

Birmingham-Southern College

FACULTY HANDBOOK

Approved by Board of Trustees on May 15, 2003
Amended/Approved by Board of Trustees on October 7, 2004
Amended/Approved by Board of Trustees on October 21, 2005
Amended/Approved by Academic Affairs Committee on April 10, 2007
Amended/Approved by Board of Trustees on May 9, 2008
Approved by Board of Trustees on May 8, 2009
Approved by Board of Trustees on January 27, 2012
Approved by Board of Trustees on February 8, 2014
Approved by Board of Trustees on May 7, 2015
Approved by the Board of Trustees on April 29, 2016
Approved by Board of Trustees on May 17, 2019
Approved by Board of Trustees on May 17, 2022

Endorsed by Faculty on May 12, 2003
Amended/Endorsed by Faculty on September 20, 2004
Amended/Endorsed by Faculty on October 17, 2005
Amended/Endorsed by Faculty on August 24, 2007
Amended/Endorsed by Faculty on May 6, 2008
Amended/Endorsed by Faculty on April 14 & May 5, 2009
Amended/Endorsed by Faculty on December 7, 2011
Amended/Endorsed by Faculty on January 8, 2014
Amended/Endorsed by Faculty on April 7, 2015
Amended/Endorsed by Faculty on April 5, 2016
Amended/Endorsed by Faculty on May 7, 2019
Amended/Endorsed by Faculty, June 24, 2020
Amended/Endorsed by Faculty, April 6, 2021
Amended/Endorsed by Faculty, May 10, 2022

TABLE OF CONTENTS

CHAPTER I: INTRODUCTION.....	1
A. STATUS AND ROLE OF THE <i>FACULTY HANDBOOK</i>	1
B. APPROVING AND MAINTAINING THE <i>HANDBOOK</i>	2
CHAPTER II. HISTORY, MISSION, GOVERNANCE, ADMINISTRATIVE ORGANIZATION, FACULTY ORGANIZATION.....	3
IIA. GENERAL OVERVIEW	3
II.A.1. <i>History and Charter</i>	3
II.A.2. <i>Accreditation/Memberships</i>	3
II.A.3. <i>The Physical Campus</i>	3
II.A.4. <i>Nondiscrimination Policy</i>	4
II.B. MISSION	4
II.B.1. <i>Mission Statement</i>	4
II.B.2. <i>Educational Opportunities</i>	4
II.C. GOVERNANCE	5
II.C.1. <i>Bylaws of Birmingham-Southern College</i>	5
II.C.2. <i>Board of Trustees</i>	5
II.D. ADMINISTRATIVE ORGANIZATION.....	5
II.D.1. <i>Office of the President</i>	5
II.D.2. <i>Office of Academic Affairs</i>	6
II.D.3. <i>Office of Institutional Research and Effectiveness</i>	8
II.D.4. <i>Office of Admission</i>	8
II.D.5. <i>Office of Financial Aid</i>	8
II.D.6. <i>Office of Student Development</i>	8
II.D.7. <i>Office of Advancement and Communications</i>	9
II.D.8. <i>Office of Finance and Operations</i>	9
II.D.9. <i>Office of Chief of Staff and Community Initiatives</i>	9
II.D.10. <i>Office of Religious Life</i>	10
II.D.11. <i>Athletics</i>	10
II.E. FACULTY ORGANIZATION.....	10
II.E.1. <i>The Faculty Role in Governance</i>	10
II.E.2. <i>Academic Areas and Departments</i>	11
II.E.3. <i>Service on Committees</i>	14
II.E.4. <i>Elected Committees of the Faculty</i>	14
II.E.5. <i>Appointed Committees of the College</i>	14
CHAPTER III: CONTRACTS, TENURE, PROMOTIONS, AND TERMINATIONS: FACULTY RIGHTS AND RESPONSIBILITIES.....	14
III.A. TYPES OF CONTRACTS	15
III.A.1. <i>New Faculty Appointments</i>	15
III.A.2. <i>Tenure Status</i>	17
III.A.3. <i>Status and Promotion in Rank of Professional Librarians</i>	18
III.A.4. <i>Full-Time Term Contracts (Non-tenured; Non-tenure-track)</i>	18
III.A.5. <i>Annual Contract Renewal</i>	23
III.B. PROCEDURES FOR DECIDING PROMOTION, TENURE, NON-REAPPOINTMENT, AND TERMINATION.....	24
III.B.1. <i>Pre-tenure Reviews</i>	25
III.B.2. <i>Procedures for Granting Tenure</i>	26
III.B.3. <i>Procedures for Granting Promotion</i>	29
III.B.4. <i>Non-Reappointment of Non-Tenured Faculty</i>	33
III.B.5. <i>Grievance Procedure</i>	33

III.B.6 Cause For Termination	35
III.B.7 Procedure For Termination For Cause	36
III.B.8 Discontinuance of an Academic Program or Department and Terminations Due to Educational Considerations	40
III.B.9 Declaration of Financial Exigency, Resulting Discontinuance of Programs and Departments, Reductions in Force, and Resulting Terminations	44
III.C. FACULTY EVALUATION	46
III.D. FACULTY DEVELOPMENT	46
III.D.1. Philosophy of Faculty Development	46
III.D.2. Sabbatical Leave	47
III.D.3. Working for Pay during Sabbatical	48
III.D.4. January Leave	49
III.D.5. Scholarly and Personal Leave	49
III.D.6. Summer Stipends	50
III.D.7. Professional Travel and Conferences	50
III.D.8. Named Chairs and Funding	50
III.D.9. Taking Courses at the College	51
III.D.10. The Bob Whetstone Faculty Development Award	51
III.D.11. David and Katy Smith Senior Faculty Award	51
III.D.12. New Faculty Mentors	51
III.E. WORKLOAD	51
III.E.1. Academic	51
III.E.2. Outside Employment/Consulting	52
III.E.3. Responsibilities Outside of the Classroom	52
III.E.4. Offices and Equipment	52
III.F. BENEFITS	52
III.F.1. Medical Insurance	53
III.F.2. Retirement	53
III.F.3. Life Insurance	53
III.F.4. Flexible Benefits Plan	53
III.F.5. Long-Term Disability Insurance	53
III.F.6. Institutional Benefits: Tuition Remission/Grants	53
III.F.7. Faculty Family and Medical Leave Policy	54
III.F.8. Other	54
III.G. COMPENSATION POLICIES, SALARY SCHEDULE, AND RATIONALE	54
III.H. EMPLOYMENT OF RELATIVES	54
CHAPTER IV: ACADEMIC POLICIES AND SERVICES.....	55
IV.A. TEACHING AND ACADEMIC ADVISING	55
IV.A.1. Teaching Methods	55
IV.A.2. Academic Advising	55
IV.A.3. Advising Mission Statement	55
IV.A.4. FERPA	55
IV.A.5. Student Referrals	57
IV.B. STUDENT EVALUATION	57
IV.B.1. Syllabi	57
IV.B.2. Tests	58
IV.B.3. Final Examinations	58
IV.C. GRADES	58
IV.D. GRADE APPEALS	59
IV.E. COURSE EVALUATION	60
IV.F. THE HONOR CODE	60
IV.F.1. Description of the Honor Code	60
IV.F.2. Examinations	61
IV.F.3. Out-of-Class Work	62

IV.F.4. Use of Old Quizzes and Papers	62
IV.F.5. Instructor's Interpretation	62
IV.G. CONVOCATIONS.....	62
IV.H. REGISTRATION.....	62
IV.I. DROPPING AND ADDING COURSES	62
IV.J. WITHDRAWALS.....	63
IV.K. CLASS ABSENCES.....	63
IV.L. LIBRARY AND INFORMATION SERVICES	63
CHAPTER V: ADMINISTRATIVE AND FINANCIAL POLICIES AND SERVICES	65
V.A. ACADEMIC PROGRAMS ASSISTANTS	65
V.B. TELEPHONES.....	65
V.C. SMOKING ON CAMPUS.....	65
V.D. TEXTBOOKS AND CLASS SUPPLIES.....	65
V.E. COMPUTERS FOR FACULTY.....	66
CHAPTER VI: STUDENT DEVELOPMENT POLICIES AND SERVICES.....	66
VI.A. COUNSELING	66
VI.B. CAREER SERVICES	66
VI.C. ORGANIZATION OF THE STUDENT BODY	66
VI.D. THE PUBLICATION BOARD.....	67
VI.E. STUDENT ORGANIZATIONS	67
VI.F. MULTICULTURAL AFFAIRS	67
VI.G. EXTRACURRICULAR ACTIVITIES.....	67
VI.H.1. Intercollegiate	68
VI.H.2. Intramural	68
VI.H.3. Individual Recreation & Fitness	68
VI.I. THE CHORAL PROGRAM.....	68
VI.J. ARTISTIC PERFORMANCES	68
VI.K. OTHER ACTIVITIES	69
VI.L. FACULTY INVOLVEMENT IN STUDENT LIFE	69
VI.M. ALCOHOLIC BEVERAGES	69
CHAPTER VII: EXTERNAL RELATIONS POLICIES	70
VII.A. POLITICAL ACTIVITIES.....	70
VII.B. DRUG-FREE WORKPLACE	70
VII.C. EXTERNALLY FUNDED GRANTS AND CONTRACTS	70
APPENDIX	72
APPENDIX A: TUITION REMISSION AND TUITION EXCHANGE POLICY.....	72
APPENDIX B: A STATEMENT OF ECUMENICAL AND INTERFAITH RESPECT.....	74
APPENDIX C: SEXUAL AND GENDER-BASED MISCONDUCT POLICY [ADOPTED BY THE BOARD OF TRUSTEES, OCTOBER 23, 2014].....	75
APPENDIX D: POLICY ON THE LEGAL AND ETHICAL USE OF TECHNOLOGY RESOURCES, ELECTRONIC MAIL, AND THE INTERNET	89
APPENDIX E: WEBSITE	90
APPENDIX F: CHARLES B. VAIL COLLEGE FELLOWS PROGRAM	91
APPENDIX G: FAMILY AND MEDICAL LEAVE POLICY	92
APPENDIX H: CONFIDENTIAL COMPLAINT PROCEDURE FOR REPORTING ON POTENTIAL FINANCIAL MISCONDUCT AT THE COLLEGE	95
APPENDIX I: GUIDELINES FOR FACULTY PROFESSIONAL DEVELOPMENT TRAVEL.....	96
APPENDIX K: FACULTY EVALUATION FORMS.....	103
APPENDIX L: FACULTY DIVERSITY RESOLUTION.....	104
RESOLUTION OF THE FACULTY MONDAY, 12 MAY 2003	105

CHAPTER I: INTRODUCTION

A. STATUS AND ROLE OF THE *FACULTY HANDBOOK*

The *Faculty Handbook* (also referred to as the *Handbook*) serves as a repository for procedures, guidelines, and information that may be important or useful for faculty members at Birmingham-Southern College to know. The *Handbook* should help orient new faculty members, and should provide continuing faculty members with a centralized place to seek guidance on issues that arise during the course of their employment.

Other important College publications include the College [Catalog](#), the [Student Handbook](#), and the [Staff Handbook](#). The *Faculty Handbook*'s contents, such as benefit and compensation policies, and descriptions of typical promotion paths, serve as guidelines, but the terms in each faculty member's individual contract with the College always take precedence over the *Handbook*. Care has been taken not to duplicate here the information that is provided in separate College documents such as the College Charter, College Bylaws, Faculty Constitution, and Faculty Bylaws, but to refer the reader to those documents where appropriate. The College Bylaws, the Faculty Constitution, and the Faculty Bylaws are available in the Library and in the Provost's Office, and are posted on the main page of the [BSC Intranet](#).

This *Handbook* as a whole is not an employment contract between the College and any faculty member. However, the procedural provisions of [Chapter III](#) parts A and B will ordinarily be incorporated by reference into each faculty member's individual employment contract.¹ The College is an equal opportunity employer and committed to compliance with applicable state and federal employment laws. The College has a policy of nondiscrimination in hiring, salaries, promotion, discipline, and employment termination on the basis of age, disability, race, color, religion, sex, national origin, sexual orientation, genetic information, or status as a protected veteran. Employee benefits provided by the College shall be governed by the terms of the benefit plan.

Each faculty member has an individual appointment letter and/or employment contract, the original of which is maintained in the personnel file of the faculty member in the office of the Provost. The provisions of Chapter III parts A and B of the *Handbook* establish procedures to be followed in a variety of circumstances involving individual faculty members. The procedural provisions of Chapter III parts A and B will, if incorporated by reference, be applicable to the

¹When the provisions of Chapter III are not explicitly incorporated by reference into the faculty member's individual employment contract and the faculty member requests application of the procedures of Chapter III, the College has the discretion not to apply those provisions. Only faculty members who are already tenured as of May 2003 have the option of not incorporating the *Handbook* procedures into his or her individual contract. In this event, although the College prefers that the faculty contracts incorporate these provisions, the College would follow its pre-existing guidelines and policies.

individual contract between the current faculty members and the College. Whether a particular procedural provision applies depends on the status of the faculty member and the particular category of contract or situation. In the event of a conflict between the faculty member's individual contract and the *Handbook* provisions in Chapter III parts A and B, the individual contract terms shall prevail in determining the respective rights and responsibilities of the faculty member and the College. If the College modifies the provisions of Chapter III parts A and B, the effect of such changes shall be prospective only, which means, for example, that the provisions applicable to a tenure-track faculty member will not change for that faculty member while they are on tenure track. Likewise, the provisions applicable to a tenured faculty member will not change while that individual is in tenure status. By implementing this *Handbook*, the College does not reduce, eliminate or otherwise alter its powers and authority under the College Charter, College Bylaws, or other governing instruments of the College.

Contents of the *Faculty Handbook* other than the procedural provisions of Chapter III parts A and B are regarded as College policies, practices, and guidelines that are subject to modification by the College in its discretion; it is not a contract. The College will not unilaterally modify the *Faculty Handbook* in a manner that would modify the individual contract of a faculty member. The College Charter and the College Bylaws govern the College but are not contracts between the individual faculty member and the College. With regard to the Faculty Constitution and Faculty Bylaws, the College recognizes these documents as embodying core values of the College, but they are subordinated to the College Charter and Bylaws and are not contracts between an individual faculty member and the College. The *Faculty Handbook* contains, among other matters, the College's organizational structure for the Faculty and the College's commitment to the AAUP guidelines for the Faculty's academic freedom, rights, and responsibilities, but these other documents are not contracts as between the individual faculty member and the College. These College documents are available online at the [BSC Intranet](#), in the College library, and in the Provost's Office.

B. APPROVING AND MAINTAINING THE *HANDBOOK*

The 2019 *Faculty Handbook* supersedes and replaces the prior *Faculty Handbooks* of the College. The Faculty, Administration, and Board of Trustees of the College have reviewed, endorsed, and/or approved this *Handbook* in spring of 2019. Throughout the year, the Provost's Office will keep track of changes that need to be made in the *Faculty Handbook*. Toward the end of each academic year (or more often, if necessary), the Provost will present the collected proposed changes to the Faculty Advisory Committee. The Faculty Advisory Committee will review proposed changes and then formally move in a faculty meeting that said changes be adopted. (All changes of whatever nature should be formally approved by the Faculty after review by the Faculty Advisory Committee.) After this, the electronic version of the *Handbook* can be updated.

CHAPTER II. HISTORY, MISSION, GOVERNANCE, ADMINISTRATIVE ORGANIZATION, FACULTY ORGANIZATION

II.A. GENERAL OVERVIEW

II.A.1. History and Charter

Birmingham-Southern College, hereinafter referred to as "the College," was created in 1918 by the merger of Southern University (founded in 1856 in Greensboro, Alabama) with Birmingham College (founded in 1898 in Birmingham, Alabama). The 1918 charter superseded the charters of the two parent institutions, but remained substantively the same. Ownership of the College is vested in the Board of Trustees, which is appointed by the Alabama-West Florida and the North Alabama Conferences of the United Methodist Church.

The Board of Trustees approved in 1973, amended in 1974, and updated in May 1998, October 1999, and October 2003, a set of [bylaws](#) to aid in the governance of the College. Also in 1974, the Board of Trustees and the United Methodist Church's North Alabama and Alabama-West Florida Annual Conferences approved a new Certificate of Incorporation under the terms of the Non-Profit Corporation Act of the State of Alabama. For purposes of law, the governance of the College is, therefore, by a corporation. The new charter, or Certificate, carries forward all privileges and immunities granted in earlier documents and incorporates them into one instrument.

II.A.2. Accreditation/Memberships

The College is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) (1866 Southern Lane, Decatur, Georgia 30033-4097; Telephone number 404-679-4500) to award Bachelor's degrees and by the University Senate of the United Methodist Church. Its music degrees and programs are accredited by the National Association of Schools of Music; its programs in teacher education are approved by the Alabama State Department of Education; its chemistry program is approved by the American Chemical Society. The College holds membership in the American Association of University Women, American Council on Education, Annapolis Group, Association of Alabama Independent Colleges and Universities, Association of American Colleges and Universities, Association of Governing Boards of Universities and Colleges, Campus Compact, Council for Advancement and Support of Education, Council of Independent Colleges, General Board of Higher Education and Ministries, National Association of College and University Business Officers, National Association of Independent Colleges and Universities, National Association of Schools and Colleges of the United Methodist Church, and the National Collegiate Athletic Association. The College is a member of the following consortia: the Associated Colleges of the South and the Birmingham Area Consortium for Higher Education. It is a sheltering institution for Alabama Beta of Phi Beta Kappa.

II.A.3. The Physical Campus

The College owns and occupies one hundred ninety-two acres, situated adjacent to the College Hills, the Bush Hills, and the Graymont neighborhoods of western Birmingham, Alabama. The

occupied portion of this property is divided into three distinct College areas: the Owen instructional quadrangle, the recreational facilities, and the residential area. The residential area includes Greensboro Road, on which faculty and staff members are eligible to purchase housing.

II.A.4. Nondiscrimination Policy

Birmingham-Southern College does not discriminate on the basis of race, color, national origin, ethnic origin, sex, sexual orientation, age, disability, genetic information or status as a protected veteran in employment or the rights, privileges, programs, and activities generally accorded or made available to students at the school, administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other school-administered programs. Birmingham-Southern College does not discriminate with respect to students on the basis of religion, but consistent with its Methodist heritage and affiliation, may provide additional aid and options to individuals of particular religions. This statement of non-discrimination applies to educational programs, educational policies, admissions policies, educational activities, employment, access and admission, scholarship and loan programs, and athletic and other school-administered programs. Birmingham-Southern College is exempt from the religious discrimination provisions of Title VII of the Civil Rights Act of 1964 pursuant to 42 U.S.C. Sections 2000e-2(a) and 2000e(j).

Any persons having inquiries concerning compliance with implementation of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disability Act of 1990 or other civil rights laws should contact one of the following individuals, whom BSC has designated to handle inquiries regarding non-discrimination policies: Title IX Coordinator, David Eberhardt, Vice President for Student Development, Norton Campus Center, Room 230, 205-226-4722; Section 504 Coordinator/Disability Access and Accommodation, Sandra Foster, Assistant Director of Accessibility Services, 205-226-7909; or EEO/ AA Officer, Susan Kinney, Vice President for Human Resources and Risk Management, Munger Hall, Room 308, 205-226-4645.

II.B. MISSION

II.B.1. Mission Statement

Birmingham-Southern College prepares men and women for lives of significance. The College fosters intellectual and personal development through excellence in teaching and scholarship and by challenging students to engage their community and the greater world, to examine diverse perspectives, and to live with integrity. A residential, baccalaureate liberal arts institution, Birmingham-Southern honors its Methodist heritage of informed inquiry and meaningful service.

II.B.2. Educational Opportunities

Apart from its own offerings, the College strives to enrich students' education by allowing approved studies to be taken at specified neighboring institutions, particularly where such studies

complement campus offerings in major and allied fields. Through the Birmingham Area Consortium for Higher Education (BACHE), students may take approved courses at the University of Alabama at Birmingham, the University of Montevallo, Miles College, and Samford University. Students, Faculty, and Staff have access to libraries of the BACHE institutions, as well.

The College encourages undergraduate research and scholarship through contract-learning opportunities and fosters faculty/student collaboration in research, scholarship, and teaching through the Charles B. Vail College Fellows Program. A student may receive academic credit or a tuition scholarship if selected as a Vail Fellow. For more information, see [Appendix F](#). The College provides a number of opportunities for students to present their scholarly research and creative productions, including the campus-wide Honoring Scholarship Conference on Honors Day and various Senior Capstone experiences throughout the academic year, as well as through the campus publications *Quad*, *The Southern Academic Review*, and *Compass*. Students may also pursue presentation opportunities in broader settings such as the National Conference of Undergraduate Research, the ACS Women's Studies Conference, the ACS Environmental Studies Conference, the Latin American Studies Symposium, Southern Regional Honors Council Conference, and other regional or national conferences or publications that accept undergraduate work.

II.C. GOVERNANCE

II.C.1. Bylaws of Birmingham-Southern College

The [Bylaws of Birmingham-Southern College](#), which aid in the governance of the College, were adopted in 1973, amended in October, 1974, and updated in May, 1998, in October, 1999, in October, 2003, in May, 2008, and in May 2019.

II.C.2. Board of Trustees

Ultimate authority at the College is vested in the Board of Trustees, whose membership and functions are detailed in Articles II-V, VIII, and X of the [College Bylaws](#).

II.D. ADMINISTRATIVE ORGANIZATION

Administrative Structure

Serving under the President are several officers, one for each major area of administration. The functions of the principal administrative officers are summarized below.

II.D.1. Office of the President

President

The President is elected without stated term by the Board of Trustees and is the chief executive officer of the corporation. Although faculty members normally take their problems and suggestions to those holding administrative responsibilities under the President, they should feel

free to consult with and advise the President. All administrative staff and faculty members are directly or indirectly responsible to the President. The President's powers and responsibilities are detailed in Section 4.7 of the [College Bylaws](#).

Senior Staff

Members of the Senior Staff are the President, Provost and Vice President for Academic Affairs, Associate Provost, Chief of Staff and Vice President for Community Initiatives, Vice President for Business and Finance/Chief Financial Officer, Vice President for Advancement and Communications, Vice President for Enrollment Management, Vice President for Information Technology, Vice President for Student Development, and the Director of Communications. With the exception of the week that the President's Council is convened, Senior Staff meets weekly.

President's Council

The President's Council is composed of the Senior Staff, Director of Athletics, Director of Institutional Research and Effectiveness, the academic Area Chairs, the Faculty Advisory Committee, and the Staff Advisory Council. The President's Council meets monthly. The members of the President's Council are appointed by the President.

Executive Assistant to the President

The Executive Assistant to the President coordinates and implements many of the activities originating in the President's Office.

II.D.2. Office of Academic Affairs

Provost and Vice President for Academic Affairs

The Provost of the College is the principal academic officer of the College. The Provost is appointed by the President after consultation with the Faculty. The decision of the President is final. The Provost represents the administration in working with the Faculty to establish and maintain acceptable standards for student academic performance, revise the curriculum, and oversee the total academic life of the College. The Provost represents the Faculty in the preparation of the annual operating budget as a member of the Budget Committee and in other areas of College policy-making in which the Faculty is not otherwise directly represented. The Provost has been designated by the President to preside at faculty meetings, in accord with the President's powers listed in Section 4.7 of the College Bylaws.

The Provost works with Area Chairs, Department Chairs, and the Promotion and Tenure Committee to recruit and recommend the appointment of new members of the Faculty to the President. Working with appropriate committees of the Faculty, the Provost also recommends to the President promotions in rank, the granting of tenure, and the granting of sabbatical leaves. The Provost joins with the Faculty Advisory Committee in making appointments to Faculty on Committees of the College. The Provost joins with the President in designating increases in salary and overseeing the total development of the Faculty. The Provost assigns faculty members' offices in conjunction with the Area Chairs and Department Chairs and maintains personnel files on each faculty member.

Provost's Cabinet

The Provost meets regularly with the Provost's Cabinet to direct the academic program of the College and to coordinate academic policies and procedures. The Provost's Cabinet includes the Associate Provost, the Assistant Provost, the Director of the Library, the Registrar, the Degree Audit Specialist, the rise3 Director, and the four Area Chairs. Additional members may be appointed by the Provost.

Academic Policy Council

The Provost may also convene the members of the Academic Policy Council (made up of the Associate Provost, the four Area Chairs, and the six elected members of the Faculty Advisory Committee) to discuss broad issues of collegiate concern.

Associate Provost

The Associate Provost collaborates with the Provost in the management of the academic program of the College. The Associate Provost authorizes the budget for faculty travel and serves as co-chair of the Budget Advisory Committee.

Assistant Provost

This individual aids the Provost with the administration of the College's academic program, with a special focus on areas of student academic support.

Registrar

This individual is responsible for the work of the Records Office, including the integrity of all academic records and transcripts, registration, and graduation.

Director of the Library

On behalf of the Provost, the Director of the Library oversees the budgets and personnel of the College library. This individual administers the library's acquisitions procedures, maintains the College's stock of audio-visual equipment, and operates the College's library information system.

Chair of Engaged Learning Programs

The Chair of Engaged Learning Programs represents the Bunting Center, Hess Center, Sklenar Center, and the Office of Exploration Term and Contract Learning in matters of institutional policy and strategic planning. This person is responsible for developing and reviewing budgets for Engaged Learning programs and also coordinates assessment, conducts performance evaluations, and promotes collaboration between the Engaged Learning programs and with the academic community at large. The Chair of Engaged Learning Programs serves as a de facto fourth Area Chair.

Director of Exploration Term and Contract Learning

This individual is responsible for the Exploration Term Program and for individualized study contracted between a student and a faculty member. Additional responsibilities include serving as an *ex officio* member on the Exploration/Contract Learning Committee and in an advisory capacity to the Provost.

