Faculty Newsletter
The College of Charleston
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FACULTY SALARIES IN SOUTH CAROLINA
Here is the current (4-6-88) status of the cola (cost of living adjustment) clause of the state's budget bill for next year. The House has passed a 4% cola. There is a plan there to add approximately 1% to that as a bonus distributed this way: for those making less than $20K, a one-time only (not added to base levels) $259; for those above $20K, the figure would be $129. This would be paid in December. The Senate has not acted yet. Sources indicate the Senate may drop the bonus and add maybe 1% to the cola. Provisions are not attached yet as to whether this would apply to academic employees.

There is a modification in the FAM regarding salary adjustments for those tenured and promoted (see page A-42). Rather than what appears there, a flat figure is being given for tenure and promotion. Disclosure of that figure has been promised.

There is resistance to funding the state colleges at "full formula." This phrase addresses the percentage of monies allocated to the schools based on the Southeastern average for comparable state colleges. Our current formula, which CHE calls "full" because it acknowledges the monies we actually receive, is somewhere near 90% of that Southeastern average. In other words, we are budgeted at less than the average comparable school in the region.

FOR YOUR INFORMATION
--Andy Abrams has been given the added responsibility of "Executive Athletic Director." Further specification and information about this surely will be forthcoming.
--There will be a preliminary discussion between Dr. Lightsey, Dr. Festa, Dr. Hines, and Ms. Bond concerning whether the policy that permits faculty to teach overloads for extra pay is a sound policy. David Mann asked to be invited to this meeting; Dr. Festa refused the request.
--Last fall the Library profited from a conference on book and serial acquisitions. Books were purchased with those monies--approximately $1000 was spent on, among other titles, The Japanese Financial System and Oxford Anthology of Shakespeare. Katina Strauch organizes and hosts the annual conference, which last fall was attended by representatives of 150 libraries from all over the country. The library is already looking forward to the proceeds from next year's meeting.

Library Circulation System Computerized
by Sheila Seaman (Library)

Now that the library has converted to the new computerized circulation system, there is more accurate information about the status of borrowed materials. The circulation system is designed to provide more timely reporting and control than was possible with the old manual system. With all the changes, however, we are still keeping our old policies in effect. Books are charged to faculty for a semester (actually 180 days from the check out date). After this time, if books are not returned or renewed faculty will receive overdue reminder notices. At that time, you will need to return or renew the books. You may renew books by phone--call 792-8001. Faculty who receive overdue notices still remain fine exempt. If you don't renew or return overdue items, you will receive a bill 195 days after the due date. We automatically assume that the book is lost if it is not renewed or returned after six months. Failure to renew books promptly may also cause you delays at check out.

Also, the reserve system has been computerized. For photocopies of journal articles, the titles listed on the form will be the ones we enter on the computer system. Please make sure to give us the name of the student the title given on the reserve request form. We also suggest that you do not send students over with your reserves.

We are quite pleased with our new circulation system. It seems to have eliminated waiting periods filling out circulation cards. Circulation activity is up 12-15%. We can keep up with shelving and other activities that we neglected at times in the past. But we need your help and your suggestions to improve even more. So don't hesitate to let us know what you think about our work.

ANNOUNCEMENTS:
--Dr. Rose Hamm has been appointed as Honors Program Director for a five-year term.
--Dr. David Mann was elected Speaker of the Faculty at the March faculty meeting. The term is one year. Congratulations or condolences to both.

FACULTY MEETING MONDAY
APRIL 11TH, 5:00 pm,
Simons Fine Arts Center
What Does Judge Bork Have To Do With The College of Charleston Faculty Manual?
by David S. Mann, Speaker of the Faculty

All year long I have resisted writing editorials. It has been my policy that FN would serve as a device to communicate information and not the personal views of the Speaker. But there is a pattern emerging that warrants discussion on these pages.

The "Bork hearing" last summer was a unique opportunity to receive a valuable lesson about the Constitution. In one of his published commentaries, Bork had written:

[W]e are entering... a period in which our legal culture and constitutional law may be transformed... Moral harms are not to be counted [this school of legal transformation claims] because to do so would interfere with the autonomy of the individual...

The result of discounting moral harm is the privatization of morality, which requires the law of the community to practice moral relativism. It is thought that individuals are entitled to their moral beliefs but may not gather as a community to express those moral beliefs in law. Once an idea of that sort takes hold in the intellectual world, it is very likely to find lodgment in constitutional theory and then in constitutional law...

It is unlikely... that a general constitutional doctrine of the impermissibility of legislating moral standards will ever be formed. So the development I have cited, though troubling, is really only an instance of a yet more worrisome phenomenon, and that is the capacity of ideas that originate outside the Constitution to influence judges (1984 at 2-5; emphasis added).

The problem for Judge Bork last summer was his view of how to read interpret the Constitution. His view is that the Constitution should be read and interpreted as the framers had intended at the time. Any values not possessed by the framers, any attempt to go beyond the plain words of the Constitution, is a function that judges should not exercise. He went on to say that if the words aren't plain and/or if the intentions of the framers cannot be located, the words cannot be understood or interpreted at all.

