April 22, 1996

THE FACULTY MINUTES

The second and final regular meeting of the Faculty of The College of Charleston for the academic year 1995-1996 convened at 5:00 p.m. on Monday, April 22 in the recital hall of the Albert Simons Center for the Arts, Speaker of the Faculty Robert Mignone presiding. Susan Morrison served as Parliamentarian. The Minutes of the previous meeting (September 11, 1995) were approved as circulated.

President Alexander M. Sanders, Jr. was introduced and spoke very briefly, saying that he apologized for not being able to stay for the balance of the meeting, but that urgent business required his immediate attention, and he hoped everyone would have a good summer. After the President left, the Speaker thanked the outgoing Faculty Secretary for his “seventy two years” [sic] of service in that capacity [actually, only fifteen] and presented him with a really beautiful gift -- a fountain pen -- and a card signed by several past Speakers, inscribed “for all the years of quiet competence and a steady hand.” The Secretary believed this was intended as a compliment, and gratefully shook hands with David Mann, George Pothering, Michael Finefrock, Herb Silverman, and Mr. Mignone.

The Provost, Conrad Festa, then thanked the faculty for a successful year, and noted that some fundamental issues have arisen, such as the impending review of General Education at the College, that will offer a rare and perhaps unique opportunity to make a contribution to higher education in general: not hyperbole, he said, but the truth. He also conveyed his best wishes for the summer.

New Business

The Speaker then asked for a motion to “suspend the rules” to allow discussion of a matter not on the agenda, which had been raised at the concluding meeting of the Faculty Senate on April 16 -- namely, the pending legislation to permit the carrying of concealed weapons. On the next day, April 17, the Board of Trustees had adopted a Resolution on this issue, and the Speaker said he thought it would be both useful and appropriate for the faculty, in turn, to endorse the Trustees’ statement. The motion to suspend was approved, on a voice vote. Accordingly, the following RESOLUTION was introduced on behalf of the faculty:
THE COLLEGE OF CHARLESTON FACULTY JOINS WITH THE BOARD OF TRUSTEES IN THE FOLLOWING RESOLUTION OPPOSING "...ANY LEGISLATION THAT WOULD PERMIT THE PRESENCE OF FIREARMS ON THIS CAMPUS, OTHER THAN THOSE CARRIED BY LAW ENFORCEMENT OFFICERS OR OTHER APPROPRIATE PERSONS, AND WOULD URGE THE DEFEAT OF ANY LEGISLATION THAT PERMITS, CONDONES OR ENCOURAGES THIS PRESENCE AT THE COLLEGE OF CHARLESTON."

This was the language of the Trustees:

The College of Charleston is a community committed to the ideals of higher learning. In order to carry out this mission, the College strives to provide a safe and secure campus. Accordingly, the College of Charleston employs an extensive security force, consisting of well-trained, professional state law enforcement personnel. Additionally, to maintain the peace and protect the various College constituencies, the College of Charleston bans the presence of firearms on campus, except for those carried by law enforcement or other authorized persons.

It is our understanding that the South Carolina General Assembly is currently considering legislation regarding permits for carrying concealed weapons. This legislation, as it is presently written, poses a tremendous risk to the College of Charleston community, since it authorizes individuals to carry firearms on this campus. Though the legislation prohibits carrying these weapons into college athletic events and school administration buildings, these prohibitions are wholly inadequate to address the danger to the college community caused by having firearms on campus. Clearly, in a college or university setting, the risks posed by armed individuals on campus significantly outweigh whatever perceived benefits of self-protection arise by allowing persons to carry firearms on our campus.