Director of the Hess Center for Leadership and Service

The Director of the Hess Center for Leadership and Service organizes the Distinction in Leadership Studies Program, as well as overseeing Hess Fellowships and other related programs.

Director of the Bunting Center for Engaged Study and Community Action

The Director of the Bunting Center coordinates the College's service-learning programs.

Associate Director of the Sklenar Center for International Programs

This individual coordinates the College's international efforts for students and faculty members and for prospective and matriculating international students.

Director of Rise 3 Program

The Director leads and coordinates the College's Quality Enhancement Plan, rise3, in collaboration with Engaged Programs and the Rise3 Advisory Committee.

II.D.3. Office of Institutional Research and Effectiveness

Director of Institutional Research and Effectiveness

The Director of Institutional Research and Effectiveness is responsible for coordinating and leading multiple initiatives to ensure the College meets its educational mission, with specific focus on the assessment of student learning and accreditation efforts.

II.D.4. Office of Admission

Vice President for Enrollment Management

The Vice President for Enrollment Management works with the admission counselors and other staff members to recruit new students to the College and supervises the awarding of financial aid.

The **Admission Counselors** manage geographic territories to develop a network of recruiters and alumni to assist in the recruiting process.

II.D.5 Office of Financial Aid

Director of Financial Aid

The Director of Financial Aid oversees the College's financial aid program, to include scholarships, grants, Federal and College work-study awards, loans, and all other federal and state programs. This office processes all applications for financial aid and makes all awards.

II.D.6. Office of Student Development

Vice President for Student Development

The Vice President for Student Development is responsible for the supervision and coordination of the Student Development area, and is responsible for providing, leadership and management oversight to all Student Development programs and services; counseling services, residence life programming and services, career services, physical fitness and recreation, judicial affairs, student government and Greek life.

Associate Dean of Students

The Associate Dean of Students serves as the primary individual responsible for handling student conduct issues and responding to critical student incidents. This dean also oversees the Office of Residence Life.

Assistant Dean of Students

The Assistant Dean of Students directs Student Life programs, including Student Activities, Student Organizations, and Greek Life. They are also responsible for first year and parent programming.

Director of Residence Life

The Director of Residence Life coordinates all aspects of campus housing. This includes the selection, training, and supervision of the housing staff; supervision of residence life discipline; and the coordination of residence hall room assignments and changes.

II.D.7. Office of Advancement and Communications**Vice President for Advancement and Communications**

The Vice President for Advancement and Communications is responsible for coordinating all fund-raising efforts of the College and for helping present an appropriate image of the College to the public. With the President, this officer designs and implements capital gifts programs as needed. The Vice President for Advancement and Communications also provides the leadership for an active alumni program.

Director of Development

This position works with the Vice President for Advancement and Communications to develop and implement a plan to raise funding for the College.

II.D.8. Office of Finance and Operations**Vice President for Business and Finance/Chief Financial Officer**

The Vice President for Business and Finance/Chief Financial Officer reports to the College President and is responsible for managing the financial operations of the College, the Office of Human Resources; the College's grounds; maintenance and operations; bookstore; food services; and postal and printing services.

II.D.9. Office of Chief of Staff and Community Initiatives**Chief of Staff and Vice President for Community Initiatives**

The Chief of Staff and Vice President for Community Initiatives is responsible for the College's facilities, food services, and campus police, and serves as the liaison with the Birmingham community and external partners.

II.D.10. Office of Religious Life

Chaplain

The Chaplain is responsible for student religious life on campus, assists in providing regular worship services for the College community, and works with student groups interested in religious topics or in areas having relevance to students' attitudes and values. It is the responsibility of the Chaplain to enhance the connection and integration of the Office of Religious Life into BSC's overall student life programming. The Chaplain also offers pastoral services and counseling to students, as well as Faculty and Staff.

Director of Church Relations

The Director of Church Relations is responsible for relating the North Alabama Conference and the Alabama-West Florida Conference of the United Methodist Church to the College in meaningful ways. The Director is responsible for public relations and fund-raising efforts in and through churches in both Conferences and with United Methodist individuals. This individual also develops programs for clergy and laity, meets with United Methodist higher education boards and committees, and helps students, as well as faculty and staff members respond to the church in various avenues of service.

II.D.11. Athletics

Director of Athletics

The Director of Athletics is responsible for the coordination of the athletic program of Birmingham-Southern College.

II.E. FACULTY ORGANIZATION

The Faculty is guided by the [College Bylaws](#) and the [Faculty Constitution](#) during all its deliberations. This 2019 revision of the *Faculty Handbook* is meant to consolidate all amendments and changes made since 2016. This 2019 revision will supersede any previous version of the *Faculty Handbook*.

II.E.1. The Faculty Role in Governance

The College strongly supports the principles set forth in the American Association of University Professors' "[1940 Statement of Principles on Academic Freedom and Tenure \(with 1970 Interpretive Comments\)](#)" and the "[Statement on Government of Colleges and Universities](#)" (adopted in 1966 and amended in 1990). Furthermore, the College seeks to realize these principles by establishing guidelines, organizing bodies, and implementing procedures that safeguard and promote the role of the Faculty in managing the academic program of the College. The College and its Faculty are not bound, however, by the above-named statements or the interpretations of them reflected in policies and procedures by the AAUP and other external organizations.

The College affirms that the role of the Faculty in the institution is of particular significance. The "Statement on Government of Colleges and Universities," jointly approved or adopted by the

American Council on Education, the Association of Governing Boards of Universities and Colleges, and the American Association of University Professors, speaks to this role. Birmingham-Southern follows the philosophy and practices of this Statement. The Statement calls for “an agency . . . for the presentation of the views of the whole Faculty.” At Birmingham-Southern, this role is officially designated to the Faculty Advisory Committee of the College. Informally, the elected committees often meet together to discuss issues of concern to the corporate Faculty. The elected committees then communicate their views to the administration and to the Faculty at official faculty meetings or by e-mail. Representatives of the four elected committees act formally to represent the Faculty when there is consideration of, or cause for, program discontinuance or when a financial exigency may be imminent or has been found to exist. The procedures for establishing a Faculty Review Committee are set forth in section [III.B.8.b](#).

II.E.2. Academic Areas and Departments

The Faculty is organized into three interdisciplinary Academic Areas: The Wightman Area, including the departments of Biology, Psychology, Philosophy, Religion, Art and Art History, and Urban Environmental Studies; the Lupton Area, including the departments of Chemistry and Physics, Music, Education, History, and Political Science, Economics, and Sociology; and the Wadsworth Area, including the departments of English, Mathematics, Business, Modern Foreign Languages, Theatre, and Media and Film Studies.

Each Academic Area is supervised by an Area Chair. The Chair of Engaged Learning Programs serves as a fourth Area Chair.

Area Chairs (Wightman, Lupton, and Wadsworth)

a. Appointments and Terms:

Area Chairs are nominated by the Faculty in their respective Areas and are appointed by the President upon the recommendation of the Provost, in consultation with the Faculty Advisory Committee. Area Chairs typically serve four-year terms, beginning on June 1 and may serve only a single consecutive term as Area Chair. In order to serve the College as an Area Chair, a faculty member will have served previously as the Chair of an Academic Department or have other comparable administrative experience.

b. Duties

1. Area Chairs work with Department Chairs and the Office of Records to complete course planning sheets and academic schedules for each term.
2. Area Chairs write all pre-tenure reviews and summary evaluation letters for continuing tenured faculty members, and meet with faculty members and Department Chairs as part of the faculty review process.
3. Area Chairs work with Department Chairs to update and revise departmental guidelines for scholarship and creative work, as well as academic program mission statements and

objectives.

4. Area Chairs serve on the Provost's Cabinet and lead regular meetings of their Area.
5. Area Chairs communicate and provide feedback on faculty and academic issues in weekly meetings with the Provost.

Area Chair (Engaged Learning)

a. Appointment and Term

The Engaged Learning Programs Chair is a four-year, renewable appointment recommended to the President by the Provost. The Engaged Program consists of the Bunting Center, the Hess Center, the Sklenar Center, and the Office of Exploration term and Contract Learning. The ELP Chair reports to the Provost.

b. Duties

1. The ELP Chair serves on the Provost's Cabinet and provides a voice for Engaged Programs and related learning areas in institutional policy and strategic planning.
2. The ELP Chair works with the Engaged Learning Program Directors to develop and review budgets.
3. The ELP Chair conducts annual reviews of directors of the Engaged Learning Program.
4. The ELP Chair facilitates collaboration among Engaged Programs (the Bunting Center, the Hess Center, the Sklenar Center, and the Office of Exploration term and Contract Learning) and other programs and College constituencies as necessary.
5. The ELP Chair supervises and coordinated assessment of student learning and measures of organizational effectiveness within the Engaged Learning programs.
6. The ELP Chair works closely with program directors to complete course planning sheets and academic schedules where appropriate. Coordinates schedules with the Area Chairs and the Provost's Cabinet.
7. The ELP Chair assists directors in maintaining a presence and distinctive identity for Engaged Programs.

Department Chairs

a. Appointments and Terms

Department Chairs shall be appointed for a term, beginning on June 1, of one to three years by the Provost in consultation with the Department. Chairs may serve multiple terms.

b. Duties

Department Chairs work with the Area Chairs and the Provost's Office to ensure that the College maintains and develops viable, forward-thinking academic programs. Specific responsibilities include the following:

1. Department Chairs, working with the Area Chairs, develop departmental class schedules and help coordinate the College class schedule to reduce conflicts and ensure equitable distribution of courses.
2. Department Chairs direct the development of departmental budgets and serve as the initial level of approval and responsibility for the expenditure of budgeted departmental funds.
3. Department Chairs direct the assessment of the academic program in each of their departments and completing the annual Departmental Assessment Report. They work with department faculty to ensure that actionable assessment results inform departmental practice and curriculum change.
4. Department Chairs monitor each term department members' submission of syllabi to academic assistants and submission of credit calculator forms for new courses.
5. Department Chairs oversee the hiring, mentoring, and support of adjuncts for the department.
6. Department Chairs direct faculty searches within the department and work with the Provost and the Promotion and Tenure Committee to help ensure that the most qualified candidate available is hired while being mindful of diversity.
7. Department Chairs write departmental summaries for faculty members undergoing second-year and fourth-year review and for candidates who are being considered for tenure and promotion. They also write evaluations of non-tenure-track faculty and staff who directly support the department.
8. Department Chairs work with the Registrar to ensure that departmental catalog revisions are made as necessary and by the designated deadlines.
9. Department Chairs assist new faculty members in becoming familiar with the College's teaching, advising, scholarship, and service expectations, as well as the College calendar and unit system.
10. Department Chairs participate in student recruitment through conversations with prospective students and parents, assistance in preparation of public relations materials, and other coordination with the Office of Admission and Office of Communication.
11. Department Chairs prepare and justify requests for student assistants, and arrange for the monitoring of their activities and approval of their time sheets.

12. Department Chairs serve as the first formal contact for students who want to express concerns about curriculum, course scheduling, teaching, grading, and advising, and a variety of other student requests.
13. Department Chairs call meetings of their departments and consult with members of the department in fulfilling the duties described above.

II.E.3. Service on Committees

The Faculty shall be organized into elected and appointed committees as stipulated in the [College Bylaws](#) VI.3, [Faculty Constitution](#) IV, and [Faculty Bylaws](#) II. Members of committees serve routinely from August 15 to August 14 of each year.

II.E.4. Elected Committees of the Faculty

There are four elected committees: Faculty Advisory, Promotion and Tenure, Faculty Development, and Curriculum and Standards. The membership and areas of concern for these committees are detailed in Articles III, IV, V, and VI, respectively, of the [Faculty Bylaws](#).

II.E.5. Appointed Committees of the College

Each year the Provost, in consultation with the Faculty Advisory Committee, appoints committees to serve various functions. See the [Faculty Constitution](#) IV.2. for a general statement of the powers of these committees. The following is a representative list of the types of committees that are appointed and charged every year: Admissions and Enrollment Management Committee, Health Professions Advisory Committee, Exploration Term/Contract Learning Committee, Harrison Honors Committee, and Academic Advising Committee.

Additionally, *ad hoc* committees and task forces may be appointed from time to time to address specific needs that may arise. These committees will be included in the consideration of a faculty member's workload. Every endeavor will be made to limit total committee service to one per eligible faculty member in any given term.

CHAPTER III: CONTRACTS, TENURE, PROMOTIONS, AND TERMINATIONS: FACULTY RIGHTS AND RESPONSIBILITIES

Subparts A and B of this Chapter of the *Faculty Handbook* state the rules and procedures governing the employment of full-time members of the Faculty of Birmingham-Southern College including appointment, reappointment, tenure, promotion, non-reappointment, and termination for cause. These rules and procedures are official policy of the College and full-time faculty members, whose individual contracts so state in explicit terms, may rely on the applicable procedures of subparts A and B of this Chapter as part of the employment contract between the College and the faculty member. The College commits not to change the rules and procedures in this Chapter without

consulting the Faculty Committee on Promotion and Tenure.² The College will not unilaterally modify subparts A and B of Chapter III in a manner that would modify the individual contract of a faculty member.

III.A. TYPES OF CONTRACTS

The College will enter a written employment contract with all persons hired by the College as full-time faculty members. The agreement will provide the individual terms of employment including compensation, contract category, benefits, and other essential terms. The faculty member's individual contract and, if explicitly incorporated therein by reference, the procedures provided in this Chapter shall govern the legal relationship between the faculty member and the College. Joint faculty-staff person appointments are not issued by Birmingham-Southern College. In exceptional circumstances where a person is to be hired to serve both as a faculty and a staff member of the College, two separate contracts are issued, and such contracts are only issued after consultation with the Promotion and Tenure Committee of the Faculty. Part-time and/or adjunct faculty and staff personnel of the College shall not be governed by the rules and procedures of this Chapter and shall be either terminable at will or governed solely by the terms of an individual written agreement, if any, with the College.

III.A.1. New Faculty Appointments

Appointments to the Faculty begin with a search for qualified candidates. Announcements concerning the College's search appear in the appropriate professional publications and/or websites. Applicants are asked to submit a curriculum vitae and references to the appropriate Department Chair or the Provost of the College. Application materials are reviewed by the Search Committee, and the Search Committee's recommendations for interviews are forwarded to the Provost. The Provost then approves the extension of invitations to candidates for campus interviews. The Department Chair is responsible for initiating the search for new members of his or her Department and arranging for on-campus interviews. Funds for the recruitment of faculty members are available and are administered through the Provost's Office. Following these interviews, the Search Committee presents its recommendations to the Provost. The Provost makes the final recommendations to the President.

All appointments to the Faculty of the College are made by the President upon the recommendation of the Provost. The Provost recommends appropriate rank and salary for the candidate to the President, who then writes a letter of appointment to the candidate. This letter of appointment shall serve as the first contract between the College and the new faculty member, supplemented by the applicable procedural provisions contained in subparts A and B of Chapter III of this *Handbook*. After the initial appointment, the College will present a contract annually to each faculty member who will teach during the next year. The rules and procedures provided in

² Faculty members whose individual employment contracts do not explicitly incorporate the provisions of Chapter III of the 2003 *Faculty Handbook* shall be subject to the pre-existing guidelines and rules of the College.

reference to applicants and recruitment are for the benefit of the College and shall not inure to the individual benefit of any person not hired or who does not enter a written contract with the College.

Fingerprints

The Alabama Child Protection Act of 1999 requires all new employees who work, unsupervised, with any person under the age of nineteen to have a criminal background check. They must be fingerprinted and sign a written consent form permitting the criminal background information check to be done. Birmingham-Southern College Campus Police handles the fingerprinting. The State Department of Education provides a determination of suitability and informs the College. Anyone refusing to submit to being fingerprinted will not be hired and will not have the benefit of the procedures or remedies of this Chapter.

III. A.1.a. Definitions

The following definitions apply to the provisions of Chapter III.

- a.i. Tenured Appointments: Tenure means the faculty member's employment shall not be terminated or academic rank reduced except in accordance with [Sections III. B.6.](#) and [III. B.7.](#) and their subparts.
- a.ii. Tenured and Tenure-Track Appointments: All tenure-track (probationary for tenure) or tenured faculty position appointments are full-time. Except for special appointments clearly designated as such at the outset in a written contract, all full-time faculty appointments are either probationary for tenure ("tenure-track") or with tenure. All faculty members who are probationary for tenure are considered to be on an annual appointment (i.e., eligible for reappointment), unless the individual employment contract provides otherwise. Tenured and Tenure-Track Appointees may vote as faculty members.
- a.iii. Full-time Term Appointments: Full-time faculty members who are not tenured and not on tenure track will be on a term contract. This classification is discussed more fully below in section [III. A.5.](#) Full-time term appointees may vote as faculty members.
- a.iv. Part-time Appointees/Adjunct Faculty: Faculty members who teach less than a full-time course load and/or perform less than full-time faculty responsibilities shall not be covered by the rules and procedures of Chapter III and are considered terminable at will. Part-time and adjunct faculty members shall not have the right to vote as faculty members.

III.A.2. Tenure Status

It is the policy of Birmingham-Southern College to adhere to the principles of academic freedom and tenure expressed in the “[1940 Statement of Principles on Academic Freedom and Tenure](#)” agreed upon by representatives of the Association of American Colleges and the American Association of University Professors, and subsequently endorsed officially by their respective associations and by numerous other organizations within the profession. The AAUP Statement reads, “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.”

In the interpretation of this principle it is understood that the following represents acceptable academic practice:

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. 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.
- 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.

For more information on the AAUP guidelines please refer to:
(<http://www.aaup.org/AAUP/pubsres/policydocs/contents/1940statement.htm>).

During the final year of a tenure-track probation period, the tenure-track professor will be considered for tenure, and, if tenure is granted, his or her service should be terminated only for adequate cause, or under extraordinary circumstances because of financial exigencies. When tenure is granted, the next annual contract will indicate that the faculty member has tenure status. Appointment to tenured status in the Faculty may be granted to a strictly limited number of individuals who lack the terminal degree of their disciplines, but who bring to the College great

skills and high abilities by their proven performance in a distinguished career. Such appointments to tenure shall be the exception and not the rule.

Faculty members should have a corresponding feeling of responsibility to the College. A member who plans to leave the College should feel obligated to notify the administration as soon as practical and never later than fifteen days after the faculty member receives notice from the College of the terms of his or her continuing appointment the following year.

III.A.3. Status and Promotion in Rank of Professional Librarians

In accordance with the Association of College and Research Librarians statement on "[The Terminal Degree for Academic Librarians](#)," a Master's degree in library and information science from an American Library Association-accredited graduate school shall be the terminal degree for academic librarians. All librarians must hold the terminal degree.

The Director of the Library will hold tenure-track faculty status and be appointed at the rank of Assistant or Associate Professor in accordance with relevant professional experience and demonstrated professional performance.

Faculty positions at the rank of Visiting Assistant Professor of the Library, Assistant Professor of the Library, Associate Professor of the Library, and Professor of the Library are described in section III.A.4.b.

In the case of non-reappointment, at the discretion of the Provost, the College may either allow the librarian to continue to fulfill the librarian's appointment duties during the second year of the two-year appointment, or the College may terminate employment immediately and pay the librarian a lump sum equal to the salary and retirement benefits contributions, if any, that would be due during the second year of the appointment, and reimburse the librarian for the actual, out-of-pocket cost of health insurance continuation coverage for the remaining appointment term.

In the event of a termination for cause prior to the end of contract term, the faculty member with a term contract may use the [III.B.7.](#) review procedure.

Librarians may teach courses with the permission of the Provost and the Director of the Library.

Librarians will be called upon for service on faculty committees and special task forces, hold a place on the Curriculum and Standards Committee, and may be elected to the Faculty Advisory Committee. The Director of the Library, as a tenured or tenure-track member of the Faculty, may also be eligible for election to the Faculty Development Committee, and the Faculty Committee on Promotion and Tenure.

III.A.4. Full-Time Term Contracts (Non-tenured; Non-tenure-track)

The terms of the full-time term contract shall govern the relationship between the College and the particular faculty member as defined by the following positions:

a. **Lecturer**

1. An instructor position with an emphasis on teaching, 9-month contract eligible for proration over 12 months, voting member of the faculty. Considered a long term position. If filling a temporary vacancy, refer to Visiting Lecturer or Visiting Assistant Professor.
2. Shall be covered under the same benefits as full-time tenure-track faculty, including, but not limited to, retirement benefits, health coverage, and Family or Medical leave.
3. The progression of contract terms shall be: two 1-year contracts, followed by two 2-year contracts, followed by rolling 2-year contracts.
4. Standard teaching load is 3-1-3. Summer teaching appointments are available for additional pay.
5. Any additional responsibilities must be explicitly defined and negotiated for additional pay and/or course release. Examples might include working with tutors or teaching fellows, directing a program, and/or committee work. In accord with the emphasis on teaching, instructors must teach at least one course each fall and spring term, and the total teaching load for the regular academic year must not fall below 4 units (e.g., 2-1-1 and 2-0-2 are absolute minimums). Lecturers interested in taking on additional duties beyond teaching should consult their department chair.
6. Need not have a terminal degree, but must meet SACSCOC faculty standards for the departmental discipline.
7. Scholarship is not expected; however, may apply for faculty development funding.
8. Refer to Appendix C of the *Manual for Academic Department and Area Chairs* for information regarding evaluations of faculty at all ranks.
9. Lecturers begin at the level of Assistant Lecturer. Eligible for promotion to Associate Lecturer at 7 years (applying in the 6th year). Associate Lecturers may apply for promotion to the rank of Senior Lecturer during or after their eighth year of service in the Associate Lecturer rank
10. Promotion evaluation shall be based on guidelines outlined in the Faculty Handbook section III.B.3.b
11. Minimum salaries at each rank shall be benchmarked as a percentage of the median tenure-track salary at the parallel rank (Assistant Lecturer: Assistant Professor, Associate Lecturer: Associate Professors, Senior Lecturer: Professor)

b. Professor of the Library

1. A faculty position responsible for the information needs of the College, including, but not limited to, research support, collection maintenance and development, archives of the College, digital collections of the College, information literacy instruction, and other traditional library duties. Either 12-month contract, or 10-month or 9-month contract paid over 12 months (as negotiated per duties within the library), voting member of the faculty.
2. Shall be covered under the same benefits as full-time tenure-track faculty, including, but not limited to, retirement benefits, health coverage, and Family or Medical leave.
3. The progression of contract terms shall be: two 1-year contracts, followed by two 2-year contracts, followed by rolling 2-year contracts.
4. Additional responsibilities including committee work and advising after 1st year. Any further responsibilities, such as working with interns or fellows, directing a program, or working with the library budget, must be explicitly defined and negotiated for additional pay.
5. Can teach in any discipline in which they meet SACSCOC faculty standards for the departmental discipline, with separate contracts and compensation as an adjunct instructor.
6. Shall have terminal master's degree in library and information studies/science.
7. Expected to engage in scholarship and eligible for faculty development funds.
8. Refer to Appendix C of the *Manual for Academic Department and Area Chairs* for information regarding evaluations of faculty at all ranks.
9. Professors of the Library begin at the rank of Assistant Professor of the Library. Eligible for promotion to Associate Professor of the Library at 7 years (applying in the 6th year). Associate Professors of the Library may apply for promotion to the rank of Professor of the Library during or after their eighth year of service in the Associate rank.
10. Promotion evaluation based on guidelines outlined in section III.B.3.a.
11. Minimum salaries at each rank shall be benchmarked at no less than median salary of librarians at comparable institutions (as defined by ACRL data).

c. Visiting Assistant Professor

1. An instructor position for a newly created discipline or discipline where the need for a tenure-track hire has not been fully established. 9-month contract eligible for proration over 12 months, voting member of the faculty.

2. Contract terms shall be 1-year renewable contracts. This position is not expected to exceed 4 years. If after 4 years the position has proven necessary in the new discipline or expanding discipline, then a tenure track or lecturer position should be created in its place. The individual currently in this position is eligible to apply.
3. Shall be covered under the same benefits and privileges as full-time tenure-track faculty, including, but not limited to, retirement benefits, health coverage, and Family or Medical leave.
4. Standard teaching load is 3-1-3. Summer teaching appointments are available for additional pay.
5. Additional responsibilities including committee work and advising shall be assigned after 1st year.
6. Should have a terminal degree and or have all-but-dissertation status at their current graduate institution.
7. Reviewed annually by Department and/or Area Chairs.
8. Expected to engage in scholarship and eligible for faculty development funds.
9. Not eligible for promotion, but each year of service as Visiting Assistant Professor counts for 1 year of service towards tenure if the candidate is hired as full-time tenure-track faculty or towards 1 year of service towards Lecturer position if the candidate is hired into the Lecturer track. It is at the candidate's discretion to accept all or part of this credit for service.
10. Salary commensurate with Assistant Professor within discipline.

d. Visiting Assistant Professor of the Library

1. A librarian hired on a one-year renewable contract shall be a Visiting Assistant Professor of the Library, a voting member of the faculty. This position is not expected to exceed 4 years. If after 4 years the position has proven necessary in the library, then an Assistant Professor of the Library position should be created in its place. The candidate currently in this position is eligible to apply and shall be able to negotiate time in service if hired at Assistant Professor of the Library.
2. Minimum salary of the Visiting Assistant Professor of the Library would be benchmarked as a percentage of the median salary of librarians at comparable institutions (as defined by ACRL data) and years of service in rank.

e. **Visiting Lecturer**

1. An instructor position expressly created to cover a temporary vacancy, such as a sabbatical replacement, an unexpected faculty departure, or an unsuccessful search. 9-month contract eligible for proration over 12 months, voting member of the faculty.
2. Shall be covered under the same benefits and privileges as full-time tenure-track faculty, including, but not limited to, retirement benefits, health coverage, and Family or Medical leave.
3. Standard teaching load is 3-1-3. Summer teaching appointments are available for additional pay.
4. Need not have a terminal degree; but must meet SACSCOC faculty standards for the departmental discipline.
5. Contracted for no more than two years. If additional years are needed, then department should request Lecturer, Visiting Assistant Professor, or tenure-track position.
6. No scholarship, advising, or committee responsibilities.
7. Reviewed annually by Department and / or Area Chairs in the last term of each contract.
8. Not eligible for promotion, but each year of service as VL counts for 1 year of service towards promotion if candidate is hired as Lecturer or tenure-track position. It is at the candidate's discretion to accept all or part of this credit for service.
9. Salary commensurate with Assistant Lecturer.

f. **Adjunct Instructor**

1. A part-time instructor position, term-length contract, paid monthly over the contracted term, non-voting member of the faculty.
2. Not eligible for college paid benefits.
3. Teaching load not to exceed 2-1-2, can teach in summer for additional pay.
4. Need not have a terminal degree; but must meet SACSCOC faculty standards for the departmental discipline.
5. No scholarship, advising, or committee responsibilities.
6. Reviewed by Departmental Chair during the first term and once per academic year thereafter.

