

**THE FACULTY MANUAL**

**THE UNIVERSITY OF SOUTH CAROLINA  
COLUMBIA**

Latest Approval Date: June 25, 2021

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Latest Revision Date: June 25, 2021

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

It is the policy of the University of South Carolina to recruit, hire, train, promote, tenure, and otherwise make educational and personnel decisions without regard to race, color, religion, sex, gender, national origin, age, disability, sexual orientation, genetics, or veteran status (except where sex or age is a bonafide occupational qualification). See also University Policy [EOP 1.00 Equal Opportunity and Affirmative Action](#).

**PREAMBLE**

**The Faculty Manual embodies the essential elements of the employment relationship between the faculty, individually and collectively, and the university. It establishes the terms of employment, the manner of appointment, the procedures and standards for tenure and promotion, the duties of faculty members, and the procedures and standards for termination of employment. It delineates faculty organization and confirms the authority of the faculty to participate in the governance of the university, especially in regard to academic matters. Amendments to The Faculty Manual are generally presented for the consideration and approval of the faculty and the administration before submission to the Board of Trustees.**

**Through the years, much information of interest and importance to the faculty has been added to The Faculty Manual. Such information has been placed in appendices in this edition, clarifying what material is part of the essential contract between the faculty and the university. The appendices may be amended in appropriate cases by the university without faculty or trustee approval.**

## FOREWORD

The Faculty Manual is designed primarily for faculty members teaching in undergraduate and graduate programs on the Columbia campus. Contained herein is information concerning university regulations and procedures considered to be of particular interest to faculty on the Columbia campus. Manuals pertaining to faculty on the other university campuses are issued separately.

Faculty members and staff are urged to examine regularly the agenda and minutes of the General Faculty and Faculty Senate. Action by these bodies may modify the content of this Manual (subject to the approval of the University Board of Trustees). Changes in policies and regulations go into effect following the requisite approvals.

The most current official version of The Faculty Manual is on the University's web site at URL: [https://sc.edu/about/offices\\_and\\_divisions/provost/docs/faculty\\_manual/faculty\\_manual\\_columbia\\_6\\_25\\_2021.pdf](https://sc.edu/about/offices_and_divisions/provost/docs/faculty_manual/faculty_manual_columbia_6_25_2021.pdf)

The Faculty Manual has been edited by the Chair of the Faculty Senate and the Faculty Advisory Committee, with the cooperation of the Office of the Provost. Members of the faculty are invited to make suggestions and recommendations for the improvement of future editions of the Manual.

William F. Tate IV  
Executive Vice President for Academic Affairs and Provost

## 1/ FACULTY ORGANIZATION

### UNIVERSITY FACULTY

#### FACULTY COMMITMENT TO THE CAROLINIAN CREED

##### **Faculty Commitment to the Carolinian Creed**

We, the faculty of the University of South Carolina, recognize our special responsibility to honor and exemplify the values and principles expressed in the Carolinian Creed.

*We will practice personal and academic integrity;*

*We will respect the dignity of all persons;*

*We will respect the rights and property of others;*

*We will discourage bigotry, while striving to learn from differences in people, ideas and opinions;*

*We will demonstrate concern for others, their feelings, and their need for conditions which support their work and development.*

*Allegiance to these ideals requires us to refrain from and discourage behaviors which threaten the freedom and respect every individual deserves.*

We, the faculty of the University, hold ourselves to the highest standards of personal and professional conduct as teachers, colleagues, and researchers. Specifically,

**As Teachers**, we commit ourselves to pursuing our classroom and individual mentoring responsibilities conscientiously with high intellectual standards and clear pedagogical goals. We also commit ourselves to dealing fairly and respectfully with all students.

**As Colleagues**, we commit ourselves to supporting faculty colleagues in their pursuit of excellence in research, teaching, and service and to dealing with all university personnel in a civil and responsible manner. We also recognize that disagreement on issues of importance is inevitable and even welcome in a University environment. We therefore affirm our commitment to academic freedom, even as we pledge ourselves to civil and responsible discourse.

**As Researchers and Scholars**, we commit ourselves to pursuing our research with rigor guided by the highest ethical and intellectual standards of our disciplines and to presenting the results of our research honestly and accurately. We further commit ourselves to carrying these high professional and personal standards into all work that we might perform outside the university.

Finally, in all our dealings we commit ourselves to respecting the rights and feelings of others; to maintaining the confidentiality of sensitive personal or institutional information; to being good stewards of University resources; and to being active agents for promoting the values inherent in the Carolinian Creed.

## **FUNCTIONS**

The Board of Trustees is the governing body of the university, and it delegates to the president and the faculty their powers. The faculties of the Aiken, Beaufort, Columbia, and Upstate campuses, subject to the review of the president and the board, have legislative powers in all matters pertaining to standards of admission, registration, requirements for and the granting of earned degrees, curriculum, instruction, research, extracurricular activities, discipline of students, educational policies and standards of the university, and all other matters pertaining to the conduct of faculty affairs, including the discipline of their own members.

Proposals from any academic unit that pertain to the faculty's legislative competency shall be forwarded to the board by the president only after such proposals have been considered by the appropriate faculty committees and shall be accompanied by the legislative judgment of the Faculty Senate or of the university faculty, as appropriate.

As such occasions arise, the faculties shall consider candidates for president and other pertinent academic officers. Through an appropriate committee, the faculty shall communicate its views to the board.

## **MEMBERSHIP**

The university faculty consists of the president, provost, and deans; professors, associate professors, and assistant professors; full-time academic instructors and full-time lecturers who are not degree candidates in the units of their appointments; clinical and research professors, clinical and research associate professors, and clinical and research assistant professors; visiting faculty and emeriti professors; librarians; and such other persons as the faculty chooses to elect to its ranks.

## **VOTING**

The following members of the faculty shall have the right to present motions and vote at meetings of the university faculty: the president; the provost; deans; tenure-track faculty; and full-time, professional-track faculty holding the title of Instructor, Senior Instructor, Lecturer, Senior Lecturer, Distinguished Lecturer, Instructor Librarian, Legal Writing Instructor, Clinical Professor, Clinical Associate Professor, Clinical Assistant Professor, Clinical Instructor, Clinical Lecturer, Clinical Senior Instructor, Clinical Senior Lecturer, Research Professor, Research Associate Professor, Research Assistant Professor, or Professor of Practice. Full-time faculty may exercise the right to vote during temporary absences from the university, such as sabbaticals or leaves of absence. However, voting by proxy is not permitted at meetings of the university faculty. Clinical, teaching faculty from the Schools of Medicine will elect three faculty to represent and vote (one vote for each of the three) for each School of Medicine.

## **OFFICERS**

The president shall be the chair of the faculty and its presiding officer. In the absence of the president, the president's designee shall preside. The secretary of the Faculty Senate shall serve as the secretary of the faculty. The secretary shall distribute copies of the minutes and shall notify

faculty members in writing of all regular and called meetings at least three days before the meeting date. The secretary shall publish an annual summary of actions taken at general faculty meetings.

## **MEETINGS OF THE UNIVERSITY FACULTY**

### **CALL OF MEETINGS**

A meeting of the university faculty will be held in the fall semester, not later than during the first full week of September, and in the spring semester, not later than the end of the examination period. At these meetings, it may hear reports from various committees and councils of the university and may recommend proposals to the senate, the administration, or the board; it may also alter decisions of the senate.

The president may call a special meeting of the faculty. Such a meeting may also be called by twenty-five voting members of the faculty who shall submit a written request to this effect to the secretary. Upon receipt of this request, the secretary shall set a date for a meeting to be held within seven days.

### **CONDUCT OF BUSINESS**

The university faculty shall follow *Robert's Rules of Order*. Annually, the president shall appoint a parliamentarian. All elections shall be conducted by secret ballot; other votes shall be by voice or show of hands unless at least ten members present request a secret ballot.

The secretary shall prepare an agenda before each meeting from items submitted by the faculty. This agenda shall include elections to committees, when appropriate; statements from the president on major policy; committee reports; old business; and new business.

### **FACULTY COMMITTEES**

The faculty may establish regular or special committees and shall elect members in accordance with existing faculty rules. All regular committees shall consist of six faculty members, elected for terms of three years, with two members elected annually unless there is specific provision to the contrary. Vacancies shall be filled by special elections unless the remaining term to be filled is for one academic year or less, in which case the vacancy shall be filled by the Senate Steering Committee. The chair of a faculty committee shall be a faculty member except as otherwise indicated in The Faculty Manual.

Every committee shall meet at least once a year and whenever new members are elected or appointed. Committees shall meet as often as necessary to complete their business. Voting by proxy is not permitted. All student members of regular faculty committees shall be voting members.

With the approval of the members of the committee, the chair of an elected committee may request that the chair of the senate remove an elected member for excessive absences or nonparticipation.

Other than student members or ex officio members, only voting members of the university faculty shall be members of faculty committees, whether elected or appointed, unless there is specific provision to the contrary in The Faculty Manual. Deans of colleges and schools are not eligible to serve on faculty committees. Faculty members appointed to administrative positions such as department chair, assistant dean, or associate dean are eligible to serve on committees unless there is specific provision to the contrary in The Faculty Manual. Faculty members appointed to committees by the President, Provost or other administrative unit shall serve terms of three years. Faculty members shall be from academic units properly concerned with the functions of the committee.

No voting member of a committee, whether elected or appointed, may serve more than three consecutive years on the same faculty committee. However, time spent filling less than half of an unexpired or vacant term will not count against the three-year limit. No faculty member may at any one time be an elected member of more than two faculty committees. Except where otherwise noted, ex officio faculty committee members cannot vote. Student members shall be selected in accordance with student government procedures, shall serve terms of one academic year, and may be reappointed.

Special committees are appointed by the Faculty Senate Steering Committee annually, but under no circumstances may an individual be appointed to a special committee for more than three consecutive years. Special committees normally cease to exist after one year; however, justification for their continued existence may be submitted to and approved by the Steering Committee. Special committees shall be listed in [Special Advisory Committees](#), published by the provost; this document may also include committees appointed by various administrative units.

The committees named below are agencies of the faculty. By August 15, committee chairs shall submit annual reports containing a summary of the committee's activities and actions to the Faculty Senate office. These reports shall be in the minutes of the September senate meeting.

#### **COMMITTEE ON ACADEMIC RESPONSIBILITY**

The committee shall consider appeals of cases decided by the Carolina Judicial Council regarding Honor Code violations. The committee shall consist of five faculty members elected for staggered three-year terms. The committee will assist the Office of Academic Integrity in periodically reviewing the Honor Code and share updates with the Faculty Senate. Members will receive annual training by the Office of Academic Integrity regarding due process, scope, and correspondence, prior to serving on the committee.

#### **COMMITTEE ON ADMISSIONS**

This committee shall consider policies on undergraduate entrance examinations, admissions, and readmissions and may recommend changes in policy to the Faculty Senate. To assure conformity with undergraduate admissions policies, the committee may review policies and changes proposed by faculties of the various academic units. The committee shall act on appeals of applicants for admission who fail to fulfill established standards of admission or readmission.

Of the ten members, five shall be elected by the faculty and five appointed by the provost. Two faculty representatives shall be elected each year for a term of three years, except every third year, when only one member shall be elected. The director of admissions shall serve as secretary, ex officio.

### **FACULTY ADVISORY COMMITTEE**

This committee will advise the faculty and administration on all matters pertaining to the general policies and operations of the university that lie outside or cut across the responsibilities of other standing committees. The committee will review academic affairs policy proposals before transmittal to the Policy Advisory Committee for formal university policies or to Faculty Senate for Faculty Manual changes. It will initiate studies and make recommendations to the faculty and administration regarding any matters affecting the general welfare of the university that faculty members, faculty bodies, and administrative officers refer to it. It also will review proposals of other standing committees and recommend procedures for their implementation. The committee will consist of eight elected members; the chair of the Faculty Senate, the provost, and the vice provost responsible for faculty affairs are ex officio members.

### **UNIVERSITY ATHLETICS ADVISORY COMMITTEE**

The committee will review and monitor admissions decisions and the academic performance of all student-athletes by regularly receiving appropriate and relevant information regarding the academic eligibility and progress of student-athletes, including graduation rates. The committee also receives reports on, reviews and advises, as appropriate, the Faculty Senate, the NCAA Faculty Athletic Representative (FAR), the president, the director of athletics, and the Board of Trustees on the following: annual inter-collegiate athletic program schedules and major changes to them; the annual budget of the Athletics Department; admissions decisions for athletes receiving grants-in-aid; NCAA certification reports, including Title IX reports; major requests for waiver of any institutional athletic policies; major changes in Athletics Department personnel (specifically the director of athletics, director of the academic support unit, and head coaches for each sport); the needs, interests, and concerns of student athletes; all other issues regarding inter-collegiate activities as referred to it by University officials. The committee will make at least an annual, written report of its activities to the Faculty Senate, the president, and the director of athletics.

Membership of the committee will be six elected faculty members; three student members, (one undergraduate student-athlete who serves as either president or president-elect of the Student Athletics Advisory Committee; one undergraduate student appointed by the president of the student body; and one graduate student appointed by the student government with the consent of the Graduate Student Association; one member of the Board of Trustees appointed by the permanent chair of the Board; the FAR; one representative from the Division of Student Affairs; and the director of athletics; and one at-large representative from the faculty, appointed by the president.

The chair will be a member of the faculty.

## **BOOKSTORES COMMITTEE**

This committee serves to mediate any disputes between students or faculty and local bookstores whose primary purpose is to serve the university community. Faculty members, students, or bookstores with problems should contact the chair of this committee. The committee should also report any major problems to the Faculty Senate with recommendations. In addition to the six elected faculty members, one graduate and one undergraduate student shall serve on the committee.

## **FACULTY BUDGET COMMITTEE**

The committee will consist of sixteen members: six elected members, the current and immediate past chairs or their designees of the Faculty Advisory Committee and the Welfare Committee, the chairs or their designees of the IT Committee and the Curricula & Courses Committee, the chair of the Faculty Senate, and the past chair or the chair-elect of the Faculty Senate; the provost and a representative of the Division of Administration and Finance will serve ex officio (non-voting).

This committee will serve as a liaison between the university administration and the university faculty (through the Faculty Senate) on matters pertaining to the university budget, advocates the faculty perspective on matters of budget and budgetary policy, and provides a venue for discussing faculty questions and concerns about the university budget and budgeting process. To accomplish its purpose, the Faculty Budget Committee will have input into university budget policy in two ways. First, the chair of the Faculty Budget Committee, two other elected members, and the chair of the Faculty Senate will be welcomed to attend the president's budget hearings. Second, members of the committee will represent the faculty on any permanent committee that may be established by the administration as part of the university-wide budget review process.

## **COMMITTEE ON CURRICULA AND COURSES**

This committee will consider, and recommend to the faculty, action on all requests for new or revised curricula leading to any formal recognition other than graduate degrees or first professional degrees in law, medicine and pharmacy. The committee will also consider, and recommend to the faculty, action on all requests for the institution, modification, or deletion of courses and of any prescribed programs of study that do not fall within the purview of the graduate faculty. The committee will review the various university curricula with special attention to duplication or obsolescence of courses. The committee will consist of eight faculty members, elected for terms of three years. In addition to the members elected by the faculty, there will be one member appointed by the provost to serve ex officio, one representative from the regional campuses elected by the Palmetto College Campuses Faculty Senate, a representative of the Office of the University Registrar and two student members.

## **FACULTY GRIEVANCE COMMITTEE**

This committee shall consider individual grievances, including grievances regarding salary matters (see also "Terms of Employment"), brought before it by members of the faculty. When, in its judgment, a grievance is determined to be well-founded, the committee shall attempt to resolve the matter through mediation or other appropriate action. See also "Academic Grievance Procedures." The committee shall consist of nine elected members for staggered three-year terms. All members of the committee shall be tenured full professors or tenured librarians, and, at the time they commence a term of service on the committee, a year shall have elapsed since their last service, if any, on the University Committee on Tenure and Promotions. Faculty members appointed to administrative positions such as department chair, assistant dean, or associate dean are not eligible to serve on this committee.

### **COMMITTEE ON HONORARY DEGREES**

This committee shall recommend recipients of honorary degrees to the president and the Board of Trustees. The provost or appointed representative shall be ex officio chair.

### **FACULTY SENATE INFORMATION TECHNOLOGY COMMITTEE**

The Faculty Senate Information Technology Committee provides a faculty voice in assessing and planning Information Technology (IT) services, resources, and infrastructure for administration, instruction, and research at the University of South Carolina. The committee shall consist of eight elected members of the voting faculty; one graduate student representative; one undergraduate student representative; and no more than six ex-officio representatives, typically one each from the University Technology Services (UTS), Research Computing, the University Libraries, the Office of the Vice President for Research (VPR), the Office of the Provost, and the Office of the University Registrar. The composition of the committee shall reflect the need for expertise in the complex field of IT and general interest of the University faculty.

Specific charges to the committee are:

- 1) To survey periodically faculty, staff, and students regarding the efficacy of IT resources including general services, resources and infrastructure that support the missions of teaching, research, and service.
- 2) To assess the compatibility of available and planned IT services, resources, and infrastructure with the University's ambition as a locally, nationally, and internationally-regarded teaching and research institution.
- 3) To ensure that faculty have a meaningful role in future development of IT at the University of South Carolina by: maintaining and publishing a list of all standing committees related to IT.
- 4) To make recommendations to the Faculty Senate for changes in IT services, resources, and infrastructure based on the information, assessment, and analysis resulting from the committee's work in points 1-3 above.

### **COMMITTEE ON INSTRUCTIONAL DEVELOPMENT**

This committee will initiate studies and make recommendations to the faculty and administration to enhance the practice and status of teaching. It will review and initiate as necessary policies governing: the approval of new courses and curricula; general education requirements; co-

curricular activities; as well as student evaluation and faculty assessment of instruction. In addition, the committee will coordinate instructional innovation efforts with such bodies as may be established administratively or by the faculty for such purposes, to include innovation efforts with respect to learning spaces and instructional technology.

The membership of the committee will include seven faculty members elected for staggered three-year terms. The provost will appoint four other faculty members, for staggered three-year terms, to guarantee broad representation of the colleges and academic ranks. The president of the student body with confirmation of the Student Senate and the Graduate Student Association, respectively, will appoint one undergraduate and one graduate student to one-year terms; a representative from the Center for Teaching Excellence will serve *ex officio*. Additional *ex officio* members may include representatives from the Office of the Provost, the Office of Distributed Learning, Graduate School, the Office of Institutional Research, Assessment, and Analytics, and the Faculty Senate Information Technology Committee.

### **INTELLECTUAL PROPERTY COMMITTEE**

This committee shall consider cases involving intellectual property, including patent and copyright matters, and shall be the intellectual property advisory body within the university. In addition to the six elected faculty members, there shall be three members appointed by the provost. The director of the Technology Commercialization Office, or a representative of that office, shall serve *ex officio*.

### **COMMITTEE ON LIBRARIES**

This committee shall consider and review matters concerning the status and funding of the libraries that are under the supervision of the dean of libraries.

The committee shall consist of eleven members: seven elected from the faculty, including one member of the teaching faculty of the regional Palmetto Colleges elected by the Palmetto College Campuses Faculty Senate; three at-large faculty members appointed by the provost; and the dean of libraries, *ex officio*. No college shall have more than two elected members, and no department shall have more than one elected member.

### **COMMITTEE ON PROFESSIONAL CONDUCT**

This committee will investigate formal complaints of workplace bullying. The committee will consist of 10 elected faculty members for staggered three-year terms. Each member of the Committee must hold the rank of tenured professor or tenured librarian. No committee member shall serve simultaneously on the Faculty Grievance Committee. Prior to the commencement of a committee member's duties, he or she must receive training in the recognition of workplace bullying, which is defined below under the section on workplace civility.

In response to the receipt of a formal complaint of workplace bullying, the Provost shall appoint an *ad hoc* committee to investigate the complaint. The *ad hoc* committee shall consist of three members from the committee and two non-committee faculty members.

## **COMMITTEE ON PROFESSIONAL-TRACK FACULTY**

The University Committee on Professional-Track Faculty is responsible for 1) reviewing and approving college, school, and academic policies regarding professional-track faculty; 2) proposing and reviewing university wide policies regarding professional-track faculty; and 3) advising the Faculty Senate and the administration regarding issues related to professional-track faculty. The committee shall consist of seven members: five elected faculty members including a majority of professional-track faculty members, one member elected by the University Committee on Tenure and Promotion, and a representative of the Office of the Provost serving as an ex-officio member (voting) of the committee.

## **COMMITTEE ON SCHOLASTIC STANDARDS AND PETITIONS**

This committee shall consider matters concerning university academic requirements, standards, policies, and practices. It shall review changes proposed by colleges and shall make recommendations to the appropriate faculty or the Faculty Senate.

Decisions of a college committee concerning academic regulations may be appealed to the university committee by either the student involved or the dean of the college. Grounds for appeals shall be limited to a contention that a university academic regulation was misinterpreted or that the college committee hearing was fundamentally unfair. The appealing party shall describe in writing the basis for the appeal and shall provide available supporting information.

If the committee considers an appeal, it may confirm the decision of the college committee, return the case to the college for reconsideration, or under exceptional circumstances reverse the decision of the college committee in matters involving the interpretation of university regulations.

In addition to the six elected faculty members, there shall be two student members. The director of admissions and the registrar, or representatives of those offices, shall serve as ex officio members.

## **UNIVERSITY COMMITTEE ON TENURE AND PROMOTIONS**

This committee shall publish guidelines for departmental tenure and promotion criteria and procedures, approve departmental tenure and promotion criteria and procedures, review all tenure and promotion cases, and make tenure and promotion recommendations to the president. It shall be composed of twenty-four tenured full professors, fifteen elected by the faculty and nine appointed by the president or designee. No more than three elected members may be from any single college or school except the College of Arts and Sciences, which may have up to nine elected members. Of the nine appointed members, no more than two may be chosen from any single college or school.

