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Chapter 1

WESTMINSTER COLLEGE

1.1 Historical Background

Westminster College has played a pivotal role in the educational heritage of the Intermountain area. Founded in 1875 as the Salt Lake Collegiate Institute, a preparatory school under the auspices of the First Presbyterian Church of Salt Lake City, Westminster first offered college classes in 1897 as Sheldon Jackson College. Named in honor of its primary benefactor, a Presbyterian clergyman and supervisor of public education in Alaska, the college operated for many years on the Collegiate Institute campus in downtown Salt Lake City. Gradually the institute became identified as the college preparatory department, and high school classes continued to be an integral part of the curriculum until 1945.

In 1902 college trustees adopted a new name to reflect a more generic Protestant orientation than its former title afforded. The name Westminster derives from the Westminster Confession of Faith, a comprehensive exposition of Presbyterian theology produced by English Puritans and Scottish Presbyterians at Westminster, a borough of London, in the seventeenth century.

Moving to its present location in 1911, Westminster became the first accredited two-year junior college in the Intermountain area. In 1935 Westminster modified its curriculum to qualify as a four-year junior college and in 1949 became a four-year liberal arts institution offering baccalaureate degrees in the arts and sciences. In the years since, the college has added a number of professional programs.

Founded by Presbyterians but always interdenominational in outlook and governance, Westminster had legal ties to the Presbyterian Church in the United States of America. By mutual consent of church and college, Westminster ended its official covenantal relationship in 1974. Today Westminster exists as a fully independent, privately funded, nondenominational, comprehensive liberal arts institution of higher learning with selected graduate programs, meeting the West's educational needs as it has since 1875.

1.2 Articles of Incorporation

Faculty hold a legitimate interest in knowing the legal basis of the College's operation. The Articles of Incorporation constitute the charter of Westminster College. They follow:

Adoption Date: November 4, 2005

PREAMBLE

Westminster College, a Utah nonprofit Corporation ("Corporation"), is a corporate successor in all respects to the powers, privileges, and obligations granted to the original incorporators and/or their successors under the Articles of Incorporation of Sheldon Jackson College, dated 9 January, 1896, under amendments to the Articles of Incorporation dated 9 September, 1899, 10 June, 1902, 25 August, 1910, 30 August, 1945, 21 April, 1954, 10 June, 1961, and 20 February, 1968, and under any subsequent amendments to the Charter and Bylaws including, but not limited to, the Amendment to the Charter dated January 17, 1983, changing the institution's name to Westminster College of Salt Lake City and the Articles of Amendment to the Articles of Incorporation and the Restated Articles of
Incorporation, both dated September 11, 1998, changing the name of the college to the original name of Westminster College. The Corporation owns the assets of and operates Westminster College as an undergraduate and graduate institution of higher education ("College").

ARTICLE I - OFFICES

The principal office of the Corporation shall be at such location as the Board of Trustees shall from time to time direct. The Corporation may have more than one office as its affairs require. The registered office of the Corporation as required by the Utah Revised Nonprofit Corporation Act 2000 shall be maintained in the State of Utah at 1840 South 1300 East, Salt Lake City, Utah 84105.

ARTICLE II - BOARD OF TRUSTEES

Section 2.1 Composition of the Board of Trustees

2.1.1. The Board of Trustees shall be composed of not less than eighteen (18) or more than forty (40) Trustees. The Board of Trustees shall elect Trustees to serve as Chair and Vice Chair of the Board of Trustees.

2.1.2. The President of the College shall be a Trustee, unless the President of the College declines to serve in that position. As a Trustee, the President of the College shall possess the same rights, powers, privileges, and obligations as every other Trustee serving on the Board of Trustees. Except for the President of the College, no employee or student of the College shall be eligible to serve as a Trustee.

2.1.5. The names and addresses of Trustees presently serving on the Board of Trustees, as well as the date upon which each Trustee's term of office expires, shall be maintained by the Secretary of the Corporation.

Section 2.2 Election, Qualification, and Term of Office of Trustees

2.2.1. Elections for Trustees may be conducted at the annual meeting, at any regular meeting of the Board of Trustees or at any special meeting of the Board of Trustees expressly convened for that purpose.

2.2.2. Candidates for the office of Trustee shall be nominated by the Committee of the Board charged with this responsibility. Nominees qualified to stand for election shall be elected to the office of Trustee upon receiving a majority of votes cast by a quorum of the Board of Trustees.

2.2.3. The term of office of each Trustee shall commence immediately following the Trustee's election. Each Trustee's term of office generally will be three (3) years from the most recently conducted meeting of the Board of Trustees, unless the appointment is for a term of one or two years. The Trustee's term of office shall expire immediately following the completion of the election of Trustees at the annual meeting of the Board of Trustees held in the year in which such Trustee's term of office is to expire.

2.2.4. Incumbent Trustees or former Trustees may be re-elected to the office of Trustee, but must be re-nominated.

2.2.5. Trustees may resign by giving written notice to the Chair of the Board of Trustees. The Trustee's resignation will be effective as of the date of the written notice.
2.2.6 The Board of Trustees may remove any Trustee from office as a Trustee with or without cause via an affirmative vote of two-thirds of the entire voting membership of the Board of Trustees.

Section 2.3 Duties of Trustees

2.3.1 Trustees shall actively participate in all Board of Trustee business, including fulfilling all Committee assignments to which the Trustee may be assigned. Trustees shall attend and participate in all annual, regular and special meetings of the Board of Trustees, including all meetings of those Committees of which the Trustee is a member, unless the Trustee’s absence has been excused by the Chair of the Board of Trustees or, in the case of a Committee meeting, the Chair of that Committee.

Section 2.4 General Powers of the Board of Trustees

Section 2.4.1 The Board of Trustees shall exercise all corporate powers and make all necessary policies and regulations governing the business of the Corporation and the management of the College. The Board’s primary functions shall be policy making and responsibility for sound management of the Corporation’s resources. The Board shall determine the general educational and financial policies of the College, and shall have the power to carry out any other functions that are permitted by these Bylaws or by the Articles of Incorporation, and as authorized by the Utah Revised Nonprofit Corporation Act 2000 (Utah Code Ann. §§ 16-6a-101 et. seq.), and any subsequent amendments or successor thereto.

Section 2.5 Delegable Powers of the Board of Trustees

2.5.1 The Board of Trustees may elect standing or temporary committees of the Board of Trustees to exercise the authority and powers of the Board of Trustees except with respect to those powers described in Section 2.6 of these Bylaws. The Board of Trustees may terminate any such delegated authority at any time.

2.5.2 The designation and appointment of any Committee by the Board of Trustees and the delegation thereto of authority pursuant to Section 2.5.1 of these Bylaws shall not operate to relieve the Board of Trustees, or any individual Trustee, of any responsibility imposed upon it or upon the Trustee by the Corporation or by law.

2.5.3 In fulfilling its obligations as the governing body of the College, the Board of Trustees may assign such responsibilities as the Board of Trustees deems necessary to the President to delegate to appropriate officers, administrators, and faculty of the College, or to any other persons whose services and expertise the Board of Trustees determines will be beneficial to the College. Such assignment may include authority to develop policy designed to implement the general principles determined by the Board of Trustees, and/or to serve on the various Committees of the Board of Trustees. The Board of Trustees may terminate any such delegated authority at any time.

2.5.4 The Board of Trustees may empower the President, the Treasurer of the Corporation, and other employees of the College, as necessary and appropriate, to execute documents for the purpose of borrowing money for and in the name of the Corporation, to issue obligations for such borrowed money, and to invest the money or assets of the Corporation.

2.5.5 A Trustee or a member of any Committee designated by the Board of Trustees shall be entitled to rely in good faith upon the records of the Corporation and the reports, information or opinions presented to the Corporation by its officers or employees, Board Committees, or any other person with respect to matters within the professional or expert competence of the person.

Section 2.6 Reserved Powers of the Board of Trustees
2.6.1. In no event shall any Cottee of the Board of Trustees, any officer, employee, fiduciary or agent of the Corporation, or any other person, have the authority of the Board of Trustees in reference to:

Amending, altering or repealing the Bylaws of the Corporation;

E lecting, appointing, or removing any member of a Committee or any Trustee or Officer of the Corporation;

(c) Amending the Articles of Incorporation of the Corporation;

Adopting a plan of merger or consolidation with another corporation;

Authorizing the sale, lease, exchange, mortgage or pledge of all or substantially all of the property or the assets of the Corporation;

Authorizing the voluntary dissolution of the Corporation or revoke proceedings thereof;

Adopting a plan for the distribution of the assets of the Corporation on dissolution;

(h) Approving annual budgets for the College;

(i) Amending or repealing any resolution of the Board of Trustees;

Selecting and terminating the appointment of the President of the College; or

Any other non-delegable power enumerated by the Utah Revised Nonprofit Corporation Act 2000, and any subsequent amendments or successor thereto.

Section 2.7 Annual and Regular Meetings of the Board of Trustees

2.7.1 The annual meeting of the Board of Trustees shall be held each year at the principal office of the Corporation or such other place as may be determined by the Board of Trustees. The Board of Trustees will also hold regular meetings each year at such other times and intervals and at such other places, as may be determined by the Board of Trustees. In the absence of the designation of a place, meetings shall be held at the principal office of the Corporation.

Section 2.8 Special Meetings of the Board of Trustees

2.8.1. Special meetings of the Board of Trustees shall be held at the call of the Chair of the Board of Trustees, or in the Chair’s absence, the Vice-Chair, or of one-third (1/3) of the Trustees at such place, as designated by the person or persons calling the meeting, and in the absence of such designation at the principal office of the Corporation.
Section 2.9 Notice of Meetings of the Board of Trustees

2.9.1. Notice of any regular or special meeting shall be given at least fourteen (14) days prior thereto by written notice delivered personally or delivered by confirmed air courier, facsimile transmission (“fax”), first class mail, or via electronic mail, if available, to each trustee at such trustee’s home or business address. If sent by confirmed air courier, such notice shall be deemed to be given either on the date the notice is actually received by the trustee or on the business day on which delivery is made at such address as confirmed by the air courier, whichever date is earlier. If mailed, such notice shall be deemed to be given either on the date the notice is actually received by the trustee or on the third business day following the date which it is deposited in a first-class postage-prepaid envelope in the United States mail addressed to such trustee’s home or business address, whichever date is earlier. If given by fax or electronic mail, such notice shall be deemed to be given upon the date it is actually received by the addressee. Any trustee may waive notice of a meeting. The attendance of a trustee at a meeting shall constitute a waiver of notice of such meeting, except where a trustee attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

Section 2.10 Quorum and Manner of Acting

2.10.1 A majority of the membership of the Board of Trustees shall constitute a quorum of the Board for the transaction of business during the meetings of Board of Trustees. The Secretary of the Corporation shall keep minutes of Board of Trustees meetings and Executive Committee meetings as an official record of Corporation business. For purposes of determining the presence of a quorum, trustees will be counted if represented in person or by proxy.

Section 2.11 Consent to Action Without Meeting

2.11.1. Any action required to be taken or which may be taken at a meeting of the Trustees may be taken without a meeting and without notice or waiver thereof if a consent in writing, which may be contained in a single document or may be contained in more than one document so long as the documents in the aggregate contain the required signatures, setting forth the action taken or to be taken, shall be signed by all of the Trustees at any time before or after the intended effective date of such action. Such consent may be mailed, hand-delivered, faxed, or sent via electronic mail to the College. Such consent shall be filed with the minutes of meetings of the Board of Trustees and shall have the same force and effect as a unanimous vote of the Trustees and may be stated as such in any document filed with the Division of Corporations or in any certificate or document prepared or certified by any Officer of the Corporation for any purpose.

Section 2.12 Presumption of Assent

2.12.1. A Trustee who is present at a meeting of the Board of Trustees at which action on any matter is taken shall be presumed to have assented to the action taken unless the Trustee’s dissent is entered in the minutes of the meeting. Such right to dissent shall not apply to a trustee who voted in favor of such action.

Section 2.13 Meetings by Conference Telephone

2.13.1. Trustees may participate in a meeting of the Board or of a Board committee through the use of a conference telephone or similar communications equipment, so long as all members can participate in such meeting. Participation in a meeting through telephonic means shall constitute presence in person at such meeting.
Section 2.14 Voting

2.14.1. At any meeting of the Board, Executive Committee, or other committee, each Trustee present at such meeting shall have one vote on any matter. A Trustee having voting rights may vote in person or by proxy executed in writing by the Trustee pursuant to such guidelines as the Board may establish.

Section 2.13 Vacancies

2.13.1. The Board of Trustees may fill a vacancy without calling a meeting by sending out a ballot on new members to Trustees. A majority of all Trustees must vote in the affirmative. Results of the ballot election will be announced at the next board meeting.

ARTICLE III - OFFICERS OF THE BOARD OF TRUSTEES

Section 3.1 Officers of the Board of Trustees and of the Corporation

3.1.1. The Officers of the Board of Trustees and of the Corporation are the Chair, Vice Chair, Treasurer, Secretary and such other officers as the Trustees may determine.

3.1.2. The election of Board and Corporate officers shall take place as needed at the annual meeting of the Board. The Chair shall be elected for a term of three years and all other officers shall be elected for one year. The Chair and Vice Chair shall be chosen from the membership of the Board. The Treasurer and Secretary, as employees of the College, are not members of the Board. Board and corporate officers may be elected to successive terms.

3.1.3. Each officer shall hold office until a successor has been elected or upon the officer’s death, resignation, or removal.

Section 3.2 Chair of the Board of Trustees

3.2.1. The Chair shall preside at the meetings of the Board and shall discharge the duties that ordinarily pertain to that office. In the absence of the President, the Chair may direct the Treasurer to execute all contracts and instruments usually signed by the President.

Section 3.3 Vice Chair of the Board of Trustees

3.3.1. In the absence of the Chair of the Board at a Board of Trustees meeting, the Vice Chair shall preside.

Section 3.4 Secretary of the Corporation

3.4.1. The Secretary shall: (a) keep the minutes of the proceedings of the Board of Trustees in one or more books provided for that purpose; (b) see that all notices are duly given in accordance with the provision of these Bylaws or as required by law; (c) be the custodian of the corporate minutes and reports of all committees of the Board and the seal of the Corporation and see that the seal of the Corporation is affixed to all documents, the execution of which on behalf of the Corporation under its seal is duly authorized; and (d) perform all duties incident to the office of Secretary and such other duties as may be assigned by the President of the College or by the Board of Trustees.

Section 3.5 Treasurer

3.5.1 The Treasurer shall hold evidence of ownership of property belonging to the
Corporation and the Treasurer shall hold all income from current operations of the College and cause the same to be deposited in such accounts and in such bank or banks or financial institutions as the Board of Trustees may determine from time to time.

3.5.2 All tuition fees and other funds of the College, or evidence of the same, shall be received by the Treasurer. All such monies shall be held in a bank or banks, other financial institutions, or otherwise invested in accordance with the vote and approval of the Board of Trustees and shall be maintained and clearly identified as accounts of Westminster College.

3.5.3 The Treasurer shall pay, under a budget approved by the Board, all bills contracted by the College, collect all tuition fees and other current accounts due the College or its departments, and keep books of account fully setting forth financial transactions of the College.

3.5.4 At the annual meeting of the Board, the Treasurer shall submit to the Board of Trustees the College’s annual audit report as prepared by the certified public accountants approved by the Board.

Section 3.6 Removal of Corporate Officers

3.6.1 Any officer or agent may be removed by the Board of Trustees whenever in its judgment the best interests of the Corporation will be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed. In the event of the removal, resignation, death or physical or mental incapacity of an officer of the Corporation, other than the Chair of the Board, the Chair of the Board, in consultation with the President of the College, shall appoint an acting officer to serve pending the next meeting of the Board.

ARTICLE IV - COMMITTEES OF THE BOARD OF TRUSTEES

Section 4.1 Duties of the Committees of the Board of Trustees

The Board of Trustees shall form such committees as it deems appropriate to conduct effectively the mission and business of the Board. With the exception of the Executive Committee of the Board of Trustees and the Investment Committee of the Board of Trustees, the duties of the Committees set forth in these Bylaws are to advise and make recommendations to the Board of Trustees.

Section 4.7 Standing Committees of the Board

4.7.1 The Executive Committee of the Board of Trustees shall be a standing committee.

Section 4.8 Executive Committee of the Board of Trustees

4.8.1 The Executive Committee of the Board of Trustees shall comprise the following Trustees: the Chair of the Board of Trustees, the Vice Chair of the Board of Trustees, the Chairs of Board Committees, the President and one or more other Trustees chosen at large. The Chair of the Board of Trustees shall be the Chair of the Executive Committee.

4.8.2 The Executive Committee shall perform the following duties:

Represent the Board of Trustees in the intervals between Board meetings on actions which must be final and approved prior to the next meeting of the Board and on matters as delegated by the Board of Trustees to the Executive Committee, except to the extent prohibited by these Bylaws and the Utah Revised Nonprofit Corporation
Act 2000, and any subsequent amendments or successor thereto;

Report all Executive Committee actions in full to the Board of Trustees at the first Board of Trustees meeting after the date of the Executive Committee’s actions.

4.8.3 All such Executive Committee actions shall be the final and official actions of the Corporation, unless the Board of Trustees is responsible for final action on the matter pursuant to the terms of these Bylaws or the Executive Committee indicates that its action is a recommendation to the Board of Trustees.

ARTICLE V - OFFICERS OF THE COLLEGE

Section 5.1 Officers of the College

5.1.1. The President of the College is an Officer of the College and shall appoint such other Officers of the College as the President chooses.

5.1.2. The Officers of the College shall have the responsibility as directed by the President to conduct the business and affairs of the College in a manner consistent with these Bylaws and the policies adopted by the Board of Trustees from time to time.

Section 5.2 President

5.2.1. The President of the College shall be selected by the Board of Trustees and may be removed from office only by the Board of Trustees.

5.2.2. The President of the College shall be the spokesperson for educational policy, the chief executive officer of the College, and the President of the faculty and shall exercise such leadership and supervision of the college’s administrative officers, faculty, agents, and employees as will promote the efficiency and effectiveness of each department of the College as a whole. The President shall have power on behalf of the Trustees, to perform all acts and execute all documents to carry out the actions of the Board. The President shall be responsible only to the Board.

5.2.3. The Board empowers the President to employ and discharge faculty, administrative officers, and other employees in the conduct of the business of the College, to determine their salaries and other terms and conditions of employment, and to manage the affairs of the College on a day-to-day basis.

5.2.4. The President shall administer the governance of the College with the purpose of promoting the advancement of the College. The President shall have general charge of all aspects of College life, and shall be the final authority in cases of discipline and removal.

5.2.5. The President shall annually report to the Board on the status of the College, and at such other times as the Board requests, the President shall present for consideration such measures as they or the Board shall deem necessary or expedient for the welfare of the College.

5.2.6. In the case of a vacancy in the office of the President or inability of the President to serve, the Chair of the Board may appoint an acting President. In the event of a permanent vacancy in the office, the Chair shall designate a special committee of the Board to search for and nominate a successor. In case of temporary Presidential absence, the President in consultation with the Chair will appoint someone to act for the President.
ARTICLE VI - TAXABLE YEAR, ACCOUNTING METHOD AND TAX STATUS

Section 6.1 Taxable Year and Accounting Method

6.1.1. The fiscal and taxable year of the Corporation shall be determined from time to time by the Board of Trustees. The books of account of the Corporation shall be maintained and its income, gains, losses, deductions and credits shall be reported, for financial and tax-accounting purposes, in accordance with such method as shall be determined by the Board of Trustees, which method shall be applied consistently and in accordance with generally accepted principles of accounting. The Board of Trustees may at any time change its election of fiscal and taxable year or method of fiscal and tax accounting, provided such change is in accordance with applicable law and regulation and is consistent with sound accounting principles.

Section 6.2 Tax Status

6.2.1. The Corporation shall qualify for tax-exempt status under United States and Utah law. The existence of such tax-exempt status is of the essence of the Corporation, and the Articles of Incorporation and these Bylaws shall be construed or amended as necessary to conform them to the tax-exempt requirements of the laws of the United States and the State of Utah. The Trustees shall do all else which may be necessary and appropriate from time to time in procuring and maintaining a tax-exempt status for the Corporation.

ARTICLE VII - DISSOLUTION

The Corporation and its assets are irrevocably committed to the charitable and tax-exempt purposes recited in the Articles of Incorporation. Upon the dissolution and liquidation of the Corporation, the Board of Trustees shall distribute any assets of the Corporation remaining after the discharge of all liabilities of the Corporation to one or more organizations or institutions as the Board in its discretion shall determine, provided that any such organization or institution is then a qualified, tax-exempt organization under the laws of the United States and the State of Utah.

ARTICLE VIII - INDEMNIFICATION

Section 8.1 Authority to Indemnify Trustees of the Corporation

8.1.1. The Corporation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative, by reason of the fact that the person is or was a Trustee, against liability incurred by the person in connection with such action, suit, or proceeding, if:

- The person's conduct was in good faith;
- The person reasonably believed that their conduct was in, or not opposed to, the Corporation's best interests;
- The person's acts or omissions were not the result of intentional misconduct; and
- In the case of a criminal proceeding, the person had no reasonable cause to believe their conduct was unlawful.

8.1.2. The termination of any action, suit, or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not, of itself, be determinative that
the Trustee or former Trustee did not meet the standard of conduct described in Section 8.1.1. of these Bylaws.

8.1.3. The Corporation shall not indemnify a Trustee or former Trustee under Section 8.1 of these Bylaws:

In connection with a proceeding by or in the right of the Corporation in which the Trustee or former Trustee was adjudged liable to the Corporation; or

In connection with any other proceeding charging that the Trustee or former Trustee derived an improper personal benefit, whether or not involving action in the Trustee's or former Trustee's official capacity, in which proceeding the Trustee or former Trustee was adjudged liable on the basis that they derived an improper personal benefit.

8.1.4. The indemnification permitted under Section 8.1 of these Bylaws in connection with a proceeding by or in the name of the Corporation is limited to reasonable expenses incurred in connection with the proceeding.

Section 8.2 Mandatory Indemnification of Trustees

8.2.1 The Corporation shall indemnify a Trustee or former Trustee who was successful, on the merits or otherwise, in the defense of any proceeding, or in the defense of any claim, issue, or matter in the proceeding, to which the Trustee or former Trustee was a party because the Trustee is or was a Trustee of the Corporation, against reasonable expenses incurred by the Trustee or former Trustee in connection with the proceeding or claim with respect to which the Trustee or former Trustee has been successful.

Section 8.3 Advance of Expenses for Trustees

8.3.1. The Corporation shall pay for or reimburse the reasonable expenses incurred by a Trustee or former Trustee who is a party to a proceeding in advance of final disposition of the proceeding if:

The Trustee or former Trustee furnishes the Corporation a written affirmation of the Trustee's or former Trustee's good faith belief that the Trustee or former Trustee has met the standard of conduct described in Section 8.1 of these Bylaws;

(b) The Trustee or former Trustee furnishes to the Corporation a written undertaking, executed personally or on the Trustee's or former Trustee's behalf, to repay the advance if it is ultimately determined that the Trustee or former Trustee did not meet the standard of conduct described in Section 8.1 of these Bylaws; and

A determination is made that the facts then known to those making the determination would not preclude indemnification under Article VIII of these Bylaws.