7. Eligible for promotion to Adjunct Instructor II after 7 units of service, and Adjunct Instructor III after 14 units of service.
8. Pay per course competitively based on local market with pay increases by rank.
9. If the candidate is, at some point, hired as a full-time lecturer, then service of 1 year for every 7 units (or unit equivalence) taught as an adjunct at the College may be awarded towards promotion.

The appointment of a non-tenured, non-tenure-track faculty member with a one- or two-year full-time term contract is terminal at the end of the defined term. Thus, the College is not required to issue any notice of the expiration of the contract, and when it expires the employment ends without recourse.

After a non-tenure-track faculty member has entered a two-year rolling contract as defined in III.B.4.a and III.B.4.b, the contract renewal process shall be as follows. Each year, the faculty member is offered a new two-year appointment. In the case of non-reappointment, the Provost shall inform the faculty member by September 1 of the second year of the two-year contract that the faculty member will not be given a new two-year contract and therefore is beginning the final year of appointment. The grievance procedure provided below in [III.B.5](#) is not available and shall not apply to faculty members with full-time term contracts except in the case of the College's decision to cancel the second year of the term contract for cause. However, in the event of a termination for cause prior to the end of contract term, the faculty member with a term contract may use the [III.B.7](#) review procedure.

In the case of non-reappointment, at the discretion of the Provost, the College may either allow the faculty member to continue to fulfill the faculty member's appointment duties during the second year of the two-year appointment, or the College may terminate employment immediately and pay the faculty member a lump sum equal to the salary and retirement benefits contributions, if any, that would be due during the second year of the appointment, and reimburse the faculty member for the actual, out-of-pocket cost of health insurance continuation coverage for the remaining appointment term.

III.A.5. Annual Contract Renewal

Written contracts are sent annually by the President or Provost to all members of the Faculty. Contracts will ordinarily be issued as soon as possible after the final approval of the next fiscal year's budget by the Board of Trustees. The faculty member indicates his or her acceptance of the terms of the contract by signing and returning the contract to the Office of the Provost for placement in the faculty member's personnel records. Faculty members shall return the signed contract within twenty-one days from the date of issuance. If the faculty member fails to return the signed contract within twenty-one days, the faculty member shall be considered to have rejected the contract which shall cause the employment relationship to expire at the end of the current school year in May and compensation to end August 31 of that year.

III.B. PROCEDURES FOR DECIDING PROMOTION, TENURE, NON-REAPPOINTMENT, AND TERMINATION

[These procedures were endorsed by the Faculty on May 6, 2008, with the stipulation that these procedures will apply to all faculty members whose appointments to the College began in the fall of 2008 or later and to all faculty members who had not completed the mid-probation review as of May 6, 2008. The procedures for promotion to professor will apply to all faculty members who had not earned tenure as of May 6, 2008.]

The decision-making, grievance, and review procedures contained in III.B. will be followed by the College for granting or denying tenure ([B.2.](#) and [B.5.](#)) and/or promotion ([B.3.](#) and B.5.), denying reappointment ([B.4.](#) and B.5.), and terminating for cause the employment ([B.6.](#) and [B.7.](#)) of a faculty member who is on tenure-track or tenured. The III.B.5. grievance procedure applies in the cases of promotion, tenure, and non-reappointment of tenure-track faculty members. The III.B.5. grievance procedure applies to tenured faculty members only in connection with promotions. The only circumstance in which a term-contract faculty member may file a grievance under III.B.5. is when the College cancels one or more full year(s) of employment in a multi-year term contract. The III.B.7. review procedure for termination for cause and appeals from such decisions apply to tenure track faculty members and tenured faculty members. The III.B.7. review procedure applies to fulltime term contract faculty members only when the full-time term contract is terminated for cause before the end of the current school year.

Preface

Birmingham-Southern College seeks to hire well-qualified faculty members and to cultivate their development as teachers and scholars/artists. Members of the Faculty are given responsibilities for **teaching**; for **research, scholarship, and/or creative work**; and for **service** to the College, including advising, and to the larger community. The College recognizes its responsibilities in assisting faculty members in their development and in publicly acknowledging the achievements of faculty members by awarding tenure and promotion to those of proven merit.

Teaching—indeed, excellent, engaging, and successful teaching—is the first duty of the Faculty. Teaching is not confined to the classroom, studio, and laboratory. It often involves such other activities as tutoring; bibliographic instruction; and supervising research, service learning, and Honors projects. Faculty members are expected to use effective pedagogical techniques, especially in the areas of critical thinking, problem solving, and the effective communication of ideas. When evaluating a faculty member’s teaching, the Promotion and Tenure Committee will rely on colleague evaluations, current and former student evaluations, and other relevant materials.

Research, scholarship, and/or creative work are vital to maintaining and advancing the College’s academic mission and reputation. Appointment to the Faculty of Birmingham-Southern College brings with it the expectation that all professors—whether assistant, associate, or full—will not only remain current with developments in their chosen fields of study, but also will continue to make academic and/or artistic contributions throughout their careers. Birmingham-Southern College acknowledges that, unlike research institutions, the quantity of such activities is

limited by the demands of teaching and service; nonetheless, the College expects its faculty members to be solid citizens of academic and artistic communities throughout their careers. Academic and artistic contributions may be demonstrated in many ways, including but not limited to, the publication of articles and books; presentations at professional meetings; artistic creations or performances; service as jurors, referees, reviewers, organizers, or commentators for publishers or conferences; and awards, whether in recognition of superior work or in the form of grants or fellowships.

The College recognizes that different academic disciplines have different expectations; thus the Committee will use the departmental research, scholarship, and/or creative work guidelines for evaluating faculty members for tenure and promotion. To evaluate faculty scholarship, the Committee will rely in part on reference letters requested from outside reviewers.

Service to the College is expected upon appointment to the Faculty. This is a broad and important component of each professor's appointment and is essential if the College is to run smoothly and fulfill its roles within the local and academic communities.

Service involves student advising. This is a vital part of being a professor at the College. All faculty members will serve as academic advisors providing timely and appropriate guidance to students.

Service involves active participation in one's department. These activities include, but are not limited to, curriculum reviews and implementation of curricular changes, assisting in the recruitment of new students and the hiring of new faculty members, supporting departmental co-curricular activities, and assisting in the oversight or expenditure of library resources and academic instructional/research funds. Service may include serving as Department Chair.

Service involves active participation in the governance of the Faculty and the College as well. These activities include, but are not limited to, service on standing or elected Committees of the Faculty or College, ad hoc committees, and task forces; regular attendance at department and faculty meetings; assisting or providing leadership in appropriate co-curricular activities; and generally participating in College functions that require faculty assistance. Faculty members are also expected to work with other departments from time to time to assist in development, evaluation, and recruitment.

Service often involves activities beyond the campus that develop and sustain important connections between the College and the larger community.

III.B.1. Pre-tenure Reviews

Non-tenured, tenure-track faculty members will be evaluated in two pre-tenure reviews. Favorable pre-tenure reviews are not to be construed as an assurance that tenure will be granted at the end of the probationary period.

Pre-tenure reviews typically take place in the faculty member's second and fourth year as an

assistant professor. At the beginning of those academic years, the Provost will inform the Promotion and Tenure Committee of all faculty members who will be undergoing the pre-tenure review. The faculty member prepares an assessment of his or her teaching, scholarship and service. This self-assessment, a current CV, all numerical course evaluation scores, and a representative sampling of responses to narrative course evaluation questions should be submitted to the Department Chair no later than February 15. The Department Chair will add the Department's assessment of the candidate's teaching (based on classroom observations and review of teaching evaluations), scholarship, and service, and submit the entire dossier to the Area Chair no later than March 15. The Area Chair discusses progress toward tenure with the faculty member and the Department Chair. The Area Chair prepares a written summary of the faculty member's progress toward tenure and the discussion held with the faculty member and Department Chair. This summary is shared with the Provost. A copy of the summary is placed in the faculty member's file for later use in the promotion and tenure review process, and a copy is given to the faculty member.

III.B.2. Procedures for Granting Tenure

Tenure is granted to members of the Faculty by the College through the President, to whom this authority has been delegated, and goes into effect following ratification by the Board of Trustees. This action is taken only after a detailed examination of a faculty member's work at the College and of his or her professional accomplishments. Tenure is rarely offered with the initial appointment of a senior academic to the College Faculty. A candidate for tenure is expected to hold the appropriate terminal degree. Normally, no member of the Faculty may teach more than seven years at the College without being granted tenure. Exceptions are made only in those special circumstances where the College determines that a term contract is appropriate.

All tenure recommendations are confidential until acted on by the President, with whom the final decision rests for promotion, tenure, and non-reappointment. However, if the President intends to pursue an action other than that recommended by the Promotion and Tenure Committee, the President, or the Provost acting on the President's behalf, will meet with the Promotion and Tenure Committee to discuss the difference. If the President and the Committee continue to disagree, the President will report the facts surrounding the disagreement to the Chair of the Board of Trustees. The Board of Trustees may review the action of the President if the Board deems such a review as necessary.

Candidates for tenure must submit a letter of intent to the Provost no later than August 15. Included in this letter should be a list of at least three individuals not affiliated with the College and qualified to evaluate the candidate's research, scholarship and/or creative work (see section III.B.2.a.5). The candidate will include a digital packet to be sent to the outside reviewers including the curriculum vitae, a summary of and, when appropriate, copies of all research, scholarship and/or creative work to be reviewed.

III.B.2.a. Application for Tenure

The process of developing an application for tenure begins with the faculty candidate, with assistance and input provided by the Department Chair. (Should the Department Chair be

a candidate for tenure, the Provost will designate someone else to fill the role of the Department Chair in the tenure process.) The process involves the gathering of detailed information on teaching; research, scholarship, and/or creative work; and service. Applications for tenure are due in the Provost's office by October 30 of the academic year in which the probationary period ends.

The following guidelines will prove useful in preparing and presenting an application for tenure:

Each candidate is responsible for preparing and collating the application materials. The candidate submits the application file to the Department Chair no later than September 15. The Department Chair will add the departmental summary letter to the file and forward the application to the Provost. Once the application is forwarded to the Provost, the candidate will not have access to it until the President's decision has been made.

The application file should be submitted electronically in one file, with clear divisions that correspond to the major sections delineated in its table of contents. The major sections of the file, in order, are as follows:

1. *Letter of Application*: The candidate shall write a thorough and detailed letter addressed to the Committee, the Provost, and the President, which presents a thoughtful summary of his or her performance in the areas of teaching; research, scholarship, and/or creative work; and service. This letter should synthesize and explain the more detailed material collected in the appendices of the file. It should be single-spaced, make use of subject headings, and not exceed ten pages.
2. *Curriculum Vitae*: The candidate shall submit a current CV that outlines his or her education, employment history, scholarly/creative activities, publications, honors, membership in scholarly organizations, and areas of service to the College and community.
3. *Promotion and Tenure Committee's Letter of Recommendation*: After the file is submitted to the Provost, it is reviewed by the Promotion and Tenure Committee. The Chair of the Committee shall send the Committee's letter of recommendation to the Provost. This letter is highly confidential and is not available for review by the candidate. The Committee's letter will outline the strengths and weaknesses of the application, and it will be the Provost's responsibility to summarize that information as a developmental tool for the candidate. For candidates who receive tenure and subsequently apply for promotion to Professor, the Committee's confidential letter will become part of the application for that promotion and will not be available for review by the candidate.
4. *Prior Review Letters*: For candidates for tenure, the Area Chair's pre-tenure review letters will be added to the file by the Provost.

5. *Departmental Summary Letter*: After meeting formally with all department faculty members to solicit input on the candidate's qualifications for tenure, the candidate's Department Chair shall prepare a brief letter summarizing the department's judgment of the candidate. The letter must accurately represent the views of the department faculty members regarding the candidate's teaching; research, scholarship, and/or creative work; and service. This letter is highly confidential and is not available for review by the candidate. The Department Chair shall insert the letter in this section of the file.
6. *Letters Related to Research, Scholarship, and/or Creative Work*: No later than August 15, the candidate will provide the Provost with a list of at least three people not affiliated with the College and qualified to evaluate the candidate's research, scholarship, and/or creative work. The candidate should specify the nature of relationships with the outside reviewers. The candidate should review this list with the Department Chair and/or senior members of the department prior to submission to the Provost. The candidate will also provide the Provost with a digital packet to be sent to the outside reviewers including the curriculum vitae, a summary of all research, scholarship, and/or creative work and copies when appropriate. The Provost will solicit formal comments addressing the candidate's research, scholarship, and/or creative work from at least two of the references. These letters are highly confidential and are not available for review by the candidate.
7. *Additional Letters from Colleagues*: The candidate must solicit letters of evaluation from most if not all members of the candidate's department. Additional letters of evaluation from colleagues outside the candidate's department are encouraged. These letters should speak specifically to a candidate's strengths and weaknesses as a teacher, scholar, and colleague. Only letters sent by the author to the Provost by October 30 will be included in the application file. These letters are highly confidential and are not available for review by the candidate.
8. *Appendices*:
 - a. *Numerical Course Evaluation Scores*: Candidates must submit all numerical course evaluation scores collected during their time at the College.
 - b. *Narrative Course Evaluations*: Candidates must submit a representative selection of narrative course evaluation responses—that is the entire set of responses for a selection of classes taught at different levels and, perhaps, subsequent points of development.
 - c. *Teaching Materials*: At the option of the candidate, relevant teaching materials may be submitted as evidence of excellence in teaching, such as syllabi, sample assignments, or links to online material especially prepared for a course.
 - d. *Documents Relating to Research, Scholarship, and/or Creative Work*: Because

different disciplines define scholarship in different ways, candidates should document their scholarly activity, as well as its reception by recognized authorities in the scholarly or artistic communities, in ways that would be helpful to the Promotion and Tenure Committee, the Provost, and the President. The candidate may wish to do so by including such materials as reviews, citations, or written evaluations. The candidate should also include a copy of his or her department's guidelines on research, scholarship and/or creative work, which are available on the main page of the Intranet.

- e. *Documents Relating to Service:* The candidate may include documents related to service activities.
- f. *Additional Letters:* Letters of evaluation from students, graduates of the College, members of professional organizations, colleagues at other institutions, or members of the community are entirely optional. Any letters included should specifically address the candidate's strengths and weaknesses. Thank you notes and vague or general letters are discouraged.

After the application file is presented to the Provost and all letters, including the departmental summary letter, letters sent to and solicited by the Provost, and the pre-tenure reviews have been included, the application is reviewed by the Promotion and Tenure Committee. If relevant information should become available after the file has been submitted (an accepted publication, for example) that information should be presented to the Committee by the Department Chair. The Committee may seek additional information including, but not limited to, information sought directly from the candidate and/or consultations with both tenured and non-tenured faculty members. The Committee's recommendation should be submitted to the Provost by December 15. The Provost will have one month for additional fact finding before the recommendation, along with all supporting documents, is forwarded to the President for a final decision.

III.B.3. Procedures for Granting Promotion

Promotion is granted to members of the Faculty by the College through the President, to whom this authority has been delegated, and goes into effect following ratification by the Board of Trustees. This action is taken only after a detailed examination of a faculty member's work at the College and of his or her professional accomplishments. The College requires a faculty member to hold the appropriate terminal degree to be eligible for promotion in rank. The College, at the Provost's discretion, may consider an exception when a faculty member has demonstrated exceptional research, scholarship, and/or creative work.

All promotion recommendations are confidential until acted on by the President, with whom the final decision rests. However, if the President intends to pursue an action other than that recommended by the Promotion and Tenure Committee, the President, or the Provost acting on the President's behalf, will meet with the Promotion and Tenure Committee to discuss the difference. If the President and the Committee continue to disagree, the President will report the

facts surrounding the disagreement to the Chair of the Board of Trustees. The Board of Trustees may review the action of the President if the Board deems such a review as necessary.

III.B.3.a. Application for Promotion of Tenured, Tenure-Track, and Library Faculty

Promotion from Assistant Professor to Associate Professor normally requires a minimum of six years' full-time teaching experience at the college or university level. Promotion from Assistant Professor to Associate Professor usually accompanies tenure, except in the case of librarians, and always involves the same expectations.

Faculty may apply for promotion to the rank of Professor during or after their eighth year of service in the rank of Associate Professor. (Promotion in rank prior to the normal term of service may be recommended by the Provost only in exceptional circumstances.) Promotion to Professor is not automatic once sufficient years have accrued.

If the Promotion and Tenure Committee decides not to recommend promotion to Professor, the Committee will provide a rationale to the Provost in reaching its recommendation. The Provost will communicate the substance of that recommendation to the faculty member. Associate Professors may reapply for promotion after a term of three years.

The application, review, and approval procedures and deadlines for promotion in rank are the same as those articulated for tenure applications, except that applications for promotion to Professor need only cover the time since the candidate's promotion to Associate Professor. For candidates for promotion to Professor, the letter of recommendation prepared by the Promotion and Tenure committee when tenure was awarded will be added to the file by the Provost. Candidates for promotion in rank should also include all post-tenure review letters written by their Area Chairs since the time they received tenure.

III.B.3.b. Application for Promotion of Lecturers

Candidates for promotion must submit a letter of intent to the Provost no later than August 15.

The process of developing an application for promotion begins with the faculty candidate, with assistance and input provided by the Department Chair. Applications for promotion are due in the Provost's office by October 30 of the academic year prior to promotion eligibility as defined in section III.A.4.a.

The following guidelines will prove useful in preparing and presenting an application for promotion:

Each candidate is responsible for preparing and collating the application materials. The candidate submits the application file to the Department Chair no later than September 15. The Department Chair will add the departmental summary letter to the file and forward the

application to the Provost. Once the application is forwarded to the Provost, the candidate will not have access to it until the President's decision has been made.

The application file should be submitted electronically in one file, with clear divisions that correspond to the major sections delineated in its table of contents. The major sections of the file, in order, are as follows:

1. *Letter of Application*: The candidate shall write a thorough and detailed letter addressed to the Committee, the Provost, and the President, which presents a thoughtful summary of his or her performance in teaching and any other duties. This letter should synthesize and explain the more detailed material collected in the appendices of the file. It should be single-spaced, make use of subject headings, and not exceed ten pages.
2. *Curriculum Vitae*: The candidate shall submit a current CV that outlines his or her education, employment history, scholarly/creative activities, publications, honors, membership in scholarly organizations, and areas of service to the College and community.
3. *Promotion and Tenure Committee's Letter of Recommendation*: After the file is submitted to the Provost, it is reviewed by the Promotion and Tenure Committee. The Chair of the Committee shall send the Committee's letter of recommendation to the Provost. This letter is highly confidential and is not available for review by the candidate. The Committee's letter will outline the strengths and weaknesses of the application, and it will be the Provost's responsibility to summarize that information as a developmental tool for the candidate. For candidates who receive promotion and subsequently apply for promotion to Senior Lecturer, the Committee's confidential letter will become part of the application for that promotion and will not be available for review by the candidate.
4. *Prior Review Letters*: For candidates for promotion, pre-promotion review documents will be added to the file by the Provost.
5. *Departmental Summary Letter*: After meeting formally with all department faculty members to solicit input on the candidate's qualifications for promotion, the candidate's Department Chair shall prepare a brief letter summarizing the department's judgment of the candidate. The letter must accurately represent the views of the department faculty members regarding the candidate's teaching. This letter is highly confidential and is not available for review by the candidate. The Department Chair shall insert the letter in this section of the file.
6. *Letters from Colleagues*: The candidate must solicit letters of evaluation from most if not all members of the candidate's department. Additional letters of evaluation from colleagues outside the candidate's department are optional. These letters should speak specifically to a candidate's strengths and weaknesses as a teacher and colleague. Only letters sent by the author to the Provost by October 30 will be included in the application

file. These letters are highly confidential and are not available for review by the candidate.

7. *Appendices:*

- a. *Numerical Course Evaluation Scores:* Candidates must submit all numerical course evaluation scores collected during their time at the College.
- b. *Narrative Course Evaluations:* Candidates must submit a representative selection of narrative course evaluation responses—that is the entire set of responses for a selection of classes taught at different levels and, perhaps, subsequent points of development.
- c. *Teaching Materials:* At the option of the candidate, relevant teaching materials may be submitted as evidence of excellence in teaching, such as syllabi, sample assignments, or links to online material especially prepared for a course.
- d. *Additional Materials:* Candidates may include materials pertaining to scholarship / creative activity and service to the College. If service to the College comprises a substantial portion of the candidate’s negotiated responsibilities, then their performance in that area will be weighted proportionally together with their teaching duties.
- e. *Additional Letters:* Letters of evaluation from students, graduates of the College, members of professional organizations, colleagues at other institutions, or members of the community are entirely optional. Any letters included should specifically address the candidate’s strengths and weaknesses. Thank you notes and vague or general letters are discouraged.

After the application file is presented to the Provost and all letters, including the departmental summary letter, and the pre-promotion reviews have been included, the application is reviewed by the Promotion and Tenure Committee. If relevant information should become available after the file has been submitted (for example, recent teaching evaluations) that information should be presented to the Committee by the Department Chair. The Committee may seek additional information including, but not limited to, information sought directly from the candidate and/or consultations with both tenured and non-tenured faculty members. The Committee’s recommendation should be submitted to the Provost by December 15. The Provost will have one month for additional fact finding before the recommendation, along with all supporting documents, is forwarded to the President for a final decision.

III.B.4. Non-Reappointment of Non-Tenured Faculty

III.B.4.a. Non-Reappointment for Reasons of Performance

The term “non-reappointment” shall refer to the College’s decision not to renew the probationary appointment of a non-tenured tenure-track member of the Faculty due to the faculty member’s inadequate performance or non-fulfillment of all the assigned duties. A decision not to reappoint a tenure-track faculty member may originate from the Department, the Area Chair, or the Provost’s Office. The Provost will advise, and will seek input from, the Promotion and Tenure Committee concerning the President’s decision before it is final. When the President’s decision is final, the Provost will inform the faculty member of the decision. The procedural requirement for non-reappointment has two components. First, before the President’s decision is final, the Department Chair, Area Chair, the Promotion and Tenure Committee, and the Provost shall provide input to the President. Second, the College will comply with the advance notice provisions listed below. The College decision not to reappoint a tenure-track faculty member shall end the employment of the non-reappointed faculty member at the College.

III.B.4.b. Notice of Non-Reappointment

Notice of non-reappointment will be given by the College in writing 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.

III.B.5. Grievance Procedure

III.B.5.a. Purpose

This grievance procedure is available to aggrieved faculty members to challenge only procedural violations under Chapter III in direct connection with the College’s decision to deny the grievant a promotion, the College’s decision not to grant tenure at the end of the grievant’s probationary term, and the College’s decision not to reappoint a tenure-track faculty member to another year of the probationary term. This grievance procedure is not available to question judgment in connection with the “decisions” listed above or to appeal

a termination for cause, which has a separate and distinct procedure.

III.B.5.b. Initiation of a Grievance

If the faculty member concerned believes that a procedural irregularity occurred in the process of the College's reaching a decision with regard to his or her tenure, promotion, or non-reappointment, then they have the right to request that a special College Grievance Committee be appointed to hear the complaint and to make a formal recommendation to the President. Under no circumstances, however, shall this committee have any jurisdiction with regard to substantive issues or concerns regarding such decision. If the faculty member concerned wishes the appointment of a special College Grievance Committee, they notify the President within fifteen days of receipt of the written notice of the President's decision. Upon receipt of the request for a special College Grievance Committee, the President, or the Provost at the President's request, asks the Faculty Advisory Committee to provide, within seven days, the names of seven tenured faculty members who are able to serve on such a committee. From the list of seven, the faculty member concerned and the President, or the President's representative, strike two names each to form the special College Grievance Committee consisting of three faculty members. The Committee elects its own chair and determines its own rules and procedures. Its jurisdiction is limited to that stated above and does not extend to other matters.

III.B.5.c. Role of the Grievance Committee

Upon the request of an aggrieved faculty member as described above, the Committee may inquire into the procedural aspects of that particular decision-making process. The Grievance Committee shall serve as an advisory committee to the Provost and the President. The Committee has the privilege of access to an evaluation file, kept in the Provost's Office, on the faculty member concerned. The Committee may also discuss the procedural aspects of the faculty member's case with the appropriate Department Chair, the Area Chair, the Promotion and Tenure Committee, and the Provost. The Committee does not, however, conduct a formal hearing.

