter of Epsilon Sigma Phi, to A. Max Lennon, President of Clemson University.

5.4 Francis Canavan, Associate Vice President for Public Affairs, discussed the New State Ethics Law (Summary, Attachment A). Mr. Canavan alerted the faculty and staff to the existence of the Act; discussed some of the highlights of the Act; and explained that much of the impact of the Act is still unclear. The two most important sections are those governing lobbying and lobbyists, and rules of conduct for public employees. Mr. Canavan stated that the most significant change is the section governing the receipt of anything of value when
5.5 The President of the Faculty Senate, John K. Luedeman, reported on the accomplishments of the Senate and its standing committees during the past semester, and expectations for the remainder of the year. Dr. Luedeman stated that resolutions of appreciation to Louis Batson, Steve Melsheimer and the SACS Self-Study Committee, Max Lennon, and David Maxwell were passed by the Faculty Senate. Dr. Luedeman announced that the Faculty Senate has approved a change in the Constitution of the Faculty. This change is to form a new permanent committee on University Finance. The purpose of this committee would be to investigate and report to the Faculty Senate relevant financial matters of the University. A vote will be taken at the May General Faculty Meeting.

5.6 Ms. Sandy Smith, Vice-Chair/Chair-Elect, provided a report of the Commission on Classified Staff. Ms. Smith stated that compensation continues to be a major issue of the Commission's. Other issues of importance include: Commission representation on University standing committees; implementation of custodial staff telephone listings; classified staff representation on search committees; an employee recognition program; a crisis debriefing team; and the Commission on Classified Staff scholarship.

6.0 Provost's Remarks. Provost Maxwell made the following remarks:

Ladies and Gentlemen the next item on our agenda is entitled "Provost's Remarks." Since this is the last opportunity for me to activate this agenda item the Provost's remarks on this occasion will be more extensive than they have wont to be. If this characteristic causes discomfort, perhaps you will find it eased by the fact that nothing the present Provost is likely to say is apt to strain your faculties (pun definitely intended).

Clemson University is an institution whose market niche is defined in terms of quality. Paramount among this quality of attributes, is the quality of its students. Maintenance of the quality of its students is threatened by demographics and by the escalating cost of tuition and fees. Financial aid, particularly scholarships, is not increasing pari passu with the cost of attendance. It needs to be made unmistakably clear and communicated to all that the first priority in raising funds must be attached to raising funds that can be immediately directed to scholarships. The distribution of fund raising resources should
not be determined by what is the easiest types of funds to raise nor should we genuflect before endowments. Lord Keynes aptly observed that in the long run we are all dead.

To attract the best students, we must have a greatly strengthened Honors Program. We must use for this purpose at least as much money as the state provides for the enhancement of the educational experience of our superior students; and departments must have more incentive to offer "Honors Only" sections. Finally, Honors admission must be tied unequivocally to the best Honors housing that we can provide. Athletic dorms may be "out" but Honors housing must be "in" if we are to compete for the better students. I refer those of you who do not realize the severity of the situation to the hillbilly song that says, "If you don't get the picture, you better read the writing on the wall."

I urge you not to spend a lot of time on a misdirected search for the Holy Grail of relative rates of growth of faculty administrators, clerical personnel, etc. To help you to avoid this pitfall, I'll go ahead and give you the conclusions that the most exhaustive of searches would reveal if we mounted such a search.

The smallest growth rate of all during the past decade is that of our clerical support personnel. Look around at all of our word processors and other technical apparatus and you will see why this is true.

The largest rate of growth has been among administrators. To understand why this is the case, you need to be familiar with the bureaucratic echo effect - sometimes called "BEE" - for short: not for the attributes we generally ascribe to the insect of the same name. As Washington, Columbia and Atlanta create more and more rules and regulations, they create a bureaucracy to administer these fetters. To conform with their outpourings, we are forced to increase our own bureaucracy - hence the bureaucratic echo effect. Much of the remainder of the growth in this area is due to increased services and amenities that changing circumstances have made necessities.