8.3.2. The undertaking required by Section 8.3.1. (b) of these Bylaws must be an unlimited general obligation of the Trustee or former Trustee but need not be secured and may be accepted without reference to financial ability to make repayment.
8.3.3. Determinations and authorizations of payments under Section 8.3 of these Bylaws shall be made in the manner specified in Section 8.5 of these Bylaws.

Section 8.4 Court-Ordered Indemnification of Trustees

A Trustee or former Trustee of the Corporation who is or was a party to a proceeding may apply for court-ordered indemnification to the court conducting the proceeding or to another court of competent jurisdiction.

Section 8.5 Determination and Authorization of Indemnification of Trustees

8.5.1. The Corporation shall not indemnify a Trustee or former Trustee under Section 8.1 of these Bylaws unless authorized and a determination has been made in the specific case that indemnification of the Trustee or former Trustee is permissible in circumstances because the Trustee or former Trustee has met the standard of conduct set forth in Section 8.1 of these Bylaws and as determined by a disinterested quorum of the Board of Trustees.

8.5.2. The Corporation shall not advance expenses to a Trustee or former Trustee under Section 8.3 of these Bylaws unless authorized in the specific case after the written affirmation and undertaking required by Section 8.3.1. (a) and Section 8.3.1. (b) are received and the determination required by Section 8.3.1. (c) has been made.

8.5.3. The determinations and authorizations required by Section 8.5.1 and Section 8.5.2 of these Bylaws shall be made by the Board of Trustees, the Executive Committee of the Board of Trustees, or by special legal counsel appointed by the Board of Trustees.

Section 8.6 Indemnification of Officers, Employees, Fiduciaries, and Agents of the Corporation

8.6.1. An Officer of the Corporation is entitled to mandatory indemnification under Section 8.2 of these Bylaws, and is entitled to apply for court-ordered indemnification under Section 8.4 of these Bylaws.

8.6.2. The Corporation may indemnify and advance expenses to an Officer, fiduciary, or agent of the Corporation to the same extent as to a Trustee or former Trustee.

8.6.3. The Corporation may indemnify and advance expenses to an Officer, fiduciary, or agent of the Corporation to a greater extent than as to a Trustee or former Trustee if such indemnification is not prohibited by these Bylaws, the Corporation's Articles of Incorporation or any action taken by the Board of Trustees.

Section 8.7 Insurance

8.7.1. The Corporation will purchase and maintain liability insurance on behalf of any person who is or was a Trustee, Officer, employee, or agent of the Corporation, or is or was serving at the request of the Corporation as a trustee, director, officer, employee, or agent of another corporation, partnership, joint venture, trust, or other enterprise, against any liability asserted against such person and incurred by such person in any such capacity or arising out of their status as such, whether or not the Corporation would have the power to indemnify such a person against such liability under Article VIII of these Bylaws.
ARTICLE IX - CONFLICT OF INTEREST POLICY

Section 9.1 Conflict of Interest

9.1.1. A potential conflict of interest is a situation that involves a personal, familial, or business relationship between a Trustee or corporate Officer and the College. Trustees and corporate Officers have a fiduciary responsibility to ensure that they do not use or be perceived as using their position with the Corporation to acquire financial gain or to secure special privileges or exemptions for themselves or others, except as may be explicitly allowed by the Board of Trustees upon disclosure. Trustees and Officers should not knowingly receive, accept, take, seek, or solicit, directly or indirectly, any gift or loan for themselves or others if the gift or loan would tend to influence them in the discharge of their duties.

9.1.2. All members of the Board of Trustees and all Officers of the Corporation shall comply with the Board’s Conflict of Interest policy, as set forth in a separate and comprehensive policy statement.

9.1.3. All members of the Board of Trustees and all Officers of the Corporation will be required to sign an annual disclosure statement. The Conflict of Interest policy and the disclosure statement will be made part of the materials distributed to a prospective Trustee prior to acceptance of nomination and consideration by the Board.

ARTICLE X - AMENDMENT

The Articles of Incorporation may not be amended except by a two-thirds (2/3) vote of the Trustees present at a special, regular, or annual meeting duly called and with proper notice given. These Bylaws may not be amended or repealed and new Bylaws adopted except by a two-thirds (2/3) vote of Trustees present at a regular, special or annual meeting duly called and proper notice given. Any such amendments shall be consistent with the expressed purpose of the Corporation and shall not be such as to prevent the Corporation from receiving or retaining a tax-exempt status.
1.3 By-Laws of Westminster College

It is also a matter of interest to faculty of Westminster College to know the By-Laws that the Board of Trustees has adopted consistent with its authority under the Articles of Incorporation. The By-Laws currently in force follow:

WESTMINSTER COLLEGE

BYLAWS

Adoption Date: January 27, 2006

PREAMBLE

Westminster College, a Utah nonprofit Corporation ("Corporation"), is a corporate successor in all respects to the powers, privileges, and obligations granted to the original incorporators and/or their successors under the Articles of Incorporation of Sheldon Jackson College, dated 9 January, 1896, under amendments to the Articles of Incorporation dated 9 September, 1899, 10 June, 1902, 25 August, 1910, 30 August, 1945, 21 April, 1954, 10 June, 1961, and 20 February, 1968, and under any subsequent amendments to the Charter and Bylaws including, but not limited to, the Amendment to the Charter dated January 17, 1983, changing the institution's name to Westminster College of Salt Lake City and the Articles of Amendment to the Articles of Incorporation and the Restated Articles of Incorporation, both dated September 11, 1998, changing the name of the college to the original name of Westminster College. The Corporation owns the assets of and operates Westminster College as an undergraduate and graduate institution of higher education ("College").

ARTICLE I - OFFICES

The principal office of the Corporation shall be at such location as the Board of Trustees shall from time to time direct. The Corporation may have more than one office as its affairs require. The registered office of the Corporation as required by the Utah Revised Nonprofit Corporation Act of 2000 shall be maintained in the State of Utah at 1840 South 1300 East, Salt Lake City, Utah 84105.

ARTICLE II - BOARD OF TRUSTEES

Section 2.1 Composition of the Board of Trustees

2.1.1. The Board of Trustees shall be composed of not less than eighteen (18) or more than forty (40) Trustees. The Board of Trustees shall elect Trustees to serve as Chair and Vice Chair of the Board of Trustees.

2.1.2. The President of the College shall be a Trustee, unless the President of the College declines to serve in that position. As a Trustee, the President of the College shall possess the same rights, powers, privileges, and obligations as every other Trustee serving on the Board of Trustees. Except for the President of the College, no employee or student of the College shall be eligible to serve as a Trustee.

2.1.5. The names and addresses of Trustees presently serving on the Board of Trustees, as well as the date upon which each Trustee’s term of office expires, shall be maintained by the Secretary of the Corporation.
Section 2.2 Election, Qualification, and Term of Office of Trustees

2.2.1. Elections for Trustees may be conducted at the annual meeting, at any regular meeting of the Board of Trustees or at any special meeting of the Board of Trustees expressly convened for that purpose.

2.2.2. Candidates for the office of Trustee shall be nominated by the Committee of the Board charged with this responsibility. Nominees qualified to stand for election shall be elected to the office of Trustee upon receiving a majority of votes cast by a quorum of the Board of Trustees.

2.2.3. The term of office of each Trustee shall commence immediately following the Trustee's election. Each Trustee's term of office generally will be three (3) years from the most recently conducted meeting of the Board of Trustees, unless the appointment is for a term of one or two years. The Trustee's term of office shall expire immediately following the completion of the election of Trustees at the annual meeting of the Board of Trustees held in the year in which such Trustee's term of office is to expire.

2.2.4. Incumbent Trustees or former Trustees may be re-elected to the office of Trustee, but must be re-nominated.

2.2.5. Trustees may resign by giving written notice to the Chair of the Board of Trustees. The Trustee's resignation will be effective as of the date of the written notice.

2.2.6. The Board of Trustees may remove any Trustee from office as a Trustee with or without cause via an affirmative vote of two-thirds of the entire voting membership of the Board of Trustees.

Section 2.3 Duties of Trustees

2.3.1. Trustees shall actively participate in all Board of Trustee business, including fulfilling all Committee assignments to which the Trustee may be assigned. Trustees shall attend and participate in all annual, regular and special meetings of the Board of Trustees, including all meetings of those Committees of which the Trustee is a member, unless the Trustee's absence has been excused by the Chair of the Board of Trustees or, in the case of a Committee meeting, the Chair of that Committee.

Section 2.4 General Powers of the Board of Trustees

2.4.1. The Board of Trustees shall exercise all corporate powers and make all necessary policies and regulations governing the business of the Corporation and the management of the College. The Board's primary functions shall be policy making and responsibility for sound management of the Corporation's resources. The Board shall determine the general educational and financial policies of the College, and shall have the power to carry out any other functions that are permitted by these Bylaws or by the Articles of Incorporation, and as authorized by the Utah Revised Nonprofit Corporation Act of 2000 (Utah Code Ann. §§ 16-6a-101 et. seq.), and any subsequent amendments or successor thereto.

Section 2.5 Delegable Powers of the Board of Trustees

2.5.1. The Board of Trustees may elect standing or temporary committees of the Board of Trustees to exercise the authority and powers of the Board of Trustees except with respect to those powers described in Section 2.6 of these Bylaws. The Board of Trustees may terminate any such delegated authority at any time.

2.5.2. The designation and appointment of any Committee by the Board of Trustees and the delegation thereto of authority pursuant to Section 2.5.1. of these Bylaws shall not operate to relieve the
Board of Trustees, or any individual Trustee, of any responsibility imposed upon it or upon the Trustee by the Corporation or by law.

2.5.3. In fulfilling its obligations as the governing body of the College, the Board of Trustees may assign such responsibilities as the Board of Trustees deems necessary to the President to delegate to appropriate officers, administrators, and faculty of the College, or to any other persons whose services and expertise the Board of Trustees determines will be beneficial to the College. Such assignment may include authority to develop policy designed to implement the general principles determined by the Board of Trustees, and/or to serve on the various Committees of the Board of Trustees. The Board of Trustees may terminate any such delegated authority at any time.

2.5.4. The Board of Trustees may empower the President, the Treasurer of the Corporation, and other employees of the College, as necessary and appropriate, to execute documents for the purpose of borrowing money for and in the name of the Corporation, to issue obligations for such borrowed money, and to invest the money or assets of the Corporation.

2.5.5. A Trustee or a member of any Committee designated by the Board of Trustees shall be entitled to rely in good faith upon the records of the Corporation and the reports, information or opinions presented to the Corporation by its officers or employees, Board Committees, or any other person with respect to matters within the professional or expert competence of the person.

Section 2.6 Reserved Powers of the Board of Trustees

2.6.1. In no event shall any Committee of the Board of Trustees, any officer, employee, fiduciary or agent of the Corporation, or any other person, have the authority of the Board of Trustees in reference to:

(1) Amending, altering or repealing the Bylaws of the Corporation;

(2) Electing, appointing, or removing any member of a Committee or any Trustee or Officer of the Corporation;

(3) Amending the Articles of Incorporation of the Corporation;

(4) Adopting a plan of merger or consolidation with another corporation;

(5) Authorizing the sale, lease, exchange, mortgage or pledge of all or substantially all of the property or the assets of the Corporation;

(6) Authorizing the voluntary dissolution of the Corporation or revoke proceedings thereof;

(7) Adopting a plan for the distribution of the assets of the Corporation on dissolution;

(8) Approving annual budgets for the College;

(9) Amending or repealing any resolution of the Board of Trustees;

(10) Selecting and terminating the appointment of the President of the College; or

(11) Any other nondelegable power enumerated by the Utah Revised Nonprofit Corporation Act of 2000, and any subsequent amendments or successor thereto.
Section 2.7 Annual and Regular Meetings of the Board of Trustees

2.7.1. The annual meeting of the Board of Trustees shall be held each year at the principal office of the Corporation or such other place as may be determined by the Board of Trustees. The Board of Trustees will also hold regular meetings each year at such other times and intervals and at such other places, as may be determined by the Board of Trustees. In the absence of the designation of a place, meetings shall be held at the principal office of the Corporation.

Section 2.8 Special Meetings of the Board of Trustees

2.8.1. Special meetings of the Board of Trustees shall be held at the call of the Chair of the Board of Trustees, or in the Chair's absence, the Vice-Chair, or of one-third (1/3) of the Trustees at such place, as designated by the person or persons calling the meeting, and in the absence of such designation at the principal office of the Corporation.

Section 2.9 Notice of Meetings of the Board of Trustees

2.9.1. Notice of any regular or special meeting shall be given at least fourteen (14) days prior thereto by written notice delivered personally or delivered by confirmed air courier, telegram, facsimile transmission (“fax”), first class mail, or via electronic mail, if available, to each trustee at such trustee's home or business address. If sent by confirmed air courier, such notice shall be deemed to be given either on the date the notice is actually received by the trustee or on the business day on which delivery is made at such address as confirmed by the air courier, whichever date is earlier. If mailed, such notice shall be deemed to be given either on the date the notice is actually received by the trustee or on the third business day following the date which it is deposited in a first-class postage-prepaid envelope in the United States mail addressed to such trustee’s home or business address, whichever date is earlier. If given by telegram, such notice shall be deemed to be given on the earlier to occur of the date actually received by the trustee or the business day following the date on which it is delivered to the telegraph company. If given by fax or electronic mail, such notice shall be deemed to be given upon the date it is actually received by the addressee. Any trustee may waive notice of a meeting. The attendance of a trustee at a meeting shall constitute a waiver of notice of such meeting, except where a trustee attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

Section 2.10 Quorum and Manner of Acting

2.10.1. A majority of the membership of the Board of Trustees shall constitute a quorum of the Board for the transaction of business during the meetings of Board of Trustees. The Secretary of the Corporation shall keep minutes of Board of Trustees meetings and Executive Committee meetings as an official record of Corporation business. For purposes of determining the presence of a quorum, trustees will be counted if represented in person or by proxy.

Section 2.11 Consent to Action Without Meeting

2.11.1. Any action required to be taken or which may be taken at a meeting of the Trustees may be taken without a meeting and without notice or waiver thereof if a consent in writing, which may be contained in a single document or may be contained in more than one document so long as the documents in the aggregate contain the required signatures, setting forth the action taken or to be taken, shall be signed by all of the Trustees at any time before or after the intended effective date of such action. Such consent may be mailed, hand-delivered, faxed, or sent via electronic mail to the College. Such consent shall be filed with the minutes of meetings of the Board of Trustees and shall have the same force and effect as a unanimous vote of the Trustees and may be stated as such in any document filed.
Section 2.12 Presumption of Assent

2.12.1. A Trustee who is present at a meeting of the Board of Trustees at which action on any matter is taken shall be presumed to have assented to the action taken unless the Trustee's dissent is entered in the minutes of the meeting. Such right to dissent shall not apply to a trustee who voted in favor of such action.

Section 2.13 Meetings by Conference Telephone

2.13.1. Trustees may participate in a meeting of the Board or of a Board committee through the use of a conference telephone or similar communications equipment, so long as all members can participate in such meeting. Participation in a meeting through telephonic means shall constitute presence in person at such meeting.

Section 2.14 Voting

2.14.1. At any meeting of the Board, Executive Committee, or other committee, each Trustee present at such meeting shall have one vote on any matter. A Trustee having voting rights may vote in person or by proxy executed in writing by the Trustee pursuant to such guidelines as the Board may establish.

Section 2.13 Vacancies

2.13.1. The Board of Trustees may fill a vacancy without calling a meeting by sending out a ballot on new members to Trustees. A majority of all Trustees must vote in the affirmative. Results of the ballot election will be announced at the next board meeting.

ARTICLE III - OFFICERS OF THE BOARD OF TRUSTEES

Section 3.1 Officers of the Board of Trustees and of the Corporation

3.1.1. The Officers of the Board of Trustees and of the Corporation are the Chair, Vice Chair, Treasurer, Secretary and such other officers as the Trustees may determine.

3.1.2. The election of Board and Corporate officers shall take place as needed at the annual meeting of the Board. The Chair shall be elected for a term of three years and all other officers shall be elected for one year. The Chair and Vice Chair shall be chosen from the membership of the Board. The Treasurer and Secretary, as employees of the College, are not members of the Board. Board and corporate officers may be elected to successive terms.

3.1.3. Each officer shall hold office until a successor has been elected or upon the officer's death, resignation, or removal.
Section 3.2  Chair of the Board of Trustees

3.2.1. The Chair shall preside at the meetings of the Board and shall discharge the duties that ordinarily pertain to that office. In the absence of the President, the Chair may direct the Treasurer to execute all contracts and instruments usually signed by the President.

Section 3.3  Vice Chair of the Board of Trustees

3.3.1. In the absence of the Chair of the Board at a Board of Trustees meeting, the Vice Chair shall preside.

Section 3.4  Secretary of the Corporation

3.4.1. The Secretary shall: (a) keep the minutes of the proceedings of the Board of Trustees in one or more books provided for that purpose; (b) see that all notices are duly given in accordance with the provision of these Bylaws or as required by law; (c) be the custodian of the corporate minutes and reports of all committees of the Board and the seal of the Corporation and see that the seal of the Corporation is affixed to all documents, the execution of which on behalf of the Corporation under its seal is duly authorized; and (d) perform all duties incident to the office of Secretary and such other duties as may be assigned by the President of the College or by the Board of Trustees.

Section 3.5  Treasurer

3.5.1. The Treasurer shall hold evidence of ownership of property belonging to the Corporation and the Treasurer shall hold all income from current operations of the College and cause the same to be deposited in such accounts and in such bank or banks or financial institutions as the Board of Trustees may determine from time to time.

3.5.2. All tuition fees and other funds of the College, or evidence of the same, shall be received by the Treasurer. All such monies shall be held in a bank or banks, other financial institutions, or otherwise invested in accordance with the vote and approval of the Board of Trustees and shall be maintained and clearly identified as accounts of Westminster College.

3.5.3. The Treasurer shall pay, under a budget approved by the Board, all bills contracted by the College, collect all tuition fees and other current accounts due the College or its departments, and keep books of account fully setting forth financial transactions of the College.

3.5.4. At the annual meeting of the Board, the Treasurer shall submit to the Board of Trustees the College’s annual audit report as prepared by the certified public accountants approved by the Board.

Section 3.6  Removal of Corporate Officers

3.6.1. Any officer or agent may be removed by the Board of Trustees whenever in its judgment the best interests of the Corporation will be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed. In the event of the removal, resignation, death or physical or mental incapacity of an officer of the Corporation, other than the Chair of the Board, the Chair of the Board, in consultation with the President of the College, shall appoint an acting officer to serve pending the next meeting of the Board.
ARTICLE IV - COMMITTEES OF THE BOARD OF TRUSTEES

Section 4.1 Duties of the Committees of the Board of Trustees

The Board of Trustees shall form such committees as it deems appropriate to conduct effectively the mission and business of the Board. With the exception of the Executive Committee of the Board of Trustees and the Investment Committee of the Board of Trustees, the duties of the Committees set forth in these Bylaws are to advise and make recommendations to the Board of Trustees.

Section 4.7 Standing Committees of the Board

4.7.1. The Executive Committee of the Board of Trustees shall be a standing committee.

Section 4.8 Executive Committee of the Board of Trustees

4.8.1. The Executive Committee of the Board of Trustees shall comprise the following Trustees: the Chair of the Board of Trustees, the Vice Chair of the Board of Trustees, the Chairs of Board Committees, the President and one or more other Trustees chosen at large. The Chair of the Board of Trustees shall be the Chair of the Executive Committee.

4.8.2. The Executive Committee shall perform the following duties:

Represent the Board of Trustees in the intervals between Board meetings on actions which must be final and approved prior to the next meeting of the Board and on matters as delegated by the Board of Trustees to the Executive Committee, except to the extent prohibited by these Bylaws and the Utah Revised Nonprofit Corporation Act 2000, and any subsequent amendments or successor thereto;

Report all Executive Committee actions in full to the Board of Trustees at the first Board of Trustees meeting after the date of the Executive Committee's actions.

4.8.3. All such Executive Committee actions shall be the final and official actions of the Corporation, unless the Board of Trustees is responsible for final action on the matter pursuant to the terms of these Bylaws or the Executive Committee indicates that its action is a recommendation to the Board of Trustees.

ARTICLE V - OFFICERS OF THE COLLEGE

Section 5.1 Officers of the College

5.1.1. The President of the College is an Officer of the College and shall appoint such other Officers of the College as the President chooses.

5.1.2. The Officers of the College shall have the responsibility as directed by the President to conduct the business and affairs of the College in a manner consistent with these Bylaws and the policies adopted by the Board of Trustees from time to time.
Section 5.2  President

5.2.1. The President of the College shall be selected by the Board of Trustees and may be removed from office only by the Board of Trustees.

5.2.2. The President of the College shall be the spokesperson for educational policy, the chief executive officer of the College, and the President of the faculty and shall exercise such leadership and supervision of the college’s administrative officers, faculty, agents, and employees as will promote the efficiency and effectiveness of each department of the College as a whole. The President shall have power on behalf of the Trustees, to perform all acts and execute all documents to carry out the actions of the Board. The President shall be responsible only to the Board.

5.2.3. The Board empowers the President to employ and discharge faculty, administrative officers, and other employees in the conduct of the business of the College, to determine their salaries and other terms and conditions of employment, and to manage the affairs of the College on a day-to-day basis.

5.2.4. The President shall administer the governance of the College with the purpose of promoting the advancement of the College. The President shall have general charge of all aspects of College life, and shall be the final authority in cases of discipline and removal.

5.2.5. The President shall annually report to the Board on the status of the College, and at such other times as the Board requests, the President shall present for consideration such measures as they or the Board shall deem necessary or expedient for the welfare of the College.

5.2.6. In the case of a vacancy in the office of the President or inability of the President to serve, the Chair of the Board may appoint an acting President. In the event of a permanent vacancy in the office, the Chair shall designate a special committee of the Board to search for and nominate a successor. In case of temporary Presidential absence, the President in consultation with the Chair will appoint someone to act for the President.

ARTICLE VI - TAXABLE YEAR, ACCOUNTING METHOD AND TAX STATUS

Section 6.1  Taxable Year and Accounting Method

6.1.1. The fiscal and taxable year of the Corporation shall be determined from time to time by the Board of Trustees. The books of account of the Corporation shall be maintained and its income, gains, losses, deductions and credits shall be reported, for financial and tax-accounting purposes, in accordance with such method as shall be determined by the Board of Trustees, which method shall be applied consistently and in accordance with generally accepted principles of accounting. The Board of Trustees may at any time change its election of fiscal and taxable year or method of fiscal and tax accounting, provided such change is in accordance with applicable law and regulation and is consistent with sound accounting principles.

Section 6.2  Tax Status

6.2.1. The Corporation shall qualify for tax-exempt status under United States and Utah law. The existence of such tax-exempt status is of the essence of the Corporation, and the Articles of Incorporation and these Bylaws shall be construed or amended as necessary to conform them to the tax-exempt requirements of the laws of the United States and the State of Utah. The Trustees shall do all else which may be necessary and appropriate from time to time in procuring and maintaining a tax-exempt status for the Corporation.
ARTICLE VII - DISSOLUTION

7.1.1. The Corporation and its assets are irrevocably committed to the charitable and tax-exempt purposes recited in the Articles of Incorporation. The Board of Trustees has the authority to dissolve the Corporation upon a vote to do so by a majority of the Trustees. The Board of Trustees may condition the effectiveness of the dissolution on any basis. The Corporation shall give notice to each Trustee of the meeting at which the proposal to dissolve will be voted on. This notice must state that the purpose, or one of the purposes, of the meeting is to consider the proposal to dissolve the Corporation and it must be accompanied by a copy of the proposal and a summary of the proposal. Upon dissolution of the Corporation, the Board of Trustees shall distribute any assets of the Corporation remaining after the discharge of all liabilities of the Corporation to one or more organizations or institutions as the Board in its discretion shall determine, provided that any such organization or institution is then a qualified, tax-exempt organization under the laws of the United States and the State of Utah.