Focus on the Faculty Manual. It states that matters of academic policy are the prerogative of the faculty: "The faculty shall be concerned with all matters relating to the academic program, the curriculum, admissions and continuation standards, the grading system, degree and certificate requirements, and the utilization of the intellectual resources of the College" (Faculty By-laws, Article II, Section 2). Part of Article II Section 4 is worth citing as well: "The faculty shall be the legislative body of the College for all academic matters."

If Judge Bork were the interpreter, no doubt he would argue that there is a difference between the responsibilities of the faculty in Section 2 and Section 4. "All academic matters" is more broad than the language of Section 2. Judge Bork would look to the "intent of the framers" of the Manual to understand what was meant by those phrases. But what if "original understanding" was vague or indeterminate? He might decline to offer any interpretation of the document at all.

I differ with Judge Bork. Perhaps my difference is based on the fact that I wasn't here at the "founding." Perhaps it is because I cannot interpret some words found in those sections literally. I don't see a need to alter the language of the Manual every time a word change, when proposed, would seem to cure an acute ailment. The unanticipated consequences of some word changes lead, like the after effects of taking certain medications, to unwanted side-effects. If my view rather than Judge Bork's holds, then the result permits changing interpretations of the Manual.

The fact is that there are a variety of ways to interpret the Constitution--most are summarized by Bobbitt (1982). Clearly, Bork's is one way. Bobbitt calls it historical. Simply read the text the way the framers wrote it, based on their intentions. Another way is through textual interpretation. This method allows the interpreter to fill in the gaps left by the framers but with the framers' intentions fully in mind. Another is the doctrinal method, which permits judges to frame rules of law based on the text of the Constitution. One example is the Miranda rule, which was based on a general application of the 4th, 5th, and 6th Amendments. Yet another argument is "prudential," which requires the judge to balance various constitutional clauses against one another. The accused has the right to a trial by impartial jury, but no judge can order the press to withhold public information from a public trial. Structural arguments look at the sources of power of the various branches of government, as stated in the Constitution, and build inferences from those structures and powers. There are also ethical and hermeneutic arguments. And there is an argument that the Constitution is a source of aspiration toward which we all should strive as a people (see Barber; Murphy, et.al.).

It is the last view that I personally favor. And this view relates to how I read the Faculty Manual. We aspire toward certain goals and objectives as a College and as a faculty. We cannot be bound to a literal or "plain view" continued on the next page
Bork and the Manual—continued

Perspective of the Manual or its By-laws. For example, the By-laws state that the faculty shall meet once a month. We don’t meet once a month; we do meet once a month—approximately—during the nine month school year.

Looking at the Manual’s plain words only—Judge Bork’s favorite view—may bind us to words that are undefined and perhaps even incapable of definition. We can call for a structural, doctrinal, historical, textual, ethical, or even a hermeneutic understanding (one that is beyond my own ability to fathom). And we do. “Plain words” assist. Committee service is limited and restricted by plain words that are followed. But we also have to permit the Manual to grow by interpretation. I urge all—administration and faculty alike—to think in terms of aspiration. What is it we wish to be?

There are several interpretive changes afoot. In each instance, “plain words” do not assist adequately to arrive at an understanding of the Manual. These interpretive changes may be troublesome and difficult. All quite clearly relate to Article II, Sections 2 and 4 of the By-laws.

First, suppose there were a proposal to reduce or eliminate overload/pay for faculty. Such a change would radically affect course offerings, staffing, and department instructional FTE. Such changes also would radically affect faculty morale, salary levels, and the mutual respect that faculty and administration (should) have toward each other. I would call that potential change as one that would affect academic programs. Any personnel policies that affect academic programs are the prerogative of the faculty.

Second, if there were changing interpretations about criteria for hiring, those interpretations—properly documented—must be brought before the faculty for (at least) ratification. Some changes here might very well be sound. One need not possess the terminal degree in one’s field to teach freshman sections; universities do it all the time. Most of us got our original classroom training as teaching assistants, and we may have been better instructors than the Ph.D.’s for whom we were working. Such a change affects academic programs. Changes should come before the faculty for consideration.

Third, if there were a change in the definition of “professional growth and development” which would relate to third year review, tenure, promotion, or merit raises, that change should be brought before the faculty for ratification. Since most of the tenured faculty are not mobile—we will probably remain here for the rest of our academic careers—the “carrot and stick” approach seri-

ously affects faculty.

Fourth, if there were to be a change in the basic mission of the College, the change must be proposed and ratified by the Faculty—even if the Board of Trustees has a final voice in the matter. We may be heading away from basic service to the low-country students and toward a more statewide and regional population of undergraduates. Such a change would have a serious and lasting impact on academic programs. It should be brought before the faculty.