If you take the trouble to understand the peculiarities of our accounting system (which is not an initiative to undertake unless one has almost monastic dedication to the task) you will then believe me when I say that our faculty have grown at a healthy rate (in the neighborhood of 15-20%) in the last decade and that the most defensible student/faculty ratio is still about 16.5:1 - which compares favorably to most major public universities.

Let me put an explanatory note here for clarity so it will not be thought that I am arguing with the previous speaker, once removed. He referred to me as "passing" so I guess "once removed," John...The point is if we get our instructional funds
from the state, we then divide these funds into categories to
describe what you are doing. That is, part of it goes into the
120 account for teaching, straight instruction. A part of it
goes into the 130 account which is release time or unsponsored
research, and a part of it goes into the 149 account, which has
to do with departmental administration. Now, many of the
institutions in the state are less advanced than we in building
their accounting systems, and money that comes to them for
instructional purposes is all put into one account. Then the
Commission on Higher Education asks for data, for reports and we
can’t just spend all of our time telling them that the answer
they will get is not going to be what they think it is. That
would too big an undertaking and so we report back on 120, just
like everybody else does. But other folks’ 120, is often the
equivalent of our 120 plus our 130 plus our 149. That’s why the
student/faculty ratios cannot be taken as gospel in comparison
across from different institutions in the state. I still say
16.5:1 is a higher ratio than we have had. We are increasing the
ratio and I recognize fully, in fact I have been known to say it
before, that one can certainly drown in a pond that has an
average depth of two feet. You can have some terrible situations
occurring in terms of overloaded faculty despite the fact that
the overall ratio is not really that horrendous. The reason that
I urge you to desert this search for the Holy Grail is that it
can easily become divisive, particularly in times of tight
budgets. The degree of acrimony that accompanies division of the
pie tends to be inversely related to its size.

And a tight fiscal situation is a part of the legacy
that I leave. In the next few years solidarity is therefore
needed more than ever before. The best hope is that there will
be in South Carolina a unified front of college and university
presidents backed and supported in their efforts to maintain
their fragile cartel by their respective faculties and staffs.
Support of your president in this and other contacts will be
essential. If the cartel breaks, this will accelerate the
centralized control of our institutions by agencies that will
then have to move yet again to get more space for staffs that
increase exponentially and monotonically with the regulations
that they propound.

The image of Clemson University is based not only on
its academic excellence, but also upon its athletic prowess.
Usually, these are complimentary determinants. We must make
certain, however, that academic excellence is never compromised
in order to enhance athletic prowess. I remind you that bowls
are sometimes used to produce the most homely of haircuts.

As you know, fiscal and monetary policy has been
largely neutered in this country and foreign policy handicapped
because of the size of our deficits and the bail out that was
caused by a failure to remember Adam Smith's admonition that money is the province of the king. This situation sooner or later and/or a revival of OPEC is going to increase greatly the price of gasoline. When this happens, we are going to regret not having built bikeways even if they were nothing more than three foot asphalt strips beside the highways. What may well be coming is a situation where two wheels are better than four.

I'll leave off my sermons at this point to forestall a motion that I've gone to meddling and so that I can turn to the section on hymns of praise.

This is a fine university. You can measure its worth by many indicators, but the two most important are our students and our faculty. In both these dimensions, this is an excellent university and I urge you not to fall into the trap of generalizing from those observations that are way out past three standard deviations. Leave that proclivity to legislators and regulators who typically know no other way to reason. While there may be one professor in one hundred who is not as conscientious in his teaching as he should be, don't buy it when the critics maintain that research is at the expense of good teaching. That's an out-past-three sigma statement. More than three decades of experience in this industry have convinced me that it is enthusiastic teachers dedicated to their fields who are the best teachers, and it is being active in research that fans the flame of that enthusiasm. Those who add to the store of knowledge dispense the best merchandise from their shelves. Don't be discouraged by the present stringent financial situation. The state's economy is basically a strong one. We live on a vibrant industrial corridor that stretches from Charlotte to Atlanta, tourism will rebound both on the coast and in the mountains, and more and more retirees such as I will conclude that the real Valhalla must be somewhere near Walhalla.