ARTICLE VIII - INDEMNIFICATION

Section 8.1 Authority to Indemnify Trustees of the Corporation

8.1.1. The Corporation may indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative (“proceeding”), because the person is or was a Trustee, against liability incurred in the proceeding if:

The person's conduct was in good faith;

The person reasonably believed that their conduct was in, or not opposed to, the Corporation's best interests, including any conduct with respect to any employee benefit plan;

The person’s acts or omissions were not the result of intentional misconduct; and

In the case of a criminal proceeding, the person had no reasonable cause to believe their conduct was unlawful.

8.1.2. The termination of any action, suit, or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, is not, of itself, determinative that the Trustee or former Trustee did not meet the standard of conduct described in Section 8.1.1. of these Bylaws.

8.1.3. The Corporation shall not indemnify a Trustee or former Trustee:

In connection with a proceeding by or in the right of the Corporation in which the Trustee or former Trustee was adjudged liable to the Corporation; or

In connection with any other proceeding charging that the Trustee or former Trustee derived an improper personal benefit, whether or not involving action in the Trustee's or former Trustee's official capacity, in which proceeding the Trustee or former Trustee was adjudged liable on the basis that they derived an improper personal benefit.
8.1.4. The indemnification permitted under these Bylaws in connection with a proceeding by or in the name of the Corporation is limited to reasonable expenses incurred in connection with the proceeding.

Section 8.2 Mandatory Indemnification of Trustees

8.2.1. The Corporation shall indemnify a Trustee or former Trustee whose conduct was with respect to any employee benefit plan against reasonable expenses incurred by the Trustee or former Trustee in connection with the proceeding or claim in which the Trustee was successful.

8.2.2. The Corporation shall indemnify a Trustee or former Trustee against reasonable expenses who was successful on the merits or otherwise, in the defense of any proceeding to which the Trustee or former Trustee was a party because the Trustee is or was a Trustee of the Corporation, or successful in the defense of any claim, issue, or matter in the proceeding, to which the Trustee or former Trustee was a party because the Trustee is or was a Trustee of the Corporation.

Section 8.3 Advance of Expenses for Trustees

8.3.1. The Corporation shall pay for or reimburse the reasonable expenses incurred by a Trustee or former Trustee who is a party to a proceeding in advance of final disposition of the proceeding if:

- The Trustee or former Trustee furnishes the Corporation a written affirmation of the Trustee's or former Trustee's good faith belief that the Trustee or former Trustee has met the standard of conduct described in these Bylaws;

- The Trustee or former Trustee furnishes to the Corporation a written undertaking, executed personally or on the Trustee's or former Trustee's behalf, to repay the advance if it is ultimately determined that the Trustee or former Trustee did not meet the standard of conduct described in these Bylaws; and

- A determination is made that the facts then known to those making the determination would not preclude indemnification under these Bylaws.

8.3.2. The undertaking required by Section 8.3.1. (b) of these Bylaws shall be an unlimited general obligation of the Trustee or former Trustee, but need not be secured and may be accepted without reference to financial ability to make repayment.

8.3.3. Determinations and authorizations of payments under Section 8.3 of these Bylaws shall be made in the manner specified in Section 8.5 of these Bylaws.

Section 8.4 Court-Ordered Indemnification of Trustees

8.4.1. A Trustee or former Trustee of the Corporation who is or was a party to a proceeding may apply for court-ordered indemnification to the court conducting the proceeding or to another court of competent jurisdiction.

Section 8.5 Determination and Authorization of Indemnification of Trustees

8.5.1. The Corporation may not indemnify a Trustee or former Trustee (“Trustee”) under Section 8.1 of these Bylaws unless authorized in the specific case after a determination has been made.
that indemnification of the Trustee is permissible in the circumstances because the Trustee has met the standard of conduct set forth in these Bylaws.

8.5.2. The Corporation may not advance expenses to a Trustee under Section 8.3 of these Bylaws unless authorized in the specific case after the written affirmation and undertaking required by Section 8.3.1. (a) and Section 8.3.1. (b) are received and the determination required by Section 8.3.1. (c) has been made.

8.5.3. The determinations and authorizations required by Section 8.5.1. and Section 8.5.2. of these Bylaws shall be made:

8.5.3.1. by the Board of Trustees by a majority vote of those present at a meeting at which a quorum is present if only those Trustees not parties to the proceeding are counted in satisfying the quorum;

8.5.3.1.1. if a quorum cannot be obtained under 8.5.3.1, then, by a majority vote of a committee of the Board:

  8.5.3.1.1.1. designated by the Board;

  8.5.3.1.1.2. consisting of two or more directors not parties to the proceeding; or

  8.5.3.1.1.3. by persons listed in 8.5.3.2.

8.5.3.2. The Trustees who are parties to the proceeding may participate in the designation of the Trustees for the committee described in 8.5.3.1.1.

8.5.3.3. The determination required to be made by § shall be made by a person described in § if:

8.5.3.3.1. a quorum cannot be obtained in accordance with §; and

8.5.3.3.2. a committee cannot be established under §; or

8.5.3.3.3. even if a quorum is obtained or a committee is designated, a majority of the Trustees constituting the quorum or committee directs.

8.5.3.3.4. If a condition described in § is met, the determination required to be made by § shall be made:

8.5.3.3.4.1. by independent legal counsel selected by:

  8.5.3.3.4.1.1. a vote of the Board of Trustees or the committee in the manner specified in §; or

  8.5.3.3.4.1.2. if a quorum of the full Board cannot be obtained and a committee cannot be established, by independent legal counsel selected by a majority vote of the full Board of Trustees, or

  8.5.3.3.4.1.3. by the voting members, but a voting member may not vote on the determination if the voting members is:

  8.5.3.3.4.1.3.1. a director, and

  8.5.3.3.4.1.3.2. at the time seeking indemnification.

8.5.3.5. Except as provided in §, an authorization of indemnification and advance of expenses shall be made in the same manner as the determination that indemnification or advance of expenses is permissible.

8.5.3.6. Notwithstanding §, above, if the determination that indemnification or advance of expenses is permissible is made by independent legal counsel, authorization of indemnification and advance of expenses shall be made by the body that selected the independent legal counsel.
Section 8.6 Indemnification of Officers, Employees, Fiduciaries, and Agents of the Corporation

8.6.1. An Officer of the Corporation is entitled to mandatory indemnification under Section 8.2 of these Bylaws, and is entitled to apply for court-ordered indemnification under Section 8.4 of these Bylaws.

8.6.2. The Corporation may indemnify and advance expenses to an Officer, employee, fiduciary, or agent of the Corporation to the same extent as to a Trustee or former Trustee.

8.6.3. The Corporation may indemnify and advance expenses to an Officer, fiduciary, or agent of the Corporation to a greater extent than as to a Trustee, provided that doing so is not inconsistent with public policy.

Section 8.7 No Limitation for Reimbursement of Expenses when Appearing as a Witness

8.7.1. This § does not limit the Corporation’s power to pay or reimburse expenses incurred by a Trustee in connection with the Trustee’s appearance as a witness in a proceeding at a time when the Trustee has not been made a named defendant or respondent to the proceeding.

Section 8.8 Notice to Board of Indemnification of Trustee

8.8.1. If the Corporation indemnifies or advances expenses to a Trustee in connection with a proceeding by or in the right of the Corporation, the Corporation shall give written notice of the indemnification or advance to the voting members with or before the notice of the next voting members’ meeting.

8.8.2. If the next voting member action after the indemnification or advance is taken without a meeting at the instigation of the Board of Trustees, the notice shall be given to the voting members at or before the time the first voting member signs a written consent to the action.

Section 8.7 Insurance

8.7.1. The Corporation will purchase and maintain liability insurance on behalf of any person who is or was a Trustee, Officer, employee, or agent of the Corporation, or is or was serving at the request of the Corporation as a trustee, director, officer, employee, or agent of another corporation, partnership, joint venture, trust, or other enterprise, against any liability asserted against such person and incurred by such person in any such capacity or arising out of their status as such, whether or not the Corporation would have the power to indemnify such a person against such liability under Article VIII of these Bylaws.

ARTICLE IX - CONFLICT OF INTEREST POLICY

Section 9.1 Conflict of Interest

9.1.1. A potential conflict of interest is a situation that involves a personal, familial, or business relationship between a Trustee or corporate Officer and the College. Trustees and corporate Officers have a fiduciary responsibility to ensure that they do not use or be perceived as using their position with the Corporation to acquire financial gain or to secure special privileges or exemptions for themselves or others, except as may be explicitly allowed by the Board of Trustees upon disclosure. Trustees and Officers should not knowingly receive, accept, take, seek, or solicit, directly or indirectly, any gift or loan for themselves or others if the gift or loan would tend to influence them in the discharge of their duties.
9.1.2. All members of the Board of Trustees and all Officers of the Corporation shall comply with the Board’s Conflict of Interest policy, as set forth in a separate and comprehensive policy statement.

9.1.3. All members of the Board of Trustees and all Officers of the Corporation will be required to sign an annual disclosure statement. The Conflict of Interest policy and the disclosure statement will be made part of the materials distributed to a prospective Trustee prior to acceptance of nomination and consideration by the Board.

ARTICLE X - AMENDMENT

The Articles of Incorporation may not be amended except by a two-thirds (2/3) vote of the Trustees present at a special, regular, or annual meeting duly called and with proper notice given. These Bylaws may not be amended or repealed and new Bylaws adopted except by a two-thirds (2/3) vote of Trustees present at a regular, special or annual meeting duly called and proper notice given. Any such amendments shall be consistent with the expressed purpose of the Corporation and shall not be such as to prevent the Corporation from receiving or retaining a tax-exempt status.

I, Kelly De Hill, being the Secretary of the Board of Trustees of Westminster College, do hereby certify the foregoing to be the Amended and Restated Bylaws of the Corporation, as adopted at the meeting of the Board of Trustees held on the eleventh day of September, 1998.

DATED the 27th day of January, 2006.

___________________________________
Kelly De Hill
Secretary of the Board of Trustees
Westminster College
1.4 Mission Statement

WESTMINSTER COLLEGE
MISSION STATEMENT

Westminster College is a private, independent college dedicated to student learning. We offer professional and liberal arts courses of study for undergraduates, as well as selected graduate programs. We are a community of learners with a long and honored tradition of caring deeply about students and their education. Students are challenged to experiment with ideas, raise questions, critically examine alternatives, and make informed decisions. We encourage students to accept responsibility for their own learning, to discover and pursue their passions, and to act with responsibility.

Our purposes are to prepare students to lead lives of learning, accomplishment, and service and to help them develop skills and attributes critical for success in a rapidly changing world. We do this by offering distinctive academic programs that emphasize theory and practice and encourage active, experiential, collaborative, and cross-disciplinary learning. We work to pursue excellence while promoting inclusiveness and respect for differences.

CORE VALUES

As members of the Westminster College community, we are committed to the following values:

- Impassioned teaching and active learning
- Respect for diverse people and perspectives
- Collaboration and teamwork
- Personal and social responsibility
- College-wide excellence
- High ethical standards

VISION

We will be nationally recognized as an exemplary community of learners, distinguished by our distinctive educational programs, our record of preparing graduates for success in a rapidly changing world, and our commitment to continuous improvement, effectiveness, and value.

EDUCATIONAL GOALS

Our goal is to distinguish the College by preparing “Graduates of Westminster College”—graduates who have developed skills and attributes crucial for success.

“Graduates of Westminster College” will achieve the following college-wide learning goals:

- Critical, analytical, and integrative thinking
- Creative and reflective capacities
- Leadership, collaboration, and teamwork
- Writing and other communication skills
- Global consciousness, social responsibility, and ethical awareness

Approved by faculty, December 5, 2003
Approved by Board of Trustees, January 30, 2004
Chapter 2

ADMINISTRATIVE ORGANIZATION OF
WESTMINSTER COLLEGE

2.1 Overview

This chapter briefly describes the principal academic officers. It then details the duties and responsibilities of deans and explains the process for removing deans from their administrative positions. It concludes with the administrative roles of faculty, including duties and responsibilities they may fulfill as administrators.

2.2 Organizational Charts and Job Descriptions

Organizational charts, both academic and nonacademic, are available in the office of the Vice President for Finance and Administrative Services; and job descriptions for all administrative officers, both academic and nonacademic, are available in the office of the Director of Human Resources.

2.3 Board of Trustees

Chapter 1 details the role of the Board of Trustees. The Board of Trustees is the legal governing body of Westminster College. As such, it is the final institutional authority in all matters. It grants all degrees awarded by the College, on recommendation of the faculty; approves instructional programs; selects professors and instructors and determines the services and salaries of all officers and employees; regulates the admission, discipline and dismissal, or graduation of all students; and may select from its own membership an Executive Committee and such other committees as it sees fit.

In so doing, it is obligated to direct the financial resources of the College and to relate them to the likely needs of the future, and to assure that the heritage of the College continues to inspire the institution. While maintaining a general overview, the Board entrusts the conduct of administration to the president and through the president to other administrative officers of the College. To the faculty, the Board entrusts the conduct of teaching and research. When ignorance or ill will threatens the College or any part of it (for example, an attack on freedom), the Board is available for support of the president, the faculty, or the student body, thereby defending the vested interests of society in Westminster College.

2.4 President

The president of the College is appointed by the Board of Trustees. They are the chief executive officer of the College and president of the faculty. It is the duty of the president to ensure that the standards and procedures of the College
conform to the policies established by the Board of Trustees and to the standards of sound academic practice.

The president administers the governance of the College. With the Board of Trustees, they share the responsibility for maintaining existing institutional resources and creating new resources.

The president may preside at meetings of the faculty or delegate that responsibility to the chief academic officer or to an officer elected by the faculty. The president has the right to speak and vote in faculty meetings.

2.5 Academic Officers

2.5.1 Provost and Vice President for Academic Affairs

Appointed by the President, the Provost serves at the pleasure of the President. As the chief academic officer of the College, they are responsible for its academic programs. The Provost is directly responsible to the president for recommending faculty organization, curriculum, and instruction; for new program development; for academic budget preparation; for recruiting new faculty and framing academic personnel recommendations (according to the process described in Chapter 3); and for approving the scheduling of classes. They oversee preparation of contracts for all faculty members and maintenance of academic personnel files. The provost also provides leadership to the schools and their deans in the areas of faculty development, academic enrichment activities, and assessment of student learning.

The Provost may preside at faculty meetings in the absence of the President or if the President so designates, unless the faculty has elected a faculty member to perform that function. In consultation with the Faculty Senate and the President, the Provost may appoint an assistant provost. During the temporary absence or incapacity of the Provost, an associate provost, assistant provost, or one of the deans may perform the duties of the chief academic officer. As an academic officer, they have the right to speak and vote in faculty meetings.

2.5.2 Associate Provost for Student Development

The Associate Provost for Student Development provides leadership and has responsibility for the student services and athletics functions of the College, including personnel supervision and long-range strategic, operational, and budgetary planning. They serve as an advocate for student interests and oversees development and assessment of co-curricular programming designed to enhance student learning. They collaborate with students, staff, faculty, and administration in developing policies and programs that promote student success.
and ensure compliance with federal, state, and local regulations. The associate provost has administrative responsibility for the Career Resource Center, START Center, Volunteer Center, student life, residential life, counseling, campus ministry, veteran’s affairs, intercollegiate athletics, recreation, and intramurals. They report to the chief academic officer and serves as a member of the president’s senior team.

2.5.3 Associate Provost for Institutional Research and Assessment

The Associate Provost for Institutional Research and Assessment serves the Westminster community by organizing, analyzing, interpreting and disseminating information in support of institutional effectiveness, planning, policy formulation, and decision making to help fulfill the stated mission of the college. The associate provost conducts institutional research, administers surveys and analyzes the results and conducts outcomes assessments.

2.5.4 Associate Provost for Integrative Learning

The Associate Provost for Integrative Learning is responsible for stimulating and coordinating the College’s efforts to support student learning by increasing the skills and capacities of faculty and staff to integrate college-wide learning goals, coordinating and supporting the work of key educational initiatives and resources, and maximizing the benefits of our external relationships and partnerships to enhance opportunities for student learning. They work with the Director of Educational Assessment and the deans and faculty to strengthen the College’s assessment of student learning and to use the results to improve the effectiveness of the College’s programs. The associate provost has responsibility for the Library and Information Commons, the Centers for the Environment and Civic Engagement and other initiatives such as the Learning Coalition, Common Ground, and Learning Communities.
2.5.5 Associate Provost for Diversity and Global Learning

The Associate Provost for Diversity and Global Learning will be responsible for developing and implementing college-wide plans to further diversity and internationalize the campus. Reporting to the associate provost is the Director of Student International Services and the Director of Diversity, Student Affairs and Support. They work closely with the College’s Diversity Council and the Internationalization Steering Committee along with other related groups.

2.5.6 Director of the Learning Coalition

The Director of the Learning Coalition reports to the Associate Provost for Integrative Learning. They are responsible for working with colleagues across campus to identify, develop and deliver a host of faculty development activities on best practices in higher education in areas such as assessing student learning, active, experiential, collaborative and cross-disciplinary learning, academic program design and technology assisted learning.

2.5.7 Director of Information Services

The Director of Information Services oversees the planning, implementation, and evaluation of academic and administrative computing. They are responsible for leading the information resources area in achieving college-wide goals and objectives and for managing a diverse staff of technologists, web designers, and instructional technologists. The director of information technology must work closely with faculty, staff, administration, and students to assess needs and help promote the use of technology to enhance teaching and learning and to improve services. Key areas of responsibility subsumed under information resources include the information commons, faculty technology center, administrative computing system, college network and networked software, system security, telephones (voice over Internet protocol), Center for Financial Analysis, student computing lab, computer classrooms and classroom technology, support for hardware and software, and Westminster website. They report to the chief academic officer.

2.5.8 Director for Educational Assessment

The Director for Educational Assessment is responsible for planning and directing the College’s assessment efforts. This responsibility includes data collection and analysis focusing on academic programs, student development, and information resources. They also serve as liaison to other divisions of the campus and consults with schools and programs about their assessment plans, as appropriate. The Director reports to the Provost and works closely with the deans, assistant deans, and division/program directors of the College.
2.5.9 The Registrar

The Registrar plans, develops, implements, and evaluates all of the operations of the Registrar’s Office in accordance with policies adopted by the faculty and administration. They are responsible for maintaining all student academic records, maintaining and updating the College’s degree audit system, coordinating formulation of transfer articulation policy and consistently applying it, processing and tracking graduation applications and implementing graduation requirements in accordance with established College policy, and protecting the rights of privacy of current and former students. They also develop the academic calendar with input from faculty and administrative staff, supervises the preparation of the Academic Catalog and class schedules, plans and supervises registration, monitors class sizes and makes recommendations to the chief academic officer, supervises allocation of classroom space and computer labs, and oversees the registrar’s office website and online services. They report to the chief academic officer and manages both employees and student workers.

2.5.10 The Director of the Library

The Director of the Library is responsible for maintaining the College book, periodical, video and database collection, and organizing and supervising a staff which provides the usual library services to students and faculty; administers the annual library budget in accordance with College budgetary practice and the requisitions of the faculty; administers the expenditure of any special library gift fund in accordance with the donor's terms; and oversees the College archives. An unranked, voting member of the faculty (Section 3.2.1), they are a voting member of the College Curriculum Committee, a member of the Graduate Education Committee, and an ex officio member of the Teaching and Learning Resources Committee. They report to the Associate Provost for Integrative Learning.

2.6 Academic Organization

The academic programs of Westminster College are administered through schools, each of which offers its own academic majors, minors, and curricula. These schools currently are the Bill and Vieve Gore School of Business, the School of Arts and Sciences, the School of Education, and the Westminster School of Nursing and Health Sciences. The administration determines the number and designation of schools, with the approval of the Board of Trustees. Prior to seeking Board action, the administration ordinarily consults with the faculty about contemplated changes in the schools' composition, number, and other administrative matters.
The administration, following consultation with the faculty or its committees, or with representatives of the faculty and their deans, and with the concurrence of the Board of Trustees, determines in which of the schools each program is to be housed. A current list of academic programs is in the annual Academic Catalog.

2.7 **Dean of a School**

Each school is led by a dean, whose duties and responsibilities are outlined in 2.7.3.

2.7.1 **Selection of Dean of a School**

The chief academic officer forms a search committee to conduct a national search. The committee consists of five faculty representatives from the school and a dean and a faculty representative from another school. The committee reviews applicant files and selects a minimum of three candidates to be interviewed. The chief academic officer reviews the applications of those selected for an interview and provides feedback to the search committee. The candidates are interviewed by faculty, students, other deans, and the president. The committee forwards a list of its top candidates, with rationales for their inclusion on the list, to the chief academic officer. Upon recommendation of the chief academic officer, the president then appoints the dean.

2.7.2 **Term of Office**

The dean of a school ordinarily serves a three-year term. They may serve subsequent terms, consecutive or otherwise.

2.7.3 **Duties and Responsibilities**

The dean of a school combines teaching and administrative responsibilities, although the proportion of teaching and administration will vary among the schools. As members of the faculty, deans have the right to speak and vote in faculty meetings.

A dean's duties include

a. administration of the school

b. a significantly reduced teaching load

c. frequent meetings and communication with the chief academic officer

d. leadership in the realm of curriculum development, educational innovation, and program change and improvement within their
school, by means of consultation, recommendations, formal proposals through faculty committees, and formal proposals through the administration

e. provision of academic leadership to the school in terms of an emphasis upon both teaching excellence and research, professional, or performance activities

f. as academic leader of the school, provision of faculty personnel recommendations as to recruitment, retention or non-retention, promotion, and faculty development, basing such recommendations on peer and other review mechanisms, as well as direct personal classroom observations

g. advocate for the faculty

h. solicitation and collation of budget requests from programs within the school, development of an annual budget proposal, general supervision of budgetary expenditures, and approval of all requisitions emanating from their school

i. management of such matters as teaching assignments, course scheduling, and release time, subject to the procedures of the College and approval of the chief academic officer

j. general administrative functions, such as hiring, retention, and supervision of secretarial and nonacademic staff personnel within the school

k. the assignment of duties and responsibilities to such persons

l. oversight of the organization and maintenance of the files and records within the school

m. delegation of responsibility for the security and maintenance of equipment assigned to the school

n. oversight of staff securing supplies, equipment, and other services necessary for the instructional tasks of the school consistent with College procedures and policy

o. responsibility for convening, conducting, and preserving records of meetings and sharing copies of such records in a timely fashion
p. participatory role in the planning, coordinating, and managing of meetings and other functions of the Council of Deans and the Executive Council

2.7.4 Evaluation of Deans

During the spring semester, the chief academic officer sends an evaluation form to each member of the faculty, requesting an anonymous evaluation of their dean. These forms are collated by the chief academic officer, who then meets with each dean to discuss the results of the evaluation. The dean reports back to the faculty regarding plans they have made to deal with any faculty concerns. Every three years, the chief academic officer meets with each member of the faculty to discuss each dean’s performance in greater detail.

