



**WINSTON-SALEM**  
STATE UNIVERSITY

# Faculty Handbook

**Effective December 8, 2017**

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THIS EDITION SUPERSEDES ALL PREVIOUS EDITIONS. THE POLICIES HEREIN ARE CONSISTENT WITH THE GENERAL STATUTES OF THE STATE OF NORTH CAROLINA AND THE CODE OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

WINSTON-SALEM STATE UNIVERSITY DOES NOT PRACTICE OR CONDONE DISCRIMINATION, IN ANY FORM AGAINST STUDENTS, EMPLOYEES, OR APPLICANTS ON THE BASIS OF RACE, COLOR, CREED, AGE, NATIONAL ORIGIN, RELIGION, SEX, DISABILITY OR VETERAN STATUS.

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## I. UNIVERSITY ORGANIZATION AND ADMINISTRATION

Winston-Salem State University is one of seventeen constituent institutions of the University of North Carolina, as described in The Code of the Board of Governors, The University of North Carolina (hereafter referred to as *The Code*), Chapter I, Section 102. Originally founded as separate institutions, the original sixteen four-year schools became part of “a single, multi-campus university” on July 1, 1972. Each school retains autonomy through its own chancellor and Board of Trustees, but all are subject to *The Code* and the authority of the University of North Carolina Board of Governors. Winston-Salem State University is a comprehensive institution offering degree programs at the baccalaureate and graduate levels.

### THE UNIVERSITY OF NORTH CAROLINA

#### Board of Governors

Members of the University of North Carolina Board of Governors are elected by the North Carolina Senate and House of Representatives (*The Code*, Chapter II, Section 200 B.1.a). The Board is charged to “plan and develop a coordinated system of higher education in North Carolina.” It has the authority to “determine the functions, educational activities and academic programs of the constituent institutions” and to “set enrollment levels.” It may delegate parts of its authority to the chancellors and Boards of Trustees of the constituent institutions, and it may rescind such delegations at will (*The Code*, Chapter II, Sections 203.A.1-3, 5 and 9).

#### The President

The President of the University of North Carolina is elected by the Board of Governors. He/she is “the chief administrative and executive officer of the University” and speaks for the University to the legislature, the state, the alumni, the news media, and the public at large. He/she is charged to “promote the general welfare and development of the University in its several parts and as a whole,” and he/she is a member of the faculty of each of the constituent institutions (*The Code*, Chapter V, Sections 500.A and C).

#### Faculty Assembly

The Faculty Assembly of the University of North Carolina is made up of representatives from each of the constituent institutions. The Faculty Assembly gathers and exchanges information on behalf of the faculties represented, and advises and communicates with the Board of Governors and the president of the University concerning the interests of faculties. From Winston-Salem State University the delegates to the Faculty Assembly are the chair of the Faculty Senate and three elected members of the Senate, one regular and two alternates.

## WINSTON-SALEM STATE UNIVERSITY

Winston-Salem State University was founded as the Slater Industrial Academy on September 28, 1892, beginning in a one-room frame structure with 25 pupils and one teacher. It was recognized by the State in 1895, and in 1897 the State chartered it as the Slater Industrial and State Normal School. Its concern for excellence in the training of elementary school teachers led to the General Assembly's recognition of its curriculum above high school in 1925, a change that included empowerment to confer appropriate degrees under the authority of the State Board of Education. The newly re-named Winston-Salem Teachers College thus became the first Black institution in the nation to grant degrees for teaching the elementary grades. A nursing program was established in 1953, and programs in secondary education and other areas were authorized in 1957. In 1963 this expansion of purpose was recognized by changing the institution's name to Winston-Salem State College, and the current name was adopted in 1969. On July 1, 1972, Winston-Salem State University became one of the constituent institutions of the University of North Carolina, the first campus of which was chartered in 1789.

### Board of Trustees

Like most of the other constituent institutions, Winston-Salem State University has a Board of Trustees composed of eight members elected by the Board of Governors, four members appointed by the Governor of North Carolina, and the president of the Student Government Association, who is an *ex officio* member. State employees, including employees of the constituent institutions, members of the General Assembly, and the spouses of state employees and members of the General Assembly, are barred from serving on the Board of Trustees. The Trustees promote the university's development, advise the Board of Governors on matters related to the school, and advise the chancellor on matters related to management and development. A list of trustees may be found on the Board of Trustees web site.

### Chancellor

The chancellor's relation to the constituent institution is defined in section 502.D of *The Code*. Its first part summarizes the chancellor's authority:

Subject to policies established by the Board of Governors, the board of trustees, or the president, the chancellor; [*sic*] shall be the leader of and the official spokesman for the institution; he shall promote the educational excellence and general development and welfare of the institution; he shall define the scope of authority of faculties, councils, committees and officers of the institution; and all projects, programs and institutional reports to be undertaken on behalf of the institution shall be subject to his authorization and approval.

The chancellor is a member of the faculty, with the right to preside over any legislative body of the faculty, and is charged to "insure the establishment of appropriate procedures within the institution to provide members of the faculty the means to give advice with respect to questions of academic policy and institutional governance" (*The Code*, section 502.D.2).

The Office of the Chancellor consists of three executive assistants to the chancellor, five vice chancellors, the legal counsel, the internal auditor, the athletic director, and the EEO/AA officer. The Faculty Senate, with at least one elected representative from each academic unit, advises the chancellor and his/her staff on matters essential to the effectiveness and future development of the university.

## **Board of Visitors**

The Board of Visitors is a group comprised of individuals with background and broad expertise in specific disciplines. The primary purpose of this group is to confer with representatives of major academic units on instructional and support service matters, to facilitate adherence to the university's mission, to advise the Board of Trustees and the chancellor on issues related to enhancing quality and excellence, to serve as ambassadors for the university, and to assist in obtaining needed resources for program development. The membership listing and the by-laws of the Board of Visitors are on file in the offices of the chancellor and the vice chancellor for academic affairs and on the Board of Visitors website. The Board of Visitors meets twice each academic year, fall and spring, in concert with the regularly scheduled Board of Trustees meeting.

## **Winston-Salem State University Foundation Board**

The Winston-Salem State University Foundation, Inc. was created in 1970 to generate financial resources for the support of the university, over and beyond state appropriations, through private giving. Winston-Salem State University is the sole benefactor of all gifts to the Winston-Salem State University Foundation.

The Winston-Salem State University Foundation is a designated non-profit corporation under the General Statutes of North Carolina, whose authority is independent of the university. The office of this autonomous board is on the campus of Winston-Salem State University.

Contributions and gifts to the Winston-Salem State University Foundation may be made by faculty, staff, alumni, students, corporations, foundations and other interested friends of the university. Receipt of funds requires daily record processing by the Development Services Manager. The member listing and the by-laws of the Foundation Board are on file in the offices of the chancellor and the vice chancellor for advancement.

## **Administrative Divisions of the University**

Winston-Salem State University is divided into five divisions (Academic Affairs, Student Affairs, Finance and Administration, University Advancement, and Management and Strategic Initiatives) and the Office of the Chancellor. The functions of these divisions are briefly described below. (The overall administrative structure is depicted in the organizational chart on page 16.)

### **Division of Academic Affairs**

The Division of Academic Affairs is responsible for the coordination of all phases of the academic program of the university. It coordinates the use of instructional facilities and educational equipment, assists in the preparation of the university's budget, confers with other administrative officials on matters of policy or problems relating to academic affairs, implements the academic regulations of the university and the University of North Carolina, certifies the satisfaction of degree requirements, and facilitates a broad category of activities and issues that include faculty appointment, tenure and promotions, post-tenure reviews, teaching and service recognition, and awards. (See page 17, below, to view an organizational chart of this division.)

The provost and vice chancellor for academic affairs (hereafter provost) administers this division and is the chief academic officer. The division contains five academic units:

- The College of Arts and Sciences
- The School of Business and Economics
- The School of Education and Human Performance
- The School of Health Sciences.
- The School of Graduate Studies and Research

Administrative units reporting to the provost include:

- Administration and Planning
- Evening and Weekend College
- Information Technology
- Institutional Planning, Assessment, and Research
- Lifelong Learning
- Undergraduate Programs
- University College

Facilitators of the division include the deans of the academic units and chairpersons of academic departments.

The academic dean is responsible for the successful coordination of all departments in his/her school/college. The dean serves as the liaison between department chairpersons and the provost. The dean makes recommendations for faculty promotions and non-reappointments in conjunction with the department chairperson and in accordance with university policy.

The department chairperson is responsible for the scope, content, and quality of courses and instruction in the department. The chairperson is responsible for cooperative planning with members of the department, directing the work of the department, and cooperating with chairpersons of other departments in matters regarding policies. He/she is responsible for organizing committees for recruiting new faculty and reviewing non-tenured faculty, making recommendations to the dean for promotion in rank, increments in salary, reappointment and tenure. The chairperson is also responsible for having regularly scheduled departmental meetings and special called meetings, arranging courses, preparing the departmental budget, supervising departmental expenditures, making recommendations for library materials, evaluating programs and faculty, recruiting, and recommending faculty and staff for employment. The contractual term of a department chair, unless otherwise noted, is typically twelve months. Functions of the department chair revert to the appropriate dean during any period of absence.

### **Division of Student Affairs**

The purpose of the Division of Student Affairs is to support the academic success of undergraduate and graduate students; to foster students' psychological, social, emotional, spiritual, vocational, ethical, and physical development; and to enhance the quality of campus life for all students. The division consists of the following units:

- Student Judicial Affairs
- Housing and Residence Life
- Counseling Center
- Student Health Services
- Student Development
- Career Services
- Campus Life (Thompson Student Center, Campus Recreation, Student Activities)
- Fitness Center
- Technology Services
- Student Advocacy and Adult & Graduate Student Services

The vice chancellor for student affairs is responsible for all activity and services provided by the departments within the division of student affairs.

## **Division of Finance and Administration**

The Division of Finance and Administration exists to provide campus-wide administrative and fiscal services in support of the university's primary mission of instruction and public service. This division records financial transactions, safeguards physical and financial assets, allocates resources, and procures and delivers basic university services. These functions are performed within the areas of accounting, budget and analysis, business services, police and public safety, purchasing, facilities procedures, along with appropriate financial and administrative systems. The division's operations are in accordance with the policies and procedures of the University of North Carolina General Administration, the State of North Carolina, and the federal government. The division provides financial information for senior management, UNC General Administration, external supporters, and the Board of Trustees to facilitate compliance and inform decision making.

The division includes these units:

- Finance and Administration
- Facilities Management
- Controller
- Systems and Processes
- Business Services
- Purchasing
- Contracts and Grants
- Police and Public Safety
- Budget and Analysis

## **Division of University Advancement**

The Division of University Advancement is responsible for institutional advancement. It coordinates the activities of media relations, alumni relations, and development. It initiates and monitors contacts with appropriate individuals, agencies, and foundations to solicit funds to assist in the fulfillment of the objectives of the university. Fund-raising activities and the acceptance of gifts to the university must be cleared with the vice chancellor for university advancement. The division, in certain instances, assists faculty in identifying likely funding sources.

The division includes these units:

- Advancement
- Development for Athletics
- Annual Fund
- Alumni Relations
- Major Gifts
- Corporate and Foundation Relations

## **Division of Management and Strategic Initiatives**

The purpose of the Division of Management and Strategic Initiatives is to ensure that the university's planning efforts and the chancellor's priorities and management initiatives are communicated, well- coordinated, and implemented. It will coordinate the work of senior officers and deans in an effort to develop an integrated approach to academic and administrative activities that entail cooperative efforts with multiple divisions or schools. It will also be responsible for various university initiatives.

The Office of Human Resources and the Division of Enrollment Management are in this division.

## **Faculty Senate**

The Faculty Senate exercises the legislative powers of the General Faculty. It also consults with and advises the chancellor and his/her administrative staff on matters essential to the effectiveness and future development of the university (Reference: Constitution of the General Faculty, WSSU, May 2007, Article III, Section 1).

## **Faculty Committees<sup>1</sup>**

Further faculty input in university governance (as well as appropriate participation by staff and students) is ensured through committees of the General Faculty and standing committees of the Faculty Senate. See *The Code*, Section 502.D (2). The committees below are described in the Constitution of the General Faculty Winston-Salem State University, as amended May 10, 2007 (hereafter called Faculty Constitution), Article II, Section 8.

Because of the structure of the University of North Carolina, all committees must be advisory in nature. Committee recommendations that require policy or major procedural changes are forwarded to the appropriate administrative unit for consideration. Any recommendation affecting university policy must be referred to the chancellor by senior administrative heads. Committee chairpersons should contact the appropriate senior administrator, in writing, when (1) a response is not received within a reasonable period of time or (2) when a recommendation has been disapproved and the committee is dissatisfied with the reason(s) given.

In order to ensure fully functioning faculty committees at the beginning of each academic year, elections for all such committees will be conducted before the end of the spring semester of the preceding academic year. Elections will take place at the departmental or school/college level as appropriate for the committee. Department chairs and deans will be responsible for ensuring that the elections take place and the results are reported to the chair of the faculty senate prior to the end of the spring semester.

## **Statutory Committees of the General Faculty**

### The Faculty Grievance Committee<sup>2</sup>

This statutory committee is authorized to hear, mediate and advise with respect to the adjustment of grievances of faculty members. It reviews matters related to the faculty member's employment status and institutional relationships within Winston-Salem State University.

The committee is comprised of thirty elected members as follows: College of Arts and Sciences: four assistant professors (2 delegates, 2 alternates), four associate professors (2 delegates and 2 alternates), and four professors (2 delegates and 2 alternates); Each of the Schools (Business and Economics, Education and Human Performance, and Health Sciences): two assistant professors (1 delegate, 1 alternate), two associate professors (1 delegate and 1 alternate), and two professors (1 delegate and 1 alternate). No administrator at the level of department chair, dean, or higher may

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<sup>1</sup> Committee election timing revised 03-29-2012

<sup>2</sup> Committee election timing revised 03-29-2012



serve on this committee. Delegates and alternates serve staggered two-year terms and may be reelected once.

Elections for this committee will be conducted at the school/college level before the end of the spring semester of the preceding academic year. The deans shall ensure that such elections take place and the results are reported to the chair of the faculty senate prior to the end of the spring semester. Since a committee member of the department of an applicant excludes himself or herself from a case involving his or her department, deans should ensure that alternates and delegates represent as many of the departments within that academic unit as possible.

Delegates who are promoted from assistant professor to associate professor or from associate professor to full professor or who become an administrator at the level of department chair, dean, or higher will be required to step down from the committee at the point in time that their promotion is effective. An election shall be held immediately upon such promotion among those individuals who are eligible to serve and the new individual shall serve out the remainder of the delegate's term. Any individual who is elected to replace a delegate on the committee shall be eligible to serve for two full consecutive terms following the term for which he or she acted as a replacement.

The chairperson of this committee will serve a term of two years and may be reelected once. Selection of the chair by committee members will occur at the first meeting of the fall semester.

See Section 607 in *The Code* for the guidelines about this committee and Chapter IV, Section XI of this Handbook for its procedures.

### The Tenure and Promotion Committee<sup>3</sup>

This statutory committee reviews matters of faculty concern and makes recommendations to the provost/vice chancellor for academic affairs, who reviews them with the chancellor for final decision. Concerns include promotion and tenure.

The committee is comprised of twenty-six elected senior faculty members—thirteen delegates and thirteen alternates. Delegates and alternates serve staggered four-year terms, and may be reelected. No administrator at the level of department chair, dean, or higher may serve on this committee. The nine delegates and alternates shall be elected by the full-time faculty of the College of Arts and Sciences (4 delegates/4 alternates), School of Business and Economics (3 delegates/3 alternates), School of Education and Human Performance (3 delegates/3 alternates), and School of Health Sciences (3 delegates/3 alternates).

Elections for this committee will be conducted at the school/college level before the end of the spring semester of the preceding academic year. The deans shall ensure that such elections take place and the results are reported to the chair of the faculty senate prior to the end of the spring semester. Since a committee member of the department of an applicant excludes himself or herself from a case involving his or her department, deans should ensure that alternates and delegates represent as many of the departments within the school as possible.

The chairperson of this committee will serve a term of one year and may be reelected. Selection of the chair by committee members will occur at the first meeting of the fall semester.

This committee carries out policies required by Section 602 (3) of *The Code*. Its procedures are described in Chapter IV, Section IV of this Handbook.

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<sup>3</sup> Committee election timing revised 03-29-2012

### Faculty Hearing on Discharge and Nonreappointment Committee

A faculty member who has been discharged, suspended, or not re-appointed for reasons considered relevant to total institutional interests may request a hearing before this statutory committee on the written specification of reasons for the intended discharge.

The committee is comprised of ten elected senior faculty members—five delegates and five alternates. No administrator at the level of department chair, dean, or higher may serve on this committee. Delegates and alternates serve a staggered two-year term, and may be reelected. The five delegates and alternates shall be elected by the full-time faculty of the College of Arts and Sciences (2 delegates/2 alternates), School of Business and Economics (1 delegate/1 alternate), School of Education and Human Performance (1 delegate/1 alternate), and School of Health Sciences (1 delegate/1 alternate).

The deans are responsible for conducting the committee elections in their respective college or school meetings at the start of the fall semester. Since a committee member of the department of an applicant excludes himself or herself from a case involving his or her department, deans should ensure that alternates and delegates represent as many of the departments within the school as possible.

The chairperson of this committee will serve a term of one year and may be reelected. Selection of the chair by committee members should occur at the first meeting of the fall semester.

The three different types of cases that can come before this committee are handled in different ways. For cases involving discharge or the imposition of serious sanctions during a faculty member's tenure, see Sections 603 of *The Code* and Chapter IV, Section IX of this Handbook. References for cases involving suspension (termination) due to financial exigency appear in Section 605 of *The Code* and Chapter IV, Section X of this Handbook. Finally, the committee may review cases involving nonreappointment at the end of a fixed term of service to determine if the decision was due to Impermissible Grounds or procedural error. More information appears in Section 604 of *The Code* and Chapter IV, Section VII of this Handbook.

Statutory Committees: Numbers of Members, Numbers of Alternates, and Term Lengths<sup>4</sup>

| Committee Name                                    | Number of Members   |                                  |   |                           |       | Term  |
|---|---|----------------------------------|---|---------------------------|-------|-------|
|   | College of Arts and Sciences  | School of Business and Economics | School of Education and Human Performance | School of Health Sciences | Total |       |
| Tenure and Promotion                              | 4 Senior Faculty delegates, 4 Senior Faculty alternates (4 Sr / 4 Sr) | 3 Sr / 3 Sr                      | 3 Sr / 3 Sr                               | 3 Sr / 3 Sr               | 26    | 4 yrs |
| Faculty Hearing on Discharge and Nonreappointment | 2 Sr / 2 Sr   | 1 Sr / 1 Sr                      | 1 Sr / 1 Sr                               | 1 Sr / 1 Sr               | 10    | 2 yrs |
| Faculty Grievance                                 |   |                                  |   |                           | 30    | 2 yrs |
| Assistant Professor                               | 2 del./2 alt.   | 1 del./1 alt.                    | 1 del./1 alt.                             | 1 del./1 alt.             |       |       |
| Associate Professor                               | 2 del./2 alt.   | 1 del./1 alt.                    | 1 del./1 alt.                             | 1 del./1 alt.             |       |       |
| Professor   | 2 del./2 alt.   | 1 del./1 alt.                    | 1 del./1 alt.                             | 1 del./1 alt.             |       |       |

Other Committees of the General Faculty

These committees are described in the Faculty Constitution, Article II, Section 8.

Academic Calendar Committee

This committee shall be responsible for reviewing and making recommendations on the university academic calendar. The committee shall be comprised of ten elected faculty members—five delegates and five alternates (2 delegates/2 alternates from the College of Arts and Sciences; 2 delegates/2 alternates from the School of Business and Economics; 1 delegate/1 alternate from the School of Education and Human Performance; and 1 delegate/1 alternate from the School of Health Sciences). Deans are responsible for conducting elections in their respective college or school meetings at the start of the fall semester. A representative from the Office of the Provost shall serve on this committee as chair and as a voting member.

University Governance Committee

This committee shall be responsible for ensuring that the principles of shared governance are being implemented. The committee shall ensure that there is faculty representation on university committees. One elected delegate and one alternate from each school or college shall serve on this committee. Deans are responsible for conducting elections in their respective college or school meetings at the start of the fall semester.

<sup>4</sup> Committee election timing revised 03-29-2012

### Academic Standards and Curriculum Committee

This committee shall review and make recommendations on new undergraduate degree program requests, curricula revisions, and changes in undergraduate academic programs, following review and approval by the department/school/college/division. This committee shall also discuss, review, and recommend changes in existing policies related to the academic programs of the university. All requests for policy changes shall come to this committee after they have been reviewed and approved by the department/school/college/division.

Each academic department at Winston-Salem State University shall elect a tenured or tenure-track faculty member and an alternate to serve on this committee for a term of two years. The Faculty Senate chair and/or vice chair shall serve on this committee, the provost shall serve as an *ex-officio* member, and the chair shall be elected by the committee members.

The last section of this chapter discusses this committee's role in the procedure for curriculum change.

### Graduate Council

This committee shall review and make recommendations on new graduate degree program requests, curricula revisions, and changes in graduate academic programs, following review and approval by the department/division/school/college. This committee shall also discuss, review, and recommend changes in existing policies related to the graduate academic programs of the university. All requests for policy changes shall come to this committee after they have been reviewed and approved by the department/school/college/division.

Each graduate department at Winston-Salem State University shall elect a tenured or tenure-track graduate faculty member and an alternate to serve on this committee for a term of two years. The Faculty Senate chair and/or vice chair shall serve on this committee, the provost and graduate dean shall serve as *ex-officio* members, and the chair shall be elected by the council members.

The last section of this chapter discusses this committee's role in the procedure for curriculum change.

Professional Development Committee This committee shall review and make funding recommendations on matters that enhance professional effectiveness of faculty members in the areas of teaching, research, and service. Although the individual departments allocate travel funds, this committee assumes the other responsibilities of the former Faculty Development Committee and Committee on Professional Development.

Each academic department at Winston-Salem State University shall elect a full-time faculty member and an alternate to serve on this committee for a term of two years. The Faculty Senate chair and/or vice chair shall serve on this committee, the provost and or other senior academic administrators shall serve as *ex-officio* members, and the chair and the vice chair shall be elected by the committee members.

### Academic Integrity Committee

This committee shall conduct hearings of cases where students are accused of academic dishonesty. The committee shall consist of seven (7) faculty members [five (5) regulars and two (2) alternates], selected by the Faculty Senate. The academic ranks of the faculty members shall include one (1) assistant professor, two (2) associate professors, and two (2) professors. The academic ranks of the faculty alternates shall be one (1) assistant professor and one (1) associate professor or professor. The committee also shall include two (2) student members and two (2) student alternates, selected by the Student Government Association. A chair shall be elected from the faculty on the committee. Members shall serve for one academic year.

The committee shall hear the allegations, in accordance with the hearing procedures outlined in Section III of the Academic Integrity Policy.

Members and Alternates of Other Committees of the General Faculty

| Committee Name                  | Number of Members / Alternates |                                  |   |                          |                      |                              | Other Members   | Restrictions on Members and Alternates   | Chair   | Term  |
|---------------------------------|--------------------------------|----------------------------------|---|--------------------------|----------------------|------------------------------|---|--|---|-------|
|                                 | College of Arts and Sciences   | School of Business and Economics | School of Education and Human Performance | School of Health Science | Academic departments | General Faculty <sup>5</sup> |   |  |   |       |
| Academic Calendar               | 2 del,<br>2 alt<br>(2 / 2)     | 1 / 1                            | 1 / 1                                     | 1 / 1                    |                      |                              | Up to 9 administrators from Student Affairs, Admissions, Registrar, etc., including representative from provost's | Faculty                                  | Representative from provost's office              |       |
| University Governanc            | 1 / 1                          | 1 / 1                            | 1 / 1                                     | 1 / 1                    |                      |                              |   | Faculty                                  |   |       |
| Academic Standards & Curriculum |                                |                                  |   |                          | 1 / 1                |                              | Faculty Senate chair and/or vice chair<br><i>Ex-Officio:</i> provost  | Tenured or tenure-track faculty          | Elected by committee members                      | 2 yrs |
| Graduate Council                |                                |                                  |   |                          | 1 / 1 (grad depts )  |                              | Faculty Senate chair and/or vice chair<br><i>Ex-Officio:</i> provost, graduate                                    | Tenured or tenure-track graduate faculty | Elected by Council members                        | 2 yrs |
| Professional Development        |                                |                                  |   |                          | 1 / 1                |                              | Faculty Senate chair and/or vice chair<br><i>Ex-Officio:</i> provost and/or other senior academic                 | Full-time faculty                        | Chair and vice-chair elected by committee members | 2 yrs |

<sup>5</sup> Nominated from the General Faculty and elected by the Faculty Senate

| Committee Name     | Number of Members / Alternates |                                  |   |                          |                      |                              | Other Members | Restrictions on Members and | Chair              | Term |
|--------------------|--------------------------------|----------------------------------|---|--------------------------|----------------------|------------------------------|---------------|-----------------------------|--------------------|------|
|                    | College of Arts and Sciences   | School of Business and Economics | School of Education and Human Performance | School of Health Science | Academic departments | General Faculty <sup>1</sup> |               |                             |                    |      |
| Academic Integrity |                                |                                  |   |                          |                      | 5/2                          | 2/2           |                             | Elected by Council | 1 yr |

### **Standing Committees of the Faculty Senate**

These committees are described in the Faculty Constitution, Article III, Section 11.

#### Executive Committee

The executive committee shall be comprised of the officers of the Faculty Senate. This committee shall be responsible for assisting the chair of the Faculty Senate on issues such as appointing chairs of Faculty Senate and other university committees and task forces, developing and reviewing resolutions, etc.

#### Nominating Committee

This committee shall be responsible for nominating candidates for vacancies on the statutory committees of the university and the standing committees of the Faculty Senate. The Nominating Committee shall submit to the secretary of the Faculty Senate a slate of candidates for the Faculty Senate committees.

#### Committee on Academic Freedom, Tenure, Promotion and Evaluation

This committee shall review, amend, and/or create (within the limitations of *The Code*) criteria used for evaluating faculty for promotion and tenure, as well as reviewing issues relating to academic freedom.

#### Budget Committee

This committee shall have the primary responsibility for reviewing and making recommendations on the budget, the priorities which inform allocations to various programs, and the criteria for allocation or cuts in allocation to the various programs.

Committee on Faculty Welfare and Salaries

This committee shall review and make recommendations on those factors that affect faculty welfare and contribute to the professional satisfaction of the faculty, including compensation, benefits, teaching loads, administrative support, working conditions, and retirement programs.

Faculty Handbook Committee

This committee shall have the primary responsibility of reviewing and/or making changes to the Faculty Handbook consistent with *The Code*, the Granting of Management Flexibility (in the UNC Policy Manual, Section 600.3.4) to WSSU by the Board of Governors, and the Faculty Constitution.

Members of Faculty Senate Committees

| Committee   | Members (Senators)                    | Other Members (General Faculty)  | Comments   |
|---|---------------------------------------|--|--|
| Executive   | Officers of the Faculty               |  |  |
| Nominating  | 4 senators, one per school or college |  | Elected by senators at the last Faculty Senate meeting of the spring semester by secret  |
| Academic Freedom, Tenure, Promotion, and Evaluation | At least 3 tenured senators           | 2 at-large General Faculty members shall be elected (1 professor or associate professor and 1 assistant professor) |  |
| Budget  | 3 senators                            | Other General Faculty members as deemed appropriate  | Chair (a senator) will serve as member of the chancellor's University Budget Advisory Committee.<br><br>A member of the Division of Finance and Administration shall serve as an <i>ex-officio</i> , |
| Faculty Welfare and Salaries                        | 3 senators                            | Other General Faculty members as deemed appropriate by the Faculty Senate  | Chair is a senator.  |
| Faculty Handbook                                    | 5 senators (2                         | Other General Faculty  | Chair is a senator.  |

| Committee | Members (Senators)   | Other Members (General Faculty)  | Comments  |
|-----------|--|--|---|
|           | professors, 1<br>associate professor,<br>1 assistant<br>professor, | members as deemed<br>appropriate by the<br>Faculty Senate                          | A member of the Office of the<br>Provost shall serve as an <i>ex-<br/>officio</i> , nonvoting member. |
| Bylaws    | 3 senators   | Other General Faculty<br>members as deemed<br>appropriate by the Faculty<br>Senate | Chair is a senator.   |

#### Other Standing and Ad Hoc Committees

Other committees are appointed by the chancellor's office, or any organized body or unit of the institution.

#### The Role of the Faculty in the Process of Curriculum Change and Academic Policies

The faculty assumes primary policy-making responsibility for curriculum matters including graduation requirements; general education requirements for undergraduates; the establishment of new degree programs (including online programs); developing, evaluating, and modifying existing and proposed courses and programs; the establishment of, or making substantive changes to, majors; the elimination or consolidation of degree programs; the establishment of individual new courses; setting minimal general degree requirements for the university; setting additional minimal admission standards for individual schools, colleges, departments, or programs; establishing standards for the granting of academic credit; establishing grading systems; developing grade appeal policies for the university; and setting academic policies concerning withdrawals, probation, suspension, retention, and repetition of courses. These responsibilities are outlined in Article II, Section 3 of the Faculty Constitution (May 11, 2007).

All curricular changes begin with the departmental faculty. Following review and approval by the departmental faculty and departmental chair, a curriculum or academic policy proposal is submitted to the dean of the college or school for review and approval before it is considered by the curriculum approval bodies of the university.