The elected members shall be nominated by a committee composed of the members of the Faculty Senate Steering Committee, and the eight persons completing their terms on the Tenure and Promotions Committee. The nominating committee shall nominate a slate of ten, from which the voting members of the faculty shall elect five persons. Each voting faculty member may vote for up to five nominees. No person shall serve more than three years consecutively, and no

department chair, assistant or associate dean, or dean shall be a member of the committee.

### **TENURE REVIEW BOARD**

This board conducts hearings and rules on cases involving the dismissal of tenured faculty members for cause. It also resolves disagreements between the provost and any unit over the content of unit post-tenure review standards and procedures. The seven members of the board shall be tenured faculty, two appointed by the president or designee and five elected by the faculty for staggered three-year terms.

### **FACULTY WELFARE COMMITTEE**

This committee will consider university policies and the enforcement of policies regarding the welfare of the faculty, such as faculty salaries, other compensation and benefits, and any matters affecting the workplace environment. The committee may recommend appropriate changes or the enforcement of existing policy, propose new policies, or comment upon proposed university action affecting faculty welfare. Major changes in academic affairs policy should be forwarded to the Faculty Advisory Committee for its consideration. In addition to the six elected faculty members, there will be one faculty member from the the regional Palmetto Colleges elected by the Palmetto College Campuses Faculty Senate and two members appointed by the provost. A representative of the Office of the Provost will serve ex officio.

### **FACULTY SENATE**

The Faculty Senate shall consist of ten percent of the voting members of the faculty, elected by each college, school, or Palmetto College regional campus.

Senators shall be elected for a three-year term in the spring, with the term to commence with the fall semester. Every spring semester, colleges and schools shall elect senators to replace those whose terms have expired and to fill unexpired terms. Vacancies occurring after the spring election shall be filled promptly by a method determined by each college or school (such as by special election or appointment by the dean).

If Faculty Senate members are unable to complete their terms of office, then the unit shall elect a qualified faculty member to complete that term.

Each spring semester, the Faculty Senate office shall calculate appropriate senate representation for each college and school.

Senators should try to attend all meetings of the Faculty Senate. Minimally, Senators are expected to attend a majority of meetings. Because the Faculty Senate is a deliberative body, active participation requires physical presence at the site of the meeting. An exception to this requirement is extended to senators from USC campuses outside of the greater Columbia area to facilitate a greater degree of involvement than could be achieved were they required to travel to Columbia. In extraordinary circumstances when the physical gathering of the Senate might present a risk to public health or safety, as determined by the Faculty Senate Steering Committee, the Senate may convene a virtual meeting according to the rules set in its by-laws.

Every faculty member has the right to attend and address the senate, but only senators may vote. The minutes of the senate shall be available to all members of the faculty.

The general faculty's powers may be changed only by the general faculty. The Faculty Senate may execute these powers on behalf of the general faculty.

The bylaws and the standing rules of the Faculty Senate appear in the appendices.

### **FACULTY SENATE OFFICERS**

The senate elects its chair and secretary as defined in the Faculty Senate By-laws. The secretary may vote in the Faculty Senate only if also a senator. The chair may vote in the Faculty Senate only to break a tie. The chair shall serve a two-year term and shall be elected at the beginning of the second year of the preceding chair's term. The secretary shall serve a three-year term and shall be elected at the beginning of the third year of the preceding secretary's term.

The person designated to serve as chair of the Faculty Senate shall serve for a total of four years on the Senate Steering Committee: in the first year as chair-elect, the second and third years as chair, and the fourth year as past chair of the Faculty Senate. A chair-elect shall be elected at the beginning of the second year of the chair's two-year term-that is, at the beginning of the third year of service on the Steering Committee.

The secretary shall serve a four-year term on the Steering Committee: the first year as secretary-elect and the second, third, and fourth years as secretary of the Faculty and Faculty Senate. The secretary-elect shall be elected at the beginning of the third year of the secretary's three-year term-that is, at the beginning of the fourth year of service on the Steering Committee.

### **SENATE STEERING COMMITTEE**

This committee shall serve as a nominating committee and as a planning body that studies issues confronting the university and recommends action to be taken by existing faculty committees, the faculty, and the administration. The committee is composed of the nine chairs of the following committees: Admissions, Athletics Advisory, Curricula and Courses, Faculty Advisory, Faculty Budget, Faculty Welfare, and Scholastic Standards and Petitions, Information Technology, University Committee on Promotion and Tenure, and one faculty member appointed by the chair of the Faculty Senate. The provost and parliamentarian shall serve as ex officio members.

Ad hoc committees shall be created as needed, and the Faculty Senate chair shall consult with the Senate Steering Committee before appointing their members.

### **SYSTEM FACULTY LEADERSHIP COUNCIL**

The University of South Carolina System Faculty Leadership Council provides a representative voice in system affairs and facilitates collaboration among the faculty organizations comprised in the University of South Carolina system. With respect to functions the Board of Trustees delegates to University administration, the Council has a consultative function: it represents the

will of the system's faculties to such bodies as may be established to administer system affairs and serves as a means by which system administrators may communicate with faculty. The Council coordinates faculty governance in those areas where the Board of Trustees delegates legislative powers to the faculties of individual campuses, including but not limited to standards of admission, granting of earned degrees, and curriculum. In no instance will the Council usurp authority previously delegated to campus faculties by the Board of Trustees.

The USC Columbia Faculty Senate will elect three representatives to the University of South Carolina System Faculty Leadership Council, including one representative from the Palmetto College and any other representatives as required by the bylaws of the Council. The chair of the Faculty Senate (or designee) will also serve on the Council.

### **FACULTIES OF THE COLLEGES, SCHOOLS, OR DEPARTMENTS**

The faculty of a college, school, or department shall consist of its full time faculty. Voting rights within a college, school, or department shall be based upon the same standards as for the university faculty, unless otherwise established by existing or future bylaws and/or policies of the academic unit, except that only tenured faculty can vote on matters concerning tenure and promotion guidelines and advancement of tenure-track faculty. Colleges, schools, and departments shall hold regularly scheduled meetings. The dean or chair of the college, school, or department shall call a meeting of the college, school, or department faculty whenever requested to do so by five members or one-fourth of the membership of its faculty, whichever is smaller. A meeting of a college, school, or department faculty also may be called by the president of the university, by its dean, or by its chair. A majority of a college, school, or department faculty shall constitute a quorum for the transaction of business, unless otherwise provided within an academic unit.

### **SCHOLASTIC STANDARDS AND PETITIONS**

Each college shall elect from its faculty a committee on scholastic standards and petitions to oversee the academic progress of undergraduate majors in its degree programs. This committee may formulate regulations concerning the scholastic standards of degree programs within the college, provided that these shall not be lower than the general university standards. Such regulations shall govern criteria for entrance into degree programs, criteria for determining scholastic eligibility of majors enrolled in degree programs, the number of majors that a degree program may accommodate, and attendance.

In order to become effective, such regulations formulated by a college committee and approved by the college faculty, must be submitted to the university Committee on Scholastic Standards and Petitions during the semester prior to the proposed implementation date. If approved, the proposed regulations must be submitted to the Faculty Senate. Approved regulations shall take effect after their publication in the university *Undergraduate Studies Bulletin* unless rescinded by action of the university faculty or the Faculty Senate.

The college committee shall also act on petitions concerning college and university academic regulations. Procedures for appeals of college committee decisions are set forth under the Committee on Scholastic Standards and Petitions.

In the event that a student who meets the requirements to continue enrollment in the university is not allowed to continue in a particular degree program, no record of that action shall be made in the student's file.

By September 1, the college committee shall make an annual report to the university committee on the number of petitions received and their disposition.

## **GRADUATE FACULTY**

The principal responsibilities of members of the graduate faculty are to teach graduate students effectively, to conduct scholarly research and/or engage in creative activity of high quality, and to direct the research of graduate students. In order to fulfill these responsibilities, the Graduate Council recognizes regular, associate, and term membership in the graduate faculty. In judging the appropriateness of an applicant for the graduate faculty, primary consideration shall be given to whether the faculty member is an active and productive scholar and an effective teacher at the graduate level.

### **REGULAR MEMBERSHIP**

Regular members of the graduate faculty on the Columbia campus shall include the president; provost; dean of the Graduate School; associate deans of graduate studies; and chairs of academic departments offering degrees conferred by the Graduate School. Faculty members holding the Ph.D. or other terminal degree in their respective field of study are eligible to become regular members of the graduate faculty upon appointment to a tenured or tenure-track position at the University's Columbia campus. Nominations of eligible faculty for appointment to graduate faculty are made by the appropriate academic unit (college, department, or school) to the dean of the Graduate School. The appointment is made by the dean of the Graduate School in consultation with the Graduate Council.

### **REVIEW AND RETENTION**

Consistent with the University of South Carolina's mission as a major research university committed to high quality graduate instruction, the university reviews scholarly and graduate teaching performance on a periodic basis to assure that each member of the graduate faculty continues to satisfy the unit's criteria for graduate faculty membership. Units shall establish procedures and criteria for review and retention of membership on the graduate faculty. Such procedures and criteria must be approved by the dean of the Graduate School in consultation with the Graduate Council. Retention reviews shall coincide with tenure progress reviews, tenure and promotion reviews, and post-tenure reviews. Review of chaired professorships, department chairs, and deans for retention on the graduate faculty shall coincide with their normal periodic reviews.

Regular members of the graduate faculty shall be retained on the graduate faculty unless they are judged by their peers, in a manner consistent with unit procedures and criteria, to be performing unsatisfactorily in terms of graduate teaching or research. A faculty member who is evaluated as unsatisfactory in graduate teaching or research by his or her unit may submit a letter of appeal to the unit requesting reconsideration. Upon receipt of an evaluation of unsatisfactory performance from the unit, the decision to retain or deny the request for retention on the graduate faculty rests

with the dean of the Graduate School in consultation with the Graduate Council. Appeals of such decisions may be made to the Grievance, Appeals and Petitions Committee of the Graduate Council. Persons who have been denied membership on the graduate faculty may reapply annually through the unit's normal procedures.

### **ASSOCIATE MEMBERSHIP**

Professional-track USC faculty members and scholars who hold the Ph.D. or other terminal degree in their respective field of study may be appointed to associate membership in the graduate faculty. Requests for associate membership require nomination by the nominee's academic unit that grants the Ph.D. (or other terminal degree that requires a dissertation or thesis) to the Graduate Council. If the nominee does not belong to an academic unit, then the nomination may be from an academic unit that grants the Ph.D. (or other terminal degree that requires a dissertation or thesis) with which the nominee's area of research aligns. These nominations shall include a report that the nominee received a majority favorable vote by both the unit's current regular graduate faculty and by the unit's current combined regular and associate graduate faculty. The granting of associate membership is by vote of the council, subject to its procedures and criteria, and is based on the candidate's scholarly credentials, involvement in graduate academic affairs (such as teaching of graduate courses, serving as a member of thesis or dissertation committees, and serving on committees overseeing the department's academic programs), and expected continual appointment at USC. Associate membership is valid for a period of 6 years, also expiring if the faculty member leaves USC. Persons with associate membership are eligible for renomination and reappointment. Associate membership is appropriate for **full-time** USC clinical faculty, research faculty, and other full-time USC scholars holding an appropriate terminal degree.

Associate membership in the graduate faculty does not modify voting rights in the university faculty or Faculty Senate. Voting rights in the academic unit are determined by local policies independent of graduate faculty status.

### **FUNCTIONS**

Regular and associate membership in the Graduate Faculty confers the right to teach graduate courses, direct theses and dissertations and participate in graduate student committees (subject to the policies of the unit and university), serve on Graduate Council or its committees, and to vote on matters coming before the Graduate Faculty. The Graduate Faculty shall meet as called by the Graduate Council or on the written request of any ten members of the Graduate Faculty. The dean of the Graduate School shall serve as the presiding officer, assisted by the chair of the Graduate Council. The Graduate Faculty shall have the right to act on new graduate programs, Graduate School regulations, and related academic matters brought before it by individual members, the Graduate Council, or the administration.

### **TERM APPOINTMENTS**

Faculty members and scholars not otherwise eligible for regular or associate membership on the graduate faculty may be appointed to term appointments. Term appointments to the graduate faculty are granted upon nomination by an academic unit to the dean of the Graduate School for a period not to exceed 3 years. Term appointments to the graduate faculty confer the rights only to

teach graduate courses and/or serve on graduate students' committees as specified by the nomination approved by the dean of the Graduate School. Persons with term appointments are eligible for reappointment. Term appointments are appropriate for USC faculty in the School of Law and the School of Medicine, emeriti USC professors, clinical faculty, research faculty, faculty members at other institutions (including other campuses of the USC system), and others holding an appropriate terminal degree or other credentials.

## **GRADUATE COUNCIL**

The council shall be composed of 20 regular and associate graduate faculty members and one student member: Nine members selected by the graduate faculty;

- Nine members appointed by the provost of the university upon recommendation of the Graduate School;
- One student member representing the Graduate Student Association;
- The dean of the Graduate School (ex officio); and
- The senior associate dean of the Graduate School (ex officio), who serves as secretary.

No more than six members may have associate graduate faculty membership.

The council acts in an advisory capacity to the dean of the Graduate School and to the administration, takes action on graduate students' petitions, and performs other duties assigned to it by the graduate faculty or the administration of the university.

The council is responsible for the approval of major changes in graduate studies policy, new courses, course changes, new programs, and modifications of existing degree programs so long as such modifications are in accord with general regulations of the graduate faculty. Actions of the council in these areas shall be published to the faculty and shall become final if not challenged within thirty days by ten or more members of the graduate faculty. A challenge shall consist of a written statement of disagreement with an action or actions of the council that is addressed to the chair or the secretary and signed by ten or more members of the graduate faculty. If a challenge cannot be resolved by the council to the satisfaction of the challengers, the matter shall be referred to the graduate faculty for resolution at a meeting called by the dean of the Graduate School. Any decision made by the graduate faculty at a called meeting will supersede the decision of the council. A quorum for a called meeting shall be ten percent of the graduate faculty.

## 2/ REGULATIONS AND POLICIES

### POLICY CHANGES

Changes in the rights, privileges, and benefits accorded faculty members may be made as conditions warrant. Changes providing additional rights, privileges, and benefits shall apply to all faculty members, regardless of when employed.

No change shall be made in the university wide tenure and promotion regulations except by vote of the tenured and tenure-track membership of the university faculty or by direction of the Board of Trustees. In no event shall any change in tenure and promotion regulations be made retroactive for faculty hired before January 1, 1995, unless the faculty member chooses otherwise; except that any changes in tenure and promotion regulations shall apply to all faculty, including those hired before January 1, 1995, who are subject to the provisions of Tenure and Promotion in Cases of Reorganization as set forth herein.

### APPOINTMENTS

#### QUALIFICATIONS AND REQUIREMENTS

Qualifications for appointment, set forth below, are not intended as justification for automatic promotion; conversely, justified exceptions may be made.

**Professor.** To be eligible for appointment at the rank of professor, a faculty member must have a record of superior performance usually involving both teaching and research, or creativity or performance in the arts, or recognized professional contributions. The faculty member normally is expected to hold the earned doctor's degree and have at least nine years of effective, relevant experience.

**Associate Professor.** To be eligible for appointment at the rank of associate professor, a faculty member must have a record of strong performance usually involving both teaching and research, or creativity or performance in the arts, or recognized professional contributions. The faculty member normally is expected to hold the earned doctor's degree and must possess strong potential for further development as a teacher and scholar.

**Assistant Professor.** To be eligible for appointment at the rank of assistant professor, a faculty member normally is expected to hold the earned doctor's degree or its equivalent and must possess strong potential for development as a teacher and scholar.

**Instructor.** To be eligible for appointment at the rank of instructor, a faculty member normally is expected to possess a master's degree in the teaching discipline or a master's degree with a concentration in the teaching discipline (a minimum of 18 graduate semester hours in the teaching discipline).

The qualifications for appointment to these positions and positions bearing other titles, such as lecturer, clinical professor, or research professor, are specified in University Policy [ACAF 1.06 Academic Titles for Faculty and Unclassified Academic Staff Positions](#).

## **JOINTLY APPOINTED FACULTY**

Jointly appointed faculty are faculty members whose tenure home is in one unit (the “primary unit”) and who have a part time appointment, with some combination of teaching, research, and service obligations, in one or more unit or program (the “secondary unit”). A joint appointment is formalized by a Memorandum of Understanding or Charter that specifies the responsibilities of the faculty member to the primary and secondary units.

## **APPOINTMENT AND TERMINATION OF PROFESSIONAL-TRACK FACULTY**

Appointments of professional-track faculty shall be in writing and shall specify the beginning and ending date of appointment. Appointments shall terminate on the date specified and no further notice of non-reappointment is required. If a professional-track faculty member is appointed without a specified ending date, notice of non-reappointment shall be given in writing to the faculty member at least twelve months prior to the termination date.

## **MOVEMENT OF FACULTY BETWEEN TENURE AND PROFESSIONAL TRACKS**

The following actions may not be taken without approval of the tenured and tenure-track faculty of the affected unit: (1) movement of a professional-track faculty member to the tenure track without a competitive search; or (2) movement to a professional-track faculty position of a tenure-track faculty member who withdraws from the tenure track during the penultimate year without applying for tenure. For purposes of this section, a tenure-track faculty member who achieves tenure is referred to as a tenured faculty member. See also University Policy [ACAF 1.18 Change of Status to and from Tenure-Track Faculty](#).

## **APPOINTMENT PROCEDURES**

When the provost, dean, and department chair agree that a vacancy exists, the dean or chair shall recommend appointment as prescribed in University Policy [ACAF 1.00 Recruitment and Appointment of Tenured, Tenure-Track and Professional-Track Faculty](#). All vacancies shall be advertised in accordance with the university's affirmative action policy and state and federal law.

## **NEPOTISM POLICY**

The rules of conduct for public employees contained in the South Carolina Ethics, Government Accountability, and Campaign Reform Act prohibit a public employee from causing the employment, appointment, promotion, transfer, or advancement of a family member to a state or local office or position supervised or managed by the public employee. In addition, a public employee may not participate in an action relating to the discipline of the public employee’s family member. See also University Policy [HR 1.27 Nepotism](#).

## **AAUP POLICY**

The University of South Carolina generally adheres in principle to the most recent standards of the American Association of University Professors regarding the rights, privileges, and benefits

accorded faculty members. Where university policies differ from those standards, the regulations stated herein, or as subsequently modified by the university, shall apply.

## **PROBATIONARY PERIOD FOR TENURE**

### **MAXIMUM PROBATIONARY PERIOD**

The maximum probationary period for all full-time faculty members appointed at the rank of assistant professor is service for seven years at the University of South Carolina.

The maximum probationary period for all full-time faculty members appointed at the rank of associate professor or professor is service for six years at the University of South Carolina.

The maximum probationary period for all professional librarians is service for seven years at the University of South Carolina.

### **CALCULATION OF PROBATIONARY PERIOD**

**Leave.** Time during which the faculty member is on leave, either with or without pay, will not be counted as part of the probationary period.

**Extensions.** Non-tenured faculty members will be automatically granted an extension of the probationary period in the event of the birth or adoption of a child, or the death of the faculty member's spouse/partner or child if notice is provided in accordance with applicable university policy. An extension of the probationary period may also be granted upon request in the case of serious illness or death of a spouse/partner, child or close family member, the placement of a foster child or other circumstances or commitments creating a need for additional time for the faculty member to demonstrate fully his or her professional qualifications for reappointment or tenure. Notification and documentation are required for both automatic and requested extensions. Complete procedures for obtaining an extension are set forth in University Policy [ACAF 1.31 Extension of Faculty Tenure-Track Probationary Period and Scheduled Post-Tenure Review](#) issued by the Provost's Office.

In cases where faculty members have been in probationary status for more than their normal probationary period due to an extension or extension(s) of the probationary period pursuant to University Policy [ACAF 1.31 Extension of Faculty Tenure-Track Probationary Period and Scheduled Post-Tenure Review](#), they shall be evaluated as if they had been in probationary status for the normal probationary period, not longer.

Only full-time faculty members holding the rank of assistant professor, associate professor, professor, and professional librarian are eligible for tenure.

Service during appointments to all other faculty ranks is not considered part of a probationary period for tenure consideration.

**Administrative Appointments.** When a person originally appointed to an administrative or other professional-track position is subsequently moved to a tenure-track faculty position, the time served in the administrative or professional-track position is not considered part of the probationary period for tenure consideration. A full-time administrator later appointed to a

position as an assistant professor, associate professor, or professor is not excused from the unit criteria for tenure and/or promotions.

When a person originally appointed to a tenure-track faculty position is assigned administrative duties or appointed to an administrative position, the administrative assignment does not prevent the running of the probationary period unless an extension of the probationary period is obtained pursuant to applicable university policy.

### **REAPPOINTMENT DURING PROBATIONARY PERIOD**

Within the probationary period, all faculty appointments are on an annual basis. Reappointment is granted unless written notice of non-reappointment is given. The termination of an appointment prior to its scheduled expiration shall only be for cause, following the definitions and procedures set forth in the provisions for termination of tenured faculty. If an appointment is not to be renewed, adequate notice will be given.

Adequate notice is as follows:

If the faculty member is in the first year of the probationary period, notice of non-reappointment will be given in writing by March 1. The appointment will end on August 15. For a mid-year appointment, notice of non-reappointment will be given by July 1. The appointment will then end on December 31.