2.7.5 Temporary Absences

When a dean is to be absent for a period of one month or less, they have the authority to appoint a substitute, an acting dean, from within the school after consultation with the chief academic officer. When their absence is unforeseen or will be for more than one month, the chief academic officer will appoint an acting dean or an interim dean, after consultation with the president and faculty of the school.

2.7.6 Removal From Office

A dean of a school can be relieved of their administrative duties at any time during the term of their appointment. The president can relieve a dean of their administrative duties if there is clear indication of the necessity for such action, but only after consultation with the faculty of the school, and after the dean has had an opportunity to report to the president concerning the problem. If one half of the faculty of a school petition for the removal of a dean and two thirds of them, by written ballot, vote for removal in a subsequent meeting (the chief academic officer presiding) in which the dean has been given the opportunity to respond to complaints, the president should ordinarily remove the dean. If they do not, they will state their reasons in writing. Being relieved of administrative duties does not affect the individual's status as a faculty member. Unless there are unusual circumstances, they can expect to have a full-time teaching load as soon as practical after leaving the dean's job.

2.8 Other Officers of the Administration

See Bylaws, Chapter 1.

2.9 Faculty Serving in Administrative Roles

2.9.1 Chair of a Program
A chair or director, elected by the faculty of each program and/or appointed by the dean, reports to the dean. In programs with few full-time faculty, when an election is impractical, the dean consults with the program faculty and appoints a chair. Each school shall maintain a written policy, approved by the school’s faculty, that specifies the term length served by chairs and establishes regular process for review of sitting chairs prior to their reappointment or reelection.

2.9.2 Duties and Responsibilities of Program Chairpersons

A chairperson’s responsibilities include

a. teaching full-time except when circumstances require some release time;

b. periodically, and as needed, convening the program faculty;

c. presiding over all program meetings and ensuring that appropriate procedures are used in order to nourish free discussion in the meetings;

d. ensuring that accurate, representative written records are maintained of the proceedings of each meeting and are made available as official records, with copies of each record being given to the appropriate dean, placed in the program's files, and distributed to program faculty members;

e. transmitting, in writing, any necessary communication arising from the program's discussion or action. This obligation includes curriculum proposals, inquiries regarding information or assistance from administrative or staff personnel, and suggestions or recommendations on any matter of concern that falls within the purview of the program. Brief written accounts of actions taken that affect students, that alter the shape of the program, or that are of general interest should be forwarded to appropriate campus communication outlets for timely dissemination to the community at large;

f. encouraging the continued improvement of classroom teaching and the steady pursuit of scholarly research and professional activity on the part of all members in the program, through discussion, conferences, class visitation, and other appropriate means;

g. assisting the dean of the school in recommending staff changes, conducting searches, reviewing performance, and framing
recommendations as to the appointment, retention, promotion, and termination of program faculty;

h. developing and coordinating course schedule requests for Fall, Spring, May, and Summer terms;

i. recommending adjuncts for staffing program courses;

j. orienting, evaluating, and integrating adjuncts into the program;

k. recommending overload assignments, as needed, to staff program courses;

l. preparing annual budget requests;

m. handling student complaints regarding program faculty;

n. taking primary responsibility for curriculum changes.

2.9.3 Functions of Programs

Programs carry special responsibilities as the developers of, and vehicles through which, instructional programs ("majors and minors") or otherwise coherent curricula possessing faculty and administrative recognition are offered to students. They share also in the development of disciplinary and interdisciplinary courses fulfilling Liberal Education and other College-wide requirements.

In discharging these responsibilities, programs

a. frame curricula, develop course proposals, and devise degree requirements for review through school and College curriculum committees and the faculty business meeting, or such other ordinary review procedure as the faculty determines, prior to submission to the Board of Trustees (as needed) for approval;

b. develop program academic standards, again for review as the ordinary process of the College provides;

c. recommend whether or not students majoring or minoring in their programs satisfy the requirements for admission to, continuation in, and graduation from the programs, in accordance with the established procedures of the faculty;
d. develop informational materials needed to assist in the admissions and advising efforts of the College;

e. frame recommendations as to staff needs, participate in searches, and share in framing academic personnel review recommendations as provided in Chapter 3 of this Manual.

2.10 Other Committees

Standing committees of the faculty are described in Chapter 5.
Chapter 3

THE FACULTY

3.1 Definition of Faculty

The faculty of Westminster College consists of all persons whom the College appoints to teach one or more courses, together with academic administrators (Section 3.2.4).

This chapter principally treats policies and procedures related to the teaching faculty; policies for administrative faculty differ in some respects. For those who hold combined teaching and administrative faculty appointments, this chapter applies to the teaching portion of the appointment.

All members of the teaching faculty who teach at least half-time are entitled to vote in appropriate program, school, and faculty meetings. All administrators given the right to speak and vote, as delineated in Chapter 2, may also vote. Voting membership is extended to faculty members not teaching at least half-time only by vote of the faculty (Section 5.4.A, Articles 4–5).

3.2 Faculty Ranks and Titles

A faculty member's rank is meaningful to them and to others. Westminster College strives to employ a fair system of rank. Specific performance criteria for promotion from rank to rank are described in Section 3.4.

3.2.1 The Ranked Faculty

A ranked faculty member is one who has been appointed to one of four academic ranks: instructor, assistant professor, associate professor, or professor.

Such a person

a. ordinarily enjoys full-time teaching duties or combines teaching with other duties (such as research, academic administration, or counseling) equivalent to a full-time teaching load;

b. fulfills the duties and responsibilities of a faculty member as specified in Section 3.10, "Faculty Duties and Responsibilities"; and

c. meets or exceeds the criteria for academic rank as detailed below.
3.2.1.1 Instructor

An instructor must possess a master's degree from an accredited graduate institution or its equivalent. Professional recognition in the creative arts and status in the business community are examples of acceptable equivalents.

3.2.1.2 Assistant Professor

An assistant professor must possess an earned doctorate from an accredited institution; a terminal professional degree in those disciplines in which the usual terminal degree is a degree other than the doctorate; a master's degree in the discipline being taught and three years of full-time, ranked teaching in a regionally accredited college or university; or accomplishments that are considered as equivalent. In all cases, such qualifications must be attained prior to appointment or promotion to this rank. Acceptable terminal degrees are determined based on school and program policy.

A candidate who has completed all requirements for the doctorate except for the writing and defense of their dissertation, and who is able to document progress toward completion of the doctorate, may be appointed at this rank for a maximum period of three years. If the doctorate is not completed within the three-year period, the individual's contract with the College may be terminated effective at the end of the third academic year. However, a valued faculty member who does not complete the appropriate terminal degree within three years, but who has at least a master's degree, may be retained indefinitely at the rank of assistant professor.

3.2.1.3 Associate Professor

An associate professor must possess an earned doctorate from an accredited institution or a terminal professional degree in those disciplines in which the usual terminal degree is a degree other than the doctorate. Acceptable terminal degrees are determined based on school and program policy.

They must also demonstrate one of the following: a minimum of five years of full-time teaching at the rank of assistant professor, a minimum of eight years of full-time, ranked teaching in a regionally accredited college or university, or its equivalent (as specified in Section 3.7.2).

3.2.1.4 Professor

A professor must possess an earned doctorate from an accredited institution, or a terminal professional degree in those disciplines in which the usual terminal degree is a degree other than the doctorate. Acceptable terminal degrees are determined based on school and program policy.
They must also have a minimum of six years of full-time teaching at the rank of associate professor, or a minimum of twelve years of full-time ranked teaching in a regionally accredited college or university (or its equivalent as specified in section 3.7.2)

3.2.2 **Professor Emeritus**

This rank may be assigned to associate professors or professors who have limited or terminated their responsibilities as faculty members for valid reasons (such as retirement or illness) after fifteen or more years of distinguished service to the College. The president designates and appoints a professor emeritus upon recommendation of the chief academic officer and the appropriate school, and approval of the Board of Trustees.

A professor emeritus is accorded the privileges of the regular, ranked faculty and will have their name recorded at this rank in the College Catalog during the remainder of their lifetime, receive each year from the president an annual activity card, and enjoy a special place at the head of faculty processions. Office space for emeriti will depend upon availability and will be provided whenever possible.

3.2.3 **Faculty Not on Regular Contracts**

Faculty not on regular contracts are usually part-time or temporary instructors at Westminster College who are assigned a temporary academic title: instructor, assistant professor, associate professor, professor, adjunct instructor, half-time faculty, visiting professor, distinguished professor, or clinical faculty.

Such a person usually fulfills fewer faculty duties and responsibilities than regular faculty, meets or exceeds the criteria of the appropriate temporary academic title, and is selected in the manner set forth below.

3.2.3.1 **Adjunct Instructors**

Adjunct instructors are unranked temporary appointees hired to teach one or more courses per semester. Selection of adjuncts begins with program chair or administrator recommendations, which must be approved by the dean of the school and the chief academic officer. Selection of these persons should be consistent with the academic standards of Westminster College.

3.2.3.2 **Half-time Faculty**

These persons are selected in the same fashion as regular faculty, except for the scope of the search.
Consistent with the academic standards of Westminster College, persons selected and assigned these titles should meet or exceed the minimum requirements stated in Section 3.2.1.

3.2.3.3 Visiting Professor

This title is assigned to individuals who hold an earned doctorate from an accredited institution or a terminal professional degree and have a contract to teach and fulfill other duties at Westminster College for only a limited period of time. Such time will be agreed upon in writing between the visiting professor and the chief academic officer. The College recognizes the academic standing of visiting professors and accords them the usual privileges of ranked faculty.

3.2.3.4 Distinguished Professor

The president may assign this honorary title to individuals affiliated with the College who are making extraordinary contributions to the educational goals of the College.

3.2.3.5 Clinical Faculty

This title may be assigned to individuals in clinical or professional practice who serve as mentors and coaches to students. Recommendations for this title come from the appropriate dean to the chief academic officer.

3.2.4 Academic Administrative Officers

Academic administrative officers of the College, including but not limited to the chief academic officer, deans of the schools, directors of any special programs, and any full-time ranked faculty members fulfilling special assignments on or off campus (approved by the chief academic officer and president and agreed to by the faculty member) are granted or maintain academic rank as defined in section 3.2.1.

3.3 Policies on Recruitment and Appointment

3.3.1 Recruitment

The recruitment of the best possible faculty is critical to the well-being of the College and is essential to enhancing academic excellence and student learning. Westminster College strives to be fair and equitable in all recruitment processes and decisions. The College does not discriminate on the basis of age, race, ethnic origin, gender, disability, religion, or sexual orientation during the recruitment process.
Once a search is initiated, the College will provide programs with the option and the funding to run advertisements in a discipline-specific national publication. Whenever possible, positions will be approved before the beginning of the academic year, since deadlines for listing job advertisements in most discipline-specific publications occur in late summer or early fall.

The College will also make funding available for program faculty to attend a national conference in the discipline for recruitment purposes. Attendance at a national conference will maximize the opportunities to recruit the strongest candidates and will better ensure that finalists who make on-campus visits fit the needs of the program and the institution.

For full-time positions that become open too late to allow a comprehensive national search, programs are encouraged to hire a one-year replacement and then conduct a full-scale national search the following year.

Although the ultimate decision to hire a particular candidate for a faculty position rests with the president, current faculty play an essential role in the recruitment process.

See Appendix H for best practices related to recruitment.

3.3.2 Faculty Positions

3.3.2.1 New Faculty Positions

Requests for new regular or temporary faculty positions are initially made by academic departments, programs, divisions, or schools. The form of the request, including rationale, may vary from area to area. However, recruitment for any new faculty position may only begin after the position has been approved by the chief academic officer. Final approval is tied to approval of the College’s annual budget.

3.3.2.2 Existing Faculty Positions

When an existing regular or temporary faculty position becomes open due to retirement, illness, death, or termination of a contract, or for any other reason, the appropriate dean will meet with program faculty to determine if the need for the position still exists. If the dean determines that this faculty position is needed to realize program and College goals, the dean will seek the approval of the chief academic officer to advertise for the existing position (see “Recruiting Faculty” in Appendix E). An open position in a program may sometimes be allocated to another program within that school or to a program in another school, as determined by the chief academic officer in consultation with the deans and with the faculty in the affected programs.
Appointment of Ranked Faculty

The president appoints all ranked faculty based upon the recommendations of the chief academic officer and the appropriate dean.

New faculty members will receive two-year appointments, except in the case of temporary or special appointments. The dean will write a letter of appointment describing the terms and conditions of each new appointment. A copy of the letter of appointment will be provided to the new faculty member, the director of human resources, the chief academic officer, the appropriate dean, and the accounting office. Each appointed faculty member will also receive a contract affirming their employment with the College and a copy of the Manual for Faculty.

Assignment of an academic rank rests with the chief academic officer upon the recommendation of the dean in consultation with the search committee, subject to approval of the president. The rank to which a new faculty member is appointed is congruent with the requirements for that rank (see section 3.2.1) and the College’s policy on teaching experience (see section 3.7.2).

Whenever a decision is necessary on whether or not an individual possesses the equivalent of the degree required for a particular rank, such decision will rest with the chief academic officer. After receipt of a written recommendation from the dean of the concerned school or program, the chief academic officer will make a decision. They will furnish written copies of the decision to the appropriate dean and the individual concerned.

3.3.3.1 Types of Appointments for Ranked Faculty

Although Westminster College does not offer tenure, it does recognize faculty service through the use of different lengths of appointments. Initial appointments for regular full-time faculty are for two years. As new faculty members demonstrate their abilities and their contributions, they may expect to progress to a maximum of a five-year appointment. All faculty members, regardless of the length of their appointments, are guaranteed academic freedom (see section 3.5).

a. Temporary appointments are one-year, full-time appointments. Temporary one-year appointments may be renewed upon the recommendation of the program chair, if applicable, and the dean, with the approval of the chief academic officer and the president. Temporary appointments are offered when one of the following occurs:

1. The vacant position is a temporary one.
2. The search to fill a full-time regular faculty position has not been successfully completed.

3. Unforeseen circumstances have created a need for the temporary replacement of a regular, full-time faculty member.

b. Regular appointments occur when full-time or part-time faculty members are appointed to a contract term of two years or more. Faculty members not on regular contracts, as defined in section 3.2.3, and faculty members on probationary appointments, as defined in section 3.6.12, are also deemed to be on regular appointments.

c. After a faculty member retires, their appointment to the faculty may be on a year-to-year basis and is mutually agreed upon by the individual faculty member and the chief academic officer, after consultation with the appropriate dean and with approval of the president and the Board of Trustees.

3.3.4 Academic File

The academic file for each faculty member will include, but not be limited to, the following:

a. information in digital or print format relating to the faculty member's academic and professional accomplishments submitted by the faculty member or placed in the file at their request;

b. digital or print copies of ratings and evaluations of the faculty member's professional performance completed by students or supervisors, and materials collected in the process of peer reviews as stated in section 3.6.

Review files in print format will be stored in the office of the chief academic officer. Digital materials will be created using portfolio software and stored on servers provided by the College. The chief academic officer will ensure that both print and digital files are stored securely and kept in strictest confidence. All materials will be made available to participants in the peer review process for confidential use only. However, the College may permit access to and copying from such files pursuant to lawful requests of federal or state agencies relevant to investigations, hearings, or other proceedings pending before such agencies or the courts.
3.4 Expectations of Faculty

Westminster College carefully applies evaluation criteria to appointing, retaining, and promoting faculty members.

3.4.1 General Criteria

No statement can fully describe the qualities valued in faculty members at Westminster College, but a single, articulated set of criteria is needed in order to strive for reasonable and equitable judgment: teaching effectiveness, intellectual commitment, service to the college community, and professional and ethical conduct.

These criteria provide a general set of guidelines for the faculty member being evaluated, those conducting the evaluation, and the administration considering the evaluation information. Faculty are expected to meet each of the criteria, but because heterogeneity is one of the strengths of a faculty, individual faculty members will have greater strengths in some areas than in others. The criteria are not to be interpreted in such a way as to stifle the heterogeneity of the faculty. Just as faculty will meet the criteria in their own individual ways, so those making administrative judgment must exercise their judgment with care and sensitivity.

3.4.2 Teaching Effectiveness

Teaching effectiveness is the most important of the four criteria and cannot be compensated for by excellence in other areas. Excellent teachers display a variety of qualities: they challenge their students intellectually, communicate effectively, show commitment to learning, remain current in their disciplines, and demonstrate personal and professional integrity.

Excellent teachers

• **challenge students intellectually.** They invite students to ask questions, confront limits, recognize complexities, discriminate values, pursue alternatives, see new possibilities, and seek connections.

• **communicate effectively.** They plan and organize their classes, express expectations clearly, listen carefully, and act with respect, enthusiasm, and empathy toward students.

• **show commitment to learning.** They create an interactive, collaborative, mutually respectful environment, and consider alternative methods of teaching and assessment.
• **remain current in their disciplines.** They design, review, and revise courses, reflecting developments in their academic fields.

• **demonstrate personal and professional integrity.** They are truthful and ethical in selecting content, interacting with students and colleagues, and assessing themselves and their work.

Such effectiveness can be assessed in various ways:

• evaluation by the faculty member’s program/disciplinary peers, based on visits in class, observations of students who have studied with the instructor, team teaching, and other collaborations;

• the quality of course syllabi, content, examinations, projects, and student work in classes;

• the perceptions of other faculty colleagues, specifying their basis for evaluation;

• reports from alumni, through direct communications, visits to campus, and their own records as graduates;

• evaluations by students, through course evaluations, letters, and enrollments;

• reports from college administrators, making responsible use of reports from students and faculty, and through direct classroom observation—which deans and other academic administrators are specifically expected to make and to use as a basis of recommendation;

• the faculty member’s interest and involvement in the diagnosis and improvement of their own teaching practices. Creative and appropriate teaching innovations may be indicators of this involvement;

• the faculty member’s competence in and knowledge of their subject matter, as judged by peers on and off campus;

• the faculty member’s capacity to promote student learning beyond the classroom, through the quality of relations with students outside of class hours, including academic advising. At times, this may also appropriately include evaluation of the faculty member as a professional, taking into consideration the plurality of valued roles;
• the faculty member's integrity and fairness as a teaching professional. Standards for student achievement in class should be reasonable, clearly communicated, and equitably applied.

3.4.2.1 Course Evaluations

Westminster College is an institution that values and promotes excellence in teaching and learning. In our efforts to become nationally recognized as an exemplary community of learners, we have adopted the following statement on student course evaluations to undergird our understanding and use of this common tool.

At Westminster College we will use course evaluations:

To identify trends or themes across multiple semesters. These themes serve as a source of positive feedback and ideas for improvement and are discussed between program chair, Dean and faculty member.
To make adjustments to course content and delivery.
To assess how well courses support program objectives.
To assist in making recommendations for contract renewal of full-time faculty.

At most a single semester’s set of course evaluations may trigger additional review activity, particularly in the case of a new faculty member. Additional review activity could include at least one interview with the faculty member, additional class observations, and interviews with individual students.

3.4.3 Intellectual Commitment

A faculty member is considered to be an expert and a competent professional in their field. Each faculty member, therefore, must maintain their competence by keeping abreast of developments in their own field and in related fields. Continued growth and development help the faculty member maintain the vitality of their courses and should be evident in course content and in the quality of their teaching. A faculty member who is aware of new developments in their area is also better able to assist colleagues in curriculum development and improvement and in research.

Professional growth and development can take many paths, and each faculty member must find those appropriate for them. Reading current books, monographs, and professional journals is one means of staying current. Other possibilities include undertaking research and publication; consulting; participating in conferences and institutes; assisting the library in improving its collection in one’s own field; occasionally teaching courses in another college's or university's summer session; traveling; and completing post-doctoral courses at other institutions.
3.4.3.1 Research

Westminster College recognizes that both teaching and research are essential to vigorous instruction and a sound curriculum. As a teaching institution, Westminster places greater emphasis on teaching than on research. However, research is a desirable and important responsibility.

Westminster recognizes that not every research investigation results in publishable material. The fruits of scholarly research can be shared with the academic community not only in writing and publication, but also by oral presentation to professional groups, both on and off campus. The College encourages and recognizes publication, whenever appropriate and possible. It also encourages academic, professional, and community presentations; the preparation of institutional grant proposals; artistic exhibits and performances; and other demonstrations of intellectual commitment.

3.4.3.2 Assessment of Intellectual Commitment

Intellectual commitment involves a complex judgment, particularly by peers, based on concrete experience and evidence. Some indications of intellectual commitment include

- intellectual vitality and sharpness, as reflected in continuing study, research, and creative work. Publications are one demonstration of intellectual vitality.

- creativity and analytical skill, perceptiveness, and clarity, which could be demonstrated through curriculum design, collaborative endeavors, and innovative ideas;

- breadth of interests and competencies, the capacity to place knowledge and skills into significant contexts. One indicator of this may be regular involvement in professional and educational societies and other organizations.

3.4.4 Service to the College Community

As a matter of policy, the Westminster Board of Trustees has determined that faculty will share in certain aspects of College affairs. The College functions effectively only if its faculty members undertake a reasonable number of non-teaching assignments, attend meetings, contribute their ideas and experience during decision-making, and assume their fair share of the work. While valued contributions to the college community may take many forms, the following are most common:
• constructive participation in College governance, especially faculty meetings and committees;

• development and support of new programs, such as first-year experiences or the diversity lecture series;

• advisor to College clubs;

• involvement in student recruitment;

• volunteering for fund-raising activities;

3.4.4.1 Program and School

The faculty member's first line of administrative responsibility is through their program to their school. They should maintain regular communication with all members of their program and their school and perform all duties assigned. All members, unless excused, are expected to attend program and school meetings and to participate actively in the work related to curriculum development and student advising, personnel recommendations, and other responsibilities.

3.4.4.2 College

All faculty members are expected to serve on College or faculty committees and to be available for other non-teaching assignments, such as serving as an adviser of a student group, accepting short-term administrative responsibilities, and assisting at registration and/or pre-registration. Faculty members are expected to attend all College academic functions, such as Commencement and convocations, at which the presence of the faculty is explicitly required. As a courtesy, a faculty member should notify the chief academic officer when it is necessary for them to be absent from any of these functions.

Faculty members are encouraged to participate in various programs of College life outside the classroom. These include lectures, concerts, art exhibits, dramatic productions, convocations, athletic events, recreational programs, and other events sponsored by the College, school, programs, or student groups.

3.4.5 Professionalism and Ethical Conduct

As the guardians of academic values, faculty are expected to conduct themselves in ways essential to teaching, learning, and the spirit of academic endeavor. This conduct includes respecting the dignity of others, acknowledging the right of others to express differing opinions, fostering learning, defending intellectual honesty, and engaging in freedom of inquiry.
Conduct that impedes, disrupts, or diminishes the ability of the administration, faculty, staff, or students to meet their responsibilities and fulfill the mission of the institution is unacceptable. Accordingly, faculty members are expected to act as follows:

- to evaluate students based on their merit and in ways that reflect their actual performance, without bias or capriciousness;

- to avoid exploitation of the teacher-student relationship or faculty-staff relationship for personal gain; such exploitation includes sexual harassment, intimidation, conduct that places the faculty member’s credibility or professionalism at risk, and failure to properly acknowledge students’ ideas, work, or assistance;

- to develop the content of courses as described in the Academic Catalog and to avoid injecting material that has no relation or relevance to the subject matter;

- to take care that, when speaking or acting as a private individual, the faculty member makes it clear they are not speaking or acting for the College;

- to participate in the exchange of ideas and criticism in ways that do not violate academic freedom, threaten or injure individuals, disrupt classes, intrude on the individual rights of others, or damage the College’s property, public property, or the private property of individuals.