The university has three curricular and policy-making bodies. The Academic Standards and Curriculum Committee, comprised of representatives from each academic department and the provost (*ex officio*), reviews proposals that address undergraduate programs. The Graduate Council, comprised of representatives from each academic department that offers graduate programs, and *ex officio* academic administrators (provost and the graduate dean), reviews proposals from graduate programs. The Professional Education Council, comprised of representatives from each program that offers a teacher certification program and academic administrators (including the provost), reviews and approves all proposals that involve teacher certification programs before they are presented to either the Academic Standards and Curriculum Committee or the Graduate Council. These bodies make recommendations to the provost and, if approved, the proposal goes to the next level of review/approval or action is taken to implement the proposal.



Proposals that can be approved at the campus level include new courses, changes in existing courses and programs, and academic program policy changes. Forms are provided for the submission of changes to courses and policy changes. Following approval of the departmental faculty, department chair, and dean, the proposal is reviewed/approved by the appropriate curricular and policy-making body. After the provost approves course changes and policy changes, the proposals are implemented unless the policy changes must be approved by the Board of Trustees. Policies relating to Satisfactory Academic Progress, Academic Integrity, etc., must be approved by the Board of Trustees. Approved curricular and policy changes are included in the next published version of the catalog.

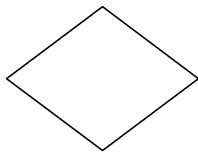
After proposals that involve the development of degree programs or alternate delivery of degree programs have been approved by the appropriate campus bodies, they must be reviewed and approved by the University of North Carolina General Administration and the Board of Governors. Guidelines for developing programs are described in the Academic Program Development Procedures Manual in UNC Policy Manual, Chapter 400.1.1, and are posted on the UNCGA's website under Academic Planning. The process for developing programs involves the completion of an *Intent to Plan* proposal and an *Authorization to Establish* proposal. The *Intent to Plan* proposal is posted on GA's website. Following approval by the provost and chancellor, the *Authorization to Establish* proposal is submitted to UNCGA for review and approval by the Board of Governors.

Flow Chart: Process for Curriculum Change within the University

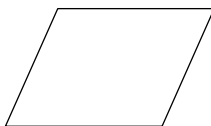
The chart below has the following legend:



A unit that makes a recommendation and passes it on

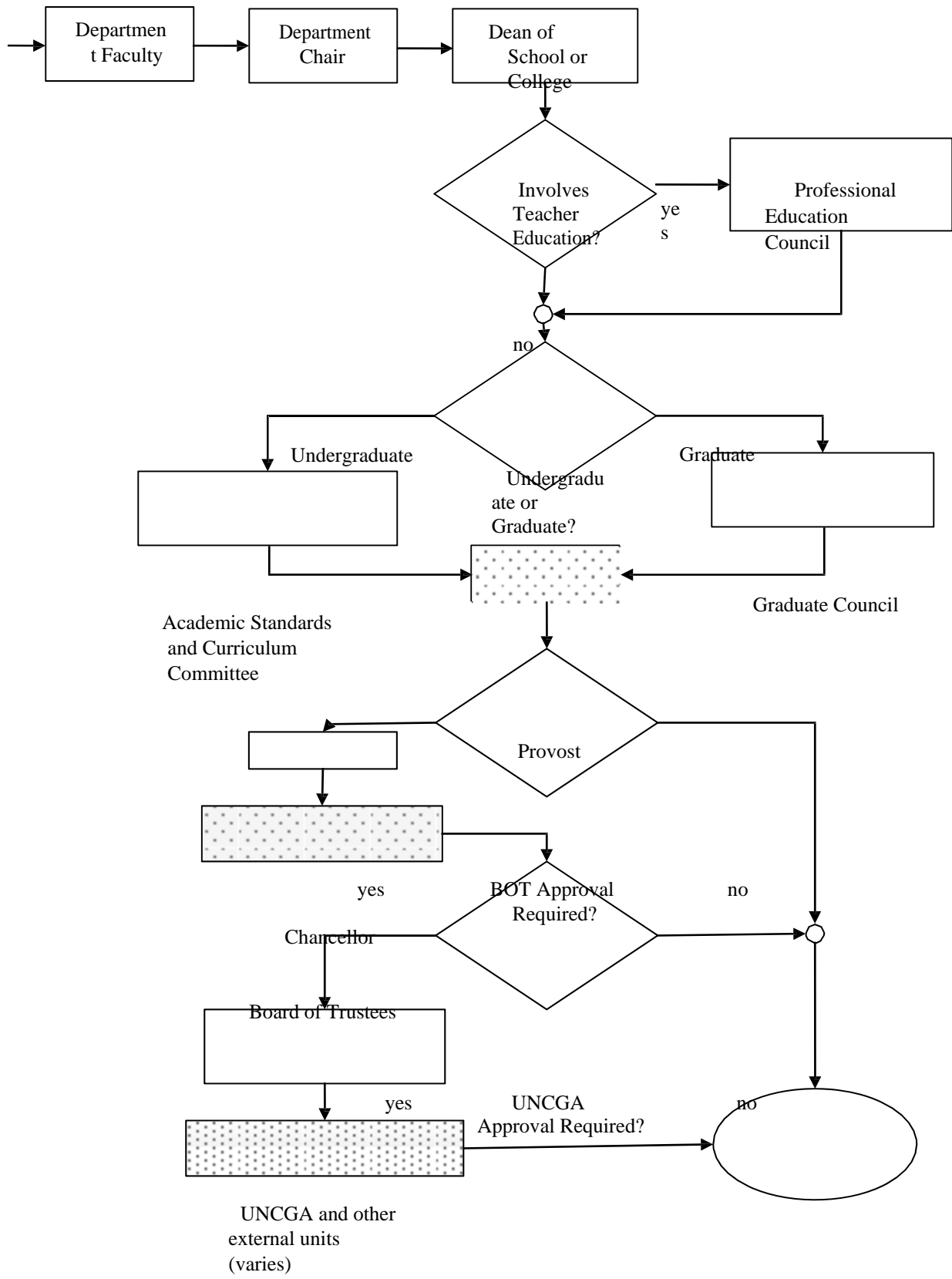


A unit that makes a decision

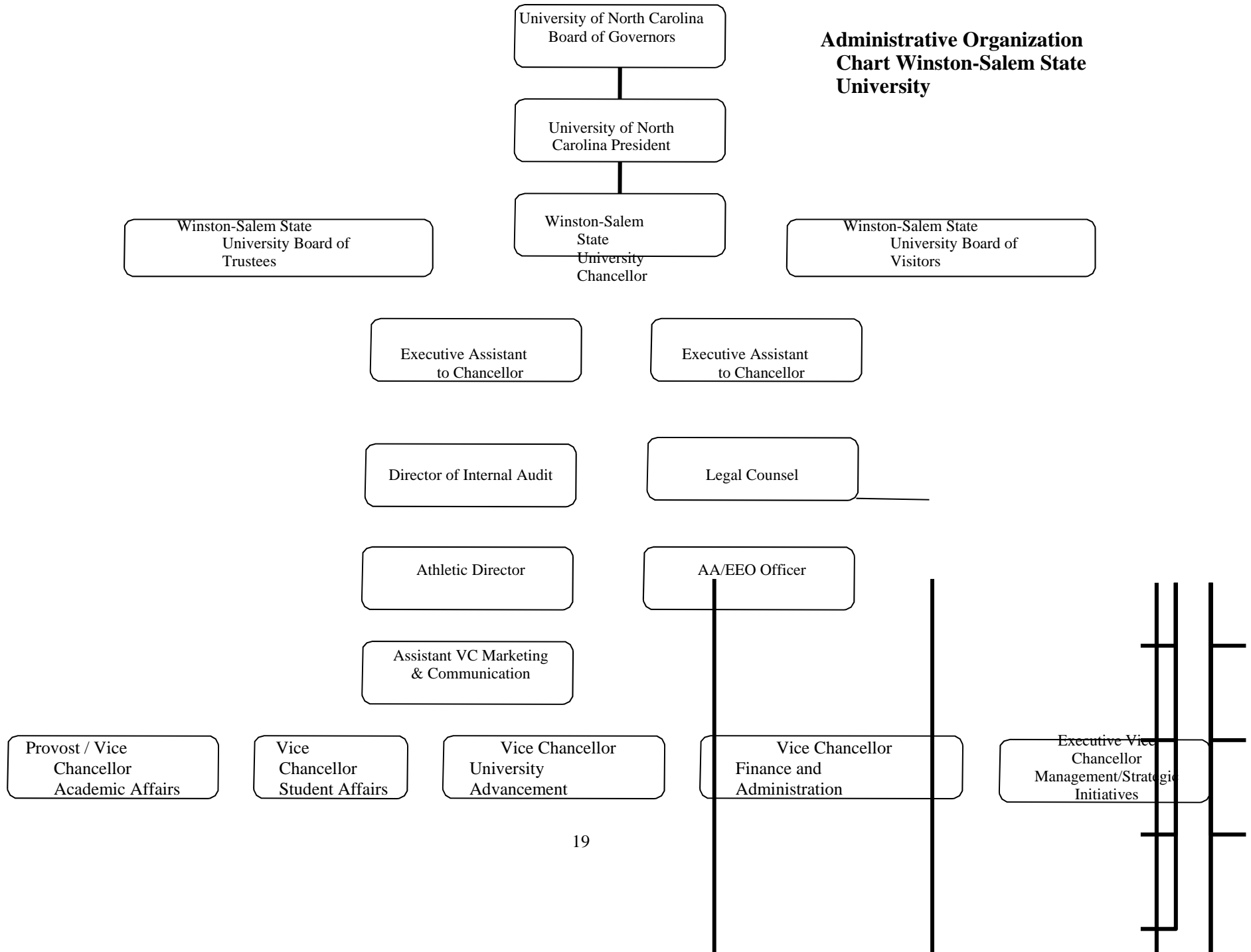


Branching for different situations

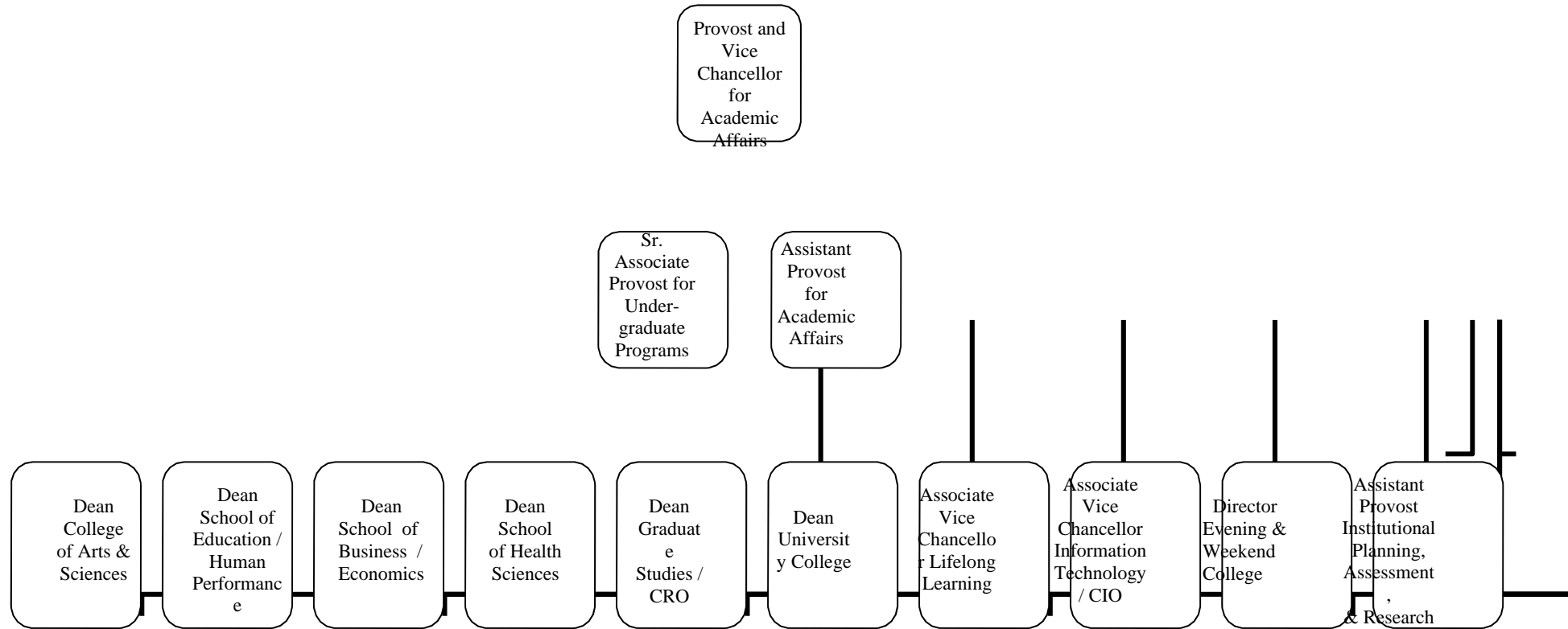
The chart on the following page shows progress of a successful change. It does not attempt to show all possibilities for a proposal that is denied at some stage, revised, and submitted again.



**Administrative Organization  
Chart Winston-Salem State  
University**



### Division of Academic Affairs



## II. GUIDELINES FOR EMPLOYMENT

**Chapter Overview:** All aspects of faculty employment at Winston-Salem State University, including hiring and discontinuation of employment, reappointment, and promotion and tenure, are governed by regulations consistent with Chapter VI of The Code of the University of North Carolina. This chapter provides guidelines and other information related to the employment of permanent and part-time faculty members.

### Employment of Permanent Faculty

#### General

This section reflects policy and procedures for the employment of faculty members into permanently established faculty positions. Effective searches to fill faculty positions are indispensable to Winston-Salem State University since the quality of the faculty ultimately determines the quality of the institution. Hiring managers, assisted by members of search committees, perform a critical service to the institution and its students. The expectation is that hiring managers and members of search committees will execute their responsibilities with the highest standards of integrity, diligence, and professionalism consistent with the importance of the search for the best and most appropriately qualified faculty members possible.

These procedures do not apply for appointment of temporary/adjunct faculty members.

A faculty member may have joint appointment as faculty and also as an administrator, including appointments in Senior Academic and Administrator (SAAO) positions, as defined in UNC Policy. The procedures outlined herein shall be required for the recruitment and selection of all permanent faculty positions at Winston-Salem State University, including those which have an administrative component. Exceptions are appointments to SAAO positions, in which case procedures for the hiring of SAAO administrators will be followed.

#### Hiring Authority

The hiring authority for all positions exempt from the state personnel act (EPA), including faculty positions, is the chancellor.

#### Hiring Managers

The following administrators are designated as hiring managers who are authorized to initiate and direct searches for the employment of faculty positions:

- chancellor
- provost and vice chancellor for academic affairs (hereafter referred to as “provost”)
- associate and assistant provosts
- deans
- associate and assistant deans
- academic department chairs

## WSSU Equal Employment/Affirmative Action Guidelines

Winston-Salem State University is committed to the principle of equal and fair treatment of all applicants and does not discriminate against applicants or employees based on race, color, creed, religion, national origin, sex, age, disability, veteran status, or any other protected class. It is the responsibility and intention of the university to ensure that all decisions regarding employment, including but not limited to recruitment, selection, training, promotion, and termination of personnel, are made in accordance with this commitment.

### Electronic/Online Support of Hiring Process

The hiring process for faculty members and all other positions at WSSU is facilitated by use of an electronic system provided by a commercial vendor through which position and associated budget information is managed, coordinated, and approved through the various steps that comprise the full range of position management and hiring actions. Application materials from candidates are accepted, coordinated, reviewed, approved, and managed through various authorities for equal opportunity, budget, and hiring approval within the same system. The required coordination, review, and approval steps outlined herein are executed through access to the electronic/online system. Training in the use of the system is available through Human Resources and is required for all Hiring Managers, search committee chairs, Equal Employment Opportunity/Affirmative Action (EEO/AA) officers, budget officers, and others who have position management or approval authority for steps in the hiring process of members.

### Position Authorization and Parameters

Each permanent faculty position is a discrete position of employment that must be authorized by the chancellor. The first step in filling a faculty position is to confirm that an authorized position exists. Authorized positions are managed by the provost in collaboration with the deans to provide an adequate and appropriate number of faculty members to support academic programs.

Once the establishment of the position has been confirmed, the hiring manager must ensure the following actions are complete:

- The position number has been confirmed;
- The budgeted salary has been confirmed by the budget director;
- The budgeted salary has been confirmed within the established salary range for the position;
- The position description has been reviewed. Any amendments to the job description, job summary, or qualifications (such as required/preferred education level or experience or scholarly production) for the position must be approved prior to commencement of the search;
- The position advertising plan has been identified; and
- The anticipated start date has been established.

The hiring manager is typically assisted by the search committee to review and update the position description, qualifications, and advertising plan.

## Appointment of a Search Committee and Chair

The hiring manager appoints a search committee and a chair to conduct a search that is in compliance with EEO/AA policies of the university.

The search committee shall be composed of a minimum of three (3) members. The typical search committee will consist of five to seven members, depending upon guidance provided by the hiring manager. The hiring manager should make the search committee as representative as possible of the groups that have a significant interest in the position to be filled. Consideration for search committee membership should be given to people with expertise in the particular field and people with frequent interactions with the position. It is important to include people who bring diverse representation to the committee. Departments and units are encouraged to seek knowledgeable members from other departments, if necessary, in order to promote a diverse and well-rounded search committee.

The hiring manager selects the chair of the search committee. It is important that the chair understand and support the hiring manager's objectives. The chair should be familiar enough with the unit's programs, the academic discipline, and goals to be able to discuss the area and the position knowledgeably with potential candidates.

## Search Plan

**1. Charge to the Search Committee.** The hiring manager shall meet with the search committee and inform the committee of the timeline for filling the position, the maximum budget request of the hiring manager, the search committee may participate in a review and update of the position description, job summary, and the minimum and preferred qualifications for the position. Each member of the committee will sign a statement of confidentiality for all discussions and documents that result from the consideration of various candidates for the position.

The hiring manager is ultimately responsible for ensuring the following:

- The vacant position is advertised in appropriate internal/external media;
- Criteria for screening applications are developed based upon required and preferred qualifications of the position;
- The relative merits of applicants are considered based upon the required and preferred qualifications;
- Professional qualifications are confirmed for invited applicants prior to campus interview;
- Best-qualified applicants are invited for campus interviews;
- Applicants visiting the campus are appropriately hosted; and
- Travel and reimbursement arrangements for applicants who are interviewed on campus are completed in a timely manner.

Members of the search committee will provide support in accomplishing these objectives as requested by the hiring manager.

**2. Advertising the Position.** The media outlets and professional publications in which the position is advertised should be based on the scope of the search. Faculty positions should typically be advertised nationally in such professional publications as the *Chronicle of Higher Education*, HigherEdJobs.com, *Diverse Issues in Higher Education*, *Inside Higher Ed.*, and other professional publications/journals as appropriate and depending upon available funding. Media Relations provides assistance with posting the advertisement in external media. The EEO/AA Officer will approve the search plan and advertisement prior to advertising the position. The advertisement or vacancy notice should contain the following minimum information:

- Position title and supervisor title;
- Job summary, including the responsibilities of the position;
- Required and preferred qualifications: education requirements, earned degrees from regional accredited universities/colleges, experience, knowledge, scholarly productivity, and other qualities (minimum and preferred);
- Type of appointment (i.e., full-time; permanent; academic rank, time-limited; tenure-track status);
- Starting date;
- Salary commensurate with qualifications and experience;
- Required application materials (curriculum vitae; letter of application; list and addresses of references; transcripts);
- Application instructions;
- Date screening will begin;
- Affirmative action statement; and
- Institutional and department/division profile.

### Responding to Applications and Nominations

The hiring manager ensures that receipt of each application is acknowledged in writing to the applicant. Typically, the hiring manager is assisted by the chair of the search committee.

### Application and Applicant Screening

The hiring manager and members of the search committee must use the required and preferred criteria listed in the position description and reflected in the vacancy notice/advertisement to screen each application. Further, the criteria must be consistently applied to each applicant in the same manner. The search committee shall record screening results for each applicant. The committee then identifies best-qualified applicants who meet or exceed the criteria for further screening or to advance candidates for interviews.

Committee members will prepare a set of questions that are related to the criteria in the advertisement and will use the prepared set of questions for an initial interview in person or via phone of the best qualified applicants. The chair of the search committee shall provide the hiring manager with an unranked list of best-qualified candidates to be considered for campus interviews, as well as the curriculum vitae/resumes and letter of application for each of the applicants on the list. Prior to recommending a campus visit, the chair will ensure that professional qualifications of candidates are checked. The basis of any reference checks will be position-related questions.

The hiring manager determines how many of the best-qualified applicants will be invited to a campus interview. The decision to invite or not invite specific applicants to the campus must be justifiable based upon the qualifications of the applicants.

### Campus Interviews

When faculty candidates are invited to the campus for interviews, they will typically meet with appropriate constituencies. Members of any constituencies who participate in campus interviews will be given the opportunity to provide a written assessment of the candidate. At a minimum, faculty candidates will be interviewed by the search committee and the hiring manager. A campus interview may also include a presentation by the candidate. The presentation is open to the campus community. With the assistance of the search committee, the hiring manager will ensure that candidates brought to the campus are appropriately engaged and treated with the utmost professional courtesy.



Following the campus interview, members of the search committee will submit an evaluation through the committee chair to the hiring manager. The evaluation will be based on the qualification criteria in the vacancy notice and all evaluation forms. The evaluation will assess the strengths and weaknesses of each candidate interviewed for the position.

#### Decision to Offer the Position

- 1. Approval from Appropriate Administrators.** The proposed candidate's employment reference(s) are contacted/confirmed prior to an offer of employment. Additionally, a criminal background check will be conducted prior to employment. For appointment to a faculty position that also includes an administrative appointment, the hiring manager will inform his/her immediate supervisor and the provost in writing of his/her recommendation for the selection of the candidate to fill the vacant position who will coordinate approval by the chancellor. Salaries must be within the established ranges for the positions.
- 2. Unofficial Offer.** The hiring manager will contact the applicant that he/she plans to recommend for the vacant position to ascertain whether the candidate is still available to fill the position and to tentatively agree on the salary that will be recommended for the position.
- 3. Official Hiring Recommendation.** Before an official offer is made, the hiring manager will make the following hiring documents available to the EEO/AA Office for review and approval:
  - Hiring proposal;
  - External advertisement or position announcement;
  - Position description and qualifications;
  - Applications, resumes, letters of interest, and all other application documents;
  - Evaluation and selection worksheet used to review all applicants and record reasons for recommendation/non-recommendation for hire;
  - Official transcripts and proof of any required licenses and certifications; and
  - Search-committee documents maintained outside the electronic/online system, including interview questions, reference-check questions, screening and selection worksheets, and any evaluation forms/notes/score sheets (which must be retained by the chair of the search committee and provided to the EEO/AA upon request).

The EEO/AA Office will review the hiring proposal, demographic data associated with the applicant pool, and all other documents made available by the hiring manager. If the federal and state guidelines for fair hiring practices have been followed, the EEO/AA Officer will approve the hiring proposal.

The Office of the Provost reviews the hiring proposal and forwards to the Budget Office. The Budget Office confirms budgeted salary is sufficient and approves the hiring proposal. If budgeted salary is insufficient, the Budget Office notifies the Office of the Provost and hiring manager.

The personnel records of the newly hired employee will be maintained by the Human Resources Department, with the exception of original, official transcripts, which will be maintained by the Office of the Provost. The Office of the Provost will maintain copies of the hiring package and prepare the appointment letter. The provost shall sign the appointment letter for all faculty positions. The offer letter must contain the following:

- Position title;
- Effective date of the appointment;

- Initial salary;
- Provision for periodic evaluation of performance and review of compensation;
- Annual leave entitlement of the employee, if applicable;
- Name and title of the hiring manager of the employee;
- Notification that the administrative component is “employment at will” subject to continuation or discontinuation at the discretion of the chancellor;
- Notification that the employment is subject to the UNC Policy on Senior Academic and Administrative Officers, if applicable;
- Notification that the employment is contingent upon proof of eligibility to work at WSSU and also upon results of a criminal background check; and
- Scheduled date for the employee orientation.

#### Appointment and Post-appointment Procedures

The selected candidate must complete an employment application, provide authorization to conduct a criminal background check, submit official transcripts, complete the I-9 form, complete tax withholding forms, and return the signed letter of offer reflecting acceptance of employment to Human Resources prior to the date of employment. After eligibility for employment has been established, an orientation session for the new employee will be conducted.

#### Discontinuation and Reopening of Search

If the hiring manager determines that the recruitment and selection process did not yield the best-qualified candidate for the position or if a suitably qualified applicant is not available to accept the position, the search will be discontinued and will reopen at a later time with the same or a different search committee. The hiring manager will indicate and record the basis upon which each candidate was deemed unacceptable or unavailable and file with Human Resources and the EEO/AA Office.

When a decision is made by the hiring manager to reopen the search, the procedures outlined herein will be executed in their entirety.

#### Retention of Search Files

Application documents from all applicants who applied for the position but were not selected and all work products of the search committee will be maintained for at least three years. At the end of that time, the files will be destroyed. Original application documents for the successful candidate will be maintained by Human Resources; copies will be kept in the hiring department.

#### Hiring International Faculty

Winston-Salem State University’s excellent teaching reputation is attracting a growing number of international applicants for various faculty and professional administrative positions. With the move to the Master’s category and related campus activity surrounding research and scholarship and regional economic development initiatives, more research, teaching, and administrative positions will result in the recruitment of highly qualified international candidates that will contribute to the university’s intellectual and cultural diversity.

Because of the complexity of the federal laws regarding nonimmigrant employment in the United States, all employer-sponsored petitions must be filed in accordance with federal regulations, as they may be amended from time to time. Please refer to the Hiring International Faculty Policy for more information.

## **Employment of Part-Time Faculty**

### **General**

The recruitment and selection process of part-time faculty members is substantially less formalized than that of full-time faculty. The hiring process is facilitated by the department chair or hiring manager in coordination with the dean without the formation or use of search committees. Departments maintain files of qualified individuals who have expressed an interest in part-time employment at the university.

### Selection and Appointment Procedures

- 1. Identification of Need for Part-time Faculty.** The department chair or hiring manager determines that part-time faculty members are needed to teach classes that have been scheduled but for which no instructors have been assigned. Funding sources are also identified to pay the salaries for these positions.
- 2. Selection of Available Candidates.** The department chair or hiring manager identifies available candidates from a pool of qualified individuals that is maintained by the department, checks references, and interviews candidates for vacant part-time appointments, if interviews have not been held previously. Upon completion of the interview, selection process, and an unofficial offer and acceptance of part-time employment by a qualified candidate, the hiring manager completes, signs, and forwards the Temporary Faculty Personnel Action Form, along with all required supporting documents, to the dean for approval. The additional personnel documents that are required include the employment application, curriculum vitae, official transcripts, release form for background check, and W-4 form.

### Verification of Eligibility for Employment

The process for verification of eligibility for employment is similar to that of permanent faculty. The selected candidate must provide authorization to conduct a criminal background check, submit official transcripts, and complete the I-9 form. Upon approval of the hiring recommendation by the dean or supervisor of the hiring manager, the hiring manager forwards the Temporary Faculty Personnel Action Form, official transcripts, and release form for background check to Human Resources through the Provost's Office. The provost determines the eligibility of the candidate for employment by reviewing official transcripts. The selected candidate must go to Human Resources to complete the I-9 form.

### Appointment

After obtaining verification from the Budget Office that funds are available in the budget to pay the salary for the part-time position, the Provost's Office signs the Temporary Faculty Personnel Action Form, prepares a letter of appointment, obtains the signature of the provost, and mails the letter to the appointee. The letter of appointment indicates the title of the position, the beginning and ending date of employment, salary, courses assigned, and other responsibilities. The Provost's Office forwards a copy of the Temporary Faculty Personnel Action Form and the W-4 form to the Payroll Office to place the appointee on the payroll.

### Personnel Records

Original transcripts are retained in the Office of the Provost. A copy of the hiring form and the letter of appointment are returned to the hiring department. Human Resources retains the original of all other personnel records for part-time faculty members.

### **III. ETHICAL STANDARDS AND RULES GOVERNING EMPLOYMENT**

#### **Code of Ethics**

The same respect for the pursuit and transmission of knowledge that underlies academic freedom also demands self-discipline and rigorous intellectual honesty from all faculty members. As scholars and teachers, they are obligated to be fair, unselfish, responsible, and on occasion self-critical. Students' moral and intellectual growth requires a climate where ethical standards prevail, and the creation of such a climate is a primary responsibility of the faculty. The following statements do not define all areas of faculty ethics, but they do suggest guidelines for professional conduct for the faculty at Winston-Salem State University. Please refer to the WSSU Ethics Policy, which immediately follows these statements, for more information.

1. The primary responsibility of the faculty member is the transmission and discovery of knowledge.
2. The general attitude of the faculty member toward the rules and regulations of the university should be one of understanding and support. However, when rules seem unjust, the faculty member may take the prescribed steps to alter or remove them.
3. When there is conflict of ideas or activities between faculty members, they should discuss problems in an amiable manner. If a solution cannot be found by this means, the matter should be presented to the appropriate administrative officer, who shall act as arbiter.
4. In advising students about the selection of courses, faculty should be careful to deal fairly with the reputations of their colleagues.
5. When faculty observe a student in an infraction of a university regulation, it is their responsibility to speak to the student on the subject. The nature of the infraction determines whether it should be reported for disciplinary action.
6. Information gained by observation or conveyed in trust from students or faculty should be held in strictest confidence, and faculty members should be careful to protect students' legal and moral rights to privacy.
7. Faculty members should refrain from counseling in fields in which they have not had special training. If situations arise requiring special counseling, students should be directed by faculty to the appropriate office.
8. Only the chairperson or secretary of a faculty committee is authorized to make announcements of committee actions. No committee member should reveal information of a sensitive nature (or any information about personnel matters) in such a way as to prejudice and jeopardize committee deliberations and recommendations.
9. Faculty should develop a consistent and fair system of grading. Students have the right to have their work returned and to review their grades.
10. Faculty members should be actively concerned with those aspects of the general welfare of their students that affect the education process.