Now my hymn of grateful praise. I appreciate the support that I have received from the faculty and staff, and the tolerance accorded me by my administrative colleagues. Since the extent to which I have received these graces obviously extends far beyond the magnitude that merit would warrant, I can only and easily ascribe the bulk of this support and tolerance to the generosity, patience, and forbearance of this particular academic community.

If what I've said sounds like a litany of tunes you've heard me sing before, remember it is easier to ride old horses than it is to straddle a swan.

Finally, I am optimistic because I leave this office in good hands. You will find my successor to be a warm and caring person who is concerned with the welfare of all members of this academic community, who is an egalitarian when it comes to matters that effect the human dignity of any individual, and who
will strive to ensure that Sikes Hall functions with dedication and the social consciousness that our basic calling demands. Thank you.

7.0 President’s Report. Today is David Maxwell Day. David, it’s not over. I can tell that David was genuinely surprised and I find it almost unbelievable that David didn’t even know about it. David, there are two additional items that we need to share with you, if you would join me. Clemson University is proud to honor William D. Maxwell with this commemorative certificate in recognition of twelve years of service and we point out, both loyal and faithful. When persons retire from our institution they receive this certificate, but David, yours is mounted.

From time to time when faculty retire, they are recognized with the special title Emeritus, and therefore, we have for you William David Maxwell, the official title of Professor Emeritus of Economics and Provost Emeritus and Vice President Emeritus for Academic Affairs.

You need to know that when I arrived at Clemson, David shared with me his deep conviction that the president should be in a position to select his academic vice president and provost. And I did. At that time David had an opportunity to go to another university in that capacity, a much larger institution, and obviously an institution that would pay more aggressively than we were paying at that time. But I asked David to please stay with us if there was any way in the world to work that out within his family and within his own desires because it was my opinion that he was the right person for the job because he had started something that needed to be finished. For that, David, we say thank you because of your deep conviction of the role of faculty and the role of students and the role of all the rest of us that support what faculty and students are supposed to be about. You have made an exciting difference. Those of you in the audience can now be assured that our staff meetings are indeed from time to time humorous because every day David shares some of his wisdom with us and he is quite bold and quite candid and very inciteful. A brilliant person, but one of the most compassionate individuals you will ever meet. Susan, I would like for you to stand and accept some of this thanks we are about to give. Extremely loyal, extremely supportive, David and Susan, from everyone at Clemson University, we say thank you.

I now need to comment on the search process to identify David’s successor. Ryan Amacher is here as Chair of the Search Committee. You’ve heard reports from various groups that wanted to be a part of that process and during that process those involved grew in number. Ryan, we appreciate the challenge that you faced as you worked with quite a large committee. But it was
in our dedication to be as open as possible in selecting the best person to give us the key leadership in the academic office that we wanted to respond to those requests and to do the best job we could in recruiting individuals to the pool of candidates. You need to know that when all of the information was in, from the committee and all other sources, (David Larson had worked with the staff and other key decision makers in Columbia and we had been assured that there would be no financial constraints, that is, there was a way to solve that problem so we were not encumbered) our two internal candidates ranked 1 and 2. So, Dean Charles Jennett would you stand and be recognized as our new Vice President for Academic Affairs and Provost.

It should be noted that when one examines the record carefully, our College of Engineering is on the move and those involved in that College are extremely supportive of Dean Jennett. Charles, we look forward to your bringing that same excitement and that same commitment to the entire university. We look forward to working with you and I'm delighted to know that David Maxwell will, in fact, be within reach and will be available to us for advice from time to time.

