

may take into account the length and quality of service of the faculty member in determining what (if any) payments will be made beyond the effective date of dismissal.

Administrative Personnel with Academic Rank

Administrative personnel who hold academic rank are subject to the regulations in this *Francis Marion University Faculty Handbook* in their capacity as faculty members and shall also have available, with reference to the termination of their appointments as administrators, the rights conferred in Procedures for Hearing Grievances Related to Academic Freedom and Tenure, Category 7.

Voluntary Resignation by a Faculty Member

If a member of the faculty desires to resign from an existing appointment or to decline a renewal, in the absence of notice of termination or non-renewal, he or she shall give notice not less than three months, if his or her rank is instructor or assistant professor, and not less than four months, if his or her rank is higher, before the end of his or her duties during an academic year, exclusive of a summer session.

Procedures for Hearing Grievances Related to Academic Freedom and Tenure, as well as Cases Involving Dismissal for Cause

Committees for Hearing Grievances Related to Academic Freedom and Tenure

A. Academic Freedom and Tenure Grievance Committee

The Francis Marion University faculty has established and maintains an Academic Freedom and Tenure Grievance Committee consisting of six elected members, elected from the General Faculty for terms of three years. All members of the Academic Freedom and Tenure Grievance Committee shall have tenure. The committee shall elect the chair. No member of the Academic Freedom and Tenure Grievance Committee shall serve at the same time on the Faculty Grievance Committee, the Mediation Committee, or a School/College-wide or University-wide promotion or tenure committee. The Academic Freedom and Tenure Grievance Committee shall serve as a tribunal for conducting hearings as provided in the committee procedures below.

The Academic Freedom and Tenure Grievance Committee generally hears complaints from seven categories of faculty: (1) faculty who have received notification from the institution that proceedings have been initiated to dismiss them for cause, (2) tenured faculty who have received notification from the institution that proceedings have been initiated to dismiss them on grounds of financial exigency, (3) faculty who believe their nonreappointment is a violation of their academic freedom, (4) faculty who believe they have been terminated unfairly because of discontinuance of a program or department not mandated by financial exigency, (5) faculty who believe they have been terminated unfairly for medical reasons, (6) faculty who believe they have been victims of

discrimination in nonreappointment, and (7) faculty who have not been terminated but who believe that their academic freedom has been abridged. The complaints of non-tenured faculty whose terms have not expired and whose academic freedom is not at issue are more properly heard by the Faculty Grievance Committee, since neither issues of academic freedom nor of tenure are involved. In cases that do not fall clearly into one of the categories above, the Academic Freedom and Tenure Grievance Committee shall convene to determine if it has jurisdiction over the complaint.

B. Mediation Committee

The faculty provides also for a Mediation Committee designed to reduce the likelihood of the need for formal hearings. The Mediation Committee is informal in its deliberations but formal in its non-binding response to the Academic Freedom and Tenure Grievance Committee. The Mediation Committee shall consist of four elected faculty members, elected from the General Faculty for three-year terms. All members of the Mediation Committee shall have tenure. The committee shall elect the chair. No member of the Mediation Committee shall serve at the same time on the Academic Freedom and Tenure Grievance Committee, the Faculty Grievance Committee, or a School/College-wide or University-wide promotion or tenure committee. The Mediation Committee shall, when asked by the Academic Freedom and Tenure Grievance Committee, inquire into circumstances associated with revocation of tenure or abridgement of academic freedom to determine if a solution can be effected by mediation. The Mediation Committee makes its recommendations to the Academic Freedom and Tenure Grievance Committee.

Preliminary Procedures

When questions about the fitness of a faculty member, the termination of a faculty member, or the abridgment of a faculty member's academic freedom arise, the faculty member should discuss the circumstances of the case with the appropriate administrative officers. At this point the matter may be adjusted by mutual consent. However, if adjustment is not achieved, the faculty member may submit an appeal in writing to the Academic Freedom and Tenure Grievance Committee. Once the Academic Freedom and Tenure Grievance Committee has determined that the case is within its jurisdiction, it shall immediately ask the Mediation Committee to inquire informally into the situation in order to attempt to effect a resolution. If such resolution cannot be achieved, the Mediation Committee will submit a non-binding recommendation to the Academic Freedom and Tenure Grievance Committee, and the faculty member will have the right to a full hearing before the Academic Freedom and Tenure Grievance Committee.

Formal Hearing Procedures

1. In cases in which informal resolution cannot be achieved, the President of the University or an appointed representative shall revise or reaffirm the statement of reasons for dismissal.