11. Faculty should secure permission and give credit for the use of original student contributions in their lectures or publications in the same manner and to the same degree as for borrowed materials from other sources. They should not, in any case, use students to their detriment to foster research, publications, or other personal ventures.
12. Faculty, who rightfully seek academic freedom for themselves, should be extremely careful to accord students the same freedom.
13. Faculty should not tutor students for pay except under conditions known and approved by responsible authorities.
14. Faculty members should make their abilities and influence available for service to the community.
15. Faculty members should not undertake external activities that would interfere with the performance of their duties at Winston-Salem State University. (Refer to the section of this chapter on "External Professional Activity")
16. Faculty should refrain from making public statements about confidential subjects within Winston-Salem State University. All departmental or institutional matters not intended for publication or broadcast should be maintained in strict confidence.
17. Because of the position of trust they occupy, faculty members must be careful to avoid any behavior that could be considered sexual harassment and relationships with students that are considered improper. Please refer to the section later in this chapter regarding sexual harassment for more information.

## **Ethics Policy of Winston-Salem State University**

### **Policy Statement**

Winston-Salem State University believes that a shared statement of ethical values will strengthen the overall quality of the university community.

**General Policy:** The University is committed to maintaining the highest professional standards in all of its academic and administrative operations; promoting ethical practices among its administrators, faculty, staff, and students; and ensuring a level of accountability appropriate for a public institution. Individuals are expected to obey all federal, state, and local laws including, but not limited to, those pertaining to equal opportunity, nondiscrimination, harassment, ethics and lobbying.

**Intellectual Honesty:** Personal interactions among university community members should be characterized by truthfulness, openness to new ideas, civility, and consideration for the rights of others. Each member of the university should respect the right of others to freedom of thought, opinion, speech, and association.

**Personal Conduct:** Individuals shall present information accurately, comply with policies to the best of their ability, cooperate in university investigations, and use the institution's resources appropriately. Each employee is responsible for avoiding real or apparent conflicts of interest, ensuring that authority is exercised within a framework of accountability; and ensuring that information is managed in accordance with relevant public record and privacy statutes. Employees must ensure that the university's interests are foremost in all official decision making and shall remove themselves from decision making roles which involve the employee in any personal capacity or which involve friends or family members.

**Shared Responsibility:** The achievement and continuation of an ethical educational and administrative environment is a shared responsibility among administrators, faculty, staff, and students. Consultation with appropriate university departments or officials will be treated as confidential to the extent allowed by law. Employees may exercise a right of appeal through the chain of command up to and including their division vice chancellor or the senior officer responsible for the academic or administrative function at issue. Individuals shall be free from retaliation for voicing concerns, filing grievances, and for participating in university investigations.

**Related Policies:** A number of university policies establish ethical guidelines or standards for appropriate professional conduct for particular educational or administrative functions. These policies include, but are not limited to, responsible use of electronic resources, sexual harassment, unlawful workplace harassment, misuse of state property, academic freedom and tenure, consensual relationships involving students and employees, EEO/AA, statement on diversity in the university community, research misconduct, protection of human subjects, and conflicts of interest. By way of example, the following are brief summaries of the principles embodied in three key areas.

1. **Electronic Resources Ethics:** Computing resources are available for processing university business and communications. Access to and use of computing technology places a responsibility on each employee to conduct computing business in the same ethical manner that is required of all other official conduct with added concerns for: 1) legal use of licensed software; 2) protection of confidential information; 3) authorized use of hardware/software/periphery devices; 4) authorized access to and valid use of data; 5) asset management; 6) protecting private information such as social security numbers; and 7) respect for and safeguarding of security passwords, user identity, and system access.
2. **Research Ethics:** Research shall be characterized by the highest standards of integrity and ethical behavior. Every effort shall be made to ensure that all research data or results of projects or programs sponsored by, or under the administrative supervision of, the university are represented completely and accurately. An employee who is designated as the principal investigator on an awarded contract or grant is prohibited from profiting personally in connection with its activities. Additionally, all research involving human subjects must be approved by the Institutional Review Board, and all research involving the use of animals must be approved by the Institution's Animal Care and Use Committee.
3. **Business Ethics:** Employees may have no financial interest in the outcome of any business dealings in which they have authority to act on behalf of the university. Employees may not utilize the influence of his/her position within the university to profit personally from any contract or other business dealings of the university. Employees may not sign university contracts for which they have not received written delegated signature authority.

## **Reporting Concerns and Complaints**

Individuals who have concerns about the conduct of a particular individual or the propriety of a given situation should: 1) consult with the director of the office responsible for the educational or administrative function at issue; or 2) notify their department chair, dean, director, or an administrator in their supervisory chain at a level sufficient to allow objectivity in evaluating the subject of concern. Concerns about ethical practices may also be reported anonymously to WSSU's Office of the Internal Auditor at 336-750-2063 or filing an anonymous complaint online at <https://www.wssu.edu/administration/office-of-audit-risk-and-compliance/files/documents/internal-audit-request-form.pdf>

and/or the State Auditor's Fraud and Abuse Hotline by calling 1-800-730-8477 or filing an anonymous complaint online at [State Auditor's NC OSA](#). The vice chancellor or senior officer responsible for the academic or administrative function at issue shall respond to university community members who express concerns about ethical practices to the extent allowed by law and shall inform the chancellor regarding the response.

## **Resources and Assistance**

Questions concerning this policy may be addressed to the Provost, the Vice Chancellor for Business Affairs, the Vice Chancellor for Information Technology Systems Division, the Director of Human Resources, the Internal Auditor, or the General Counsel. These officers are prepared to explain what the ethical conduct standards mean and what options for resolution are available.

## **Violations**

Any member of the university community found in violation of this policy shall be subject to disciplinary action, including probation and suspension for students and including a reprimand, suspension without pay, and dismissal for employees depending on the nature and severity of the violation.

Senior Administrators are subject to ethics and lobbying laws of the state of North Carolina. For more details follow the links below:

Information Resources policies:

<http://www.wssu.edu/it/policies-and-procedures/default.aspx>

Misconduct in Research Policy:

<https://www.wssu.edu/about/offices-and-departments/legal-affairs/policies-and-procedures/chapter-400-research-intellectual-property/400.9.html>

Outside Activities for Pay:

<http://www.wssu.edu/administration/legal-affairs/policies/ext-prof-activities-for-pay.pdf>

Unlawful Workplace Harassment:

<https://www.wssu.edu/about/offices-and-departments/legal-affairs/policies-and-procedures/chapter-100-personnel-policies/101-personnel-general/101.13.html>

EEO Policy Statement:

<https://www.wssu.edu/about/offices-and-departments/legal-affairs/policies-and-procedures/chapter-900-general-university-policies/900.3.html>

## **Other Information on Ethical Standards, Rules, and Policies**

### External Professional Activity for Pay

Full-time Winston-Salem State University employees can be employed on a part-time consultant or contractual basis with other agencies. These external professional activities for pay are to be undertaken only if they do not

- Interfere with the primary obligations of the individual to carry out all university duties and responsibilities in a timely and effective manner;
- Create a conflict of interest with the individual's university duties and responsibilities;
- Involve any inappropriate use or exploitation of university facilities, equipment, personnel, or other resources;



- Make any use of the name of The University of North Carolina or any of its constituent institutions for any purpose other than professional identification; or
- Claim any university or institutional responsibility for the conduct or outcome of such activities.

Employees contracting with external agencies must obtain clearance from the department head, the division director, or the vice chancellor for academic affairs, using a Notice of Intent to Engage in External Professional Activity for Pay form. Approval must be sought for all activity whether performed during the course of instructional duties or off-hours, including nights and weekends.

### Conflicts of Interest and Conflicts of Commitment

Winston-Salem State University is dedicated to the transmission and advancement of knowledge and understanding. Thus, faculty members are encouraged to seek solutions to scientific, social, and artistic problems and to expand knowledge through appropriate forms of scholarly and creative endeavors. Academic freedom is essential to the achievement of these purposes. This institution, therefore, supports and encourages freedom of inquiry for faculty members, to the end that they may responsibly pursue these goals through teaching, research, service, discussion, and publication, free from the internal or external restraints that would unreasonably restrict their academic endeavors.

The responsibilities for faculty include both primary and secondary duties. Primary duties consist of assigned teaching, scholarly research and all other institutional service requirements such as academic advisement, committee assignments, etc. Secondary duties consist of professional activities traditionally undertaken by faculty and other professional staff members outside, of the university employment that redound to the benefit of profession and to higher education in general. Such endeavors which may or may not entail the receipt of honoraria or the reimbursement of expenses include membership in and service to professional associations and learned societies membership on professional review or advisory panels; presentation of lecture papers, concerts or exhibits; presentation in seminars and conferences; involvement in reviewing or editing scholarly publications and books; and service to accreditation bodies. Such integral manifestations of one's membership in a profession are encouraged, as extensions of employment at Winston-Salem State University, so long as they do not conflict or interfere with the timely and effective performance of the individual's primary duties. Moreover, in carrying out their responsibilities, faculty members are expected to abide by the Code of Ethics established by the institution in regards to professional conduct.

Because of the position of trust they occupy and the academic freedom afforded them, faculty members and EPA non-faculty personnel must be careful to avoid any behavior in their professional activities that could create circumstances that prevent or limit objectivity in the performance of their institutional responsibilities or that may affect adversely any interest of the university. Consequently, the following policies and procedures are developed to ensure that the professional activities and financial and personal interests of faculty and staff are arranged to avoid conflicts of interest and commitment. The guidelines may be found in the Conflict of Interest and Conflict of Commitment Policy.

### Political Activities

Political activity for faculty members is to some degree governed by state law and University of North Carolina Board of Governors regulations. The Board of Governors adopted a policy on January 20, 1976 and amended on February 2, 1985 that requires employees exempt from the personnel act (EPA) to adhere to specific procedural guidelines related to candidacy for or service in public office. These guidelines with a may be found in the UNC Code.

### Policy on Illegal Drugs

Winston-Salem State University does not condone the possession, use, or sale of illegal drugs among its students, staff, or faculty. Therefore, the institution has in place a drug policy that includes sections on education, counseling, rehabilitation, enforcement, and penalties. The Policy on Illegal Drugs applies to students, staff, and faculty.

### Policy on Weapons on School Grounds

NCGS §14-269.2 prohibits the presence of guns and weapons on school grounds, including colleges and universities. This statute contains the following definitions:

Class I felony: Any person in possession of, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind on educational property or to a curricular or extracurricular activity sponsored by a school. Unless the conduct is covered under some other provision of law providing greater punishment, any person who willfully discharges a firearm of any kind on educational property is guilty of a Class F felony. However, this subsection does not apply to a BB gun, stun gun, air rifle, or air pistol.

Class 1 misdemeanor: Any person in possession of, whether openly or concealed, any BB gun, stun gun, air rifle, air pistol, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades (except solely for personal shaving), firework, or any sharp pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance, on educational property.

Anyone found with a gun on campus openly or concealed will be arrested and appropriate disciplinary action will be taken according to the Winston Salem State University Weapons Policy.

### Purchases and Consultants

Because Winston-Salem State University is a state agency, state laws and procedures govern ordering of supplies, materials, equipment, and contractual services. All purchase contracts (except those involving real property) are the responsibility of the University Purchasing Department. Winston-Salem State University will assume no financial responsibility for purchases not made in accordance with approved policies, and such *unauthorized purchases will be the personal responsibility of the individual placing the order.*

Requests for purchases and service contracts are initiated at the department and special project level. A requisition giving clear, correct, and complete information about the materials and services requested is prepared and submitted; it must be signed by the department head or special project director. Some requests for equipment and some materials not on state contract may require quotations (informal cost estimates submitted by phone, in person, or by mail) from at least three vendors. Some purchases (based on the cost of the item) may be referred to the North Carolina Division of Purchase and Contract. Faculty members who need more information or help-locating vendors may contact the University Purchasing Department. Faculty members should consult current purchasing guidelines before initiating a purchase. Requests for academic consultant services are initiated at the department level. A contractual service agreement template may be obtained in the public folders under Legal Affairs. This form should be completed by the department head and must be approved by the appropriate administrators as defined on the agreement template. Administrative consultant requests are handled in a manner similar to requests for academic consultants, but they must be sent to Purchasing and Contracts for approval. All requests in this category must be approved by the appropriate university officials, state division of purchase and contract, and the Governor or his/her designee. The procedures for this type of consultant are detailed and on file in the Purchasing Office. Inquiries about a requisition's status should refer to the requisition number and should not be made until at least two weeks have passed. A similar time frame exists for inquiries about

requests for consultant services.

### Policy on Confidentiality of Data

Each employee, consultant, student, or person granted access to data and information holds a position of trust and must preserve the security and confidentiality of the information he/she uses. Users of university data and information are required to abide by all applicable federal and state guidelines and university policies regarding confidentiality of data. All users of university data and information must read and understand Information Resources policies and understand how these policies apply to their respective job functions.

Any employee or person with authorized access to Winston-Salem State University's computer resources, information system, records or files is given access to use the university's data or files solely for the business of the university. Specifically, individuals should

1. Access data solely in order to perform their job responsibilities;
2. Not seek personal benefit or permit others to benefit personally from any data that has come to them through their work assignments;
3. Not make or permit unauthorized use of any information in the university's information system or records;
4. Not enter, change, delete or add data to any information system or files outside of the scope of their job responsibilities;
5. Not include or cause to be included in any record or report a false, inaccurate, or misleading entry;
6. Not alter or delete or cause to be altered or deleted from any record report or information system a true and correct entry;
7. Not release university data other than what is required in completion of job responsibilities; and
8. Not exhibit or divulge the content of any record, file, or information system to any person except as it is related to the completion of their job responsibilities.

Additionally, individuals are not permitted to operate or request others to operate any university data equipment for personal business, to make unauthorized copies of university software or related documentation, or use such equipment for any reason not specifically required by the individual's job description.

It is the employee's responsibility to report immediately to his/her supervisor any violation of this policy or any other action that violates confidentiality of data.

### Security Measures and Procedures

All users of university information systems are supplied with a network account to access the data necessary for the completion of their job responsibilities. Users of the university information systems are required to follow the procedures outlined below:

1. All transactions, processed by a user ID and password, are the responsibility of the person to whom the user ID was assigned. The user's ID and password must remain confidential and must not be shared with anyone.
  - Do not use anyone else's password. Using someone else's password is a violation of policy, no matter how it was obtained.
  - Do not share your password with anyone. Your password provides access to information that has been granted specifically to you. To reduce the risk of shared passwords, **remember not to post your password on or near your workstation.**

- It is your responsibility to change your password immediately if you believe someone else has obtained it.
2. Access to any student or employee information (in any format) is to be determined based on specific job requirements. The appropriate director, chair, dean, and/or vice chancellor is responsible for ensuring that access is granted only to authorized individuals, based on the performance of their job. Written authorization must be received by Information Resources prior to granting system access.

*Individuals are prohibited from viewing or accessing additional information (in any format) unless they have been given the proper written authorization. Any access obtained without written authorization is considered unauthorized access.*

1. In order to prevent unauthorized use, the user shall log off of all applications that are sensitive in nature when leaving the workstation. An alternative is to establish a workstation password to lock your session. This is especially important during breaks, lunch and at the end of the workday.
2. Passwords are required to be changed by university systems every ninety days; however, if there is reason to believe they have been compromised or revealed inadvertently, you should manually change your password immediately. If you need help in changing your password, please call the Help Desk at x3431. Additionally, notify your supervisor immediately if you suspect unauthorized use of your password.
3. Upon termination or transfer of an employee, the responsible department manager will complete the necessary forms as required by IR Policy 1.5 for Computer Systems Access.

#### Confidentiality of Faculty Personnel Files

Faculty files are established upon hiring and are maintained in the Office of Academic Affairs, as well as in departmental and divisional offices. Faculty members have the right to review and have copies made of materials contained in their personnel files. The standard procedure for such review entails scheduling an appointment with the Office of Academic Affairs and/or Human Resources.

Winston-Salem State University is required to keep confidential all information concerning a faculty member except name, age, date of original employment, current and previous positions at the university, title, salary information, and position number. A faculty member's personnel file may be inspected by designated officials for the purpose of conducting official business.

#### Collection of Money

No individual, department, or organization may collect money on behalf of the university without being authorized by the chancellor or his designee. All money collected on behalf of the university must be deposited at the WSSU billing and receivables office within 24 hours of receipt of the funds.

#### E-mail Retention Policy

All information created or received for work purposes and contained in university computing equipment files, servers, or electronic mail (e-mail) depositories are public records and are available to the public unless an exception to the Public Records Law applies. This information may be purged or destroyed only in accordance with the university records retention schedule and State Division of Archives regulations. Please refer to the e-mail retention policy.

#### Fund Raising and Gift Solicitation

In order to coordinate the university's efforts to cultivate support from the private sector, and in order to ensure that gifts do not involve insupportable financial commitments or restrictions, all gift solicitation programs conducted by anyone for the benefit of Winston-Salem State University or any agency thereof must have the prior approval of the chancellor through the vice chancellor for advancement.

### Media Relations

To ensure that the WSSU reputation and media relationships remain in good standing, it is imperative that anyone speaking to the media on behalf of the university be prepared in advance to share an approved, positive and consistent message (prepared in conjunction with the WSSU Media Relations Services) about current activities and events on campus. Faculty members should use the following procedures in response to any and all media requests:

1. All media calls for quotations or interviews should be directed to the Media Relations Services for immediate follow-up and coordination.
2. General media inquiries should be directed to the Media Relations Services.
3. All press conferences and/or media interviews should be scheduled and coordinated through the Media Relations Services.
4. No comments or quotations should be provided to the media without prior approval from the dean and/or department head and the Media Relations Services.
5. No press conference should be coordinated without prior approval from the dean and/or department head and the Media Relations Services. Additionally, a confidential WSSU list of talking points and answers should be provided to interview subjects in advance to prepare for tough questions regarding capital campaigns, personnel, reclassification and other confidential or sensitive matters.

### Research and Creative Activity

Winston-Salem State University encourages and supports scholarly and creative activities and attempts to create the environment in which such activities can take place. Faculty, staff, and students are encouraged to seek solutions to scientific, social, and artistic problems and to expand knowledge through research and other appropriate forms of scholarly and creative endeavor. The university supports faculty who engage in these endeavors, offers a full range of services aimed at facilitating their involvement, and provides meritorious incentives and rewards. See the section entitled "Support for Professional Development" in Chapter VII of the Faculty Handbook.

### Externally Funded Proposals and Projects

Winston-Salem State University encourages faculty members to seek outside support both for research and for educational programs. Proposals seeking external funding must be reviewed and approved by appropriate university representatives, who will also furnish useful information and assistance to those preparing such proposals. Faculty preparing external-funding proposals should refer to the Office of Sponsored Program Policy and Procedure Manual. Funded projects are subject to the normal budgetary guidelines of the university. For more information, contact (1) the Office of Contracts and Grants and (2) Sponsored Programs

### Misconduct in Research

In the belief that honesty and integrity are essential to the search for knowledge, it is the policy of Winston-Salem State University that all persons involved in research and scholarship must guard the truth, uphold the highest standards in their research, and protect and ensure the public's trust in Winston-Salem State University, its research, and its researchers. It is clear that misconduct in scholarly research cannot be prevented by university regulation or federal law but only by each individual's firm commitment to academic ideals and integrity. Mentors, project directors, and department and unit heads must stress the importance of such commitment to faculty, students, staff, and research assistants and associates.

Whenever any Winston-Salem State University faculty member, graduate student, undergraduate student, or any other person involved in research is accused of misconduct in research, the university will conduct an inquiry, make a determination concerning the truth or falsity of the allegations, and take appropriate disciplinary action. The process of inquiry will be expeditious and protect the rights of all those concerned, including the complainant, the accused, witnesses, and committee members.

Consistent with federal regulations and the policy of the UNC Board of Governors on research misconduct, Winston-Salem State University has created a Misconduct in Research Policy on how the institution will respond to allegations relative to research misconduct.

#### Smoking in the Workplace

In order to promote a safer and more healthful working and learning environment, Winston-Salem State University has adopted a smoking policy to reduce the involuntary exposure of non-smokers to environmental tobacco smoke and provide reasonable accommodations for smokers. *Smoking is prohibited* in all university buildings, including residence halls and university grounds within 100 linear feet of any entrance to any university building. Please refer to the WSSU Smoking Policy for full details.

#### Policies on Unlawful Workplace Harassment and Sexual Harassment

All Winston Salem State University employees are guaranteed the right to work in an environment free from unlawful workplace harassment and retaliation. The Unlawful Workplace Harassment Policy states that “no state employee may engage in speech or conduct that is defined as unlawful workplace harassment.” Refer to this policy for the procedure to report an incident of unlawful workplace harassment.

Sexual harassment by any member of the university is a violation of both the law and university policy. Accordingly, no academic or personnel decisions, such as awarding of grades and jobs, shall be made on the basis of granting or denial of sexual favors. For purposes of this policy, sexual harassment is defined as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when (1) submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment or academic advisement, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions or academic decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or academic environment.

As defined above, sexual harassment is a specific form of discrimination in which power inherent in a faculty member's or supervisor's relationship to his or her students or subordinates is unfairly exploited. While sexual harassment most often takes place in a situation of power differential between persons involved, this policy recognizes also that sexual harassment may occur between persons of the same university status, i.e., student-student, faculty-faculty, staff-staff.

The Sexual Harassment Policy is designed to encourage students, faculty, and employees to express freely, responsibly, and in an orderly way their opinions and feelings about any problem or complaint of sexual harassment. Any act by a university employee or agent of reprisal, interference, restraint, penalty, discrimination, coercion or harassment—overtly or covertly—against a student or an employee for using the policy will necessitate appropriate and prompt disciplinary action. This policy shall not be used

frivolously, falsely or maliciously to convey charges against fellow students, faculty members, or employees.

Refer to the Sexual Harassment Policy for procedures in filing a complaint. All full-time employees of Winston Salem State University must complete on-line training to avoid sexual harassment behaviors.

### Violence in the Workplace

Winston-Salem State University has a policy of zero tolerance of violence or threats of violence. The statement with definitions below is excerpted from the current Violence in the Workplace Policy.

Violence of any sort is contrary to Winston-Salem State University's purpose of providing quality education. This policy is being established as an anti-violence and violence-prevention policy. Violence threatens the safety of personnel (and often the public) while threatening employee morale and productivity. This policy applies to all employees of Winston-Salem State University to include SPA, EPA non-faculty, faculty and temporary employees. In addition, any threatening situation against an employee by a non-employee is to be reported.

Ignoring threats and violence can result in fatal incidents to staff, students or the public. Violence also affects morale, productivity, absenteeism, turnover, litigation costs, workers' compensation costs as well as employment and training costs. Violence often follows established threat patterns and behavioral changes that are easily observed and reasonably predictable. Violence can be prevented or reduced by responding to threats effectively.

### Definitions:

**Workplace Violence** includes, but is not limited to, intimidations, threats, and physical attack or property damage.

**Threat** is the expression of intent to cause physical harm. An expression constitutes a threat without regard to whether the party communicating the threat has the present ability to carry it out and without regard to whether the expression is contingent, conditional, or future.

**Physical Attack** is the unwanted or hostile physical contact such as hitting, fighting, pushing, showing, or throwing objects.

**Property Damage** is intentional or hostile physical property that includes property owned by the State, employees, visitors or vendors.

**Intimidation** includes but is not limited to stalking or engaging in actions intended to frighten, coerce, or induce duress.

## IV. TENURE POLICIES AND REGULATIONS

(Revised September 16, 2009 and November 29, 2011)

### Section I. Definitions

#### A. Day

The word “Day” means business day (any day except Saturday, Sunday, or an institutional holiday) except when calendar day is specified. In computing any period of time, the day in which notice is received is not counted but the last day of the period being computed is to be counted.

#### B. Faculty Member

“Faculty Member” means all full-time permanent employees who hold professorial rank or a special faculty appointment as outlined in Section III.B of this document.

#### C. Financial Exigency

“Financial Exigency” means a significant decline in the financial resources in the university that results from a decline in enrollment or from other actions that cause a reduction in the university’s operating budget.

#### D. Formal Notice

“Formal Notice” means written notification at last given address of the individual of a decision or action by certified mail, return receipt requested, or some other means that provide adequate proof of delivery.

#### E. Impermissible Grounds

“Impermissible Grounds” means basing a decision on (1) the exercise of the Faculty Member’s rights guaranteed by the First Amendment to the Constitution of the United States or by Article I of the Constitution of North Carolina; (2) discrimination based upon the race, creed, color, sex, disability, religion, age, national origin, or veterans status or (3) personal malice.

#### F. Material Procedural Irregularities

##### Non-promotion and Non-reappointment Cases:

“Material Procedural Irregularities” means departure from prescribed procedures governing reappointment, promotion, or conferral of Permanent Tenure that cast reasonable doubt upon the validity of the decision not to reappoint, not to promote, or not to grant Permanent Tenure.

##### Discharge Before Imposition of Serious Sanctions Cases:

“Material Procedural Irregularities” means departure from prescribed procedures that constitute denial of due process.

#### G. Off-Track Tenure-Track Faculty

Off-track Tenure-track Faculty Members are those whose contract dates occur at times other than the beginning of the academic year. The Tenure-Track contract time for these employees will be measured from the beginning of the subsequent fall semester.



**H. Personal Malice**

A decision not to reappoint, not to promote, or not to confer Permanent Tenure on a Faculty Member is based on “Personal Malice” if the decision maker permits the decision to be made because of dislike, animosity, ill-will, or hatred based on personal characteristics, traits, or circumstances not relevant to valid university decision making.

**I. Petitioner**

“Petitioner” is a Faculty Member who files a complaint or appears in a hearing and presents evidence to contest an unfavorable employment decision made by the administration.

**J. Professorial Rank**

For purposes of this document “Professorial Rank” is the rank of Assistant Professor, Associate Professor, or Professor.

**K. Reappointment/Promotion/Permanent Tenure Application**

Applications or considerations are accepted by the department chair for reappointment, promotion, and/or Permanent Tenure once per year, during the month of September. Eligible Faculty Members who do not have Permanent Tenure and who hold the rank of assistant professor, associate professor, and professor should apply for Permanent Tenure no later than one year prior to their last contract year at the university; this should occur not later than September of the sixth year for assistant professors and not later than September of the fourth year for associate professors; and not later than September of the second year for professors. Faculty members may elect to apply for promotion and/or Permanent Tenure at an earlier time than the year prior to their last contract year.

**L. Respondent**

“Respondent” in a hearing is the administrator(s) (provost, dean, chair, or other administrator) who is alleged to have made an unfavorable decision about the employment status or work of a Petitioner (Faculty Member).

**M. Senior Faculty Member**

A “Senior Faculty Member” is one with Permanent Tenure at WSSU with the rank of associate professor or professor who has been employed at WSSU for at least three (3) years. These individuals will be responsible for making recommendations to the department chair and/or dean regarding appointment, reappointment, promotion, Permanent Tenure and recommendations to the chair, dean, provost or chancellor, as appropriate, regarding the resolution of faculty appeals that are heard by Faculty Statutory Committees (Grievance, Nonreappointment & Discharge, and Personnel). Only Senior Faculty Members are eligible to serve on Faculty Statutory Committees (Grievance, Nonreappointment & Discharge, and Personnel). If a department does not have a sufficient number of Senior Faculty Members, the department, with the coordination of the dean, shall select Senior Faculty from within their school/college or from related departments in other schools/colleges at the university.

**N. Special Faculty Appointment**

For purposes of this document “Special Faculty Appointment” refers to full-time fixed term appointments of persons who hold the title designation of visiting faculty, lecturer, artist-in-residence, writer-in-residence, or an appointment as visiting, adjunct, clinical, or research instructor, assistant professor, associate professor, or professor. Persons holding these appointments hold non-Tenure Track appointments.

## **O. Tenure; Permanent Tenure**

“Tenure” refers to the duration of a faculty appointment.

Tenure, as herein defined, pertains exclusively to the employment of Faculty Members by appointments to specified faculty ranks. Such appointments may be for fixed terms of employment, automatically terminable when they expire (fixed term appointment); or they may be for terms subject to review for reappointment, promotion, and Permanent Tenure); or they may be continuous (appointment with Permanent Tenure) until resignation, retirement, or death.

Tenure refers to the conditions and guarantees that apply to a Faculty Member’s employment. More specifically, it refers to the protection of a Faculty Member against involuntary suspension or discharge from employment or reduction in rank by Winston-Salem State University except upon specified grounds and in accordance with the procedures provided in Sections VIII and IX and against termination of employment during the contract period except as provided for in Section X in this document.

“Permanent Tenure” is an employment status awarded by the Board of Trustees of Winston- Salem State University (formerly by the Board of Governors) to a Faculty Member. An appointment with Permanent Tenure means continued employment for an indefinite period of time until resignation, retirement or death, unless the Faculty Member is removed from employment in accordance with procedures established in Sections VIII, IX, and X of this document.

Faculty Members who hold the rank of Associate Professor or Professor are eligible for the award of Permanent Tenure. Additionally, a Faculty Member who holds the rank of Assistant Professor and who is recommended for promotion to the rank of Associate Professor is eligible to be tenured at the rank of Associate Professor. Permanent Tenure cannot be awarded to Faculty Members in the rank of Instructor or Assistant Professor.

Permanent Tenure may be withheld on any grounds except those specifically stated to be impermissible under Section I.E; conferring Permanent Tenure requires that institutional needs and resources be assessed along with the Faculty Member’s professional competence and potential for future contributions.