After the Committee inquires into the procedural aspects of the case, it reports its opinions and recommendations, in writing, to the President and to the candidate. If the Committee expresses the opinion that no procedural irregularity occurred, and if the President agrees, the President declares the matter closed; that decision is final. If the Committee expresses the opinion that a procedural irregularity occurred, the President makes a determination regarding the matter. If the President determines that a procedural irregularity occurred, they may direct that the process begin anew at any such step as the President may direct, or the President may direct other action deemed appropriate. If the President disagrees with the opinion of the Committee, the Committee is so informed, and the matter is closed. In any event, the decision of the President is final, and further appeals are not available.

III.B.6 Cause For Termination

Termination of the employment of a faculty member with tenure, on a tenure track, or on a full-time term appointment before the end of the term provided in the faculty member's full-time term contract may be effected by the College only for cause (in accordance with the procedures described in III.B.6. and [III.B.7.](#)), except under the extraordinary circumstances of discontinuance or reduction of a program or Department (in accordance with the procedures described in [III.B.8.](#) and [III.B.9.](#)), or of financial exigencies of the College (in accordance with the procedures described in III.B.9.). When the College terminates the employment of a faculty member due to discontinuance or reduction of a program or Department or due to financial exigency, the College shall so state in written form. Termination procedures shall not be used to restrain faculty members in their exercise of academic freedom.

For purposes of this statement, "termination" refers to action taken by the College (a) to terminate the employment of a faculty member with tenure, or (b) to terminate the employment of a tenure-track faculty member before the end of the year of an annual appointment, or (c) to terminate the employment of a faculty member who has a full-time term appointment before the end of the term provided in the full-time term contract. Any member of the Faculty may be dismissed at any time for adequate cause. Termination for cause is usually prompt or immediate because there is just cause. This is different from and does not apply to a decision not to renew the annual appointment of a probationary non-tenured faculty member. Termination for cause is also different from the College's decision not to enter another full-time term contract with a faculty member whose contract has expired or will expire.

Adequate cause (also referred to as "just cause" or "cause") for termination is related to the fitness, performance, or conduct of the faculty member in terms of professional responsibilities. Adequate cause for termination includes seriously inadequate performance, discrimination against or sexual harassment of College employees or students, and other just reasons. The following list contains additional examples of cause for termination. These examples are not intended to exclude other causes relating to performance of professional responsibilities:

1. Serious or repeated failure to perform professional responsibilities.
2. Serious or repeated ineffectiveness in the performance of professional responsibilities.
3. Incompetence in teaching, advising, or other professional responsibilities.
4. Conviction for the commission of a felony.
5. Conduct which interferes with the performance of professional responsibilities, or which involves moral turpitude.

When the College decides it has cause to terminate the employment of a tenured faculty member for cause, the College has the discretion whether to make the termination effective immediately or

at the end of a term or school year. When the College decides it has cause to terminate the employment of any faculty member, the College has the discretion to review the matter with the faculty member to discuss the option of a voluntary resignation. If the option of a voluntary resignation is not accepted, the following procedures will still apply.

III.B.7. Procedure For Termination For Cause

III.B.7.a. Initiation

The “termination for cause” process may be initiated by the Department, the Area Chair, or the Provost. When the initial recommendation for consideration of termination for cause occurs at the Department or Area level, the Department or Area Chair makes a recommendation, with supporting reasons and evidence, to the Provost. The Provost may initiate the proceedings based on the Provost's own reasons and evidence. However the College's consideration of termination for cause is initiated, the Provost reviews the facts and consults with the President.

III.B.7.b. Provost

If the Provost determines that the College has sufficient reason to pursue the termination for cause of a faculty member, those reasons are presented in writing to the Faculty Promotion and Tenure Committee for its advice and recommendations. The Provost will inform the faculty member at this stage.

III.B.7.c. Promotion and Tenure Committee

Upon receiving a request from the Provost for advice and recommendations regarding the possible termination for cause of a faculty member, the Promotion and Tenure Committee inquires informally about the situation. The Committee may, at its discretion, inform and/or discuss the matter with the faculty member concerned, the Department Chair, the Provost, or other appropriate persons. The Committee keeps written minutes of its deliberations. The Committee gives its advice and recommendations to the Provost, in writing, and, if the recommendation is for implementing formal termination proceedings, provides a copy to the faculty member concerned.

III.B.7.d. Provost

The Provost reviews and duly considers the advice and recommendations of the Promotion and Tenure Committee and transmits them, in writing, along with his or her advice and recommendations, to the President.

III.B.7.e. President

After receiving the recommendations from the Provost, the President decides whether to commence formal termination proceedings. If the President decides that formal proceedings on termination for cause should not begin, the process ends at this point.

If the President decides that formal proceedings on termination for cause should begin, the President writes a letter to the faculty member concerned, advising that formal termination proceedings are being instituted. The letter sets forth, with reasonable specificity, the proposed grounds for the termination. The President informs the faculty member that, if requested in writing within fifteen days, a faculty hearing committee will convene and determine whether adequate cause for termination exists. The President also discusses the procedural rights to be accorded to the faculty member in the course of the hearing. The President's letter to the faculty member is sent by certified mail with return receipt requested, or a written, dated receipt of the letter will be obtained if the letter is hand delivered.

If the faculty member desires a hearing, they inform the President, in writing, within fifteen days of receipt of the President's notification letter. Failure to so notify the President of a request for a hearing within fifteen days constitutes a waiver of the right to a hearing.

If the faculty member does not request a hearing, the President proceeds with such action as they deem appropriate. If the President decides to terminate the faculty member, the President notifies the faculty member, in writing, of the termination, the reasons for it, and the date the termination is effective. When the faculty member has not requested a hearing within fifteen days, the decision of the President is then final.

III.B.7.f. Suspension

The President may suspend the faculty member from duties during formal proceedings if the President has reasonable grounds to believe that continuation of the faculty member in these duties will cause immediate harm to the faculty member, other persons, or to the institution. Salary will continue during the period of a suspension.

III.B.7.g. Hearing Committee

If the faculty member requests a hearing, in writing to the President, within fifteen days of receiving notice of the right to such a hearing, the President, or the Provost upon the request of the President, immediately requests the Faculty Advisory Committee to provide, within seven days, a panel of seven tenured members of the Faculty, at least four of whom hold the rank of Professor, who are able to serve on the hearing committee. Faculty serving on

the Committee on Promotion and Tenure shall be ineligible to serve on the Faculty Hearing Committee. From the list of seven faculty members, the faculty member concerned strikes two names and the President, or the President's representative, strikes two names so that three names remain. Neither the faculty member nor the President may strike the name of more than one Full Professor. These three persons constitute the Faculty Hearing Committee. The process of striking shall be completed within ten days of receipt of the proposed names from the Faculty Advisory Committee, by both the faculty member concerned and the President or the President's representative.

The President notifies the faculty member concerned that the Faculty Hearing Committee has been selected; the President also sets a date for the hearing to commence. The hearing date is not fewer than twenty nor more than thirty days from the date of this notice of the Hearing Committee's selection. So that the Committee may consider the matter prior to commencement of the hearing, the President may request that the faculty member submit a formal written reply to the proposed grounds for dismissal. The Faculty Hearing Committee appoints its own chair and determines its own rules for procedures not specified below. Those rules include, but are not limited to, the following:

1. The Hearing Committee will not be bound by strict rules of legal evidence in considering the issues involved.
2. The Committee, in consultation with the President and the faculty member concerned, will exercise its judgment regarding whether the hearing should be public or private.
3. During the proceedings, both the faculty member concerned and the College shall have the privilege of being represented by an advisor of his or her or its choosing who may act as counsel.
4. A verbatim record of the hearing or hearings will be taken. Such record may be kept by mechanical or electronic means as determined by the Hearing Committee.
5. The burden of proof that "cause" exists rests with the College and shall be satisfied by a preponderance of the evidence.
6. The Hearing Committee may grant adjournments to enable either party to meet specific needs.
7. Whenever practical, the faculty member concerned and the College will have the right to confront and cross-examine witnesses. When witnesses cannot or will not appear, the Committee shall identify the witnesses, disclose their statements (if any) and, if possible, provide for interrogatories.

8. The findings of fact and the Hearing Committee's recommendations will be based solely on the hearing record.
9. The President, or the President's representative, shall have the privilege of attending all hearing sessions.
10. The Committee shall notify the President and the faculty member concerned, in writing, of its recommendations.
11. The College must provide the faculty member concerned a written transcript of the proceedings of the Hearing Committee, upon request.

The Committee shall submit its findings and recommendation to the President within ten days after the conclusion of the hearing.

III.B.7.h. President

After receiving the recommendations of the Faculty Hearing Committee, and duly considering the same, the President shall notify the faculty member concerned and the Hearing Committee of his or her decision. If the President decides to terminate the faculty member, the President shall so notify the faculty member within ten days in writing and give the date the termination is effective. If the faculty member does not request review by the Board of Trustees within ten days after receipt of the President's decision, the decision of the President becomes final at that time without other recourse or further review.

III.B.7.i. Review Panel of the Board of Trustees

If the faculty member requests a hearing before the Board of Trustees, the Chair of the Academic Affairs Committee of the Board of Trustees shall appoint a review panel consisting of not fewer than three or more than five members of the Academic Affairs Committee of the Board, as the chair may determine, to hear the appeal.

The President shall transmit to the Board panel the record of the case. The Board panel's review will be based on the record of the proceedings, and, as the Board panel may direct, on arguments, oral or written or both, and briefs, by the principals at the hearings or their representatives. The Board panel may, at its discretion, return the matter to the Hearing Committee for further consideration.

The Board panel's decision will be issued within twenty-one days after the review panel is formed and will be final. There shall be no other recourse or review.

III.B.7.j. Compensation Upon Termination For Cause

The College reserves the authority to determine what, if any, compensation will be paid to

a tenured or tenure-track faculty member whose employment is terminated for cause. Faculty members who are not either tenured or on tenure track are not eligible for compensation in the event of termination for cause. The College shall not pay salary in severance to any terminated faculty member whose cause for termination involves moral turpitude or similar reprehensible conduct. The College will be mindful of the AAUP guidelines (<http://www.aaup.org/AAUP/pubsres/policydocs/contents/RIR.htm>) that suggest either salary or notice equal to three months, six months, or twelve months depending on the faculty member's length of service to the College. The College shall consider the circumstances of the case including the cause for termination, the immediacy of the discharge itself, the length of service and the tenured or non-tenured status of the terminated faculty member in deciding whether any notice or salary continuation is to be granted and, in either case, how much is granted. The College's decision on notice and/or severance pay in the event of termination for cause is not subject to further review.

III.B.8. Discontinuance of an Academic Program or Department and Terminations Due to Educational Considerations

SACSCOC considers the discontinuance of an academic program as a substantive change and requires prior notification and prior approval per the [SACSCOC Substantive Change Policy](#). The decision to discontinue an academic program or department of instruction shall be based solely on educational considerations. Any decision to discontinue an academic program or department shall be based on long range judgments that the educational mission of the College will be enhanced and the liberal arts core of the curriculum maintained by the discontinuance. The costs of maintaining the program, as well as the revenue generated by and available to support the program, shall be considered. The potential costs associated with relocation and retraining of faculty members, as well as termination of faculty members with continuing contracts, should also be considered in the decision making process. When the Provost proposes the discontinuance of an academic program or department, the Provost shall inform the members of the affected department or program and notify the Faculty Advisory Committee, which shall constitute a Faculty Review Committee in accordance with the following paragraph.

III.B.8.a. Constituting a Faculty Review Committee

Upon notification, the Faculty Advisory Committee shall notify the chairs of the other elected committees of the Faculty (Promotion and Tenure, Faculty Development, and Curriculum and Standards). Each elected committee shall designate two faculty members to serve on a Faculty Review Committee. No faculty member from a department or program proposed for discontinuance shall serve on the committee. Additionally, no faculty member from a department or program housed or served by the department or program being proposed for discontinuance shall serve on the Faculty Review Committee. When duly constituted a Faculty Review Committee shall adopt both the form of organization and the procedures the members deem appropriate to address the issues before it. The Faculty Review Committee represents the Faculty to ensure that in the case of a proposed discontinuance of a department or program, educational considerations are the basis for any decision.

III.B.8.b. Procedures for Discontinuance of an Academic Program or Department

The faculty members of the affected department or program and the Faculty Review Committee shall be informed of the basis for the proposed discontinuance. Faculty members in the affected department or program shall have the right to submit a report and appear before the Faculty Review Committee before a final decision to discontinue is reached. The affected program or department may propose, at its discretion, a plan of action to address the issues leading to the proposal of discontinuance. The Provost or the Provost's designated representative has the right to appear before the Faculty Review Committee. All evidence bearing on the issue shall be reviewed by the Faculty Review Committee. The Faculty Review Committee may request additional relevant data and information from any unit of the College. The Faculty Review Committee shall complete its evidence-gathering and hearing process within sixty days after notification that the Provost has proposed the discontinuance of the academic department or program. In as timely a manner as feasible but not later than thirty days after receiving all evidence and conducting a hearing, the Faculty Review Committee shall send to the Provost a report with a recommendation 1) to continue the affected department or program; 2) discontinue the affected department or program; or 3) accept the plan of action proposed by the affected department or program. The report and recommendation shall be shared with the Faculty, except that all personnel, confidential and personally-identifiable information concerning individual employees shall be removed or redacted. The Committee's recommendation shall be given great weight by the President, who shall render a decision in consultation with the Provost. When the President disagrees with the recommendation of the Faculty Review Committee, the President and/or Provost shall meet with the Faculty Review Committee to discuss the reasons for such disagreement before making a final decision. The President shall communicate the final decision regarding the discontinuance of a department or program and the reasons therefore in writing to the members of the affected department and the Faculty Review Committee. The Faculty Review Committee shall report the substantive issues of any disagreement between the President and the Committee to the Faculty.

III.B.8.c. Termination of Faculty Members Due to Discontinuance of an Academic Program or Department

Termination of appointments of faculty members with tenure, on tenure track, or with continuing appointments may occur as the result of the formal discontinuance of an academic program or department when the decision is made in compliance with the procedures in Section III.B.8. and III.B.8.a.-b. above. The following standards and procedures shall apply:

i. Notice of Termination

The College shall adhere to the following deadlines for notifying affected faculty members of their termination. The cause for termination shall be stated in the

notice. The faculty member must be notified in writing: 1) not later than March 1 of the faculty member's first academic year of service, if the appointment expires at the end of the 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 faculty member's 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; or 3) at least twelve months before the expiration of an appointment after the faculty member has served two or more years at the institution.

ii. Placement or Reassignment of Affected Faculty

The Provost shall make every reasonable effort to place each tenured, tenure-track, or continuing faculty member from the discontinued department or program in another suitable position at the College. The principles of status with regard to tenure, years of service to the College, and the viability of the entire academic program as a whole shall guide the process of seeking new positions for faculty members in the discontinued department or program.

iii. Compensation after Termination Due to Discontinuance of a Department or Program

The College shall provide appropriate compensation by honoring the time remaining on current contracts in accordance with the deadlines for notification of termination described above in III.B.8.c.i. If the terminated faculty member receives a final one-year contract, compensation must be no less than that of the previous contract or not reduced beyond the average rate of reduction experienced by all members of the Faculty.

iv. Appeal of Reassignment or Termination

A faculty member, having received formal notice of a decision to terminate an appointment or of reassignment due to discontinuance of a program, may appeal. The appeal must be based on procedural grounds. Written notice of appeal must be filed with the Office of the Provost no later than fifteen days from the receipt of notice of reassignment or termination. Within five days of receiving notice of the appeal the Provost shall notify the Faculty Review Committee. The Faculty Review Committee shall ask the members of the elected committees not serving on the Faculty Review Committee to provide, within five days, a panel of five tenured members of the Faculty who are able to serve on a Faculty Hearing Committee. Members of the Faculty Review Committee and faculty members from the discontinued department or program are not eligible to serve on the Faculty Hearing Committee. The Faculty Hearing Committee shall be considered as constituted when the Faculty Hearing Committee gives written notice to the Provost and the faculty member making the appeal. The Faculty Hearing Committee shall choose

from among its members a chairperson who shall preside over the following procedure.

The Faculty Hearing Committee shall consider the appeal expeditiously and conduct a hearing within thirty days of notice of its constitution, giving both the faculty member and the Provost or the Provost's designated representative a full opportunity to present their respective cases, including material evidence. The proceedings of the hearing shall be recorded, but those of the Committee's deliberations shall not. The Faculty Hearing Committee is charged to determine if the decision to discontinue the affected department or program and the subsequent decision to terminate or reassign an affected faculty member has been made in accordance with College policies as set forth in the *Faculty Handbook* and/or in compliance with the established processes. The Faculty Hearing Committee shall submit its findings in a report to the President, Provost, Faculty Review Committee and the appellant faculty member within seven days of the hearing. Within seven days of receiving the report of the Faculty Hearing Committee, the President shall render a decision in consultation with the Provost and shall communicate to the Faculty Hearing Committee, the Faculty Review Committee, and the affected faculty member a response to the findings in the report and the President's decision regarding the affected faculty member.

v. Final Decision Regarding Termination or Reassignment

When a Faculty Hearing Committee finds that a decision to terminate a faculty member has been made in accordance with College policies as set forth in the *Faculty Handbook* and in compliance with the established processes and criteria, the faculty member subject to termination has no further administrative recourse.

When a Faculty Hearing Committee finds that a decision to terminate a faculty member has not been made in accordance with College policies as set forth in the *Faculty Handbook* or not in compliance with the established processes and criteria, the President shall reconsider the decision in consultation with the Provost. If the decision to terminate is withdrawn, the appeal process ends.

When a Faculty Hearing Committee finds that a decision to terminate a faculty member has not been made in accordance with College policies as set forth in the *Faculty Handbook* or not in compliance with the established processes and criteria, and when, upon reconsideration, the President in consultation with the Provost upholds the decision to terminate an appointment, the President or Provost shall submit a written response to the Faculty Hearing Committee. The President shall notify the faculty member concerned and the Faculty Hearing Committee of his or her decision in writing. If the President decides to terminate the faculty member, the President shall provide notice to the faculty member following established procedures outlined in III.B.8.c.i.-iii.

The decision of the President is final. The Faculty Hearing Committee shall report its findings and the final outcome of the appeal process to the Faculty as a whole. The Faculty Hearing Committee may withhold information at its discretion to maintain confidentiality in personnel matters.

III.B.9. Declaration of Financial Exigency, Resulting Discontinuance of Programs and Departments, Reductions in Force, and Resulting Terminations

Financial exigency is present when the financial position of the institution as a whole, as demonstrated by competent evidence, is such that the financial resources of the institution are insufficient to support existing programs. The President shall have the responsibility to keep the Faculty fully informed regarding the financial condition of the College.

III.B.9.a. Role of Faculty in Declaration of Financial Exigency

If the Board of Trustees seriously considers declaring a state of financial exigency or the President seriously considers recommending to the Board of Trustees that it declare a state of financial exigency, the Faculty Advisory Committee must be notified promptly. Upon notification, a Faculty Review Committee shall be constituted under section III.B.8.a. The Faculty Review Committee shall represent the Faculty in determining if, in fact, a *bona fide* financial shortfall or other emergency requiring a reduction in institutional costs exists that warrants a declaration of financial exigency. While the Board of Trustees has the ultimate authority to declare that the College is in a state of financial exigency, it shall not make such a declaration until the duly authorized Faculty Review Committee shall have had a reasonable opportunity to review the financial condition of the College and submit a recommendation. The President and/or Provost shall provide to the Faculty Review Committee full particulars of the financial condition of the College and, if appropriate, preliminary recommendations on how the financial shortfall or other emergency can be alleviated with or without the declaration of financial exigency. The Faculty Review Committee shall have access to all relevant financial data. The Faculty Review Committee shall make its recommendation to the President and Board of Trustees for or against the declaration of financial exigency within fourteen days of receiving the information it requested. The Faculty Review Committee may submit its own recommendations on how the financial shortfall or other financial emergency requiring a reduction in institutional costs can be alleviated or it may endorse those proposed by the President, the Provost, and/or the Board of Trustees. The process of making a recommendation by the President to the Board of Trustees for or against a declaration of financial exigency as well as the Board of Trustees' final decision on declaring exigency must include consultation with the Faculty Review Committee. If the President decides to recommend to the Board of Trustees the declaration of a state of financial exigency, the Faculty Review Committee shall be immediately notified. If the Faculty Review Committee's recommendation concerning the declaration of financial exigency differs from that of the President, both recommendations shall be submitted to the Board of Trustees. The Faculty Review Committee shall keep the Faculty informed either through normal committee processes and reports at regularly scheduled faculty meetings or such other means as the Committee deems appropriate.

III.B.9.b. Role of Faculty Review Committee During Financial Exigency

When a state of financial exigency is declared by the Board of Trustees, the Faculty Review Committee will confer with the President and the Provost to establish the criteria to be applied by the President and the Provost in achieving a reduction in force, shall monitor the application of the criteria, and report as regularly as possible to the Faculty regarding the extent and nature of the measures taken. A reduction in force is the termination of faculty members following from a selective reduction in faculty positions and/or reduction or curtailment of academic departments or programs.

Upon a declaration of a state of financial exigency by the Board of Trustees, the provisions for reassignment or termination of faculty appointments below are in effect.

III.B.9.c. Termination of Appointment Due to Discontinuance of an Academic Department or Program Necessitated by Financial Exigency

The **applicable** procedures established in Section III.B.8.c. shall be followed. The College shall follow established procedures of notification as set forth in section [III.B.4.b.](#) of this *Handbook*.

III.B.9.d. Termination of Appointment Due to Reduction in Force Necessitated By Financial Exigency

When, upon the consideration of the recommendations of the President and a duly constituted Faculty Review Committee, the Board of Trustees declares a state of financial exigency, the College may take extraordinary action to alleviate the financial shortfall or other emergency requiring a reduction in institutional costs, using the procedures set forth below. Such action may include a reduction in force, as defined in [III.B.9.b.](#)

Procedures for a Reduction in Force

Upon declaration of a financial exigency, the President and the Provost, in consultation with a duly constituted Faculty Review Committee shall establish the criteria and formulate a plan for the reduction in force required to alleviate the financial shortfall or other emergency requiring a reduction in institutional costs. In formulating such a plan, the retention of a viable academic program shall be the first consideration. The plan shall identify academic and administrative units to be reduced or eliminated. If the Faculty Review Committee, the President, and the Provost are unable to agree on a plan, the decision of the President is final. The Committee shall submit a report summarizing the substance of the disagreement to the Faculty. Where reduction of an academic department or program is planned, the extent of the required reduction shall be specified in the plan, but the manner in which such reduction is to be achieved shall be determined in consultation between the Provost, the Area Chairs, and the directors of any additional affected programs. To the fullest extent possible, and subject to the College's need to retain

faculty members qualified to teach or otherwise fulfill the overall academic program's remaining role and obligations, reduction shall first take place from among part-time faculty members, then, in order, from among full-time faculty members with term appointments and less than six years of service, full-time faculty members with term appointments and more than six years of service, probationary full-time faculty members on tenure track, and then, if necessary, from among the tenured faculty members giving due consideration to seniority. The Faculty Review Committee shall monitor the application of the criteria and the execution of the plan for the reduction in force, and report as regularly as possible to the Faculty regarding the extent and nature of the measures taken.

III.C. FACULTY EVALUATION

In order to promote the continuous improvement of the College's academic program, all faculty members are evaluated according to the schedule outlined below. Forms that detail the process for tenured faculty members, those faculty members on full-time term appointments and adjunct faculty or part-time faculty members are included in the appendices of the *Faculty Handbook*.

1. All faculty members are evaluated according to a rank-specific evaluation schedule as outlined in Appendix C of the *Manual for Academic Department and Area Chairs*.
2. All tenure-track faculty members are evaluated in two pre-tenure evaluations and a tenure evaluation as set forth in [III.B. 1](#) and [III.B.2](#) of this *Handbook*.

III.D. FACULTY DEVELOPMENT

III.D.1. Philosophy of Faculty Development

The following statement was formulated by the Faculty Development Committee and endorsed by the Faculty in May of 2000:

The Faculty at Birmingham-Southern College is committed to achieving and maintaining excellence in teaching, to staying abreast of and making meaningful contributions to current ideas and innovations in disciplinary and related fields, and to providing thoughtful and constructive academic advising. In order to best accomplish these goals, the faculty member must deliver a quality curriculum, focusing on the individual student, and must continue to develop his or her knowledge base through on-going research and creativity. These commitments require sufficient time and resources necessary to fulfill our obligations as a Faculty. We affirm that Birmingham-Southern College should offer the environment and resources conducive to the Faculty's developing and maintaining these commitments.

III.D.2. Sabbatical Leave

Sabbatical leaves are among the most important means to increase a teacher's effectiveness and to enhance a scholar's opportunity for research, reflection, writing, and artistic creation. Because effective teaching and ongoing scholarship are at the heart of a liberal arts tradition, a sound sabbatical leave program is of vital importance to the academic life of a liberal arts college, and every faculty member should use available means of professional development, including sabbatical leaves, to increase professional competence. The major purpose of Birmingham-Southern College's sabbatical leave program is to provide an opportunity for continued professional growth and new or renewed intellectual development through artistic endeavors, research, study, travel, or writing in order to enhance creativity, scholarship, and teaching. (The Birmingham-Southern College sabbatical statement was accepted by the Faculty during fall term, 1996. It is closely based on that of Trinity University and is adapted by permission.)

Professors, Associate Professors, and Assistant Professors who have had six years of continuous service on the College Faculty are eligible for sabbatical leave consideration. Years taught in a full-time, non-tenure-track position at the rank of Assistant Professor with the Ph.D. or other terminal degree may be counted as part of the six years of service required for eligibility. At the Provost's discretion, the years an applicant taught with the rank of full-time instructor may be counted as part of the six years of service required for eligibility.

Faculty members may elect to use a full academic year at half the base salary, or a half year at the full base salary. In either case, the College continues to contribute its full share of all established benefits, such as retirement and insurance. A half-year leave may include the fall and Exploration terms (September to February) or the Exploration and spring terms (January to June). The summer term is not considered a part of the leave year.