But I also have to recognize Dorie Helms and to make sure that all of us know that it's difficult to be an inside candidate. Those of you who have not enjoyed that experience, I can tell you it is indeed difficult. Your stock has risen significantly on this campus because of the process and because of who you are and what you mean to us. You should be quite proud that this campus is very supportive of you and your future, and we look forward to finding additional challenges for you as well. Thank you for assisting in this process and making it as good as it was.

One brief word about our financial condition. I want you to know how I appreciate how good you are in every way. I'm thinking principally, academically, but also in your ability to help us endure some difficult times. I think the most important thing I can say is that the report that we will receive from the state economic gurus on January 15 is going to be very important. That is, whether things are up, flat, or down will become extremely important to us as a university as we plan for the balance of this fiscal year and for the next fiscal year. You can tell through the newspapers that there is a priority on the part of leadership to do what they can regarding salary adjustments. It is a priority. A great deal will need to be done between now and the end of the legislative session. I can't tell you how important that economic report in January will be as to the outcome of the legislative session and the resulting impact to us. I can tell you that the South Carolina colleges are as unified as ever, and we have the commitment of a large number of business leaders to help us increase awareness and
support for higher education. It's going to be a very difficult train to keep on track as David point out, but it's one that we must do everything possible to keep on track and we need to keep it on track for several years. This is not a one time opportunity, but something we will have to work with for quite a while.

We are now to that point in our program today that reminds me that after a long program one day, the final and best speaker on the panel simply got up and asked, "are there any questions." So, do we have questions?

7.0 Questions_and_Answers

1) Professor Hare: It is our understanding that this past year's Clemson Scholars received full tuition, but that beginning this Fall that will no longer be true. Would you please comment about the possibility of restoring the program to full funding?

Dr. Lennon: The Clemson Scholars Program provides financial support in the amount of tuition. However, as we plan for next Fall, the letters that have gone or are going to the Clemson Scholar recipients indicate that our commitment is $2,000 rather than full tuition. That is true because of the enormously tight financial condition of the institution and our relative lack of success in developing private dollars in a sufficient amount to solve the problem. Given the enormity of the number of dollars involved, we concluded on the basis of recommendations to me from lots of people, that we would be better served simply by lowering the dollar figure slightly for one year. That's the recommendation that was presented to me and one that I accepted. It has received a lot of study and attention. Those of you who have concerns, please make sure that we know your opinion because it's important to know what you think about the Clemson Scholars Program.

2) Professor Jamison: In the Spring we are asked to sign a letter of reasonable assurance of future employment. In that letter the faculty is referred to as "contractual employees." Do we have a legally binding contract with Clemson University and if so, what is it?

Dr. Maxwell: You should receive each year a letter from your department head and/or dean that specifies the conditions of your employment for the following year. Now that contract is only a contract for one year. Technically and legally speaking, as I understand it, it is a one year contract and that is in accordance with the state rules and regulations.
You do not have a formal contract spelling out all the conditions and so forth, that's true. There is a contract even though it is not in the formal framework that you suggest. The letter that you receive from your administrator is a contract for a year.

Dr. Lennon: In recent years your letter of offer becomes very important in this circumstance in stating one's duties and responsibilities and your acceptance of that letter becomes a contract. Contracts and letters of offer could be something we want to talk more about through the appropriate committees and the Faculty Senate. David has given you, in my judgement, a correct interpretation as to what the state views as a contract.

3) Professor Waldvogel: Are there any plans for the new Provost to meet with individual groups on campus - may I suggest that he do that?

Dean Jennett: I expect sooner or later to meet with every dean and ask them how they would find it most convenient to speak with them (faculty), individually or in groups. I will take their advice. I will meet with you anytime or anywhere.

4) Professor Jamison: I would like to applaud Dr. Maxwell for his comments on bicycles. It influenced my decision to come here. I hope that we are moving back in that direction again.