Permanent Tenure is held with respect to the university as a whole but not with the University of North Carolina.

## **P. Tenure-Track**

A Faculty Member is on “Tenure-Track” if he or she holds an appointment that is subject to review for reappointment, promotion, and/or Permanent Tenure.

## **Q. Transcript**

“Transcript” shall mean a typed, verbatim copy of recorded testimony given in any hearing.

## **Section II. Academic Freedom and Responsibility of the Faculty<sup>6</sup>**

- A. Winston Salem State University endorses and supports the principles of academic freedom and responsibility of Faculty, as set forth in Sections 601 and 602 of The Code. Winston-Salem State University is dedicated to the transmission and advancement of knowledge and understanding. Academic freedom is essential to the achievement of these purposes. This institution, therefore, supports and encourages freedom of inquiry for Faculty Members and students, to the end that they may responsibly pursue these goals through teaching, learning, research, discussion, and publication, free from internal or external restraints that would unreasonably restrict their academic endeavors. Winston-Salem State University will not penalize or discipline members of the faculty because of the exercise of academic freedom in the lawful pursuit of their respective areas of scholarly and professional interest and responsibility.
- B. Winston-Salem State University shall support faculty and students in their responsible exercise of the freedom to teach, to learn, and otherwise to seek and speak the truth.
- C. Faculty Members of this institution shall share in the responsibility for maintaining an environment in which academic freedom flourishes and in which the rights of each member of the academic community are respected.
- D. It is the policy of Winston-Salem State University to support and encourage full freedom, within the law, of inquiry, discourse, teaching, research, and publication for all members of the academic staff of this institution. Members of the faculty are expected to recognize that accuracy, forthrightness, and dignity befit their association with this institution and their position as men and women of learning. They should not represent themselves, without authorization, as speaking for Winston-Salem State University. (The Code, Chapter VI, Appendix A.)

## **Section III. Faculty Appointments**

### **A. General Considerations in Faculty Appointments**

Decisions on initial appointments, reappointment, promotion, and conferral of Permanent Tenure are based on an assessment of at least the following: demonstrated professional competence, potential for future contributions to the university, and institutional needs and resources.

Faculty Members may be considered for reappointment, promotion, Permanent Tenure, or promotion with Permanent Tenure as specified in this section. To be considered for promotion or Permanent Tenure, eligible Faculty Members must complete an application as outlined in Section IV.B of this document.

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<sup>6</sup> Sections II and III of this chapter include revisions approved by the General Faculty of Winston-Salem State University on November 29, 2011. These revisions in tenure and promotion policy and procedures are effective for faculty members hired on or after July 1, 2012. Faculty members hired prior to that date will be governed by the tenure and promotion policy and procedures in the version of the WSSU Faculty Handbook in effect at the time of their hiring.

## B. Ranks and Characteristics of Appointments

To be qualified for Professorial Rank (Assistant Professor, Associate Professor, and Professor), a person shall hold the appropriate terminal degree or present evidence of comparable professional distinction in his or her field.

Prior professional experience shall be taken into account in determining initial rank, salary and length of probationary period. However, there is a minimum of 3 consecutive years of service in a tenure track position required at WSSU before an individual with prior professional experience may apply for promotion and/or tenure.

Appointment in a given department or unit shall not continue beyond seven years of experience in the Professorial Ranks at Winston Salem State University unless a decision to award Permanent Tenure has been made during or before year six. However, in rare cases, an individual who has not been granted Permanent Tenure may subsequently be offered a Special Faculty Appointment in accordance with Section III.B.5.

For tenure track faculty members notice of appointment, reappointment or non- reappointment shall be in writing from the Provost and Vice Chancellor for Academic Affairs (provost) and shall be made within the timeline outlined in Section III.B.1 – III B.3. If the decision is not to reappoint, failure to give Formal Notice shall oblige the Chancellor to offer a one-year academic appointment at the same rank beyond the termination of the current contract period.

A Faculty member may be considered for the conferral of Permanent Tenure or promotion with conferral of Permanent Tenure at times earlier than those specified in this section.

The faculty ranks to which appointments may be made and the incidents of Tenure applicable to each are (effective upon review and approval by the president of the University of North Carolina) listed below. The terms of appointments made prior to January 1, 2009 are listed in Section XIII of this chapter.

1. **Assistant Professor:** Normally the initial appointment to the rank of assistant professor is for a term of two years. After three semesters of the initial appointment as Assistant Professor, in January of the second year, the Faculty Member shall be reviewed for reappointment and shall be given written notice of reappointment at the same or non-reappointment.

An Assistant Professor who is reappointed at the same rank shall receive a reappointment of two or four years to commence at the end of the first three year contract. Two-year reappointments can be used in cases where the department is still not convinced of a person's performance but not willing to end the contract after two years. The two-year reappointment will give the department two additional years to observe thus making a decision as to whether the individual should remain until the tenure decision. Faculty who are not reappointed to Assistant Professor following their initial review will be given a one year terminal contract. Those reappointed on a two-year contract shall be reviewed in the first year of the new contract. If reappointed they will be granted another two-year contract to commence at the end of the first 2-year reappointment contract. If not reappointed they will be given a one year terminal contract. During or before the end of the first year on the second 2-year appointment as Assistant Professor, he or she shall be reviewed and given written notice of promotion to Associate Professor with the conferral of Permanent Tenure or of non-reappointment. If not reappointed they will be given a one year terminal contract.

An Assistant Professor who is reappointed on a four year contract can apply for Permanent Tenure as early as the second year and no later than the third year of the four-year reappointment contract as Assistant Professor, he or she shall be reviewed and given written notice of promotion to Associate Professor with the conferral of Permanent Tenure or of non-reappointment. If a faculty member applies for initial Tenure and Promotion in the fifth year of the tenure-track and is denied, he/she will be able to apply again in the sixth year. This provision will remain in effect until reviewed by the general faculty in Academic Year 2015-16, at which time it may be retained or modified. Any changes to this provision must be approved by a majority vote of the general faculty.

Permanent Tenure may not be awarded to a faculty Member at the rank of Assistant Professor.

2. **Associate Professor:** A Faculty Member may be appointed to the rank of associate professor with or without Permanent Tenure. When a Faculty Member's initial appointment is to the rank of Associate Professor without Permanent Tenure, the appointment is to a term of three to five years which is determined at the time of hire and based upon the collective experience of the Faculty Member. During and before the end of the penultimate year of the appointment as Associate Professor, the Faculty Member shall be reviewed for Permanent Tenure and given written notice from the Provost that he or she will be appointed with Permanent Tenure at the same or of non- reappointment.

A Faculty member promoted to the rank of Associate Professor must also be awarded Permanent Tenure.

Appointments with Permanent Tenure at the rank of associate professor can be made for selected senior academic and administrative officers such as deans and other administrators who hold both faculty and administrative appointments. When this happens, the recommendation for appointment with tenure will be referred to the senior faculty, the department chair and the Dean who will evaluate whether the applicant has the appropriate credentials. These recommendations will be forwarded to the faculty promotion and tenure committee. This committee will forward its recommendation to the provost and the provost will forward his or her recommendation to the Personnel and Tenure Committee of the Board of Trustees at the quarterly meeting following the appointment.

In exceptional cases, an academic unit might hire a candidate with exemplary credentials to associate professor rank with tenure. In such a case, the candidate's credentials must be reviewed pursuant to the University's tenure policy and the process must result in a positive recommendation before an offer of permanent tenure can be made to the candidate. The candidate will be asked to prepare a package of his/her credentials and apply for tenure. The provost will call upon the senior faculty and the dean to expedite the process and reach a positive or negative recommendation in a timely fashion. The decision of the tenure process will be communicated to the candidate and it may result in an offer for hire with or without tenure.

An Associate Professor with Permanent Tenure is required to undergo a comprehensive review every five years pursuant to the Post Tenure Review Policy. If a review of a tenured Faculty Member for promotion to Full Professor is conducted at the time at which a Post Tenure Review is mandated, review for promotion fulfills the requirement. Normally, an Associate Professor with Permanent Tenure may not elect to postpone periodic reviews except under special circumstances as outlined on the policy.

3. **Professor:** A Faculty Member may be appointed to the rank of professor with Permanent Tenure or without Permanent Tenure.

When a Faculty Member's initial appointment by the institution is to the rank of professor without Permanent Tenure, the appointment is to a term of three years. Before the end of the second year of the three-year term, the Faculty Member must apply for Permanent Tenure and must be granted Permanent Tenure to be reappointed; concomitantly, the professor shall be given Formal Notice that he or she must be approved for Permanent Tenure to be reappointed.

A Faculty Member who is promoted to the rank of Professor shall have Permanent Tenure.

Appointments with Permanent Tenure at the rank of professor can be made for qualified faculty, and selected senior academic and administrative officers such as deans and other administrators who hold both faculty and administrative appointments. Additionally, the appointment of an endowed chair must be at the rank of professor with Permanent Tenure. When this happens, for the three categories of employees, the recommendation for appointment with tenure will be referred to the senior faculty, the department chair and the Dean who will evaluate whether the applicant has the appropriate credentials. These recommendations will be forwarded to the faculty promotion and tenure committee. This committee will forward its recommendation to the provost and the provost will forward his or her recommendation to the Personnel and Tenure Committee of the Board of Trustees at the quarterly meeting following the appointment.

All Professors will be subject to periodic reviews as required under the Post Tenure Review Policy.

4. **Instructor:** The rank of instructor is appropriate for one who is expected, upon appointment, to progress through to a professorial rank in this or any other institution but who lacks, when appointed, one or more qualifications expected by the department or division for appointment to a higher rank. Upon meeting all those qualifications, the instructor is eligible to be appointed to assistant professor or offered a terminal appointment of one academic year. The initial appointment to the rank of instructor is for a fixed term of two years. The instructor may be given an additional fixed term of one year. If appointed at any time from instructor to the rank of assistant professor or associate professor, said appointment constitutes an initial tenure track appointment with the incidents described in Section III.B.2 of this document.
5. **Special Faculty Appointments:** Non-tenure track appointments may be made to fixed-term faculty ranks with title designations "instructor," visiting faculty, "lecturer," "artist-in-residence," "writer-in-residence" and any faculty rank designated in III.B.1 – III.B.4 of this subsection with the prefix-qualifier "adjunct," visiting or "research" under the conditions and with incidents herein provided. Special faculty members may be paid or unpaid. Such an appointment, using any one of the foregoing title designations, is appropriate for one who has unusual qualifications for teaching, academic administration, or public service, but for whom the professorial rank is not appropriate because of the limited duration of the mission for which appointed, or because of concern for continued availability of special funding for the position, or for other valid institutional reasons.

Special faculty members who are paid shall be appointed for a specified term of service, as

set out in writing in the letter of appointment. The term of appointment of any paid special faculty member concludes at the end of the specified period set forth in the letter of appointment, and the letter of appointment constitutes full and timely notice that a new term will not be granted when that term expires. Initial appointments may be for a fixed term of one to three years. Each appointment is considered an initial appointment. Winston-Salem State University shall not be obliged to give any notice before a current term expires as to whether appointment will be offered for a succeeding term. Thus, the specification of the length of the appointment shall be deemed to constitute full and timely notice of non-reappointment when that term expires.

Special faculty members who are not paid may be appointed for a specified term of service or at will. Their pay and appointment status should be set out in the letter of appointment.

During the term of their employment, special faculty members are entitled to seek recourse under Section 607 of The Code and Section XI herein (relating to faculty grievance).

Special faculty members, whether paid or unpaid, are not covered by Section 604 of The Code and that section does not accord them rights to additional review of a decision not to grant a new appointment at the end of a specified fixed term.

## 6. **Clinical Faculty Appointments**

The definition of Clinical Faculty at Winston-Salem State University will be defined as faculty operating in demonstration capacities and in clinical supervision and/or practical application of the discipline. From this point forward, these duties and responsibilities as defined by the hiring department will be referred to as clinical practice. These appointments, non-tenure contract positions, can occur in health sciences, social sciences, and education. The initial appointment of clinical faculty will be to one of four ranks that mirror those of tenure track faculty (UNC Code 610, Section IV, A. 1.): Clinical Instructor, Clinical Assistant Professor, Clinical Associate Professor, and Clinical Professor. A change in Clinical Faculty rank can only be applied for as the current contract is ending and thus is not viewed as a promotion, but a new contract. Appointment to any rank requires as follows: (a) evidence of instructional or supervisory competence; (b) current licensure in the area of clinical assignment, as required; and (c) a graduate degree commensurate with accreditation of the academic program. For example, in order to teach in a doctoral degree program, a doctorate degree is required. Because national specialty certification is not common and is an indicator of the excellence of the faculty member and lends esteem to the program, school and university, additional consideration will be given to those documenting national certification as a clinical specialist, as applicable.

- a. **Clinical Instructor:** Appointments at the rank of Clinical Instructor require a master's degree and demonstration of beginning level of teaching or relevant experience appropriate to the assignment. An agreement between the faculty member and the department will specify the clinical practice skills and certifications that must be maintained throughout the contract.
- b. **Clinical Assistant Professor:** For appointment to the rank of Clinical Assistant Professor a minimum of a master's degree and minimum of two (2) years of relevant clinical experience appropriate to the assignment is required. The faculty member must show evidence of at least one of the following: a) university or clinical teaching experience; b) effort to incorporate evidence-based processes in teaching and/or clinical practice; c) involvement in professional, community-based, or advisory organization(s); d) present evidence of collaboration on presentations at the local or regional level in the area of clinical expertise or teaching assignment. An agreement between the faculty member and the

department will specify the clinical practice skills and certifications that must be maintained throughout the contract.

- c. **Clinical Associate Professor:** Appointments at the rank of Clinical Associate Professor require a doctoral degree and minimum of five (5) years of teaching or relevant clinical experience appropriate to the assignment is required. The faculty member must show evidence of at least two of the following: a) mastery of classroom or clinical teaching as defined by the hiring department; b) consistently incorporates evidence-based processes in all teaching and clinical practice; c) leadership in local or regional professional, community- based, or advisory organization(s); d) present evidence of collaboration in seeking local or regional funding for development of facilities, community service, or technological enhancements in the clinical specialty area; e) present evidence of investigation of problems relevant to specialty and/or teaching area; f) provide evidence of presentations and publications or disseminations at local or regional level in area of clinical assignment. An agreement between the faculty member and the department will specify the clinical practice skills and certifications that must be maintained throughout the contract.
- d. **Clinical Professor:** Appointments at the rank of Clinical Professor require a doctoral degree and minimum of ten (10) years of teaching or relevant clinical experience appropriate to the assignment. The faculty member must show evidence of at least three of the following: (a) mastery of classroom or clinical teaching as defined by the hiring department; (b) mastery of a clinical specialty area as defined by the hiring department; (c) consistent incorporation of evidence-based processes in all teaching or clinical practice; (d) leadership in curriculum development and program and/or clinical evaluation; (e) leadership in local, regional or national professional, community-based, or advisory organization(s); (f) presentations and publications or disseminations at local, regional, national, or international level(s) in area of clinical assignment; (g) collaboration in seeking local, regional or national funding for development of facilities, community service, or technological enhancements in the clinical specialty area. An agreement between the faculty member and the department will specify the clinical practice skills and certifications that must be maintained throughout the contract.

7. **Annual Performance Review for Tenure Track Faculty**

The chair shall provide each tenure track Faculty member in the department's Professorial Ranks a letter each year that offers an evaluation of the faculty member's accomplishments during the previous year and discusses the Faculty Member's progress towards achieving reappointment, promotion or the conferral of Permanent Tenure, as appropriate. The letter should clearly and specifically address strengths and weaknesses in the performance of the Faculty Member, providing for a clear plan and timetable for improvement of any deficiencies in performance. While ultimate decisions on reappointment, promotion, and the conferral of Permanent Tenure take into account many factors, not all of which are related to the Faculty Member's performance, effective annual evaluations are intended to help to eliminate unexpected results in the comprehensive reviews supporting decisions on reappointment, promotion, and the conferral of Permanent Tenure. Guidelines for the annual performance review are detailed in the Winston Salem State Faculty Evaluation Handbook.



#### 8. **Annual Performance Review for Clinical Track Faculty**

Clinical track faculty members will be evaluated annually by the department/ program supervisor in accordance with the current human resources directives and the provisions of the employment contract. Evaluation will be based on satisfactory progress toward, or effective attainment of, all the criteria for initial appointment at clinical faculty rank set forth in the employment contract. Each Department or Program will establish at the outset responsibilities and ratio of teaching, service, and research. To allow for the unique professional requirements of each program, the particular departments or programs will establish additional performance criteria for appointment, reappointment, advancement in rank, and salary increases, as appropriate (see section 6 above).

### C. **Criteria for Initial Faculty Appointments**

The College and each School is required to follow the procedures and guidelines described in the *Handbook on Faculty Recruitment* published by the Office of Faculty Affairs.

The following minimum criteria apply to candidates being considered for initial, full-time appointment at the various ranks.

1. **Instructor:** Appointment as instructor is based on potential. Candidates must meet the following minimum requirements: 1) earned master's degree in field or related field from a regionally accredited institution of higher education or evidence of comparable professional distinction in his or her field; 2) demonstrated professional competence (relative to teaching, research/scholarly/creative activity, service); 3) potentials for future contribution, and institutional needs and resources; 4) three letters of recommendation; and 5) additional departmental and college/school criteria will be published and distributed to Office of Provost).
2. **Assistant Professor:** Appointment as an assistant professor is based on potential and prior professional experience. Candidates must meet the following minimum requirements: 1) earned doctorate or terminal degree in field or related field from a regionally accredited institution of higher education or present evidence of comparable professional distinction in his or her field; 2) demonstrated professional competence (relative to teaching, research/scholarly/creative activity, service); 3) potential for future contribution, and institutional needs and resources; 4) three letters of recommendations; and 5) additional departmental and college/school criteria will be published and distributed to Office of Provost.
3. **Associate Professor:** Appointment as an associate professor is based on actual professional experience as well as future potential. Minimum requirements are as follows: 1) earned doctorate or terminal degree in field or related field from a regionally accredited institution of higher education or present evidence of comparable professional distinction in his or her field; 2) demonstrated professional competence (relative to teaching, research/scholarly/creative activity, service); 3) potential for future contributions and institutional needs and resources; 4) three letters of recommendations; and 5) additional departmental and college/school criteria will be published and distributed to Office of Provost.
4. **Professor:** Appointment as a professor requires that a candidate be recognized by colleagues, previous supervisors and students as a capable teacher, scholar and researcher. The following minimum requirements apply: 1) earned doctorate or terminal degree in field or related field from a regionally accredited institution of higher education or present evidence of comparable professional distinction in his or her field; 2) demonstrated professional competence (relative to teaching, research/scholarly/creative activity, service); 3) potential for future contributions and institutional needs and resources; 4) five letters of

recommendations; and 5) additional departmental and college/school criteria will be published and distributed to Office of Provost.

**Clinical Faculty and Ranks:** The initial appointment of non-tenure track clinical faculty will be to one of four ranks that mirror those of tenure track faculty (UNC Code 610, Section IV, A. 1.): Clinical Instructor, Clinical Assistant Professor, Clinical Associate Professor, and Clinical Professor.

Appointment to all ranks requires: a) evidence of instructional or supervisory competence, b) current licensure in the area of clinical assignment as applicable; and c) a graduate degree commensurate with accreditation of the academic program. Because national specialty certification is not common and is an indicator of the excellence of the faculty member and lends esteem to the program, school and university, additional consideration will be given to those documenting national certification as a clinical specialist, as applicable. The following minimum criteria apply to candidates being considered for initial, full-time appointment at the various ranks.

1. **Clinical Instructor:** Appointment as instructor is based on potential. Candidates must meet the following requirements: 1) Master's degree and demonstration of beginning level of teaching or relevant clinical experience appropriate to the assignment; 2) An agreement between the faculty member and the department will specify the clinical practice skills and certifications that must be maintained throughout the contract.
2. **Clinical Assistant Professor:** Appointment as a clinical assistant professor is based on potential and prior professional experience. Candidates must meet the following requirements: 1) terminal degree and minimum of two (2) years of relevant clinical experience appropriate to the assignment is required; 2) The faculty member must show evidence of at least one of the following: a) university or clinical teaching experience; b) effort to incorporate evidence-based processes in teaching and/or clinical practice; c) involvement in professional, community-based, or advisory organization(s); d) present evidence of collaboration on presentations at the local or regional level in the area of clinical expertise or teaching assignment; 3) An agreement between the faculty member and the department will specify the clinical practice skills and certifications that must be maintained throughout the contract.
3. **Clinical Associate Professor:** Appointment as a clinical associate professor is based on actual professional experience as well as future potential. Minimum requirements are as follows: 1) terminal degree and minimum of five (5) years of teaching or relevant clinical experience appropriate to the assignment; 2) The faculty member must show evidence of at least two of the following: a) mastery of classroom or clinical teaching as defined by the hiring department; b) consistently incorporates evidence-based processes in all teaching and clinical practice; c) leadership in local or regional professional, community-based, or advisory organization(s); d) present evidence of collaboration in seeking local or regional funding for development of facilities, community service, or technological enhancements in the clinical specialty area; e) present evidence of investigation of problems relevant to specialty and/or teaching area; f) provide evidence of presentations and publications or disseminations at local or regional level in area of clinical assignment; 3) An agreement between the faculty member and the department will specify the clinical practice skills and certifications that must be maintained throughout the contract.
4. **Clinical Professor:** Appointment as a clinical professor requires that a candidate be recognized by colleagues, previous supervisors and students as a capable teacher in the area of practice. The following minimum requirements apply: 1) terminal degree and minimum of ten (10) years of teaching or relevant clinical experience appropriate to the assignment; 2) The faculty member must show evidence of at least three of the following: a) mastery of classroom or clinical teaching as defined by the hiring department; b)

mastery of a clinical specialty area as defined by the hiring department; c) consistently incorporates evidence-based processes in all teaching or clinical practice; d) leadership in curriculum development and program and/or clinical evaluation; e) leadership in local, regional or national professional, community-based, or advisory organization(s); f) provide evidence of presentations and publications or disseminations at local, regional, national, or international level(s) in area of clinical assignment; g) present evidence of collaboration in seeking local, regional or national funding for development of facilities, community service, or technological enhancements in the clinical specialty area; 3) An agreement between the faculty member and the department will specify the clinical practice skills and certifications that must be maintained throughout the contract.

#### **D. Procedures for Initial Appointment**

Each department shall establish search committees, appointed by the department chair, to review and screen applications for full-time faculty positions. Following input from the search committee, the department chair shall provide a recommendation to the dean along with the rationale and documentation for the decision. The chair and dean shall consult with the Provost prior to making a final offer to the candidate. The dean shall forward a recommendation for the faculty appointment to the provost, who shall have the final authority to approve all faculty appointments.

Search committee documents and records are confidential personnel information and should only be reviewed by the members of the search committee and other authorized university personnel. Deliberations of the search committee concerning a faculty appointment are to be held in closed session.

#### **E. Decisions Not to Reappoint Upon Expiration of Tenure-Track Terms**

The final decision not to reappoint when a Tenure-Track appointment as assistant professor, associate professor, or professor expires shall be made by the provost.

This decision is final except as it may later be reviewed in accordance with the provisions of Section VI of this document. The provost shall provide Formal Notice to the Faculty Member of the decision not to reappoint and shall include the rationale for the decision including strengths and weaknesses of the application in the areas of teaching, research, and/or service. Each such decision shall be communicated for information through the administrative channels prescribed for review had the decision been to reappoint.

#### **F. Terms and Conditions of Appointment**

The terms and conditions of each initial appointment and of each reappointment to the faculty shall be set out in writing. A copy of the terms, signed by the provost shall be delivered to the Faculty Member and the provost shall retain a copy.

Any special terms and conditions shall be clearly stated in the written appointment. No special terms or conditions may be included that vary from the general terms and conditions stated therein. The responsibility for initiating the inclusion of special terms and conditions in documents of appointment is with the department chair or the hiring manager who recommends the appointment.

#### **G. Joint Appointments**

A Faculty Member may only hold one full-time appointment at the university.

The appointment may be held between or among two or more departments or units or by holding an administrative appointment concurrent with a faculty appointment. These Faculty Members shall be considered for promotion or Permanent Tenure by the same standards applied to other faculty as outlined in Section III of this document.

## H. Leaves of Absence

A Faculty Member may receive an **academic leave of absence** from full-time employment responsibilities for a fixed period, for no more than one year at a time for a maximum of two years, upon recommendation of the department chair and the dean and by written agreement signed by the provost and the Faculty Member. The agreement shall specify the effect of the leave on the timetable for consideration of reappointment, promotion, and/or Permanent Tenure and shall specify whether the leave will be with or without pay. If the leave is with pay, the agreement shall contain the promise of the Faculty Member to return to the university for a period at least equal to that of the leave granted, or to repay the value of salary and fringe benefits received during the leave period, unless the university agrees in writing to some other understanding concerning the obligation of the Faculty Member to return or repay. The Faculty Member taking a leave of absence should consult with the Department of Human Resources before beginning the leave to ensure that any arrangements pertaining to benefits have been implemented.

Medical leave will be calculated using current university policies, University of North Carolina policies, and State and Federal regulations. **Medical leaves of absences** may be taken under the Disability Policy for Nine Month Employees, the Family and Medical Leave Act and the State Family Illness Leave Policy.

Under the Disability Policy for Nine Month Employees, eligible Faculty Members are eligible for continuation of salary (paid leave) for a minimum of 60 calendar days within a single semester and up to a maximum of one academic semester in cases of extraordinary illnesses, major disability and for parental purposes. The policy is posted on the Office of Legal Affairs website.

The effect of any medical leave on the timetable for consideration of reappointment, promotion, and/or permanent tenure is subject to written agreement with the Dean and Provost.

## I. Retreat to a Faculty Position

An administrator who holds a concurrent tenured faculty appointment may return to that appointment with all the rights and responsibilities of faculty in the home department, unless a proceeding is initiated to discharge or demote the administrator from the faculty position. If there has been an administrative stipend during the appointment, that stipend shall be removed. Except for those faculty members in disciplines with 12-month appointments, the salary will be adjusted from a 12-month salary to a 9-month salary that is commensurate with the salaries of comparable Faculty Members. At the chancellor's discretion, the chancellor may provide for a reasonable period of time with full administrative salary to provide an opportunity for the employee to prepare for teaching and research responsibilities. The reasonable period of time should be related to the time spent in administrative duties, except that if the chancellor proposes to pay the administrator full administrative pay after the termination of the administrator's administrative duties for longer than one year, the agreement must be approved by the Board of Trustees.

## J. Resignation and Retirement

A Faculty Member who has decided to resign or retire from Winston-Salem State University shall give prompt written notice with its effective date to the department chair, who will then notify the dean, who in turn will notify the provost who then will report the resignation or retirement to the Chancellor.

Each Faculty Member may retire in accordance with the provisions of Chapter 135 of the North Carolina General Statutes or if eligible, according to the university's phased retirement plan.

#### **K. Continued Availability of Special Funding**

The appointment, reappointment or promotion of a Faculty Member to a position funded in whole or in substantial part from sources other than continuing state budget funds or permanent trust funds shall specify in writing that the continuance of the Faculty Member's services, whether for a specified term or for Permanent Tenure, shall be contingent upon continuing availability of such funds. The contingency shall not be included in a Faculty Member's contract in the following situation:

In a promotion to a higher rank if, before the effective date of that promotion, the Faculty Member had Permanent Tenure and no such condition was attached to the tenure.

#### **L. Provisions for Less than Full-time Employment**

Special terms for less than full-time employment with commensurate compensation, or for relief from all employment obligations to any faculty rank may be added by a written memorandum of amendment during the term of an appointment. For compelling reasons, such terms may, with the concurrence of the Faculty Member, include extensions of the period of a current Tenure-Track term of appointment to coincide with the extent and duration of the relief from the full-time employment obligation. Such special terms must be expressly stated in initial appointment documents or, if added by a memorandum of amendment, must be approved by signature of the provost and the Faculty Member, with a copy to be retained by each. Except as may be otherwise expressly provided in the documents of appointment, all appointments to any faculty rank are made on the basis of a full-time employment obligation and confer the full incidents of Tenure pertinent to the particular appointment.

These provisions do not apply to informal temporary adjustments of the regularly assigned duties of Faculty Members by the department chair who is responsible for their direct supervision, or to the university's granting of extended leaves of absence with or without compensation.

### **Section IV. Procedures for Review of Reappointment, Promotion, and Permanent Tenure**

#### **A. Reappointment Procedures**

**General Provisions.** Each initial or subsequent appointment with a fixed term or Tenure-Track contract, promotion in rank and reappointment of an instructor, assistant professor, associate professor, or professor, or whether or not the reappointment recommends the conferral of Permanent Tenure, shall be initiated by recommendation of the head of the department concerned.

The Senior Faculty should meet to review the appointment, reappointment, promotion and/or Permanent Tenure of faculty in the department and shall forward their recommendation to the department chair.

The Senior Faculty's recommendation for appointment or reappointment shall include the vote count (number for, against, abstain, absent) and written reasons for recommendation. The department head's and the Senior Faculty's recommendation for reappointment shall be sent to the dean. The dean shall forward his/her recommendation to the Provost, who shall inform the Chancellor of his/her decision to recommend reappointment of the Faculty Member. The decision of the provost is final but is subject to review by the Faculty Hearing Committee on Discharge and Non-reappointment, if the Faculty Member believes the decision was based on Impermissible Grounds or Material Procedural Irregularities.

**Notification.** For tenure track appointments, written notification to the Faculty Member will be provided at every level by the Senior Faculty, department chair, dean, Tenure and Promotion Committee (formerly Faculty Personnel Committee), provost, and chancellor at the time the

decision is made. The notification shall contain the decision and the rationale for the decision in terms of strengths and weaknesses of the application in the areas of teaching, research, and/or service.