Faculty members are eligible for subsequent sabbaticals after each six years of post-sabbatical service. In the case of service to the College as department chair or area chair that extends a period between sabbaticals beyond six years, up to two years of service after the year of eligibility may be counted toward a subsequent sabbatical.

Applications for sabbatical leave must be submitted to the Associate Provost of the College by November 15 of the academic year prior to the year of the planned leave. The sabbatical leave application form is available on Moodle.

Sabbatical leaves are granted by the Provost of the College and the President upon recommendation of the Faculty Development Committee. The number of sabbatical leaves will be limited to no more than ten percent of the Faculty over the course of the academic year. Following the sabbatical, a written evaluation of the project must be provided to the Associate Provost of the College, with a copy to the Faculty Development Committee, by April 1 of the academic year in which a fall/Exploration half-year sabbatical is taken and by October 1 of the calendar year in

which either a full-year sabbatical or an Exploration/spring half-year sabbatical concluded. Faculty members are also expected to share the results of their sabbatical project in a forum for members of the College community. The forum should be scheduled during the academic year following the completion of the sabbatical project.

Those faculty members receiving sabbatical leaves are expected to return to the College for the academic year following the sabbatical. Failure to do so may result in a request for repayment, by the person on leave, of the benefits and salary paid during leave. Sabbatical leave may be withheld whenever it is felt that the absence of the candidate for the leave will seriously impair the interests of the College.

III.D.3. Working for Pay during Sabbatical

The following statement regarding work done for pay during sabbatical leave was accepted by the Faculty in December, 1996:

The Faculty Development Committee believes we can evaluate the issue of receiving money for work done during sabbatical only insofar as it impacts on the sabbatical program itself. Consequently, we have focused our discussion on this question: does work done for pay impact positively or negatively on the likelihood that a sabbatical leave will further the professional development of the Faculty?

Viewed in that light, the issue of whether a faculty member receives financial remuneration for work done during a sabbatical is secondary to the question of whether the work done is directly relevant to the sabbatical project. We, therefore, believe that any work done during sabbatical leave should be directly relevant to the faculty member's sabbatical project, regardless of whether the faculty member receives financial remuneration for that work and regardless of whether the source of that financial remuneration is the College or some other institution or agency.

Sabbaticals, as we understand them, are supposed to be time off from regular teaching and administrative responsibilities in order to focus on the work proposed for sabbatical. Only in this way can sabbaticals have the greatest potential for positive impact on the professional development of the Faculty. Any work undertaken that is not directly relevant to the sabbatical project can only be, more or less, detrimental to that goal (this is excluding, of course, the one day a week the College grants to any faculty member at any time, with the approval of the Department Chair and the Administration, to work at something other than their academic responsibilities as defined in [III.E.2.](#) below).

Work undertaken during a sabbatical should not be, for example, (1) a mere means of earning more money while on sabbatical, (2) a matter of earning money to make it affordable to take a full year instead of a single term off, or (3) a means of extending a term's sabbatical project over a full year by continuing to work part time at the College at administrative or teaching responsibilities in a way not directly relevant to the sabbatical project.

Beyond that, we consider any work that is directly relevant or integral to the sabbatical project itself to be appropriate whether or not the faculty member is paid for it.

III.D.4. January Leave

Professors and Associate Professors are eligible for one January leave with pay between sabbaticals. In addition, pending the recommendation of the Faculty Development Committee and approval by the Provost, all pre-tenure tenure-track faculty members are guaranteed one January leave at least one year before the application deadline for tenure and promotion. Following promotion to the associate rank, lecturers and librarians are eligible for January leave once every seven years. The College expects recipients to use their leaves to enhance their professional growth.

Applications for January leaves must be submitted to the Associate Provost of the College by March 1 of the academic year prior to the proposed January leave (i.e., applications for January leave 2022 are due by March 1, 2021). The January leave application form is available on the Faculty Development Committee's webpage.

A written evaluation of the project must be provided to the Associate Provost of the College, who will forward a copy to the Faculty Development Committee, by March 15 of the calendar year in which the January leave is taken.

III.D.5. Scholarly and Personal Leave

Any full-time faculty member may apply for a full-time leave of absence without pay for personal or professional reasons. Leaves shall typically not be granted for more than one year. The College may, under extraordinary circumstances, grant an extended leave without pay, but any full-time leave beyond two years constitutes forfeiture of tenure for tenured faculty and relieves the College of the obligation to hold a position for any individual on leave. Proposals for extension of leave must be made at least 120 days prior to the scheduled end of the granted leave period.

During a full-time leave, a faculty member receives neither salary nor contributions to health or other College-sponsored insurance or retirement. Faculty members are eligible, however, to purchase health insurance in accordance with The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) for up to 18 months. Upon returning from leave, a faculty member will receive any increases in salary or benefits scheduled for faculty in common during the leave period.

During leave, the faculty member may receive a stipend, supplemental retirement contributions, or insurance premiums from some other source. A faculty member on leave may continue to receive tuition remission benefits, library privileges, parking privileges, and email access, office use, and BSC network accessibility.

A faculty member on a leave of absence without pay is not eligible to apply for internal funds for

faculty development. Time spent on leave will not count toward years in service. Applications for leave must be submitted at least 120 days prior to the beginning of the leave period to allow for sufficient lead time necessary for departmental and administrative planning. A decision about the proposed leave should be made by the Provost within six weeks of the faculty member's application.

Applicants for leave should consult with their department chairs as soon as possible to facilitate departmental planning for the leave. Applications must be submitted in writing to the Provost. Applications must be signed by the faculty member's department chair to signify that the chair has been notified of the application. Applications must specify the reasons for requesting leave and the duration of the proposed leave. At the request of applicants, applications may be kept confidential. The department chair must provide the Provost with a statement in writing as to how the department will adjust to the leave, including how course load in the discipline and in general education, advisees, and other institutional service will be covered. Leave requests are reviewed and decided by the Provost. Normally, the College will attempt to hire adjunct faculty or a visiting assistant professor as needed for the duration of the leave.

III.D.6. Summer Stipends

A number of stipends for summer projects are awarded each year to faculty projects that are deemed to benefit both faculty development and the College as a whole. These summer stipends are intended to support original research or creative work that will, in most cases, result in publication, performance, or exhibition. Stipends will also be considered for course development and for teaching development through such programs as the Associated Colleges of the South's Teaching and Learning Workshop. The desired result of such projects will, of course, be to strengthen teaching. Applications for summer stipends must be submitted to the Associate Provost in early March. The application for a summer stipend is located on the Faculty Development Committee's webpage. A written report of the summer project must be provided to the Associate Provost of the College, who will forward a copy to the Faculty Development Committee, during the first week of September following the summer project.

III.D.7. Professional Travel and Conferences

Birmingham-Southern College encourages faculty travel as an integral and vital component of faculty development. As Birmingham-Southern seeks to position itself as a widely recognized national liberal arts college, faculty accomplishments need to become more widely known in professional circles and organizations at the state, regional, national, and international levels. Consequently, while the College supports and encourages all kinds of professional development for faculty members, travel related to professional development is a particularly important category because of its unique benefits to the College as well as to the individual. Professional development travel application guidelines can be found in [Appendix I](#).

III.D.8. Named Chairs and Funding

When a named chair becomes available, the Provost identifies all qualified candidates. The

Provost and the Associate Provost review the candidates and, based on credentials, scholarly record, teaching, and service to the College, identify a recipient and discuss that name with the Promotion and Tenure Committee. The Provost then makes a recommendation to the President. Not all named chairs currently have endowment funds supporting them, but all chair holders are eligible for specific funds designated in the Provost's Office for professional development and research.

III.D.9. Taking Courses at the College

Full-time, continuing faculty members are eligible from the date of employment to receive tuition remission for courses taken at the College. See [Appendix A](#) for information on tuition remission for dependents of faculty members.

III.D.10. The Bob Whetstone Faculty Development Award

The Bob Whetstone Faculty Development Award is given annually to a non-tenured faculty member who has demonstrated excellence in teaching the previous year. The selection is made by the Provost of the College. The Whetstone stipend is placed in a separate travel account for the sole use of the winner. This award serves as recognition of effective teaching among younger faculty members; it helps provide additional opportunities for professional development; and it maintains the commitment to good teaching and advising which characterize the Faculty of Birmingham-Southern College.

III. D.11. David and Katy Smith Senior Faculty Award

The David and Katy Smith Senior Faculty Award is presented annually to a member of the faculty who has served for ten years or more and who shows creativity and effectiveness in teaching as well as positive leadership in governance and service to the College.

III.D.12. New Faculty Mentors

Each new full-time faculty member is assigned a colleague who serves as mentor during the new faculty member's first year. The Provost and Associate Provost assign these mentors. They serve as faculty role models and help answer any questions the new faculty member may have about the College, advising, our students, and faculty membership in general. In conjunction with the Provost's Office, new faculty members' mentors help to design and to participate in an annual program for new faculty members.

III.E. WORKLOAD

III.E.1. Academic

Faculty members are expected to teach three courses or the equivalent in the fall term, a January Exploration term project, and three courses or the equivalent in the spring term. This expectation is altered in the sciences, where laboratory sections may equal a lecture section in other disciplines,

and in some fine and performing arts disciplines, which rely on one-on-one teaching techniques. The workload formulae of national accrediting agencies provide a measure of guidance in determining the appropriate workload for these areas.

III.E.2. Outside Employment/Consulting

A full-time faculty member may, upon approval of the Provost and the appropriate Area Chair, be gainfully employed by an off-campus agency for not more than one work-day equivalent per week (Monday through Friday). The working day for this policy statement shall be defined as extending from 8:00 a.m. to 4:30 p.m. Hours devoted to gainful self-employment are subject to these same restrictions.

III.E.3. Responsibilities Outside of the Classroom

A full-time faculty member is expected to meet the following requirements:

- a. Participate fully in all department meetings, all faculty meetings, and in the work of committees to which they are elected or appointed.
- b. Be generally available on campus for participation in the activities listed above and for purposes of helping and advising with students for a minimum of thirty-two hours per week.
- c. Post hours of general availability for student advising and consultation at the beginning of each term.
- d. In the case of full-time term appointments, faculty members may serve on faculty committees and advise students in accordance with the needs of the Department and in consultation with the Area Chair and Provost.
- e. Complete trainings required by the College (cybersecurity, sexual harassment, etc.)

III.E.4. Offices and Equipment

The Provost in conjunction with the Area Chairs assigns all faculty members' offices. Faculty members are asked to post conference hours on their office doors and to keep regular office hours that are adequate for consultation with students.

Faculty members are encouraged to work with the Academic Programs Assistant in their area to order supplies. The preferred vendor for office supplies should be used whenever possible.

III.F. BENEFITS

For information on benefits please refer to <http://www.bsc.edu/administration/humanresources/>.

III.F.1. Medical Insurance

Faculty members are required to have medical insurance coverage either under the College's plan or another plan of the faculty member's choice. Current information regarding health insurance eligibility and coverage may be obtained from the Vice President for Human Resources and Risk Management.

III.F.2. Retirement

Information about the College's present policy governing retirement from regular appointment to the Faculty or Administration, and the College's retirement benefit plan, as approved by the Board of Trustees, may be obtained from the Vice President for Human Resources and Risk Management.

III.F.3. Life Insurance

The College provides a life insurance policy in the amount of \$50,000 and an accidental death policy in the amount of \$50,000 for each full-time faculty member at no cost to the faculty member.

III.F.4. Flexible Benefits Plan

Eligible employees are allowed to tax-shelter premium payments for health, cancer, and dental insurance plans upon date of hire. The plan also allows employees to be reimbursed on a tax-free basis for eligible medical, dental, and dependent-care expenses through flexible spending accounts.

III.F.5. Long-Term Disability Insurance

Disability insurance is available at the option of the individual. Information regarding this insurance is available from the Vice President for Human Resources and Risk Management.

III.F.6. Institutional Benefits: Tuition Remission/Grants

Remission of tuition at Birmingham-Southern is available to all full-time, continuing members of the Faculty and Staff for their spouses and/or children. Complete information regarding policies and procedures is provided in [Appendix A](#) of this *Handbook*.

The College also participates in the tuition exchange program sponsored through the Associated Colleges of the South. A fee is paid by the employee and the College to participate in this program. This program provides tuition remission benefits for the children of full-time faculty and staff members at other participating institutions of the Associated Colleges of the South. The College also participates in the National Tuition Exchange Program, a number of national colleges and universities with which the College has tuition exchange benefits. More detailed information regarding tuition exchange is available from the Office of Financial Planning.

III.F.7. Faculty Family and Medical Leave Policy

Please see [Appendix G](#) of this *Handbook* for details of the Faculty Family and Medical Leave Policy.

III.F.8. Other

The College provides the following benefits as required by law: Workers' Compensation, Social Security, Medicare, Unemployment Compensation, and Health Insurance Continuation (COBRA).

III.G. Compensation Policies, Salary Schedule, and Rationale

Regular salaries are paid on a twelve-month basis; therefore, one-twelfth of the salary for nine months' teaching is paid on the 29th of each of the twelve months in the year, beginning with September 29. Whenever the 29th falls on a Saturday or Sunday the monthly check will be issued on the preceding Friday. The College deposits payroll checks directly into a bank of the individual's choice. The Vice President for Human Resources and Risk Management will explain to individual faculty members the deductions made for taxes, Social Security, Medicare, health insurance, retirement, and other types of insurance.

The College participates in the annual faculty salary studies conducted by the American Association of University Professors and specifies that the data furnished may be published in the spring issue of *Academe*. This data on average salaries and benefits by rank is, therefore, publicly available. In all other instances, the College considers an individual's salary confidential and does not reveal it to any source except as required by law.

The Provost makes recommendations to the President for salary increases, whose decision is final. Criteria for salary increases are based upon and include, but are not limited to, the following: effectiveness in teaching; effectiveness in the advising of students; training and experience; research and creative activity; and contributions to the life of the academic and surrounding community.

III.H. Employment of Relatives

Members of an immediate family may not be employed in any position that supervises or is supervised by a member of his or her family. No family member may make decisions regarding hiring, promotion, salary increases, performance evaluations, or disciplinary actions regarding a member of the immediate family.

Immediate family includes spouse, domestic partner, parents, brothers, sisters, children, grandparents, grandchildren, uncles, aunts, mother-in-law, father-in-law, brothers-in-law, sisters-in-law, and extended family relationships: stepchildren, stepparents, stepsisters, and step-brothers.

CHAPTER IV: ACADEMIC POLICIES AND SERVICES

IV.A. TEACHING AND ACADEMIC ADVISING

IV.A.1. Teaching Methods

Each faculty member can determine the best teaching methods for his or her own use. All faculty members, however, are encouraged to consult with colleagues and to visit each other's classes.

IV.A.2. Academic Advising

Faculty members are asked to serve as academic advisors both to new students and to students who choose the faculty member's discipline as a major field. Each year many faculty members are asked by the Provost to serve as advisors to a group of new students assigned to them.

Advisors work closely with advisees during fall orientation and throughout the first year.

All faculty advisors are responsible for approving course plans and course changes for their advisees. An advisor should be familiar with all of the [Catalog](#) requirements and remain aware of the importance of careful advising; a faculty member in the role of academic advisor is making commitments for the College. Advisors should remind advisees, however, that they are also responsible for acquainting themselves with the requirements for the degree and career goal toward which they are working and for arranging their courses of study accordingly. Faculty advisors are expected to assist students in every way possible, but the final responsibility for meeting all requirements for a degree rests upon the individual student. Advisors should keep student records at least two years after the student graduates or last attends the College.

Students may change advisors at any time, although first-year students are encouraged to remain with their original advisor throughout the first year. To change advisors, a student completes the appropriate form, available in the Academic Records Office.

IV.A.3. Advising Mission Statement

Academic Advising supports Birmingham-Southern College's mission to prepare our students for lives of significance and to foster intellectual and persona development. Working collaboratively with faculty advisors who seek to foster an inclusive learning environment, students should be guided towards identifying and pursuing their academic interests; encouraged to be engaged in learning beyond the classroom; and challenged to embrace liberal arts education as a life-long learned who acquires a deep appreciation of different perspectives, backgrounds, and identities.

IV.A.4. FERPA

The Family Educational Rights and Privacy Act of 1974 (FERPA), once referred to as the Buckley Amendment, is the legislation which determines policy for confidentiality and student

privacy in advising. It applies to student records after 1/1/75.

Under the Act, students have the right to see their permanent academic records, with the following exceptions: security records; health and counseling records; confidential letters of recommendation or other confidential evaluations (where students have waived the right of inspection); parents' confidential statements and income tax returns; and personal notes made by advisors, faculty members, and administrative personnel.—*Advisors should remove personal notes from advising folders when they are forwarded to a new advisor or permanently transferred when students leave campus; otherwise, these notes become part of the official record that students have a right to inspect.*

FERPA also restricts access to and disclosure of information from a student's educational record without the written consent of the student, except in certain instances permitted under the Act. Data considered "Directory Information" may be disclosed without prior written consent, unless a student notifies the Records Office to restrict release of that information.

Although in no sense a substitute for legal advice on particular issues, the list below offers some guidelines for advisors' and faculty members' compliance with the Act:

In general, parents, spouses, and their relations do not have a right to information contained in a student's educational record. Many students, though, will allow their parents or guardians the right to these records. Advisors may check with the Records Office to see if a student has signed a form to this effect. Nevertheless, it is advisable not to release information over the phone since it is difficult to confirm a caller's identity. If the need to discuss confidential information arises, suggest a personal meeting instead of a phone conversation.

Students' scores or grades should not be displayed publicly. Even with names obscured, numeric student identifiers are considered personally identifiable information and must not be used. Grades, transcripts, or degree audits distributed for purposes of advising should not be placed in plain view in open mailboxes located in public places.

Graded papers or tests should not be left unattended on a desk in plain view in a public area, nor should students sort through them in order to retrieve their own work.

Class rosters, grade sheets, and other reports should be handled in a confidential manner and the information contained on them should not be disclosed to third parties.

Faculty are deemed to be "school officials" and can access data in TheSIS (The Student Information System) and Colleague if they have a legitimate educational interest. A legitimate educational interest exists if the faculty member needs to view the education record in order to fulfill his or her professional responsibility. Faculty members with legitimate educational interest in a student can also discuss the student's pertinent records with an advisor. These persons should have a demonstrable need to know, and to know only information pertinent to the inquiry, however.

Students' schedules; parents' names, addresses, and telephone numbers; date or place of birth (these may be confirmed or denied, but not corrected); health status; attendance records; and recorded disciplinary actions should not be released to outside sources. Emergencies should be directed to the Provost's Office and the Office of Student Development.

Only designated Records Office staff may respond to an outside inquiry for student information. Inquiries should be forwarded to the Records Office.

Additional information is available in the *Catalog* and at the website: <http://www.bsc.edu/records/pdfs/FERPA%20for%20Catalog.pdf>.

IV.A.5. Student Referrals

Any faculty member who considers a student to be exhibiting poor academic engagement, social difficulties, personal coping challenges, or any other behavior of concern, is encouraged to refer the student for follow up by the Retention and Care Teams, comprised of individuals in offices tasked with direct support of such students. The primary means for indicating general concerns is to submit the information through Starfish, the College's online alert system, which will notify relevant individuals of concerns. For issues needing immediate attention, direct contact with appropriate offices by email and phone is the most effective method of referral. The offices which comprise the Retention and Care Teams and whose staff will respond to students of concern include the Provost's Office, Student Development, Counseling Services, Health Services, Religious Life/Chaplain, and Records.

IV.B. STUDENT EVALUATION

IV.B.1. Syllabi

All courses must have an accompanying course syllabus. The syllabus should provide a clear statement of student learning outcomes and the relation of the outcomes to the general education or major program goals of the department. Courses designated to fulfill Explorations' learning outcomes must include the approved learning outcomes for the appropriate designation. The syllabus should also clearly state the instructor's expectations regarding class attendance, examinations, written assignments, class presentations, other assignments, plagiarism, and the Honor Code. Syllabi should also address academic accommodation by including the following statement:

If you are registered for accommodations, please make an appointment with me as soon as possible to discuss accommodations that may be necessary. During this discussion, you are not expected to disclose any details concerning your disability though you may discuss these details at your discretion. If you have a disability but have not contacted the Coordinator of Disability Accommodations Coordinator at BSC, please call 226-4717 or visit Counseling & Health Services on the second floor of Norton Center, next door to Student Development. You may also contact the Coordinator via email if you have any questions or need more information.

The syllabus should also contain an explanation of how the instructor will determine grades. All faculty members are required to submit copies of class syllabi to the Academic Programs Assistant in his or her area. (See [IV.C. Grades](#))

IV.B.2. Tests

Some form of evaluation should be given in all courses early each term, preferably by the end of the second week. Frequent quizzes and written work should be assigned during the term; all written work should be graded carefully and promptly; frequent conferences should be held with the students concerning their work. Because the College emphasizes that a clear and pleasing prose style is the surest mark of an educated person, faculty members are expected to require high standards of good writing of all students in all courses. Records of students' grades and course work not returned to students should be kept on file for at least five years after the course has ended.

IV.B.3. Final Examinations

Final examinations are scheduled for three-hour periods. Students take final examinations at regularly scheduled times. If a student is unable to attend a scheduled examination because of illness or other serious cause, they will be permitted to take a delayed examination if an acceptable excuse is presented to the instructor of the course. When possible, the instructor's permission to take a delayed examination should be obtained prior to the time scheduled for the examination.

IV.C. GRADES

Instructors are cautioned to report an "I" ("incomplete") only when a student is doing satisfactory work in a course and has a genuine reason for allowing assignments to be incomplete at the end of the course; most students who do not complete assignments during the regular term deserve an "F" in the course. For a complete description of all grade notations, as well as the College's policy on incomplete grades, please see the College [Catalog](#).

Grades are reported twice a term: at mid-term and at the end of the term. Mid-term assessments are requested by the Records Office at the end of the first half of the term and are distributed to the student's advisor for consultation purposes. Mid-term assessments are available on TheSIS for students to view. Professors report mid-term assessments for all first-year students and for upper-division students whose grade is "C-" or below or "U."

Final grades are due as soon as possible after final examinations and no later than the published due date and time. Consult the academic calendar for exact dates. All grades should be carefully checked; once they are recorded they should not be changed unless they are in error. The College's grading guidelines appear below. Additional information appears in the *Catalog*. The assigning of "plus" and "minus" is College policy; the following rounded ranges are suggestions.

Letter Grade	Qual.Pts.	MidPoint %	Actual Lower Limit %	Rnd. Range
A	4.00	96.67	93.34	93 - 100
A-	3.67	91.67	90.00	90 - 92
B+	3.33	88.33	86.67	87 - 89
B	3.00	85.00	83.33	83 - 86
B-	2.67	81.67	80.00	80 - 82
C+	2.33	78.33	76.67	77 - 79
C	2.00	75.00	73.33	73 - 76
C-	1.67	71.67	70.00	70 - 72
D+	1.33	68.33	66.67	67 - 69
D	1.00	65.00	60.00	60 - 66
F	0.00			<60

IV.D. GRADE APPEALS

Birmingham-Southern College supports the academic freedom of faculty members in assigning students a final grade. If a student believes an error has been made in the calculation or recording of a final grade, they should immediately alert the professor. Beyond such errors, a formal appeal of a **final** grade is granted only when there is **clear and convincing** evidence that the final grade was "arbitrary and capricious, irrational," or "made in bad faith" [Susan M. v. New York Law School, 556 N.E. 2nd 1104, 1107 (1990), 76 N.Y. 2nd 241, 557 N.Y.S. 2nd 297]. Students should understand that an allegation that a final grade was arbitrary and capricious, irrational, or made in bad faith is a **serious** charge and should not be made unadvisedly.

If a student wishes to appeal a final grade, they must contact the professor no later than 30 calendar days after the beginning of the next regular term. If this consultation fails to resolve the issue, the student may contact the appropriate department chair, who will then contact the professor concerned. If the complaint remains unsettled, the student may contact the appropriate area chair next. If the matter is still unresolved, the student may file a written appeal with the Provost on a form provided by the Office of Academic Affairs. After reviewing the appeal, the Provost may deny the appeal or may request that the Faculty Advisory Committee select a three-person committee from the full-time Faculty of the College. Two members of this committee must come from the academic area involved, and the third will come from outside the academic area. The committee will determine its own procedures and review the case with the following stipulation: the burden of proof for demonstrating a breach of standards rests with the student, and the student must provide documentation of his or her attempts to resolve the issue through previous consultations.

When the review is complete, the committee will notify the Provost of its decision. The Provost will have the final decision in determining whether a change of grade is necessary. The Provost will inform the student in writing of the decision and send copies of this same letter to the committee, the faculty member, and the appropriate department chair. The entire grade appeal process is normally finalized by the end of the next regular term after the term of the grade under appeal

IV.E. COURSE EVALUATION

Courses will be evaluated on a regular basis. All faculty members will use the College's evaluation instrument (distributed by the Provost's Office each term to the Academic Programs Secretaries). Faculty members may choose to use an additional evaluation tool of their own design.

IV.F. THE HONOR CODE

IV.F.1. Description of the Honor Code

Students at Birmingham-Southern College sign the Honor Pledge saying they will not lie, cheat, or steal as a member of the Birmingham-Southern College community or tolerate the behavior of any who do. The Student Government Association supports an honor system for the student body by electing an Honor Council. A member of the Faculty serves as advisor. Members of the Faculty support the efforts of the Honor Council by reporting all suspected violations of the Honor Code. (For a complete description of the Honor Code, please see the [Student Handbook](#).)