Dr. Lennon: Thank you. We accept that point and we are impressed with your view of the modern institution and I couldn't agree more that this (bike paths) is an issue for us. It's very troublesome in many aspects because we in the university are responsible for the core campus and we need to deal successfully with that issue. But as you know, we are adjacent to a state highway and therefore, some other restrictions apply. Our dialogue with those highway officials has produced less than exciting results because they are not equipped, literally, to fund bike paths the way you and I envision them. Therefore, some of their restrictions may have to be removed before we can complete the package that all of us would envision. Be assured though that in our Master Plan this issue is included and David Maxwell has been one of your greatest proponents and his concern has been, is, and will be safety as well as economy. But safety is a big issue.

Let me again thank all of those who are in attendance today. We appreciate the fact that you care enough to come and have the chance to interact and to find out what's going on in
another parts of the university and to help us on this day to celebrate David Maxwell. I would like to applaud all of those who have been recognized because you are excelling and, therefore, create for us another role model. Personally, I would like to thank my friends in extension because you do provide a vital leadership role for the continual education process across this state. While traveling to and from Tokyo, I had a chance to read two books that I want to mention to you because on the cover of one it indicates that you will be different if you read the book, that is that you'll think differently. The title is The Work_of_Nations. It has to do with the global economy and the permanent change that is resulting because we are in a global economy. The author is Reish, a research economist at Harvard. The other book is The_Machine_that_Changed_the_World by Womack and colleagues at MIT. The book is a result of a five-year study of the global automobile industry, its history, its condition, and projections into the future. Those two books will convince you that the paradigm has shifted and we would be, indeed, very smart to make sure that we are paying very important attention to the strategic planning process at Clemson University. As we have said many times, strategic planning is nothing more or nothing less than applying one's strengths to the opportunities, in our case to the education marketplace. We are indeed fortunate because I am convinced that we are several years ahead of most of our competitors. Given this New World it is absolutely certain that surviving institutions in the next century will have planned strategically. It is no longer business as usual. But in the new environment there are so many large opportunities but one has to become comfortable in searching for those opportunities because they are indeed different. We in the university must identify early on those things that must not change because this is Clemson University - dedicated to quality, and dedicated to excellence. Ours is a changing world, and therefore, we must produce graduates that will become leaders in that changing world. We've had 102 years of very exciting history, lots of successes. What will it be like 100 years from now, will we have made the difference that is expected of us?

One of the differences with the current budget constraints is that it is so widespread and is being managed differently by so few. The opportunities for movement from one institution or one state to another aren't nearly as great as they were in previous economic interruptions. This recession is different and everywhere I go I hear that echo -- this one is different. Stassen Thompson chairs the Strategic Planning Committee and lots of people have become involved in that process but not everyone. I would urge you to seek every opportunity to get involved. Make it our plan, our priority. In so doing we'll make sure this institution establishes for itself the action
agenda that will guarantee excellence in the future. Congratulations for all those successes and thanks again for your endurance. Have a wonderful Christmas and New Year. Thank you.

9.0 Adjournment. The General Faculty Meeting adjourned at 11:30 a.m.

Gerald L. Waddle, Secretary

Cathy Toth Sturkie, Staff Secretary
DECEMBER 18, 1991

SUMMARY OF
"THE ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM ACT OF 1991"
(The Ethics Act)

The Ethics Act, which goes into effect on January 1, 1992, makes a number of significant changes to the South Carolina laws governing lobbyists and lobbying, the code of conduct for public employees, and the financing and conduct of campaigns for public office. This summary highlights the lobbyists and lobbying provisions and the code of conduct provisions of the Act.

The impact of the Act on Clemson faculty and staff is not yet clear. The Secretary of State and the State Ethics Commission are responsible for administering the Act, and opinions from these offices are needed to provide all public employees guidance as to the law's effect.

This summary has been prepared to alert faculty and staff to the enactment of this new law and to give them a general guide to its provisions. Complete copies of the Act are on reserve in the library. Please note that many questions faculty and staff will have about the Act will not be answered until the agencies administering the Act issue opinions and guidance.