It is the fervent belief of the College of Charleston Board of Trustees that the presence on campus of firearms, whether concealed or open, jeopardizes the safety and well-being of the entire College community and is wholly antithetical to the mission of this institution. THEREFORE, BE IT RESOLVED this 17th day of April, 1996, that the College of Charleston Board of Trustees is wholly opposed to any legislation that would permit the presence of firearms on this campus, other than those carried by law enforcement officers or other appropriate persons, and would urge the defeat of any legislation that permits, condones or encourages this presence at the College of Charleston.
During the discussion, George Pothering asked about the background of the gun bill in the Legislature: was it going to pass? Mr. Mignone said that the bill itself may pass, but if enough opposition around the State becomes evident, then there may be an amendment to ban the carrying of guns on campus. Guns are already banned in public schools. Andy Abrams insisted that the Board’s Resolution is not an attempt to rewrite the actual legislation, but to let the legislators know what their constituents are thinking on this important issue. The Board at the University of South Carolina is considering making a similar statement. Stephen Jones vigorously opposed the Resolution, saying that he taught at night and simply wished to claim his Second Amendment rights; he should be allowed, he said, to carry a legal and duly authorized concealed weapon on campus for the purpose of legitimate self-protection. Mr. Abrams said that there were serious difficulties in defining what the exact, legal area-limits of “the campus” are; but these difficulties may not be a bad thing in getting the legislation amended. In the event, the Resolution passed unanimously, on a voice vote. [Secretary’s note: a single, clear “nay” was heard, but from an Adjunct Instructor who was not a member of the “roster” faculty and, therefore, not entitled to vote.]

A motion was then introduced to approve the preliminary list of degree candidates for graduation in May. Andrew Lewis asked, as a point of information, whether this approval carried with it the usual provision that it was contingent upon the completion of all requirements, as certified by the Registrar’s Office. The answer was yes, and the motion passed. The list is attached to the Secretary’s copy of the Minutes.

**Election of Faculty Committees**

At the request of the Committee on Nominations and Elections, standing committees of the faculty for the next academic year were approved as previously nominated, with three exceptions: First, a replacement had been necessary on the slate of the Library Committee; this was accepted, and the Committee declared elected. Then, ballots were handed out to elect two committees for which additional nominations had been received (the Committee on Nominations and Elections itself, and the Faculty Welfare Committee). Results were reported later, and a corrected list of “Committees and Officers of the Faculty for 1996-97” circulated as part of the “Highlights” of the meeting. This list is attached to the Secretary’s copy of the Minutes, and will be updated near the start of the Fall Semester.

**For the Good of the Order**

Richard Nunan then requested that his remarks that follow, and the Resolution they contain, be read into the permanent record of the meeting.
“During the College of Charleston Faculty Senate meeting of Tuesday, 4/16/96, the Faculty Committee on Tenure, Promotion, & Third Year Review submitted its annual report to Bob Mignone, Speaker of the Faculty, and distributed copies to Senate members. This memo included an expression of concern, on the part of the Committee, that the College Administration has occasionally initiated promotion proceedings for selected faculty members outside the criteria required for promotion by the College of Charleston Faculty/Administration Manual. The T&P Committee went on to make requests that the Administration desist from this practice, and that the Faculty Senate issue its own opinion concerning the practice.

“At our AAUP Chapter meeting on Wednesday, 4/17/96, the members present approved the attached resolution on behalf of the CofC Chapter of the AAUP on this issue. It was subsequently put to a mail ballot among all CofC AAUP members, and received unanimous support from responding faculty.

“I would like to preface this resolution with a few observations:

“First, this resolution is offered in a constructive spirit. Members of your local AAUP chapter believe that President Sanders and Provost Festa are to be commended for their energetically vocal public advocacy of the institution of academic tenure in the face of some ongoing legislative and media attacks on that important tradition. Not all chief executive & academic officers of colleges and universities around the State have been as supportive of academic integrity; indeed, some of them have been overtly hostile to the preservation of tenure as an institution. But we don’t live in a perfect world even here at the College. Therefore your local AAUP Chapter members feel that it is important to remind our Administration that careful attention to the process which jointly governs Faculty and Administration officials involved in tenure and promotion decisions is essential to the future preservation of the integrity of that process.