Honor Council

The Honor Council, composed of 15 students, will deal with students accused of violating the Honor Code. The Dean of Students and a faculty advisor, selected by the Council, will assist the Council and the Pre-Hearing Committee in their activities, but they will not participate in the determination to proceed to hearing, reach a finding, set a penalty, or recommend reconsideration. The Dean of Students will conduct the pre-hearing investigation of alleged violations of the Honor Code.

Social Council

The Social Council, composed of the student who is Vice-President of the Honor Council, a faculty member, and a staff member appointed by the President of the College, deals with social violations rather than academic violations.

Honor Code Violations

The following are violations of the Honor Code:

1. Lying in official matters.
2. Cheating by either giving aid to or receiving aid from a student or other source without the consent of the faculty member, or plagiarizing (using another person's words or ideas without documenting them properly).
3. Stealing (intentionally taking or appropriating without the right or permission any individual, organizational, or institutional property. This includes, but is not

limited to, stealing off campus; from any person or business representatives on this campus; from a computer company or any other computer-related theft; from the telephone system; from vending machines; from a residence hall visitor; or from any other business while it is on this campus. It also includes the removal of any material or equipment from the Library or other facilities without permission.)

4. Failure to report a violation of the Honor Code.
5. Failure to appear before the Council as requested by written notice.
6. Failure to maintain confidentiality regarding an Honor Council case.

Penalties

When determining a penalty, the Council is responsible for assuring the effectiveness of the honor system for the Birmingham-Southern community. The Council may impose expulsion or any lesser penalties.

Reporting a Violation

Any student, faculty member, or staff member having knowledge of a possible Honor Code violation must report it to the President of the Council, the Dean of Students, or, in the case of classwork, to the faculty member concerned. The accuser may first approach the accused or simply report the violation. If, however, after approaching the accused, the accuser remains suspicious, it is the accuser's duty to make sure that the suspected violation is reported to the Council.

Confidentiality

An investigation, hearing, review, and reconsideration shall be confidential and those within the bounds of confidentiality shall not divulge anything that is said or done with regard to these proceedings to anyone outside the bounds of confidentiality. Should anyone outside the bounds of confidentiality receive information which is considered to be confidential, they will automatically be bound by confidentiality. Those within the bounds of confidentiality include Council members, the Advisor, the Dean of Students, the Vice President for Student Development, the Provost, the President, accusers, the accused, witnesses, persons interviewed during the investigation, victims, and the College's attorney. In addition, the accused may include within the bounds of confidentiality his or her parents, faculty members, staff members, minister, and personal or legal counsel. Should the accused or anyone designated by the accused to be considered within the bounds of confidentiality violate the requirement of confidentiality, the Council may vote to post a public summary of the case.

IV.F.2. Examinations

The Honor Council has established, and the Faculty has agreed, to enforce a set of uniform procedures for taking examinations and for submitting written assignments. The Faculty is

requested to support this academic decorum.

All tests at the College are conducted under the Honor Code as described in the [Student Handbook](#).

IV.F.3. Out-of-Class Work

Work prepared out of class should be that of the individual. Any assistance from fellow students, books, periodicals, or other materials should be carefully acknowledged. Instructors should give specific guidance regarding what constitutes a violation of the Honor Code. If any doubts about plagiarism arise, a question should be raised by the instructor to the Dean of Students.

IV.F.4. Use of Old Quizzes and Papers

While opinions differ about the use of old tests and term papers, the general consensus is that studying previously given tests and reading papers from previous courses is valuable. A student should be careful, however, that these materials are used properly. A student should never copy a section of an old term paper and submit it as his or her own, and the student should be guided in the use of these materials by the wishes of the instructor. The instructor should provide specific written and/or verbal guidelines regarding the use of these materials.

IV.F.5. Instructor's Interpretation

As early as possible in the term, the instructor should make clear to his or her classes how the specifications of the Honor Code apply to class requirements. For example, what constitutes a legitimate use of source material, especially material on the Internet, should be made clear.

IV.G. CONVOCATIONS

A number of formal convocations are scheduled during the regular academic year. These are announced via the College calendar well in advance of the event. In order to foster a sense of community, faculty members are expected to attend all formal convocations.

IV.H. REGISTRATION

Near the end of each fall and spring term, registration for the following term is held. Students are encouraged to make an appointment with their advisors to discuss any problems which they anticipate during registration. Advisors must be available to meet with their students. They should check each student's schedule carefully to advise that the necessary course requirements are being met.

IV.I. DROPPING AND ADDING COURSES

Students should consult with their advisors before adding or dropping courses. If a faculty member learns that a student has dropped out of the College, they should notify the Provost's Office; however, faculty members should keep the student's name on their rolls until official notice of the

student's status is received from the Academic Records Office. Early in the term, faculty members should notify any attending student whose name does not appear on the roster so that the student may register in a timely fashion.

IV.J. WITHDRAWALS

A student who is enrolled during any term may request withdrawal from the College. Permission to withdraw is granted only by the Provost. Please refer to the College [Catalog](#) for details.

IV.K. CLASS ABSENCES

In all courses, the College expects regular class attendance. Faculty members, however, are given discretion to establish such regulations as are deemed academically sound. Instructors should announce the absentee policy to each class early in the term, and it should be included on the class syllabus. No student should be penalized for missing classes when the policy is not made clear. Instructors are strongly encouraged to keep records of class attendance and to report to Student Development via Starfish the names of all students who are absent three days in succession. Last day of academically related student activity should be documented in the case that a student fails to complete a course through lack of attendance. Sponsors of field trips, team trips, choir trips, and on-campus activities that will necessitate students missing classes, submit, at least three days before the absence, lists of student participants to the Office of the Provost.

Sponsors also notify faculty members of planned absences. These absences, however, are not excused by the Provost; only an instructor may excuse a student from class. Signed [release forms](#) may be required for certain off-campus events.

Instructors who know, in advance, that they will be absent from classes should inform both the Department Chair and the Academic Programs Assistant of the temporary arrangements made for their classes. Emergency absences should be reported immediately to Department Chairs.

Faculty are urged to start classes on time, beginning with the first day of the term, and to encourage students to come to the faculty offices for conferences concerning such matters as study habits. It is customary, although the custom is without sanction, for students to leave a classroom if the instructor is more than fifteen minutes late.

IV.L. LIBRARY AND INFORMATION SERVICES

The Library is central to the educational process at Birmingham-Southern College. More than just a storehouse of books, the Library provides an important array of services, resources, and research tools, and serves as an extension of the classroom.

Faculty members are urged to take an active interest in the Library program, in building and maintaining distinctive collections of print and digital learning resources, and in all matters pertaining to the information sources and services that the Library can offer as an integral part of

the College community. Questions about Library policies or procedures should be directed to the Director of the Library.

The Library, which maintains an open-shelf policy, contains books and journals, subscribes to current periodicals, and receives a selection of United States government documents as a partial depository. E-books, e-journals, electronic databases, DVDs, CDs, and other resources are vital parts of the Library collection. Materials from other libraries may be borrowed on inter-library loan, subject to rules of the lending libraries. Request forms may be found on the Library website. In most cases, the costs of borrowing are covered by the Library. Faculty members, as well as students, have access to other academic libraries in the area (specifically UAB, Samford University, Miles College, the University of Montevallo, and—for residents of Jefferson County—the Birmingham Public Library system) through a cooperative borrowing agreement.

The Library schedule of hours varies with the academic calendar. Hours of operation are posted at the Library entrance and on the [Library website](#). Library materials circulate to members of the Faculty until May 31 of the current academic year, subject to recall if requested by other patrons. The Circulation Department also provides space for class reserve materials. Forms are available for placing materials on reserve and should be submitted at the circulation desk or through the online request forms available on the Library website as early as possible so that materials may be located and placed on reserve in time for class assignments. The Library has a number of meeting rooms and seminar rooms that may be reserved for a class or for college-related meetings, as well as small, lockable study carrels that can be used for sabbaticals or special projects. Laptops, computer projectors, and other multimedia equipment are available for checkout to faculty members. All room and equipment reservations are handled by the Circulation Department.

The Faculty and the Library staff share responsibility for building the library collections and for new acquisitions. Acquisition funds are allocated to academic disciplines from the Library's annual budget. Order requests from faculty members are charged against this disciplinary allocation. Order forms may be submitted electronically via the Library website. The Library's annual budget cycle conforms to the College fiscal year, which begins on June 1 preceding the academic year. Order requests are charged against a Department's allocation until April 1 of the academic year. On that date, any unspent departmental allocations revert to the Library's general fund.

A librarian is assigned to each discipline as a liaison, to facilitate collection development and instruction and to keep department members informed on a regular basis of allocations to their disciplines and of current expenditures and fund balances. Additional information about ordering materials is available from the library liaisons or library staff.

As members of the academic community, librarians are collaborators in meeting the Faculty's expressed mission to transmit knowledge and seek understanding. The librarians work with fellow faculty members and students in research partnerships, in team-teaching, and in specialized instruction. Librarians are expected to hold at least the Master of Library Science degree or its equivalent and, as faculty members, are expected to share in the responsibility and benefits of that status.

IV.M. SUMMER SCHOOL

The summer term permits students to accelerate their progress toward graduation, make up courses missed, and, in some special circumstances, make up missed Exploration Term projects. Although faculty members are employed for the academic year extending from September through graduation, individual faculty members may teach in the summer term for extra compensation. A faculty member who wishes to teach in the summer term should notify the Chair of his or her Department before the stated deadline for the summer schedule.

Faculty members are also compensated for doing individualized study contracts with students during the summer.

CHAPTER V: ADMINISTRATIVE AND FINANCIAL POLICIES AND SERVICES

V.A. ACADEMIC PROGRAMS ASSISTANTS

Administrative assistance is provided for the faculty members of each department through academic programs assistants located as conveniently as possible to those faculty members to whom they are assigned. Faculty members may make requests to the programs assistants by telephone or e-mail or by sending their work directly to the office which serves their department. Academic Programs Assistants may be asked to perform any secretarial service that pertains to an individual's responsibilities as a faculty member at Birmingham-Southern College.

V.B. TELEPHONES

All telephones on the campus are maintained by the Information Technology Office. Because of the speed and ease of long-distance dialing, everyone is cautioned to make certain that only authorized personnel use office telephones.

V.C. SMOKING ON CAMPUS

Smoking is prohibited in all buildings.

V.D. TEXTBOOKS AND CLASS SUPPLIES

Near the end of each term, the manager of the College Bookstore requests faculty members to order textbooks and other course materials for the following term. Instructors should place their orders by means of the online adoption portal. Since publishers allow bookstores little margin for error, faculty members are asked to exercise the greatest care in estimating the number of books needed and in keeping the manager of the Bookstore informed of plans for continuing or discontinuing texts. Each instructor is responsible for obtaining desk copies of texts directly from the publishers.

V.E. COMPUTERS FOR FACULTY

The College provides every faculty member with a personal computer. Allocations of faculty computers are determined by the Provost of the College, with the assistance of the Information Technology Department. Facilities for the creation of multimedia course materials are available in the Library Media Lab adjacent to the electronic classroom. All courses are provided with an online course site through the Moodle open source web application.

CHAPTER VI: STUDENT DEVELOPMENT POLICIES AND SERVICES

VIA. COUNSELING

Students who seem to need professional counseling should be referred to the Counseling Center or to the Office of Student Development. Any unusual change in behavior of any advisee or student should be reported in order that appropriate counseling services may be made available to the student. Advisors should not attempt to perform psychiatric services.

The Counseling Center also offers services in the area of study habits, motivation, vocational interests, emotional and social adjustment, and career counseling.

VI.B. CAREER SERVICES

The Career Services Office is located on the second floor of the Norton Campus Center, and is administered by the Office of Student Development. Services to students and alumni include assistance with career exploration and development through counseling, career inventories and testing, career research, job shadowing, internships, and individualized action planning. Individuals also receive help with résumé writing, interview preparation, job search techniques, graduate school preparation, professional behavior, and workplace issues. In addition, Career Services assists with career placement through maintaining a database of employers and open professional positions, referrals, on-campus interviews, and other guidance on connecting to professional organizations and companies. Throughout the school year, career fairs, graduate school expos, career workshops, and career information sessions are offered. A detailed website, a collection of printed handouts and worksheets, a career information library, and referral resources are available.

VI.C. ORGANIZATION OF THE STUDENT BODY

The student body of the College is organized in a variety of ways. The most formal and officially representative organization is the Student Government Association.

The Student Government Association exists under a constitution voted by the student body and approved by the Faculty and Administration and the Board of Trustees. A copy of the constitution, as currently amended, may be found in the [*Student Handbook*](#).

In annual spring elections, the student body elects officers and a representative legislature which act for or represent student opinion in all official relations with the Faculty and the Administration. In addition to managing its own affairs concerned with student life, the Student Government Association elects or appoints student members to serve with appropriate representatives of the Faculty and Administration in the conduct of certain campus-wide activities.

VI.D. THE PUBLICATION BOARD

The Student Government Association plays an active role in the program of student publications on campus. The budgets of the several official publications are a part of the total Student Government Association budget, and the business managers of the separate publications are responsible directly to the treasurer of the Student Government Association. The College's policy on student publications is one of guaranteeing freedom from prior censorship and delegation of responsibility, under sponsorship, and within a code for responsible journalism, to student editors. This sponsorship rests with a Publications Board composed of the officers of the Student Government Association, the several editors and the business managers, and both Faculty and Administrative officers.

Four publications are sponsored by the College and edited and managed by students: *Bagheera*, the student newspaper; *Southern Accent*, the annual; *Southern Academic Review*, a journal of scholarly and academic essays; and *Quad*, a literary magazine of student writing. All of these publications fall under the aegis of the Publications Board. *Compass*, the journal of the Hess Center for Leadership and Service, is also published annually.

VI.E. STUDENT ORGANIZATIONS

The College currently hosts a number of student-led organizations on campus. Several national fraternities and sororities have local chapters on campus. The fraternities are organized under an Interfraternity Council and the sororities under a Panhellenic Council. In addition, each organization has a faculty or staff advisor.

VI.F. MULTICULTURAL AFFAIRS

The Office of Multicultural Affairs provides intentional learning experiences that educate and support students in their own identity development. Through panel discussions, speakers, trainings and special events, their office strives to make cultural awareness an integral part of the student learning process, as it helps create citizens who can work, live, function and thoughtfully participate in the global age. We work to affirm the diversity of the campus community in its many forms by embracing a broad definition of culture to include world views formed by race, ethnicity, gender, national origin, abilities, religion, and sexual orientation.

VI.G. EXTRACURRICULAR ACTIVITIES

The College supports a variety of extracurricular activities that are administered either by the Office of Student Development, Student Government Association, or other campus organizations.

VI.H. THE ATHLETIC PROGRAM

VI.H.1. Intercollegiate

The intercollegiate program includes teams for baseball, women's and men's basketball, football, women's and men's track and field, women's and men's lacrosse, women's and men's cross-country, women's and men's golf, women's and men's soccer, softball, women's and men's tennis, women's volleyball, and swimming and diving. Professionals in their respective sports coach the teams, and the Director of Athletics supervises the entire program. The College is a member of the National Collegiate Athletic Association (NCAA) Division III and the Southern Athletic Association.

VI.H.2. Intramural

The intramural sports program is administered by the Intramural Sports Coordinator and is open to everyone in the College community, students, Faculty, and Staff. A full program of sports is offered each term. The team sports include flag football, indoor soccer, basketball, volleyball, softball, ultimate, and an "all-comers" swim meet. Individuals and pairs are invited to take part in racquetball, tennis, table tennis, free throw shooting, 3-point shooting, H.O.R.S.E., 8-ball, and 9-ball.

VI.H.3. Individual Recreation & Fitness

Individual recreation and fitness opportunities are available for students, Faculty, and Staff in numerous areas on campus, including the Larry D. Striplin, Jr., Physical Fitness and Recreation Center, the tennis courts, the outdoor track (around the soccer field), and the intramural sports field. The Striplin Center, located on the north end of campus, houses a state-of-the-art strength and cardiovascular workout room in addition to a swimming pool, indoor running track, basketball/volleyball courts, racquetball courts, an aerobics/martial arts studio, and locker rooms with showers.

VI.I. THE CHORAL PROGRAM

The faculty members of the Music Department sponsor and direct three choral groups: the Concert Choir, the Southern Chorale, and the Hilltop Singers. The first of these enjoys a national reputation from its recordings, its annual spring tour throughout the country and abroad, and its appearances with the Alabama Symphony Orchestra. The Hilltop Singers tour annually with the Concert Choir and appear frequently in high schools in support of our student recruitment program. In addition to these, there is a One A-Chord Gospel Choir administered out of the Multicultural Affairs Office.

VI.J. ARTISTIC PERFORMANCES

The Fine and Performing Arts Departments present a number of major theatre productions each year as well as a number of student-written and directed experimental plays. Operas are scheduled

every other year. Ticket prices may vary per production. For more information, contact the theatre box office.

VI.K. OTHER ACTIVITIES

The College recognizes many groups on the campus that have been properly authorized. These groups fall primarily in the following categories:

1. National service clubs
2. National leadership societies
3. National societies recognizing scholastic excellence
4. National societies recognizing proficiency and/or participation in specific disciplines
5. Local clubs for specified interests
6. Campus religious groups

The Student Government Association works through various committees to promote student services, social life, co-curricular programs, and school spirit.

VI.L. FACULTY INVOLVEMENT IN STUDENT LIFE

Faculty members are called upon to take part in the life of the campus as advisors with the many and varied campus organizations and as participants in as many scheduled activities as possible. To be properly recognized, campus organizations must complete the necessary registration in the Office of Student Development. Each student organization is required to have an advisor who assumes appropriate responsibilities.

The Student Government Association, other related committees, organizations, and the Office of Student Development cooperate to provide a well-balanced program of social functions, programs, and activities. Faculty members, when called upon to assist groups, provide excellent insight and can usually provide the assistance necessary to make student life a real part of the learning process.

Weekly campus bulletins from the Communications Office provide Faculty and Staff with complete listing of all scheduled activities during the week. Other communication is handled through e-mail, voice mail, *Bagheera*, or by special notice.

VI.M. ALCOHOLIC BEVERAGES

Birmingham-Southern College respects the State of Alabama's minimum drinking age, and for that reason, prohibits the consumption of alcoholic beverages by anyone under age 21.

CHAPTER VII: EXTERNAL RELATIONS POLICIES

VII.A. POLITICAL ACTIVITIES

Faculty members, as citizens, are free to engage in political activities. They may run for political office; however, Presidential approval is necessary to ensure that they will continue to carry out their College responsibilities. 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.

VII.B. DRUG-FREE WORKPLACE

The College is committed to providing a drug-free workplace. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace. An employee who violates this policy may be subjected to disciplinary action up to and including termination, or may be required, at the employee's expense, to participate satisfactorily in a drug abuse assistance or rehabilitation program chosen by the College.

Employees engaged in the performance of federal grants or contracts, primarily those employed in the offices of Finance and Financial Planning, will receive a copy of this statement. As a condition of their employment, they will agree to abide by the terms of this statement and will notify the College of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after that conviction. If any employee is convicted of a violation occurring in the workplace, the College shall take appropriate disciplinary action against the employee, up to and including termination, or shall require the employee, at the employee's expense, to participate satisfactorily in a drug-abuse assistance or rehabilitation program chosen by the College. Notwithstanding any other procedural rule or regulation contained in this manual, such action shall be taken within thirty days after the College receives notice of the employee's conviction.

This policy is established as required by the Drug Free Workplace Act of 1988.

VII.C. EXTERNALLY FUNDED GRANTS AND CONTRACTS

Birmingham-Southern College actively encourages members of the Faculty to pursue grants and contracts related to their teaching and research interests. The College reserves the right, however, to review all grants and contracts to ensure that the institutional purposes and goals of the College are not compromised by the grants and contracts. Faculty members should be able to demonstrate how their pursuit of a grant or contract project will further their professional development as teachers and faculty members. Depending on the terms of the grant and the needs of the College, faculty members may receive summer salaries administered by the College. The salaries of faculty members may also be supplemented by external grants or contracts during the regular academic year if the terms for receiving that supplement do not conflict with the faculty member's teaching,

advising, and service duties to the College. Fees for consulting services are subject to the same restrictions.

APPENDIX

Appendix A: Tuition Remission and Tuition Exchange Policy

Title: Tuition Remission and Tuition Exchange Policy

Responsible Office: Human Resources

Official: Vice President for Human Resources and Risk Management

Contact: Susan Kinney, 226-4645, skinney@bsc.edu

Effective Date: May 1, 2013

Introduction / Background

As a condition of employment at Birmingham-Southern College (BSC), all full-time employees and their eligible dependents may participate in the tuition remission and / or tuition exchange programs. The tuition remission program applies to courses taught at BSC and the tuition exchange program applies to courses taught at other eligible colleges and universities.

Purpose

This policy describes the eligibility and participation requirements for the tuition remission and tuition exchange programs. BSC reserves the right to change or modify the eligibility and participation requirements for these programs at any time.

EDUCATION TUITION REMISSION PROGRAM AT BSC

Part-time Undergraduate Study Employees and their spouse are eligible from the date of employment, effective the start date of the following term, for 100% tuition remission for part-time undergraduate study at BSC. Tuition remission will be granted for one (1) unit of study per term, with a maximum benefit of three (3) full units per fiscal year.

Tuition remission for part-time undergraduate study for employees and their spouse includes tuition, student activity fee, and post office rental.

Full-Time Undergraduate Study Employees' children, adopted children, legal wards under the age of 25, and a spouse ("eligible dependents") are entitled to full tuition remission at BSC after the employee has completed two (2) consecutive years of full-time continuous employment (i.e., work hours totaling at least 35 hours per week for staff employees) effective the start date of the following academic term.

Eligible dependents must be enrolled as a first time baccalaureate degree candidate, must meet all the standard requirements for admission, and must maintain satisfactory academic progress. Eligibility will continue for no more than six (6) calendar years from the date of first enrollment

Tuition remission for full-time undergraduate study for eligible dependents covers tuition only; the student must pay all fees.

Under no circumstances will the total financial package exceed the total need of the student. Employees and their dependents who participate in the tuition remission program are not eligible to receive other institutional aid, with the exception of the federal Pell grant, the federal work study program, the federal Supplemental Educational Opportunity Grant (SEOG), the federal Perkins and direct loans (e.g. Stafford), and the Alabama State grant.

An employee with ten (10) or more years of continuous service who dies, retires, or becomes disabled while employed by the College will continue to receive tuition benefits for dependent children. A dependent spouse is eligible for tuition benefits for the years after the death or disability, unless the dependent spouse enters upon a new marriage, at which time the benefits will discontinue.

Application Submission and Deadline

Application for tuition remission must be submitted to Human Resources for eligibility approval. The Tuition Remission form must be submitted annually during open enrollment (typically November) for eligibility determination for the upcoming academic year.

Loss of Tuition Remission

Upon termination of employment with the College, the employee, spouse, and dependents(s) will no longer be eligible for tuition remission, effective the end of the current enrolled academic term.

EDUCATION TUITION EXCHANGE PROGRAM AT OTHER COLLEGES AND UNIVERSITIES

BSC participates in two tuition exchange programs – please refer to the websites noted below for specific application requirements.

- Tuition Exchange, <http://www.tuitionexchange.org/vnews/display.v/SEC/About%20TE>
- Associated Colleges of the South (ACS) Tuition Exchange, <http://colleges.org/programs/tuition-exchange-program/>

The tuition remission eligibility guidelines for full-time undergraduate study outlined in the tuition remission section above must be met for an employee's dependent.

Employees should contact BSC's Director of Financial Aid well in advance of admission deadlines to determine participation guidelines and college options. The decision for tuition exchange acceptance is determined by the receiving institution, not by Birmingham-Southern College.

Appendix B: A Statement of Ecumenical and Interfaith Respect

Birmingham-Southern College provides a liberal arts education of distinctive quality as a Church-related institution. Since its founding the College has challenged students “to think independently, to examine the arts and sciences aesthetically and critically, and to communicate clearly.” [1] Continuing in the educational emphasis of Methodism’s founder, John Wesley, Birmingham-Southern welcomes the expression of diverse faiths in a community dedicated to academic freedom, justice, ethical integrity, and a common pursuit of truth. A statement of covenantal partnership between the Church and College was created in 2000 and continues to define the relationship between the two institutions.

Since the total educational experience at Birmingham-Southern offers opportunities for spiritual well-being, both the principles and practices of religious and spiritual life on campus are taken seriously. To that end, this statement of ecumenical and interfaith respect is meant to guide us in both principle and practice.

Birmingham-Southern College recognizes and affirms the interfaith and variety of religious traditions of our Faculty, Staff and student body. In the best sense of the Wesleyan tradition, we seek to encourage the study of one’s own faith tradition and an understanding and respect for others.

Birmingham-Southern College practices non-discrimination and respectful relationships in our employment practices, advancement decisions, scholarship and honor awards, and participation in our common life.

The opportunity for full participation in the college community is extended to all; religious affiliation with a spiritual tradition is not a requirement for membership in our community.

This statement should be understood to provide Faculty, Staff and students the freedom to choose and express their own religious preferences, if they so wish, and the responsibility to respect the preferences of others. In our religion and spiritual life within our academic community, our best work is understood as “faith seeking understanding.”

[1] College’s mission statement (2007-2008 *Catalog*)

Approved by the Academic Affairs Committee and Birmingham-Southern College Faculty on 5/5/08.

Appendix C: Sexual and Gender-based Misconduct Policy [adopted by the Board of Trustees, October 23, 2014]

The College forbids any type of sexual or gender-based misconduct among its students, faculty, and staff. The College encourages all members of the academic community to report suspected sexual and gender-based misconduct to the appropriate authorities so that it can be investigated, remedied, and eliminated. Such misconduct is prohibited whether the actor is a student, faculty member, staff member, contractor, visitor, or other member of the College community. BSC forbids retaliation against any person who has opposed, reported, or participated in an investigation concerning sexual or gender-based misconduct.