If a faculty member is in the second year of the probationary period, notice of non-reappointment will be given in writing by December 15. The appointment will then end on August 15. For a mid-year appointment, notice of non-reappointment will be given in writing by April 15. The appointment will then end on December 31.

Thereafter, notice of non-reappointment will be given in writing at least twelve months prior to the effective date.

If there is termination for cause, these notification requirements do not apply.

The tenured faculty of equal or higher rank in the unit annually shall act as a committee (or form a subcommittee) and make a recommendation by majority vote as to whether a faculty member within the probationary period is making sufficient progress toward tenure so as to be reappointed. If the unit elects a subcommittee for this task and if the faculty member's progress is not deemed sufficient, then the entire faculty of the unit (of equal or higher rank) will vote and provide a majority recommendation along with an explanation. If the entire unit votes without the use of a subcommittee, and the decision is not favorable for the faculty member, an explanation is also required.

In non-departmentalized schools or colleges, the recommendation of the tenured faculty shall be forwarded to the dean. In departmentalized schools or colleges, the recommendation of the tenured faculty shall be forwarded to the department chair, who shall add his or her recommendation and forward both recommendations to the dean.

Based upon the candidate's file, including the recommendations received from the tenured faculty

of the unit and from the department chair in departmentalized colleges, the dean shall determine whether the faculty member is making sufficient progress toward tenure so as to be reappointed. If the dean agrees with the recommendation of the tenured faculty, the dean's decision shall be final. The dean shall notify the provost of the decision to reappoint or not reappoint. If the dean disagrees with the recommendation of the tenured faculty, then the recommendation of the dean shall be added to the recommendation of the faculty, as well as that of the department chair in departmentalized colleges, and shall be forwarded with the candidate's file to the provost, who shall review the file and all recommendations and make the final decision on reappointment.

### **GRIEVANCE UPON NON-REAPPOINTMENT**

Non-reappointment during the probationary period is different from a decision of non-reappointment in conjunction with a denial of tenure in the penultimate year of the maximum probationary period and as such constitutes grounds for a grievance only under the limited grounds stated in the Academic Grievance Procedures.

### **DEADLINE FOR TENURE DECISIONS CONCERNING PROBATIONARY FACULTY**

Before the end of the probationary period, a decision will be made to grant or deny tenure. If the decision is to deny tenure, notice will be given by letter dated and postmarked before the end of the penultimate year of the maximum probationary period. For faculty with a tenure start date of August 16, the penultimate year ends on May 15. For faculty with a tenure start dates of January 1, the penultimate year ends on December 31. If notice is not given in the time and manner stated above, the appointment of the faculty member will thereafter be a continuous (or tenured) appointment.

Non-reappointment in conjunction with denial of tenure in the penultimate year may be grounds for a grievance under the full provisions of the Academic Grievance Procedures.

### **TENURE AND PROMOTION PROCEDURES**

The procedures set forth below governing tenure and promotions shall apply to all academic units of the university. The primary responsibility for the operation of all tenure and promotion procedures shall rest with the tenured members of the faculty of each academic unit. Final authority for recommending tenure or promotion to the University Board of Trustees shall reside with the president, and final authority for approving recommendations of tenure and promotion rests with the Board of Trustees.

### **UNIT TENURE AND PROMOTION COMMITTEE**

The tenured faculty of each academic unit shall serve as that unit's tenure and promotions committee. By April 15 of each year, each unit tenure and promotions committee shall elect a chair for the upcoming year and report the chair's name to the provost and Faculty Senate office.

The unit tenure and promotions committee may create subcommittees to assist the full committee in the performance of its work. Where possible, on matters other than consideration of a full

professor for tenure or consideration of an associate professor for promotion to full professor, a subcommittee shall include both professors and associate professors.

In the event this contingency is not addressed in the unit's tenure and promotion procedures, a department or unit with fewer than five tenured members is required to submit to the UCTP a policy for constituting the unit tenure and promotions committee so that the committee has at least five tenured members with appropriate rank.

The unit tenure and promotion committee must provide unit faculty a calendar of deadlines for any unit-specific steps of the tenure and promotion process. Units are encouraged to regularly review processes and timelines for tenure and promotion as well as annual and tenure progress reviews.

## **CRITERIA AND PROCEDURES FOR PROMOTION AND TENURE**

The university is committed to achievement in research (including scholarship, creative activity in visual and performing arts), teaching, and service. This commitment extends to interdisciplinary research, teaching, and service. Collectively, the faculty profile of the university and of any academic unit should reflect performance consistent with that of major research universities.

**Formulating Unit Criteria and Procedures.** The tenured faculty of each academic unit shall formulate specific written criteria and procedures for tenure and promotion that are consistent with achievement of the above goals. The criteria and procedures shall clearly communicate to faculty members the unit's expectations concerning scholarly productivity, including the nature and quality of scholarly activities necessary to attain tenure and promotion. These criteria and procedures must be consistent with the Faculty Manual and the guidelines established by the University Committee on Tenure and Promotions (UCTP). In the event of inconsistency between UCTP guidelines and the Faculty Manual, the Faculty Manual is to be considered the final authority.

**General Standards for Assessment of Faculty.** Unit criteria for tenure and for promotion shall provide clear standards for the assessment of past achievements of the faculty member. If unit criteria use adjectival standards to rate candidates' performance, the following terminology shall be used: outstanding, excellent, good, fair, and unacceptable. Definitions of these terms may be varied to meet the needs of the individual unit, but should be generally consistent with the following:

**Outstanding:** The candidate's performance is far above the minimally effective level. In regard to research and scholarship, output is of very high quality, and a national/international reputation is evident.

**Excellent:** The candidate significantly exceeds the minimally effective level of performance. In regard to research and scholarship, output is already of high quality, and a national/international reputation is clearly possible, if not likely.

**Good:** The candidate's performance is clearly above the minimally effective level. In regard to research and scholarship, he or she shows promise of high quality in the future.

**Fair:** The candidate meets the minimally effective level of performance.

**Unacceptable:** The candidate has accomplished less than the minimally effective level of performance.

Criteria for all tenure and promotion decisions shall require a record of accomplishment indicative of continuing development of the faculty member in research, teaching, and service, and appropriate progress toward development of a national or international reputation in a field. Criteria for tenure at any rank must require evidence of consistency and durability of performance.

Unit criteria for promotion to associate professor and for tenure at the rank of associate professor shall require, at a minimum, evidence of excellence in either research and/or creative activities or teaching, accompanied by a good record in the other areas, and evidence of progress toward establishing a national or international reputation in a field. An assistant professor may apply for promotion to associate professor without applying for tenure if the faculty member is not in the penultimate year of the maximum probationary period. A faculty member may not be tenured at the rank of assistant professor.

Criteria for promotion from associate professor to professor and for tenure at the rank of professor shall require, at a minimum, evidence of excellence in research and/or creative activities and teaching, accompanied by a record in the other area that is at least good, and evidence of national or international stature in a field.

For units in which the primary focus of the faculty is on public service, criteria for tenure and promotions shall require evaluation of the quality of the public service work and the relationship of the service to research or teaching.

**Evaluation of Teaching.** Procedures for the evaluation of classroom teaching must require peer and student evaluations, conducted periodically throughout the faculty member's tenure-track or tenured appointment at the university. A summary and evaluation of the faculty member's classroom teaching, based on clearly specified criteria, must be included in the faculty member's promotion and/or tenure file. This summary should give context to student evaluations of the faculty member's classroom teaching by noting, e.g., whether evaluations of a particular class historically have been low; in a multi-section course, how the faculty member's evaluation scores compare with those in the other sections; or whether poor evaluation scores are correlated to a faculty member's strict grading standards.

Other teaching functions and the weight to be given to them in evaluating teaching performance must be specified in the unit criteria. These include, but are not limited to, advisement and mentoring of students and student organizations; creation of teaching materials, techniques or programs; supervision of PhD students; and supervision of research or independent study by undergraduate or masters-level students.

**Evaluation of Research and Scholarship.** Unit procedures for the evaluation of the research component of the file must require that at least five evaluations of the candidate's research and scholarship be obtained from impartial scholars at peer or aspirant institutions within the field, outside the University of South Carolina. If a person can be shown to be one of the leading scholars in a particular field, that person may be used as an outside evaluator even if he or she is at an institution that is not peer or aspirant. Non-university specialists may be used as outside evaluators if allowed by unit procedures; however, the majority of evaluators normally must be persons with academic affiliations. Persons who have co-authored publications, collaborated on research, or been colleagues or advisors of the applicant normally should be excluded from consideration as

outside evaluators. All evaluators must be asked to disclose any relationship or interaction with the applicant. The outside evaluators must be selected by the unit except as provided below for jointly appointed faculty.

Each evaluator should be provided with a letter requesting the evaluation and informing the evaluator of the unit's relevant criteria for tenure or promotion, the candidate's vita and publications, and other materials evidencing the candidate's research or such portion of the candidate's research as the evaluator is being asked to evaluate. The evaluator will be asked to evaluate the quality of the research and scholarship, including the quality of publication venues. Where appropriate, the evaluator will be asked to evaluate the quantity of the candidate's research and scholarship.

A summary of the professional qualifications of each outside evaluator or a copy of each evaluator's curriculum vita must be included in the file, along with a copy of the letter sent to the evaluator.

**Faculty with Joint Appointments.** The criteria for granting tenure or promotion to a jointly appointed faculty member shall be those of the primary unit. For faculty holding joint appointments, each secondary unit must be given an opportunity to propose outside evaluators and to comment on evaluators proposed by the primary unit. Primary and secondary units should work together to obtain a suitable and representative group of evaluators. An evaluation must be solicited from at least one evaluator nominated or approved by each secondary unit.

Any department or program that is the secondary unit for one or more faculty members with joint appointments must have in effect a written statement of procedures, which must be approved by the University Committee on Tenure and Promotion, and by which the views of all faculty eligible to participate in evaluation of the candidate will be solicited and provided for inclusion in the candidate's file. In cases in which the secondary unit does not achieve consensus regarding a file, the secondary unit may submit two letters for inclusion in the candidate's file: a majority and a minority report.

Any department that is the primary unit for one or more faculty members with joint appointments must include in its criteria processes for (1) involving each secondary department or program in the selection of outside evaluators; (2) making the candidate's file available to eligible faculty of each secondary unit; and (3) obtaining formal input from the eligible faculty of each secondary unit and placing it in the candidate's file at least five working days prior to the unit's vote on the application. Faculty who are members of both the primary and secondary unit can only vote in the primary unit.

A memorandum of understanding (MOU) must be in place for all faculty members holding joint appointments. The MOU should include (1) identification of the tenuring unit; (2) teaching load and split of teaching load between the primary and secondary units; (3) formula and criteria for sharing indirect cost return (IDCR) among the units; and (4) service responsibility load and split between the units. The MOU should include signatures of the jointly appointed faculty member, the unit heads of the primary and secondary units, the deans of the colleges in the units reside, and the provost. The teaching load for a joint appointment should not be greater than for a faculty member of the same rank in the primary unit. The service load for a joint appointment should be comparable to normal service load of a faculty member of the same rank in the primary unit. The

MOU should be included in the candidate's file.

**Other Matters to Be Addressed in Unit Criteria and Secondary Unit Procedures.** The primary unit's criteria and procedures and the secondary unit's procedures must specify whether (1) candidates for faculty appointments may be recommended for tenure on appointment, (2) an abstention vote counts towards the total votes for the candidate in determining the existence of a majority vote, (3) time and accomplishments in a faculty position at another educational institution may be considered in evaluating a candidate for tenure or promotion, and (4) there is a required minimum time of service at USC for faculty hired from another institution to be considered for tenure or promotion.

In addition, unit criteria should describe any discipline-specific practices that may affect the weight given to the applicant's publications or activities. Examples include: practices regarding the order in which co-authors are listed on publications with multiple authors; practices regarding the identification of PI's (principal investigators) and co-PI's on grants; which faculty are expected to supervise Ph.D. students; the significance of electronic publications in the discipline; and situations when teaching is not expected, such as receipt of NIH K grants or other grants that restrict teaching.

**Procedures for Approval of Criteria and Secondary Unit Procedures.** Each primary unit shall submit its criteria and procedures and each secondary unit shall submit its procedures for periodic review on a rotating basis as determined by the provost. Each primary unit shall submit its proposed tenure and promotions criteria and procedures and each secondary unit shall submit its procedures through the dean to the provost, who shall forward the proposed criteria and procedures to the University Committee on Tenure and Promotion along with his or her comments.

If the University Committee on Tenure and Promotion finds that the proposed criteria and procedures are consistent with the guidelines in the Faculty Manual and the guidelines published by the University Committee on Tenure and Promotion and that they are sufficiently clear, then the University Committee on Tenure and Promotion shall approve the criteria and procedures, which then become effective on the next tenure start date, August 16 or January 1 next occurring, unless otherwise specified. The decision of the University Committee on Tenure and Promotion should be conveyed to the unit within 120 academic days after the University Committee on Tenure and Promotion receives the proposed criteria and procedures. An "academic day" is a week day during the nine-month period when the university is in session.

If the University Committee on Tenure and Promotion disapproves the proposed unit criteria and procedures, it shall return them to the unit with an explanation of the deficiencies. The unit shall then revise its proposed criteria or procedures and resubmit them to the University Committee on Tenure and Promotion within 60 academic days. If the unit and the University Committee on Tenure and Promotion are unable to reach agreement or if revised criteria are not timely received by the University Committee on Tenure and Promotion, the chair of the University Committee on Tenure and Promotion or his or her designee shall convene a meeting of representatives of the unit, of the University Committee on Tenure and Promotion, and of the Provost's Office to attempt to resolve the issues on which the unit and the University Committee on Tenure and Promotion are in conflict. The Provost's Office will endeavor to resolve through mediation any differences remaining after the meeting. Any disagreements that cannot be resolved through mediation will be resolved by an ad hoc committee composed of those members of the Faculty Advisory

Committee who are tenured full professors and members of the Grievance Committee. If necessary in order to comprise a committee of at least five persons, the President of the Faculty Senate shall appoint one or more additional tenured full professors to the ad hoc committee. In resolving the disagreement, the ad hoc committee shall consult with the unit, the University Committee on Tenure and Promotion, and the provost.

## **IDENTIFICATION OF APPLICABLE CRITERIA**

**New Faculty.** New members of the faculty and persons transferred into tenure track positions must be informed in the offer of appointment of the tenure regulations applicable to the position. Any change in these regulations prior to the effective date of the appointment must be communicated to, and receipt acknowledged by, the new faculty member in writing and made a part of the faculty member's official record.

**Faculty Hired On or After January 1, 1995.** Faculty members hired into the tenure track after January 1, 1995, shall be responsible within their probationary period for meeting the unit tenure and promotion criteria and university standards in effect at the time of their hiring unless the faculty member elects to be considered under the unit criteria and university standards in effect at the time of the application for tenure. For all subsequent promotions the faculty member shall be responsible for meeting unit criteria and university standards in effect at the time of their application for that promotion.

**Faculty Hired Prior to January 1, 1995.** Faculty members hired into the tenure track before January 1, 1995, may choose either the unit tenure and promotion criteria in effect at the time of their hiring or the unit criteria in effect at the time of their application for promotion, except in cases of faculty who are in units that have undergone reorganization in which case they are subject to the provisions of Tenure and Promotion in Cases of Reorganization as stated below.

### **Tenure And Promotion In Cases of Reorganization**

1. If independent tenure units are merged to form a new tenure unit, or if one or more tenure units are subsumed by another tenure unit, or if a tenure unit is divided into several separate tenure units, tenure and promotion criteria and procedures for each new unit or units, or for the newly augmented unit, shall be developed by the affected tenured faculty and approved in accordance with the standard practice.
2. These new tenure and promotion criteria and procedures should reflect and accommodate differences in faculty activities and specializations.
3. Until new tenure and promotion criteria and procedures have been finally approved for a new or reorganized unit, faculty members in the new or reorganized unit who are being considered for tenure or promotion or both, shall be evaluated under the criteria applicable to them prior to the reorganization. These faculty members may elect to have their file considered by the tenure and promotion committee of their prior unit as it existed before reorganization, or by the tenure and promotion committee of their new or reorganized unit. The file and recommendations of the committee shall then be forwarded, as appropriate, to the unit chair and to the dean of the new or reorganized unit.

4. Faculty in their probationary period who were hired before reorganization is completed, who are being considered for tenure or for their first promotion after reorganization, or both, may choose to have applied to them either the newly established criteria and procedures or the criteria and procedures applicable to them that were in effect when hired in the tenure unit preceding the reorganization. For all subsequent promotions, such faculty shall be subject to the criteria and procedures of the new unit.
5. Faculty hired prior to January 1, 1995, may, within five years of final approval of the new tenure and promotion criteria and procedures, choose to have applied to them the criteria and procedures applicable to them prior to reorganization. At the conclusion of the five-year period, the newly approved criteria and procedures for the reorganized unit must be applied.

**Determining Criteria to Be Used for Tenure and Promotion Decisions.** Beginning on August 16, 2010, each unit shall maintain copies of all available versions of the unit criteria, along with a list indicating the date on which each became effective. Each unit shall submit copies of all available versions of the unit's criteria and the list to the Provost's Office, which shall maintain a central repository of all available unit criteria, both current and historic. The provost shall maintain both electronic and hard copies of these materials.

At least two weeks before the date when files are due, the dean, department chair, or other appropriate administrator shall notify the provost of each faculty member who intends to apply for tenure or promotion, the date on which the faculty member was hired, whether the faculty member has chosen to be considered under the current criteria or the criteria in effect at the time they were hired.

## **UNIT CONSIDERATION OF TENURE AND PROMOTION FILES**

**Minimum Years of Service Prior to Tenure.** Faculty members appointed at the rank of assistant professor who have not previously held tenure-track positions at another institution of higher learning normally will not be recommended for tenure until they are in at least their fourth year at the University of South Carolina. Faculty members appointed at the rank of associate professor or professor who have not previously held tenure-track positions at another institution of higher learning normally will not be recommended for tenure until they are in at least their third year at the University of South Carolina. There is no difference between the standards applied to faculty who apply for tenure in the penultimate year of the probationary period and those who apply for tenure prior to the penultimate year.

**Faculty to Be Considered.** At the unit level, all tenure-track faculty who have completed the minimum years of service are considered for tenure, and all faculty members below the rank of professor are considered for promotion each year.

Potential candidates for tenure and promotion shall be advised in writing of their eligibility for tenure or promotion by the dean, department chair or other appropriate administrator by the date stated on the university calendar posted on the provost's Web site. Since two tenure and promotion cycles occur annually, two dates will be given. Each date will be two working months in advance of the first due date for the submission and consideration of files. The early notification of candidates will be in addition to the official notification of potential candidates that is performed by the dean, department chair, or other appropriate administrator at least one working month in advance of the date when the file is due. A faculty member who intends to apply for tenure or

promotion in the next cycle must so inform the dean, department chair, or other appropriate administrator no later than 15 calendar days after the first notification. On the dates listed on the official calendar, each unit must provide the provost with a list of those faculty members who intend to apply for tenure or promotion. The list must also include any faculty members in their penultimate year who have not stated an intent to apply for tenure and must, therefore, include all who are in their penultimate year.

**Compiling the File.** A candidate and the academic unit should follow UCTP guidelines for compiling files. The record of teaching, research, and service shall be thoroughly documented, as prescribed in the UCTP guidelines. The unit is responsible for providing a synthesis of evaluations of the candidate's teaching performance and obtaining at least five evaluations of the candidate's research and scholarship from outside the University of South Carolina, for obtaining formalized input from the faculty of the secondary department or program if the faculty member holds a joint appointment, and for assuring that the correct criteria are used and the file is assembled in a manner consistent with UCTP guidelines. In the case of faculty holding a joint appointment, the primary unit is responsible for obtaining formalized input from the faculty of the secondary unit, which shall be placed in the candidate's file as information at least five working days prior to the unit vote.

**Notice of Meeting.** The dean and the unit chair or other appropriate administrator shall be notified by the unit committee chair of the pending meeting of the committee. However, any administrator who will be making an administrative recommendation in a tenure or promotion case shall not attend the meeting or participate in the discussion at which the case is considered by the unit tenure and promotion committee unless invited by the committee chair. In the case of a faculty member holding a joint appointment, notice shall also be given to the appropriate administrator of the secondary unit, who shall have the right to attend the meeting and participate in discussion of the candidate, but not the right to vote, provided, that if the administrator of the secondary department or program is not of a rank equal to or higher than the candidate, the administrator will designate a faculty member of such rank to attend the meeting.

**Voting.** Each unit shall apply its criteria and procedures to determine whether a candidate qualifies for promotion on the tenure track, tenure, or both. With regard to tenure recommendations, all tenured committee members of rank equal to or higher than the candidate shall vote by secret ballot. With regard to promotion recommendations for tenure track faculty, all tenured committee members of higher rank than the candidate shall vote by secret ballot; provided, that any otherwise eligible tenured faculty member who has a conflict of interest or a family or other close personal relationship with the candidate that could affect his or her objectivity shall not vote or otherwise participate in the process. Each member eligible to vote shall vote "yes" or "no" or "abstain." Whether an abstention vote counts towards the total votes for candidates in determining an appropriate majority shall be decided at the unit level. A record of the votes is made in all instances and must be forwarded through appropriate channels. Written justification of all votes at the unit level shall be mandatory and shall state specifically how the candidate meets or does not meet the unit's criteria.

**Affirmative Recommendations.** A candidate's file will be sent forward if the unit tenure and promotions committee recommends tenure or promotion. The file of a candidate for both tenure and promotion who is recommended by the unit tenure and promotions committee for tenure or promotion, but not both, will be sent forward for consideration of only that aspect favorably

recommended by the unit, unless the faculty member is in the penultimate year of his or her maximum probationary period and the recommendation on tenure is negative.