“Second, apart from the possible ill effects which inattention to process may create for the integrity of the peer review system upon which we rely for tenure and promotion decisions, any decisions made outside the normal channels of evaluation are likely to invite litigation by faculty who were denied tenure and/or promotion as a consequence of going through the standard process.

“Finally, this resolution does not speak to cases where rank and tenure are being negotiated at the time of initial employment. The AAUP recognizes that Colleges and Universities need flexibility in the terms of initial employment in order to attract distinguished researchers for senior faculty positions and to attract able candidates for higher-level positions in academic administration. Accordingly, the AAUP Red Book furnishes guidelines about maximal, but not minimal, length of probationary status for academic appointees with previous experience (cf. Red Book 4, 22, 69-70).”
RESOLUTION ON CofC TENURE & PROMOTION EVALUATION PRACTICES

AAUP, COLLEGE OF CHARLESTON CHAPTER

4/17/96

The College of Charleston Chapter of the AAUP believes that all tenure and promotion decisions should be entertained through the normal & usual procedures and should be evaluated by the criteria provided in the College of Charleston Faculty/Administration Manual. Tenure and promotion decisions initiated by the Administration outside the normal procedure (and for which there are no stated criteria) will ultimately result in precedents that are bad for the morale of those faculty attempting to comply with provisions of the Manual. Should faculty perceive that tenure and promotion decisions are sometimes made by the Administration for personal or political reasons, then the criteria & standards of the Manual could be undermined. This could place in question the quality of the academic programs and the faculty at the College.

Furthermore any instances of faculty promotion proceedings which don't adhere to either the procedures or the criteria set forth in the Faculty/Administration Manual may violate AAUP recommendations concerning tenure and promotion practices. The 1990 Edition of the AAUP Policy Documents & Reports Red Book states:

Faculty status and related matters are primarily a faculty responsibility; this area includes appointments, reappointments, decisions not to reappoint, promotions, the granting of tenure, and dismissal...Scholars in a particular field or activity have the chief competence for judging the work of their colleagues...Likewise there is the more general competence of experienced faculty personnel committees having a broader charge. Determinations in these matters should first be by faculty action through established procedures, reviewed by the chief academic officers with the concurrence of the board. The governing board and president should, on questions of faculty status, as in other matters where the faculty has primary responsibility, concur with the faculty judgment except in rare instances and for compelling reasons which should be stated in detail.

--Section V,
"Joint Statement on Government of Colleges and Universities"*
In view of these concerns, the AAUP respectfully recommends that the Administration discontinue the unwise practice of awarding tenure or promotion outside of the procedures and requirements outlined in the Manual.

*Statement jointly formulated by the American Association of University Professors (endorsed by Board, October, 1966; by general membership, April 1967), the American Council on Education (endorsed October, 1966), and the Association of Governing Boards of Universities and Colleges (endorsed November, 1966).

After Mr Nunan was through, Reid Wiseman suggested strengthening the language of the Resolution by substituting “would” for “could” in the first paragraph, to make the last two sentences read, “Should faculty perceive that tenure and promotion decisions are sometimes made by the Administration for personal or political reasons, then the criteria of the Manual would be undermined. This would place in question the quality of the academic programs and the faculty at the College.” The Resolution passed unanimously, on a voice vote.

With no further business, the meeting adjourned sine die, at about 6:25 p. m.

Respectfully submitted,

Bishop Hunt,
Faculty Secretary

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CHANGE IN THE BY-LAWS

[Note: later in April, by a vote of 181-8 on a written ballot, the faculty ratified the following CHANGE IN THE BY-LAWS, as introduced at the February Senate meeting, amended by the Senate Committee on the By-Laws and Faculty/Administration Manual, and amended again and approved at the March Senate meeting:

Append to Article IV, Section 2F:

If an at-large Senator needs to be replaced in the second year of a term, the Senate will elect the replacement by written ballot. The Committee on Nominations will provide a slate of at least two candidates circulated to the faculty at least two weeks before the Senate meeting. Additional nominations from the faculty may be sent to the Chair of the Committee on Nominations at least ten days before the Senate meeting.