Sexual misconduct incorporates a range of behaviors including non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, sexual harassment, intimate partner violence, stalking, and any other conduct of a sexual nature that is non-consensual, or has the purpose or effect of creating an intimidating, hostile, or offensive environment, or unreasonably interferes with an individual's work and/or academic performance. Gender-based misconduct encompasses behavior that is not sexual in nature, but is directed at a person because of their gender or gender identification.

Through this policy and related programs and procedures, Birmingham-Southern College intends to comply with Title IX of the Education Amendments of 1973 ("Title IX"), Title VII of the Civil Rights Act of 1964 ("Title VII"), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), the Campus Sexual Violence Elimination Act ("SaVE Act"), and the Family Educational Rights and Privacy Act ("FERPA") and all regulations implementing these laws.

Policy Definitions

- 1. Non-Consensual Sexual Intercourse** – Any sexual intercourse (anal, oral, or vaginal), however slight, with any body part or object by one person (perpetrator) against the will or without consent of another person (victim).
- 2. Non-Consensual Sexual Contact** – Any intentional sexual touching, however slight, with any body part or object by one person (perpetrator) against the will or without consent of another person (victim). Sexual contact includes: intentional contact with the breasts, buttock, groin, or genitals, or touching another person with any of these body parts, or making another person touch any of these body parts. Sexual contact is not limited to these body parts and may include any intentional bodily contact in a sexual manner.
- 3. Sexual Exploitation** – Behavior that does not constitute one of the other sexual misconduct offenses, but takes sexual advantage of another person in a non-consensual or an abusive manner for the benefit or advantage of someone other than the one being exploited. Sexual exploitation includes but is not limited to: invasion of sexual privacy, prostituting another individual, non-consensual video or audio-taping of nudity or sexual activity, going beyond the boundaries of consent (e.g., allowing friends to hide in the closet to watch consensual

sex), engaging in non-consensual voyeurism, knowingly transmitting an STI or HIV to another student, exposing one's genitals in non-consensual circumstances or inducing another to expose their genitals, or gender-based stalking and/or bullying.

- 4. Sexual Harassment** – Includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual or gender-based (behavior that is not sexual in nature, but is directed at a person because of their gender or gender identification) nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or access to or the enjoyment of an educational benefit; (2) submission to or rejection of such conduct is used as a basis for employment or academic decisions or decisions concerning the educational benefits affecting the individual; or (3) conduct that has the purpose or effect of unreasonably interfering with an individual's work or academic performance or other educational benefit or creating an intimidating, hostile or offensive working, learning, or living environment. Sexual harassment often occurs when one individual has actual or apparent authority over another person, such as a faculty member who can affect a student's grades, or a supervisor who can affect terms and conditions of employment of a subordinate. But sexual harassment can occur between two individuals of any rank or status. For example, it is possible for students to sexually harass each other, a student to sexually harass a faculty member, and a subordinate employee to sexually harass the supervisor.

Sexual harassment is absolutely prohibited, whether the harassing individual is a student, employee, contractor, volunteer, or any other person who benefits from a relationship with the College.

Examples of sexual harassment include but are not limited to:

- an attempt to coerce an unwilling person into a sexual relationship;
 - unwelcome questions about sexual behavior or sexual preference;
 - unwelcome verbal conduct such as sexual innuendo, suggestive comments, jokes of a sexual nature;
 - unwelcome commentary about an individual's body, appearance or sexuality
 - displaying, distributing, or posting of graphic or sexually suggestive objects, pictures, cartoons, or graffiti by any means, including but not limited to, computer networks, cell phones, iPads, or any other electronic device;
 - repeatedly subjecting a person to egregious, unwelcome sexual attention;
 - suggestive, insulting, or obscene comments or gestures;
 - punishing a refusal to comply with a sexual based request;
 - conditioning a benefit on submitting to sexual advances;
 - sexual or intimate partner violence;
 - gender-based stalking;
 - gender-based bullying.
- 5. Intimate Partner Violence** – Physical, verbal, emotional, financial, or psychological abuse (e.g., threats of violence, intimidation) committed by a person who is or has been in a relationship of a romantic or intimate nature with the victim. The existence of such a relationship will be determined based on consideration of the length of the relationship, the

type of relationship, and the frequency of interaction between the persons involved in the relationship.

- 6. Stalking** – A course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

Understanding Consent

- 1. Consent** – Consent is an essential aspect of any sexual activity. Consent is clear, knowing, and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given verbally or non-verbally, as long as those words or actions create mutually understandable, clear permission regarding willingness to engage in (and the conditions of) sexual activity. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Previous relationships or prior consent does not imply consent to future sexual acts. Consent can be revoked at any time during a sexual interaction. Consent cannot be obtained through force^a or coercion^b. A person who is incapacitated^c cannot give consent. In Alabama, the legal age of consent is usually 16 years of age.
 - a. Force** - The use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion^b to overcome resistance or produce consent (e.g. Have sex with me, or I'll hit you; Have sex with me, or I'll post compromising photos of you). Note: There is no requirement that an individual resist the sexual advance or request, but resistance is a clear demonstration of non-consent. Sexual activity that is forced is inherently non-consensual, but non-consensual sexual activity does not require force.
 - b. Coercion** – Exerting unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear that they do not want to have sex, that they want to stop, or that they do not want to go beyond a certain point of sexual interaction, continued pressure can be coercive.
 - c. Incapacitation** – A person is incapacitated when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g. to understand the “who, what, where, why or how” of their sexual interaction). Engaging in sexual activity with someone who is known (or one should have known) to be mentally or physically incapacitated due to mental disability, involuntary physical restraint, alcohol or drugs, unconsciousness, sleep, or blackout constitutes a violation of this policy.

Related Behaviors Representing Violations of the Sexual Misconduct Policy

- 1. Attempted Sexual Misconduct** – An attempt to commit an act of sexual misconduct is considered a violation of the sexual misconduct policy.

2. **Aiding Sexual Misconduct** – Providing aid to someone attempting to or engaging in an act of sexual misconduct is considered a violation of the sexual misconduct policy.
3. **Retaliation** – Taking an action against a person who has opposed sexual misconduct, reported sexual misconduct, or participated in an investigation concerning sexual misconduct. Retaliation can include physical violence, threats, intimidation or coercion; adverse employment or educational actions (such as demotion, discharge, giving an unwarranted bad grade); or increasing or intensifying a pattern of sexual misconduct. An act of retaliation toward any person who has opposed, reported, or participated in an investigation of sexual misconduct is prohibited and will be subject to disciplinary action, up to and including immediate expulsion or discharge.
4. **Malicious Reporting** – Submitting a false report of sexual misconduct with the intent of causing emotional, psychological, educational, or other harm to another person. A Sexual Misconduct Hearing Board (described below in F.6 and H) finding of “Not in Violation” regarding the sexual misconduct policy is not sufficient evidence to demonstrate that a report was malicious or that a violation did not occur. A finding of this nature simply indicates the Board felt there was not enough evidence to find a person in violation.

Overview of Reporting and Support Resources

1. Filing an Official Report of Sexual Misconduct

The following list provides an overview of the primary resources authorized to receive and investigate official reports of sexual misconduct. A more comprehensive overview of the reporting process is detailed later in the policy.

Alleged Victim or Target of Sexual Misconduct	Campus Entity	Contact Info
Student, Faculty, Staff, or Guest	Campus Police	205-226-4700 campuspolice@bsc.edu Student Services 270
Student	Dana Bekurs, Associate Dean of Students	205-226-4725 dwbekurs@bsc.edu Norton Campus Center
Faculty or Staff	Vanessa Crawford Jones Assistant Director for Human Resources	205-226-4644 vcrawfo@bsc.edu Munger 308
Faculty or Staff	Lane Estes, VP for Administration & Community Initiatives	205-226-4641 lestes@bsc.edu Munger 213
Student, Faculty, Staff, or Guest	David Eberhardt, Title IX Coordinator VP for Student Development	205-226-4731 deberhar@bsc.edu Norton Campus Center

Any of the individuals identified above can assist an individual in filing a report; however, in situations where there is an imminent threat of bodily harm, please contact Campus Police (205-226-4700) immediately for assistance.

Individuals have the right to file a criminal complaint with law enforcement officials, regardless of their decision about taking advantage of the College’s adjudicatory process for sexual misconduct. Campus Police can assist with filing a police report with local authorities. If you would prefer to contact Birmingham Police directly to file a report, the non-emergency phone number is 205-328-9311.

2. Confidential Support Resources

For those individuals seeking confidential support, the following on-campus and off-campus resources are available. These resources may assist an individual in filing an official report through the means detailed above, but they are under no obligation to report incidents of sexual misconduct nor are they authorized to receive or investigate reports of sexual misconduct.

Support Resource	Contact Info	Location
Counseling Services	205-226-4717	On-Campus, Norton Campus Center, 2 nd Floor
Yvette Spencer, Health Services	205-226-4717 yspence@bsc.edu	On-Campus, Norton Campus Center, 2 nd Floor
Rev. Julie Holly, College Chaplain	205-226-4761 jbholly@bsc.edu	On-Campus, Norton Campus Center, Suite 120
YWCA, Central Alabama	205-322-4878 (24-hour hotline)	Off-Campus, Domestic Violence Services 309 23 rd Street North, Birmingham, AL, 35203 www.ywcabham.org/end-domestic-violence
Rape Response, The Crisis Center, Inc.	205-323-7273 (24-hour hotline)	Off-Campus, Sexual Violence Services 3600 8 th Avenue South, Suite 501, Birmingham, AL, 35222 www.crisiscenterbham.com/rape-response.php

3. Additional Campus Resources

Any other employee of the College not listed above may also serve as a resource for students or fellow employees. For example, students may wish to speak with a faculty advisor or coach who they believe will provide meaningful support. However, all employees other than those listed as a Confidential Support Resource must relay the information they receive regarding possible sexual misconduct with the appropriate official designated in D.1.

Reporting: When a Student is Subjected to Sexual Misconduct

Any person may make an official report that a student has been subjected to sexual misconduct. A report may be made by the student who believes that she or he is the target or victim of sexual misconduct, or by a person who witnesses or hears about an incident of sexual misconduct toward a student. A reporting person may file a report with one of the designated officials listed in D.1. A report may initially be filed by sending an email, calling, or coming to the appropriate office to see designated College personnel. An official report will likely involve both a meeting with College personnel, as well as a written statement by the reporting person and the suspected target or victim.

- 1. Mandatory Reporters** – College employees are considered “responsible employees,” and have a duty and a responsibility to act when notified of an alleged incident of sexual misconduct by relaying that information to one of the designated officials listed in D.1. Reports of sexual misconduct will be handled with discretion, and the information reported will be shared only with those necessary, including investigators and witnesses, as well as the accused student (“respondent”) if a full investigation is initiated.
- 2. Confidentiality** – An investigation, hearing, appeal, and reconsideration of any sexual misconduct violation in which the target or victim of misconduct is a student shall remain confidential. Those defined herein as within the bounds of confidentiality may not divulge anything that is said or done throughout the conduct process. Not all parties within the bounds of confidentiality are informed of every sexual misconduct matter; however, those bound by confidentiality include Sexual Misconduct Hearing Board members, Campus Police, Advisors, the Dean of Students, the Vice President for Student Development, the Provost, the Associate Vice President of Human Resources, the Vice President for Business and Finance, and the President, and when appropriate or necessary, legal counsel for the College. Should anyone outside the bounds of confidentiality receive information which is considered to be confidential, they will automatically be bound by confidentiality. In addition, the target or victim of misconduct or respondent may include with the bounds of confidentiality his or her parents, faculty, staff, minister or spiritual advisor, personal or legal counsel. Should anyone within the bounds of confidentiality violate the requirement of confidentiality, the Dean of Students may elect to pursue charges for failing to comply with directives regarding confidentiality. The College will respect the request of a student not to disclose his or her identity to the extent possible while still complying with its obligations to protect the College community as a whole against sexual misconduct and discrimination. If the alleged victim demands absolute confidentiality, the Title IX Coordinator will determine how the College will respond to meet its responsibilities to both the alleged victim and the College community.

3. **Confidential Reporters** – If a student would like to speak with someone at the College confidentially when no further reporting of the incident will necessarily occur, options include a personal counselor or health professional in Counseling and Health Services, as well as the College’s Chaplain.
4. **Limitations of College Authority** – The College will not investigate or adjudicate alleged student conduct that occurs off campus when the alleged victim is not a College student, employee, or other member of the College community (such as a contractor or volunteer). If the College learns of such conduct, the College may report allegations of such conduct to law enforcement authorities or other educational institutions. In addition, the College may be limited in its ability to take remedial action involving an alleged perpetrator who is not a student or employee. In such instances, the College will support the alleged victim with College resources (which may include removal and banning of the suspected individual from campus) and refer alleged victims to other entities which may provide support or initiate criminal prosecution.
5. **Interim Measures** – In order to minimize disruption to the alleged victim’s educational experience, interim measures may be put in place. An official report does not have to be made for interim measures to be initiated. The College will make necessary changes to the academic, living, transportation, and working situations of any alleged victim if requested and reasonably available, whether or not the alleged victim chooses to make an official report to campus officials or local law enforcement.

Interim measures include, but are not limited to:

- Access to Counseling Services and assistance in setting up initial appointments
 - No contact directives
 - Change in class schedule, including the ability to drop a course without penalty or to transfer sections, as well as changes in the class schedule of individuals alleged to have engaged in sexual misconduct
 - Rescheduling of exams or assignments
 - Providing alternative course completion options
 - Change in work schedule or job assignment
 - Housing reassignment
 - Adjustments to dining arrangements
 - Assistance from College support staff in completing housing relocation
 - Limiting respondent’s access to certain College facilities or activities pending investigation and/or hearing outcome
 - Interim suspension for the respondent
6. **Safe Haven** – Students who seek assistance as a result of experiencing sexual misconduct are not subject to sanction by a College authority for being in violation of College policy related to alcohol, illegal drugs, or other policies at the time of the alleged sexual misconduct.

Remedial Procedures When a Student is Accused of Sexual Misconduct: Investigation, Conduct Meetings or Hearings, and Related Matters

- 1. Time Frame** – Once an initial complaint regarding sexual misconduct has been received by College officials, the Dean of Students will move forward with investigating and resolving the matter as promptly as reasonably possible. The circumstances of the alleged incident(s) will determine the timeframe within which all individuals involved, including all relevant witnesses, can be contacted and meetings held. Generally, the investigative phase can be expected to be completed within two weeks to one month from the initial report of the incident, exclusive of any significant breaks in the academic calendar. In addition, coordinating all individuals necessary for participation in hearings may require an extended timeframe. However, hearings, deliberations, and decisions will typically be completed within two weeks to one month of the conclusion of the investigative phase and charges being determined, dependent upon the timing within the academic calendar. Appeals will usually require one week to one month for a final decision, depending on whether the matter is referred to a committee and the timing within the academic calendar.
- 2. Investigation Procedures** – Once a report has been made, the Dean of Students will conduct a preliminary investigation (e.g. reviewing any Campus Police reports, meeting with the alleged victim, etc.) to determine whether the information provided indicates reasonable cause of a sexual misconduct policy violation. If reasonable cause exists, the Dean of Students will conduct a full investigation using information from the preliminary investigation, obtaining a statement from the respondent, and interviewing relevant witnesses. When the investigation is complete, the Dean of Students will either refer the matter to the Sexual Misconduct Hearing Board (the preferred option) or the matter may be handled through an Administrative Conduct Meeting if both the person believed to have been the target or victim of misconduct and the respondent agree to that option. In matters that do not involve sexual or intimate partner violence, informal resolution may be explored as well. The person believed to be the target or victim of sexual misconduct may choose at any time not to participate in the investigation or disciplinary process. If the Dean of Students believes there is sufficient evidence to form a belief that sexual misconduct occurred, and that action is necessary to protect any member of the College community from possible additional sexual misconduct, the Dean of Students may proceed with the investigation or hearing process.

Because the College's obligation to protect its community members from sexual misconduct exists independently of the criminal justice system, the investigatory and hearing procedures (if applicable) will continue notwithstanding any related criminal proceedings. The College may briefly delay its response if necessary to avoid interference with a law enforcement investigation.

- 3. Advisor** – The alleged target or victim of misconduct and respondent are offered advisors once a complaint enters the investigation phase (though one can be requested earlier). The advisor provides support and guidance through the investigation and hearing process. The advisor should be a willing member of the BSC community, although exceptions may be granted by the Vice President for Student Development (e.g., a Crisis Center staff member or volunteer).

Additionally, upon request, an advisor can be appointed from the Sexual Misconduct Hearing Board pool.

4. **Standard of Evidence** – When determining if a violation of the sexual misconduct policy has occurred, the standard of evidence to be used by any conduct authority is preponderance of evidence. Preponderance of evidence indicates that a violation is more likely than not to have occurred.
5. **Administrative Conduct Meeting** – If both the alleged target or victim of misconduct and respondent request to have an incident of sexual misconduct handled administratively, the Dean of Students will render a decision as to whether the respondent violated the sexual misconduct policy and assess sanctions if required. If the complainant and respondent accept the findings/sanctions of the Dean of Students, the matter will be closed. If not, the matter will be referred to the Sexual Misconduct Hearing Board.
6. **Sexual Misconduct Hearing Board** – The Dean of Students may refer an investigation to the Sexual Misconduct Hearing Board (“the Board”), comprised of faculty, staff, and students from a pool of trained Board members. The Board is a three or five-member panel that consists of a minimum of one student, one staff member, and one faculty member. When a five-member panel is called, a minimum of two students should serve on the board. The Board will hear the results of the Dean’s investigation along with the testimony from relevant witnesses including the alleged target or victim of sexual misconduct and respondent, and review any other appropriate materials. They will reach decisions regarding violations and sanctions, as appropriate. Details regarding the procedures of the Board are outlined below.

Sexual Misconduct Hearing Board Procedures

The procedure for a hearing will be as follows:

1. The Vice President for Student Development serves as convener and chair. The chair participates in the hearing but does not vote on the hearing outcomes.
2. A three or five member panel is selected from the Sexual Misconduct Hearing Board pool. The Board will consist of a minimum of one student, one staff member, and one faculty member. When a five member panel is called, a minimum of two students should serve on the board.
3. The Dean of Students will serve as the presenter. The presenter presents information gathered during the investigation, but does not recommend sanctions.
4. Due to the sensitive nature of these hearings, the alleged victim or target of sexual misconduct and respondent may be kept separate throughout the hearing, appearing before the Board at designated times but able to hear all statements made within the hearing.
5. No witness, other than the respondent or alleged victim or target of sexual misconduct, if he/she chooses to testify, will be allowed to hear the testimony of other witnesses.
6. Before testifying, each student witness will be reminded that their statements are bound by the Honor Code, and employee witnesses will be reminded that their testimony is expected to be truthful under penalty of termination of employment.
7. The Board will call witnesses, consider relevant information, and question the respondent and alleged victim until it has exhausted every reasonable method of ascertaining the facts.

8. The Board will not consider the respondent's past findings of violations of the Honor code or Social Regulations in determining whether the respondent has violated Social Regulations or Sexual Misconduct Policies. Such evidence may be considered in determining sanctions.
9. An attorney may be present during the hearing. The attorney may speak to the person represented by the attorney, but may not address directly anyone else involved in the hearing other than the Chair. Any comments or questions an attorney has should be directed to the Chair of the Board in a private conversation.
10. The Board must act with complete impartiality. A Board member may be excused from a case in which personal involvement may constitute a conflict of interest. Additionally, Board composition will be shared with the reporting party and respondent at least 72 hours in advance of the hearing. Either party may request a member of the Board be removed.
11. The respondent is considered not to have violated any policy throughout the hearing until there is a finding that a violation has occurred. The standard of proof is a preponderance of evidence that a violation occurred. The finding must be supported by a majority vote of the Board.
12. As the conduct authority for issues of sexual misconduct, the Board has the authority to issue sanctions according to the guidelines outlined in the *Student Handbook* (pp. 17-18).

Rights of the Alleged Victim and Respondent

The alleged victim and the respondent have the following rights:

1. The alleged victim and respondent will be notified in writing of a hearing at least 72 hours prior to the hearing. This time period may be shortened upon the agreement of the both parties and the Board ("Chair").
2. The alleged victim and respondent may select any willing student, faculty member, or staff member of Birmingham-Southern College to serve as his or her advisor. Additionally, upon request, an advisor may be appointed from the Sexual Misconduct Hearing Board pool.
3. The alleged victim and respondent are not required to appear at the hearing. If either person fails to attend, the hearing will proceed and evidence presented as if both parties were present.
4. The alleged victim and respondent have the right to be present throughout the hearing except during the Board's deliberations. Presence may be limited to hearing testimony remotely through telephone or similar aid of technology.
5. The alleged victim's sexual history will not be discussed during the hearing unless it relates to the respondent and is determined by the Chair to be highly relevant to the alleged misconduct.
6. The alleged victim and respondent may call relevant witnesses to speak on his or her behalf. Requests should be made to the Chair in writing so that notice can be given for any witness requested to appear.
7. The alleged victim and respondent may address the Board during his or her appearance before the Board.
8. The alleged victim and respondent may hear the statements of all witnesses called and question them. To avoid an adversarial dynamic, the alleged victim and respondent may only directly question those witnesses called on his or her behalf. For all other witnesses, questions may be submitted to the Chair prior to and during the hearing. Those questions will be reviewed for relevancy by the Board, amended as deemed appropriate, and asked by the Chair.
9. The alleged victim and respondent may each call one or two character witnesses to speak upon his or her behalf.

10. In cases that involved multiple respondents, the Board will arrive at an independent decision for each respondent.
11. The alleged victim and respondent will be notified of the hearing outcome.
12. The alleged victim and respondent may appeal the decision of the Board to the President in accordance with the Appeal section outlined below.
13. Both the alleged victim and respondent will be notified in writing of the potential charges; date and time of hearing proceedings; hearing board composition; the outcomes and/or any changes to the outcomes (e.g., hearing decision, hearing sanctions, interim measures); and any subsequent appeal.

Appeal

1. A respondent or alleged victim may appeal the finding of the Board in writing to the President of the College within five class days of the decision or before the last day of the term, whichever comes first. The President may review the case personally or appoint a committee to review the case.
2. An appeal is limited to a review of the full report of the Board, including the hearing transcript, for the purpose of determining whether it acted in accordance with procedural and substantive fairness. An appeal on the basis of substantive fairness may not contest the factual findings of the Board but is limited on the basis of the fundamental fairness of the penalty or the application of the standards of the Sexual Misconduct Policy.
3. An appeal in which the finding of the Board is reversed may be remanded to the Board for rehearing with a written opinion or directive of the President.
4. An appeal by the respondent may not result in a more severe penalty for the respondent; however, an appeal by the alleged victim may result in a more severe penalty for the respondent. In both circumstances, reversal of the finding and/or modification of the sanction may occur without rehearing by the Board.

Remedial Procedures When an Employee is Accused of Sexual Misconduct: Investigation, Recommended Outcomes, Hearings, and Related Matters

The Vice President for Human Resources and Risk Management will be notified of all reports of sexual misconduct directed toward an employee. In all cases, except when the person suspected of engaging in misconduct is a student, the Vice President for Human Resources and Risk Management will assess each such situation by holding fact finding conferences and obtaining statements from employees. In any situation in which the Vice President for Human Resources and Risk Management is accused of violating this policy, the Vice President for Business and Finance or another person designated by the Vice President for Business and Finance will fulfill the role of the Vice President for Human Resources and Risk Management.

The Vice President for Human Resources and Risk Management will report findings to the Provost (if the accused is a faculty member) or to the appropriate Vice President (if the accused is not a faculty member) and make a recommendation concerning further action and disposition of the matter.

After reviewing all the evidence, the Provost or the appropriate Vice President, in consultation with the Vice President for Human Resources and Risk Management, will make a determination whether reasonable grounds exist to believe that sexual misconduct has occurred. If such grounds are found to exist, the Provost or appropriate Vice President will take all appropriate action to eliminate such conduct and impose appropriate discipline. In any situation in which the Provost or appropriate Vice President is accused of violating this policy, the President of Birmingham-Southern College will fulfill that role. In any situation in which the President of the College is accused of violating this policy, the Vice President for Human Resources and Risk Management, in consultation with the Chairperson of the Board of Trustees will fulfill that role.

If either the employee accused of engaging in sexual misconduct or the person who is believed to have been the target or subject of sexual misconduct is dissatisfied with the action taken by the Provost or Vice President, the person may appeal the decision to a Sexual Misconduct Hearing Board. If the accused person is a faculty member, the Board will consist of a three faculty member panel, selected by the Provost from a pool of trained Board members who have been appointed by the Chair of the Faculty Advisory Committee. If the accused person is a staff member, the Board will consist of three staff members from a pool of trained Board members appointed by the Vice President for Human Resources and Risk Management.

If either the employee accused of engaging in sexual misconduct or the person who is believed to have been the target or subject of sexual misconduct is dissatisfied with the action taken by the Sexual Misconduct Hearing Board, the person may appeal the decision to the President in writing within 21 days after the Board's determination is communicated to the person. The other party will have 21 days to respond in writing to the appeal, and the President will make the final determination based upon the record before the Board and the written submissions of the accused and the person who is believed to have been the target or subject of sexual misconduct.

Because the College's obligation to protect its community members from sexual misconduct exists independently of the criminal justice system, the investigatory and hearing procedures (if applicable) will continue notwithstanding any related criminal proceedings. The College may briefly delay its response if necessary to avoid interference with a law enforcement investigation.