**Negative Recommendations.** Upon written request of a candidate dissatisfied with any negative decision on tenure or promotion by the unit tenure and promotions committee, the unit committee shall send that candidate's file through all appropriate channels for endorsement to the president for appropriate action. Failure to recommend a candidate favorably for tenure or promotion is without prejudice with respect to future consideration (unless a candidate for tenure is in the penultimate year of the candidate's probationary period). The unit must inform the provost of any candidate in his or her penultimate year who receives a negative recommendation and does not request that his/her file be sent forward. The University Grievance Committee shall hear appeals upon request from all persons dissatisfied with the president's decisions regarding tenure or promotion (See "Academic Grievance Procedure").

**Recommendation of Unit Administrator.** Recommendations from the unit tenure and promotions committee, including the recording of votes and all written comments, are forwarded to the unit chair or other appropriate administrator. The unit chair or other appropriate administrator shall vote "yes" or "no" or "abstain" and shall forward his or her vote with written justification, along with all other recommendations, statements, and endorsements to the dean. Unit chairs or other administrators who choose to vote on tenure and promotion cases as members of their respective tenure and promotion committees may not then make further recommendations on cases at other points in the process. In other words, individuals are allowed to influence outcomes at only one point in the process.

## **CONSIDERATION OF TENURE FOR LATERALLY HIRED FACULTY**

Unless prohibited by unit criteria, candidates for faculty appointments may be recommended for tenure on appointment by a favorable vote of the tenured faculty of equal or higher rank in the unit. Because consistency and durability of performance are relevant factors in evaluating faculty for tenure; the length of service which a faculty member has completed in a given rank is a valid consideration in formulating a tenure recommendation.

## **REVIEW OF TENURE AND PROMOTION FILES AFTER UNIT VOTE**

**Review by Provost.** The dean shall forward the file with his or her recommendation to the provost. The provost shall forward all files to the UCTP with his or her recommendations.

**Consideration by UCTP.** The UCTP receives recommendations for tenure and promotions through the appropriate administrative officers of the university, who forward to the UCTP the results of all votes and statements by the appropriate faculty. The committee assesses whether the candidate's unit criteria were fairly and appropriately applied at all levels in evaluating the candidate's file and forwards its recommendation on the file, including each member's vote justification, to the president. The members of the UCTP shall consider all votes and vote justifications in the file and shall apply the candidate's unit criteria in justifying their own votes toward the overall UCTP recommendation.

The proceedings of the UCTP are confidential with respect to all written materials reviewed and all discussions of individual cases by the committee. The committee has the authority to remove

members who fail to maintain confidentiality.

The UCTP will forward its recommendation to the president. The president will make a recommendation concerning each file to the Board of Trustees, which will make all final determinations concerning tenure and promotion. If the recommendations of the UCTP and the provost concerning any application are in conflict, the president will consult with both before arriving at his or her own recommendation.

Final decisions regarding the award or denial of tenure or promotion shall be communicated to the candidate in writing.

**Annual Report.** The provost will report annually to the General Faculty the results of the tenure and promotion process. The report must contain statistics that show the percentage of applications that were successful and unsuccessful, the percentage of agreement between the president's, UCTP's, provost's, deans', and chairs' recommendations in tenure and promotion decisions, and the positive and negative vote of local units taken as a whole.

## **ANNUAL PERFORMANCE REVIEW, TENURE PROGRESS REVIEW AND POST-TENURE REVIEW**

### **PURPOSE**

The University of South Carolina's mission as a major teaching and research institution is founded on the teaching, research (including creative activities), and service efforts of a strong and dedicated faculty. Affirming its commitment to tenure as essential to its mission, the university supports faculty in reaching their maximum professional development and assuring their full contribution to the academic life of the institution.

To further these goals, the university adopts annual performance, tenure progress, and post-tenure review policies to recognize and reward faculty for superior achievement, and to assure that each faculty member's contribution to the university through teaching, research/creative activities, and service is at a satisfactory level of performance.

### **DEFINITIONS**

Pursuant to the guidelines of the Commission on Higher Education as noted in Best Practices for a Performance Review and for the purposes of this policy:

Superior performance means performance that substantially exceeds the expectations of the unit.

Satisfactory performance means performance that meets the expectations of the unit.

Unsatisfactory performance means performance, taken as a whole, which fails to meet relevant unit review standards in teaching, research/creative activities, or service.

## **OBLIGATIONS OF EACH TENURING UNIT FOR POLICIES ON ANNUAL PERFORMANCE REVIEW, TENURE PROGRESS REVIEW AND POST-TENURE REVIEW**

Each tenuring unit must adopt standards and procedures, including a published calendar of unit deadlines for:

1. An annual written performance review for all tenure track faculty.
2. A tenure progress review for all untenured faculty, regardless of rank.
3. A post-tenure review for all tenured faculty, regardless of rank. A post-tenure review for all tenured faculty in administrative positions by their immediate supervisors. Unit chairs will be evaluated by their immediate supervisors in consultation with their units. Written copies of all annual performance reviews, tenure progress reviews, post-tenure reviews and development plans (see Section 5 of "Outcomes in Annual Performance Review and Post-Tenure Review") will be given to the faculty member who is reviewed and will be permanently retained by the office of the department chair and the office of the dean. Copies of unsatisfactory post-tenure reviews and the associated development plans will also be sent to the provost.

## **MINIMUM UNIT STANDARDS AND PROCEDURES**

### **Annual Performance Reviews of Faculty**

1. Annually, each faculty member, including tenured faculty and those in departmental administrative positions, must receive a written review that provides specific evaluative information and an administrative assessment of the faculty member's performance in the categories of teaching, research/creative activities, and service. The review should be sufficiently detailed to aid the faculty member in professional growth and development.
2. The review on teaching must incorporate student evaluations. Peer evaluations will be included for non-tenured faculty.
3. In each category the process must identify those faculty members whose level of performance is superior.
4. The annual review of faculty in a development plan as defined in Section 5 of "Outcomes in Annual Performance Review and Post-Tenure Review" shall be undertaken with reference to the goals and timetables in the development plan.

### **Tenure Progress Review**

1. In the third year after appointment, all untenured tenure-track faculty members must be given a written comprehensive evaluation of their progress toward tenure and promotion. If the faculty member's probationary period is extended in

accordance with policy [ACAF 1.31 Extension of Faculty Tenure-Track Probationary Period and Scheduled Post-Tenure Review](#) at any time prior to submission of the tenure progress file, the tenure progress review is extended for the same period of time.

2. This evaluation may be performed by the unit tenure and promotions committee or as otherwise provided by unit procedures. If not performed by the unit tenure and promotions committee, the evaluation will be reviewed by the unit tenure and promotion committee. The tenure and promotion committee will recommend to the next level of file review (i.e., unit chair or dean) whether or not the untenured faculty member should be retained.

See also University Policy [ACAF 1.05 Tenure Progress Review of Faculty: Third Year Review](#)

### **Post-Tenure Review**

1. Purpose of Post-Tenure Review

The primary function of post-tenure review is faculty development. Post-tenure review is not a process to reevaluate the award of tenure. Moreover, although the failure of a faculty member to make substantial progress toward meeting the goals of a development plan established through the post-tenure review process may be evidence of “incompetence and/or habitual neglect of duty,” the post-tenure review process may not be used to shift the burden of proof in a proceeding to terminate a tenured faculty member for cause.

2. Faculty Subject to Post-Tenure Review

Each tenured faculty member, regardless of rank and including those in departmental administrative positions, shall be reviewed every six years unless, during the previous six-year period, the faculty member is reviewed and advanced to or retained in a higher position (*e.g.*, dean, a chaired professorship, promotion to a higher professorial rank). However, post-tenure review will be waived for any faculty member who notifies the unit chair in writing prior to the next scheduled review, of plans for retirement within three years after the review would have been scheduled. Post-tenure review will be conducted by tenured faculty members of equal or higher rank.

Tenured faculty members who hold joint appointments will undergo post-tenure review according to the criteria, and by the tenured faculty of equal or higher rank, of the primary unit. Input from appropriate evaluators (*e.g.* faculty, chair, dean) of the secondary unit including performance reviews, teaching evaluations, service and research evaluation must be solicited by the primary unit in reaching their determination.

3. Process for Adopting Unit Post-Tenure Review Standards and Procedures

The faculty of each tenuring unit shall propose unit post-tenure review standards and procedures and forward the proposed standards and procedures to the dean and the provost for approval. Any disagreements between the dean and the unit over the content of the post-tenure review standards or procedures may be resolved by the provost. Disagreements between the provost and the unit or the dean over the content of the post-tenure review standards or procedures shall be referred to the University Committee on Tenure and Promotion for final resolution.

#### 4. Mandatory Provisions in Unit Post-Tenure Review Procedures

The unit post-tenure review procedures must:

- a. Require the unit to provide a faculty member under review with written copies of all previous annual performance reviews, post-tenure reviews and development plans.
- b. Require the post-tenure review process to incorporate annual performance reviews accumulated since the initial tenure review or since the last post-tenure review.
- c. Require: (i) an assessment of teaching based upon student and peer evaluations, (ii) an assessment of research or creative activities; and (iii) an assessment of service. In assessing a faculty member's research or creative activities the unit procedures must require an assessment of objective indicia of quality as well as internal peer reviews. Objective indicia of quality include reviews by peers outside the unit, publication of refereed articles, book chapters or books, publication in respected unrefereed journals, or other reviewed research or creative exercises. The unit post-tenure review procedures must also require a thorough assessment of the outcome of any sabbatical leave awarded during the six-year period prior to the review.
- d. Provide that upon completion of the unit post-tenure review process, the unit shall prepare a written post-tenure review report. The unit post-tenure review report must include an assessment of the faculty member's performance in teaching, research/creative activities, and service and must assess the faculty member's performance in each category as superior, satisfactory, or unsatisfactory. The unit post-tenure review report must also assess the faculty member's overall performance as superior, satisfactory, or unsatisfactory. If the unit post-tenure review report concludes that the faculty member's overall performance is unsatisfactory, the unit shall recommend a development plan for restoring the faculty member's performance to a satisfactory level.
- e. Provide the department chair and the dean with a copy of all unit post-tenure review reports and any recommendations for development plans. The offices of the department chair and dean shall retain these reports and

recommendations as permanent records.

- f. Provide that if the unit post-tenure review report assesses the faculty member's overall performance as superior, or satisfactory, the unit shall provide the faculty member with a written summary of the unit post-tenure review report. The summary must provide specific evaluative information on the faculty member's performance in the categories of teaching, research/creative activities, and service. The summary must be sufficiently detailed to aid the faculty member in professional growth and development.
- g. Provide that if the unit post-tenure review report assesses a faculty member's overall performance as unsatisfactory, the unit shall provide the faculty member a copy of the unit post-tenure review report, redacted to remove references that would identify any external reviewers, along with any recommendations for a development plan. If the faculty member disagrees with the unit report's unsatisfactory assessment of the faculty member's overall performance or with any aspect of the unit's recommendations for a development plan, the faculty member may appeal to the unit tenure and promotion committee, or a subcommittee of the unit tenure and promotion committee designated to hear issues arising in the post-tenure review process, by submitting a written statement of the faculty member's basis for disagreeing with the report or recommendation. The findings of the unit tenure and promotion committee, or subcommittee, together with its recommendations for action and any statement by the faculty member, will be forwarded to the dean through the department chair.

#### 5. Dean's Assessment

The dean shall review the unit's post-tenure review report, any statement of a faculty member appealing an unsatisfactory assessment, and any recommendations of the unit's tenure and promotion committee. The dean shall then assess, in writing, the faculty member's overall performance as superior, satisfactory, or unsatisfactory. The dean shall provide the faculty member with a copy of the dean's assessment.

### **Outcomes in Annual Performance Review and Post-Tenure Review**

#### 1. A Superior Review

A superior evaluation will be noted in a faculty member's personnel file when both the academic unit and the dean assess the faculty member's performance as superior. Any faculty member who receives a superior evaluation in a post-tenure review may receive a financial reward including merit increase to base pay as determined by the provost, in addition to any annual raise.

#### 2. A Satisfactory Review

A satisfactory evaluation will be noted in the faculty member's personnel file when

either the academic unit or the dean assesses the faculty member's performance as at least satisfactory.

3. An Unsatisfactory Review

- a. An unsatisfactory evaluation will be noted in a faculty member’s personnel file only when both the unit and the dean assess the faculty member’s overall performance as unsatisfactory.
- b. A faculty member receiving an unsatisfactory evaluation is subject to the procedures set forth below in Section 5 of "Outcomes in Annual Performance Review and Post-Tenure Review."
- c. When a faculty member receives an unsatisfactory evaluation, the dean must deliver to the provost copies of: (1) the unit post-tenure review report and any recommendations for a development plan; (2) the written statement of a faculty member if the faculty member appealed the unit’s assessment; (3) any recommendation of the unit tenure and promotion committee or subcommittee; and (4) the dean’s assessment.

4. Summary of Outcomes of Annual Performance and Post-Tenure Review

In summary, the matrix of outcomes for annual performance and post-tenure review assessment is as follows:

<u>Unit’s Assessment</u>	<u>Dean’s Assessment</u>	<u>Recorded Evaluation</u>
Superior	Superior	Superior
Superior	Satisfactory	Satisfactory
Satisfactory	Superior	Satisfactory
Satisfactory	Satisfactory	Satisfactory
Satisfactory	Unsatisfactory	Satisfactory
Unsatisfactory	Satisfactory	Satisfactory
Unsatisfactory	Unsatisfactory	Unsatisfactory

5. Procedures Following an Unsatisfactory Evaluation

- a. Following consultation with the faculty member and with the faculty member’s concurrence, the unit shall establish a development plan designed

to restore the faculty member's overall performance to a satisfactory level. The plan shall include the appointment of a unit development committee to assist the faculty member in improving performance. The unit chair following consultation with the faculty member shall appoint the unit development committee. The members of the unit development committee must hold a rank equal to or higher than the faculty member. The development plan will form the basis for evaluations of the faculty member until satisfactory performance is restored.

- b. In the event that the faculty member consults with the unit development committee but does not concur with the committee's proposed development plan, both the faculty member and the unit development committee shall submit proposed development plans to the dean for final determination of the plan. In the event that the faculty member refuses to consult with the unit development committee in designing a development plan, the unit development committee will write the plan and forward the plan to the dean.
- c. After the implementation of a development plan and until the dean determines that the faculty's member's overall performance has been restored to a satisfactory level, the faculty member's annual review will include an assessment by the unit chair and the development committee of the progress that the faculty member has made under the development plan. This assessment will be forwarded to the unit tenure and promotion committee. The unit tenure and promotion committee will review the assessment and state in writing its concurrence or dissent, in general or in any particular. The assessment and the unit tenure and promotion committee's response will be forwarded to the dean and the faculty member. The dean will make the final determination on the faculty member's progress under the development plan and whether further measures are necessary to restore the faculty member's performance to a satisfactory level.

## **ACADEMIC GRIEVANCE PROCEDURES**

There are specific procedures for three types of faculty grievances.

1. For grievances involving non-reappointment, see "Grounds for Grievance of Non-Reappointment" (below).
2. For those involving denial of tenure or denial of promotion, see "Grievance Procedure for Denial of Tenure or Promotion" (below). For grievances involving termination of a tenured faculty member, see "Termination of Tenured Faculty for Cause" (below).
3. Faculty members dissatisfied with decisions affecting their salaries may forward a documented appeal through their dean to the provost. Only after following this procedure may faculty members refer the matter to the Faculty Grievance Committee.

For grievances or procedures other than those stated in the sections above, including material breaches of special contractual obligations of the university, the faculty member shall attempt to resolve the issue at the department level. If a solution cannot be obtained at this level, the redress may be pursued through the offices of dean, provost, and president. If redress cannot be obtained from any of these officers, the faculty member may appeal to the Faculty Grievance

Committee. If this committee finds that there are grounds for a grievance, it shall try to resolve the matter through mediation or other appropriate action. The committee shall report its recommendations and reasons to the faculty member and to the president. The president shall be the final university authority to whom a grievance may be submitted.

All days referred to in this procedure are calendar days; however, when the last day of such a period falls on a weekend or university holiday, the effective date shall be the next regular business day. The first day in the period shall be the day after the actual day of notification.

### **GROUND FOR GRIEVANCE OF NON-REAPPOINTMENT**

Grievances concerning non-reappointment are limited to the grounds of denial of academic freedom or denial of procedural due process. Due process applies particularly to required annual faculty evaluation and the observance of the timely notice requirements.

If these grounds are believed to exist, the faculty member shall have access to the grievance procedures outlined in "Grievance Procedure for Denial of Tenure or Promotion" (below).

### **GRIEVANCE PROCEDURE FOR DENIAL OF TENURE OR PROMOTION**

Upon receiving notice of denial of tenure or promotion, the faculty member may seek relief by taking the steps outlined below.

The grievance procedure may turn out to be lengthy, and the faculty member who initiates a grievance procedure is advised to maintain a file of dated correspondence sent or received, as well as dates and notes of conferences held concerning the case. Failure of any administrative official or reviewing authority to comply with the deadlines for action specified herein shall not operate to reverse or modify a tenure or promotion decision, but shall permit the faculty member to proceed directly to petition the Faculty Grievance Committee for consideration.

The first recourse of the faculty member shall be to request an immediate oral explanation from the member's administrative officer for the denial of tenure or promotion.

If the faculty member does not receive an oral explanation or believes that it is unsatisfactory, the faculty member may request from the dean of the college a written summary of the evaluations and reasons advanced pertaining to the faculty member's case upon which judgments were made and actions taken. The written request must be submitted to the dean within seven days of notification of denial of tenure or promotion. The dean will provide a summary within fifteen days of the request. The dean, after consultation with the provost, shall respond with a detailed summary of the evaluations included in vote justifications, in letters from external referees, and in administrative reviews, and with the vote of the UCTP. Such a summary will be made so as to protect the identity of the referees and faculty members.

Within seven days of receiving the dean's summary of the case, if the faculty member believes there are grounds for reconsideration of the case, the member may state in writing the grounds for this belief and submit them to the president. The president may order a review, at any faculty or administrative level, on the grounds for reconsideration set forth by the faculty member if the president believes the findings of the review could substantially alter the basis upon which the

initial decision of denial of tenure or promotion was reached. The president shall inform the faculty member in writing of the president's decision upon reconsideration and the reasons for it.

At that time, in the event of a negative decision, the president shall also inform the faculty member about the right of review by the Faculty Grievance Committee, including the name of the chair of the committee and the applicable review procedures. The presidential review, including any unit reviews, must be completed within a reasonable time not to exceed 120 calendar days.

After a negative decision upon reconsideration, a faculty member who believes that there is cause for grievance may petition the Faculty Grievance Committee. Such a petition must be made in writing to the chair of the Faculty Grievance Committee no later than seven days from receipt of the president's letter.

- a. The petition must be based on one or more of the following allegations: inadequate consideration of unit criteria, use of impermissible criteria, denial of procedural due process, or denial of academic freedom. The petition shall state the factual basis for the allegations and the relief requested. The committee shall use the following procedures in reviewing the petition:
  - i. The chair shall notify the faculty member of the time and place of the review and inform the faculty member about the specific procedures governing the review. The review shall be closed and non-adversarial.
  - ii. The proceeding shall be recorded on tape, which shall be for the confidential use of the committee only.
  - iii. For the review, the faculty member shall be permitted to choose as advisor either a faculty member or an academic administrator or privately retained counsel.
  - iv. The committee shall assist the faculty member in securing the attendance of those whose testimony may be of assistance to the committee in making its findings and recommendations. In addition to the summary provided to the faculty member by the dean of the college, the committee will provide the faculty member with a detailed summary of letters and evaluations included in the file. To retain confidentiality, the summary shall be prepared by the committee without attribution.
  - v. The review is to be held as speedily as possible taking into account the necessity to maintain a quorum and availability of parties essential to the proceeding. If a review cannot be completed within 120 calendar days the committee should notify the grievant of the schedule for completion of the review.
- b. If the Faculty Grievance Committee finds that there has been inadequate consideration of the unit criteria, the use of impermissible criteria, denial of procedural due process, or denial of academic freedom, the committee shall remand the case to the faculty or administrative level at which the inadequacy or denial

occurred, and the evaluation of the faculty member shall begin anew at that point. The committee shall send a statement of its findings and decisions, including the reasons for them, to the faculty member, to the unit or administrative officer involved, and to the president. If the new consideration still results in denial of tenure or promotion, the level to which the case was remanded shall state the reasons in writing to the faculty member and to the committee.

- c. If the committee finds that the faculty member has cause for grievance but concludes that a new consideration of the case would not be worthwhile, it shall recommend to the president an equitable resolution of the case and provide the faculty member and the unit involved a statement of its findings and recommendations and the reasons for them. The committee, however, will not substitute its judgment for the qualitative professional judgments of the faculty in determining whether the relevant unit criteria have been adequately met. Thus, disagreement with such faculty judgment is not sufficient basis for the committee to recommend modification of the decision. The committee shall be limited to considering whether there is a factual basis in the record, taken as a whole, upon which an individual acting in good faith could rationally reach the result being grieved.
- d. If the committee recommends that the president modify or reverse a decision that is unfavorable to the faculty member, the president may implement the recommendation. If the president rejects the recommendation, the reasons for the rejection shall be stated in writing to the faculty member and to the committee. The president shall act on the committee's recommendation within twenty days.

The president shall be the final university authority to whom a grievance may be submitted.