## **B. Promotion/Permanent Tenure Criteria and Procedures**

### **1. Minimum Criteria for Promotion and/or Permanent Tenure**

- a. Assistant Professor.** Promotion to assistant professor is based on an explicit record of positive and productive performance as an instructor. Minimum criteria include the following:
  - i. Earned doctorate or terminal degree in an appropriate field from a regionally accredited institution of higher education. Exceptions shall be made in cases where the master's is the terminal or prevalent professional degree,
  - ii. Established record as an effective teacher,
  - iii. Evidence of promise in research/scholarly or creative activity such as art and musical performance or production, proposal writing and service to the department and the university, diverse teaching techniques to strengthen the curriculum, public service projects related to the discipline,
  - iv. Demonstrated adherence to the professional Code of Ethics for the faculty as delineated in the Faculty Handbook.
- b. Associate Professor.** Promotion to associate professor can be with or without Permanent Tenure and is based on an exemplary record of positive and productive performance as an assistant professor. Specific criteria include the following:
  - i. Earned doctorate or terminal degree in an appropriate field from a regionally accredited institution of higher education. Exceptions may be made in cases where the master's is the terminal or prevalent professional degree,
  - ii. Established record as an effective teacher,
  - iii. Established record or continued performance in research/scholarly or creative activity such as art and musical performance or production, proposal writing and service to the department and the university, diverse teaching techniques to strengthen the curriculum, and public service projects related to the discipline,
  - iv. Demonstrated adherence to the professional Code of Ethics for the faculty as delineated in the Faculty Handbook.
- c. Professor.** Promotion to professor is with Permanent Tenure and requires that the individual be someone recognized by students and colleagues inside and outside of the university as a capable teacher, researcher, and scholar. All candidates should have achieved the following:
  - i. Earned doctorate or terminal degree in an appropriate field from a regionally accredited institution of higher. Exceptions may be made in cases where the master's is the terminal or prevalent professional degree,
  - ii. Established record as an effective teacher,
  - iii. Established record of continued performance in research, scholarly or creative activity; proposal writing and service to the department and the university, diverse teaching techniques to strengthen the curriculum, and public service projects related to the discipline.
  - iv. Demonstrated adherence to the professional Code of Ethics for the faculty as delineated in the Faculty Handbook.

## **2. Departmental and College/School Promotion and Permanent Tenure Criteria**

Eligible Faculty Members who apply for promotion and/or Permanent Tenure must meet additional specific criteria published by their departments and their college/schools. Each department and school/college will provide a copy of the criteria for promotion and Permanent Tenure to each departmental Faculty Member, Promotion and Tenure Committee (formerly Faculty Personnel Committee), and to the Office of the Provost at the beginning of each academic year. The criteria will address teaching, research/scholarly or creative activity, and service (department, university, community, profession) and other factors used in making promotion/Permanent Tenure decisions.

## **3. Procedures**

Each department and school/college will provide a copy of the criteria for promotion and Permanent Tenure to each departmental Faculty Member, Promotion and Tenure Committee (formerly Faculty Personnel Committee), and to the Office of the Provost at the beginning of each academic year. The criteria will address teaching, research/scholarly or creative activity, and service (department, university, community, profession) and other factors used in making promotion/Permanent Tenure decisions.

Candidates normally apply for promotion and/or Permanent Tenure as described below, submitting applications and supporting documentation in time to meet the deadline announced by the Office of the Provost.

In the event that simultaneous applications are filed for promotion and Permanent Tenure, a single supporting portfolio for both processes will be used as the review process will occur concurrently.

### **Application for Promotion and or Permanent Tenure**

To apply for promotion and/or Permanent Tenure, the eligible Faculty Member must complete an application and file it with the department chair in September. In addition to preparing the application, the Faculty Member is required to prepare a portfolio (3 ring binder, no more than 2”) showing contributions in teaching, research, service, and an updated curriculum vitae. Supporting documentation should be included in the portfolio.

### **Departmental Review**

The department chair forwards the application materials to the designated convener of the Senior Faculty for review. The Senior Faculty meets and discusses each application. The designated convener of the Senior Faculty records the vote (for, against, abstain, absent) taken by the Senior Faculty, records the justification for the vote in terms of strengths and weaknesses of each applicant, and forwards the recommendations to the department chair.

The Senior Faculty also provides notification to the Faculty Member as outlined in Section IV.A above of this document.

The department chair’s recommendations and justifications for the vote in terms of strengths and weaknesses (in the areas of teaching, research/creative activity, and service) of each applicant and that of the Senior Faculty for promotion and/or Permanent Tenure shall be sent to the dean. The chair also provides notification to the Faculty Member as outlined in Section

IV.A above of this document.

### **Dean's Review**

The dean shall forward all documentation and departmental recommendations for each applicant along with his or her recommendations and written justifications to the Provost. The Provost shall forward the applications and all supporting documents to the Tenure and Promotion Committee, which is composed of tenured Senior Faculty Members elected by the faculty for four-year, overlapping terms. The dean also provides notification to the Faculty Member as outlined in Section IV.A above of this document.

### **University Tenure and Promotion Committee Review Committee**

This statutory committee reviews matters of faculty concern and makes recommendations to the provost, who reviews them with the chancellor for final decision. Concerns include promotion and tenure. This committee is comprised of nine elected, tenured, Faculty Members holding the rank of associate professor or professor, and three alternates (two professors and one associate professor). Members and alternates serve a four-year term. A committee member of the department of an applicant excludes himself or herself from a case involving his or her department. Members are elected annually by full-time Faculty Members who do not hold administrative positions at the level of department chair, dean, or higher. No administrator at the level of department chair, dean, or higher may serve on this committee.

### **Review of Applications**

Application materials for promotion and/or Permanent Tenure will be made available to the Tenure and Promotion Committee by the Office of the Provost. These should then be made available for review by members and should be reviewed collaboratively at a convenient location which provides access to a secure storage area.

Discussions of individuals should relate solely to the applications and any supplemental material which may be provided. The chair, at his or her discretion, may seek clarification as necessary, posing the request to the provost. In instances where a committee member and applicant are from the same department, the committee member shall disqualify himself or herself. Likewise, a member of the committee whose application is under review shall disqualify himself or herself. Further, a committee member shall disqualify himself or herself if any perceived conflict of interest exists. In all instances, alternates must be designated to replace the affected Faculty Members who have been disqualified and shall not participate in the discussion and shall leave the room during the discussion and vote.

Review of applications for either Permanent Tenure or promotion should entail a thorough analysis of qualifications for the rank change (if one is requested), along with an assessment of demonstrated professional competence and potential for future contributions as well as minimum criteria for promotion and/or Permanent Tenure found in Section IV.B.1 of this document.

Following a thorough review and analysis of applications, supporting documentations, and all recommendations, the committee chair shall request a vote by secret ballot on each candidate. This vote is recorded in the form of minutes. The chairperson then signs the information sheet that summarizes the vote for all candidates. The signature shall be accompanied by the committee's written advice for or against Permanent Tenure or promotion and a justification for each vote in terms of the strengths and weakness in the



area of teaching, research/creative activity, and service. The committee's written recommendation (indicating strengths and weaknesses of each applicant) and the vote (number for, against, abstain, absent) shall be forwarded to the provost along with all other materials and recommendations. The Tenure and Promotion Committee also provides notification to the Faculty Member as outlined in Section IV.A above of this document.

### **Provost's Review**

The provost thoroughly assesses the candidate's application, portfolio, and reports from the departmental Senior Faculty, the department chair, college/school dean, and the University Tenure and Promotion Committee. He or she then prepares a summary report containing data on each candidate and submits his or her recommendations and supporting materials for promotion and/or Permanent Tenure to the chancellor. The provost submits only favorable recommendations to the Chancellor. The provost also provides notification to the Faculty Member as outlined in Section IV.A above of this document.

### **Chancellor's Review**

The chancellor examines recommendations from the provost, the Tenure and Promotion Committee and other appropriate documents. If the chancellor makes a decision on a promotion or Permanent Tenure application that is different from the decision that was made by the Tenure and Promotion Committee (formerly Faculty Personnel Committee), the chancellor shall communicate his or her decision and the rationale for the decision in writing to the chair and the members of the Tenure and Promotion Committee. The chancellor sends all favorable recommendations for Permanent Tenure to the Personnel and Tenure Committee of the Board of Trustees for submission to the full Board of Trustees.

The chancellor also provides notification to the Faculty Member as outlined in Section IV.A above of this document.

### **Board of Trustee Review**

The chancellor's decision on promotion is final. The decision of the Board of Trustees on Permanent Tenure is final. Candidates are notified of the disposition of their Permanent Tenure applications by the provost.

### **Unfavorable Promotion, Tenure, and Reappointment Decisions**

Promotion and reappointment decisions that are unfavorable to the Faculty Member and for which a Faculty Member contends were based on Impermissible Grounds or Material Procedural Irregularities may be appealed to the Faculty Hearing Committee on Discharge and Non-reappointment. Non-promotion decisions that do not lead to non-reappointment may be appealed to the Faculty Grievance Committee.

### **Appeal Process of Unfavorable Reviews**

The committee reviews the letter from the Faculty Member requesting an appeal of a reappointment decision. The committee determines whether the information presented in the letter, if shown to be true, warrants a hearing.

#### **4. Performance Review for Tenure Track Faculty**

##### **Annual Review**

The department chair's evaluation, with input from the Senior Faculty, of the progress the Faculty Member is making toward the achievement of reappointment, promotion, or the conferral of Permanent Tenure shall be conducted annually. A summary of the evaluation from the chair and the Senior Faculty shall be provided to the Faculty Member by June 30th of each year in a letter that specifically addresses strengths and weaknesses and that provides a plan and timetable for improvement of deficiencies in performance. The letter shall indicate progress towards reappointment/promotion/Permanent Tenure. Guidelines for annual reviews are included in the Faculty Evaluation Manual.

### **Section V. Post-Tenure Review**

Faculty Members who hold Permanent Tenure must undergo a comprehensive evaluation no less frequently than every five years. A review undertaken to grant Permanent Tenure or decide on promotion qualifies as a cumulative review. Post-Tenure Review is designed to promote continuous renewal and improvement among Faculty Members who have Permanent Tenure. The review should be flexible enough to acknowledge different outcomes in different disciplines. Ultimately, the review is intended to ensure faculty development and to promote faculty vitality. It shall be the responsibility of the Provost to assure compliance with standards of performance established by Faculty Members in their department.

Postponement of the scheduled five-year review may be requested for extenuating circumstances, such as illness, educational leave, and family and/or personal crisis. A request for postponement must be presented to and approved by the chair of the department, the dean, and the Provost.

Each department or school/college will elect a group of at least three Faculty Members who have Permanent Tenure, excluding the department chair, to serve on the Post-Tenure Review Committee. The faculty member being reviewed will not have the option of selecting members of the Post-Tenure Review Committee. If a department is unable to elect a group of at least three tenured Faculty Members, the dean in consultation with the department chair will coordinate the election of tenured faculty from similar departments to constitute the Post-Tenure Review Committee.

A chair shall be selected from the members of the Post-Tenure Review Committee. The chair and the Committee should be re-elected at two-year intervals.

The chair of the Post-Tenure Review Committee will contact the Faculty Member(s) to be reviewed. The chair will provide the tenured Faculty Member(s) the timeline for the review. The Faculty Member will provide the committee with the following documents: written annual evaluations for the five years following the awarding of Permanent Tenure or last post-tenure review; a narrative articulating in executive summary format (3-5 pages) the outcomes achieved by the Faculty Member in the relevant performance of teaching, scholarship, and service areas relative to contributions to the mission of the institution, college/school, and academic program; and an updated curriculum vitae. If faculty responsibilities are primarily only to one or two of these areas, post-tenure review and resulting recommendations will take this allocation of responsibilities into account.

After careful consideration of the material evidence and consultation with the department chair, the Post-Tenure Review Committee shall render a report summarizing the results of the evaluation with recommendation(s). The report shall be reviewed by the chair and the dean, respectively, before it is presented to the Faculty Member by the chair of the Post-Tenure Review Committee. A copy of the final report shall be sent to the department chair, the dean, and Faculty Member and the Provost.

The evaluative findings are Outstanding Performance, Satisfactory Performance, or Unsatisfactory Performance. An Unsatisfactory Performance report must include a statement of the Faculty Member's primary responsibilities and specific descriptions of shortcomings as they relate to the Faculty Member's assigned duties. Faculty response to a negative review will also be shared at the next highest administrative level. If the performance is unsatisfactory, the Faculty Member can contest the report and appeal the findings to the Faculty Grievance Committee; or the department chair and the Faculty Member will prepare a development plan to improve performance, not to exceed three years. If the Faculty Member's performance remains unsatisfactory after the three year period following the review, the department chair will recommend an appropriate disposition (sanction) to the dean. Disciplinary sanctions referencing failure to achieve the outcomes established in the overall Post-Tenure Review and the Development Plan must be consistent with criteria designated in the UNC Policy Manual (Chapter VI of The Code of the University of North Carolina).

Outstanding and Satisfactory Performance decisions will be transmitted to the Provost and shall follow the established university procedures for inclusion in the Faculty Member's permanent record. Faculty awards are available to faculty who exemplify excellence in teaching, research and service. Merit salary increases are also available to these faculty members.

If the findings of the Post-Tenure Review support an Unsatisfactory Performance rating and the Faculty Member does not wish to contest the results, a development plan will be devised by the Faculty Member and the department chair and/or the dean. The plan will include specific steps designed to lead to improvement, a specified timeline in which improvement is expected to occur, and a clear statement of consequences should improvement not occur with the designated timeline. The department chair will provide a peer mentor and will schedule progress meetings with the Faculty Member who receives an Unsatisfactory Performance rating on at least a semi-annual basis during the specified timeline. If duties are modified as a result of a less than satisfactory rating, then the development plans shall be revised to take into account the new allocation of responsibilities. If the Faculty Member achieves the anticipated outcomes within the specified incremental time period, a Satisfactory or higher level rating (Outstanding) will be granted.

If the Faculty Member is progressing in a positive direction, but has not yet achieved the satisfactory or higher level performance rating, the chair and the Faculty Member shall redesign or adjust the development plan prior to reevaluation by the Post-Tenure Review Committee.

If the Faculty Member's performance remains unsatisfactory, the department chair will recommend an appropriate disposition (sanction) to the dean. Sanctions can range from discharge to reduction in rank. The Faculty Member may then enact the procedure established by the university as outlined in the section on Due Process Before Discharge or Serious Sanctions if the department chair recommends discharge or some other sanction. Faculty rights under Code 600 will not be abrogated.

## **Section VI. Unfavorable Decisions for Tenure-Track Faculty Members**

### **Appointment, Nonreappointment and Requirements of Notice and Review for Tenure Track Faculty**

#### **A. Permissible and Impermissible Grounds for Nonreappointment, Nonpromotion, or Denial of Permanent Tenure:**

The decision whether to reappoint, promote or recommend Permanent Tenure, when a contract expires for a Faculty Member who had a Tenure-Track appointment, may be based on any factor considered relevant to the total institutional interests. However, it must consider the Faculty Member's demonstrated professional competence, the potential for future contributions, and institutional needs and resources. In no event shall a decision not to reappoint a Faculty Member be

based upon (a) the exercise by the Faculty Member of rights guaranteed by the First Amendment to the United States Constitution, or by Article I of the North Carolina Constitution, or (b) the Faculty Member's race, sex, creed, color, religion, national origin, age, disability, veteran's status, or other forms of discrimination prohibited under the policies adopted by the Board of Trustees (c) personal malice. For purposes of this section, the term "personal malice" means dislike, animosity, ill-will, or hatred based on personal characteristics, traits or circumstances of an individual.

**B. Conference with Provost**

Within 14 calendar days after receiving Formal Notice of nonreappointment, nonpromotion, or of a decision not to recommend Permanent Tenure from the provost, a Faculty Member may request in writing a private conference with the provost to discuss the reason(s) for the decision. If the faculty member does not request review of the notice of non-reappointment in a timely fashion, then the non-reappointment is final without recourse to any further review by faculty committees, the University, or the Board of Governors. This request shall be granted and the conference held within 10 Days after receipt of the request. Within 10 Days after the conference, the provost shall give the Faculty Member Formal Notice whether the decision to not reappoint, not promote, and/or not grant Permanent Tenure remains in effect with a copy to the chancellor.

**C. Request for Review by Faculty Hearing Committee on Discharge and Nonreappointment**

Within 14 calendar days after the Faculty Member receives Formal Notice of the decision and, if the Faculty Member is not satisfied with the decision of the provost he/she may request that the Faculty Hearing Committee on Discharge and Nonreappointment review the decision. This review is limited solely to determining whether the decision not to reappoint, promote, or recommend Permanent Tenure was based upon any of the Impermissible Grounds in Section I.E or Material Procedural Irregularities in Section I.F.

The request for review shall be written and addressed to the chair of the Faculty Hearing Committee on Discharge, and Nonreappointment with a copy to the Provost. The Faculty Member must state clearly which of the three Impermissible Grounds, as stated in Section I.E, or procedural errors as outlined in I.F were used as the basis for nonreappointment or non-promotion and include a concise statement of facts that the Faculty Member believes supports the contention.

Such a request constitutes on the Faculty Member's part: (1) a representation of ability to prove the contention, and (2) an agreement that the institution may offer in rebuttal of the contention any relevant data within its possession.

The committee shall consider the request and grant a hearing if it determines that (a) the request contains a contention that the decision was impermissibly based under Section I.E or procedural errors occurred based under Section I.F and (b) the facts suggested, if established, will support the contention. A denial of the request for review finally confirms the decision of the Provost not to reappoint, promote or grant permanent tenure. If the request for review is granted, a hearing shall be held within 20 Days after the request for review is received. The Faculty Member and the Provost shall be given at least 10 Days' Formal Notice of the hearing. The notice to the Faculty Member and the provost shall include the date of the hearing and the membership of the committee. Within 5 Days of receipt of notification, the Faculty Member may request a substitution in the committee's membership, if a committee member constitutes a conflict of interest. The chair of the hearing committee shall review any substitutions with the parties involved and shall consult with the parties to reschedule a hearing, if necessary.

## **D. Process for Review of Unfavorable Reappointment, Promotion and Permanent Tenure Decisions**

### **Hearing Committee:**

**Powers and Duties.** The Faculty Hearing Committee on Discharge and Nonreappointment shall hear cases of nonreappointment, nonpromotion, discharge, the imposition of serious sanctions, or terminations in accordance with Sections VI -VIII.

### **Composition, Terms of Office, and Election**

A Faculty Member who has been discharged, suspended, or not re-appointed for reasons considered relevant to total institutional interests may request a hearing before this statutory committee on the written specification of reasons for the intended discharge.

The committee shall be composed of five Senior Faculty Members. Four alternates who are Senior Faculty Members will also be elected. Members are elected annually (August of each year) by full-time Faculty Members who do not hold administrative positions at the level of chair, dean, or higher. No administrator at the level of department chair, dean, or higher may serve on this committee.

Faculty Members shall elect committee members by majority vote during the first week of classes of the fall semester, or as appropriate to fill vacancies, as outlined in the Faculty Constitution.

A committee member who holds an appointment in the same department as the aggrieved Faculty Member, who plans to testify at the hearing, who served on the committee which previously considered the case, and who has a conflict of interest shall be disqualified from serving on the hearing panel. In this case, the committee member with a conflict shall not attend the hearing and participate in the discussions.

## **Section VII. Hearing for Nonreappointment, Nonpromotion and Denial of Tenure**

### **A. Purposes of the Hearing**

Promotion, tenure, and non-reappointment decisions that are unfavorable to the Faculty Member and for which a Faculty Member contends were based on Impermissible Grounds or Material Procedural Irregularities may be appealed to the Faculty Hearing Committee on Discharge and Non-reappointment.

Hearings in non-reappointment, non-tenure or non-promotion cases serve several important purposes. The primary purpose of the hearing is to give the Faculty Member (hereafter, "Petitioner") the opportunity to prove his or her contention that the decision not to reappoint or not to promote was improperly made. Conversely, the hearing provides an opportunity for the decision maker, the department head, the provost or the provost's designee, (hereafter, "Respondent") to answer the Petitioner's allegations. An equally important purpose of the hearing is to create a record of testimony and documentary evidence for review by the parties, the Board of Trustees and/or the Board of Governors, should the Petitioner seek further review of the non-reappointment, non- promotion or non-tenure decision.

### **B. The Scope of Review**

The scope of review by the faculty Committee on Discharge and Non-reappointment (hereafter, the "Committee") is specified in Section VI, Unfavorable Decision for Tenure-

Track Faculty Members.

The Committee's role is not to "second-guess" the professional judgment of administrators and colleagues responsible for making the non-reappointment, non-promotion, decision. The Committee does not re-examine the merits of the Faculty Member's candidacy. Its sole function is to determine if the decision was based on one of the three Impermissible Grounds or if the process was materially flawed or if procedural errors occurred.

### **C. The Burden and Standard of Proof**

The burden of proof in non-reappointment, non-promotion cases rests with the Petitioner (faculty member) and not with the Respondent (university).

The standard of proof is proof by a preponderance of the evidence or greater weight of the evidence. This means that the Petitioner must prove that his or her allegations of impropriety are more likely true than not true. The Committee determines whether this burden of proof has been met by weighing all of the evidence and the demeanor and credibility of the witnesses, in the light of experience and common sense judgments.

### **D. Pre- Hearing Procedures**

Upon receipt of a request for hearing, the Committee chair shall convene the committee for the purpose of determining whether a hearing shall be granted. A hearing shall be granted, if the Committee determines that the request contains a contention that the decision was impermissibly based as set out herein above and (b) the facts offered, if established, will support the contention. A denial of the request finally confirms the decision and the Petitioner shall be advised by a simple statement of the Committee's decision and his or her appeal rights. A copy of the letter shall be sent to the Respondent. If the request for hearing is approved, the Respondent shall be provided a copy of the written request for hearing, and a hearing shall be scheduled within 30 Days of the date the request was received. The committee chair may seek agreement of the Petitioner and Respondent to extend these time limits if the limits are impractical.

### **E. Arrangements for Recording Device.**

For purposes of preservation of a record of the hearing, the Committee chair through the Office of Legal Affairs will arrange for the availability of a court reporter. Upon request, the university will provide the Respondent with a copy of a Transcript of the hearing.

### **F. Witnesses and Exhibits**

The hearing shall be conducted informally and in private. Only the members of the committee, the Faculty Member, the provost, and such witnesses as may be called may attend, except that both the Faculty Member and the provost may be accompanied by one person of their choosing. Witnesses shall remain outside the hearing chamber except when testifying.

In the spirit of avoiding unfair surprise, and to facilitate the hearing process, the parties should provide a list of witnesses and copies of exhibits they intend to introduce at the hearing, to each other, and to the Committee chair, at the beginning of the hearing. Copies of exhibits should also be made for each Committee member. The failure to list a witness, or to provide advance copies of all exhibits, will not preclude a party from calling the witness or from introducing a document. However, the opposing party may be granted a temporary adjournment of the hearing if the Committee deems a delay necessary in order for that party to

adequately respond to the new evidence. It is important to note that the Committee has no authority to compel the attendance of witnesses. However, the chair may request that the chancellor ensure that all witnesses who are employees of the University are given permission to attend the hearing.

Both the provost and the Faculty Member are allowed one person of their choosing to accompany them to the hearing. Neither party shall be actively represented in the hearing by an attorney.

## **G. The Hearing**

### **1. Call to Order-Quorum**

The chair will call the hearing to order, determine whether a quorum exists, and explain procedures. A quorum consists of a simple majority of the total Committee membership, exclusive of alternates.

### **2. Challenge to Committee Membership**

Hearing Committee members who: (1) hold an appointment in the Petitioner's department or school (the latter only applies for schools which have no departments), (2) who will testify as witnesses, or (3) who have any other conflict of interest, are disqualified from participating in that hearing. Upon receipt of the notice of hearing and following the call to order, each party will be given an opportunity to challenge any Committee member's qualifications to serve. The Committee (excluding the Committee member under challenge) will decide whether to grant or deny that challenge based on a majority vote.

### **3. Court Reporter Swears Witnesses**

The court reporter shall swear in all witnesses at the beginning of the hearing or as witnesses appear to give testimony.

### **4. Opening Remarks**

Starting with the Petitioner, each party will be given the opportunity to make opening remarks limited to five minutes each. The purpose of opening remarks is to orient the Committee to the nature of the case and to the facts the party intends to establish. Opening remarks are not evidence.

### **5. Petitioner's Case in Chief**

At the conclusion of opening remarks, the Petitioner will present evidence (witnesses, documents, his or her own testimony, etc.) in support of his or her allegations. All witnesses may be questioned by members of the Committee, by the Petitioner and Respondent, and by the representatives of the Petitioner and Respondent. Except under extraordinary circumstances, Petitioner will be limited to a total of three hours to present his or her case. Petitioner may reserve a portion of those three hours for rebuttal at the conclusion of Respondent's evidence. If the Petitioner wishes to reserve rebuttal time, Petitioner must notify the Committee of that fact at the beginning of the hearing.

## **6. Determination of Whether a Prima Facie Case Has Been Presented**

After the Petitioner concludes his or her presentation, the Committee will recess the hearing and withdraw into closed session to determine whether Petitioner has established a prima facie case. A prima facie case is established if the Petitioner's evidence, standing without rebuttal and with the most reasonably favorable inferences to be drawn from them, proves his or her contention. The Committee's decision will be by majority vote. If the Committee determines that the Petitioner has not established a prima facie case, the chair will orally notify the parties of that decision and thereby end the hearing. That decision confirms the decision not to reappoint, not to promote, or not to confer Permanent Tenure and will be confirmed in writing to both parties. If the Committee determines that Petitioner has established a prima facie case it will resume the hearing.

## **7. Respondent's Case**

The Respondent may present evidence (witnesses, documents, his or her own testimony, etc.) in support of his or her allegations. All witnesses may be questioned by members of the Committee, by the Respondent and Petitioner, and by the representatives of the Respondent and Petitioner. Except under extraordinary circumstances, the Respondent will be limited to a total of three hours to present his or her case

## **8. Petitioner's Case in Rebuttal**

At the close of the Respondent's case, the Petitioner may submit evidence limited to rebuttal of Respondent's evidence.

## **9. Closing Remarks**

At the conclusion of all the evidence, Petitioner may make closing remarks to the Committee, followed by the closing remarks of Respondent. Since Petitioner bears the burden proof, Petitioner may also make brief final remarks in response to Respondent's closing. Closing remarks shall not exceed fifteen minutes per side.

## **10. Committee Deliberations and Decision**

After the closing remarks are concluded, the Chair will close the hearing and the Committee will withdraw into closed session. If the Committee wants to read the Transcript, the chair will adjourn the hearing and reconvene the Committee after the transcript is available, otherwise, the Committee may begin its deliberations immediately. The Committee's decision will be by majority vote. As discussed earlier, the Petitioner bears the burden of proving, by a preponderance of the evidence, his or her contention that the Non-reappointment and Non-promotion decision was impermissibly based. The committee must determine (1) whether the decision not to reappoint was based on impermissible reasons and (2) whether the procedure to reach the decision materially deviated from the prescribed procedures such that doubt is cast on the integrity of the decision not to reappoint.

## **H. Post-Hearing Procedures**

If the Committee decides that the Petitioner has **not** established his or her case, it will so notify Petitioner and Respondent by a simple, unelaborated written statement. If the Committee determines that the Petitioner has established his or her case, it will so notify the Petitioner and Respondent by a written notice that includes a recommendation for corrective



action by the Provost.

Within 10 Days after receiving such a recommendation, the Provost shall notify the Faculty Member and the chair of the committee what modification, if any, he or she will make with respect to the original decision not to reappoint.

If the Provost fails to make a recommended modification in the original decision, the committee shall submit a report to the chancellor containing the committee's findings and recommendation and what it considers to be appropriate action by the chancellor to resolve the matter.

The chair of the hearing panel shall assemble the case file consisting of all documents and correspondence received, sent or accepted by the panel as part of its consideration of the case, including, the Petitioner's initial statement, the hearing transcript and documents introduced as evidence and any report and recommendation. The chair will deliver the case file to General Counsel within five days after all the foregoing procedures are complete.

The chancellor will issue a final written opinion within 30 Days after receiving the hearing documents including the transcript of the hearing. The Chancellor's decision shall be based on the recommendations and evidence received from the hearing committee including the Transcript of the hearing.

A Faculty Member's appeal on **non-reappointment** beyond the chancellor is to the Board of Governors.

If the Chancellor concurs in a recommendation of the committee that is favorable to the faculty member, then the Chancellor's decision shall be final. If the Chancellor either declines to accept a committee recommendation for non-reappointment that is favorable to the faculty member or concurs in a committee recommendation that is unfavorable to the faculty member, then the faculty member may appeal by filing a written notice of non-reappointment appeal with the Board of Governors, by submitting such notice to the President by a method that requires proof of delivery, within 14 calendar days after the faculty member's receipt of the Chancellor's decision.

The notice must contain a brief statement for the basis for the appeal.

A Faculty Member's appeal on only a **non-promotion** or denial of tenure beyond the chancellor is to the Board of Trustees. If the Chancellor either declines to accept a committee recommendation for non-promotion that is favorable to the faculty member or concurs in a committee recommendation that is unfavorable to the faculty member, then the faculty member may appeal by filing a written notice of non-promotion appeal with the Board of Trustees, and submitting such notice to the Board of Trustees Chair, by certified mail, return receipt requested, or by another means that provides proof of delivery, within 14 calendar days after the faculty member's receipt of the Chancellor's decision. The notice must contain a brief statement for the basis for the appeal.