Advisor – The alleged victim and respondent may be assisted throughout the process by advisors. The advisor may provide support and guidance through the investigation and hearing process. The advisor should be a member of BSC community, although exceptions may be granted by the Provost or appropriate Vice President (e.g., a Crisis Center staff member or volunteer). Additionally, upon request, an advisor can be appointed from the Sexual Misconduct Hearing Board pool.

Employee Sexual Misconduct Hearing Board Procedures

In a proceeding before the Sexual Misconduct Hearing Board, the following procedures will apply:

1. The Vice President for Human Resources and Risk Management serves as convener. The senior member of the panel will serve as chair.
2. A three-member panel of faculty or staff members is selected from the Board pool.

3. The Vice President for Human Resources and Risk Management or their designee will serve as the presenter. The presenter presents the information gathered during the investigation.
4. Due to the sensitive nature of these hearings, the alleged victim and respondent may be kept separate throughout the hearing, appearing before the Board at designated times but able to hear all statements within the hearing.
5. No witness, other than the alleged victim or respondent if either chooses to testify, will be allowed to hear the testimony of other witnesses.
6. Before testifying, each employee witness will be reminded that his or her testimony is expected to be truthful under penalty of termination of employment, or if the witness is a student, subject to the Honor Code.
7. The Board will call witnesses, consider relevant information, and question the respondent and alleged victim until it has exhausted every reasonable method of ascertaining the facts.
8. An attorney may be present during the hearing. The attorney may speak to the person represented by the attorney, but may not address directly anyone else involved in the hearing other than the Chair. Any comments or questions an attorney has should be directed to the Chair of the Board in a private conversation.
9. The Board must act with complete impartiality. A Board member may be excused from a case in which personal involvement may constitute a conflict of interest. Additionally, Board composition will be shared with the alleged victim and respondent at least 72 hours in advance of the hearing. Either party may request a member of the Board be removed.
10. The respondent is considered not to have violated any policy throughout the hearing until there is a finding that a violation has occurred. The standard of proof is a preponderance of evidence that a violation occurred. The finding must be supported by a majority vote of the Board.

Rights of the Alleged Victim and Respondent

The reporting party and respondent will be afforded the following rights:

1. The alleged victim and respondent will be notified in writing of a hearing at least 72 hours prior to the hearing. This time period may be shortened upon the concurrence of the both parties and the Chair.
2. The alleged victim and respondent are not required to appear at the hearing. If either person fails to attend, the hearing will proceed and evidence presented as if both parties were present.
3. The alleged victim and respondent have the right to be present throughout the hearing except during the Board's deliberations. Presence may be limited to hearing testimony remotely through telephone or similar aid of technology.
4. The alleged victim's sexual history will not be discussed during the hearing unless it relates to the respondent and is determined by the Chair to be highly relevant to the alleged misconduct.
5. The alleged victim and respondent may select any willing student, faculty member, or staff member of Birmingham-Southern College to serve as his or her advisor. Additionally, upon request, an advisor may be appointed from the Sexual Misconduct Hearing Board pool.
6. The alleged victim and respondent may call relevant witnesses to speak on his or her behalf. Requests should be made to the Chair in writing so that notice can be given for any witness required to appear.

7. The alleged victim and respondent may address and question the Board during his or her appearance before the Board.
8. The alleged victim and respondent may hear the statements of all witnesses called and question them. To avoid an adversarial dynamic, the alleged victim and respondent may only directly question those witnesses called on his or her behalf. For all other witnesses, questions may be submitted to the Chair prior to and during the hearing. Those questions will be reviewed for relevancy by the Board, amended as deemed appropriate, and asked by the Chair.
9. The alleged victim and respondent may call one or two character witnesses to speak upon his or her behalf.
10. In cases that involved multiple respondents, the Board will arrive at an independent decision for each respondent.
11. Both the alleged victim and respondent will be notified in writing of the potential charges; date and time of hearing proceedings; hearing board composition; and the outcomes and/or any changes to the outcomes (e.g., hearing decision, disciplinary action, interim measures); and any subsequent appeal.

Sexual Misconduct Hearing Board

As noted in the policy above, the Sexual Misconduct Hearing Board will often hear cases regarding alleged violations of this policy. The Board is comprised of the following members, selected and appointed as outlined below:

- Students: Five or more returning members from the previous year's Honor Council are selected by the Title IX Coordinator in consultation with the Dean of Students.
- Faculty: Five or more faculty members will be appointed by the Chair of the Faculty Advisory Committee in consultation with the Provost, the Title IX Coordinator, and the Vice President for Human Resources and Risk Management.
- Staff: Five or more staff members from across the various administrative departments of the College will be appointed by the Vice President for Human Resources and Risk Management in consultation with the Title IX Coordinator and the Dean of Students.

Each year, new members of the Board will undergo training in the various tenets of the Sexual Misconduct Policy and procedures employed to investigate and hear allegations regarding possible violations. In addition, continuing members of the Board will attend review sessions to ensure they remain aware of any changes to the Policy and are prepared to serve when called upon. Emphasis will be placed upon protection of confidentiality, appropriate and relevant questioning, effective deliberation, reaching conclusions, and other vital topics in all training and review sessions for the Board.

Appendix D: Policy on the Legal and Ethical Use of Technology Resources, Electronic Mail, and the Internet

The College provides access to technology resources, electronic mail, and the Internet for students, Faculty, and Staff of the College to further its educational goals and to facilitate the instructional process. Individuals accessing these resources through the College are expected to do so in a responsible and ethical manner and to conform to all established policies. These policies are available on the College's website at:

<http://www.bsc.edu/policies/it/Ethical%20Use%20Policy.pdf>.

Appendix E: Website

Birmingham-Southern College's webpage can be accessed at the following address: <http://www.bsc.edu>. Much information about the College, including registration details, class schedules, and so forth can be found at this site.

Appendix F: Charles B. Vail College Fellows Program

In response to the Faculty's desire to promote undergraduate research and scholarship at Birmingham-Southern College and to students' demands for more opportunities to engage in research and scholarship with faculty members, the College Fellows Program was established in the spring of 1993. This program of joint Faculty/student research and teaching projects provides enriching academic opportunities for our students. Dr. Charles B. Vail, a 1945 graduate of the College, has generously supported this program, which now bears his name.

The Vail College Fellows Program is a two-tiered program. In the first tier, students are designated "Teaching Fellows" or "Research Fellows" and receive academic credit for their pursuits. Examples of first-tier projects include teaching assistants, research assistants, science lab tutors, and writing center tutors. (Teaching Fellows register for 398/498 credit; research fellows do a contract for 393/493 credit.) Second-tier students known as "Distinguished Teaching Fellows" and "Distinguished Research Fellows," receive a \$1,000 scholarship applied against their tuition. Second-tier projects offer more advanced opportunities: laboratory research in the sciences, scholarly research in the humanities, or a first-tier project continuing for two semesters, for example. Most of these projects lead to scholarly presentations and, often, joint Faculty/student publications.

Applications for the program are due to the Provost's Office in the spring, usually in early April. The Faculty Development Committee reviews all applications and makes the selection of the partners. The application form is located on the [Intranet](#). Interested faculty members propose a project; select a student partner (sophomores, juniors, seniors); complete the form detailing the nature of the project, giving the methodology, explaining the collaborative effort of the student and the professor, and giving the final academic product (if a research project). *Collaborative* is the key word for this program. College Fellows projects are not simply faculty-sponsored projects, but are, instead, projects of true collaboration between student and faculty member.

Appendix G: Family and Medical Leave Policy

1. Conditions for Family or Medical Leave

In a 12-month period, full-time faculty members employed by the College for at least one year are permitted leave of up to 13 weeks (paid and/or unpaid) (a full term). The 12-month period is defined as a rolling 12-month period measured backward from the date the faculty member uses any Family Medical Leave. (Using this method, each time a faculty member takes Family Medical Leave, the remaining entitlement would be any balance of the 13 weeks which has not been used during the immediately preceding 12 months.)

- (a) To care for a child within twelve months of birth, adoption, or placement of a child with the faculty member for care; or
- (b) To care for a child, parent, or spouse who has a serious health condition; or
- (c) For a serious health condition that causes the faculty member to be unable to perform the essential elements of his or her job.
- (d) Because of any qualifying exigency arising out of the fact that a spouse, child, or parent is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of the contingency operation.

If both spouses are employed by the College, they are limited to a combined total of 13 weeks of family leave for the birth or placement of a child or to care for a sick parent. If the leave is requested for the care of a sick child or of the other spouse, each spouse is entitled to 13 weeks leave of absence.

2. Unpaid Family or Medical Leave

Family and Medical Leave is unpaid except as provided for in Section 3, Paid Family and Medical Leave. For unpaid leave, a faculty member's salary will be reduced *pro rata* based on each week of leave or on each course reduction during the contract period.

3. Paid Family or Medical Leave

In order to be eligible for family medical leave, a faculty member must have been employed by the College for one year. The College will continue a faculty member's salary for as long as medically necessary for a maximum of 13 weeks in a 12-month period to care for a child, parent, or spouse who has a serious health condition; or due to the faculty member's own serious illness.

If a faculty member and their spouse are both employed by Birmingham-Southern College, then they will be limited to a combined total of 13 weeks of family medical leave for the birth or placement of a child or to care for a parent with a serious health condition. Faculty may use any unused portion of the 13 weeks for their own serious health condition, to care for a seriously ill

child, or to care for a seriously ill spouse.

- (a) Paid leave will not apply to periods when a faculty member would not otherwise be working – for example, in the case of a nine-month academic position where paid leave extends into the summer. Also, the paid leave period is not extended by the occurrence of any holidays that fall during the academic year.
- (b) Parental Leave – Upon the birth or adoption of a child, the parent is entitled to no less than eight consecutive weeks of paid medical leave. A parent can elect to divide the eight weeks of paid leave before and after the arrival of the child. In a situation where a faculty member has or adopts a child during the summer, the parent will be granted a one-course reduction the following term.
- (c) The College may choose to extend paid medical leave if it determines it is in the College’s best interest to do so, not to exceed 13 weeks.

4. Military Service Member Family Leave

If a faculty member is eligible for FMLA leave and has a spouse, child, parent, or next of kin who is a “covered servicemember,” that individual is entitled to up to 26 workweeks of leave during a 12-month period to care for the servicemember. This leave is only available during a single 12-month period. A “covered servicemember” is a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. The term “serious injury or illness” means an injury or illness incurred by the servicemember in line of duty on active duty in the Armed Forces that may render the servicemember medically unfit to perform the duties of the member’s office, grade, rank, or rating. The term “next of kin” means the nearest blood relative of the covered servicemember. During the 12-month period described in this paragraph, a faculty member may be entitled to a combined maximum total of 26 weeks of leave. If both spouses are employed by Birmingham-Southern College, they are limited to a combined total of 26 weeks for all leave taken under the FML policy.

5. Benefits During Family or Medical Leave

- (a) For paid family or medical leave, all benefits, including but not limited to health care and TIAA-CREF contributions, will be maintained as long as the faculty member continues to pay his or her portion of the premium.
- (b) For unpaid family or medical leave, all benefits, including but not limited to health care, but excluding TIAA-CREF contributions, will be maintained as long as the faculty member continues to pay his or her portion of the premium.
- (c) Faculty using Family and Medical Leave may choose, in consultation with the Provost, whether or not the period of the leave counts toward time periods required

for tenure and/or promotion.

- (d) Family and medical Leave will not be deducted from time required to qualify for a sabbatical.

6. Reduced Schedule/Intermittent Leave

- (a) Reduced schedule or intermittent leaves are subject to College approval unless medically necessary.
- (b) Should a faculty member choose a reduction in course load, the appropriate reduction of other work, such as committee assignments and advising, will be determined upon mutual agreement of the faculty member and the Provost of the College.

7. Advance Notice and Medical Certification

- (a) The faculty member must provide 30-day advance written notice except in emergency or unforeseeable situations. Failure to give a 30-day advance notice for a foreseeable leave may result in a 30-day delay in the leave.
- (b) The faculty member must provide medical certification from a health care provider to support any request for leave to care for the employee's seriously ill spouse, son, daughter, parent, or due to the faculty member's own serious health condition. Medical Certification forms will be provided by the College and must be returned within 15 calendar days.
- (c) The faculty member must provide a Fitness for Duty (Return to Work Statement) from a health care provider prior to returning to work if the leave was for the faculty member's own serious health condition.

Appendix H: Confidential Complaint Procedure for Reporting on Potential Financial Misconduct at the College

Any concern about or knowledge of financial misconduct including theft, fraud, kickbacks or questionable accounting or financial practices should be reported promptly. If you don't feel comfortable reporting through normal College channels, **you may convey your concerns anonymously by letter to Mr. Terry McElheny at Dominick, Fletcher, Yielding, Wood & Lloyd, 2121 Highland Avenue South, Birmingham, Alabama 35205.** Mr. McElheny's responsibility will be to pass this information along to the Chair of the College's Audit Committee.

Appendix I: Guidelines for Faculty Professional Development Travel

Birmingham-Southern College provides travel funds to assist faculty members attending professional development opportunities such as: conferences and professional meetings, professional exhibitions or performances, professional workshops. Faculty members may be reimbursed for expenses such as transportation, lodging, meals, and registration fees according to the following guidelines:

- for a faculty member actively involved in a developmental opportunity (such as delivering a paper, responding to a paper, participating in a panel, serving as an officer, giving a talk related to an exhibition of work or performance), the College proposes to fund professional travel up to an amount to be determined by the Office of the Provost and the Faculty Development Committee;
- for a faculty member who attends a developmental opportunity, the College proposes to fund travel up to an amount to be determined by the Office of the Provost and the Faculty Development Committee;
- all professional travel funds will be administered through the Provost's Office with recommendations from the Faculty Development Committee.

For professional travel that exceeds the maximum allocation stated above, supplemental funds may be requested through the Provost's Office. The Associate Provost may consult with the Development Committee regarding supplemental requests, but will maintain discretion in prioritizing these requests. Faculty members may fund more than one professional meeting with the stated allocation. Professional travel requires a pre-trip proposal and a post-trip accounting of expenses. Travel request guidelines and travel request and expense forms are available on the [Moodle site](#).

Procedures:

1. On or before September 30, faculty members must submit professional travel grant proposal to the Provost's Office using the Faculty Travel Grant Proposal form. Since faculty members may not know the full details about the meeting at that time, tentative plans and expenses are acceptable. However, faculty members should be as detailed as possible regarding the nature of the professional organization and/or the meeting, and why this is an appropriate and important development opportunity. Within ten days of the faculty member's return, a travel expense form must be completed and submitted to the Provost's Office.
2. It is in everyone's best interest to limit the total cost of each trip as much as possible. The money saved may make additional travel possible for other faculty members.
3. It is recommended, but not required, that faculty members use a College credit card for booking reservations, etc. Travel advances will not be issued. Faculty members may also

use personal money and request reimbursement, providing receipts to the Purchasing Office.

4. If it is necessary to rent a car, car rental insurance is not needed.
5. The use of a personal automobile for travel is reimbursed at the IRS rate that is in effect at the start of the fiscal year.
6. Reimbursement for meals will be limited to a maximum per diem amount established by the Provost's Office, and alcohol expenses are not reimbursable.

Appendix J: Policy on Intellectual Property

Birmingham-Southern College (“College”) encourages the production of creative and scholarly research, artistic activity, works and inventions, known broadly as intellectual property, among Faculty, students and Staff. The products of this scholarship may create rights and interests on behalf of the creator, author, inventor, public, sponsor and the College. The purpose of this policy is to support and reward artistic activity and scientific research and scholarship, and to help Faculty, students and Staff identify, protect, and administer intellectual property matters and define the rights and responsibilities of all involved. The College Faculty and employees are encouraged to retain a non-exclusive, royalty-free license to allow them and the College to use work they author or create and intend to publish in furtherance of the College’s academic mission (e.g., in the classroom, at lectures, etc.). This policy shall not be construed in a manner that would undermine the academic mission of the College or conflict with the By-Laws or Charter of the College.

1. Application of Policy

The policy applies to works created by all classifications of Faculty, Staff and students of the College and to non-employees such as consultants and independent contractors, who create works on behalf of the College, unless a written agreement exists to the contrary.

2. Identification of Intellectual Property (“Intellectual Property”)

Intellectual property shall consist of the following:

- (1) Copyrightable material produced from creative and scholarly activity, such as text (manuscripts, manuals, books, and articles); videos and motion pictures; music (sound recordings, lyrics, and scores); images (print, photographs, electronic, and art); and computer software (programs, databases, web pages, and courseware); and
- (2) Patentable works such as patents (processes, machines, manufactures, or compositions of matter); devices; and software excluded from copyrighted materials; and
- (3) Trademarked materials, such as words, names, symbols or logos, domain names, trade dress, and slogans or any combination of words which has been adopted by the College to identify itself and to distinguish itself and its sponsorship from others.
- (4) Trade Secrets

3. Ownership and Use

- (1) **General Rule.** Keeping with the view that one of the College’s primary benefits to society is the production of original works by its employees and students, and in order to best encourage such activity, it is the general policy of Birmingham-Southern that Intellectual Property shall be the property of the author or creator. The College may assert ownership rights to Intellectual Property developed under circumstances set forth further below.

(2) **Patentable Intellectual Property**

Responsibility for Disclosure of Patentable Intellectual Property: The College personnel who alone or in association with other entities create or intend to create patentable subject matter with non-routine or extraordinary use of College resources must disclose the matter and obtain prior authorization from the Office of the Provost (or designee). Such disclosure shall be made when it can be reasonably concluded that a patentable subject matter has or will be created, and sufficiently in advance of any publications, presentation, or other public disclosure to allow time for possible action that protects rights to the intellectual property for the creator and the College. Creators are encouraged to seek the advice of the Provost (or designee) in determining whether the subject matter is patentable or whether the College desires to pursue patenting the matter.

Determination of Rights to Patentable Subject Matter: Except as set forth below, the creator of patentable intellectual property shall retain his or her rights, and the College shall not assert ownership rights. However, creators will grant perpetual permission to the College for cost-free use of Intellectual Property that is developed for the College courses or curriculum, so that the College's continued use of such material for educational purposes at Birmingham-Southern would not be jeopardized. The College will have and may assert ownership rights to patentable intellectual property developed under any of the following circumstances:

- Development was funded by an externally sponsored research program under an agreement which allocates rights to the College.
- Development involved a substantial contribution from the College or required significant, non-routine use of the College resources (e.g. facilities, equipment, funding) or more than routine use of the College personnel. Extensive participation of students directly in the development, or indirectly through use and feedback that substantively influences development, constitutes significant use of the College resources, unless the participation is routine or normal in the education and instruction of our students. For purposes of this policy, "substantial contribution" refers to the extensive and unreimbursed use of College space and resources that are not ordinarily used in this manner in the College's educational or instructional endeavors.
- Material was developed by administrators or other non-faculty employees in the course of employment duties and constitutes work for hire under US law.
- The creator was assigned, directed, or specifically funded by the College to develop the material and the College has confirmed the assignment in writing.

(3) **Other Intellectual Property**

Responsibility for Disclosure of Intellectual Property: In contrast to historical business practice, the tradition of academic institutions is to give faculty members the right to retain ownership of their Intellectual Property. This policy protects that traditional right, and faculty members are not obligated to disclose the creation of these materials, even when the product might have commercial value, unless the material was developed under one of the qualifying conditions listed in the next section in which case the creator is responsible for reasonably prompt disclosure. However, faculty members are encouraged to disclose any protectable material that has commercial value to the extent that they may wish assistance in copyright protection and marketing in exchange for profit sharing with the College. All disclosures should be made to the Office of the Provost.

Determination of Rights to Intellectual Property: Except as set forth below, the creator of Intellectual Property shall retain his or her rights, and the College shall not assert ownership rights. However, creators will grant perpetual permission to the College for cost-free use of Intellectual Property that is developed for the College courses or curriculum, so that the College's continued use of such material for educational purposes at Birmingham-Southern would not be jeopardized. The College will have and may assert ownership rights to Intellectual Property developed under the following circumstances:

- Development was funded as part of an externally sponsored research program under an agreement which allocates rights to the College.
- Development involved a substantial contribution from the College or required significant, non-routine use of the College resources (e.g., facilities, equipment, funding) or more than routine use of the College personnel. Extensive participation of students directly in the development, or indirectly through use and feedback that substantively influences development, constitutes significant use of the College resources, unless the participation is routine or normal in the education and instruction of our students. For purposes of this policy, "substantial contribution" refers to the extensive and unreimbursed use of College space and resources that are not ordinarily used in this manner in the College's educational or instructional endeavors.
- Material was developed by administrators or other non-faculty employees in the course of employment duties and constitutes work for hire under US law.
- The creator was assigned, directed, or specifically funded by the College to develop the material, and the College has confirmed the assignment in writing.

(4) **Intellectual Property Developed Under Sponsored Research Agreements**

Ownership of Intellectual Property developed pursuant to an agreement with any sponsor will be governed by the provisions of that agreement. Sponsored research and artistic programs funded by private sponsors should be reduced to a written agreement that is submitted in advance to the Provost. The Provost, with the review and approval of the President, will inform the College employee of the contractual terms required for the use of College resources, facilities, students, or personnel. The Agreement between the College employee and the private sponsor will provide for appropriate compensation or reimbursement to the College for the use of College resources, facilities, students, or personnel. Government and nonprofit sponsors generally should follow the same procedure, subject to laws or conditions that are unique to such bodies.

(5) **Special Agreement**

The overriding principle underlying this Intellectual Property Policy is to encourage creativity and inventiveness, so the College reserves the right to allow some flexibility in applying this policy on a case-by-case basis. In such cases, ownership and use of materials developed pursuant to a special agreement between the College and the creator/author will be governed by the principles of that agreement.

4. **Administration**

Office of the Provost: The Policy on Intellectual Property shall be administered by the Office of the Provost and the stated terms and provisions of the policy shall be determined and interpreted by the Provost with the review and approval of the President.

Intellectual Property Review Committee: In implementing this policy, the Provost shall appoint a standing Intellectual Property Review Committee whose functions shall include (1) reviewing policy provisions from time to time, as needed, with recommendations for change or amendments to the Provost; and (2) reviewing other issues as requested by the Office of the Provost or other interested parties.

Dispute Resolution: When a dispute arises over the application or interpretation of this policy, an ad hoc I.P. Dispute Resolution Committee shall be formed to consider the issues and render a decision. The I.P.D.R. Committee shall consist of three members of the College community – one chosen by the College employee, one chosen by the College administration and one agreed to and selected by the first two selected committee members. The I.P.D.R. Committee may conduct a private hearing and formulate other reasonable and necessary procedures to reach a majority decision in writing within sixty (60) days after selection of the Committee. If either party is dissatisfied with the decision of the Committee the party may appeal the Committee decision in the same manner and to the same extent as the review provided under provision III.B.7.i. of the *Faculty Handbook*.

This appeal provision would apply as well to non-faculty College employees who have a dispute arising under this I.P. policy.

Changes to Policy: The College reserves the right to change this policy from time to time but only in accordance with the principles of Chapter III of the *Faculty Handbook* that limit the retroactive effect of amendments. Amendments to this policy would be presumed to have prospective effect as to all members of the College community. Proposed changes will normally be discussed among the vice presidents and deans and the Provost.

5. Royalties

All revenues derived from the College-owned Intellectual Property including electronic media will be received and administered by the Office of the Provost. For each specific piece of Intellectual Property owned by the College, costs incurred in the process of perfecting, transferring, and protecting the College rights to the property paid by the College will first be deducted from the gross income available before distribution. An accurate accounting of all such costs shall be made available to the author/creator upon request. The distribution of net proceeds (income less all costs including that of an agency engaged to provide patent administration services) that is received from the College-owned Intellectual Properties shall be shared equally between the creator and the College absent agreement otherwise. The companies licensed to market or use Intellectual Property.

6. Use of the College names/logos

Faculty, staff, and students may use the College name and logos to identify themselves (John Doe, Professor of Physics, Birmingham-Southern College). The College name(s) and logos shall not be used by individuals or entities in a manner that implies the College endorsement or responsibility for particular activities, products, or publications involved, for commercial purposes, or by any individual or group promoting itself, without the express written permission of the Provost.

Appendix K: Faculty Evaluation Forms

Faculty evaluation forms and timeline are available from the Provost's Office.

Appendix L: Faculty Diversity Resolution

Diversity

In the Fall of 2006, the faculty adopted the following resolution related to faculty diversity:

Faculty recruitment is critical to the promotion of racial, ethnic, and other diversity on campus. Accordingly, no faculty position search may commence until the Provost approves a plan, submitted by the department/program conducting the search, that maximizes the possibility of achieving greater diversity. In addition to other topics, the plan must address how the search will insure the following: announcements are placed in publications that serve diverse audiences; contacts are made with professional organizations which serve diverse memberships; and, contacts are made to professional colleagues who may be in a position to identify potential applicants who would increase the diversity of the applicant pool.

(Department Chair Manual)

Resolution of the Faculty Monday, 12 May 2003

The Faculty of Birmingham-Southern College endorses the 8 May 2003 draft of the *Faculty Handbook* with preference for the following:

1. The reinstatement of monetary amounts cited in section **III.B.7.j Terminal Salary** of the 1998 *Handbook* as the salary compensations cited in section **III.B.7.j Compensation Upon Termination for Cause** in the 2003 *Handbook*.
2. Formal endorsement by the Board of Trustees of the “1940 Statement of Principles on Academic Freedom and Tenure With 1970 Interpretive Comments” from “Statements and Reports” of The American Association of University Professors (<http://www.aaup.org/statements/Redbook/1940stat.htm>). The College has already endorsed the “1940 Statement of Principles on Academic Freedom and Tenure.”
3. For purposes of promotion and tenure, librarians should be considered under the same procedures as all other faculty members with terminal degrees.

(NOTE: The above points were never formally approved by the Board of Trustees for inclusion in the *Faculty Handbook*.)