Questions about the Act can be directed to Francis Canavan, Associate Vice President for Public Affairs, at 656-0275. The Office of Public Affairs will be monitoring opinions and other guidance offered by the state agencies administering the Act and will communicate that information to the campus.

Following are the highlights of the lobbyists and lobbying provisions and code of conduct provisions of the Act. References are to sections of the Act.

In addition, section 8-17-715 of the Act is copied in its entirety. This section governs the receipt of anything of value (including honoraria) and the reimbursement of expenses for speaking engagements.

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Lobbyists and Lobbying

The Act defines lobbying as "promoting or opposing through direct communication with public officials or public employees" the introduction or passage of legislation before the General Assembly or the taking of other official actions such as the writing of regulations. [2-17-10(12)]

A lobbyist is anyone who "is employed, appointed, or retained, with or without compensation, by another person" to lobby. [2-17-10(13)]

A lobbyist's principal is the "person on whose behalf and for whose benefit the lobbyist engages in lobbying and who directly employs, appoints or retains a lobbyist." [2-17-10(14)]

An individual who receives no compensation to engage in lobbying and who expresses a personal opinion on legislation or agency actions is not considered a lobbyist. [2-17-10(13)(a)]

Lobbyists and lobbyists' principals are prohibited from giving gifts to public employees except in certain circumstances. In addition, lobbyists and lobbyists' principals must register with the state and comply with a number of record-keeping requirements.

Gifts

1. A lobbyist cannot provide anything of value to a public employee unless it is furnished to a member of the general public under the same terms or at the same expense without regard to status as a public employee. (2-17-80)

2. A lobbyist's principal cannot provide to a public employee lodging, transportation, entertainment, food, meals, beverages, or an invitation to a function paid for by a lobbyist's principal unless it is offered to the entire body of which the public employee is a member. In no event may items provided exceed $25 per day or $200 per year per employee. (2-17-90)

Registration and Record Keeping  [2-17-20 thru 2-17-40]

1. Lobbyists and lobbyists' principals must register with the Secretary of State within 15 days of being employed/appointing a lobbyist.

2. Lobbyists and lobbyists' principals must maintain for four years comprehensive financial records pertaining to the lobbying effort, i.e., the names of anyone receiving income attributable to the lobbyist's lobbying as well as total expenditures for lobbying.

3. Lobbyists and lobbyists' principals must register annually with the Secretary of State by January 5.
4. Lobbyists and lobbyists' principals must file with the Secretary of State by April 1 and October 1 of each year a report covering any lobbying by the lobbyist during the reporting period. Included must be detailed account of amounts expended by the lobbyist during the covered period and details of any direct business association with any public official or employee. Excluded is any business action in which the fair market value is paid for goods transferred or services rendered.

5. Lobbyists' principals must report monies spent and to whom as a result of the lobbying effort, broken out by categories, such as, utilities, supplies, compensation for support staff.
Rules of Conduct

1. No public employee can knowingly use his employment to obtain an economic interest for himself or a member of his immediate family. This prohibition does not extend to the incidental use of public materials, personnel, or equipment that does not result in additional public expense. (8-13-700)

2. No public employee may use his position to influence a government decision in which he, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated has an economic interest. (8-13-710)

3. If in the discharge of his official responsibilities a public employee is required to make a decision which will affect his economic interest, he is to submit a written description of the situation to his supervisor who will then assign the matter to another person. A blind trust that has been disclosed to his supervisor does not constitute a conflict of economic interest. (8-13-710)

4. A person may not offer to a public employee and a public employee may not receive anything of value given with the intent of influencing the discharge of the public employee's responsibilities. (8-17-705)

5. Public employees required to file a statement of economic interest must include in the statement the receipt of anything of value from a lobbyist's principal. In addition, they must report the receipt of anything of value worth $25 or more a day or $200 or more in the aggregate in a calendar a year from any person if there is reason to believe: the person would not have given the thing of value but for the employee’s official position; the person has or is seeking to do business with the employee’s governmental entity; or the person’s business is regulated by the employee’s governmental entity. (8-13-710)