### **TERMINATION OF TENURED FACULTY FOR CAUSE**

Termination or dismissal of a tenured member of the faculty shall be only for cause. Cause shall mean one or more of the following:

1. failure to perform adequately the duties of the position so as to constitute incompetence and/or habitual neglect of duty;
2. misconduct related directly and substantially to the fitness of the faculty member in the professional capacity as teacher or researcher;
3. conduct or action not protected by the Constitution or laws and which is a clear interference with the academic functions of the University;
4. prolonged inability to perform the duties required for the position which exceeds the maximum period of leave available for a disability as defined in University Policy [HR 1.06 Sick Leave](#); termination of a tenured member of the faculty for medical reasons will be based upon clear and convincing medical evidence that the faculty member cannot continue to fulfill the terms and conditions of appointment;

5. lapse or withdrawal of licensure to practice in the state of South Carolina or withdrawal of admitting privileges to affiliated teaching hospitals with respect to clinical faculty in the School of Medicine; the loss of licensure in any other professional area may also be considered as a cause for termination if the license is necessary for the performance of one's academic duties;
6. bona fide reduction in staff, which may be caused by financial exigency or by discontinuance or reduction in size of a program or instructional unit for reasons not related to financial exigency.

Failure to make substantial progress toward meeting the performance goals of a development plan established through the post-tenure review process may expose a faculty member to proceedings for termination of tenure under this chapter.

## **PROCEDURES**

Termination for failure to perform duties due to incompetence and/or habitual neglect of duty; termination for conduct as specified in Sections 2 and 3 of Termination of Tenured Faculty for Cause above; medical reasons; termination for lapse or withdrawal of license.

1. Discussion with the president

After it becomes evident to the president that termination may be desirable, there must be discussion between the faculty member and the president with the intent of arriving at a mutually agreed upon resolution.

2. Re-Assignment

The president may assign the faculty member to new duties if the faculty member's continuance in normal duties threatens immediate harm to that faculty member or to others.

3. Faculty Advisory Committee Review

If the president and the faculty member are unable to reach a resolution, the president shall inform the Faculty Advisory Committee of his or her desire to terminate a tenured member of the faculty. The president shall give this committee a statement of charges, framed with reasonable particularity, and the factual basis for these charges, also stated with reasonable particularity. The function of the committee shall be to determine whether the facts alleged, if true, would establish the charge and whether the charge is of such a nature as to warrant termination. The discussions, records, and recommendations of the committee shall remain confidential.

The committee shall inform in writing both the president and the faculty member of its recommendations and its reasons therefore. Should the president then wish to pursue termination proceedings he or she shall, by letter, inform the faculty member

of the intention to terminate, including a precise statement of specific charges. The letter shall also inform the faculty member of the member's right to request a hearing on this decision by the Tenure Review Board. (See below)

If the faculty member takes no action within ten days of receipt of notification by the president, the president, without recourse to further proceedings, may send a written letter of termination.

#### 4. Tenure Review Board Hearings

If the faculty member desires a hearing by the Tenure Review Board, the member must so inform the board and the President in writing within ten days of receipt of notification by the president of the proposed termination.

Upon receipt of a written request for a hearing, the chair of the Tenure Review Board shall schedule a hearing no sooner than 20 days and no later than 60 days from the date of receipt. All parties must be given written notice as to time, date, and place.

The board may hold joint pre-hearings with the parties in order to simplify the issues, effect stipulations of facts, or for other appropriate objectives as will make the hearing fair, effective, and expeditious. At this stage, members of the board may disqualify themselves for bias or interest, and the parties involved may raise the question of disqualification. The Senate Steering Committee shall appoint new members to fill vacancies created on the Tenure Review Board for this particular hearing.

The following standards and procedures shall apply in the conduct of the hearing:

- a. The hearing shall be closed.
- b. A verbatim record of the hearing or hearings will be taken and a copy made available to the faculty member on request and without cost.
- c. The burden of proof that adequate cause exists rests with the president and shall be satisfied only by clear and convincing evidence in the record, as established at the hearing, considered as a whole.
- d. The faculty member may choose an academic advisor and/or counsel to be present during the proceedings.
- e. The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The president will cooperate with the board in securing witnesses and making available documentary and other evidence.
- f. The board may grant adjournments to enable either party to investigate evidence to which a valid claim of surprise is made.

- g. The faculty member and advisor or counsel and the president or representative will have the right to confront and cross-examine all witnesses. Where the witnesses cannot or will not appear but the board determines that the interests of justice require admission of their statements, the board will identify the witnesses, disclose statements, and, if possible, provide for interrogatories.
- h. The board will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.
- i. The findings of fact and the decision of the board will be based solely on the hearing record.

If the Tenure Review Board concludes that adequate cause for termination has been established, it shall so inform the President and the faculty member.

If the board concludes that action short of termination would be more appropriate, it shall so inform the president and the faculty member, together with supporting reasons, and the termination proceedings shall stop at this point.

If the board concludes that adequate cause for termination has not been established, it shall so inform the president and the faculty member, together with supporting reasons, and the termination proceedings shall stop at this point.

## 5. Final Disposition and Appeals

Within ten days of receipt of the board's report, the president shall inform in writing the faculty member and the board of his or her decision together with supporting reasons. The president shall inform the faculty member of the right to appeal an adverse decision to the Academic Affairs Committee of the Board of Trustees, sitting in consultation with the Faculty Liaison Committee. If the faculty member takes no action within ten days of receipt of notification by the president, the president may send a letter of termination.

The decision by the Academic Affairs Committee is final within the university. If the committee's decision is to support the intention of the president, the president may then send formal notification of termination.

## **Termination because of bona fide reduction in staff**

### 1. Termination Because of Financial Exigency

Financial exigency shall mean an imminent financial crisis which threatens the survival of the institution as a whole and which cannot be alleviated by less drastic measures than termination of tenured faculty members.

A committee of the faculty must participate with the administration in the decision that a condition of financial exigency exists or is imminent and that all feasible alternatives to termination of tenured appointments have been pursued. This committee shall consist of nine members of the faculty, no more than two from the same college, appointed by the Chair of the Faculty Senate with the concurrence of the Faculty Advisory Committee. The committee must participate in the formulation of criteria for determining termination. Length of service may be appropriately included among the criteria. The committee itself or through appointing persons and/or groups as agents must participate in the decision as to which individuals shall be terminated.

A faculty member receiving notification of an intention to terminate because of financial exigency is entitled to a hearing before the Tenure Review Board as specified in "Termination For Failure To Perform Duties Due To Incompetence and/or Habitual Neglect of Duty; Termination for Conduct As Specified In Sections 2 and 3 of 'Termination of Tenured Faculty for Cause' above; Medical Reasons; Termination For Lapse Or Withdrawal Of License."

The issues in this hearing may include:

- a. the existence and extent of the condition of financial exigency. The burden will rest with the President to prove the existence and extent of the condition;
- b. the validity of the educational judgments and criteria for determining termination;
- c. whether the criteria are being properly applied in the individual case

## 2. Termination Because of Reduction in Program or Instructional Unit

The decision to discontinue or reduce a program or instructional unit will be based upon long-range judgments that the educational mission of the institution as a whole will be enhanced by the discontinuance in contrast to considerations which reflect cyclical or temporary conditions.

The decision to discontinue or reduce a program or instructional unit must be arrived at jointly by the President and the faculty committee as described in Section 1 of "Termination Because of Bona Fide Reduction in Staff."

Every effort must be made to place faculty members affected by discontinuance in another suitable position within the institution. If placement in another position would be facilitated by a reasonable period of training, financial and other support for such training will be proffered. Only if no position is available may a tenured member of the faculty be terminated for reasons of discontinuance.

A faculty member receiving notification of an intention to terminate because of

discontinuance is entitled to a hearing before the Tenure Review Board as specified in Sections 4 and 5 of "Termination For Failure To Perform Duties Due To Incompetence and/or Habitual Neglect of Duty; Termination for Conduct As Specified In Sections 2 and 3 of 'Termination of Tenured Faculty for Cause' above; Medical Reasons; Termination For Lapse Or Withdrawal Of License."

A faculty member receiving notification of an intention to terminate because of discontinuance or reduction in program or instructional unit shall be given a year's notice.

3. In all cases of termination of appointment, the place of the faculty member concerned will not be filled by a replacement within a period of three years, unless the released faculty member has been offered reinstatement and a reasonable time in which to accept or decline it.

## **TERMS OF EMPLOYMENT**

Unless otherwise noted in the letter of appointment, employment of the members of the faculty will be for a period of nine months. The salary for one semester will be one-half that of the nine-month period.

Faculty members may teach during summer (May – August) subject to the teaching load, as defined, and any further limitations determined by the Chief Academic Officer. Faculty members must advise the department chair or dean before December 1 of their summer school intentions and at that time may be assigned to teach in a summer session, as conditions warrant. Summer school teaching may depend on the availability of funds or the size of enrollment. With the approval of the dean, faculty members may receive compensation for sponsored research and other duties not related to teaching during the summer months. See policy [HR 1.81 Summer Compensation for Faculty](#) for further information.

All faculty members will be available from August 16<sup>th</sup> through May 15<sup>th</sup>.

## **ACTIVITIES AND COMPENSATION BEYOND BASE EMPLOYMENT**

Faculty members may be permitted to do professional work of an expert character outside the university and to receive pay for it when the work in question contributes to their professional development. Faculty members will report any material increase in outside professional activity immediately and will make appropriate financial disclosure as specified in policy [ACAF 1.50 Outside Professional Activities for Faculty](#) and policy [RSCH 1.06 Disclosure of Financial Interests and Management of Conflicts of Interest Related to Sponsored Projects \(Research\)](#). The university reserves the right to declare a conflict of interest at any time; see also policy [BTRU 1.18 Conflict of Interest](#).

No member of the teaching staff will receive compensation for tutoring students in any course for which the member is empowered to grant the student credit or over which that member has any authority. This regulation does not prohibit tutoring for remuneration in subjects over which the tutor has no control.

Employees are subject to state law regulating dual employment; see [HR 1.78 Dual Employment](#).

### **PROFESSIONAL-TRACK FACULTY**

Professional-track faculty on fixed-term contracts are subject to the same terms of employment as other fixed-term appointees for annual and sick leave, and to annual performance reviews by their dean or director, as described in the unit policies and procedures. Individuals hired on fixed-term contracts as professional-track faculty are ineligible for tenure. Service in a professional-track appointment is not considered part of a probationary period for tenure consideration.

### **BENEFITS AND PRIVILEGES**

Faculty of all tracks and ranks are subject to state regulations and university policies and procedures, including health insurance, retirement plans and other benefits offered by the state of South Carolina or by the University of South Carolina. Specific terms of these benefits are determined by the provider and applicable based on recorded individual Notice of Election. Other benefits and privileges include but are not limited to tuition assistance and special access to athletic tickets. Faculty have voice in the selection and potential expansion of these benefits and privileges through faculty governance processes including the Faculty Welfare Committee.

### **INTEGRITY IN RESEARCH AND SCHOLARSHIP**

The integrity of university programs requires that faculty eschew misconduct, that allegations of misconduct be resolved justly, and that a person making a good-faith allegation of misconduct not be subjected to recrimination.

"Misconduct" in this regard will be defined as serious deviation from accepted standards and practices in proposing, carrying out, or reporting the results of scholarly undertakings, such as fabrication, falsification, or plagiarism; material failure to comply with university, government, or professional requirements for protection of researchers, human subjects, or the public, or for ensuring the welfare of laboratory animals; or failure to meet other material professional standards or legal requirements governing research.

Honest error and differences in interpretation or judgment of data do not constitute misconduct. See also the *Policies and Procedures Manual*.

### **TEACHING RESPONSIBILITY**

At the beginning of each term, instructional staff members shall state clearly in a syllabus the instructional objectives of each course they teach. They shall seek to fulfill these objectives and give examinations consistent with them. Instructional staff members shall follow the course descriptions published in the university *Undergraduate Studies Bulletin* and *Graduate Studies Bulletin*.

Instructional staff members shall inform their students about how they determine final grades and any attendance requirements that differ from the university attendance policy. At the request of a student, a faculty member should provide, before the free drop date, an evaluation of the student's progress.

Instructional staff members shall retain final examinations for one semester and should review graded examinations and papers with their students, if the students desire. They should grade and return examinations promptly.

Instructional staff members should meet their classes regularly at scheduled times. If unable to meet their classes, they shall notify the dean or department chair.

Instructional staff members should post a reasonable number of convenient office hours, as determined administratively, with the option of appointments.

Instructional staff members shall refrain from engaging in romantic or sexual relations with students over whom they have academic or supervisory control.

Instructional staff members responsible for academic advising should be in their offices at specified hours during registration.

## **NORMAL WORK SCHEDULE**

The work schedules of full-time faculty are necessarily flexible, but the normal teaching assignment shall be twelve hours or its equivalent. Teaching assignments will be affected by the number of students in the class, the level of the course, research, and other factors.

All absences of faculty members shall be reported to the dean. Faculty members shall obtain approval of absences from their chair or, in nondepartmentalized units, the dean. Faculty members' sick leaves shall be reported to the department chair and recorded through the Internet-based Time & Attendance Management System (ITAMS). Department chairs shall notify their dean if they expect to be absent from campus. In the event of any absence by a dean, chair, or faculty member for an unusual amount of time, the dean should notify the provost.

## **LEAVE**

### **ANNUAL LEAVE**

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

Faculty members on twelve-month appointment with no stipulation of term and who work at least half-time shall accumulate annual leave at the rate of one and one-quarter days per month of continuous employment. After ten years of service, they shall earn additional annual leave for each year in excess of ten years of service, up to a maximum accrual of thirty days per calendar year. Part-time employees earn annual leave on a pro-rata basis. All time taken off from normal duties must be reported and will be deducted from accrued leave.

Faculty members working on grants or contracts and earning annual leave may be required to use all accumulated annual leave prior to the termination of the grants or contracts.

Faculty members who change to other than a twelve-month appointment may be required to use all accumulated annual leave prior to the change.

No more than thirty days of annual leave may be used in any calendar year. Upon separation from employment, faculty members shall be paid for a maximum of forty-five days of unused annual leave. See also the *Policies and Procedures Manual*.

## **SICK LEAVE**

Faculty members who are scheduled to work at least half time will be eligible to earn sick leave that accrues at the rate of one and one-quarter work days per month of active employment. Part-time faculty shall earn sick leave on a pro-rata basis. No more than 195 days of sick leave may be accrued; however, no more than 180 days of sick leave may be carried over into a new calendar year. Any faculty members who, prior to January 1, 1969, accrued and carried over unused sick leave in excess of 180 days will not lose the excess leave but will retain that amount of leave which will then become the maximum amount the faculty member may carry over into future years. If the faculty member subsequently reduces the amount of sick leave carried over to 180 days, that amount will become the maximum amount of sick leave the faculty member may thereafter carry over.

Sick leave should be deducted in whole or partial work days. Faculty members must report sick leave taken on any normal work day, even though not scheduled to teach a class on that particular day.

Sick leave may be used for periods of illness, injury, maternity, or medical appointment. If faculty members miss more than ten work days for one of these reasons, they shall submit an application for disability leave to their chair or dean and to the Division of Human Resources. If a period of absence certified by a health care professional exceeds the amount of accrued sick leave, the faculty member may use annual leave, if available, or apply for leave without pay. The request for leave may not be denied for an illness or disability of a faculty member that is certified by a health care professional. The amount of sick leave shall not exceed the time certified by the health care professional. The total period of leave normally shall not exceed 180 work days of leave with pay or 180 calendar days of combined leave with and without pay. In extenuating circumstances and at the discretion of the president or the president's designee, the period of authorized leave may be extended up to a total of 365 calendar days of combined leave.

Faculty members may take up to ten days of available sick leave in each calendar year to care for a member of their immediate family.

Up to six weeks of available sick leave may be used for the adoption of a child, provided the person applying for the leave is the primary care-giver.

Sick leave shall accrue for faculty members on leave with pay.

See also University Policy [HR 1.06 Sick Leave](#).

## **FAMILY MEDICAL LEAVE**

The university will grant eligible faculty members up to 12 work weeks of unpaid leave during a calendar year for any of the following reasons:

1. The birth or adoption of a child or the foster care placement of a child; (NOTE: Eligibility expires 12 months after the date of the birth or placement.)
2. To care for the faculty member's spouse, child, or parent with a serious health condition;
3. A serious health condition that renders the faculty member unable to perform the essential functions of the faculty member's employment responsibilities.

To be eligible, a faculty member must have been employed by the State of South Carolina for at least 12 months and have completed at least 1250 hours of service during the 12-month period preceding the faculty member's request for family medical leave. In some cases, paid leave may be used for FMLA purposes. See also the *Policies and Procedures Manual*.

### **LEAVE TRANSFER PROGRAM**

Faculty members who earn annual or sick leave may donate to or apply for leave from the university's system leave transfer program. Sick-leave donors shall maintain no less than a fifteen-day sick leave balance, and they may donate no more than half the amount of leave earned during the calendar year of the donation. Donated leave may not be restored or returned, nor may leave donors designate the recipient. Requests to use leave from the pool shall be based on a catastrophic personal emergency requiring a prolonged absence that would result in a substantial loss of income because of the unavailability of paid leave. Leave transfer requests shall be granted only if the chair or dean certifies that funds are available to pay for the leave; they also must be approved by the vice president for human resources or the vice president's designee. See also University Policy [HR. 1.10 Leave Transfer Policy](#).

### **COURT LEAVE**

Faculty members summoned to jury duty or subpoenaed as witnesses for litigation in which they are not parties shall be granted leave with pay. See also the *Policies and Procedures Manual*.

### **MILITARY LEAVE**

Faculty members not on term appointment who are members of the United States armed forces reserves, including the Coast Guard Reserve and the National Guard, shall be entitled to leave with pay for up to fifteen regularly scheduled work days in any calendar year for training or other duties ordered by the governor or any department or agency of the United States government having authority to issue such orders. Such duty or training should be arranged so as to interfere as little as possible with regular duties.

Faculty members who are commissioned, enlist, or are selected for military service shall be granted leave without pay. Faculty members shall be reinstated to active employment in a position comparable to that held at the time such leave was granted if they apply for reemployment within ninety days of release from service.

See also the *Policies and Procedures Manual*.

### **DEATH IN FAMILY**

Faculty members shall be allowed up to three consecutive days of leave with pay for a death in the immediate family. See also University Policy [HR 1.09 Other Leave with Pay](#).

### **LEAVE WITHOUT PAY**

Leave without pay may be granted for active military service or for an extended period of disability because of illness, injury, or maternity.

The president may grant leave without pay on the recommendation of the appropriate administrators if the best interest of the university will be served. If a faculty member fails to return after the period for which leave has been granted, the appointment shall be terminated. The authorization of leave without pay shall be a matter of administrative discretion and may be considered for extended absence in the interest of the university, such as advanced academic training, research, or experiences leading to increased competence of the faculty member. Such leave may be granted for a maximum continuous period of one year, unless extended by the president.

Leave without pay for personal reasons may be granted by the chair or dean for up to ten consecutive calendar days. Upon request by the chair or dean, the vice president for human resources, or the vice president's designee, may grant leave without pay in excess of ten consecutive calendar days.

Failure to obtain approval prior to taking leave without pay may result in the absence being charged as unauthorized leave.

Annual and sick leave shall not accrue during periods of leave without pay, but accumulated leave totals shall not be forfeited. Before starting leave, faculty members should contact the Division of Human Resources about the continuation of health and dental insurance, and other benefits.

See also University Policy [HR 1.12 Leave Without Pay](#).

### **SABBATICAL LEAVE**

Sabbatical leave allows full-time faculty members relief from normal duties in order to pursue significant projects designed to improve them as teachers and researchers and increase their contributions to the university. It permits faculty members to achieve educational goals that could be reached, if at all, only over an extended period of time when pursued under the demands of regular university duties. Consequently, recipients shall be released from all university duties during their sabbaticals.

A faculty member requesting such leave shall demonstrate, by means of a written proposal, how planned activities will serve the purposes for which the leave is intended.

Only tenured associate professors and tenured full professors shall be considered for sabbatical leaves. Awards shall be based on seniority, merit, and six or more years of service as a full-time faculty member. Faculty members shall not be granted sabbatical leave more frequently than every seventh year, excluding leave without pay.

At no time shall more than ten percent of a department, school, or college be on sabbatical leave. In departments with fewer than ten members eligible for leave, only one of them may be on leave at any time. Deviation from this policy shall be granted by the Provost only in exceptional circumstances.

A sabbatical leave provides half pay for a full academic year or full pay for half an academic year. Because the granting of sabbatical leaves is dependent on the budget, work loads, and other considerations, it is a matter of administrative discretion.

Before starting sabbatical leave, faculty members should contact the Division of Human Resources about the continuation of health and dental insurance, and other benefits.

Annual leave shall not be accrued by twelve month faculty on sabbatical leave.

### **SABBATICAL LEAVE PROCEDURES**

To apply for leave, a faculty member shall complete a formal sabbatical leave request form and submit it to the chair or, if none, dean detailing the reason for the leave. The member shall submit this letter at least one year before the leave is expected to begin.

Upon approval of a request for sabbatical leave, a faculty member shall agree, in writing, to return to the member's current position at the university for at least one year. A member who fails to fulfill this obligation shall be liable to the university for repayment of all money received during the leave. If the member becomes permanently disabled or dies while on leave, the university shall not exercise the right of repayment.

Within three months of completing leave, a faculty member shall submit to the chair or, if none, dean a written report detailing the member's accomplishments during the leave. If a member fails to file this report or the dean determines, after consultation with the chair, that the member has failed to act in a manner consistent with the sabbatical leave request, and with the approval of the provost, the member may be required to repay all or part of the money received from the university while on leave.

### **ACADEMIC FREEDOM**

The university adheres in principle to the American Association of University Professors' "Statement of Academic Freedom." The university shall defend academic freedom against any encroachment.