The purpose of the appeal is to assure (1) that the campus-based process for reviewing the decision was not materially flawed, so as to raise questions about whether the faculty member's contentions were fairly and reliably considered, (2) that the result reached by the Chancellor was not clearly erroneous, and (3) that the decision was not contrary to controlling law or policy.

## **I. Maintenance of Tape Recording or Transcript**

A tape recording and/or transcript made of each hearing before a panel shall be preserved by the Office of Legal Affairs so long as the possibility of appeal including the filing of a law suit remains open. The tape and any Transcript or other written record remains the property of the University.

## **J. Regulations on Submission of Notices of Appeal**

An appeal in a Nonreappointment case must be made by sending written notice of appeal to the Board of Governors by a method producing proof of delivery, c/o the UNC President, PO Box 2688, 910 Raleigh Road, Chapel Hill, NC 27515. Notice must be sent within 14 calendar days of receipt of a final opinion from the chancellor.

An appeal in a promotion only case may be made by sending written notice of appeal to the Board of Trustees, c/o WSSU Chancellor 200 Blair Hall, Winston-Salem State University, Winston-Salem, NC 27110 Notice must be sent within 14 calendar days of receipt of a final agency decision from the chancellor.

## **Section VIII. Due Process Before Discharge or the Imposition of Serious Sanctions**

- A. A Faculty Member, who is the beneficiary of institutional guarantees of tenure, shall enjoy protection against unjust and arbitrary application of disciplinary penalties. During the period of such guarantees the Faculty Member may be discharged from employment, suspended or demoted in rank only for reasons of incompetence, neglect of duty, or misconduct of such nature as to indicate that the individual is unfit to continue as a member of the faculty. These penalties may be imposed only in accordance with the procedures prescribed in this section. For purposes of these regulations, a Faculty Member serving a stated term shall be regarded as having tenure until the end of that term. These procedures shall not apply to nonreappointment (Section VI) or termination of employment (Section X).
- B. The Chief Academic Officer (provost) or his/her designee shall send the Faculty Member by Formal Notice a written statement of intention to discharge the faculty member or impose serious sanctions together with a written specification of the reasons. The specifications of reasons and the notice shall be sent by a method of mail or delivery that requests a signature for delivery and shall include notice of the Faculty Member's right, upon request to a hearing by the Hearing Committee on Discharge and Nonreappointment.
- C. If, within 14 calendar days after receiving the notice and written specifications referred to in subsection VIII.B above, the Faculty Member makes no written request for a hearing, the faculty member may be discharged without recourse to any institutional grievance or appellate procedure.

If the Faculty Member makes a timely written request for a hearing, the Chancellor or his/her designee shall ensure that the hearing is timely accorded before the Hearing Committee on Discharge and Nonreappointment. The hearing shall be on the written specifications of reasons for the intended discharge. The hearing committee shall accord the Faculty Member 30 calendar days from the time it receives the written request for a hearing to prepare a defense. The hearing committee may, upon the Faculty Member's written request and for good cause, extend this time by written notice to the Faculty Member. The hearing committee will ordinarily endeavor to complete the hearing within

90 calendar days except under unusual circumstances such as when a hearing request is received during official university breaks or holidays and despite reasonable efforts the hearing committee cannot be assembled.

- D. The hearing shall be closed to the public unless the Faculty Member and the hearing committee agree that it may be open. The Faculty Member shall have the right to counsel, to present the testimony of witnesses and other evidence, to confront and cross-examine adverse witnesses and to examine all documents and other adverse demonstrative evidence, and to make argument. Both the chancellor or his/her designee and the Faculty Member will be allowed to have counsel to participate in the hearing to present evidence, cross-examine witnesses, and make argument or neither will have a counsel acting in this role). A written Transcript of all proceedings shall be kept; upon request a copy thereof shall be furnished to the Faculty Member at the institution's expense.
- E. The provost, or his/her designee or counsel, may participate in the hearing to present testimony of witnesses and other evidence, to cross-examine witnesses, to examine all documents and other evidence, and to make argument. Both the provost or his/her designee and the Faculty Member will be allowed to have counsel to participate in the hearing to present evidence, cross-examine witnesses, and make argument or neither will have a counsel acting in this role.
- F. In reaching decisions on which its written recommendations to the chancellor shall be based, the committee shall consider only the evidence presented at the hearing and such written and oral arguments as the committee, in its discretion, may allow. The university has the burden of proof. In evaluating evidence, the committee shall use the standard of "clear and convincing" evidence in determining whether the university has met its burden of showing that permissible grounds for serious sanctions exist and are the basis for the recommended action. The committee shall make its written recommendations to the chancellor within 14 calendar days after its hearing concludes or after the full transcript is received, whichever is later.
- G. If the chancellor concurs in a recommendation of the committee that is favorable to the Faculty Member, his/her decision shall be final. If the chancellor either declines to accept a committee recommendation that is favorable to the faculty member or concurs in a committee recommendation that is unfavorable to the Faculty Member, the Faculty Member may appeal the chancellor's decision to the Board of Trustees. This appeal shall be transmitted through the chancellor and be addressed to the chair of the Board. Notice of appeal shall be filed within 14 calendar days after the Faculty Member receives the chancellor's decision. The appeal to the Board of Trustees shall be decided by the full Board of Trustees. However, the Board may delegate the duty of conducting a hearing to a standing or *ad hoc* committee of a least three members. The Board of Trustees or its committee shall consider the appeal on the evidence submitted at the hearing and the written Transcript of hearings held by the faculty hearing committee, but it may, in its discretion, hear such other evidence, as it deems necessary. The Board of Trustees' decision shall be made as soon as reasonably possible after the chancellor has received the Faculty Member's request for an appeal to the trustees. This decision shall be final, except for an appeal to the Board of Governors pursuant to Section IX.G, below, by filing a written notice of appeal, by certified mail, return receipt requested, or by another means that provides proof of delivery, with the Board of Governors if the faculty member alleges that one or more specified provisions of the Code of the University of North Carolina have been violated. Any such appeal to the Board of Governors shall be transmitted through the president.

- H. When a faculty member has been notified of the university's intention to discharge the faculty member, the chancellor may reassign the individual to other duties or suspend the faculty member at any time until a final decision concerning discharge has been reached by the procedures described herein. Suspension shall be exceptional and shall be with full pay.

## **Section IX. Hearing for Discharge or Imposition of Serious Sanctions**

### **A. Purposes of the Hearing**

Unlike hearings in non-reappointment or non-promotion cases, the primary purpose of the hearing in a discharge or serious sanction case is to give the Faculty Member (hereafter, Petitioner the opportunity to answer the contentions made by the dean and/or the Provost (hereafter, "Administration") to terminate the Faculty Member's employment or impose other serious sanctions. Additionally the purpose of the hearing is to create a record of testimony and documentary evidence for review by the parties, the Board of Trustees and/or the Board of Governors, should the Faculty Member seek further review of the discharge or imposition of other serious sanctions.

### **B. The Burden and Standard of Proof**

The burden of proof in discharge and other serious sanctions cases rests with the Administration and not with the Faculty Member.

The standard of proof is proof by clear and convincing evidence. This means that the Administration must prove that the reasons for discharge are more highly probable than not. The Committee determines whether this burden of proof has been met by weighing all of the evidence and the demeanor and credibility of the witnesses, in the light of experience and common sense judgments.

### **C. Pre- Hearing Procedures**

Upon receipt of a request for hearing, the Committee Chair shall convene the committee for the purpose of reviewing the Administration's reason for discharge and determining whether a hearing shall be granted. A hearing shall be granted, if the Committee determines that the reasons articulated, if established, constitute grounds for discharge or other serious sanction. If the Committee determines that the reasons for discharge, even if established would not establish incompetence, neglect of duty, or misconduct as stated above, the Committee shall notify the Administration and Faculty Member and the matter is concluded. If the Chancellor disagrees with the committee's determination, he/she will send it back for a hearing. If the reasons articulated for discharge or other serious sanctions are determined to constitute incompetence, neglect, or misconduct, if proved, a hearing shall be scheduled within 30 calendar days, so as to give the Faculty Member time to prepare a defense. The Committee Chair may seek agreement of the Administration and Faculty Member to extend these time limits if the limits are impractical.

When the Committee approves a hearing, the full Committee may hear the case or appoint a hearing panel of not less than five, who will decide the case on behalf of the full Committee. All members of the hearing panel must be free of bias or conflict of interest. The panel shall select its Chair if the elected Chair of the full Committee cannot serve on the panel. The Committee shall notify the Administration and Faculty Member of the intent to conduct a hearing and the membership of the panel.

## **D. Arrangements for Recording Device**

The Committee chair through the Office of Legal Affairs will arrange for the availability of a court reporter. A copy of the Transcript of the hearing shall be provided to the Administration and to the Respondent, if requested, at the expense of the university.

## **E. Witnesses and Exhibits**

The hearing shall be conducted informally and in private. Only the members of the committee, the Faculty Member, the Faculty Member's attorney, if any, the provost, the provost's designee, the attorney for the provost or provost's designee, and such witnesses as may be called may attend. Witnesses shall remain outside the hearing chamber except when testifying.

In the spirit of avoiding unfair surprise, and to facilitate the hearing process, the parties shall provide a list of witnesses with a short statement as to the testimony of each witness and copies of exhibits they intend to introduce at the hearing, to each other, and to the Committee chair, at least three days prior to the date set for the beginning of the hearing. Copies of exhibits should also be provided to each Committee member on the day of the hearing. . The failure to list a witness, or to provide advance copies of all exhibits, will not preclude a party from calling the witness or from introducing a document. However, the opposing party may be granted a temporary adjournment of the hearing if the Committee deems a delay necessary in order for that party to adequately respond to the new evidence. It is important to note that the Committee has no authority to compel the attendance of witnesses. However, the chair may request that the chancellor ensure that all witnesses who are employees of the University are given permission to attend the hearing.

## **F. The Hearing**

### **1. Call to Order-Quorum**

The chair of the hearing panel will call the hearing to order, determine any objection to the panel, and explain procedures.

### **2. Challenge to Committee Membership**

Hearing Committee members who: (1) hold an appointment in the Faculty Member's department or school (in schools that have no departments) (2) will testify as witnesses, or (3) have any other conflict of interest are disqualified from participating on the hearing panel.

Following the call to order, each party will be given an opportunity challenge any Committee member's qualifications to serve. The Committee (excluding the Committee member under challenge) will decide whether to grant or deny that challenge based on a majority vote.

### **3. Court Reporter Swears Witnesses**

The court reporter shall swear in all witnesses at the beginning of the hearing or as witnesses appear to give testimony.

### **4. Opening Remarks**

Starting with the Administration, each party will be given the opportunity to make opening remarks limited to five minutes each. The purpose of opening remarks is to orient the Committee to the nature of the case and to the facts the party intends to establish. Opening remarks are not evidence.

## **5. Administration's Case in Chief**

At the conclusion of opening remarks, the Administration will present evidence (witnesses, documents, his or her own testimony, etc.) in support of his or her allegations. All witnesses may be questioned by members of the Committee, by the Administration and Faculty Member, and by the attorneys representing the Administration and Faculty Member, if any. The Administration will be limited to a total of three hours to present its case. The Administration may reserve a portion of those three hours for rebuttal at the conclusion of Faculty Member's evidence. If the Administration wishes to reserve rebuttal time, Administration must notify the Committee of that fact at the beginning of the hearing. If the administration believes additional time is needed to present its case, a request for more time should be made to the hearing committee. The hearing committee must consider all relevant factors and determine how much additional time, if any, will be allowed.

## **6. Determination of Whether a Prima Facie Case Has Been Presented**

After the Administration concludes his or her presentation, the Committee will recess the hearing and withdraw into closed session to determine whether Administration has established a prima facie case. A prima facie case is established if the Administration's evidence, standing without rebuttal and with the most reasonably favorable inferences to be drawn from them, proves his or her contention. The Committee's decision will be by majority vote. If the Committee determines that the Administration has not established a prima facie case, the chair will orally notify the parties of that decision and thereby end the hearing. That decision results in a recommendation against the discharge or other serious sanction decision and will be confirmed in writing to both parties. If the Chancellor disagrees with the committee's determination, he/she will send it back for a full hearing. If the Committee determines that the Administration has established a prima facie case, it will resume the hearing.

## **7. Faculty Member's Case**

The Faculty Member may present evidence (witnesses, documents, his or her own testimony, etc.) in support of his or her allegations. All witnesses may be questioned by members of the Committee, by the Faculty Member and Administration, and by the attorney representatives of the Faculty Member and Administration, if any. Except under extraordinary circumstances, Faculty Member will be limited to a total of three hours to present his or her case. If a faculty member believes that he/she needs additional time, a request for more time should be made to the hearing committee. The hearing committee must consider all relevant factors and determine how much additional time, if any, the faculty member will be allowed.

## **8. Administration's Case in Rebuttal**

At the close of the Faculty Member's case, the Administration or attorney representative may submit evidence limited to rebuttal of Faculty Member's evidence.

## **9. Closing Remarks**

At the conclusion of all the evidence, Administration or attorney representative of Administration may make closing remarks to the Committee, followed by the closing remarks of Faculty Member or attorney representative of Faculty member. Since Administration bears the burden of proof, Administration may also make brief final remarks in response to Faculty Member's closing. Closing remarks shall not exceed fifteen minutes per side.

## **10. Committee Deliberations and Decision**

After closing remarks are concluded, the chair will close the hearing and the Committee will withdraw into closed session. If the Committee wants to read the transcript, the chair will adjourn the hearing and reconvene the Committee after the Transcript is available, otherwise, the Committee may begin its deliberations immediately. The Committee's decision will be by majority vote. The Administration bears the burden of proving, by a preponderance of the evidence, that the discharge or other serious sanctions meets the criteria of IX.A herein.

### **G. Post-Hearing Procedures**

If the Committee decides that the Administration has **not** established his or her case, it will so notify Administration and Faculty Member by a simple, unelaborated written statement of its findings and decision. If the Committee determines that the Administration has established his or her case, it will so notify the Administration and Faculty Member by a written statement of its findings and decision.

The chair of the hearing panel shall assemble the case file consisting of all documents and correspondence received, sent or accepted by the panel as part of its consideration of the case, including, the Administration's initial statement, and documents introduced as evidence. The Chair will deliver the case file to General Counsel within 5 Days after all the foregoing procedures are complete. The hearing Transcript shall be provided to General Counsel by the court reporter.

The chancellor shall issue a final written opinion within 30 Days after receiving the hearing documents including the transcript of the hearing. The chancellor's decision shall be based on the recommendations and evidence received from the hearing committee including the Transcript of the hearing.

A Faculty Member's appeal on discharge or impositions of serious sanctions is to the chancellor, and from the chancellor to the Board of Trustees. This decision shall be final except that the Faculty Member may, within 14 calendar days after receiving the Board of Trustees decision, file by formal notice, a written petition for review with the Board of Governors if the Faculty Member alleges that one or more provisions of *The Code of the University of North Carolina* have been violated. Any such petition to the Board of Governors shall be transmitted through the UNC President. The Board of Governors shall grant or deny the petition, or take such other action as it deems advisable. The Board of Governors shall notify the Faculty Member whether it will review the petition.

### **H. Submission of Notices of Appeal**

An appeal in a discharge or imposition of serious sanctions case may be made by sending written notice of appeal to the Board of Trustees c/o WSSU Chancellor, 200 Blair Hall, Winston-Salem State University, Winston-Salem, NC 27110. Notice must be sent within 14 calendar days of receipt of a final agency decision from the chancellor.

If Appeal to the Board of Governors is allowed an appeal is made by sending written notice of appeal to the Board of Governors c/o the UNC President, PO Box 2688, 910 Raleigh Road, Chapel Hill, NC 27515. Notice must be sent within 14 calendar days of receipt of a final opinion from the chancellor.

## **I. Maintenance of Tape Recording or Transcript**

A Transcript made of each hearing before a panel shall be preserved by the Office of Legal Affairs so long as the possibility of appeal including the filing of a lawsuit remains open. The Transcript or other written record remains the property of the University. The preservation of evidence in a form that will permit later review is mandated by the Board of Governors in the Code.

## **Section X. Termination of Faculty Employment Due to Financial Exigency**

Termination of Faculty Employment Due to Financial Exigency or Major Curtailment or Elimination of Program(s)

### **A. Reasons Justifying Termination and Consultation Required**

- 1. Reasons for Terminating Employment:** The employment of any Faculty Member may be terminated by Winston-Salem State University because of (1) demonstrable, bona fide institutional financial exigency; or (2) major curtailment or elimination of a teaching, research, or public service program. Financial exigency is defined as a significant decline in the financial resources of the institution that is brought about by decline in institutional enrollment or by other actions or events that compel a reduction in the institution's current operations budget (Section I.C). The determination of whether a condition of Financial Exigency exists or whether there shall be a major curtailment or elimination of a teaching, research, or public service program shall be made by the Chancellor, after consulting with the academic administrative officers and faculties as required by Section X.A.2 below. This determination is subject to concurrence by the President and then approval by the Board of Governors. If the Financial Exigency or curtailment or elimination of a program is such that the institution's contractual obligation to a faculty member cannot be met, the employment of the Faculty Member may be terminated in accordance with the institutional procedures set out in Section X.B below.
- 2. Consultation with Faculty and Administrative Officers:** When it appears that the institution will experience an institutional exigency or when it is considering a major curtailment in or elimination of a teaching, research, or public service program, the chancellor or his/her designee shall first seek the advice and recommendations of the academic administrative officers and faculties of the department or other units that might be affected. In cases of Financial Exigency, the chancellor or his/her designee shall appoint an ad hoc committee made up of the provost, the deans, and at least one Faculty Member from each department. The faculty representatives on the ad hoc committee shall be elected by their respective departments. The chancellor shall formulate a plan after receiving the advice of the ad hoc committee, subject to the approval of the Board of Trustees, the president, and the Board of Governors. Any such plan shall, however, take due consideration of the termination and nonreappointment policies and procedures contained in these tenure policies.

### **B. Termination Procedure**

- 1. Consideration For Termination:** In determining which Faculty Member's employment is to be terminated for the reasons set forth in Section X.A.1 above, consideration shall be given to tenure status, to years of service to the institution, and to other factors deemed relevant, but the primary consideration shall be the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the institution.



## **2. Timely Notice of Termination**

- a. When a Faculty Member's employment is to be terminated because of major curtailment or elimination of a teaching, research, or public service program that is not founded upon Financial Exigency, the Faculty Member shall be given timely notice as follows:
  - i. One who is in the first year of service at the institution shall be given 90 calendar days' notice before his/her contract expires.
  - ii. One who is in the second year of continuous service at the institution shall be given not less than 180 calendar days' notice before his/her employment contract expires.
  - iii. One with two or more years of continuous service at the institution shall be given not less than twelve months' notice before his/her employment contract expires.
  - iv. One who has permanent tenure shall be given not less than twelve months' notice.
- b. When a Faculty Member's employment is to be terminated because of Financial Exigency, the institution shall make every reasonable effort, consistent with the need to maintain sound educational programs and within the limits of available resources, to give the same notice as set forth in Section X.B.2 above.

## **3. Type of Notice to be Given**

The Chancellor or his/her designee shall send the Faculty Member whose employment is to be terminated a written statement of this fact by Formal Notice. This notice shall include a statement of the conditions requiring termination of employment; a general description of the procedures followed in making the decision; a disclosure of pertinent financial or other data upon which the decision was based; a statement of the Faculty Member's right, upon request, to a reconsideration of the decision by the Faculty Hearing Committee on Discharge and Nonreappointment if he or she alleges that the decision to terminate him/her was arbitrary or capricious; and a copy of this termination procedure.

## **4. Termination if Reconsideration not Requested:**

If, within 10 Days after receiving the notice required in Section X.B.3 above, the Faculty Member makes no written request for a reconsideration hearing, his or her employment shall be terminated at the date specified in the notice given without recourse to any institutional grievance or appellate procedure.

## **5. Request for Reconsideration Hearing:**

Within 10 Days after receiving the notice required in Section X.B.3 above, the Faculty Member may request by Formal Notice, a reconsideration of the decision to terminate employment if he or she alleges that the decision was arbitrary or capricious. The request shall be submitted to the chancellor and shall specify the grounds upon which the Faculty Member contends that the decision to terminate employment was arbitrary or capricious and shall include a short, plain statement of facts that the Faculty Member believes support the contention. Submission of such a request shall constitute on the part of the Faculty Member: (1) a representation that he or she can prove the contention, and (2) an agreement that the institution may offer in rebuttal of the contention whatever relevant data it may have.

**6. Jurisdiction of Faculty Hearing Committee on Discharge and Nonreappointment** If the Faculty Member makes a timely written request for a reconsideration of the decision to terminate employment, the chancellor or his/her designee shall ensure that the hearing is accorded before the Committee. This reconsideration shall be limited solely to a determination of the contentions made in the Faculty Member's request for reconsideration. The reconsideration hearing shall be held promptly, but the committee shall accord the Faculty Member a minimum 5 Days' notice to prepare for a hearing.

**7. Conduct of Hearing:**

The hearing shall be conducted informally and shall be closed to the public. All witnesses shall be sworn before a court reporter. The Faculty Member and the chancellor have the right to legal counsel, to present the testimony of witnesses and other evidence, to confront and cross-examine witnesses, and to examine all documents and other demonstrative evidence.

The Faculty Member and the committee shall be given access, upon request, to the Winston-Salem State University documents that were used in making the decision to terminate the subject Faculty Member after the decision was made that some Faculty Member's employment must be terminated.

The committee may consider only such evidence as is presented at the hearing and need consider only the evidence offered that it considers fair and reliable. All witnesses may be questioned by the members of the committee. Except as herein provided, the conduct of the hearing shall be under the control of the committee chair. A quorum for purposes of the meeting shall be a simple majority of the committee's total membership. No one shall serve on the committee for this hearing who holds appointment in the Faculty Member's department, participated directly in the decision to terminate this individual Faculty Member, or has any other substantial conflict of interest.

**8. Hearing Procedure:**

The hearing shall begin with the Faculty Member's presentation of contentions, limited to those grounds specified in the request for hearing and supported by such proof as the Faculty Member desires to offer. The provost or his/her representative may then present in rebuttal of the Faculty Member's contentions, or in general support of the decision to terminate his or her employment, such testimonial or documentary proofs as he/she desires to offer, including his/her own testimony.

At the end of this presentation, the committee shall consider the matter in executive session and shall make its written recommendations to the chancellor within 10 Days after its hearing concludes. The burden shall be on the Faculty

Member to satisfy the committee that his or her contention is true by the greater weight of the evidence.

**9. Procedure after Hearing:**

If the Committee determines that the contention of the Faculty Member has not been established, it shall, by a simple, unelaborated, written statement, notify the Faculty Member and the chancellor. The Faculty Member may appeal the unfavorable decision to the Board of Trustees. The decision of the Board of Trustees is final.

If the committee determines that the contention of the Faculty Member has been satisfactorily established, it shall so notify him or her and the chancellor by Formal Notice that shall also include a recommendation for corrective action by the chancellor.

Within 20 Days after receiving the recommendation, the chancellor shall send Formal Notice to the Faculty Member what modification, if any, he/she will make with respect to the original decision to terminate the Faculty Member's employment. If the chancellor concurs in a recommendation of the committee that is favorable to the Faculty Member, the chancellor's decision is final. If the chancellor fails to reverse the original decision, the chancellor shall provide Formal Notice to the Faculty Member. The Faculty Member may appeal the termination to the Board of Trustees. A notice of appeal shall be submitted within 10 Days following receipt of the chancellor's decision by directing the appeal to the Chair of the Board of Trustees, c/o the Chancellor, Suite 200 Blair Hall, Winston-Salem State University, Winston-Salem, NC 27110.

Upon request, a transcript of the proceedings shall be given the Faculty Member at the institution's expense.

### **C. Assistance for Faculty Members and Rights to New Position:**

- 1. Institutional Assistance to Employees who are Terminated:** When requested in writing by an employee whose employment has been terminated, the institution shall provide reasonable assistance in finding other employment.
- 2. First Right of Refusal of New Positions:** For a period of two years after the effective date of termination of a Faculty Member's contract for any of the reasons specified in Section X.A, the institution shall not replace a Faculty Member without first offering the position to the person whose employment was terminated. The offer shall be made by Formal Notice and the Faculty Member will be given thirty calendar days after attempted delivery to accept or reject the offer.

## **Section XI. Faculty Grievance Procedures**

### **A. Purpose of Grievance Procedure**

Tenure Policies and Regulations of Winston-Salem State University provide a process for Faculty Members to seek redress concerning employment related grievances. The function of the grievance procedure is to attempt to reach a consensual resolution of the dispute and, if that fails, to determine whether the contested decision was materially flawed, in violation of applicable policies, standards or procedures. The grievance process is not intended to second-guess the professional judgment of officers and colleagues responsible for making administrative decisions.

### **B. Committee Membership<sup>7</sup>**

The committee is comprised of thirty elected members as follows: College of Arts and Sciences: four assistant professors (2 delegates, 2 alternates), four associate professors (2 delegates and 2 alternates), and four professors (2 delegates and 2 alternates); Each of the Schools (Business and Economics, Education and Human Performance, and Health Sciences): two assistant professors (1 delegate, 1 alternate), two associate professors (1 delegate and 1 alternate), and two professors (1

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<sup>7</sup> Committee description revised 03-29-2012

delegate and 1 alternate). No administrator at the level of department chair, dean, or higher may serve on this committee. Delegates and alternates serve staggered two-year terms and may be reelected once. The chairperson of this committee will serve a term of two years and may be reelected once. Selection of the chair by committee members will occur at the first meeting of the fall semester.

### **C. Process**

1. If any Faculty Member feels that he/she has a grievance, he/she may petition the Faculty Grievance Committee for redress by sending a written statement of the grievance to the Chair of the Faculty Grievance Committee. The allegations in the petition must relate to the Faculty Member's employment status and relationships at the university, including matters related to post-tenure review, and must not be a matter considered by another standing faculty committee. Examples include salaries, performance evaluations, workload assignments, space and environmental issues. The committee shall conduct an investigation including, but not limited to, discussions with the Faculty Member. Since the power of the committee shall be solely to hear representations by the person(s) directly involved in a grievance, neither side shall be represented by legal counsel during the proceedings.
2. The petition shall set forth in detail the nature of the grievance and to whom the grievance is directed (hereafter Respondent). It shall contain any information that the Faculty Member considers pertinent to his/her case. The Faculty Member shall deliver a copy of the petition to the Respondent administrator by Formal Notice.
3. Unless the parties to the grievance have participated in mediation prior to the Faculty Member's filing the petition, before taking any action on the petition, the Faculty Grievance Committee shall refer the matter for mediation in accordance with the Mediation provisions outlined in Section XI.D. Time limits specified in the formal resolution of grievances will be suspended for the duration of a mediation process.
4. If the grievance is not resolved through the mediation process, the petition will be reviewed by the Faculty Grievance Committee as outlined below.
5. Following an unsuccessful mediation, the committee has 20 Days to conduct an investigation if it decides that the allegations merit a full investigation. Thus, submission of a petition shall not result automatically in an investigation.

### **D. Mediation Process**

#### **1. Mediation**

Mediation is a procedure in which disputing parties enlist the assistance of a neutral party to help them in achieving a voluntary, bilateral agreement that finally and definitively resolves all or portions of their dispute, without resorting to the adversarial procedures inherent in a formal Grievance Committee hearing, administrative hearings, or litigation. While there can be no requirement that forces a party to reach a mediated agreement, Winston-Salem State University requires that parties be given an opportunity to participate in a mediation process as the first step in formally resolving a grievance. No blame will attach to either party if mediation does not produce a mediated settlement agreement or if the parties decide not to pursue mediation as the first step in the resolution process.

## **2. Approved Mediators**

The Office of the Provost in conjunction with the Office of Legal Affairs will maintain a list of approved mediators. An approved mediator is one who has completed formal mediation training substantially equivalent to that required for certification by the North Carolina Administrative Office of the Courts or to have been formally trained in mediation specifically designed for use in a university setting. The list of approved mediators can include any properly trained mediator including commercial firms, private individuals, and trained mediators on the faculty or administration of Winston-Salem State University or faculty or administration of another UNC institution. Mediators may not be members of the University Faculty Hearing committee that hears Section 607 grievances.

## **3. Selection of a Mediator**

The chair of the Faculty Grievance Committee will present the parties involved in a grievance with a list of three (3) mediators from the list of approved mediators. The parties will attempt to agree on a mediator from the list acceptable to both parties. If consensus is not reached, the parties will use an alternating strike system to identify a mediator: The Petitioner will strike one name from the list and then the Respondent will strike one. The mediator will be the remaining person on the list.

## **4. Mediation Steps**

The chair of the Faculty Grievance Committee will send the mediator a copy of the filed petition. The chair of the committee will also provide assistance to the parties and to the mediator by establishing a date, time, and location for the mediation session(s). Neither party will be accompanied by another person or represented by an attorney at the mediation session(s).

Mediation will continue until such time as the mediator determines either that further efforts to resolve the grievance by mediation would be futile, or that the grievance has in whole or part been resolved to the satisfaction of the parties involved.

If the mediator determines that the mediation process has been unsuccessful, she or he shall inform the chair of the Faculty Grievance Committee of that determination through a simple unelaborated statement: "In this matter, mediation was attempted, but the parties did not reach a settlement." At that point, the chair of the Faculty Grievance Committee will submit the mediator's simple unelaborated statement, and the petition, to the Faculty Grievance Committee, and the grievance will be addressed according to procedures in Section XI, G through I, below. No record concerning the mediation effort or its outcome will be provided by either the mediator or the chair of the Faculty Grievance Committee except as provided in this paragraph.