6. A public employee cannot accept money in addition to that received in his official capacity for advice and assistance given in the course of his official responsibilities. (8-13-720)

7. A public employee cannot use confidential information gained in the course of his official responsibilities to further the economic interest of himself, any member of his immediate family, an individual with whom he is associated, or a business with which he is associated. (8-13-725)

8. A person cannot serve as a member of a governmental agency that regulates any business with which he is associated. An employee of an agency that regulates a business with which the employee is associated must file a statement of economic interest. No person can be an employee of an agency that regulates a business with which he is associated if the relationship creates a continuing or frequent conflict with the performance of his official duties. (8-13-730)

9. A public employee cannot cause the hiring, promotion, transfer, or advancement of a family member to a state or local office or position which the public employee manages or supervises. Nor can a public employee participate in the discipline of the employee’s family member. (8-13-750)
10. A public employee cannot have economic interest in a contract with a governmental entity if he is authorized to perform official functions related to the contract. Official function means writing or preparing the contract specifications, acceptance of bids, award of the contract, or other action on the preparation or award of the contract. (8-13-775)

Disclosure of Economic Interests [8-13-1110 thru 8-13-1130]

1. No later than April 15 of each year, certain public employees (including at Clemson the president, vice presidents, director of purchasing, and director of procurement) must file with the State Ethics Commission a statement of economic interest for the previous calendar year.

2. Statements of economic interests are to include: information on governmental income; property holdings if they present a potential conflict of interest or if there have been any public improvements to the property in excess of $200; business interests if the filer owns or controls 5% or more of the business and the value of the interest is $100,000 or more; debts (but this does not include credit card or retail installment contracts, or debts from a commercial lender under terms generally available to the public; information identifying any immediate family member who is lobbyist and any individuals who are business associates with the filer; any compensation paid, and its source, to the filer by an individual or business which contracts with the governmental entity where the filer is employed; gifts or favors received if the value of the gift exceeds $25 or more a day or $200 or more in the course of a year and the filer believes he would not have received them but for his position, or if they were given from persons seeking a business relationship with the filer’s employer; and gifts from lobbyists’ principals.

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Honoraria and Reimbursement of Expenses for Speaking Engagements
(Section 8-13-715 of the Act)

The following section of the Act (with emphasis added) has created a great deal of uncertainty among public employees, particularly faculty and staff at state colleges and universities. The section prohibits a public official, public member or public employee acting in an official capacity from receiving anything of value for speaking before a public or private group.

The State Ethics Commission is issuing opinions today, December 18, that reportedly will help clarify this section. Of particular concern is the phrase "acting in an official capacity." It is only when the public official, public member, or public employee is acting in an official capacity that the prohibition against the receipt of anything of value applies. There is an exception to this prohibition that allows the reimbursement or payment of actual expenses incurred for a speaking engagement, but this exception applies only to public officials and public members, not to public employees.

The definition of a "speaking engagement" will also be very important in determining the scope of this section.

"Section 8-13-715. A public official, public member, or public employee acting in an official capacity may not receive anything of value for speaking before a public or private group. Notwithstanding the limitations of Section 2-17-90, a public official or public member may receive payment or reimbursement for actual expenses incurred for a speaking engagement. The expenses must be reasonable and must be incurred in a reasonable time and manner in which to accomplish the purpose of the engagement. If the expenses are incurred out of state, the public official or public member incurring the expenses must receive prior written approval for the payment or reimbursement from:

(1) the Governor, in the case of a public official of a state agency who is not listed in an item in this section;
(2) a statewide constitutional officer, in the case of himself;
(3) the President Pro Tempore of the Senate, in the case of a member of the Senate;
(4) the Speaker of the House, in the case of a member of the House of Representatives; or
(5) the chief executive of the governmental entity in all other cases."

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