How is the Manual being reinterpreted? Whatever is done should be communicated in a clear fashion. I would hope that by retaining the records of the Manual as it evolves we can understand its “growth and development” so that we can understand the interpretations laid down as well as understand what is necessary for our “growth and development.” Faculty and Administration alike have to realize there is decreasing mobility among the professorate, low morale, changing enrollment patterns, inflation that exceeds cost of living adjustments, and more work required than time permits. Merely changing words in attempts to make plain what cannot be made plain is futile. But thinking about the College is what we strive to do. It is our aspiration. Unless we end up being like Judge Bork.

Sources


THE LAST EDITION OF THE NEWSLETTER FOR THIS ACADEMIC YEAR WILL CONTAIN FACULTY COMMITTEE REPORTS. PLEASE SUBMIT COMMITTEE REPORTS IN LATE APRIL. THANK YOU VERY MUCH FOR YOUR HELP THIS YEAR.

—dsm
LEADS:
Leadership Education for Alcohol/Drug and Driving Safety
by Carol Toris (Psychology)

Recent events on our campus have underscored the importance of educating our students (and other members of the C of C community) with regard to the potentially dangerous effects of alcohol and drug use. Needless to say, this need is not unique to our campus. Colleges and universities across the country have steadily increased their commitment to the crucial role of education in the prevention of alcohol and drug abuse and its often tragic consequences.

Unfortunately, many students arrive on our campus as experienced and active alcohol and drug users. For example, about one-half of incoming freshmen surveyed during orientation last summer reported that they drink alcoholic beverages at least once or twice a week. About twenty percent of the students who drink would be classified as heavy drinkers, drinking several times a week or more. In fact, about one out of every twelve of the drinking students reported having been arrested in an alcohol-related incident. Approximately one out of every eight students (including non-drinkers) had already been involved in an alcohol-related vehicular accident.

Compared to alcohol, the reported use of other drugs was considerably lower; about four percent of the students described themselves as frequent users of marijuana; about twelve percent claimed that they "sometimes" used it. Self-described frequent or occasional use of barbiturates, amphetamines, cocaine, heroin, LSD, or PCP was reported by fewer than three percent of the students for any given drug.

Since January of 1987, we have been fortunate to have on our campus a program, funded by the Division of Public Safety Programs and the Office of Highway Safety, designed to afford students and faculty opportunities to learn up-to-date information about the effects alcohol and drug use, particularly as that use relates to highway safety.

The four primary goals of the LEADS project are: (1) to establish a training program for student peer leaders, (2) to organize alcohol/drug and driving safety education programs for fraternities, sororities, dormitories, and other groups on campus, (3) to redesign and distribute an alcohol education booklet for all incoming students, and (4) to continue to assess patterns of alcohol and drug use on campus.

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GRANT PROPOSALS SUBMITTED
October thru December '87

Sam Hines (Academic Affairs): Faculty Development--US Department of Education--$108,147 requested for professional development funds for faculty
Patricia Jenks (Fine Arts): Gary Greenburg Exhibit--SC Arts Commission--$1,000 granted for sculpture exhibit
Patricia Jenks (Fine Arts): Henri Riviere: Prints--SC Arts Commission--$1,000 granted for historical art prints exhibit
Phillip Dustan (Biology): Deep Coral Reef Populations--UNC Wilmington--$5,632 requested for studying the topic
Robert Dillon (Biology): Hard Clam Genetics--Sea Grant--$20,117 requested to continue research on the topic
Cari Whitney (Biology): Geogr. Variation In Wood Thrush Song--NSF--$8,330 requested to compare songs of the birds for various geographical locations
Charles Beam (Chemistry): Undergraduate Chemistry Research--NSF--$73,440 requested to expand program
Charles Beam (Chemistry): Novel Multiple Anion Syntheses of Heterocyclic Compounds--Research Corp.--$10,000 requested to conduct research
Charles Beam (Chemistry): Strong-Based Syntheses Utilizing Multiple Anions--NSF--#36,855 requested to continue research
Frank Kinard (Chemistry): High Field NMR--Self Foundation--$125,000 requested for purchase of equipment
Jack Parson (Institute for Public Affairs): James Is. Public Service District--(same)--$5,245 requested to conduct a classification/compensation study
Jack Parson (Institute for Public Affairs): Coastal Zone Management Handbook--Sea Grant Consortium--$992 granted to publish a guidebook of resources on CZM
Martin Perlmuter (Philosophy): Inst. for Serious Students of Philosophy--US Dept. of Education--$20,358 requested to establish a more intense level of learning for Serious Students of Philosophy

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LEADS...continued

Of specific interest to faculty members are the fifty-minute presentations (lecture and discussion format) that are offered by the student peer leader team on the following topics: Responsible Use of Alcohol; How to Help a Friend; Cocaine--Facts versus Myths; Marijuana--The Harmless Drug?

If you would like to schedule a presentation for a class or other group, or if you have any questions concerning this project, please contact Deborah Seabrook, LEADS Coordinator (792-5522). Her office is located in the Student Affairs suite, Randolph Hall.

THANKS TO DC, LD, PG, KS, SS, CT, AND ECM FOR ASSISTANCE WITH THIS ISSUE OF THE NEWSLETTER