Faculty members are entitled to full freedom in research and in the publication of its results, subject to the adequate performance of all other academic duties, but research for pecuniary return shall be based upon an understanding with the appropriate university authorities. See also "Copyright Policy."

Faculty members are entitled to freedom in the classroom in discussing their subjects, but shall not introduce controversial matters that have no relation to the subjects.

When faculty members speak or write as citizens, they shall be free from institutional censorship or discipline. They shall indicate that they are not speaking for the university.

Faculty members who believe their academic freedom has been compromised may request in writing that the president initiate an investigation. The request should clearly and concisely describe the event and circumstances upon which the charge is based. The president may refer the request to an appropriate faculty committee. See also "Academic Grievance Procedures."

## **POLITICAL ACTIVITY**

Faculty members may seek public office if the candidacy will not interfere with their normal duties or present a conflict of interest. Before a faculty member announces for public office, the president must approve each and every candidacy. If the president determines that the candidacy would interfere with the faculty member's normal duties, the president may require the faculty member to take leave without pay or resign before announcing for office.

No person may use university or other government personnel, equipment, materials, or facilities in an election campaign. See also University Policy [HR 1.02 University of South Carolina Ethics Policy](#).

Full-time faculty members normally shall not engage in or manage statewide campaigns or seek political positions that pay compensation.

## **WORKPLACE CIVILITY**

The University of South Carolina is dedicated to the mission of teaching, research, creative activity, and service. The University is also committed to the establishment of a working environment that fosters academic freedom for all faculty. *See also* "Academic Freedom." Consistent with these commitments, the University aspires to cultivate a community in which individual members treat each other with civility and respect. The faculty of the University believes that these goals can only be achieved through adherence to the standards of conduct and values expressed in the Carolinian Creed. *See also* "Faculty Commitment to the Carolinian Creed."

Accordingly, the faculty considers workplace bullying unacceptable. It undermines our values, harms colleagues, and impedes the mission and commitments of the University.

A person commits workplace bullying if, he or she engages in repeated, unwelcome severe and pervasive behavior that intentionally threatens, intimidates, humiliates or isolates a member of the University community or undermines their reputation or job performance. Workplace Bullying may take, but is not limited to, one or more of the following forms:

- Verbal abuse

- Malicious criticism or gossip
- Unwarranted monitoring
- Unwarranted physical contact
- Exclusion or isolation in the workplace
- Work interference or sabotage
- Cyberbullying
- Other offensive conduct/behaviors (including nonverbal) which are threatening, humiliating, harassing or intimidating

Faculty who believe that they are victims of workplace bullying should be aware that the Office of the University Ombudsman is available for confidential consultation on these matters. Formal complaints of workplace bullying should be filed with the Faculty Civility Advocate. *See Policies and Procedures Manual.*

## **DISTINGUISHED PROFESSOR AND EMERITUS TITLES**

The title distinguished professor shall be awarded to tenured full professors who do not hold named or chaired professorships in their final year of service. Upon retirement, this title shall change to distinguished professor emeritus. A professor who holds a named or chaired professorship at the time of retirement shall be awarded that title emeritus upon retirement. The title emeritus professor normally shall be conferred on any tenured assistant or associate professor at the time of retirement. Citations shall be presented to emeritus recipients, and every effort shall be made to provide them office space, parking privileges, and other professional amenities.

## **ENDOWED CHAIRS AND NAMED PROFESSORSHIPS**

Awards of named chairs and professorships are intended to attract, retain, and reward faculty members with records of outstanding and continuing achievement in scholarship, teaching, service, creative or artistic accomplishment. Normally, only tenured, full professors shall hold such positions, but faculty members of lower rank may be awarded them if allowed by the terms of the endowment or justified by circumstances specifically set forth by the dean in his or her recommendation. An appointment for a named chair or professorship shall be between three and five years.

To ensure that named chairs and professorships are appointed in a manner consistent with these purposes, vacancies for all such positions shall be announced to the faculty. The provost shall announce the availability of these positions to, and shall solicit nominations for such positions from, the faculty of all colleges in which chair or professorship vacancies occur. The notice shall provide a reasonable time period for nominations. Nominations may be made by any member of the faculty; self-nominations will also be accepted for review. All nominees will be asked by their deans to provide files containing information concerning their qualifications for appointment.

The file of each nominee for a named chair or professorship shall be reviewed by a committee of tenured faculty, the size and composition of which shall be determined by the faculty of each college in conjunction with the dean of that college. Each committee shall normally consist of at least five members; in cases where the chair or professorship is specific to a department, a majority of the committee membership shall be tenured faculty in that department. The committee shall

then forward in writing to the dean its recommendations for appointment. When there are multiple qualified nominees, the committee may, but is not required to, rank the nominees in order of the committee's preference. The dean's recommendation, along with the file of the recommended nominee and the recommendation of the college committee, shall be forwarded to the provost. The file shall then be subsequently reviewed by the University Committee on Named and Distinguished Professorships and the President of the University. The president shall have sole authority to award endowed chairs and professorships, except when that authority has been reserved by the Board of Trustees.

The policy outlined above governs only chair searches limited to faculty currently tenured or on tenure track at the University of South Carolina. When time is critical, the provost may impose an expedited schedule for consideration of an internal chair appointment, but shall not exclude any of the steps set forth above.

## **CLASSROOM PROCEDURES**

### **EXAMINATION AND GRADING SYSTEM**

Each semester, faculty members shall give final examinations, including laboratory examinations, in accordance with the published schedule and shall not deviate from it without prior approval from their dean. All deviations shall be reported to the registrar by the dean.

In any course or laboratory that meets weekly, no quiz, test, or examination shall be given during the last class session before the regular examination period. In any course or laboratory that meets two or three times a week, no quiz, test, or examination shall be given during the last two class sessions before the regular examination period. In any course or laboratory that meets more than three times a week, no quiz, test, or examination shall be given during the last three sessions before the regular examination period.

The [Undergraduate Studies Bulletin and the Graduate Studies Bulletin](#) describe the university grading system.

Faculty members shall meet the stated deadlines for submitting grade reports. All grades shall be submitted as instructed by the registrar no later than seventy-two hours after the date of the scheduled final examination. Grades for graduating students may be required earlier than other grades, but in no case shall faculty members be required to submit grades before noon of the day after the final examination. All students listed on the grade sheet shall be given a grade.

### **CHANGE OF GRADES (UNDERGRADUATE)**

Grade changes based on transcription or computation errors shall be reported directly to the Office of the University Registrar on the appropriate grade-change form signed by the instructor and the head of his or her academic unit. A request for a grade change must be submitted by the instructor no later than one calendar year from the date on which the grade was reported. Beyond this period, grade changes shall be considered only in exceptional circumstances and must be handled through the petition procedure of the student's college. Any other grade change request resulting from enrollment discrepancies, or perceived administrative errors (changes to W, WF, AUDIT, CREDIT, S/U, or I) must be submitted on the appropriate forms with signatures and documentation

to the student's college for review through the petition procedure. This does not apply to the routine makeup and extension of an I (incomplete) and posting of a permanent grade to replace the recorded NR mark. An I turns into a grade of F after one year; a NR turns into a grade of F after one semester. Special make-up work or examinations to change grades already recorded are not permitted.

### **CHANGE OF GRADES (GRADUATE)**

In case of errors in reporting final grades, instructors shall complete grade-change forms and send them to the Graduate Council within one year of the course completion date. Beyond this period, grade changes shall be considered only in exceptional circumstances. The council shall forward its decision to the dean of the Graduate School. Special make-up work or examinations to change grades already recorded are not permitted.

### **BOOKS FOR CLASSES**

Instructors must submit textbook information, including whether a textbook will be used, to the University Bookstore.

Instructors experiencing difficulty with textbook orders should discuss it with the director of the bookstore. If the problem persists, instructors should present the problem in writing to the Bookstores Committee. If the problem is not resolved to the satisfaction of the instructor, the textbook order may be placed exclusively with other stores. When doing so, the instructor shall inform the director of the bookstore.

Instructors shall not sell textbooks or other materials to their classes.

For information on copying materials for class that are copyrighted by third parties, see the *Policies and Procedures Manual*.

### 3/ RESEARCH AND SCHOLARSHIP

#### GENERAL RESEARCH POLICY

The Office of Research (<http://www.sc.edu/research/>) has overall responsibility for facilitating the research enterprise at the University of South Carolina. The Vice President for Research works closely with the provost, deans, center directors, faculty, and staff on research policy. It is the responsibility of faculty, students, and staff to be aware of and to abide by all relevant university, state, and federal regulations that may be applicable to the conduct of their research and scholarly efforts. In addition, the Division of Administration and Finance provides support for post-award fiscal management of contract and grants through its Office of Contract and Grant Accounting.

#### ADMINISTRATIVE SUPPORT

**Sponsored Awards Management (SAM)** (<http://sam.research.sc.edu/>) SAM serves as the research administration office for the University, and also has responsibility for many pre- and post-award functions. Specific functions include the following:

- Reviewing and approving proposals to assure that they comply with both sponsor and University guidelines; that budgets are accurate and consistent, with clear and concise justifications; and that both direct and indirect costs are appropriately recovered. Proposal submission and institutional review are currently facilitated by the USCeRA system (<https://sam.research.sc.edu/uscera/>).
- Negotiating and accepting grants and contracts on behalf of the University.
- Issuing subcontracts.
- Serving as the principal liaison between the University and its sponsors.
- Approving programmatic and budgetary changes to sponsored projects (including the establishment of new fund codes).
- Facilitating closeout documentation.

#### Contract and Grant Administration

The Office of Contract and Grant Accounting (CGA) <http://www.cga.sc.edu/> is responsible for the accounting and management of all restricted contracts and grants within the University System. For each grant or contract, this office prepares invoices, electronic letter of credit transactions, and financial reporting. The CGA office:

- Establishes all local, state, federal, and private grant accounts after receipt of account memorandum and budget from SAM.
- Reviews and approves all transactions processed on any local, state, federal, or private grant or contract.
- Has responsibility for invoicing and filing financial reports.
- Monitors grant activity to ensure expenditures do not exceed available revenue funds and cost share agreements and expenditures for compliance with grant/contract requirements.
- Is responsible for closeout and deactivation of all grant accounts.
- Generates time and effort reports for all sponsored program activity of University personnel on a monthly basis and, formally, compiles them twice a year in compliance with federal guidelines.

**South Carolina Research Foundation (SCRF)** The SCRF is a 501(c)(3) corporation, formerly known as the South Carolina Research Institute, which was established in 1997. The SCRF provides greater flexibility and competitiveness in implementing research grants and contracts, building infrastructure, and developing intellectual property for the faculty. SCRF's management responsibilities include aspects of USC's intellectual technology licensing program. SCRF is an element in the University's strategy for research growth, supporting faculty efforts, and helping the University faculty with their scholarship goals (University Policy [RSCH 1.02 Sponsored Programs Administered through USC Foundations](#)).

**Technology Commercialization Office** (<http://ip.research.sc.edu/>) The Intellectual Property Office works in conjunction with the Intellectual Property Committee to leverage the intellectual property owned by USC. The Intellectual Property Office assists USC faculty, staff, and students in identifying, protecting, and commercializing the University's intellectual property for the purpose of benefiting society and spurring economic growth for our state, regional, and national economies. The Intellectual Property Committee serves as the intellectual property advisory body within the University and is charged with considering issues involving intellectual property, including patent and copyright matters.

## **RESEARCH-RELATED AREAS OF FACULTY RESPONSIBILITY**

### **PRINCIPAL INVESTIGATOR - ELIGIBILITY**

Only faculty and staff with whom the University has or intends to have an on-going contractual relationship may serve as principal investigators (PI) or program directors (PD) for projects, research or otherwise, supported by external funding sources. Final approval regarding eligibility to serve as a PI rests with the department chair and dean of the proposed PI's supervising unit.

The Principal Investigator (PI) or Program Director (PD) is the individual ultimately responsible for any sponsored project, and, thus, is the primary individual in charge of directing both the research and administration of a grant, cooperative agreement, training, or public service project, contract, or other sponsored project. Failure to abide by relevant federal, state, or University policies may result in appropriate sanctions by sponsoring agencies or administrative officials of the University.

- The PI/PD is responsible for the completion, accuracy, and timeliness of all technical reports required by the sponsor.
- The PI/PD is responsible for ensuring that all financial aspects of the project are completed in a timely manner so that SAM can submit financial reports as required by the sponsor and CGA can perform the accounting and fiscal management required.
- In consultation with the department chair, director, or dean, the PI/PD ensures sufficient financial administrative oversight to manage the financial and other administrative functions related to the grant.
- In conjunction with the unit's financial administrator and unit head, the PI/PD ensures compliance with all applicable financial and administrative regulations, University policies and procedures, and state and federal laws and regulations.
- The PI/PD is responsible for validating his or her own effort certification report in accordance with University policies and for validating the effort certification for any staff

- and/or students who work under the PI/PD's supervision.
- In conjunction with SAM, the PI/PD approves final payment to subcontractors.

## **PROFESSIONAL CONDUCT**

USC is committed to ensuring its faculty an open, safe and productive environment in which to conduct teaching, patient care, and research. However, the ever-increasing complexity of our society and the various relationships between faculty members and outside institutions require attention to ensure the avoidance of real or apparent conflict of interest. Conflict of interest can be said to exist when a member of the University community has a relationship with an outside organization such that his or her activities within the University could be biased by that relationship in a direction that would ultimately provide direct financial benefit to the individual or a close family member.

## **OUTSIDE PROFESSIONAL ACTIVITIES**

The University of South Carolina is committed to ensuring that the research, consultation, and other activities of faculty and non-faculty employees are conducted properly and consistently with the principles of openness, trust, and free inquiry that are fundamental to the autonomy and well-being of a university and with the responsible management of the University's business. Toward that end and consistent with federal regulations, USC has formulated a policy and procedures to identify and address potential, actual, and apparent conflicts of commitment and conflicts of interest. The fundamental premise of this policy (University Policy [ACAF 1.50 Outside Professional Activities for Faculty](#)) is that each member of the USC community has an obligation to act in the best interests of the University, and must not let outside activities or outside financial interests interfere with that obligation.

While University Policy ACAF 1.50 serves as the basis for the institutional policy, each tenure and promotion unit has a policy that pertains to its faculty. There is some variation among units; therefore, faculty members should be familiar with their department's or college's specific policy.

### **Conflict of Commitment**

Conflict of commitment exists when a member of the University community has outside activities that require a commitment of time or effort, which interferes with the individual's obligations to students, colleagues, and the University. All faculty members are expected to observe a proper balance of effort among teaching, research, service, and outside professional activities. It is the responsibility of the faculty member to avoid conflicts in commitment.

### **Consulting**

Faculty and senior administrative staff members may participate in outside activities or consulting work during their regular academic appointment. This work must contribute to their professional development and not interfere with any research, teaching, and university service obligations. Such activities must be 1) approved by and 2) reported to the faculty member's unit head.

Within the University, consultation is expected as a normal part of professional duties University Policy ([FINA 3.09 Contracts and Grants--Consultant Services](#)); however, in unusual circumstances, paid intra-university consulting may be authorized with the advance approval of the 1) appropriate University administrator(s) and 2) external sponsor.

In addition to University policy, principal investigators also must adhere to sponsor policies governing financial conflicts of interest. For instance, investigators applying to the National Institutes of Health (NIH) and other Public Health Service (PHS) agencies, as well as to the National Science Foundation (NSF), are required to disclose at the time of proposal submission, any significant financial interests that might affect or be affected by the conduct of the research in their proposals. The Office of Sponsored Awards Management in conjunction with the USC Conflict of Interest Committee oversees this process and implements the appropriate procedures to ensure compliance with sponsor requirements.

## **MISCONDUCT IN RESEARCH**

Misconduct in Research is defined as fabrication, falsification, or plagiarism or other practices that seriously deviate from those that are commonly accepted within the scholarly community for proposing, conducting, or reporting research (University Policy [RSCH 1.00 Misconduct in Research and Scholarship](#)). It does not include honest error or honest differences in interpretations or judgments of data. Members of the University community are obligated to report suspected instances of misconduct. If an allegation is found to be unsupported, but was submitted in good faith, no further action, other than informing all involved parties, shall be taken. The proceedings of an inquiry, including the identity of the respondent(s), shall be held in strict confidence to protect the parties involved. If the Provost finds that an allegation was unfounded and malicious, appropriate University procedures may be invoked to address the actions of the complainant(s). If it is determined that there are grounds for a charge of misconduct, appropriate action will be taken as detailed in University Policy [RSCH 1.00 Misconduct in Research and Scholarship](#).

## **INTELLECTUAL PROPERTY**

USC's primary mission lies in the creation and dissemination of knowledge in works of the intellect, in whatever medium (tangible or otherwise) they may be embodied or expressed. USC's policy on intellectual property rights recognizes and acknowledges that these rights may arise in such works from time to time as a result of efforts by members of the University community (University Policy [ACAF 1.33 Intellectual Property Policy](#)).

## **RESEARCH RECORDS: SHARING, RETENTION, AND OWNERSHIP**

The University, its faculty, and its trainees have a common interest and a shared responsibility to assure that research is appropriately recorded, shared, and retained (University Policy [RSCH 1.05 Data Access and Retention](#)). Consequently, researchers have a responsibility to retain original research results, in whatever form they may take, for a reasonable length of time (a minimum three years) to protect intellectual property rights, support scholarly collaboration and publication, and answer any questions that may arise about the conduct of the research. The University likewise has an interest in, and shared responsibility for, assuring that research is appropriately recorded, archived, and available for review under appropriate

circumstances.

### **CLASSIFIED RESEARCH**

No research can be undertaken at the University that involves information, research, or results of research that are, or would be, classified by the sponsor or any third party. For example, research for the federal government under a subcontract which is classified as secret is *not* permitted. Faculty members may arrange on an individual basis to participate in projects involving such research through other institutions. USC does not have any level of institutional clearance, nor can it arrange clearance on behalf of its faculty. Clearance is secured on a need-to-know basis by the organization for which the work is to be done.

### **EXPORT CONTROLS**

Export Control is the regulation of commercial and military or proliferation items by the Bureau of Industry and Security (BIS), which is responsible for implementing and enforcing the Export Administration Regulations (EAR). Any anticipated shipment or transfer of technology, data, or materials to a foreign country may be subject to export controls and must be classified to determine its control status and if it qualifies for an exception or requires a license. The University of South Carolina fully abides by federal and state laws and regulations, including the Export Administration Regulations (EAR), the International Traffic in Arms Regulations (ITAR), and other bodies of export regulations. University research can remain compliant with export control laws under the Fundamental Research Exemption by ensuring that it meets the definition of fundamental research, which is research that is conducted with a clear intent to publish, and to do so without restriction, and research that does not voluntarily exclude the participation of foreign nationals. Therefore, it is imperative that the University adhere to its stated mission and the policies which support that mission. It is also the responsibility of each individual researcher to protect freedom to communicate with colleagues and to refuse to enter into sponsored agreements that will restrict that freedom in unreasonable or unacceptable ways.

Faculty and staff who intend to take equipment or software abroad must consult with the USC research office to insure that they are in compliance with federal regulations regarding exports. Faculty and staff planning to travel to a country sanctioned by the U.S. Government must also clear their travel plans with the research office to ensure that any required approvals or licenses are in place prior to departure.

### **USE OF HUMAN SUBJECTS IN RESEARCH**

In accordance with federal law, accepted ethical principles, University policy, and the University's federal wide assurance of compliance, filed with the U.S. Department of Health and Human Services, every USC investigator conducting human subject research, whether or not funded by a federal sponsor, must submit a proposed research plan to the University's Institutional Review Board (IRB) for review and approval. In addition, investigators who participate in human subject research must complete training in human subject research, and otherwise must comply with IRB policies and procedures. Research may not begin until the IRB has approved the research plan and all related consent documents. Further information and a full statement of applicable University policies and procedures are available on the Office of Research Compliance website at: [http://sc.edu/about/offices\\_and\\_divisions/research\\_compliance/irb/index.php](http://sc.edu/about/offices_and_divisions/research_compliance/irb/index.php).

## **USE OF ANIMALS IN RESEARCH**

The University of South Carolina recognizes that the use of laboratory animals for teaching and research is fundamental to advances in biology and medicine and is a privilege regulated by a variety of agencies (University Policy [RSCH 5.03 Care and Use of Laboratory Animals](#)). The University endorses the Principles for the Care and Use of Laboratory Animals of the National Institutes of Health; has implemented the recommendations of The Guide for the Care and Use of Laboratory Animals (1996); and is complying, and will continue to comply, with the Animal Welfare Act and other applicable statutes and regulations concerning the care and use of laboratory animals. Work with live vertebrate animals may not begin until approval by the Institutional Animal Care and Use Committee (IACUC) is obtained. Faculty members contemplating using live vertebrate animals in research, teaching, or testing should refer to the [Division of Laboratory Animal Resources \(DLAR\)](#) website for complete information regarding applicable policies and procedures at: <http://sam.research.sc.edu/animalcare/index.html>, The IACUC website is located at [http://sc.edu/about/offices\\_and\\_divisions/research\\_compliance/iacuc/index.php](http://sc.edu/about/offices_and_divisions/research_compliance/iacuc/index.php).