### 3.5 Academic Freedom

Westminster College affirms and follows the ideal that all members of the faculty are entitled to academic freedom as set forth in the 1940 "Statement of Principles on Academic Freedom and Tenure" jointly formulated by the American Association of University Professors and the Association of American Colleges. The College and the faculty accept the following excerpts from the 1940 Statement as defining what is meant by academic freedom:

- "Institutions of higher education are conducted for the common good and not to further the interests of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free expression."
b. Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries duties correlative with rights.

c. The teacher is entitled to full freedom in research and in publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

d. The teacher is entitled to freedom in the classroom in discussing their subject, but should be careful not to introduce into their teaching controversial matter that has no relation to their subject.

e. The college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When they speak or write as a citizen, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As a person of learning and an educational officer, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not an institutional spokesperson.

3.6 Retention and Contract Review Policies

Westminster College does not offer faculty appointments on continuous tenure. However, the College makes its best effort to hire outstanding faculty members with the intention that they will make long-term valuable contributions to the College’s academic excellence and student learning. Accordingly, all employment offered to faculty are provided exclusively on a contract basis as defined by sections 3.6.11 and 3.6.12 of this chapter.

The retention and contract review process includes three components: (1) peer review; (2) dean’s recommendation; and (3) the Chief Academic Officer and President’s decision to award a new contract. The three components outlined above are decided pursuant to the criteria enumerated in section 3.4 of this chapter. Accordingly, the College intends to award faculty members who meet the expectations set forth in section 3.4 of this chapter the longest contract for which the faculty member is eligible in accordance with section 3.6.11 of this
chapter. The personnel policies contained in this Manual are intended to ensure a reasonable degree of employment security for the faculty.

3.6.1 Faculty Members Subject to the Contract Review Process

The contract review process is used to evaluate all full-time faculty who are on regular appointments, including faculty on probationary one-year appointments. The contract review process contained in this chapter does not apply and is not used to evaluate faculty members who are on temporary appointments, hold one-year appointments other than probationary one-year appointments, or are employed as adjunct instructors on a semester-by-semester basis.

3.6.2 Time Line for the Contract Review Process

3.6.2.1 Last Year of Appointment

A faculty member’s contract review shall occur during the last year of their contract in accordance with sections 3.6.2.1.1 or 3.6.2.1.2, whichever is applicable to the faculty member.

3.6.2.1.1 Time Line for Faculty on Initial Two-Year Contracts

The time line for faculty on initial two-year contracts lists the dates by which various steps in the process must occur:

- **September 10**: The dean has formed the review committee.
- **September 17**: The committee has had its first meeting with the dean.
- **October 3**: The faculty member’s print review file is complete and accessible in the office of the chief academic officer or the faculty member’s digital review file is made available to contract review participants (i.e., peer review committee, dean, chief academic officer, and President); the faculty member has signed their statement of permission and release, giving the review committee access to their file.
- **November 30**: The review committee has completed and submitted its report and recommendation to the dean and to the faculty member under review.
- **December 5**: The faculty member’s response, if any, to the review committee’s report is submitted to the dean.
December 7  Dean’s report submitted to the faculty member.

December 12  The dean submits their report and recommendation to the chief academic officer with the report and recommendation of the review committee and any responses submitted by the faculty member.

December 19  The faculty member is informed of the president’s decision.

3.6.2.1.2  **Time Line for Faculty on Contracts Other Than Initial Contracts**

The time line for faculty on contracts other than initial contracts lists the dates by which various steps in the process must occur:

- **December 1**: The dean has formed the review committee.
- **December 15**: The committee has had its first meeting with the dean.
- **January 9**: The faculty member’s print review file is complete and accessible in the office of the chief academic officer or the faculty member’s digital review file is made available to contract review participants (i.e., peer review committee, dean, chief academic officer, and President); the faculty member has signed their statement of permission and release, giving the review committee access to their file.
- **February 20**: The review committee has completed and submitted its report and recommendation to the dean and to the faculty member under review.
- **February 25**: The faculty member’s response, if any, to the review committee’s report is submitted to the dean.
- **February 27**: Dean’s report submitted to the faculty member.
- **March 6**: The dean submits their report and recommendation to the chief academic officer with the report and recommendation of the review committee and any responses submitted by the faculty member.
- **March 13**: The faculty member is informed of the president’s decision.

3.6.3  **General Criteria to Be Used in the Contract Review Process**

The expectations set forth in section 3.4 are the criteria used in the evaluation process.
3.6.4 Peer Review Committee Formation and Notice

The chief academic officer and the dean of the school in which the faculty member serves will appoint a peer review committee for each faculty member being evaluated. Each peer review committee will consist of (1) the program chair or a faculty member in a related discipline appointed by the dean after consultation with the program chair; (2) a faculty member chosen by the faculty member under review; and (3) a faculty member chosen by the dean and the chief academic officer. When the program chair is up for review, the composition of their committee will be the same as described above, except that the dean will appoint a faculty member in the same or a related discipline to serve in place of the program chair.

At no time shall the dean sit on a faculty member’s peer review committee. Additionally, faculty who are on initial two-year appointments, temporary appointments, special appointments or probationary appointments are not eligible to serve on a peer review committee.

3.6.4.1 Notice to Faculty Member

No later than September 10 or December 1, whichever date applies to the faculty member under review pursuant to sections 3.6.2.1.1 or 3.6.2.1.2, the dean shall send the faculty member under review written notice containing the names of all persons appointed to their peer review committee.

In the case of a faculty member who objects to the appointment of any person on their peer review committee, the faculty member under review must send both their dean and the chief academic officer notice, in writing, containing the name(s) of the committee member(s) whose participation they object to and the reason(s) they object to that person(s) participation. A faculty member under review must send their written objections within 72 hours from the date they receive notice from their dean identifying the peer review committee membership.

Within 72 hours of receiving the objections from the faculty member under review, either the dean or the chief academic officer shall inform the faculty member in writing whether they will alter or maintain the composition of the peer review committee and provide the reasoning behind their decision.

3.6.4.2 Initial Meeting of the Peer Review Committee

In accordance with section 3.6.2.1.1 or 3.6.2.1.2 of this chapter, the dean will call the initial meeting of the peer review committee. During the initial meeting of the peer review committee, the members of the peer review committee will elect a member to be the chair.

3.6.5 Responsibilities of the Faculty Member under Review, the Chief Academic Officer, and the Review Committee Chair

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The faculty member will prepare a “review file” in either digital or print format. Print review files will be housed in the office of the chief academic officer, while digital review files will be stored on portfolio software provided by the College. The file contains documentation of the faculty member’s performance during the time period since their last contract review or, if the faculty member has not been previously reviewed since they were first employed by the College. As outlined below, some documents in the file will be provided by the faculty member under review, and other documents will be added by the chief academic officer.

3.6.5.1 Preparation of the Review File

a. By October 1 (two year) or January 9 (all others) of the review year, the faculty member under review is responsible for examining, updating, and placing in their review file all of the following documents:

1. an up-to-date curriculum vitae;

2. copies of five to seven representative syllabi from courses taught by faculty member under review;

3. examples of midterm, final, or other examinations from a variety of classes in which examinations are given;

4. examples of assignments for written work (such as term papers, essays, exercises, problem sets, or lab reports) and examples of handouts and other materials distributed to students;

5. a statement of the faculty member’s service to the College since the last peer review in terms of participation on committees, task forces, and other groups; administrative responsibilities; sponsorship of student clubs; advising activities; and other work;

6. additional materials related to professional activity, creative activity, community service, volunteer work, or other work that the faculty member believes relevant to the review process. These materials may be written, printed, or electronic, or may be audio or visual products such as CDs, radio programs, videotapes, paintings, photographs, art works, or other media.
b. The faculty member under review must sign a release giving the members their peer review committee access and permission to review the faculty member’s review file. Such release will be in effect only for the duration of the peer review process.

3.6.5.2 Responsibilities of the Chief Academic Officer

The chief academic officer will ensure that the following documents are in the review file by October 1 (two year) or January 10 (all others) of the review year:

a. all student evaluations for courses taught since the faculty member’s last contract review or if this is the faculty member’s first contract review, from the beginning of their full-time ranked employment with the College,

b. all peer review committee reports for the faculty member since the faculty member became employed at the College.

3.6.5.3 Responsibilities of the Peer Review Committee Chair

The elected chair of the peer review committee has the responsibility to call subsequent meetings and handle other administrative matters related to the peer review committee. They will ensure that written reports of all classroom observations conducted by members of the review committee become a part of the peer review committee report. The chair of the committee will also consult with the faculty member under review to schedule at least one meeting between the committee and the faculty member. This meeting will be scheduled after the members of the committee have reviewed the faculty member’s file and observed at least one hour of a scheduled class.

3.6.6 Evaluation Process of the Peer Review Committee

a. During the committee’s initial meeting with the dean, the peer review committee will solicit any information the dean may have regarding the faculty member’s performance.

b. During the review period, members of the peer review committee will review the faculty member’s review file and observe the faculty member engaged with students teaching, mentoring and/or coaching activities (“teaching activities”). The faculty member will arrange for members of the peer review committee to observation their teaching activities.
c. After the activities in sections 3.6.6(a)-(b) are completed, the peer review committee will meet with the faculty member to discuss their performance. During the meeting, the peer review committee should discuss with the faculty member their performance strengths, weaknesses and provide suggestions for improvement. A faculty member shall be provided the opportunity to respond to all performance related concerns that the peer review committee intends to document in the report defined by section 3.6.7.

3.6.7 Report from the Peer Review Committee

a. Upon completion of the evaluation process described in section 3.6.6, the peer review committee will prepare a report consisting of three sections:

1. a summary of the activities performed by the peer review committee to gather information regarding the faculty member’s performance;

2. an evaluation of the faculty member’s performance under each of the criteria provided in Section 3.4;

3. a recommendation to the administration as to the length of appointment for the faculty member. In cases where the peer review committee recommends a contract shorter than the maximum length for which the faculty member is eligible according to section 3.6.11, the committee will include an additional section in the report (Section 4) setting forth suggestions that will help the faculty member make progress toward meeting the expectations set forth in section 3.4.

b. The chair of the peer review committee will submit the committee’s report to the appropriate dean and faculty member under review.

c. Absent extenuating circumstances, the peer review committee should complete its evaluation process and submit its report by November 30 (2 year) or February 20 (all others) of the review year.
3.6.8 **Response from the Faculty Member under Review**

Upon receipt of the peer review committee’s report, the faculty member under review may submit a letter to their dean responding to the report. This letter must be submitted within five calendar days after receipt of the report, unless the dean agrees in writing to an extension of time.

3.6.9 **Responsibilities of the Dean in the Contract Review Process**

a. Upon receiving the report from the peer review committee, the dean will write a report containing their evaluation of the faculty member’s performance. The dean’s report must be specifically based on the criteria set forth in section 3.4. If the dean’s report is in any part based on the contents contained in the faculty member’s Westminster personnel file, the report should specifically identify the contents of the personnel file relied upon in preparing the report. The report shall also contain a recommendation of the length of the faculty member’s next contract. In the event that the dean disagrees with the peer review committee’s recommendation concerning the length of the faculty member’s contract, the dean must fully state the basis for their recommendation. If the dean recommends a contract that is shorter than what was recommended by the peer review committee, the dean’s report must include recommendations to help the faculty member meet the expectations contained section 3.4.

b. By December 7 (2 year) or February 27 (all others) of the review year, absent extenuating circumstances, the dean will send their report to the faculty member. The faculty member will then have until December 12 (2 year) or March 6 (all others) to write a written response to the dean’s report.

c. By December 12 (2 year) or March 6 (all others) of the review year, absent extenuating circumstances, the dean will submit the following to the chief academic officer:

1. the report from the peer review committee
2. the report from the dean
3. the faculty member’s written response to the peer review committee report; and
4. the faculty member’s written response to the dean’s report.
3.6.10 Responsibilities of the Administration

a. Upon receipt of the peer review committee report, dean’s report, and faculty member’s written response(s), the chief academic officer shall first review the documents to make sure they conform to sections 3.4 and 3.6. If either the dean’s report or the peer review committee report deviates from the requirements contained in sections 3.4 and 3.6, the chief academic officer shall within three days send a written notice to the dean identifying the issues with the report(s) and request that the report(s) be correct to conform to section 3.4 and 3.6. If the peer review committee report does not comply with sections 3.4 and 3.6, the dean shall send a written notice to the peer review committee identifying the issues with their report and request that the report be correct in conformity with section 3.4 and 3.6.

b. Once the chief academic officer has received reports from the dean and peer review committee that comply with the requirements contained in sections 3.4 and 3.6, they shall meet with the president to discuss the information. The president shall make all final decisions regarding faculty member’s contract renewal or non-renewal, whichever may apply, in accordance with section 3.6.12. The president shall consider (1) the contract review file; (2) the peer review committee report; (3) the dean’s report; (4) any response’s by the faculty member under review, when making their final decision; and 5) the recommendation of the chief academic officer.

c. After the final decision is made by the president, the chief academic officer shall prepare and send to the faculty member a letter containing the decision and the basis for the decision. If the president awards a contract to the faculty member that is shorter than the maximum length for which the faculty member is eligible, according to Section 3.6.11, the letter should also contain suggestions and/or expectations that the faculty member can rely on to improve their performance in conformity with sections 3.4 so they can secure the longest contract for which they are eligible during their next contract review.

d. If the president's decision differs from the peer review committee’s recommendation, the dean and the chief academic officer shall meet with the peer review committee and explain the basis for the president’s decision.

e. If a faculty member is dissatisfied with the president’s decision, they may request an appeal in accordance with section 3.8.
3.6.11 Contract Awards

a. After a two-year initial contract, a faculty member is eligible for a three-year contract but may be awarded a one-year probationary contract or no additional contract subject to the guidelines contained in section 3.6.12.

b. Following a three-year contract, a faculty member is eligible for a five-year contract but may be awarded a three-year contract or a one-year probationary contract subject to the guidelines contained in section 3.6.12.

c. Following a five-year contract, a faculty member is eligible for a five-year contract but may be awarded a three-year contract or a one-year probationary contract subject to the guidelines contained in section 3.6.12.

d. Following a one-year probationary contract, a faculty member may be issued a letter of non-reappointment or awarded a second one one-year probationary contract subject to section 3.6.12(c), or a three-year contract. A faculty member shall not be appointed to more than two consecutive probationary periods.

e. A faculty member may be offered a one-year appointment that is unrelated to the faculty member’s performance, but is based upon external factors as specified in section 3.8.4. In this case, the one-year appointment will not be considered a probationary appointment and, when applicable, review procedures will be outlined and described at that time.

3.6.12 Guidelines for Contract Awards

a. If a faculty member has satisfied the criteria set forth in section 3.4, the faculty member should be awarded the contract for which they are eligible.

b. A faculty member shall not be awarded a contract for a term less than the term for which they are eligible unless the faculty member has failed to satisfy any material requirement contained in 3.4.

c. A faculty member may only be awarded a probationary one-year contract or issued a letter of non-reappointment for one or more of the following documented reasons:

1. Persistent failures on the part of the faculty member to competently organize, plan, or execute their teaching responsibilities;
2. A failure on the part of the faculty member to remain current in their discipline that impedes their ability to accept teaching assignments within their program;

3. A failure to meet standards of intellectual commitment required for licensure or accreditation;

4. A pattern of refusal to accept or complete an equitable number of non-teaching work assignments, particularly at the school or program level;

5. A failure to meet one or more of the standards of professional and ethical conduct outlined in section 3.4.5; or

6. A failure on the part of the faculty member to complete a degree, if required to do so in writing at the time that they were hired.

3.6.12.1 One-Year Probationary Contract Oversight

In cases where a one-year probationary contract is awarded to a faculty member, the following additional procedures shall govern the probationary term and subsequent contract review:

a. The dean, at the request of the faculty member under review, shall appoint another faculty member to serve as their advisor during the probationary period. The advisor’s role will be to assist the faculty member in improving their performance; how the advisor will assist the faculty member will be determined by the dean, the advisor, and the faculty member on a case-by-case basis.

b. The peer review committee that conducted the peer review which resulted in the one-year probationary award shall also conduct the subsequent peer review during the probationary period. In addition, the Faculty Affairs Committee will appoint one of its members to serve as a non-voting observer on the committee. The observer will have the responsibility to review the faculty member’s file and attend all meetings of the peer review committee for the purpose of monitoring the contract review process.

c. Upon the completion of the contract review process, a faculty member may or may not be re-appointed but only in accordance with 3.6.11 and 3.6.12.
3.6.13 Early Review of Faculty on Initial Two-year Appointment

Because of the seriousness of the early review process, it is intended to be used only when, in the judgment of the dean, performance issues are so severe that immediate review of the faculty member is needed. If, during the first year of a faculty member's initial two-year appointment, the dean believes that a faculty member is failing to perform their responsibilities and that such failure warrants an early review, the dean has the option to call for such a review.

a. Should the dean determine that an early review is necessary, the dean must first notify and consult with the program chair, if one exists, and with the chief academic officer. The dean and chief academic officer will assemble an early review committee.

b. The process for early review will be the same process as that used for peer review, as set forth in sections 3.6.1 through 3.6.12, with the following exceptions:

1. The dean may call for the review of the faculty member's performance at any time during the first year of their initial appointment. When an early review is called, the first year of the faculty member’s two-year appointment will be designated the “review year” for the purpose of the early review process.

2. The dates, deadlines, and time lines set forth in the peer review process will not apply. Instead, the early review committee will determine and set all dates, deadlines, and time lines for the early review process on a case-by-case basis.

3. As provided in the peer review process, the chief academic officer will send a letter to the faculty member informing them of the administration's decision. This letter may be sent any time during the review year, but no later than March 15.

c. In the event that the president determines that the faculty member should not be retained for the remainder of their initial two-year appointment, the employment relationship between the faculty member and the College will be terminated on a date specified by the president and, as of the date specified, the faculty member will be relieved of their obligations to the College and the College will be relieved of any and all obligations to the faculty member.
3.6.14 Legal Assistance

In the event of a lawsuit resulting from a faculty member’s service on a peer review committee, the College will indemnify the faculty member provided that she/he acted in good faith and in compliance with College policies and procedures.

3.7 Policies on Promotion

In general, each individual faculty member has the responsibility of applying for advancement in rank. However, the dean and chief academic officer may also initiate promotion applications.

3.7.1 General Criteria

Faculty are expected to meet the criteria described in sections 3.4.1–3.4.4.

3.7.2 Teaching Experience

The teaching experience required for each rank is detailed in section 3.2.1, "The Ranked Faculty." Deviation from these requirements must be fully justified by the party initiating the request for early promotion and must be approved by the president. A year of full-time, ranked teaching experience means that an individual has fulfilled the duties and responsibilities of a ranked faculty member for a complete academic year. Full-time employees who serve as academic administrative officers and teach one-quarter time or more per year will be considered for promotion in rank and will have this time count as half-time, ranked teaching experience (that is, such persons must teach twice as long as those who teach full time in order to be eligible for promotions); however, such faculty members who teach less than one-quarter time for any one-year period will no longer be eligible for promotion in rank unless the original letter of appointment so states, although they may retain their rank.

A year of full-time, ranked teaching at any regionally accredited college or university is equivalent to a year of full-time, ranked teaching at Westminster College, with the proviso that the minimum amount of service normally required at Westminster before promotion to the next rank is as follows:

a. for promotion to the rank of Associate Professor, a minimum of two years’ experience at Westminster at the rank of Assistant Professor;

b. for promotion to the rank of Professor, a minimum of three years’ experience at Westminster at the rank of Associate Professor.
Part-time teaching, other than as a graduate assistant, at a regionally accredited college or university, or full-time artistic, business, or professional experience may be counted towards promotion on a pro-rata basis, provided that the amount of credit has been agreed upon by the faculty member, the appropriate dean, and the chief academic officer at the time of the initial appointment.

3.7.3 Procedures Relative to Promotion in Rank

Although a dean of a school or the chief academic officer may recognize superior service by recommending early advancement in rank, individual faculty members ordinarily may not apply for advancement until the minimum length of time in current rank has been completed. In either case, the faculty member must follow the same procedures relative to promotion in rank.

A faculty member desiring promotion in rank must submit a letter of application to the appropriate dean by October 10 of the academic year during which the promotion is to be considered. This letter should explain the basis for eligibility and include a current curriculum vitae. The faculty member will then assemble a dossier of evidence in digital or print format supporting their promotion and submit this evidence to the appropriate dean by the second day of classes of the spring semester. The dean will ensure that all participants in the promotion review process are granted to the faculty member’s dossier.

In addition to the letter of application, the candidate's dossier must include

a. a written self-evaluation that includes a statement of professional goals, and a plan for reaching them, for the upcoming five years;

b. a recommendation from the appropriate dean and/or the candidate’s immediate supervisor;

c. letters from three to five faculty colleagues that address the criteria set forth in section 3.4; At least one of these letters should come from a colleague outside of Westminster College who is qualified to evaluate the applicant’s work.

d. an up-to-date curriculum vitae that includes a list of the candidate’s publications;

e. three to five samples from the candidate’s most recent publications (as applicable);

f. the candidate's teacher evaluation forms and data such as peer classroom observation forms;
g. course syllabi and representative samples of students' work with identifying information redacted;

h. such other supporting material as the candidate finds relevant. This may include one or two letters of recommendation from the candidate's peers at other institutions. While these letters are sent directly to the dean, they are not confidential and may be reviewed by the candidate.

The dean or other immediate supervisor, in the case of academic administrative officers, will ask faculty in the school at the rank applied for and higher to meet, without the dean, to review and discuss the dossier, and to vote via secret ballot. In addition to the appropriate school faculty, a representative faculty member at the rank applied for or higher from another school will be appointed to the faculty promotion review committee by the dean. A scribe elected by the group will record a summary of the discussion, including dissenting opinions; a vote tally; and the results of the secret ballot; they will then send this documentation in a written report to the dean.

If a school has fewer than five faculty members constituting this review group, faculty at appropriate ranks from other schools will be appointed by the chief academic officer to serve as members of this review group so that it has a minimum of five members.

If a school chooses to do so, the faculty of the school may elect a promotion review committee that will act on its behalf. The committee must consist of associate and full professors who should represent a range of programs across the school. The committee will carefully review all applications for promotion and make recommendations to the dean. All members of the committee will vote on all applications without regard to rank.

The dean will attach their recommendation and rationale and send the complete promotion file to the chief academic officer by February 13 of the year in which promotion is sought. The chief academic officer will add their recommendation and send the entire file to the president and then to the Board of Trustees.

The chief academic officer will communicate the promotion decision to the dean, the faculty committee, and the candidate for promotion. The candidate will be notified of the decision no later than March 13 of the year in which it is sought, unless extenuating circumstances prevent it.