If the mediation successfully resolves all issues described in the petition, the mediator will produce a written copy of the agreed upon resolution and will confirm that the terms as written are acceptable to the Petitioner and the chancellor. If the Petitioner and the chancellor agree on those terms, the mediator shall immediately obtain the signatures of the Petitioner and the chancellor (or designee) on that document, and provide copies of the fully executed document to the Petitioner and the chancellor (or designee). If the grievance is filed against the chancellor, then the chair of the Faculty Grievance Committee shall forward the agreement to the chairperson of the WSSU Board of Trustees for approval. The grievance is considered closed when both signatures have been obtained. If the chancellor or the Board of Trustees does not approve the agreement, the chancellor or the Board of Trustees will provide the mediator with a written explanation of the reasons that the agreement could not be approved. The mediator will then seek a new resolution that

takes into account the concerns of the chancellor or the Board of Trustees.

If the mediation successfully resolves one or more, but not all, of the issues related to the grievance, the mediator shall follow the procedure described above for those issues resolved, procuring the required signatures as described above. When the mediator receives those signatures, the issues so resolved are considered closed. If chancellor or the Board of Trustees is unwilling to sign, the chancellor or Board of Trustees will provide the mediator with a written explanation of the reasons that the agreement could not be approved. The mediator will then seek a new resolution that takes into account the concerns of the chancellor or the Board of Trustees.

Should the Petitioner wish to continue to use the formal grievance process to resolve any issues from the original grievance not resolved at the conclusion of the mediation, she or he will prepare a new petition omitting any issues from the original petition that have previously been resolved through mediation. The Petitioner will then file that revised petition with the chair of the Faculty Grievance Committee, delivering copies of the petition to the chair and to the Respondent administrator by Formal Notice, as defined in Section XI.D above.

Upon determining that the new petition satisfies the requirements set forth above, the chair of the Faculty Grievance Committee will submit the revised petition to the full Faculty Grievance Committee, together with the simple unelaborated statement: "In this matter, mediation was attempted, but the parties did not reach a settlement." Regardless of the outcome of the mediation, the results of the mediation process are considered sealed. Neither the mediator nor the chair of the Faculty Grievance Committee may be called as a witness in any subsequent university proceeding concerning the grievance, and nothing said or done by either party during a mediation process may be referred to or used against a party in any subsequent proceeding.

#### **5. Mediation Continuity**

Once the chair of the Faculty Grievance Committee begins formal review of a petition pursuant to Section XI.F above, it shall remain his or her responsibility to continue to oversee the required mediation steps until the grievance has been resolved in whole or in part through mediation, or until the grievance has been forwarded to the full Faculty Grievance Committee. This responsibility does not cease until either the grievance has been successfully resolved or all available mediation procedures have been exhausted.

#### **E. Standards for determining contested grievances.**

1. In order to prevail in the grievance process, a Faculty Member must establish that the Petitioner experienced a remediable injury attributable to the alleged violation of a right or privilege based on federal or state law, university policies or regulations, or commonly shared understandings within the academic community about the rights, privileges and responsibilities attending university employment. Examples include but are not limited to: disregard for an established standard for evaluation, Impermissible Grounds, or failure to consult with or receive information from mandated advisory bodies.
2. If the Faculty Member fails to allege an injury that would entitle the Faculty Member to relief in accordance with the standard set out in Section XI. E.1 above, the committee shall dismiss the petition. If the petition addresses a problem that is not within the committee's jurisdiction, the committee shall dismiss the petition.
3. The investigation shall allow for opportunity of Faculty Member and Respondent to present information and documentary evidence to the Committee. The committee shall maintain a complete record of all testimony and any documentary evidence received. Only

the evidence compiled shall form the basis for committee conclusions about the case and any resulting advice to the Respondent and the next level of supervision.

4. The burden is on the Faculty Member to establish by a preponderance of evidence that the Faculty Member has experienced an injury that would entitle the Faculty Member to relief in accordance with the standard set out in Section XI.E.1 above.
5. The decision to dismiss a petition under Section XI.E.2 or to deny a petition following an investigation shall be communicated in writing to the Faculty Member by Formal Notice with a copy to the Respondent and the next level of supervision of the Respondent (department chair, dean, provost, or chancellor).
6. If, after investigating the matter, the Faculty Grievance Committee determines that an adjustment in favor of the aggrieved Faculty Member is warranted the committee shall so advise the Faculty Member by Formal Notice with a copy to the next level of supervision (department chair, dean, provost, or chancellor). The Formal Notice shall contain the Committee's recommendation for adjustment.
7. If the Respondent concurs with the committee's recommendation, then the adjustment shall be made within 10 Days of receipt of notification.
8. If the Respondent does not concur with the committee's recommendation, Formal Notice of non-concurrence shall be sent within 10 Days to the Faculty Member with a copy to Respondent's next level of supervision (department chair, dean, provost, or chancellor).
9. Within 10 Days of receipt of a copy of the Formal Notice of non-concurrence the next level of supervision (department chair, dean, provost, or chancellor) shall review the record of the Faculty Grievance Committee and advise the Faculty Member by Formal Notice of his/her concurrence or non-concurrence with the Committee's recommendation.
10. The chancellor will issue a final written decision within 30 days after receiving the investigation record of the Faculty Grievance. The chancellor may, in his/her discretion, consult with the faculty grievance committee before making a decision.
11. The chancellor or his/her designee shall notify the Faculty Member and the Respondent administrator by Formal Notice of his/her decision. The notification shall include a notice of appeal rights, if any, and, the name and address of the appeal body.

#### **F. Decisions which may be appealed.**

If neither the Respondent, higher levels of supervision, nor the chancellor makes an adjustment that is advised by the faculty grievance committee in favor of the aggrieved faculty member, the faculty member may appeal to the Board of Trustees. The decision of the Board of Trustees is final. However, no appeal lies where the faculty committee decides against the faculty member.

#### **G. Timeline for Appeals**

A Faculty Member dissatisfied with the chancellor's disposition of his/her grievance must file Formal notice of appeal with the Board of Trustees, by addressing the notice to the Chair of the Board of Trustees c/o the Chancellor, Suite 200 Blair Hall, Winston-Salem State

University, Winston-Salem, NC 27110 within 10 Days after the Faculty Member's receipt of the chancellor's decision. The notice shall contain a brief statement of the basis of the appeal. If the board agrees to consider the appeal, it will do so on a schedule established by the chancellor, subject to any instructions received from the Board or from a committee of the Board, which has jurisdiction of the subject matter of the grievance. The board will issue its decision as expeditiously as is practical, but not more than 120 Days from receipt of the notice of appeal. If the grievant fails to comply with the schedule established for perfecting and processing the appeal, the Board in its discretion may extend the period for decision or it may dismiss the appeal.

## **Section XII. Interpretation and Conflict with Other Policies**

The provost will provide interpretations of the Tenure Policies and Regulations of Winston-Salem State University. The provost will consult with the Executive Committee of the Faculty Senate, and University administrators knowledgeable about the policies, procedures, and practices at Winston-Salem State University and may consult with the University Attorney. Objections to the interpretations may be appealed to the chancellor.

In the event of a conflict with these policies and the Code and Policies of the Board of Governors, the Code and Policies of the Board of Governors shall prevail.

## **Section XIII. Effect on Certain Appointments**

A Faculty Member who was appointed to a Professorial Rank before the effective date of these policies and regulations shall be governed by the contracts they have already signed and as outlined below:

- a) Instructors who have completed one to five years of consecutive service and have been appointed to an additional one year contract will be eligible to be appointed to a final one year contract; instructors who have completed six consecutive years of service and who have been appointed to a seventh one year appointment will not be eligible to be reappointed at the rank of instructor.
- b) Assistant professors who have completed one year of service and have been appointed to a second one year contract will be eligible to be appointed to a two year
- c) contract followed by a final three year contract; assistant professors who have
- d) completed the first two year appointment and have been appointed to a second two year appointment shall be eligible to be appointed to a final two year appointment; assistant professors who have completed the second two year appointment and have been appointed to the third two year appointment will not be eligible to be reappointed at the rank of assistant professor.
- e) There will be no change in the contract period for associate professors.
- f) There will be no change in the contract period for professors.
- g) There will be no change in the contract period for faculty with special and visiting appointments as outlined in Section III.B.5-6.

## **Section XIV. Effective Date**

Section XI D becomes effective June 19, 2009. All other revisions made since January 1, 2009 become effective on September 1, 2009

## **Section XV. Review of Document**

As outlined in Appendix B, the Office of Legal Affairs shall review this document during the spring semester in even-numbered years. The University Counsel shall recommend amendments that result from changes in Federal and/or State law that affect this document for approval to the



Winston-Salem State University Board of Trustees. Every five years, the chancellor shall review this document and shall report to the President of the University of North Carolina whether or not amendments or revisions are appropriate. The chancellor shall involve the faculty in the review.

**Appendices**

- A. Chapter VI of The Code
- B. Creation and Review of Policies

## V. FACULTY RESPONSIBILITIES

### General

Unless specifically assigned or given release time, all members of the faculty are required to engage in teaching, service to the university, and scholarly activities. All full-time faculty members are expected to serve as academic advisors. Since effective advisement is crucial to students' success at the university, all faculty members should be familiar with academic regulations, requirements, and procedures set out in the Undergraduate and/or Graduate Catalogs.

### Office Hours

Faculty members teaching a full load of undergraduate courses (12-15 hours) should hold eight office hours each week. Those teaching fewer hours should allocate at least two office hours per week for each section of a three-semester hour traditional, evening/weekend, graduate, or distance-learning course taught. Faculty should post a schedule of class hours and locations and office hours on their office doors. Faculty also should file a specified number of copies of class hours, class locations and office hours, along with certain other data as instructed, with the department chair and the division director early in each semester.

### Faculty and Departmental Meetings

Faculty members are expected to be present at all regularly scheduled department and university faculty meetings.

### Registration and Advisement

Registration is held during the spring semester for the summer sessions and fall semesters and during the fall semester for the spring semester. Incoming freshmen may preregister during the summer orientation sessions. During preregistration, new students meet with advisors from University College. Returning students should meet with their assigned major advisors. The names of students who are officially enrolled and financially validated will appear on the class rosters. Students whose names do not appear on the roster may have been purged from the course if the students have not made financial arrangements with the university.

Since effective advisement is crucial to students' success at the university, all faculty members should be familiar with academic regulations, requirements, and procedures set out in the University Catalog.

### Teaching Load

#### Undergraduate Faculty

In each department, the chair makes teaching assignments so that the average teaching load for a full-time undergraduate faculty member is twelve (12) hours per semester, and assignments will not exceed fifteen hours or an equivalent load.

#### Graduate Faculty

Teaching loads of graduate faculty will be determined by deans, based on the needs of their academic units.

### Class, Classroom, and Office Assignments

Assignment of classes and office space is the duty of the department chair in consultation with the dean, with final approval by the provost. Classrooms are assigned by a central software program. Faculty members must consult and have the approval of the departmental chair (in conjunction with the building coordinator) before changing the location of any assigned classrooms.

## **Faculty Attendance**

### Traditional Courses

Faculty are required to meet all assigned, scheduled classes promptly and to make full use of the time allotted. Classes should both begin and end on time so that students are not late for subsequent classes. Each college and department should provide a procedure and form to report faculty absences.

Traditional classes are scheduled five days a week, normally beginning at 8:00 a.m., and occasionally on weekends.

### Evening-Weekend Courses

The Evening-Weekend College targets adult students whose work schedules do not accommodate the traditional university class meeting times. Each regular semester consists of two EWC eight-week blocks (for three semester hours), including evenings and weekends. The summer term consists of one EWC eight-week block.

### Distance Learning Courses

Faculty should be accessible to students on the first day of on-line classes as well as during designated office hours.

## **Record Keeping / Student Class Attendance**

Each instructor should have a procedure for recording students' class attendance and assignment grades. Student records, such as final exams, need to be kept as long as there might be a grade appeal. Access the following link for the UNC system's policy on length of record keeping.

Faculty are expected to monitor attendance and alert the department chair and the Registrar about students who stop attending class or who are registered but not attending a course. During the add/drop period or the first two weeks of the semester, faculty should use the official roles in the student information system (Banner) to check attendance to ensure that students attending class are registered. As registration status may change daily, faculty need to use updated roles from the system for each day during this period.

## **Reporting Grades**

Midterm and final course grades are posted on Banner at the time designated by the Office of the Registrar. Midterm grades must be submitted but do not affect the student's university records. Midterm grades are not submitted for students enrolled in Evening-Weekend College courses.

All grades are final, except in the case of errors or the assignment of an "I" ("Incomplete"). Grades given in error can be changed by filling out a Change of Grade Form, which may be obtained from the department head. Grades of "I" are assigned when a student has not completed a substantial portion of the class work because of illness or some other acceptable reason. With each incomplete grade, the faculty member must file with the department office an Incomplete Grade Report Form specifying the work still to be done, the way the grade is to be computed, and the grade to be awarded if the work is not completed. When course work is completed, grades are reported on the Change of Grade Form. Department chairs are responsible for insuring that Incomplete Grade Report Forms are completed. Full information about grades that are awarded, grade points for each, and time limits for completion of an "I" will be found in the current issue of the Undergraduate Catalog.

Faculty **will not** post student grades in any other location than Banner. Official notification of grades will come from the university.

### **Academic Integrity**

Winston-Salem State University puts forth every reasonable effort to maintain academic integrity in the instructional program. To compromise integrity through acts of academic dishonesty seriously jeopardizes the quality of instruction and the caliber of education we purport to provide our students. Such dishonesty includes:

Cheating – Intentionally and knowingly using unauthorized materials, information, or study aids in any academic exercise or matter.

Plagiarism – Intentionally and knowingly representing in any academic exercise or matter the words or ideas of another as one's own.

Fabrication – Intentionally and knowingly falsifying or inventing information or citations in an academic exercise.

Facilitating Academic Dishonesty – Intentionally and knowingly helping or attempting to help another to commit an act of cheating, plagiarism, or fabrication.

Please refer to the University's Academic Integrity Policy for more information.

### **Commencement and Founder's Day Convocation**

All full-time faculty members are expected to attend all formal academic assemblies and to wear their academic regalia. These formal assemblies are held three times each year, during the fall semester on Founder's Day, and during fall and spring commencements.

### **Committee Assignments**

Much of the general work of departments and the university are conducted through committees. (Descriptions of general faculty committees are located in Chapter One.) Although committees are advisory in nature, they are relied on for recommendations and provide an important way for faculty, as well as staff and students, to participate in the governance of Winston-Salem State University. All faculty members are expected to participate actively in the work of the committees to which they are assigned. In addition, special committees are appointed to prepare for accreditation site visits and perform other tasks.

Only the chairperson or secretary of a faculty committee is authorized to make announcements of committee actions. Committee members should be careful to respect the confidentiality of committee deliberations and information.

### **Recruitment**

Recruitment of qualified students is basic to all of the university's programs, and faculty members are expected to assist in this area even though the Office of Undergraduate Admissions and the School of Graduate Studies and Research have primary responsibility for recruitment. Faculty members are often asked to help with specific recruitment activities, and all are expected to assist with departmental recruitment plans and encourage prospective students to consider the offerings of Winston-Salem State University. Any effort to contact prospective students, especially through high schools or high counselors, should be coordinated through these offices.

## **Sponsorship of Student Organizations**

Each student organization must have at least one faculty or staff advisor. Organizations can choose advisors from among faculty and staff members who are full-time EPA permanent employees. (SPA staff can serve as co-advisors only.) Proposed programs and activities of the organization must be submitted to the advisor, and the advisor or a designated representative must be present at all the organization's meetings and social affairs. Further information about the rules governing student organizations will be found at the Student Affairs web site.

## **Adverse Weather Policy**

The determination that adverse weather makes it necessary to delay or cancel classes and services will be made by the University Police Chief in consultation with the provost as well as other vice chancellors, subject to approval by the chancellor. When the decision is made to delay or cancel classes and services, the Office of Marketing and Communications will notify the media and the Office of Housing and Residence Life.

Radio stations to be notified:

|                |                |
|----------------|----------------|
| WFDD (88.5 FM) | WSNC (90.5 FM) |
| WQMG (97.1 FM) | WSJS (600 AM)  |
| WSNC (790 AM)  | WPOL (1340 AM) |
| WTOB (1360 AM) | WSMX (1500 AM) |

Television stations to be notified:

|                   |                  |
|-------------------|------------------|
| WXII (Channel 12) | WFMY (Channel 2) |
| WXLV (Channel 45) | WGHP (Channel 8) |

When classes are not delayed or canceled, faculty members who find it impossible to attend due to hazardous driving conditions should notify the department chair and file an absence report upon returning to campus.

## **Other Emergency Procedures**

The university has several emergency procedures outlined to curtail, prevent, and report criminal activity; to recognize and report hazardous materials; and to assist with one's own illness or injury. All faculty members are expected to familiarize themselves with the procedures.

## **Dependents in the Workplace**

Winston-Salem State University (WSSU) values its employees and recognizes the importance that families fulfill in the lives of employees. The purpose of this policy is not to devalue that importance, but rather to insure that employees are not distracted from their duties by the presence of dependents in the workplace other than for limited periods and on an emergency basis, pending approval by the employee's immediate supervisor or department head. Please refer to the Dependents in the Workplace Policy for more information.

## **VI. RESOURCES**

### **Academic Advising**

Information needed for academic advisement of first-year students is found in University College. University College is the academic home of all new students at Winston-Salem State University until they complete the requirements necessary to declare a major. Services include academic advising (registration, selection of major, and all other academic concerns), learning support, supplemental instruction, tutoring, and more. The Academic Advising Center of University College is located in the Hauser Building.

In order to provide effective advisement to students who are no longer advised by University College, faculty members should be familiar with general graduation requirements and the programs of their own departments, as listed in the university catalog. Since students have six years to graduate under the requirements of the catalog in effect when they first enroll, advisors will need to keep previous catalogs and be aware of changes that have been made in requirements.

All faculty members should exercise care to be sure that the information they convey as advisors is correct and clear. Generally, students should be referred to their own advisors or department chairs for academic advice unless the issue is clearly one that involves another department.

### **Academic Computer Center**

The major computer facility is the Virginia K. Newell Academic Computer Center, which is located on the first floor of the Elva Jones Computer Science Facility. The center is staffed by an assistant who is on duty at all times to help patrons and to answer any questions that may arise. The Academic Computer Center is an open facility for students. All requests to reserve computer center resources must be processed and approved by the computer center manager. Priority is given to students during school sessions.

Other computer facilities/laboratories are housed and operated through the different academic units on campus, and a number of software packages are available. Call the appropriate departmental or program unit or the Help Desk for current information.

### **Assistance for Students with Disabilities**

The Disability Services Office is designed to provide all persons with equal access. Assistive technology and other accommodations are available on an as-needed basis. Faculty members are asked to include on each syllabus a statement noting that students must register with the Disability Services Office prior to receiving accommodations. Students who register with this office will receive disability services.

### **Center for Excellence in Teaching and Learning**

The Center for Excellence in Teaching and Learning (CETL) is a division of University College at Winston-Salem State University. CETL provides expertise, opportunities, instruction, and funding to help faculty members be more effective teachers. CETL seeks to improve students' learning by enhancing teaching competences and resources through the integration of education, information, and communication technologies.

Some of CETL's core objectives involve providing solutions to issues such as high drop/fail/ withdrawal rates (DFW), responding to improvement needs of faculty or development needs recommended by their academic departments (e.g., assisting with implementing technology solutions in the classroom). CETL is a significant resource for faculty development and course improvement and provides support to faculty

teaching face-to-face, online, and blended courses. CETL also strives to improve the collegial atmosphere by facilitating communities of practice.

### **Child Care Service**

The Childhood Development Center and Lab School, which is open to the general public, provides year-round preschool development experiences for children. It also serves as a clinical setting for students majoring in various programs, including education, psychology, English, and art. Activities include reading, math, science, music, art, language arts, computer exposure, drama, field trips, and physical education. The program is administered by the School of Education and Human Performance. When vacancies are available, children with applications on file receive priority. A fee is charged. For more information, contact the director.

### **Classroom and Office Repairs**

Overall maintenance and operation of university facilities and grounds is the responsibility of the Facilities Department. Services of the Facilities Department include housekeeping, management of building keys, routine and non-routine maintenance and repairs, set-ups for special events, moving and hauling, recycling and waste disposal, and motor-pool operations.

For each university building there is a building coordinator who assumes general responsibility and acts as the building liaison to the Facilities Department services. The building coordinator requests and issues keys and completes/submits a “Work Request Form” for building repairs and needs. Emergency repair needs that present imminent danger to life and limb or property should be reported directly to Security (336-750-2911 or on-campus extension 2911) and, if time permits, the building coordinator.

### **Counseling Center**

The Counseling Center provides vocational, personal, and social counseling and counseling for students with academic difficulties. Withdrawals from the university are also handled by the Counseling Center. Faculty members should encourage students to make use of the center’s resources, particularly if they suspect that a student is seriously upset or has not realized that help is available. The following guidelines may be useful in recognizing that a student should be strongly urged to seek professional counseling:

1. A faculty member should make the counseling staff aware of any student who behaves in a manner that could be interpreted as inappropriate or different from previously observed behavior. The counselors will assess the individual and determine what steps are to be taken to provide assistance.
2. If any student speaks or acts in a manner suggesting that he or she may inflict harm to self or others, that person should be referred immediately to the Counseling Center. This should be done even if only the slightest doubt exists in the faculty member’s mind about the individual’s stability.
3. A student may be referred directly or, if the faculty member prefers, by notifying the Counseling Center so that counseling staff can make contact with the student. In either case the counselors should be made aware of the nature of the situation. All information given to the staff will be held in the strictest confidence and in accordance with the privacy rights of both the student and the faculty member.

## **Food Service**

The Red Room is the faculty dining room located on the upper level of Thompson Center. Breakfast and lunch are available for faculty and staff.

Ram Food Court is located on the lower level of Thompson Center. Menu favorites include sandwiches, grilled items, soups, and a variety of snacks and beverages.

Ram City Coffee Shop, which is located in the Atkinson Science Building, features coffee, beverages, fresh bakery items, grab-and-go sandwiches and salads, microwavable meals, fresh fruit, and dessert parfaits.

Two C-Stores: The Amon Café C-Store, which is located in the Rams Commons, and Rams On the Go, located in the Commuter Lounge on the first floor of Thompson Student Center, feature grocery items, frozen foods, health and beauty supplies, snacks, and beverages.

The WSSU Catering Department provides catering services to faculty, staff and students. Services include served meals, buffets, receptions, coffee breaks, and box lunches.

## **Identification Cards**

Identification cards for both faculty and students are made in the Ram Card Office, located in Thompson Student Services Center.

## **Information Resources**

The **Office of Information Resources** serves the faculty, staff, and students by facilitating the acquisition, installation, and maintenance of communications and technology services for teaching and learning, research, outreach, and administrative operations.

The **Computer Help Desk** provides implementation, monitoring, and support for all university desktop computing systems.

**Network and Telecommunication Services** include the setup and ongoing maintenance of voice mail and telephone networks on campus.

**The Technology Integration Group** is charged with providing the faculty, staff, and students with technical solutions and training for classroom management systems, professional development, and technology aimed at the direct support of instruction. Training for faculty and classroom support is scheduled by appointment.

**Video & Classroom Technology Services (VCTS)** provides teleconferencing and distance learning through interactive video to faculty, staff, students, and the administration. See the VCTS section below.

## **Institutional Planning, Assessment, & Research**

The Office of Institutional Planning, Assessment, and Research (IPAR) has, as its primary mission, the collection of data (from both internal and external sources) and the analysis, distribution, and presentation of this information for use in planning, decision-making, and policy formulation at Winston-Salem State University. A major function of this office is to respond to requests for data from members of the university community and to assist personnel in other units with research and assessment methodology, analysis, and evaluation. The Assessment branch helps units set up assessment plans for their goals and learning outcomes and maintains the institution's electronic repository of assessment plans, data analysis, and use of data for unit and program improvement. An annual Fact Book and other data sets and analyses are



available on the IPAR web site. Faculty members needing university data or statistics not apparent on the web site may fill out an on-line request for this information.

### **Library Support**

The O'Kelly Library supports and enhances all university programs through its current collection, various electronic services, and interlibrary loans. Faculty members are encouraged to ask about orientation sessions, special bibliographies, e-books, electronic databases, research assistance, and other special services tailored to the requirements of faculty and/or individual research or research requirements for classes. Books and articles, including photocopies, may be placed on reserve for student use at the Circulation/Request desk. Reference books and unbound periodicals may also be placed on reserve.

The library requests prior notification of major research or other library assignments so that the library staff can help clarify assignments and broaden students' understanding of the research process. Several rooms and areas in the library may be reserved for meetings, classes, or for group study sessions.

### **Office of Sponsored Programs**

The Office of Sponsored Programs provides leadership, information, direction, and technical assistance to faculty and staff seeking external funding for research or educational projects. Any faculty member planning to develop a grant proposal should contact this office.

### **Textbooks**

Students purchase textbooks from the **WSSU Bookstore**. Each semester, faculty members should fill out textbook adoption forms, which are available in the departments, and return them to the bookstore before the designated deadline.

### **Video and Classroom Technology Services (VCTS)**

The Teleconference Center provides teleconferencing and distance learning through interactive video to faculty, staff, students, and the administration. Services include courses and seminars broadcast live via the NC-REN (North Carolina Research and Educational Network), NCIH (North Carolina Information Highway), and Video over IP (Internet Protocol).

VCTS also provides two-way interaction with participants at remote sites throughout North Carolina, the United States, and the world. There is a charge for ISDN Videoconferencing. Locations for these services include the John and Lillian Lewis Microelectronics Center on the ground floor of Anderson Center, the Elva Jones Computer Science Building, and other venues on campus.

Other services provided by VCTS are assistance in downloading and viewing webinar and satellite programs, technical assistance with audio/video equipment, coordination of multi-media technology for instruction, and short-term loans of multi-media equipment for use in or out of the classroom. Available items include laptops and projectors, digital cameras, camcorders, DVD players, and document cameras. Contact VCTS for specific information on short-term loan items and current services.

## **VII. FACULTY SALARIES AND BENEFITS**

This chapter has been written with sufficient details to be informative, but some of those details change regularly. If there is any conflict between this handbook and the sources it cites, the sources should prevail. Winston-Salem State University Human Resources, Eller Hall Room 103, Telephone 336-750- 2830, is a major source of information. This office can answer questions or provide contact numbers for further information on the topics in the sections about Retirement and Other Financial Benefits. The WSSU Human Resources web site on Benefits shows retirement information and benefits available to WSSU faculty and provides links to detailed information. Another major source of information is the Office of the Provost, Blair Hall Room 202, Telephone 336-750-2200. Individual sections in this chapter that describe the information found on other sources will identify the sources.

### **SALARIES**

#### **Determination of Salary**

Initial salary designations for faculty are negotiated between the individual being considered for employment and the dean. The provost, who is the chancellor's designee for hiring of faculty, must approve the salary.

Salary negotiations are dependent upon salary ranges and the amount budgeted for the position. Different schools and colleges use salary ranges based on their associated professional societies.

Recommendations for salary increases for continuing faculty are based upon policies established annually by General Administration and implemented by the chancellor. These policies set the stage for ensuing merit recommendations that emanate from the department and/or school or college. Such recommendations are considered within the procedures set forth in the faculty evaluation guidelines and are based upon meritorious performance in the areas of teaching, scholarly activity and service. Chapter IV, Section IV.C discusses special annual review procedures for tenure-track faculty.

#### **Salary Payments**

Salary checks for Winston-Salem State University employees are processed through the state government's Central Payroll Center in Raleigh. Checks are deposited directly into employees' checking accounts on the morning of the last business day of the month, and the check stubs are distributed through the campus mail. New faculty must anticipate at least a 30-day period for paperwork to be processed and for placement on the payroll. The first check will be mailed from Central Payroll in Raleigh. Thereafter, payroll checks will be directly deposited into checking accounts.

All full-time faculty are paid in twelve monthly installments, with the contract year beginning July 1<sup>st</sup>. Non-returning faculty will receive their final checks the last business day in June. They should return their July 31<sup>st</sup> checks to the university Payroll Office, if received.

Adjunct salaries are paid four times during the semester: in the middle of September, October, November, and December during the fall and in the middle of February, March, April, and May for the spring semester. Adjunct faculty members do not receive benefits.

Payments for summer school teaching are made in the middle of the month, with payment dates specified in the contract. Contact the Summer School Office for more information about these contracts.

For more information, contact Human Resources.

## **Salary Advances**

The university does not make advances against anticipated salaries.

## **Withholding and Deductions**

Federal and state income tax is withheld on the basis of the information furnished to Human Resources on United States Treasury Department Form W-4. Employees are responsible for notifying the Human Resources Office of any changes in withholding exemptions. Form W-2, showing income tax withheld for the previous year, is distributed to employees near the end of January.

Social Security deductions are made according to current federal law. Deductions are also made for the retirement program chosen by the employee. See the section entitled, "Retirement Plan," below.

In addition to mandatory deductions, employees may request that automatic deductions be made for:

- health insurance premiums;
- NC Flex pretax plans;
- supplemental tax-sheltered retirement savings plans;
- purchase of U. S. Savings Bonds through the payroll savings plan;
- the North Carolina National College Savings Program (pre-tax);
- deposits in the NC State Employees' Credit Union;
- automatic repayment of loans made by the NC State Employees' Credit Union;
- contributions to certain charities, including the State Employees Combined Campaign, the Arts Council, and the University Annual Fund;
- membership in the State Employees' Association of North Carolina (SEANC); and
- parking fees

Many of the programs mentioned here are described below. For more information, contact Human Resources.

## **RETIREMENT**

### **Choice of Retirement Plans**

Choice between TSERS and ORP Faculty may choose between

- North Carolina Teachers' and State Employees' Retirement System (TSERS), a defined benefit plan, and
- UNC Optional Retirement Program (ORP), a defined contribution plan.