## **ENVIRONMENTAL HEALTH and SAFETY**

The Environmental Health and Safety Committee (EHSC) reviews and provides guidance concerning health and safety issues affecting faculty, staff, and students. The committee can amend health and safety policies and make new policy recommendations when necessary. It also acts in an oversight role to the Radiation Safety and Biosafety Committees. EHSC works in conjunction with the Office of Environmental Health and Safety (EHS), which provides the University community with the services and training required to ensure safety and environmental responsibility. The Office also is charged with ensuring University compliance with all health and safety related regulations. (<http://ehs.sc.edu>)

## **USE OF RECOMBINANT DNA AND BIOHAZARDOUS MATERIALS IN RESEARCH**

The University of South Carolina (USC) utilizes various recombinant DNA molecules (rDNA) in scientific research. All projects involving recombinant DNA techniques must comply with the *NIH Guidelines*. The *NIH Guidelines* require the university to establish an Institutional Biosafety Committee (IBC) whose responsibilities need not be restricted to recombinant DNA. The scope of USC's IBC has been expanded to review all research and educational activities involving the use of potentially infectious materials. All research involving rDNA or other biohazardous materials must be reviewed and approved by the IBC prior to initiating research. Principal Investigators are notified directly of the results of the IBC review and approval. The IBC reports directly to the Vice President for Research. Information regarding the IBC and biohazardous materials can be found at <http://www.sc.edu/ehs/BioSafety.htm>.

## **USE OF SELECT AGENTS**

The principal investigator is held responsible for assuring that s/he registers all possession, transfer, and receipt of Select Agents. S/he is also responsible for assuring that his or her laboratory fully complies with all prescribed safety policies and procedures. Consequently, the PI must work closely with the Director of the Biological Safety Division of the Occupational and Environmental Safety Office, who serves as USC's Responsible Official, or "RO", to assure

compliance with this standard.

## **USE OF HAZARDOUS CHEMICALS**

All work involving the use of hazardous materials must comply with federal, state, and local regulations regarding the shipment, handling, and disposal of such materials (specific information available on the EHS website). Researchers shall provide a list of all chemicals used in the research to EHS to assure compliance with the Toxic Substances Control Act (TSCA) and to the notification requirements of the Emergency Preparedness and Community Right-to-Know Act. Certain chemical materials have been designated as “Particularly Hazardous”. These include materials that are highly toxic, carcinogenic, or affect human reproduction. Investigators using any of these materials are required to prepare a written standard operating procedure that specifically identifies the methods of use as well as required protective measures and approved disposal procedures.

## **USE OF RADIATION AND LASERS**

Radioactive materials and X-ray units used in research require authorization from the Radiation Safety Committee. To obtain authorization, one must (1) be a full-time member of the faculty, (2) have training and experience commensurate with the types and amounts of radioactive materials you intend to use, and (3) submit an application for review and approval by the Radiation Safety Committee. More information and application materials can be found at <http://www.sc.edu/ehs/>.

Lasers are a potential safety hazard in the laboratory, and USC's Laser Safety Program is designed to address that hazard, specifically for Class 3b and Class 4 lasers, which pose the most serious risks. Under USC policy, a faculty member responsible for such a laser is called a Principal Laser User (PLU). The PLU is directly responsible for the safe use of the lasers under his or her control, and should complete the training for those that are Class 3b or Class 4 lasers. Training information is provided by the Radiation Safety Committee.

## **REPORTING ACCIDENTS AND INJURIES**

Accidents and injuries that occur on the job must be reported to a supervisor as soon as possible. The supervisor reports the accident to the unit head and the human resources division is notified. Medical attention should be sought immediately if the injury or illness is severe. All incidents must be documented. This information is important in helping USC evaluate the circumstances of the incident and develop strategies for prevention of reoccurrences.

## **CONTRACT AND GRANT ACCOUNTING AND MANAGEMENT**

### **CONTRACT AND GRANT ACCOUNTING (CGA)**

As a recipient of federal research awards, USC is accountable to sponsoring agencies for financial compliance with appropriate agency regulations (University Policies [FINA 3.00 – 3.19](#)). Each employee of the University who is involved in sponsored projects administration has an obligation to ensure compliance with sponsor and University requirements for managing sponsored funds.

## F&A COST RECOVERY ON GRANTS AND CONTRACTS

Direct costs of externally sponsored grants and contracts may include the salaries and wages of personnel working on these projects, the cost of equipment, travel, supplies, materials, and other such project-specific expenses that are required for the projects undertaken. In addition to these direct costs, however, the University incurs a significant amount of indirect costs that are associated with projects and are required to support them (University Policy [RSCH 1.02 Sponsored Programs Administered Through USC Foundations](#)). These are referred to as "facilities and administrative" (F&A) costs. F&A costs are general infrastructure costs required to operate the university's research programs and cannot be related precisely to any individual grant or contract, since they include such items as: (1) the cost of maintenance, heating, lighting, and cleaning the buildings in which the sponsored research is conducted; (2) the administrative costs to the University of such components as procurement, accounting, and other units that provide services to grant and contract recipients; and (3) central support services and facilities, such as the libraries. These costs are real and the collection of F&A costs ensures the maintenance of the University infrastructure necessary for carrying out sponsored research activity.

It is the University's policy to require the inclusion of full F&A cost recovery on all sponsored project proposals for external funding (University Policy [RSCH 1.02 Sponsored Programs Administered Through USC Foundations](#)). Deviations (waivers) from the University's approved F&A rate require prior administrative review and approval.

In the spirit of cooperation and collaboration among all units within the University, all awards involving investigators from multiple schools and departments will be set up with accounting subcodes. This practice will generally ensure distribution of the indirect costs in accordance with the operational costs associated with each participating investigator, thereby providing support for research space and administrative costs.

## COST-SHARING

The University will not generally commit resources to a project unless required to do so by the sponsor. Cost-sharing can take a variety of forms according to the specific sponsor requirements.

The following general guidelines should be observed:

- Any decision to cost-share should reflect the University's overall priorities. Requests for cost-sharing must be made and the commitments must be documented at the time of proposal submission.
- Cost-sharing is not a method of covering unexpected project expenses or of accommodating cuts in a proposal's budget.
- Retroactive cost-sharing is generally not considered to be in the best interest of the University.

## **EQUIPMENT TRANSFERS**

All guidelines for USC departmental property officers are based on this fundamental concept: assets are owned by USC for use by particular departments of the University (University Policy [BUSF 5.00 Property Accountability](#)). Every department is responsible to account for the assets it uses. This responsibility includes total accountability for disposal, changes, and transfers of assets, and a commitment to secure top value for all items sold or traded-in. In most cases, the equipment is the property of the University or the government. However, when the principal investigator's grant-funded research activity is transferred to another institution, and the principal investigator or the granting agency submits a request for certain equipment to be transferred, it is usual practice to release the equipment in accordance with established policy and procedures (University Policy [BUSF 5.00 Property Accountability](#)). Transfers of equipment between colleges or campuses within USC are handled in a similar manner.

## **EFFORT COMMITMENT**

Most sponsored projects require that some level of effort by key personnel is committed to the project (University Policy [FINA 3.12 Contracts and Grants: Personnel Activity Reporting System](#)). In most cases, this is “committed” effort that is reflected in the individual’s payroll distribution. In other cases, a faculty member may have uncommitted effort specifically associated with the project. In either case, in support of applicable federal regulations, all individuals need to ensure that their effort certification accurately reflects their activities, both sponsored and non-sponsored.

The University expects that faculty members will have non-sponsored professional activities and responsibilities as part of their faculty obligations and appointment. As a result, adequate University time must be set aside for their non-sponsored University activities, including instruction and administration. Effort commitments must be managed at time of the proposal, during the identification of other support, and throughout the life of the grant to ensure that the University complies with applicable federal regulations.

In support of compliance effort reporting practices, effort certifications are prepared for each faculty/staff member and distributed to each department or school business office. These statements serve as a notification of how the individual's effort is being distributed so that it can be modified if necessary. Effort certification reports are prepared semiannually for applicable faculty and staff members. These semiannual certification reports show the actual salary, supplemental pay distributions, and the percentage of annual effort for the entire fiscal year. Each employee is required to certify that the actual effort expended per the reported time effort is correct or, if incorrect, indicate the correct percentage of effort expended on the various activities. If there are significant changes of effort percentages, redistribution of salary may be required. Accurate and timely effort certifications are the responsibility of the faculty/staff member.

## **APPENDIX I**

### **ADMINISTRATIVE ORGANIZATION**

#### **BOARD OF TRUSTEES**

The University of South Carolina was chartered by the South Carolina General Assembly in 1801. The University of South Carolina is guided by its Board of Trustees, as defined in statute of the State of South Carolina. This group of knowledgeable leaders works together to further the school's long-term objectives and goals. The board's members are business, educational and civic leaders who are either elected, designated or appointed. Members govern university operations, policies, long-range planning and more with complete transparency and accountability. Complete information about the board, including its bylaws, membership, and meeting information is publicly accessible to the university community.

#### **OFFICERS OF THE UNIVERSITY**

##### **PRESIDENT**

The president of the university is the chief executive officer of the university system and exercises such executive powers as necessary for its appropriate governance under the authority of the Board of Trustees. The president is the primary spokesperson for the university to the alumni of the institution, the news media, the educational world, and the general public and administers university policies as promulgated by the board, speaks for the university as its chief executive officer, and coordinates all activities of each campus of the institution directly or through designated representatives. The president reports directly to the Board the current affairs of all components of the university system and discusses with the board basic issues, new or alternative directions, and recommendations on new policies. The president directs, coordinates and implements the planning, development, and appraisal of all activities of the university system and is directly responsible to the Board for its operation. The president serves as and performs the duties of Chancellor for the Columbia campus.

##### **EXECUTIVE VICE PRESIDENT FOR ACADEMIC AFFAIRS AND PROVOST**

The executive vice president for academic affairs and provost is the second ranking officer of the university and is empowered to act for the president in the absence of the chief executive officer. The executive vice president for academic affairs and provost has the responsibility for the overall supervision of academic affairs of the university and for ensuring the integrity of the academic mission of the institution. This officer is appointed by the president and confirmed by the Board of Trustees. The provost is charged with the oversight of the University of South Carolina's graduate and undergraduate academic programs as well as curriculum development, program assessment and university accreditation. He is also responsible for leading the formulation and implementation of system-wide academic affairs policies relating to faculty hiring, retention, tenure, promotion and development. The provost manages strategic planning processes and provides budgetary oversight for all USC Columbia academic units and academic support areas.

## OTHER OFFICERS

The complete organization of the university system is reflected in its [organizational chart](#). Two officers are elected by the board: university secretary and secretary to the Board of Trustees and university treasurers. Other officers include vice presidents, the chief financial officer, and the executive director of economic development, who typically report to and serve at the pleasure of the president.

## ACADEMIC DEANS

The dean of a school or college is the chief academic administrator of the unit and as such is responsible for the personnel and program administration of that division and reports directly to and serves at the pleasure of the executive vice president for academic affairs and provost. The dean reviews curricula and programs in the school or college, appoints chairs of departments and assigns their duties, supervises the use of funds, space, and equipment allotted to the academic unit, and supervises the preparation of the budget of the division. The dean is the presiding officer of the faculty of the school or college. Deans of colleges or schools that are not departmentalized also have the duties and responsibilities of department chairs (see below).

## DEAN OF THE GRADUATE SCHOOL

The dean of the Graduate School, appointed by the executive vice president for academic affairs and provost, establishes and enforces standards of graduate work, recommends and coordinates plans for the development of graduate programs, and formulates policies to implement such plans. The dean serves ex officio on the graduate council, chairs meetings of the graduate faculty, coordinates graduate curricula, has administrative responsibility for admission to graduate study, and nominates candidates for graduate degrees. The dean of the Graduate School reports directly to and serves at the pleasure of the executive vice president for academic affairs and provost.

## DEAN OF UNDERGRADUATE STUDIES

The dean of undergraduate studies, appointed by the executive vice president for academic affairs and provost, establishes and enforces standards of undergraduate work, recommends and coordinates plans for the development and improvement of undergraduate programs, and formulates policies to implement such plans. The dean of undergraduate studies reports directly to and serves at the pleasure of the executive vice president for academic affairs and provost.

## COMPREHENSIVE UNIVERSITY CHANCELLORS

The chancellors of the three comprehensive universities of the University of South Carolina report to the president and serve as the chief executive officers of their campuses. The chancellors are responsible for the academic, administrative, fiscal, athletic, physical plant and student affairs of their institutions and serve as the primary liaison between their comprehensive campus and USC Columbia, the South Carolina Commission on Higher Education, and the South Carolina General Assembly. The chancellors of the comprehensive universities serve at the pleasure of the president.

## CHANCELLOR OF PALMETTO COLLEGE

The chancellor serves as the chief administrative officer of Palmetto College, which includes the coordinated distance education offerings of the college and the University of South Carolina's four associate degree-granting regional campuses. The chancellor is responsible for ensuring the full participation of the college in overall planning, resource allocation, and program evaluation of the regional campuses as a part of the University of South Carolina System. The chancellor is appointed by and reports directly to president.

The chancellor serves as the chief administrative officer of Palmetto College, which includes the coordinated distance education offerings of the college and the University of South Carolina's four associate degree-granting regional campuses. The chancellor serves at the pleasure of the president.

## REGIONAL PALMETTO COLLEGE CAMPUS DEANS

The deans of the four regional Palmetto College campuses of the University of South Carolina report to the chancellor of Palmetto College and are the chief executive officers of their campuses. The deans are responsible for the academic, administrative, fiscal, athletic, physical plant and student affairs of their institutions and serve as the primary liaison between their regional campus and USC Columbia, the South Carolina Commission on Higher Education, and the South Carolina General Assembly. The deans of the regional campuses serve at the pleasure of the chancellor of Palmetto College.

## DEPARTMENT CHAIRS

Department chairs are appointed by and serve at the pleasure of the dean of a school or college. The dean notifies the provost of the appointment of department chairs.

The chair has a responsibility to departmental faculty in matters relating to teaching and research and is responsible also to the dean of the college and other officers of the university for implementing university policies as they apply to the affairs of the department.

The department chair is responsible for the general conduct of departmental affairs and reports to the dean of the college or school. The chair is responsible for appointments and non-reappointments, promotions and tenure, except as delegated to the faculty in the *Faculty Manual*, resource allocation, and all other matters relative to the successful implementation of the department's educational and scholarly objectives in accordance with university policies. The chair will consult with and seek the advice of appropriate committees of the faculty with respect to educational policy and departmental governance.

A department chair will be evaluated in that position at least every five years, at the end of the term if appointed for a specific term of office, or at the discretion of the dean. A decision as to retention in that position will be made by the dean concerned after consultation with the departmental faculty and the provost.

## COUNCIL OF ACADEMIC DEANS

The council is composed of the president, the executive vice president affairs and provost, the deputy and vice provosts, the academic deans of the Columbia campus, the dean of undergraduate studies, the dean of the Graduate School, and the dean of libraries as voting members. The executive vice chancellor of Palmetto College also assumes an appointment as vice provost and serves on the council of academic deans. The vice presidents, the associate and assistant provosts and other university administrators are also invited to attend council meetings on a quarterly or ad hoc basis.

The council serves in an advisory capacity to the president and executive vice president for academic affairs and provost on academic matters including academic planning and the setting of priorities for the university. The council annually elects a chair from among the membership. The chair works collaboratively with the Office of the Provost to establish agendas that facilitate the exchange of information between deans and university officials.

## APPENDIX II

### BYLAWS OF THE FACULTY SENATE THE UNIVERSITY OF SOUTH CAROLINA-COLUMBIA

#### ARTICLE I - PURPOSE AND POWERS

The Faculty Senate of the University of South Carolina, having been created by direction of the University Faculty to act by and for that body, is endowed with all the powers and authority of the University Faculty except for those powers specifically reserved by that body to itself, provided that the University Faculty may amend or repeal any general policy decisions adopted by the Faculty Senate.

#### ARTICLE II - MEMBERS

Section 1. The Faculty Senate is composed of the voting members of the University Faculty chosen by each college or school or other academic units for membership in the Senate.

Section 2. The number of Senate members allocated to each college, school, or Regional Campus is ten (10) percent of the total voting members of the University faculty in such college, school, or Regional Campus, except that the clinical, teaching faculty from each School of Medicine will be represented by three faculty. Each college, school, or Regional Campus shall establish and publish rules and procedures governing the election of its members to the Senate and the filling of vacancies. Those colleges or Regional Campuses which are departmentalized shall allocate the Senators amongst the departments so as not to exceed the ten (10) percent limit for the total college or Regional Campus (Table 1). At the first election of members to the Senate, each college, school, or Regional Campus shall designate terms of one, two, or three years for its members so that approximately one-third of its members will be allotted each of the terms. Thereafter, members elected to the Senate shall have terms of three years, unless chosen to fill unexpired terms. Senators may serve no more than two consecutive 3-year terms and no more than 9 years in a 12-year period. [Amended 4/1/2020]

Number of faculty	Number of senators for the college, school, or University Campus	Number of faculty	Number of senators for the college, school, or University Campus
1 - 14	1	135 – 144	14
15 - 24	2	145 – 154	15
25 - 34	3	155 – 164	16
35 - 44	4	165 – 174	17
45 - 54	5	175 – 184	18
55 - 64	6	185 – 194	19

65 - 74	7	195 – 204	20
75 - 84	8	205 – 214	21
85 - 94	9	215 – 224	22
95 – 104	10	225 – 234	23
105 – 114	11	235 – 244	24
115 – 124	12	245 – 254	25
125 – 134	13		

Section 3. No later than the opening of the fall term each year, the dean of each college or school and the academic administrator of each University Campus should recalculate the number of members of the Senate to which that college, school, or University Campus is entitled and revise the number of vacancies to be filled accordingly, provided that a reduction in appointments in the Senate of a college, school, or University Campus shall not result in the removal of any senators from such college, school, or University Campus until the expiration of their terms. Elections to fill these vacancies (either new or unexpired terms) shall then be held in time to submit a full roster of senators to the Secretary of the Faculty no later than the first Wednesday in September. The term of office of newly elected senators shall begin with the Senate meeting in September. Vacancies which may occur during the year may be filled by special election, and such Senators shall serve the unexpired term of the seat to which elected. Expansion of faculty during the year shall not increase the number of seats to which a college, school, or University Campus is entitled for that year.

Section 4. Only members of the Faculty Senate, as defined in Section 1 of this Article, may present motions and vote. The chairs of Faculty and Special Advisory Committees are empowered to move the adoption of committee reports, however, and any member of the University Faculty may attend Senate meetings and speak on matters brought before the Senate.

### ARTICLE III - OFFICERS

Section 1. The officers of the Senate shall be a chair, chair-elect, past chair, a –secretary, a secretary-elect, and such other officers as the Senate may from time to time establish. These officers shall perform the duties prescribed by these bylaws and by the parliamentary authority and rules adopted by the Senate. The chair and the secretary shall serve for periods of two years and three years respectively. The person designated to serve as chair will serve for a total of four years on the Senate Steering Committee.

The first year shall be as chair-elect, the second and third years as chair, and the fourth year as past chair. The secretary shall serve a four-year term on the Steering Committee, the first year as secretary-elect and the second, third, and fourth years as secretary.

Section 2. The chair-elect shall be elected at the end of the first year of the chair's two-year term, that is, at the end of the latter's second year of service on the Steering Committee. Nominations for

chair-elect shall be made in accordance with the Guidelines for Nomination of Faculty Senate chair. The guidelines spell out the timetable for nomination and election. The nomination process begins in February and concludes with balloting at the April meeting of the Faculty Senate. Any voting member of the faculty may offer a nomination for chair-elect in accordance with the guidelines for the nomination process. Nominations from the floor at the April meeting are precluded. Tenured voting faculty members are eligible for nomination and need not be a member of the Senate. However, no one whose primary functions are administrative in nature shall be eligible for election to chair-elect unless they are willing to resign from their administrative duties. Nominations for chair-elect will be reviewed for eligibility by the Faculty Senate Steering Committee at the March meeting. Only members of the Senate may vote in the election of the chair-elect. The chair-elect shall assume the office of chair at the first meeting of the fall (i.e. at the beginning of the second year of service on the Steering Committee) and shall preside at that meeting. The secretary-elect shall be elected at the beginning of the third year of the secretary's three-year term, that is, at the beginning of the fall term and the secretary's fourth year of service on the Steering Committee. In this election, the same procedure and rules of eligibility specified for selection of the chair-elect shall apply.

Section 3. If the chair becomes unable to serve in the first year in that capacity, the past chair shall preside at the next regular meeting and shall receive nominations from the floor for a new chair. The new chair shall be elected in the following regular meeting and shall serve as chair the remainder of that term and then serve on the Steering Committee as past chair. If the chair becomes unable to serve in the second year in that capacity, the chair-elect shall assume the office and serve the remainder of that term plus the term to which regularly elected. A new chair-elect shall then be elected at the time specified in Section 2 of this article.

Section 4. Should the secretary become unable to serve in the first or second years of the three-year term, a successor shall be nominated and elected at the next regular meeting. Should the secretary become unable to serve in the third year of the term, the secretary-elect shall assume the office and serve the remainder of that term plus the term to which regularly elected. A new secretary-elect shall be elected at the time specified in Section 2 of this article.

Section 5. If, due to temporary absence or incapacity, neither the chair nor the past chair or chair-elect are able to serve in the capacity of chair, the Faculty Senate Steering Committee shall select a chair pro tempore from its membership. A chair pro tempore so appointed may not be a candidate for chair or chair-elect in the next election. [Amended 11/7/2018]

Section 6. If the chair-elect is unable to continue in that capacity, a call for nominations to the position shall be issued. Election of a new chair-elect shall proceed as described in Section 2, except: a) there shall be at least 21 days between the call for nominations and the election, b) the election shall take place at the first possible meeting of the Faculty Senate, however no such election may be held in the first meeting of the academic year or in the summer meeting. The new chair-elect shall complete the term of the chair-elect being replaced, as described in Section 2. [Amended 11/7/2018]

#### Section 7. Removal of Senate Officers

Any officer of the Senate may be removed from office for failure to perform the specified duties of their office; misconduct or behavior incompatible with the duties or status of their office; and/or

conduct detrimental to their office.