### 3.8 Termination of the Employment Relationship

#### 3.8.1 Resignation by the Faculty Member
A faculty member may resign at any time by giving the College notice that they no longer wishes to continue their employment relationship with the College. Issues related to outstanding pay and benefits will be negotiated with the human resources office.

A faculty member may resign by failing to return a signed employment contract to the chief academic officer within 30 days after receiving it. Such failure will be considered a rejection of the contract, and the faculty member’s employment with the College may be terminated.

3.8.1.1 Abandonment of Position

If a faculty member fails to appear for work for five consecutive working days during the academic year without reasonable explanation or prior authorization from their dean, the College will consider that the faculty member has resigned by abandoning their position, thus breaching their employment contract. The College may terminate the employment of the faculty member as a voluntary resignation on the fifth day of such an absence. The faculty member will be notified by registered mail at their last known address, but notification is not a condition for termination of the employment relationship.

An appeal may be made in writing to the appropriate dean. If it is determined that there were extenuating circumstances for the absence and failure to notify, the faculty member may be reinstated.

3.8.2 Non-reappointment

At the end of the peer review process in the year of a one-year probationary appointment, the College may choose to not offer an additional appointment. This decision would be made by the president on the basis of the information and recommendations resulting from the peer review process. When a faculty member is not offered an additional appointment, they are expected to complete the current one-year probationary contract.

3.8.2.1 Request for Appeal of Non-reappointment or Length of Contract

The faculty member may request an appeal of the president’s decision concerning non-reappointment or contract length in cases where the faculty member believes that the College has failed to follow the process outlined in sections 3.6.3–3.6.13.

   a. The faculty member has 14 calendar days from the date of the letter giving notice of non-reappointment or contract renewal to contact the chief academic officer and request, in writing, an appeal of the decision.
b. The chief academic officer will have three working days to send the request to the chair of the Faculty Affairs Committee. Within five working days, the chair will appoint a panel that will consist of at least three members of the Faculty Affairs Committee, who, due to their noninvolvement with the situation at hand or with the underlying facts, can be objective and free from bias. The chair will provide the faculty member with the names of the panel, and the faculty member has the right to object to any individual on the panel.

c. Within 14 calendar days of receipt of the request, the panel will review the contract review file and interview the faculty member, members of the peer review committee, the dean, and the chief academic officer.

d. The panel will make one of the following decisions by a two-thirds majority:

1. that the contract review was conducted according to College policies, or
2. that the contract review was not conducted in accordance with College policies and that this impacted the final decision of the president.

e. After the review panel reaches a decision, it will send a report to the chief academic officer and president within 21 calendar days from the initial receipt of request.

f. If the review panel determines that the review process was conducted according to College policies, the report will state the basis for such findings and the decision of the president will stand.

g. If the review panel determines that the process was not followed in some way that impacted the president’s decision, the report will detail where the procedure was not followed and recommend the steps and the timelines necessary to remedy the negative outcomes.

h. The president and chief academic officer will consider the recommendations of the committee and take measures to resolve the situation.
3.8.2.2 Senior Faculty Request for an Appeal of Non-reappointment

When a faculty member who has been employed as a full-time, regular faculty member at Westminster College for at least seven years receives a letter of non-reappointment, the faculty member may choose to request an appeal that includes an oral hearing in lieu of the review process described in section 3.8.2.1. If so, the faculty member has 14 calendar days from the date of the letter of non-reappointment to contact the chief academic officer and request in writing an appeal before the Faculty Affairs Committee according to the terms described in this section. The process for such a hearing will be conducted as described in section 3.8.3.1(f–q). The hearing panel will review the basis for non-reappointment according to the criteria in section 3.4 and, if applicable, section 3.8.3.

3.8.3 Dismissal

The College may dismiss a faculty member at any time when the president, after consultation with the chief academic officer and the dean, believes, in good faith, that any of the following situations exist:

a. the faculty member poses a serious threat of danger to members of the College community;

b. the faculty member demonstrates a pattern of neglect of College policies despite a total of at least three written warnings;

c. the faculty member violates the rights or freedoms of other members of the College community;

d. the faculty member engages in egregious misconduct that places at risk the College’s reputation or the credibility or effectiveness of the faculty member as a teacher or colleague;

e. the faculty member violates a federal, state, or city statute, and such violation places at risk the College’s reputation; affects the credibility or effectiveness of the faculty member as an educator, teacher, or colleague; or causes the faculty member to appear as a potential threat to themselves or to other members of the College community.

In any case involving dismissal, the burden of proof that adequate cause exists rests with the College.

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3.8.3.1 Procedure for Dismissal

a. When any of the situations delineated in section 3.8.3 is believed to exist, the chief academic officer and the dean will meet with the faculty member to discuss the concerns.

b. After the initial meeting, if further action is warranted, the chief academic officer will provide the faculty member with a written statement clearly justifying the reasons for initiating the dismissal procedure. The faculty member will have five working days to respond in writing to this statement.

c. After reviewing the other available information in light of the faculty member’s response, the president will make a decision within a reasonable period of time and notify the chief academic officer, the dean, and the faculty member of the decision and terms in an official letter of dismissal.

d. For the period of time between the date of the president’s dismissal letter and the final resolution of any appeal, the faculty member will be placed on paid leave.

e. The faculty member will have 14 working days from the date of the president’s dismissal letter to contact the chief academic officer and request an appeals hearing before the Faculty Affairs Committee.

f. The chief academic officer will have three working days to send the request to the chair of the Faculty Affairs Committee.

g. Within five working days after receiving notice from the chief academic officer, the chair of the Faculty Affairs Committee will appoint a panel and hold a hearing. The hearing panel will consist of at least three members of the Faculty Affairs Committee, who, due to their noninvolvement with the situation at hand or with the underlying facts, can be objective and free from bias. The chair will provide the faculty member with the names of the panel, and the faculty member has the right to object to any individual on the panel.

h. At the hearing, the chair of the Faculty Affairs Committee, a nonvoting member of the panel, will preside.

i. The faculty member has the right to bring an adviser to assist and advise; however, the adviser is not permitted to address the panel or to question the individuals called to testify.
j. The hearing will be electronically recorded, and a recording will be made available to the faculty member at their request.

k. At the hearing, the panel may hear testimony from the president; the chief academic officer; the dean; the faculty member; other members of the faculty, student body, staff, or administration; and people outside the College community who may have relevant information. The faculty member may also request that the panel hear testimony from other individuals that they believe can provide relevant information. Each individual will wait outside the hearing room until they are called to testify, after which they will be dismissed. The panel may also consider any relevant written materials, including the faculty members’ contract review file, when the faculty member is requesting an appeal of non-reappointment under section 3.8.2.2.

l. The faculty member and the panel have the opportunity to ask questions of each individual who testifies.

m. Following the hearing, the panel will make one of the following decisions by a two-thirds majority and submitted in the form of a written report to the president and the faculty member requesting the appeal:

   a. that adequate cause exists for dismissal or non-reappointment of the faculty member
   b. that adequate cause for dismissal or non-reappointment does not exist

n. If the panel determines that adequate cause for dismissal or non-reappointment exists, the president’s original decision will stand.

o. If the panel finds that adequate cause for dismissal or non-reappointment does not exist, but there are legitimate concerns, the panel will make recommendations to the president regarding sanctions or other corrective measures.

p. If the panel determines that adequate cause does not exist, the panel will recommend to the president that the faculty member be reinstated.
q. The president will make the final decision based on a careful consideration of the panel’s recommendation and the evidence contained in the record of the panel’s proceeding. The final decision will be communicated to the faculty member in a letter detailing the president’s rationale, and the ways in which the evidence collected by the panel affected the final decision. The president’s letter will be sent to the faculty member within 14 calendar days of receiving the panel’s final report.

3.8.4. No Offer of an Employment Contract or Inability of the College to Fulfill a Contract

There may be times when, for reasons unrelated to the performance or conduct of the faculty member, the College will be unable to offer or fulfill an employment contract to a faculty member who is in good standing and has a multi-year appointment. Reasons for this decision would include, but are not necessarily limited to, the following:

a. elimination or suspension of a program

b. financial exigency

3.8.4.1 Elimination or Suspension of Academic Programs

Over the life of any college, it is necessary to adapt educational offerings to a changing world. Decisions as to changes in the educational program will be based on educational considerations that reflect the long-range judgment that the educational mission of the College will be enhanced by the change(s); they will not be based on ephemeral variations in enrollment.

At Westminster College, the approval of the Board of Trustees is required before any academic program is eliminated from the college’s academic offerings or suspended for a semester or more. The Board reserves the right to make these decisions on its own accord or upon the recommendation of the president. Because changes such as these may impact the employment of individual faculty members at the College, the president or chief academic officer will provide as much notice as possible that an academic program is under consideration for elimination or suspension. In general, given the far-reaching consequences of such a decision and the thoughtful consideration needed to make the best decision, a minimum of an academic year is usually necessary to reach a final decision.
Before an academic program is eliminated or suspended, the chief academic officer will provide the relevant information, conditions, reasons, or data regarding the academic program and will consult with the faculty by seeking recommendations and proposals from the deans, academic administrators, and faculty of the departments that may be affected.

a. When considering decisions having major impact on academic programs, the president and chief academic officer will consider the following factors:

1. the financial viability of the program
2. changes in the role or scope of the College’s vision, goals, or strategies
3. enrollment in the past and estimated enrollment for the future
4. proposals, if any, from the affected departments for changes or efforts that may cause the program to become viable again

b. After review of the available information and consultation with departmental committees, curriculum committees, the Faculty Senate, and the full faculty, if the president finds that suspension or elimination of the program is necessary, the president will make such recommendation to the Board of Trustees.

c. If the Board decides to suspend an academic program, the chief academic officer will immediately notify all affected individuals. Any faculty member whose employment will be suspended as a result of the program suspension will receive a written statement from the chief academic officer outlining the following:

1. the conditions requiring the suspension of employment
2. a general description of the procedures followed in making the decision
3. any pertinent financial or other data relied upon
4. the date when the suspension will begin and the date it will end. (When possible, affected faculty will be given a minimum of a year’s notice.)

d. If the Board decides to eliminate an academic program, the chief academic officer will immediately notify all affected individuals. Any faculty member whose employment will be terminated as a result of the program elimination will receive a written statement from the chief academic officer outlining the following:

1. the conditions requiring the termination of employment
2. a general description of the procedures followed in making the decision
3. any pertinent financial or other data relief upon
4. the effective date of the termination (When possible, affected faculty will be given a minimum of an academic year’s notice.)

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e. The college will use its best efforts to secure a suitable alternative appointment within the college for these faculty members. However, a faculty member will not be placed in a position for which they are not qualified. The college will also consider, with the approval of the faculty member, early-retirement, part-time appointments, additional education for qualified faculty members and other appropriate actions within the power of the college to provide that would reduce the injury to the faculty member.

f. If a faculty member believes that the decision to suspend or terminate their employment was arbitrary, capricious, or made without adequate consideration of educational criteria, the faculty member may appeal the decision by requesting a hearing before the committee of the Board of Trustees charged with academic matters.

g. This section does not prohibit the faculty member from filing a termination appeal using the procedures outlined in section 3.8 instead of or in addition to requesting a hearing as described in 3.8.4.1(f).

3.8.4.2 Financial Exigency

Financial exigency is defined as a perceived financial crisis threatening the continued existence of the college and requiring immediate and drastic actions, which may include the elimination of certain departments, programs, or positions and the termination of specific faculty or staff members. The Board of Trustees has the sole authority to determine whether the college is in a state of financial exigency.

Once the Board has made this determination, the president will immediately call an all-college meeting, at which the Chair or the Vice Chair of the Board will notify the faculty and staff of the serious financial situation facing the College. At the meeting, the president will present a proposal containing the following information:

a. the evidence supporting the Board’s determination that the College is in a state of financial exigency
b. the changes under consideration in regards to the College’s programs, curriculum, or methods of operation and the proposed dates for implementation
c. the faculty and staff personnel changes that may occur once a plan has been finalized
d. the factors, evidence, and methodology which the administration and the board used to formulate the proposal
e. the specific goals the college hopes to achieve
f. the process used to develop the proposal
After presentation of the proposal, the president will outline the process to finalize a plan to address the fiscal emergency facing the college. This process will include ways to consult with the faculty, to seek its counsel and ideas, and to solicit its support during this time of crisis. The faculty, at its discretion, may hold meetings pursuant to its governance structure and rules to discuss the situation and make recommendations.

Once a plan has been finalized and approved by the Board, the president will disseminate it to the college community. The college will provide faculty members whose employment will be terminated due to financial exigency with as much advance notice as possible.

Prior to termination, a faculty member may appeal the college’s decision to terminate their position on the grounds of financial exigency by requesting a hearing before the executive committee of the Board of Trustees. This does not prohibit the faculty member from filing a termination appeal using the procedures outlined in section 3.8 instead of or in addition to requesting a hearing before the executive committee of the Board.

The college will use its best efforts to secure a suitable alternative appointment within the college for these faculty members. However, a faculty member will not be placed in a position for which they are not qualified. The college will also consider, with the approval of the faculty member, early-retirement, part-time appointments, additional education for qualified faculty members and other appropriate actions within the power of the college to provide that would reduce the injury to the faculty member.

In all cases of termination of appointment because of financial exigency, the faculty position eliminated will not be filled by a replacement for at least three years, unless the affected faculty member has declined an offer of reinstatement.

3.9 Grievance Procedures

The basis of a grievance is a situation where a faculty member has reason to believe:

a. they have been the target of harassment or threatening behavior;
b. they have been discriminated against based upon gender, age, ethnic origin, race, religion, disability, or sexual orientation;
c. their contractual rights have been violated; or
d. their rights of academic freedom have been violated.
3.9.1 Informal Resolution

Faculty members are encouraged to seek solutions to problems by working with their colleagues and through their deans. A faculty member may also request that the Faculty Affairs Committee mediate any dispute with other faculty members or with the administration. However, when informal resolution is not possible or faculty believe their concerns have not been redressed, faculty may initiate either or both of the following formal processes.

3.9.2 Formal Resolution

The aggrieved faculty member will negotiate the timing of either formal resolution process with the chief academic officer and/or the chair of the Faculty Affairs Committee, respectively.

3.9.2.1 Administrative Review

The administrative review process will involve the following steps:

a. The faculty member will present their grievance, including any documentary support, in writing to the chief academic officer.

b. The chief academic officer will review the grievance and take appropriate action.

c. The chief academic officer will discuss the findings with the faculty member and take the necessary steps, if any, to resolve the situation.

3.9.2.2 Hearing Process

The hearing process will be as follows:

a. The faculty member will present their grievance to the chair of the Faculty Affairs Committee by doing the following:

1. requesting a hearing in writing, and specifying the issues to be addressed and the remedies sought
2. submitting a chronology of events
3. presenting a list of those individuals who have personal knowledge of the substance of the grievance
4. providing any other documentary support or evidence the faculty member believes to be relevant
b. The chair of the Faculty Affairs Committee will convene a hearing panel consisting of two members of the Faculty Affairs Committee, an administrator at the level of dean or vice president, and the chair of the Faculty Affairs Committee as a nonvoting member. The chair will provide the faculty member with the names of the panel, and the faculty member has the right to object to an individual on the panel. The chair will then appoint an alternative.

c. The hearing will then be conducted as follows:

1. The chair of the Faculty Affairs Committee will conduct the hearing, which will be electronically recorded.
2. The faculty member has the right to bring an adviser to assist and advise; however, the adviser is not permitted to address the panel or to question the individuals called to testify.
3. The panel will hear testimony from the individuals asked by the faculty member to appear. The chair of the Faculty Affairs Committee may also call people to appear. Each individual will wait outside the hearing room until they are called to testify, after which they will be dismissed.
4. The faculty member and the panel have the opportunity to ask questions of each individual who testifies.
5. The chair has the duty to keep the hearing focused on the issues outlined by the faculty member in their initial request for a hearing.
6. The faculty member must convince the hearing panel that the evidence supports their grievance.
7. At the end of the hearing, the chair will dismiss the faculty member and the advocate (if present). After discussing and reviewing the evidence presented, the chair will call for a vote and the decision will be based on a two-thirds majority.
8. The panel will make one of the following decisions:
   - The grievance has no merit.
   - The grievance has merit, and the review panel supports the faculty member’s remedy or recommends alternative remedies to the appropriate parties.
9. Once the decision has been reached, the chair of the Faculty Affairs Committee has 24 hours to inform the faculty member. The decision will then be documented in writing and given to the appropriate parties.
10. The appropriate administrative officer will implement the recommended remedies.
11. The decision of the hearing panel will be final.
If the faculty member believes that the panel failed to follow the process as described, they may request a review by the president.

3.10 Faculty Duties and Responsibilities

Membership in the academic profession carries with it responsibilities for advancement of knowledge, the intellectual growth of students, and the improvement of society. Each faculty member must write an annual self-evaluation of their activities in terms of their commitment to these goals, as well as in terms of their professional development. This self-evaluation must be submitted to the appropriate dean by a date determined by the dean, who then forwards the self-evaluations to the chief academic officer.

A member of the Westminster College faculty holds a special obligation to understand the nature of this institution of higher learning, to appreciate its unique characteristics and its philosophy and heritage. Each should strive to improve the intellectual and practical effectiveness of the College by willing and thoughtful participation in its affairs.

In order to facilitate a new faculty member's participation in the College community, an established faculty member will be assigned as a mentor to the new faculty member. The mentor's responsibilities may include consultation regarding relationships with faculty, administration, and students, as well as a review of the College/school structure, philosophy, culture, and resources. If requested by the new faculty member, the mentor should be prepared to review class schedules and syllabi, and to make occasional visits to classes for the purpose of providing collegial feedback.

As an educational institution, Westminster College does not impose a rigid body of codified rules on its faculty. It does hold certain expectations concerning the obligations of Westminster College faculty members. Although no one faculty member can discharge all of their responsibilities in an outstanding manner, the College expects each individual to take all of them seriously and to fulfill them to the best of their ability.

3.10.1 Faculty Workload

Westminster College seeks equity in the distribution of assignments. An excessive workload may impair faculty effectiveness and is discouraged. An unduly light load deprives the College of services that a full-time teacher should render and imposes an unjust burden upon other faculty members. Since any adequate definition of faculty workload should consider the whole spectrum of a
faculty member’s professional and institutional services, it is difficult to establish a single policy that applies to all programs or to all program faculty. It is, nevertheless, possible to state general guidelines that are both reasonable and sufficiently flexible to allow the faculty and the College to agree on efficient and effective assignments.

3.10.1.1 Academic Work Year

The academic work year begins with the first day of responsibilities, as defined by the academic calendar, and ends at the conclusion of commencement exercises. Faculty members are expected to be on campus to assume their faculty duties and responsibilities throughout this time period, except for the College's scheduled vacation periods.

Although faculty contracts reflect obligations during the academic year, it is clearly understood that faculty members may also be called upon to advise students or work on committees during the summer on a limited basis, of up to 3–5 days, as part of their contractual obligation.

Occasionally, certain committees may need to meet during vacation periods contained within the academic year. Members of such committees should be prepared to meet in that event.

3.10.1.2 Teaching Load

The Board of Trustees determines the full-time teaching load of faculty based on the advice of the president, chief academic officer, and deans. When the Board makes changes, faculty are aware of these changes before committing themselves to work in the year the changes take effect. The full-time teaching load of a faculty member in any rank is normally 24 semester hours per academic year, which may be distributed across fall, spring, May, and summer terms.

The chief academic officer and dean of the appropriate school will consider several variables in order to assign equitable teaching loads to individual faculty members. These variables include the number of students taught, the number of different class preparations, involvement in the development of new courses, participation in service to the program and school, service to the College, and involvement in professional activities.

Where instructors share in team-teaching classes in which they attend all class sessions, they will receive full credit as to load if 15 or more students are enrolled. No load credit will result from supervision of students engaged in independent or directed studies (section 3.10.2.7).
If enrollment in a course is fewer than seven students, the course will not be taught unless the program deems it necessary and the dean of the school concurs. When classes fail to be offered, resulting in a yearly teaching assignment of less than 24 credit hours, the dean may develop compensating assignments for a faculty member, in consultation with the chief academic officer.

If, during the regular academic year, the dean requests and the faculty member voluntarily agrees to a teaching overload (over 24 semester hours per academic year), the College will compensate the faculty member at a scheduled and published rate. The chief academic officer must approve the request, and ordinarily no overload may exceed one course (3-4 hours) in either fall or spring semester, 4 credit hours in May term, and 9 credit hours in the summer. A faculty member who is contractually required to complete a terminal degree is strongly discouraged from requesting or accepting a teaching overload.

Regular faculty members have first choice in the teaching of courses during the summer. Faculty interested in such teaching should inform their deans as early in the year as possible.

3.10.1.3 Non-Teaching Load

It is less easy to measure the non-teaching portion of the faculty workload. The ordinary non-teaching load, as defined in section 3.4.4, "Service to the College Community," equals approximately one fifth of the faculty member's class-contact workload. This amounts to roughly 2–3 hours per week averaged over the academic year. Advising (section 3.10.3) and office hours (section 3.10.3.2.2) represent an additional set of responsibilities.

3.10.1.3.1 Program and School

The faculty member's first line of administrative responsibility is through their program to their school. They should maintain regular communication with all members of their program and their school and perform all duties assigned. All members, unless excused, are expected to attend program and school meetings and to participate actively in curriculum development and student advising, peer review, and other program and school responsibilities.

3.10.1.3.2 College

Faculty members are expected to attend regularly scheduled faculty business meetings. Special faculty meetings may be called as needed by the president or the faculty chair, as described in section 5.4.A, Article 8. All faculty members not conducting classes at the time of these meetings are expected to attend.
All faculty members are expected to serve on College or faculty committees and to be available for other non-teaching assignments, such as serving as a moderator of a student group and accepting short-term administrative responsibilities. Faculty members are expected to attend all College academic functions, such as commencement and convocations, at which the presence of the faculty is explicitly required. A faculty member should notify the chief academic officer when it is necessary for them to be absent from any of these functions.

3.10.1.3.3 Committee Work

Each full-time faculty member will normally be expected to serve on at least one College-wide committee. Realizing that some committees involve more time than others, a faculty member is not ordinarily expected to participate in more than 30 hours of work on one committee per semester. A faculty member may, however, voluntarily serve on one or more additional committees with the approval of the dean.

The College, dean of each school, and persons responsible for committee selections must be aware of faculty members' teaching loads, committee assignments, and other non-teaching duties within the College. Several sources allow them to gain this knowledge:

a. the teaching assignment of each faculty member is determined in the manner described in section 3.10.1.2, which insures that the chief academic officer and the dean knows each faculty member's teaching load;

b. when committee members are selected, the faculty approve the assignments, and the faculty chair keeps a current tally of College committee assignments.

c. when the president and chief academic officer, in consultation with the dean of a school, select a faculty member for a non-teaching assignment, the chief academic officer notifies the faculty member's dean;

d. when an academic program or school selects a faculty member for a committee assignment, its chairperson notifies the dean

3.10.1.4 Reduction in Teaching Load

Heavier than normal involvement in non-teaching activities, when at the request of the College, requires adjustment of a faculty member's workload, including, if
necessary, a temporary or permanent reduction in teaching hours. The faculty member and their dean must agree to such involvement. Either the faculty member or their dean may then initiate a request for a reduction in teaching load. The chief academic officer will act on the request within two calendar weeks of its receipt, in consultation with the faculty member and, if appropriate, the administrative officer who will supervise the faculty member's administrative duties.