New faculty must choose between TSERS and ORP within 60 days of the date of hire, and this choice cannot be changed; it is irrevocable. Failure to select either TSERS or ORP within 60 days will result in automatic enrollment in TSERS.

For more information, see *Choosing a Retirement Plan (January 2007)* on the web site for the Optional Retirement Program, University of North Carolina. This booklet discusses the two retirement plans and their differences.

### **TSERS: Defined Benefit Plan**

The Teachers' and State Employees' Retirement System is a defined benefit plan. There is no investment risk for the individual since the state takes on the risk and guarantees the retirement benefit. Its benefit is not based on the amount the employee or the state contributes. Rather, the yearly retirement benefit is a product

of these numbers:

- The average salary for the four highest-paid years in a row;
- The number of years of creditable service; and
- A number determined by the retirement system, currently .0182.

For detailed information, see *Your Retirement Benefits: Teachers' and State Employees' Retirement System*, on the web site of the Office of the State Treasurer.

ORP: Defined Contribution Plan

The Optional Retirement Plan is a defined contribution plan. The individual and university contribute funds. The individual selects the investment vehicle(s) for the contributions and assumes the investment risk for the retirement plan. The retirement benefits are based on performance of the investments and on the payment option chosen.

Participants have a choice of four UNC ORP carriers: AIG VALIC, Fidelity, Lincoln, or TIAA-CREF. The ORP web site contains further information about these plans.

Differences in the plans

This table from the booklet "Choosing a Retirement Plan" compares the plans. See the booklet on the ORP web site.

| <b>The University of North Carolina Optional Retirement Program (ORP)</b> | <b>North Carolina Teachers' and State Employees' Retirement System (TSERS)</b> |
|---|--|
| Defined Contribution Plan   | Defined Benefit Plan   |
| Internal Revenue Codes 401(a) and 403(a)                                  | Internal Revenue Code 401(a)   |
| UNC Board of Governors oversees the ORP                                   | TSERS Board of Trustees oversees TSERS   |
| You control your investments  | TSERS controls/monitors investments  |

| <b>The University of North Carolina Optional Retirement Program (ORP)</b>   | <b>North Carolina Teachers' and State Employees' Retirement System (TSERS)</b>   |
|---|--|
| Retirement benefit based on investment performance and payment option chosen  | Retirement benefits based on years of service, salary, actuarial formula, and payment option chosen, including credit for any unused sick leave if applicable  |
| Vested immediately in the value of your employee contributions; vested immediately in the value of your employer contributions if you leave before five years and continue participation in a core retirement plan at another institution of higher education with a like retirement plan; otherwise, vested after five years | Vested after five years. If you leave State employment before five years, you may request a refund of your contributions or leave your contributions in TSERS in anticipation of a return to State service in the future.  |
| Vested right to both employee and employer accumulations after five years of participation  | Vested right to retirement benefit at retirement   |
| Portability is nationwide   | Portability is not available nationwide  |
| No loans available  | No loans available   |
| State of North Carolina Disability Benefit automatically provides coverage once you meet certain ORP participation, and you may also purchase a voluntary supplemental disability plan through your employer  | State of North Carolina Disability Benefit automatically provides coverage once you meet certain TSERS service requirements and, in some cases, you may purchase a voluntary supplemental disability plan through your employer                                  |
| Death benefit includes both the employee and employer accumulations (contributions and earnings) in the account upon your death   | Lump-sum death benefit is paid to your beneficiary if you die in active service after one year of creditable service, and either a refund of contributions is payable or a survivor monthly income if you die after meeting certain age and service requirements |
| Several payment options and methods of payment available at retirement  | Several payment options available at retirement  |
| State Health Insurance available at retirement if you have five years of participation and are receiving an ORP monthly retirement benefit  | State Health Insurance available at retirement if you have five years of creditable service and are receiving a TSERS monthly retirement benefit   |

### Supplemental Retirement Savings

Financial experts recommend supplemental savings to provide extra income in retirement. Employees of the University of North Carolina may choose from plans authorized by Sections 403(b), 457(b), and 401(k) of the Internal Revenue Code.

The supplemental retirement plans include both pre-tax and Roth after-tax contribution options, which may change from time to time. The funds invested and the profits from the pre-tax accounts are not taxed until withdrawal.

Eligibility requirements vary considerably, and currently allow some participation by any employee who pays FICA. The plans have restrictions concerning minimum and maximum amounts that may be invested, transfers of funds to different accounts, withdrawal, and distribution of funds. There may be penalties if the participant withdraws money from these plans before the age of 59 ½.

Since these plans may change, faculty who wish to sign up should contact the Human Resources Office. The web site for The University of North Carolina General Administration – Supplemental Retirement contains information these plans, and links to the plan web sites. A comparison of the plans can be found at a Plan Features web page.

### Phased Retirement

Full-time tenured faculty members in the University of North Carolina system may be able to finish their careers by working half-time for half of their regular pay, for a fixed period. This arrangement depends on the approval of the faculty member's university and department, and there are certain age and service requirements. The university is required to notify eligible faculty members about this program. During phased retirement, faculty members must give up tenure but will retain rank and responsibilities. Faculty cannot hold administrative positions during phased retirement.

The web site for the University of North Carolina Phased Retirement Program contains statewide templates for the program; universities draw up institutional guidelines based on their campus needs. See the Appendix for documents specific to Winston-Salem State University: a template for a recent Phased Retirement Notification Letter, the Program Summary, the Application and Reemployment Agreement, the General Release Form, and Phased Retirement Benefits.

## **OTHER FINANCIAL BENEFITS**

### **Health Insurance**

Permanent employees of the university working 20 or more hours per week are eligible to participate in the North Carolina State Health Plan for Teachers and State Employees. The state pays 100% of the cost of coverage for those who work 30 or more hours. Those working 20 hours in a permanent established position but less than 30 hours may participate but must pay the cost themselves. Employees may elect and pay for dependent coverage.

Employees and their dependents will not be subject to a waiting period for pre-existing conditions if enrollment occurs within 30 days of employment.

Employees with the State Health Plan as their primary health insurance may participate in N C HealthSmart wellness programs. Also, the State Health Plan web site contains information about other services.

For further information, contact the Department of Human Resources or the State Health Plan web site.

## **Disability and Workers' Compensation**

### Disability Plan of North Carolina

Permanent employees working 75% time or more (30 hours or more per week) are covered under the North Carolina Short-Term Disability Income Plan benefit at no cost after one year of membership in TSERS or participation in ORP.

In case of a disability, an eligible faculty member receives benefits from the Short-Term Disability Income Plan after a 60-day waiting period. Payments are equal to 50% of the annual base rate of compensation up to a maximum of \$3,000/month, subject to coordination with other benefits. Short-Term Disability is payable for a period up to 365 days. It may be extended for as many as 365 days beyond the short-term period, in cases where the disability continues to be temporary and likely to end during the extended period.

After short-term payments end, benefits from the Long-Term Disability Plan are available for permanently disabled persons with at least 5 years of service, if certain conditions are met. Payments are equal to 65% of the annual base rate of compensation up to a maximum of \$3,900/month, subject to coordination with other benefits.

Employees should contact WSSU Human Resources to obtain further information and apply for benefits. Details can be found on the Human Resources web site or the web site for the Disability Income Plan of North Carolina.

### Optional Disability Coverage

The state provides no disability coverage for faculty with less than one year of service or who are on leave without pay, and only short-term disability benefits for those with less than five years of service. However, participants in both TSERS and ORP may purchase optional disability insurance. For details contact WSSU Human Resources or visit the web site for the North Carolina University-Wide Disability Program.

### Workers' Compensation

As employees of the state of North Carolina, all faculty members are covered against job-inflicted accidents under the state-wide Workers' Compensation Act. The Act provides for payment for all necessary medical services, disability income, and death benefits. Any faculty injuries incurred during performance of university duties should be immediately reported to the immediate supervisor.

## **Long-Term Care Insurance**

Permanent employees working 50% time or more per week may buy long-term care insurance for themselves or for certain members of their families. Enrollment can be at any time, but the rate increases with age. Check the Human Resources / Benefits web site for details.

## **NC Flex Benefits**

The NCFlex Benefits Program allows Winston-Salem State employees to pay for some benefits through payroll deduction. Since these costs are deducted before taxes are withheld, the employee pays them with tax-free dollars.

Benefits change from year to year. Examples include Dental, Vision, Critical Illness, Cancer, Accidental Death & Dismemberment (AD&D), Group Term Life, Health Care Flexible Spending Account (HCFSA), and Dependent Day Care Flexible Spending Account (DDCFSA).

For up-to-date information, contact Human Resources or check the Office of State Personnel's NCFlex

Flexible Benefits site.

### **US Savings Bonds**

Savings bonds may be purchased through payroll deduction and are available in various denominations. For further information, contact Human Resources or the U. S. government's web site for Payroll Savings.

### **North Carolina National College Savings Program**

Faculty may set aside tax-free savings for college in North Carolina's National College Savings Program. For more information, contact Human Resources and visit the web site for the NC 529 Plan.

### **Elder Care Services**

Elder Care Services is a free telephone-based consultation and referral service that helps employees manage caring for an older adult. The employee is responsible for any fees that may be charged for services obtained to help an older adult. Contact Human Resources for more information.

### **Credit Union**

All faculty members have the option of joining the State Employees' Credit Union, which provides checking and savings accounts, other services, and all types of loans at interest rates that usually compare favorably with those offered by other sources. Savings deposits and loan payments may be processed through payroll deduction at the employee's request. Application for membership in the credit union requires an initial deposit of \$25.00 to cover the purchase of one share of stock. To find offices for the State Employees' Credit Union, including some in Winston-Salem, and other information, check the State Employees' Credit Union web site.

### **Special State Employee Discounts with WeSave**

Through a partnership with WeSave, the Office of State Personnel has arranged special discounts for active and retired state employees. Presently, over 1,560 merchants participate. For more information about joining WeSave or finding local participating businesses, check the WeSave web site, Discount Program, North Carolina Office of State Personnel. Also, telephone: 866-987-2833, M-F, 9 am to 5 pm. and e-mail: [help@wesave.com](mailto:help@wesave.com).

## **OTHER BENEFITS**

### **UNC Tuition Waiver for Faculty**

Full-time permanent faculty and staff members may take up to three tuition-free courses per academic year at any constituent institution of The University of North Carolina. They must be academically eligible to enroll, space must be available in the course, and the course must not interfere with the performance of their normal duties. To take advantage of this benefit, the faculty or staff member must complete an Application for Tuition Waiver – Faculty/Staff, have it properly endorsed, and deliver one copy to the employing institution and one to the institution where the course is to be taken. The Human Resources Department processes the applications and can give more information.

Faculty members taking advantage of this provision may be required to pay activity fees and other non-tuition charges applicable to part-time students for courses at some UNC campuses. Currently, WSSU does not charge for university fees, although it does charge for special course fees such as departmental fees. For more information, see the Tuition Waiver Policy.



## **Support for Professional Development**

### Sources of Funding

The university provides a number of ways for faculty to obtain financial support for professional development and research. The amounts vary from year to year. It is possible for a faculty member to apply for funding from more than one of the sources below if any one does not cover the expenses. Department chairs receive a fixed amount for each full-time faculty member for professional travel.

CETL, the Center for Excellence in Teaching and Learning, will provide funds for full-time faculty to attend teaching and learning conferences. Application is required, and recipients are expected to provide reports about their conference experiences. Consult the CETL web site for further information.

Faculty planning to submit research proposals related to the improvement of teaching can obtain Title III seed grants from CETL. Also, CETL can provide Title III seed grants for faculty to conduct action research studies during efforts to innovate and improve teaching skills.

The Committee on Professional Development is a university committee with representatives from all departments. It can authorize funding for instructional development (for courses, courseware, etc.) and for general professional development, such as advanced study leading toward a degree or for the use of technology to facilitate teaching and learning. Application is required. For more information, contact CETL.

The deans may have additional funds for faculty development, to provide assistance in situations not funded by the other sources.

Application for professional development funds should be made before the date of the related activity.

### Travel Policies and Procedures

When faculty members travel on university business or receive assistance to attend professional conferences, they must first secure authorization through the department head and dean. The faculty member should then use two forms, the Advance-Prepayment Form and the Travel Reimbursement Form, to obtain the funds. See the "Travel Forms" file in the Appendix. Only certain expenses can be paid, up to the limit of the travel grant.

Some funds may be obtained in advance of the travel. Faculty may fill out the Advance-Prepayment Form to obtain a check for registration fees for a conference, to make a hotel prepayment, and to obtain authorization for the purchase of an airline ticket through a university-approved travel agent. Faculty should inquire about details and the amount of time needed to process such requests.

Authorization for travel assumes that transportation will be by university-owned vehicles or by common carrier. Travel by air, when necessary, will be reimbursed at the tourist rate. If a state vehicle is requested but is unavailable, the university may authorize the payment of a mileage allowance for the use of an employee's privately owned car. State vehicles must be used for university business only, and employees to whom vehicles are issued will be held accountable for misuse. State vehicles must be returned to the maintenance/garage area immediately upon completion of each trip.

Payments for subsistence (meals and lodging) are subject to restrictions. If the travel destination is less than 35 miles from either the traveler's home or office, lodging cannot be paid and reimbursements for meals are made only for special circumstances. The maximum subsistence amounts for in-state and out-of-state travel can change, so faculty should check for the current numbers. A traveler can be reimbursed more for lodging if the travel destination is in a high-cost area or if safety concerns require a more expensive hotel, but this extra lodging authorization must be obtained in advance from the department head.

After the trip, the traveler should fill out the Travel Reimbursement Form, providing necessary original receipts for travel expenses and an itemized hotel bill with zero balance due. Receipts for individual meals are not required, but meals included at a conference are not reimbursable. There is a submission deadline.

Look for up-to-date travel forms and detailed information in Outlook under Public Folders, All Public Folders, Accounting, Travel. For more information, contact the Travel Audit Officer in the Accounting Office.

## **Leaves, Vacations, Absences**

### Academic and Medical Leaves of Absence

See Section III.H (Leaves of Absence) in Chapter IV (Tenure Policies and Regulations). The section on Disability and Worker's Compensation, found earlier in this chapter, describes longer medical leaves.

### Doctoral Study Leaves

Faculty who have taught at Winston-Salem State for at least two full-time years may apply for study leave of up to two years in order to work toward a terminal degree. Renewal of such leave must be requested annually, and requests for extensions beyond the two-year period must be made at least five months in advance of the scheduled return date. The university does not have funding to support doctoral study leaves. Contact the Office of the Provost for further information.

### Absences for Professional Meetings

Faculty members are encouraged to attend educational and professional meetings in order to keep abreast of current ideas and trends in their fields. The cost of attending a meeting is normally the faculty member's own responsibility, but some assistance may be available from the academic department or other sources, described in the section on Support for Professional Development in this chapter.

### Procedures for Absences

A faculty member who must be absent from regular campus duties should make arrangements for any classes to be missed by turning in a completed Faculty and Staff Absence Report at least one week in advance. The form is available in the faculty member's department office and requires signatures of the department head and the dean.

As far in advance as possible, absences due to illness should be arranged for in the same way, but in case of emergency illness the faculty member need only inform the department head or dean immediately and complete the Faculty and Staff Absence Report sheet upon returning to campus.

### Faculty Awards

The university sponsors several annual awards to recognize and reward outstanding teaching: the Board of Governors Award for Excellence in Teaching, the Wachovia Excellence in Teaching Award, and several Master Teacher awards. In addition, the university sponsors the Wilveria B. Atkinson Distinguished Research Award and the Cedric S. Rodney Distinguished Service Award.

The stipends for the awards are as follows:

- Board of Governors' Excellence in Teaching Award (\$7,500)
- Wachovia Excellence in Teaching Award (\$4,500)
- Master Teacher Awards (\$1,000-\$3,000 each)
  - Joseph Patterson Master Teacher Award
  - Bill Sheppard Master Teacher Award

- John Fountain Master Teacher Award
- Wilma Lassiter Master Teacher Award
- Willie Burke Master Teacher Award
- Wilveria B. Atkinson Distinguished Research Award (\$2000)
- Cedric S. Rodney Service Award (\$2000)

Criteria for the Board of Governor's Award for Excellence in Teaching were established for the UNC system. Criteria for all WSSU institution awards were established by the WSSU faculty.

The recipients of all excellence in teaching, research, and service awards are determined by the Faculty Awards Committee, which is appointed by the provost. Candidates for awards may be nominated by students, faculty, alumni, and administrators, or may be self-nominated.

For further information and nomination forms, consult the Office of the Provost.

### Excellence in Teaching Awards

The criteria for excellent teaching as established in 1994 are based upon the following categories: (1) Instructional Delivery Skills, (2) Instructional Design Skills, (3) Content Expertise, (4) Course Management, (5) Student Mentoring, and (6) Personal Attributes/Teaching Philosophy.

To be eligible for nomination for the Board of Governors' Award a faculty member must

- have earned tenure at WSSU;
- have taught at WSSU for at least seven years; and
- be teaching in the academic year selected.

No faculty member may be eligible to receive this award more than once while teaching at any UNC institution.

To be eligible for nomination for the Wachovia Excellence in Teaching or the WSSU Master Teacher awards a faculty member must

- have taught at WSSU for at least two years (prior to nomination);
- have demonstrated excellent or exceptional teaching ability over a sustained period of time (e.g., two years); and
- be teaching in the academic year selected.

No faculty member may be eligible to receive the Wachovia Excellence in Teaching Award more than once. Faculty may receive the Master Teacher Award more than once.

Each nominee must complete the formal application process to be considered for one of the teaching awards. The application requires the submission of a teaching portfolio, photograph, and classroom instruction video. Additionally, classroom observations are conducted by the Faculty Awards Committee.

### Research and Service Awards

Any faculty member who meets the following criteria may be nominated for the Wilveria B. Atkinson Distinguished Research Award:

- has taught at WSSU for at least five years
- is recognized as being an outstanding scholar, as scholarship is defined in his/her discipline
- has demonstrated a pattern of productive scholarly activity that has been recognized nationally or

internationally, as appropriate.

Any faculty member who meets the following eligibility requirements may be nominated for the Cedric S. Rodney Distinguished Service Award:

- has taught at WSSU for at least three years
- has performed superior service to the university, the profession, and/or the wider community as evidenced by activities which extend beyond normal expectations, unique contributions, or long-standing leadership and impact on the university and beyond.

A nominee for these awards should submit a research portfolio or a service portfolio with supporting documentation.

#### Professor Emeritus/Emerita Status

Emeritus or emerita status is granted in recognition of dedicated service at Winston-Salem State University. The designation shall be “Emeritus” or “Emerita” following whatever highest rank has been earned, e. g., Professor Emeritus.

#### Eligibility

Tenured faculty members who have served for ten or more years at Winston-Salem State University are eligible for emeritus/emmerita status. In general, the university will confer emeritus/emmerita status at retirement. However, if the faculty member resigns from the university to enter phased retirement, this status will be granted at the end of the phased retirement term. In cases of exceptional service, the chancellor may recommend that the Board of Trustees confer emeritus/emmerita status upon retiring faculty who are not tenured or who have not served the university for ten years.

#### Procedure

Conferral of emeritus or emerita status shall adhere to the following procedure:

- After sending notice of retirement, the faculty member should inform the department chair that he or she requests emeritus/emmerita status.
- The department chair shall verify that the retiring faculty member is eligible for emeritus/emmerita status.
- The department chair shall send the recommendation for emeritus/emmerita status through the usual channels (dean, provost) to the chancellor.
- The chancellor shall forward the recommendation to the Board of Trustees, for approval.
- These policies and procedures apply retroactively to faculty who retired from Winston-Salem State University before their adoption. Such faculty members should contact their former departments to begin the conferral process. Also, colleagues and department chairs can recommend emeritus/emmerita status for those retired faculty with their approval.

In the case of eligible administrators who retire with faculty rank, the procedure begins with the administrator’s supervisor. The Board of Trustees may designate a retiring chancellor as Chancellor Emeritus or Emerita.

## Privileges

Rights and privileges of emeritus/emerita faculty include

- A university ID card, designated as Emeritus Faculty;
- The same access to electronic resources as the active faculty;
- A university e-mail account, if requested, subject to periodic renewal;
- Use of library facilities and library electronic resources under the same conditions as the active faculty;
- A free parking permit for the shuttle lot, with the option of purchasing a permit for another lot if space is available (The cost for the second lot is the difference between its price and the price for the shuttle lot. Parking permits must be renewed each year.);
- Receipt of the university and alumni publications that are sent to active faculty;
- The same rights to campus facilities as the active faculty;
- Opportunity to purchase tickets to university athletic, cultural and entertainment events at faculty rates;
- Invitation to general faculty events;
- Office and laboratory space, office resources and secretarial services, on request and subject to availability, if the faculty member's professional activities fall within the current mission of the university;
- Listing in university catalogs and the campus directory; and
- Continuance of eligibility to march in formal convocations, wearing appropriate regalia.

## Campus Cultural Activities

The university's Lyceum Program offers a variety of cultural activities that include a Performing Arts Series, an Academic Series, and the Joseph N. Patterson Lecture and Assembly Series. The Performing Arts Series brings in professional musicians, dancers, and theatrical groups to showcase their talents. Most performances are free to WSSU students, while ticket prices vary for non-WSSU students, faculty, staff, and members of the community. The Academic Series invites individual performing artists, chamber groups, or small ensembles to do presentations and conduct workshops, master classes, and/or lecture-demonstrations for students. The Joseph N. Patterson Lecture and Assembly Series also invites guest speakers to lecture on a variety of topics designed to stimulate the cultural and academic atmosphere on campus and to provide motivation and inspiration to students. Faculty members are strongly encouraged to attend all Lyceum events and to encourage students to do so as well. Tickets may be purchased at the University Ticket Office.

The James A. Gray lecture series invites speakers on religion and ethics. Diggs Gallery, home to one of the South's leading showcases dedicated to African and African-American art, hosts exhibitions, publications, and programs. Faculty can also attend events sponsored by the Office of Student Affairs. In addition, faculty are strongly encouraged to support other cultural activities sponsored by various campus clubs, organizations, and departments, particularly student performances.

## Sports Activities

Season and single tickets for university football and basketball games may be purchased from the University Ticket Office and other venues. The Athletics Department web site has details about ticketing

and game schedules. The university also participates in a number of other men's and women's sports activities, to which admission is free.

## APPENDICES

Phased Retirement Notification Center Phased Retirement Program Summary

Phased Retirement Application and Reemployment Agreement

Phased Retirement General Release Form

Phased Retirement Benefits

Nomination Form for Professor Emerita/Emeritus

Advance Prepayment Form and Travel Reimbursement Form (an Excel File)

## **VIII. STUDENT-RELATED POLICIES AND PROGRAMS**

### **STUDENT-RELATED POLICIES**

#### **Academic Integrity**

Academic integrity is jeopardized when such acts as cheating, plagiarism, fabrication, and facilitating academic dishonesty occur. The Undergraduate Catalog outlines specific procedures to apply to situations where students are accused by faculty of engaging in acts of academic dishonesty and provides proactive suggestions about preventing cheating for faculty and staff.

#### **Class Disruption Policy**

Occasionally student misconduct may disrupt a class. In such cases the faculty member may ask the disruptive student to leave the classroom immediately so that the class may continue. If the student refuses to leave, the instructor may contact Campus Police to have the student physically removed from the classroom. For further instruction regarding the class disruption policy consult the Undergraduate Catalog.

#### **Student Grievances**

Students who have disputes with faculty or staff members should first report any such grievance to the program head. This step should be followed by conferences with persons at progressively higher levels, including deans and the appropriate vice chancellor. For more information, see WSSU's Grievance Procedure for Students.

#### **Registration**

Early registration periods allow students, with the assistance of their assigned advisors, to select and register for courses to be taken during the upcoming semester. Programs should be carefully planned under the guidance of the academic advisor so that changes in registration will not be necessary. A student may officially add/drop courses from his/her schedule until the end of the add/drop period. Change of Registration and Course Withdrawal Forms are available to academic advisors to facilitate and document registration changes. Refer to the university calendar to determine registration periods and the periods within which courses may be added or dropped.

#### **CLEP and Other Nontraditional Credit**

Students with prior college-level learning may receive credit for that learning by several means of assessment. Among the most common measures are course challenges, advanced placement, College Level Examination Program (CLEP), and proficiency examinations. For more information regarding these measures, visit Adult Student Services.

#### **Registration at Another Institution**

Any student desiring to receive credit toward graduation for courses taken at any other fully accredited institution must secure advanced approval from the department chair and dean of the college/school where the course is taught. For more information, refer to the Undergraduate Catalog.

#### **Immunizations**

Current certificates of immunization must be on file for every student enrolled at the university per the General Assembly of North Carolina Section 1. Chapter 130A of the General Statutes. Failure to secure the certificate will result in denial of attendance at the institution. Refer to the Undergraduate Catalog

for further information regarding immunization.

### **Graduation with Honors**

Candidates for graduation eligible for Latin honors must complete at least 60 semester hours of graded course work offered by Winston-Salem State University (through traditional and non-traditional delivery) and will be designated on the commencement program as follows:

Summa Cum Laude: Those having attained a grade-point average of 3.80-4.0

Magna Cum Laude: Those having attained a grade point average of 3.50-3.79

Cum Laude: Those having attained a grade point average of 3.00-3.49

Candidates for graduation eligible for honors who have completed at least 30 semester hours and less than 60 semester hours of graded course work offered by Winston-Salem State University (through traditional and nontraditional delivery) will be designated on the commencement program as follows:

Distinction: Those having attained a grade- point average of 3.00-4.00

Students having received the Honors Program's General Honors and Departmental Honors Awards will also be eligible for the Honors Bachelor's Degree. The honors will be recorded on both the student's academic record and diploma.

### **Honors Convocation**

Annually at the spring Honors Convocation, students who have achieved academic excellence are honored in four categories:

- High Honors (3.5 to 4.0 cumulative GPA)
- Honors (3.0 to 3.49 cumulative GPA)
- Highest Class/Department Honors
- Dean's List (3.0 for a fall semester of each year).

Students who have received an "F" or who have not removed a grade of "I" are not eligible to participate in this annual event. Criteria for academic honors and lists of honor students can be obtained from the director of the Honors College.

### **Probation and Suspension**

In order to graduate from Winston-Salem State University, a student must maintain a minimum cumulative grade-point average (GPA) of 2.0. Failure to remain in good academic standing will automatically place students on Academic Probation. Review the revised Academic Probation and Suspension Policy (2007) on the Office of Legal Affairs page (under "Policies and Procedures).



## **Repeating Courses**

Courses taken at Winston-Salem State University may be repeated only twice; i.e., a course may be taken a maximum of three times. Refer to the Undergraduate Catalog for more information regarding repeating courses (p. 46) and click on the following link to view the university's grade appeal policy.

## **Special Students**

Special students are students who wish to take courses for the purpose of broadening their cultural interest or for other personal reasons, students visiting from another institution, or graduates of four-year institutions seeking certification. Interested individuals should

1. Submit an application for admission with the \$40 non-refundable application fee;
2. Send unofficial high school and/or college transcripts to the Office of Admissions; and
3. Submit proof of high school graduation or permission from the current institution.

Students admitted as non-degree seeking special students are not eligible to receive any federal or university financial aid. Special students may be considered as degree seeking after all requirements for new freshmen or transfer admission have been met. Special students not seeking certification may take no more than 12 credits. Credits earned while enrolled as a special student will not count toward graduation until all university admission requirements have been met. See the Undergraduate Catalog for more information about special student status.

## **Student Course Loads**

The normal load for a regular student is the semester requirement as shown for his/her particular curriculum in the catalog or the program as outlined by the respective departments. A special student may take up to 12 credits. Full-time students are those who register for a minimum of 12 credits in a given semester. The maximum course load is 18 credits. No student is permitted to take more than 18 credits unless he/she has a cumulative grade-point average of 3.0 or better. Students who are on probation are required to carry a reduced load of no more than 13 credits. For more information see the current WSSU Undergraduate Catalog.

## **RESOURCES FOR STUDENTS**

### **Cooperative Education**

Cooperative Education is a program that combines a student's formal academic course work with periods of practical work experience in business, industry, government, or service organizations. An integral part of the student's education, these work experiences are closely related to the student's major field of study and receive a substantial amount of academic credit. Students who wish to participate in cooperative education must have a minimum cumulative grade-point average of 2.5, receive clearance from the academic department, and complete the cooperative education employability skills training program. For more information, see the current University Catalog or contact the Office of Career Services.

## **Honors College**

The Honors College provides challenging and stimulating educational opportunities and cultural experiences for the academically talented student. Participation in the Honors Program requires meeting standards in several areas and following a set curriculum. The college frees both the student and the faculty member from many of the restraints of the traditional classroom structure and encourages independence and critical inquiry. Students participate actively in intensive intellectual discussion and debate in small classes and seminars and engage in special projects and research. The Honors College ensures that scholars have a relevant, challenging, and rewarding experience. It promotes a lifelong, disciplined approach to knowledge and scholarship through inquiry and exploration. Through quality educational experiences and co-curricular activities, students are ready to be creative and critical thinking leaders in their professions and communities. Further information is included in the current catalog and in the Honors College (Hall-Patterson 305) and on the Honors Program web page.

## **University College**

Winston-Salem State University believes that academic support structures available during the first year of college are critical in helping students to 1) engage in learning with curriculum, co-curriculum, and academic support; 2) align goals, aptitudes, and learning-paradigm selections; and 3) build relationships with peers, faculty/staff, and the university in ways that provide a foundation for effective learning, retention, graduation, and success in graduate school and professions. Therefore, the university has aligned responsibility for the general education curriculum and assessment, learning support centers, and academic advising in University College. To learn more about the services provided to students and faculty through University College, visit the University College web page.