The removal process will be initiated at such a time as ten (10) faculty senators who represent at least five (5) different departments/units from at least two (2) different colleges sign and submit a petition for the removal of a named Senate officer to the chair of the Faculty Advisory Committee. Within two (2) business days after its receipt, a copy of the petition will be provided to both the named officer and the Faculty Senate Steering Committee. Upon receipt of the petition, the Faculty Senate Steering Committee will place the matter on the Faculty Senate's agenda.

If submitted to the chair of the Faculty Advisory Committee at least 21 days before the next scheduled Faculty Senate meeting, the petition will be heard and considered at that meeting. If submitted less than 21 days before the next scheduled Faculty Senate meeting, the petition will be heard and considered at the subsequent meeting. A motion to remove an officer cannot be heard at the summer meeting of the Senate.

When presented to the Senate, the petition will constitute a motion (seconded) for the removal of the named officer. Quorum must exist for the Senate to consider and vote on the motion. In the Senate meeting at which the motion is heard, the chair of the Faculty Advisory Committee will present the motion and serve as chair for the period in which the motion is under consideration; an individual selected by the petitioners will be afforded sufficient time to detail the charges; the officer named in the petition will be afforded equal time to reply to the petitioner's charges.

A two-thirds (2/3) vote of faculty senators present is required to remove an officer of the Senate. In the event that the chair of the Senate is removed from office, the chair-elect will immediately assume the position of chair. The new chair will serve the remainder of the previous chair's term and then a full term as defined in Article III, section 2.

Upon the removal of a Chair, an election for a new Chair-elect will be called in accordance with Article III, section 2 and provisions (a) and (b) of Article III, Section 6. [Amended September 11, 2019]

## ARTICLE IV - MEETINGS

Section 1. Regular meetings of the Senate shall be held monthly during the academic year and once during the Summer Session unless otherwise ordered by the Senate.

Section 2. Special meetings of the Senate can be called by the Chair and such a meeting shall be called upon written request of ten (10) members of the Senate. The purpose of the meeting shall be stated in the call. Except in cases of emergency, at least three (3) days' notice shall be given, and the meeting must be held within ten (10) days from the receipt of the written request.

Section 3. A majority of the members of the Senate shall constitute a quorum, provided however that for the summer meeting a quorum shall consist of the members present.

Section 4. Meetings Held Electronically. Except as otherwise provided in these bylaws, meetings conducted through use of Internet meeting services designated by the Faculty Senate Steering

Committee will support anonymous voting and support visible displays identifying those participating, identifying those seeking recognition to speak, showing (or permitting the retrieval of) the text of pending motions, and showing the results of votes. These electronic meetings of the Faculty Senate shall be subject to all rules adopted by the Faculty Senate, to govern them, which may include any reasonable limitations on, and requirements for, Faculty Senate members' participation. Any such rules adopted by the Faculty Senate shall supersede any conflicting rules in the parliamentary authority, but may not otherwise conflict with or alter any rule or decision of the Faculty Senate. An anonymous vote conducted through the designated Internet meeting service shall be deemed a ballot vote, fulfilling any requirement in the bylaws or rules that a vote be conducted by ballot. [Amended September 9, 2020]

## ARTICLE V - SYSTEM FACULTY LEADERSHIP COUNCIL [Amended June 2, 2021]

Section 1. The University of South Carolina System Faculty Leadership Council provides a representative voice in system affairs and facilitates collaboration among the faculty organizations comprised in the University of South Carolina system. With respect to functions the Board of Trustees delegates to University administration, the Council has a consultative function: it represents the will of the system's faculties to such bodies as may be established to administer system affairs and serves as a means by which system administrators may communicate with faculty. The Council coordinates faculty governance in those areas where the Board of Trustees delegates legislative powers to the faculties of individual campuses, including but not limited to standards of admission, granting of earned degrees, and curriculum. In no instance will the Council usurp authority previously delegated to campus faculties by the Board of Trustees.

Section 2. The USC Columbia Faculty Senate will elect three representatives to the University of South Carolina System Faculty Leadership Council, including one representative from the Palmetto College and any other representatives as required by the bylaws of the Council. The chair of the Faculty Senate (or designee) will also serve on the Council. Council members represent the Senate. The Faculty Senate Steering Committee will seek nominations in February, review them at its March meeting, and present a slate of candidates for election by the Senate at the April meeting. In developing a slate of nominees, the Steering Committee will favor faculty governance experience in such areas as curriculum approvals, faculty welfare, and policy development.

Section 3. Representatives elected to the Council will serve for staggered three-year terms. Vacancies will be filled temporarily by the Senate Steering Committee until the next election cycle, in which nominations to serve the remainder of a vacated term will follow the regular election procedure. In no case may any representative to the Council serve for more than five years continuously.

## ARTICLE VI - ELECTIONS

Section 1. In the case of any positions to be filled by election by the Faculty Senate, nominations for such positions shall be made from the floor, except as provided in Article V and Article VII of these bylaws. Voting shall be by secret ballot, and a majority is required for election.

Section 2. If one position is to be filled, a candidate receiving a majority on the first ballot shall be declared elected. If no candidate receives a majority, the candidates receiving the highest and the next highest number of votes shall be the nominees for a second vote.

Section 3. In multiple-seat elections, as in the case of selection of a committee, for example, the following rules shall operate:

1. Each person voting shall be expected to vote for as many persons as there are positions to be filled, but no ballot shall be invalidated solely because of failure to vote for as many candidates as there are positions to be filled.
2. If the number of candidates receiving majorities is equal to the number of positions to be filled, those receiving majorities shall be declared elected.
3. If the number of candidates receiving a majority is fewer than the number of positions to be filled, any candidate receiving a majority shall be declared elected. For succeeding votes, the number of candidates shall not exceed twice the number of remaining positions. Whenever it becomes necessary under this rule to strike the names of candidates from the list of nominees, the person receiving the fewest number of votes shall be dropped first, and this order shall be followed until the necessary number is dropped.
4. If more candidates receive majorities than there are positions to be filled, the necessary number of candidates having the largest majorities shall be declared elected.
5. When varying terms are to be served by persons elected to multiple-seat positions, the length of term to be served by each shall be determined by lot among those elected.
6. A majority shall consist of one plus the quotient of the total number of the votes cast for all candidates divided by twice the number of vacancies on a given committee.

## ARTICLE VII - COMMITTEES

Section 1. The regular standing committees established by the University Faculty shall constitute standing committees for the Faculty Senate and shall report to the Senate and discharge such duties as the Senate may assign to them. The Senate may establish such additional standing committees as it may deem necessary.

Section 2. Regular election of members to faculty committees shall take place in March of each year. At the March meeting of the Senate, the Faculty Senate Steering Committee shall present a slate of nominees to replace committee members whose terms are expiring. Nominations may also be made from the floor by any member of the University Faculty, and nominations shall remain open at that meeting until adjournment. Within seven (7) days thereafter, the Committee shall send a ballot containing all nominations for contested committee positions to each voting faculty member, with instructions to return the marked ballot within ten (10) days. The election provisions in Article V of these bylaws shall govern the determination of the persons elected and also the

procedure if a runoff is necessary. The result of the election shall be certified to the Secretary of the Senate by the Chair of the Steering Committee.

As early as practicable after the certification of committee elections, the newly created and continuing members of each committee will meet to select the chair for the following year.

Election of members to new committees or to fill vacancies occurring in existing committees may take place as the need arises during the year and will follow the procedure outlined above, except that such special elections need not be held in May.

Section 3. Committee members elected in March will assume office with the beginning of the summer session. The term of outgoing members will end with the close of the summer session. There will thus be a larger than normal number of committee members available for service during the summer.

Section 4. Special committees may be established as the Senate from time to time deems necessary, with the numbers to be selected as directed by the Senate.

Section 5. By policy or at the request of university officials, the Senate will be asked to confirm faculty appointments to committees constituted by administrative offices. The Steering Committee will bring such nominations to the Senate for approval at the meeting of the Senate immediately following notification, provided that such notification occurs no less than one week in advance of the Senate meeting. Failure of the Steering Committee or the Senate to act on such nominations will constitute approval of the appointment. [Amended March 4 2020]

#### ARTICLE VIII - PARLIAMENTARY AUTHORITY

The rules contained in the current edition of *Robert's Rules of Order* shall govern the Senate in all cases to which they are applicable and in which they are not inconsistent with these bylaws or the special rules of order the Senate adopts.

#### ARTICLE IX - AMENDMENT OF BYLAWS

These bylaws may be amended at any regular meeting of the Senate by a two-thirds vote, provided that the amendment has been submitted in writing at the previous regular meeting.

#### ARTICLE X - PUBLICATION OF BYLAWS AND RULES

The Bylaws and Standing Rules of the Faculty Senate shall be published in *The Faculty Manual* and in such other form as may be convenient for distribution, and such publication shall be revised from time to time as deemed necessary.

## **APPENDIX III**

### **STANDING RULES OF THE FACULTY SENATE**

#### **THE UNIVERSITY OF SOUTH CAROLINA**

##### **RULE I - GENERAL**

The Faculty Senate shall operate under the standing rules of the University Faculty, except as those rules are modified herein or by the Bylaws of the Faculty Senate.

##### **RULE II - MEETINGS**

The Faculty Senate shall meet on the first Wednesday of each month from October to April except January. The Chair of the Faculty Senate will select dates for meetings which will be held in the early fall, late spring, mid-summer and January. Each date will be published no later than two weeks prior to the meeting. All members of the University Faculty shall receive notification of meetings, copies of the minutes, and the published agenda for any pending meeting.

##### **RULE III – CONDUCT OF ELECTRONIC MEETINGS [Amended September 9, 2020]**

Section 1. Login information. The Secretary shall send by e-mail to every member of the Faculty Senate, at least three days before each meeting, the time of the meeting, the URL and codes necessary to connect to the Internet meeting service, and, as an alternative and backup to the audio connection included within the Internet service, the phone number and access code(s) the member needs to participate aurally by telephone. The Secretary shall also include a copy of, or a link to, these rules.

Section 2. Login time. The Secretary shall schedule Internet meeting service availability to begin at least 15 minutes before the start of each meeting.

Section 3. Signing in and out. Members shall identify themselves as required to sign into the Internet meeting service, and shall maintain Internet and audio access throughout the meeting whenever present, but shall sign out upon any departure before adjournment.

Section 4. Quorum calls. The presence of a quorum shall be determined by the Parliamentarian and communicated to the chair via the chat function at the beginning of the meeting. Thereafter, the continued presence of a quorum shall be determined by the online list of participating members, unless any member demands a quorum count by audible roll call. Such a demand may be made following any vote for which the announced totals add to less than a quorum.

Section 5. Technical requirements and malfunctions. Each member is responsible for his or her audio and Internet connections; no action shall be invalidated on the grounds that the loss of, or poor quality of, a member's individual connection prevented participation in the meeting.

Section 6. Forced disconnections. The chair may cause or direct the disconnection or muting of a member's connection if it is causing undue interference with the meeting. The chair's decision to

do so, which is subject to an undebatable appeal that can be made by any member, shall be announced during the meeting and recorded in the minutes.

Section 7. Assignment of the floor. To seek recognition by the chair, a member shall use the “raise hand function” or similar function provided by the Internet meeting service being used. Upon assigning the floor to a member, the chair shall clear the online queue of members who had been seeking recognition. To claim preference in recognition, another member who had been seeking recognition may promptly seek recognition again, and the chair shall recognize the member for the limited purpose of determining whether that member is entitled to preference in recognition.

Section 8. Interrupting a member. A member who intends to make a motion or request that under the rules may interrupt a speaker shall use the chat feature for so indicating, and shall thereafter wait a reasonable time for the chair’s instructions before attempting to interrupt the speaker by voice.

Section 9. Motions submitted in writing. A member intending to make a main motion, to offer an amendment, or to propose instructions to a committee, shall, before or after being recognized, post the motion in writing to the online area designated by the Secretary for this purpose, preceded by the member’s name and a number corresponding to how many written motions the member has so far posted during the meeting (e.g., “SMITH 3:”; “FRANCES JONES 2:”). Use of the online area designated by the Secretary for this purpose shall be restricted to posting the text of intended motions.

Section 10. Display of motions. The Secretary shall designate an online area exclusively for the display of the immediately pending question and other relevant pending questions (such as the main motion, or the pertinent part of the main motion, when an amendment to it is immediately pending); and, to the extent feasible, the Secretary, or any assistants appointed by him or her for this purpose, shall cause such questions, or any other documents that are currently before the meeting for action or information, to be displayed therein until disposed of.

Section 11. Voting. Votes shall be taken by the anonymous voting feature of the Internet meeting service, unless a different method is ordered by the Faculty Senate or required by the rules. When required or ordered, other permissible methods of voting are by electronic roll call or by audible roll call. The chair’s announcement of the voting result shall include the number of members voting on each side of the question and the number, if any, who explicitly respond to acknowledge their presence without casting a vote. Business may also be conducted by unanimous consent.

Section 12. Video display. The chair, the Secretary, or their assistants shall cause a video of the chair to be displayed throughout the meeting and shall also cause display of the video of the member currently recognized to speak or report.

#### RULE IV- ORDER OF BUSINESS

The order of business in the Faculty Senate shall be as follows:

1. corrections to and approval of minutes;

2. reports of officers, to include reports of the President and any Vice-Presidents of the University who have matters to report to the Faculty Senate;
3. reports of faculty committees, in the following order:
  - Athletics
  - Curricula and Courses
  - Faculty Senate Steering
  - Faculty Advisory
  - Scholastic Standards and Petitions
  - Faculty and Board Liaison
  - Admissions
  - Grievance
  - Faculty Welfare
  - Student Faculty Relations
  - Honorary Degrees
  - Board of Governors, Faculty House
4. reports of special committees;
5. report of the Secretary;
6. special orders (including elections);
7. unfinished business;
8. new business;
9. announcements.

#### RULE V - AGENDA

Section 1. An agenda shall be prepared and circulated to each member of the University faculty before each regular meeting of the Faculty Senate, along with the minutes of the previous meeting, at least three (3) working days prior to such meetings. In order to accomplish this purpose, chairs of standing or special committees, and individual members of the Senate who have business to bring before the Senate shall so notify the Secretary of the Senate by no later than the twentieth (20) of the month preceding the meeting at which such business is to be presented. Failure to notify the Secretary in time to include an item of business on the printed agenda shall not bar consideration of such item, but priority shall be given to the business on the published agenda.

Section 2. Members of the University Faculty who are not members of the Senate but who wish the Senate to consider a matter which would otherwise not appear on the published agenda shall notify the Secretary, who shall list the matter as a request for consideration.

Section 3. The Senate shall not give final consideration to any substantive legislative matters not included on the published agenda of the meeting at which introduced, unless by a two-thirds vote the Senate shall agree to consider such matters.

#### RULE VI - ELECTIONS

Elections shall be conducted in the manner provided in the Bylaws of the Faculty Senate.

#### RULE VII - VOTING

Except in the case of elections, voting shall be by voice vote or, upon request of the Chair, a show of hands. If the outcome of the vote is in doubt, the Chair may call for a show of hands or a division and order a count. Upon request of any member and a twenty-five (25) percent vote in support of such request, the Chair shall order a count. Upon request of any member and a majority vote in support of such request, the Chair shall order a roll-call vote, which shall be recorded in the minutes.

#### RULE VIII - EXECUTIVE SESSIONS

The Senate may, in extraordinary circumstances, by majority vote go into Executive session for the conduct of any business. While in Executive Session only members of the Senate, other voting members of the University Faculty, and special invitees may be present.

#### RULE IX - VISITORS

Section 1. The Senate may, by majority vote, permit any person to attend and address the Senate during part or all of any Senate meeting.

Section 2. The Chair of the Board of Trustees of the University of South Carolina, or a designated representative, is invited to attend all open meetings of the Faculty Senate, with the privilege of the floor.

Section 3. The President of the Student Body, the Vice-President of the Student Body, and the student members of the Student-Faculty Relations Committee may attend all open meetings of the Faculty Senate and, when requested by the Senate, may make reports thereto.

Section 4. The Director of University Publications and Printing, or the Director of Media Relations, and accredited members of the press may attend all open meetings of the Faculty Senate.

#### RULE X - RELEASES TO THE PRESS

The Chair and Secretary of the Faculty Senate may, after each meeting of the Senate, inform any members of the press, upon request, of any matters transpiring in such meeting, unless otherwise ordered by the Senate.

## **APPENDIX IV**

### **BENEFITS AND PRIVILEGES**

All benefits are subject to state regulations, university policies and procedures, the individual plan document, and the duly executed and recorded Notice of Election forms.

#### **INSURANCE PROGRAMS**

In conjunction with the state of South Carolina, the university has a comprehensive program of insurance and annuity plans for eligible members of the faculty and staff and their eligible dependents. These plans include state health insurance, prescription benefits, dental insurance, vision care, life insurance, long-term disability insurance, flexible spending accounts, auto and homeowners' insurance, cancer protection and hospital confinement insurance. Information about these plans may be obtained from the Division of Human Resources.

#### **DEFERRED COMPENSATION AND TAX-DEFERRED ANNUITIES**

The university offers a variety of tax-deferred programs and will make payroll deductions for tax-sheltered annuities, but cannot contribute to their cost. RETIREMENT Faculty members are entitled to all available benefits under law and through the state retirement system or the optional retirement program. The university may provide part-time employment for retired faculty on an annual basis. It may approve part-time service upon the written request of a retired faculty member, the recommendation of the chair or dean, and the approval of the provost and president.

#### **THE SOUTH CAROLINA RETIREMENT SYSTEM**

This section is subject to interpretation by the South Carolina Retirement System (SCRS) and to changes the General Assembly might enact. See the SCRS Handbook for current information.

This section is subject to interpretation by the South Carolina Retirement System and to changes the General Assembly might enact. The state guarantees a formula return based on average salary and years of credited service with the retirement system. Currently, there are two classes of 15 membership: Class Two and Class Three. Class Two members are generally employees who currently have earned service credit in SCRS or a correlated retirement system for a period of service prior to July 1, 2012. Class Three members are those members who do not currently have earned service in SCRS or a correlated retirement system for a period of service prior to July 1, 2012.

Class Two members may retire with full-formula benefits at age sixty-five with five years of credited years or with twenty-eight years of credited service. Members with fewer than twenty-eight credited years may retire with reduced benefits at age fifty-five with twenty-five credited years or at age sixty with at least five credited years.

Class Three members may retire with full-formula benefits at age sixty-five with eight years of credited years or meet the Rule of 90 requirement with at least eight years of earned service credit.

This means that your age and years of service credit must add up to 90. Members may retire with reduced benefits at age sixty with at least eight credited years.

Active members may establish additional service credit for various types of previous employment and leaves of absence, and up to five years of nonqualified service, which is a type of service credit not associated with any specific employment. When you leave your money in your SCRS account, you retain your years of service credit, which may be added to any future service you may accrue should you later become employed in a position covered by one of the correlated retirement systems administered by PEBA. Your account will continue to earn interest until it becomes inactive. An account is considered inactive when no contributions have been made to the account in the preceding fiscal year and no other active, correlated system or State ORP account exists. You may apply for a refund at a later date or apply for a service retirement benefit upon reaching eligibility.

Faculty members may purchase service credits for certain military, federal, or out-of-state service, or for nonmember prior service with a South Carolina public agency.

If you are a Class Two member, you must have at least five years of earned service credit toward retirement unless your disability is the result of an injury arising out of and in the course of the performance of your job duties. If you are a Class Three member, you must have at least eight years of earned service credit toward retirement unless your disability is the result of an injury arising out of and in the course of the performance of your job duties.

At the death of a contributing member who has at least twelve months of credited service, the retirement system shall pay to the member's beneficiary a death benefit equal to the member's annual base salary. If the deceased contributing member has at least fifteen years of creditable service, the beneficiary has other survivor options.

#### OPTIONAL RETIREMENT PROGRAM

Faculty members hired on or after July 1, 1987, may choose to enroll in the optional retirement program. State law requires that they contribute at the same rate as faculty members contribute to the state retirement system. Members of the optional retirement program are immediately vested for both the employee and employer contributions. This program does not include the disability benefits provided by the state retirement system. Retirement, death, and disability benefits are based on the cash value of the faculty member's account.

#### WORKERS' COMPENSATION

Faculty members injured on the job or suffering an occupational illness or disease may be eligible for workers' compensation benefits. If a work-related accident or illness occurs, faculty members should promptly receive medical care; notify their immediate supervisor, chair, or dean; and submit a "First Report of Injury" form, which is available from the Division of Human Resources. Failure to submit a form promptly can jeopardize a claim. When faculty members miss work because of a work-related injury, they must state in writing on forms available from the Division of Human Resources whether they will use available leave time or receive workers' compensation for the time lost from work.

## EMPLOYEE ASSISTANCE PROGRAM

The university offers an employee assistance program for faculty who need help solving personal or work-related problems. Information about this benefit may be obtained from the Division of Human Resources.

## TUITION ASSISTANCE PROGRAM

Eligible faculty and staff members may apply to their supervisor, chair, or dean to take, tuition-free, one three-hour course (or a four-hour laboratory course) per academic term.

## TRUSTEES ENDOWMENT FUND

The Trustees Endowment Fund provides funds for faculty assistance and is administered by the chair of the Faculty Senate, the provost, and the president.

## ATHLETICS TICKETS

Admission to athletic events is available to the faculty and members of their immediate families at substantially reduced season-ticket rates. Tickets at these special prices shall not be sold or transferred. Notices giving details of application procedures are sent to the faculty; incoming faculty members should contact the business manager of the athletic department promptly after their arrival, as faculty seating is limited.