3.10.2 Academic Courses

Determining class schedules and conducting classes entail specific faculty duties and responsibilities, as outlined below.

3.10.2.1 Academic Schedules

Disciplinary course offerings should be determined in accord with both the needs of students majoring in particular disciplines and of the general student body. Each fall the program chairperson confers with their school's dean and calls a meeting to propose course schedules for the forthcoming year.

Such planning meetings comply with the scheduling dates determined by the chief academic officer or their designee. Daily and term-by-term course schedules and decisions regarding teaching responsibilities rest with the chief academic officer, a designee, and/or appropriate deans.

Following these meetings, the program chairperson submits a proposed schedule to their dean. In consultation with the faculty member and appropriate program chairpersons, the dean submits the entire teaching schedule to the chief academic officer for approval.

3.10.2.2 Course Content

Except for standardized courses with multiple sections, which may be coordinated by program chairpersons, the instructor is responsible for planning and presenting the course material; establishing course objectives and requirements and making them known to the students; selecting and ordering texts and supplemental materials; preparing, administering, and grading papers and examinations; and assigning grades.

3.10.2.3 Course Syllabi

At the beginning of each semester, the instructor is responsible for providing a current dated syllabus for each class to the students and to the dean, who forwards a copy of each syllabus to the chief academic officer. These syllabi are
kept on file, where they can be consulted by students, student advisors, and other faculty. Syllabi constitute an important resource for institutional self-study in connection with accreditation reviews.

The syllabus is the official document for a course. In the event of disputes, such as grade appeals, it, along with other handouts, may be important documentation. The syllabus must be handed out to students no later than the second meeting of the class. The syllabus can be changed during the term; however, any changes in matters such as course requirements, grading criteria, or attendance policy should be carefully considered and given to every student in writing.

The syllabus does not need to give a day-to-day schedule of topics and assignments, but it must contain the following:

- name and information about how students can reach the faculty member for help (office or home phone number, office hours, e-mail address, etc.);
- the complete name and number, including section number, of the course;
- times, days, and locations of regular class meetings;
- the current semester and year;
- the name(s) of the required textbooks;
- a description or list of the goals of the course;
- a description or list of expectations and course requirements (papers, quizzes, class participation, homework assignments, etc.);
- attendance policy, as appropriate;
- grading criteria and how final grades are determined;
- The statement, “This syllabus is subject to change.”;
- The statement, “If you have special needs because of learning disabilities or other kinds of disabilities, contact the Services with Disabilities program in the START Center in Carleson Hall at 832-2280 (TDD 832-2286).”;
- The statement, “Please refer to the Academic Catalog or the Student Handbook for the College’s statement on academic honesty,” or the faculty member’s statement regarding academic honesty.

3.10.2.4.1 Course Proposals

Faculty members and programs may originate proposals for the addition of courses to the curriculum, substantive program modifications, changes in degree requirements, and deletion of courses from the curriculum. Proposals will include both completed proposal forms and course information forms for new proposed courses. When proposals originate with individual faculty members, their proposals should be endorsed by the appropriate program and dean, the curriculum committee of the school from which the proposal originates, and the
curriculum committees of all schools housing courses added or subtracted from the altered curriculum. The proposal will then be submitted to the College Curriculum Committee for approval.

Like the teaching faculty, program chairs, deans, and the chief academic officer may recommend new courses, modifications in programs, changes in degree requirements, and course deletions. To be accepted, such recommendations must be reviewed and approved by the appropriate program chair and dean, the curriculum committee of the school from which the proposal originates, the curriculum committees of all schools housing courses added or subtracted from the altered curriculum, the College Curriculum Committee, and the full faculty.

The Curriculum Committee recommends particularly significant or controversial proposals to the Senate for approval. The addition or deletion of majors, minors, tracks within majors, graduate programs, and certificate programs must receive Senate approval. Each month, the Curriculum Committee prepares a report on approved changes for the Faculty Senate, to be distributed to Senators ten days in advance of the Senate’s monthly meeting. As a representative of the faculty, a Senator may request Senate review and approval of any proposal passed by the Curriculum Committee.

Curricular changes are communicated to the full faculty as information items.

3.10.2.5 Classes

Faculty members are expected to meet their classes punctually and to conduct them at an appropriate level. If for some valid reason the instructor cannot meet a class, they are to contact their program chairperson or dean. The instructor should arrange with the dean to have the class covered or cancelled and to have the students notified.

3.10.2.6 Examinations

The final examination schedule, which differs from regularly scheduled class times, is posted on the College website. Final examinations are expected in most classes consistent with program or school policy. When final examinations are not given, classes must meet during the time scheduled for the final examination. No examinations are to be given during the last week of class. Deviations from the official examination schedule require the approval of the appropriate dean and the chief academic officer. Student exams (in the case where an exam is given and grades recorded for them) are to be kept by the faculty member for at least one year after the end of the course.
3.10.2.7 Classes by Special Arrangement

Faculty members may offer independent studies (individual study in a regularly established course), directed studies (tutorials in special fields or topics not covered by established courses), and experimental courses (scheduled courses in special fields or topics not listed in the Academic Catalog). Independent or directed studies do not count toward the faculty member's regular teaching load except with the consent of the chief academic officer and the dean.

3.10.2.8 Selection of Textbooks and Use of Campus Bookstore

Each faculty member is responsible for selecting materials for their classes and ordering them through the school office and the campus bookstore. At scheduled times during the academic year, the bookstore distributes book order forms to the faculty. These forms need to be completed and returned within the announced time frames to assure the availability of texts and other instructional materials at the beginning of each term.

Course packs of materials to be sold through the campus bookstore must be given to the bookstore for reproduction, accompanied by the appropriate book order form and copyright clearance forms. The bookstore manager and text manager are available to assist faculty with this process and to help with any other textbook-related problems. The private sale of instructional materials by faculty members is not permitted.

3.10.2.9 Special Fees

Special fees for rental or purchase of teaching aids or equipment must be approved by the dean, the chief academic officer, other senior officers, and the president and must be announced in the course syllabus described in section 3.10.2.3. A special fund must be set up with the Director of Administrative Services before fees can be collected. Students pay these special fees at the cashier's window; the instructor may not collect fees. The faculty member gains access to the funds by using a check request form and supplying the necessary documentation of the rental or purchase.

3.10.3 Student Advising

Because private institutions of higher education like Westminster College are committed to assisting each student in developing their interests in order to reach their full personal and professional potential, the College emphasizes the role of the faculty in the academic advising of students.
3.10.3.1 Definitions

Although specialized counseling is provided by campus resources, such as the START Center, Counseling Center, Career Resource Center, Office of Student Life, and Dean of Students, to which students may be directed for professional assistance, faculty members have a special and unique role in the following areas:

a. advising students with regard to the students’ work in classes taught by the faculty member;

b. serving as a program advisor in the students’ major area to assist students in setting academic goals, to ensure that College and program requirements are met and understood, and to advise regarding electives appropriate to the students' personal and career objectives;

c. recognizing when students need professional assistance with problems of a personal nature or resulting from academic skills deficiencies, and directing students to the appropriate office or person from whom such assistance is available; and

d. meeting with or otherwise contacting prospective students who are interested in Westminster College, and helping to recruit them to Westminster.

3.10.3.2 Faculty Availability

It is essential that each student have sufficient opportunity to see faculty members.

3.10.3.2.1 Hours on Campus

The College recognizes that dedicated teachers, scholars, and researchers must, on occasion, be absent from campus pursuing justifiable personal and professional activities. However, full-time faculty members are normally expected to be on campus several days a week to fulfill their duties as faculty members.

3.10.3.2.2 Changes in Office Hours

Faculty shall make themselves available to students for at least five hours per week outside of class for questions, consultation, and academic support using appropriate contact methods, such as office hours, scheduled appointments, prompt email correspondence, and the College’s learning management system. Each individual faculty member’s mix of contact methods should correspond to the instructional environments where they conduct their classes and other learning activities. For instance, faculty teaching in traditional classrooms should
hold at least two hours of on-campus office hours per week. On the other hand, faculty who teach mainly online would be available via online chat or other applications for at least two hours a week.

3.10.4 Faculty Contracts

The president of the College sends contracts to returning faculty members no later than March 31 for the upcoming academic year. Each contract will specify the type of appointment, rank, salary, benefits (if any), term of the contract, and any special provisions or conditions.

Faculty members have 30 calendar days from the date of the contract in which to notify the chief academic officer in writing of their acceptance of the appointment. If the faculty member fails to respond within the 30-day time period, the faculty member's employment with the College may be terminated, as such failure will be considered a rejection of the appointment, unless an extension of time in which to respond has been granted in writing by the chief academic officer.

3.10.5 Patent Policy

The patent policy is currently under review.

3.10.6 Consulting

Some fields present opportunities for doing consulting work in education, government, or business. Within reasonable limits, consulting may provide valuable experience for the faculty member and thereby promote their professional growth and development. The work done, however, must be of a professional character commensurate with the individual’s capabilities, experience, and status. Insofar as consulting work is most often akin to outside employment, the faculty member is subject to the strictures set forth in Section 3.10.9, "Outside Employment and/or Business Interests." They should not expect any reduction in load for engaging in consulting work unless the work is for Westminster College or such arrangements have the mutual agreement of the faculty member, the dean, and the chief academic officer.

3.10.7 Community Service

Westminster College recognizes that its faculty members are professionals whose unique and varied capabilities permit them to make significant contributions to the larger social community. The College encourages faculty members to support those activities to which they can contribute. Involvement in the community not only benefits society, but it also publicizes the College and adds to its prestige.
3.10.8 Political Activity

The College encourages faculty to express their views on political issues, to participate in political campaigns, to offer themselves as candidates for office, and to hold office. These activities are personal ones, and faculty must take proactive steps to clarify that they are exercising their rights as individual citizens and are not speaking on behalf of the College.

Faculty who engage in personal political activity must not use college facilities or resources, including e-mail and other communication systems. They may not use their positions of power to coerce, manipulate, or inappropriately influence others in the College community. Faculty who disregard this policy place themselves at risk for disciplinary action and may also jeopardize the College’s tax-exempt status as a nonprofit institution of higher education.

3.10.9 Outside Employment and/or Business Interests

Since the regular faculty member is a full-time professional at Westminster, their first duties are to the College community. Outside employment, business interests, or consulting activities must not diminish a faculty member's effectiveness as a member of the College faculty. Any such activities must be clearly subordinate to the individual's teaching, advising, and College service functions and must be held to a minimum during the academic year.

If the time needed to establish an outside employment relationship or business interest during the regular academic year will amount to more than the equivalent of one normal working day per week over an academic term, the College expects the full-time faculty member to secure the written approval of their dean, the chief academic officer, and the president. Since program and College needs may change, such permission must be renewed each academic year. If the outside employment relationship involves college teaching, one 3-hour course would constitute a normal working day per week for an academic term. Any outside teaching or consulting that might result in a conflict of interest for the individual and/or a loss of income for the College requires the prior written consent of the chief academic officer. These restrictions do not apply during the summer, nor are they intended to restrain a faculty member from delivering occasional lectures at other institutions.

3.11 Faculty Rights and Privileges

3.11.1 Sabbatical and Merit Leaves

Westminster College recognizes the necessity for faculty members to acquire new experience to enrich their teaching or to secure uninterrupted time for professional development. It, therefore, supports the principle of sabbatical and merit leaves. The College encourages professional growth and increased
competence and productivity among faculty members by subsidizing significant research, creative work, pursuit of a higher degree, or programs judged to be of equivalent value, such as some other program of study, an organized experiential program, or an exchange of teaching responsibilities with a faculty member at another four-year college or university.

3.11.1.1 Eligibility

3.11.1.1.1 Eligibility: Sabbatical Leave

Any faculty member with the rank of assistant professor or higher who has served seven or more consecutive years on a full-time faculty contract at Westminster College, who has taught at least half-time during each of these years, and who has not had a sabbatical or merit leave for at least seven years is eligible for consideration for sabbatical leave.

3.11.1.1.2 Eligibility: Merit Leave

Any faculty member with the rank of assistant professor or higher who has served five or more years on a full-time faculty contract at Westminster College, who has taught at least half-time during each of these years, and who has not had a merit leave or sabbatical for at least five years is eligible for consideration for merit leave.

3.11.1.2 Number of Leaves

The number of leaves in any given academic year will be determined by the president and chief academic officer, but at least half of those granted will be sabbatical leaves.

3.11.1.3 Stipend

Stipends for sabbatical and merit leaves are one semester at full salary or one academic year at one-half salary. Salary means the equivalent of that provided in the current academic year. Normal raises and benefits are not withheld from those on leave. While the faculty member is on leave, the faculty member and the College will continue to pay their normal full share toward retirement, group life, health, disability insurance, and federal programs to the extent that the law permits.

In the case of a sabbatical or merit leave granted to a faculty member who will receive a salary, grant, or stipend from another source for their work while on leave, the College may reduce the normal leave salary accordingly. In such a case, the College will assure that its normal full share of retirement, group life, health, disability insurance, and Social Security are paid. It may also bill, if
necessary and appropriate, the faculty member for their normal share of these items.

3.11.1.4 Application Procedures for Sabbatical and Merit Leaves

An eligible faculty member must make a formal application in writing to the Sabbatical Committee through the school dean for a sabbatical or a merit leave. The application must include a cover letter and a proposal describing the project they intend to pursue and how it will increase their professional competence and value to the College. It must also state their qualifications to pursue such a project. The application must be forwarded in time to comply with the deadlines set forth below. The dean will review the faculty member's eligibility for a sabbatical or a merit leave and forward the applications of eligible faculty members to the Sabbatical Committee. The chief academic officer and appropriate dean will make the necessary arrangements to cover teaching and other responsibilities for those whose sabbatical or merit leaves are approved.

The president, in consultation with the chief academic officer, will make the final decision as to who is awarded sabbatical and merit leaves in light of the total needs and capabilities of the College.

3.11.1.5 Schedule for Applying for Sabbatical and Merit Leave

- **by August 18** The number and types of leaves available for the following academic year announced by the chief academic officer, after consultation with the president
- **by September 26** Application to the appropriate dean for evaluation of eligibility
- **by October 3** Applications of eligible faculty forwarded to the Sabbatical Committee
- **by October 31** Ranked recommendations of sabbatical and merit leave recipients from the committee to the chief academic officer
- **by November 7** All faculty applicants informed by president and chief academic officer of those sabbatical and merit leaves approved

3.11.1.6 Criteria for Evaluating and Ranking Sabbatical and Merit Leaves

A sabbatical is a leave given to reward an applicant’s record of service to the college. Only applicants with reasonable projects will be considered, but if there are more applicants than available sabbaticals, the sabbaticals will be awarded to the
applicants with the longest length of service since their last leave and the strongest history of contribution to the college.

Thus, sabbatical applications that successfully demonstrate a project which has potential for professional growth of the applicant and the value to the college will then be ranked by the applicant's length of service since the last leave (merit or sabbatical). If multiple applicants have the same length of service, their applications will be ranked by past contribution to the college (teaching, scholarship, commitment to Westminster community).

A merit leave is a leave given to promote strong projects. While only applicants with a good record of service to the college will be considered, merit leaves will be awarded to the applicants with the strongest projects.

Thus, merit leave applications that successfully demonstrate the applicant's past contribution to the college (teaching, scholarship, and commitment to Westminster community), will then be ranked by the proposed project's potential for professional growth of the applicant and value to the college.

All applications for Sabbatical and Merit Leaves must address the following:

- **Qualifications**
  a. past accomplishments (scholarship, commitment to Westminster community, professional development)
  b. relevant experience (as a teacher and/or researcher, especially in the field of the project)
  c. awards (in the area of the project or for professional activity in general)

- **Project Milestones**
  a. At what stage of development is this project?
  b. What will be accomplished on this project during the merit leave?
  c. What will remain to be done after fulfillment of this leave? (In other words, what impact will the leave have on the project?)

- **Value of the Proposed Activity for the Professional Growth of the Applicant.**
  Activities considered to be of value include but are not limited to the
following:

a. development of research, writing, teaching, or clinical skills and competence

b. increased knowledge, understanding, and awareness of new developments in the applicant's area

c. contribution in an area of knowledge where little original work of the sort proposed has been done

- Value of Proposed Activity to the College

Activities considered to be of value include but are not limited to the following:

a. development of new courses

b. improvement of existing courses

c. writing texts or developing curriculum materials

d. enhancement of the college's reputation

e. improved or updated knowledge in an area in which the applicant teaches or one they would like to introduce into the curriculum

3.11.1.7 Obligations of Sabbatical and Merit Leave Recipients

The recipient of a sabbatical or merit leave incurs these obligations:

a. to make every reasonable effort to fulfill the terms of the leave

b. to return to the College for a minimum of one academic year following the year in which the leave occurred

c. to file a detailed report on the actual results of their project with their dean and the chief academic officer within 90 days after the beginning of the semester following the leave. At the request of either, such reports may also be offered orally to a group of interested faculty and students.

3.11.1.8 Additional Information
Time toward eligibility for each new leave begins the year that the faculty member returns to full-time service, regardless of the semester in which the leave was taken. Time on leave counts toward promotion in rank unless the faculty member and Westminster College agree in writing to waive this provision at the time the leave is granted.

3.11.2 Faculty Development

Westminster College encourages the professional development of faculty and provides assistance through the office of the chief academic officer, the deans of the schools, and appropriate faculty committees. Any full-time faculty member may request such assistance.

3.11.3 Professional Travel Expenses

Westminster College recognizes that members of its faculty are interested in attending meetings of learned or professional societies as a means of keeping current in their fields of teaching and research. The College encourages this professional development by providing financial support for such activities. Faculty members may apply for travel funds through their deans, whose endorsement is required, before requests are forwarded to the chief academic officer. Travel funds are disbursed in as equitable a manner as possible. See the annual booklet of Faculty Professional Development Grants and Awards.

3.11.4 Compensation

Full-time faculty appointments are for the academic year, with payment of salary in 12 monthly installments. Faculty members may either pick up their checks at the cashier's office or arrange for direct deposit to their bank. Full-time and half-time faculty receive their checks on the last working day of each month.
Chapter 4

COLLEGE PROCEDURES OF INTEREST TO FACULTY

4.1 Function of Chapter 4

This chapter provides faculty with information about College procedures and resources that help faculty fulfill their teaching responsibilities. This chapter also discusses benefits available to faculty.

4.2 Academic Procedures and Policies of Special Interest

4.2.1 Official Record of the Curriculum

The official list of approved courses is kept in the offices of the chief academic officer and the registrar and is published in the Academic Catalog. New courses are frequently introduced as special topics classes before any request is made to add the course to the official list of approved courses.

4.2.2 Class Enrollment Lists

The registrar provides instructors with official class enrollment lists on the first day of classes each term, after the last day to add or drop classes during regular semesters, by means of a printed midterm grade list, and through a final grade list furnished to faculty during the next-to-final week of the semester. For May term, there is only a first-day-of-class list and a final grade list. Class rosters are also available on the web.

Faculty should inform the registrar of any discrepancies between lists received from the registrar and their own records.

College policy does not permit anyone who is not registered to sit in on a class, except on an occasional basis.

4.2.3 Grade Reports

By noon on the third day following the end of the final examination period, faculty are to report grades for undergraduate courses and graduate courses that meet for an entire semester to the registrar using WebAdvisor. When the three-day grading period ends on a Saturday or Sunday, the due date is moved to the next Monday at noon. Programs whose courses meet for longer or shorter than a semester, i.e. 7-week blocks, must establish grade submission deadlines in advance and in consultation with the registrar.
4.2.4 Grade Records

Faculty may keep grade records in whatever format they choose. As a matter of sound educational practice and precaution, grade records should be retained for at least one year following the last entries.

4.2.5 Drops, Additions, Withdrawals, etc.

Forms through which students may drop, add, or withdraw from courses are available through the registrar's office. Students may only alter their programs through the use of appropriate forms or Web Advisor. Faculty requiring assistance in dealing with these matters should consult the registrar. Although it is the student's responsibility to withdraw from classes within stated time limits, if a student fails to attend by the second meeting of the class, the course instructor may administratively drop them and allow another student to enroll. A student whose name appears on a grade roster and who has not withdrawn by the end of the semester should be given a failing grade.

4.2.6 Academic Calendar

The official academic calendar for each year is published in the Academic Catalog. Subject to the approval of the administration and the Board of Trustees, the faculty determines calendar policy. That is, the faculty proposes the system in which the College offers its courses of instruction: semester, trimester, quarter, or a January or May term with two or more longer semesters. The administration, in consultation with the faculty, prepares the specific yearly calendar through which prevailing policy is implemented. Calendars for forthcoming academic years are published in timely fashion to allow faculty and students to make appropriate plans. The registrar is responsible for developing year-to-year calendars within these guidelines. The term and daily schedules are also administrative functions (3.10.2.1).

4.2.7 Assignment of Academic Advisors

Once students are no longer advised in the START Center, each school assigns academic advisors in consultation with the faculty. All degree-seeking students receive faculty advisors. Non-degree-seeking students are given the option of a faculty advisor when they register.

4.2.8 Assignment of Classrooms and Laboratories

The registrar's office assigns classrooms, laboratories, and other instructional space. Faculty members with special classroom needs or preferences should make these known to the registrar in a timely fashion. Any problems with respect to instructional space should also be brought to the attention of the registrar.
4.2.9 Use of the Library for Instruction and Research

The Giovale library offers a wide variety of resources and services to support faculty in their teaching and research: instructional and research help for classes, groups, and individuals; electronic and print course reserves; interlibrary loan; borrowing through the Utah Academic Library Consortium; extended borrowing privileges; a wireless networked environment; and collaborative work areas.

The library is home to the information commons. The library also works in close partnership with the writing center, the general computing lab, and the faculty technology center to offer various kinds of support to faculty.

A current description of services provided to faculty is found on the Faculty Services web page at [http://www.westminstercollege.edu/library/facstaff/index.cfm](http://www.westminstercollege.edu/library/facstaff/index.cfm)

4.2.10 Laboratory Supplies and Equipment

Laboratory supplies and equipment are budgeted through the normal budget process of the College. All purchases are approved by the appropriate dean.

4.2.11 Examination and Desk Copies of Textbooks

Faculty may secure complimentary examination and desk copies of texts directly from the publisher, or they may ask staff in the appropriate school office to make these requests.

4.3 Student Academic Standing and Records

Regulations governing student academic standing and records are stated in the Academic Catalog. Faculty members with questions or problems in these areas should consult the registrar.

4.4 Nonacademic Procedures and Policies of Interest to Faculty

4.4.1 Identification Cards

Faculty identification cards are obtained in the health and wellness center.

4.4.2 Office Assignments

Westminster College strives to furnish faculty with convenient and suitable offices. Each dean is responsible for assigning offices within their school.

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4.4.3 Keys

Keys are issued, as needed, to faculty members. With approval of the appropriate dean, the office staff requests keys and provides them to the faculty. Upon leaving the College, faculty members must return their keys.

4.4.4 Parking

Free parking stickers, required for parking on campus, are available at the cashier's window. The car registration form is required to obtain a parking sticker.

4.4.5 Bookstore Discount

Faculty are eligible for a 10–20% discount from the marked price of items available for sale in the bookstore.

4.4.6 Check Cashing

Faculty members may cash small personal checks, in amounts ordinarily not to exceed $20.00, at the cashier's window.

4.4.7 Photocopying and Printing

A limited number of photocopies may be made on the self-service photocopiers in school offices or around campus. Whenever significant numbers of copies are needed, requests should be sent to the print shop, which offers offset and other duplicating services. It also has facilities for collating, stapling, folding, hole punching, and delivering materials. Requests for duplication of materials for instructional or College-related services are charged to the program making the request.

4.4.8 Instructional and Office Materials and Equipment

Programs and schools have budgets for instructional and office materials and equipment. Materials are generally purchased using College vendors. However, faculty members can use other sources to purchase instructional materials and equipment that have been approved by the dean and are not available from College vendors. In those cases, the documented purchase amount will be reimbursed.

4.4.9 Long Distance Telephone Calls

Codes for use with long distance telephone calls are available by contacting information technology.
Office Staff Services

Office staff services are available for faculty through their schools or programs. Sufficient time should be allowed for the completion of any work submitted. Although service is provided as promptly as possible, no assurance can be given that material will always be ready at a requested time. Staff can perform the following services on a first-come, first-served basis:

- Typing of syllabi, notices, flyers, invitations, and documents, but not of manuscripts longer than a normal scholarly article;
- Photocopying;
- Informing students of cancelled classes through phone calls and posted notices;
- Applying labels and stuffing envelopes for outgoing mail;
- Providing technical support, which includes printer and PC problems;
- Adding/revising content on academic web pages;
- Ordering and maintaining office supplies;
- Sending faxes, forwarding phone calls, taking messages, providing information to students, and scheduling meetings;
- Creating, organizing, and maintaining files/correspondence for faculty positions; maintaining databases on applicants; and performing campus tours for faculty job applicants;
- Administering, but not proctoring, exams.

4.5 Faculty Benefits

Faculty with at least a 9 month full time contract or equivalent are eligible for all employer sponsored benefits. A description of the benefits provided for full-time faculty can be found on the Human Resources web page.

4.5.1 Sick Leave

Sick leave with full pay is granted to a full-time faculty member for a period of 10 class days per year for personal illness or family emergency. Class days are computed at the rate of five days a week, Monday through Friday, regardless of the faculty member's own class schedule. Scheduled classes will be covered by regular Westminster faculty, adjuncts, or other faculty on a free or per-hour cost basis, or class time will be rescheduled when the faculty member returns.
4.5.2 Social Security

All faculty members are covered by the Social Security Act, and deductions from salaries are matched by the College as required by law.

4.5.3 Travel Expenses and Professional Development

Funds for travel to professional meetings, for supervision of field trips, for leaves, and for similar professional development activities are included in program budgets and in the College's faculty development budget. Application for such funds should be made using the procedures outlined in the annual booklet describing faculty professional development grants and awards.

4.5.4 Tuition Remission

See the Human Resources website for details.

4.5.5 Faculty Class Privilege

A faculty member may register for credit in any regularly taught class of the College free of charge, with approval of the instructor and subject to tuition remission benefit eligibility.

4.5.6 Tuition Exchange

The College is a member of a number of tuition exchange programs, which make it possible for a faculty member's child to attend any of a large number of American colleges and universities tuition-free or at reduced tuition. For information contact the financial aid office.

4.5.7 Vacations

The College calendar lists the exact dates for the following established recess and vacation periods: Thanksgiving, Christmas, spring break, interim between spring semester and May Term, and summer.

4.6 Human Resources Forms

4.6.1 Insurance and Benefit Forms

Insurance and benefit forms are available in the human resources office. Faculty members eligible for coverage complete these forms prior to assuming their teaching responsibilities. Persons with questions about forms or benefits should consult the human resources office.
4.6.2 W-4 Forms

W-4 withholding forms are available from the human resources office or the chief academic officer. Faculty members complete these forms before they begin teaching.

4.7 Student Discipline

Disciplinary regulations appear in the Student Handbook. Problems with student behavior, apart from those governed by the academic regulations of the College, are the province of the dean of students consistent with the regulations published in the Student Handbook.

4.8 Assistance with Student Problems

Faculty members who need help with problems involving students should consult initially with their deans. The chief academic officer will furnish additional assistance as needed.

4.9 Assistance with Academic Problems

The Academic Catalog states policies governing academic standards, and faculty members who need help with academic problems should consult initially with their deans. As appropriate, they may also wish to consult the registrar or the chief academic officer.

4.10 Counseling Service

When faculty encounter difficulties either in dealing with students or if they recognize that a student is having personal or academic problems, they are encouraged to bring the matter to the attention of the dean of students and/or let the students know that counseling services are available on campus.
Chapter 5
THE CONDUCT OF COLLEGE BUSINESS

5.1 Governing Principles

The Articles of Incorporation and Bylaws of the Board of Trustees outline the principles governing the conduct of College affairs. Consistent with these principles and recognizing the value of shared governance, the Board may by motion, resolution, or other official action delegate functions to other elements of the College community.

Final legal authority in all matters resides with the Board of Trustees. The Board ordinarily focuses its deliberations on general questions of policy, long-range direction, and finance, granting other matters less attention. While maintaining general oversight of institutional affairs, the Board entrusts administration of the College to the president, and through the president to other administrative officers. To the teaching faculty, the Board entrusts the conduct of teaching and research. In a number of other areas, it also invites the teaching faculty to offer its wisdom and judgment.

5.2 The Role of the Teaching Faculty

5.2.1 Academic and Educational Matters

In exercising its responsibility for the conduct of teaching and research, the faculty, subject to Board approval, develops and offers curricula and classes, frames and maintains academic standards, and strives for the highest standards of teaching and scholarship at the College. It certifies to the Board that students have successfully completed the requirements for graduation. It also functions as a guardian of academic freedom and of faculty rights and responsibilities.

5.2.2 Contractual Matters

Should the Board make any alterations to Chapter 3 of the Manual during the academic year, these changes require the consent of the faculty in order to make the changes effective during that academic year. In the event the Board makes changes to Chapter 3 of the Manual that are not scheduled to take effect until the next academic year, the faculty must receive reasonable notice of such changes prior to signing their contracts for the academic year in which the changes are to take effect.
5.2.3 Non-contractual Non-academic Matters

Whenever the Board of Trustees will benefit from the wisdom and expertise of the faculty, it can request faculty involvement in areas that are not strictly academic or contractual. Appropriate matters for collaboration are long-range planning and program evaluation, institutional budgetary planning, admissions and retention policy and efforts, and instructional personnel policies and recommendations relative to faculty appointments and continuation in service. In these administrative areas, the faculty advises and makes recommendations to the administrative officers of the College.

5.3 Faculty Business Meeting

The faculty meeting is the deliberative body for the conduct of faculty business. It proceeds in such fashion as the faculty determines through adoption of a constitution, bylaws, and order of business, subject to approval of the Board of Trustees. Again subject to Board approval, the faculty may elect to delegate to standing and other committees responsibility for the conduct of business in areas falling within the jurisdiction of the teaching faculty.

While the president is the president of the faculty (Section 2.4), voting members of the teaching faculty elect a chair of the faculty to preside at faculty business meetings (Section 5.4, Article 6).

5.4 Constitution and Bylaws of the Westminster College Faculty

Section A: Constitution of the Westminster College Faculty

Article 1. This organization shall be known as the Faculty of Westminster College.

Article 2. The function of faculty shall be to establish and implement the academic policies of Westminster College.

Article 3. The authority of the College Faculty to establish and implement the academic policies of Westminster College has been vested by the Board of Trustees subject to the Board’s review and final approval.

Article 4. The College Faculty shall consist of the president, chief academic officer, school deans, director of the library, professors, associate professors, assistant professors, instructors, and adjunct instructors.
Article 5. The voting membership of this organization shall consist of those administrators listed in Article 4 and faculty members with rank of Instructor, Assistant Professor, Associate Professor, and Professor holding regular faculty contracts and whose primary responsibilities are teaching. Voting membership shall be extended to faculty members not teaching at least half-time only by vote of the faculty. Questionable cases concerning faculty membership and voting privileges shall be reviewed by the Faculty Affairs Committee and submitted to the faculty for approval.

Article 6. Annually, at the regular May meeting, the faculty shall elect one of its voting membership as chair-elect for the upcoming academic year.

Article 7. Regular faculty meetings shall be held three times per semester during the months of August, October, December, January, March, and May. With the exception of the August meeting held during the faculty retreat, the meetings shall normally be held within the first seven working days of the month.

Article 8. The president or the faculty chair may, at any time, call special meetings of the faculty as the occasions arise. Also, the faculty chair will call a special faculty meeting if requested by a petition signed by 25 percent of the voting faculty, to be held within seven calendar days of receipt of the petition. In the calling of special meetings, the faculty shall be given written notice at least 48 hours prior to the time of the meeting. Notice will be considered as having been given when the notices have been placed in the faculty mailboxes or sent via e-mail.

Article 9. It is the duty and responsibility of full-time faculty members to attend all faculty and college meetings or assemblies except under extenuating circumstances; in such cases, the faculty member shall notify the recording secretary as to the reason they will not be able to attend a particular meeting.

Article 10. The presence of a majority of the voting members of the faculty at any regularly scheduled or special faculty meeting shall constitute a quorum at that meeting. Faculty members on leave or on sabbatical may be temporarily deleted in quorum computations.

Article 11. All actions and recommendations of the faculty shall be by majority vote, except for changes to the Constitution and the Bylaws, which shall require two-thirds vote to pass. Three members of the faculty may request that the voting be by ballot or roll call.
Article 12. Any member of the faculty may propose an amendment to the Constitution at any regular faculty meeting. A proposed amendment must by submitted to the members of the faculty in writing at least four calendar weeks prior to the vote on the amendment. Approval by two-thirds of the membership shall be required for the ratification of an amendment.

Section B: Bylaws of the College Faculty

Article 1. Robert’s Rules of Order, newly revised, shall govern the faculty unless the faculty initiates rules to the contrary.

Article 2. The faculty chair shall receive four credit hours of release time during the year of service, and their duties shall be as follows:

a. To conduct meetings according to standard rules of parliamentary procedure. In this capacity, the chair, among other duties,
   • states and puts to vote all questions, and announces the results of the vote;
   • restrains members within the rules of order adopted by the faculty;
   • decides all questions of order; authenticates all acts, orders, and proceedings of the faculty, and transmits them to the president.

Decisions of the chair regarding questions of order are subject to appeal. Any motion to repeal the chair’s decision would require a simple majority.

b. To set the agenda for regular and special faculty meetings, and to work with faculty committees and other entities of the College community on planning and carrying out this agenda.

c. To serve as the faculty representative to the general meeting of the Board of Trustees, to the president’s advisory councils, and to other college-wide committees and councils.

d. To serve as an ex-officio member of the Faculty Senate (Section 5.7.3, Articles 3 and 4).

e. To organize and oversee the faculty retreat, in consultation with the provost and according to the agenda approved by the Senate (Section 5.7.2, Article 8).
f. To chair the Committee on Committees (Section 5.5.3).

g. To represent faculty interests to the administration and other college stakeholders.

Article 3. If the chair is to be absent from any meeting, they shall appoint a representative to call the meeting to order, and a chair pro tem shall be elected by the faculty for that meeting or until the chair returns. If it becomes necessary for the chair to step down during the course of a meeting, they may appoint a chair pro tem or request that the faculty elect one.

Article 4. The chair is to have a written agenda prepared for all regular and special faculty meetings. In the case of a regular meeting, the agenda is to be in faculty mailboxes not later than noon two working days prior to the meeting. In the case of special meetings, the agenda is to be in faculty mailboxes the day preceding the meeting.

A. Order of Business for Regular Meetings:

(1) Call to order
   (a) Roll call
   (b) Declaration of quorum

(2) Approval of minutes of the previous meeting and any special meetings held since the last regular meeting.

(3) Reports of the president and the provost

(4) Reports of standing committees

(5) Reports of special committees

(6) Special reports (Board of Trustees representatives and other special reports).

(7) Unfinished business from last meeting

(8) New business

(9) General announcements
(10) Special speakers (in appropriate cases, a motion to suspend the rules may be made to allow this to be the first order of business).

B. Order of Business for Special Meetings:

(1) Call to order
   (a) Roll call
   (b) Declaration of quorum

(2) Consideration of only such business as appears in the call of the meeting, unless the call includes “...and such other business as may properly come before it.”

Article 5. The faculty chair shall appoint a recording secretary whose duties shall be to make a record of the proceedings of all meetings. The recording secretary shall have a list of all faculty members and shall make a record of those in attendance at each meeting. The recording secretary is to have the final copy of the minutes ready so that they may be published and distributed to the faculty within two working days prior to the next meeting.

Article 6. The minutes of the faculty meetings should follow the standard form set forth in Robert’s Rules of Order. The minutes must include the following:

A. all motions, adopted or defeated, and the number of votes on each side if by ballot or show of hands

B. adopted resolutions entered in full

C. names of persons making motions and those who second

D. points of order and appeals, whether sustained or lost

E. summary of reports of committees, unless written reports are appended

F. all committee appointments

G. a complete statement of corrections to the minutes on the previous meeting

The original transcript taken by the secretary is to be retained permanently in the office of the chief academic officer.
5.5 Committees of the Faculty

All full-time faculty members are needed.

5.5.1 Functions of Committees

Committees of the faculty conduct business within the jurisdiction of the faculty and on behalf of the faculty. They consider such matters as long-range planning, evaluation, budget development and monitoring, academic policy, curriculum development, faculty affairs, student life, admissions and financial aid, academic personnel policy and faculty appointment, retention, development, and promotion.

Standing committees are constituted through the ordinary procedures of the faculty, as specified below. Their membership may or may not consist exclusively of members of the teaching faculty. These committees are accountable to the faculty and report to it, as well as advise and make recommendations to the executive team.

Committees forward minutes of their meetings to the Faculty Chair for inclusion in the next faculty meeting packet. Committees with business requiring Senate action will send to the Senate meeting their minutes as well as a representative who will explain the rationale behind their committee’s recommendations.

At least once every three years, each committee shall review its responsibilities and composition as stated below and recommend any necessary revisions to the Faculty Affairs Committee.

When necessary, the faculty or the executive team may request that the Faculty Senate create an ad hoc committee or task force to complete a clearly defined task within a specific time frame.

5.5.2 Selection of Members of Committees

At the February faculty meeting, a new Committee on Committees is formed to select faculty members to serve on committees for the subsequent academic year. It consists of the faculty chair, the chair-elect, and the former faculty chair. The Committee on Committees is always chaired by a serving faculty chair. Faculty members may express preference for committee assignments in writing to this Committee on Committees.

The Committee on Committees presents committee assignments to the faculty for approval at the regular April faculty meeting. Elections to the committees requiring elected membership are also held at this meeting. New or replacement faculty, if needed during the school year, are assigned to committees by the Committee on Committees and approved by the faculty. Chairs of the committees for the upcoming
academic year are elected by members of the respective committees at the August faculty retreat. Appointment methods incorporated into the following committee descriptions supersede this method.

5.6 Standing Faculty Committees

5.6.1 Curriculum Committee

Responsibilities:

1. To review College-wide curriculum behalf of the full faculty.
2. To review and approve or reject proposed additions, deletions, and changes to the curriculum, as well as to majors, minors, and academic programs, with particular attention to the impact of curriculum changes on other programs, students, and the College as a whole.
3. To submit a monthly report on approved changes to the Faculty Senate, and to recommend Senate consideration of unusually controversial or wide-ranging proposals.

Composition:

Seven faculty members, elected for three-year terms, staggered:
2 representatives from the Gore School of Business
3 representatives from the School of Arts and Sciences
1 representative from the School of Nursing and Health Sciences
1 representative from the School of Education

Ex-officio members:
Chief academic officer or a designated representative
Registrar
Director of library
Director of the START Center
ASWC president, or other ASWC officer designated by the president.

All ex-officio members, except the director of the library, are non-voting members.

5.6.2 Diversity Council

Responsibilities:

The Diversity Council works to instill diversity into our institution's consciousness and advocate for equity and excellence through our policies, practices and programs. Specifically the council
1. Encourages diversification of faculty, students, and staff;
2. Promotes full integration of diversity into the curriculum, including advising the Liberal Education committee as it assesses courses submitted to fulfill the diversity requirement;
3. Advocates for a supportive learning and social environment for students of color; Lesbian, Gay, Bisexual, Transgender (LGBT) students; women; students with disabilities; and students from low-income and a variety of religious and cultural backgrounds;
4. Supports and participates in the Diversity Center’s programming and student support initiatives; and
5. Supports and contributes to the development of assessment measures related to the above.

Composition:

Seven faculty members, elected for two-year terms, staggered.
2 representatives from the Gore School of Business
3 representatives from the School of Arts and Sciences
1 representative from the School of Nursing and Health Sciences
1 representative from the School of Education
Director of Diversity Student Affairs and Services (chair)
Human Resource Director or designee
Director of Admissions
Dean of Students or designee
Designee from Institutional Advancement
Two students

5.6.3 Enrollment and Financial Aid

Responsibilities:

1. To review policies, practices, and standards for recruiting, admitting, and awarding financial aid to students.
2. To communicate and explain policies, practices, and standards in these areas to the faculty at large.
3. To monitor results of each year’s recruitment efforts and financial aid awards in light of the goals of the current strategic plan.
4. To advise the vice president for enrollment, the director of admissions, and the director of financial aid regarding problems and issues that may arise in those areas.
5. To review and approve scholarship application procedures and select recipients as required.
Composition:

Five appointed faculty for two-year terms, staggered. The four schools should each be represented and one faculty member should represent graduate programs.

Two members from the staff for two-year terms. One of those staff members should be from either the START Center or Registrar’s Office and one should be an at-large staff member whose responsibilities relate to the work of the committee.

Ex officio members:
Vice president for enrollment
Director of admissions
Director of financial aid
Dean of students
Learning Community Coordinator

Ex-officio members vote in administrative matters but do not vote in matters having faculty jurisdiction.

5.6.4 Faculty Affairs Committee

Responsibilities:

1. To recommend revisions of the Manual for Faculty as needed.
2. To examine and to make recommendations about faculty workload, faculty evaluation, contract review and promotion, faculty duties and responsibilities, academic freedom, and other matters related to the faculty.
3. To investigate charges that the principles of academic freedom or other faculty rights have been violated.
4. Upon request of a faculty member, to mediate disputes between/among faculty members or between the administration and a faculty member or members.
5. To request an updated electronic copy of the Faculty Manual from the Provost’s office in August and upload that file to Canvas.

Composition:

Seven faculty members, elected for two-year terms, staggered.
2 representatives from the Gore School of Business
3 representatives from the School of Arts and Sciences
1 representative from the School of Nursing and Health Sciences
1 representative from the School of Education
5.6.5 Grants and Awards Committee

Responsibilities:

1. To advise the deans and the chief academic officer on policies regarding the awarding of travel or other monies for faculty professional development.
2. To advise the deans and the chief academic officer on workshops, speakers, and other professional development opportunities or initiatives that would benefit the faculty.
3. To review the applications for the Gore Course Release Development Grants, the Gore Individual Summer Grants, the Thomas F. Hawk Course Release Grants, and to forward recommendations to the chief academic officer.
4. To select the recipients of the Manford A. and June Shaw Faculty Publication Prize and the Gore Excellence in Teaching Award.
5. To review and rank applications for sabbatical and merit leaves according to the criteria set forth in section 3.11.1.
6. To review reports submitted by recipients of various grants, awards, and leaves.

Composition:

Seven faculty members, elected for two-year terms, staggered.
2 representatives from the Gore School of Business
3 representatives from the School of Arts and Sciences
1 representative from the School of Nursing and Health Sciences
1 representative from the School of Education

5.6.6 Honors Council

Responsibilities:

The Honors Council works in conjunction with the director of the honors program to oversee and support the administration of the program. Those areas of oversight and support consist of, but are not limited to, the following:

1. Curricular matters
2. Recruitment, admissions, and retention
3. Selection and distribution of grants and awards
4. Enhancement of the student experience in honors
Composition:

Seven faculty members appointed in consultation with the chair of the Honors Council, for two-year terms: four from Arts and Sciences, staggered so that two of the positions come up for reappointment each year; and one each from the Gore School of Business, the School of Education, and the School of Nursing and Health Sciences. The director of the honors program serves in one of these six faculty positions and serves as the chair.

Ex officio (voting) members:
- Director of the START Center (or an appointed representative from the START Center)
- Assistant director of Admissions, or whichever Admissions position oversees the recruitment of high achieving students at the college.
- Two students, who are the president and vice president of the Student Honors Council, for one-year terms.

5.6.7 Innovative Learning Committee

Responsibilities:

1. To monitor the W-Core program, or any other general education program that may replace it. [beginning fall 2018]
2. To stay apprised of developments in the field of liberal education. [beginning fall 2018]
3. To review and recommend to the faculty additions, deletions, and changes to the W-Core program. [beginning fall 2018]
4. To forward recommended changes in the W-Core program to the Curriculum Committee for approval. [beginning fall 2018]
5. To develop ways to help faculty use technology to enhance student learning and promote information literacy throughout the curriculum.
6. To coordinate learning technology resources in consultation with library and information technology staff.
7. To develop opportunities and set policies that will encourage undergraduate research across all four schools.
8. To oversee the ePortfolio program.

Composition:

Seven faculty members, elected for two-year terms, staggered.
- 2 representatives from the Gore School of Business
- 3 representatives from the School of Arts and Sciences
1 representative from the School of Nursing and Health Sciences
1 representative from the School of Education

Ex-officio members:
Chair of Liberal Education Committee or Director of Liberal Education (chair)
Registrar or designee
Library Director or designee
Vice president for information technology
One student appointed by the ASWC president

5.6.8 Institutional Review Board

Responsibilities:

To review research projects which involve human subjects. The IRB for the protection of human subjects applies to all human-subject research conducted by anyone on the premises of Westminster College and to research conducted elsewhere by faculty, students, staff, or other representatives of the College. IRB approval is required by the College for any research involving human subjects but is mandated by federal regulations for research done under a federal grant.

Composition:

Five appointed faculty for two-year terms, staggered, with at least one representative from each school, including a dean of one of the schools, who will serve as a chair.

Ex officio (non-voting) member:
A person from outside the College community, appointed by the chair and approved by the committee.

If a member of the IRB has a research proposal under review, they will be excused from the deliberations and decisions of the IRB. If the chair has a proposal under such review, they will be excused and will appoint another member of the IRB to serve as chair for that review.

5.6.9 International Council

Responsibilities:

This college-wide committee works in conjunction with the Assistant Provost for International Services and the Director of International Student Services and Study Abroad to instill a focus on internationalization/global learning into our institution’s planning, programs, and consciousness. Specifically the council focuses on:
1. Encouraging internationalization of faculty, students, and staff (e.g., recruiting and retaining students, staff, and faculty with international backgrounds).

2. Promoting integration of global and international issues into the curriculum, including internships.

3. Advocating for a supportive learning and social environment for international students and faculty.

4. Supporting and participating in the Diversity & International Center’s programming and student support initiatives and services.

5. Vetting potential study abroad programs.

6. Becoming generally familiar with and promoting knowledge about federal regulations regarding F and J visa status.

7. Exploring the possibility of creating new programs and requirements that have a significant global or study abroad perspective.

8. Remaining up-to-date on the college’s international partnerships and assist when requested to strengthen these partnerships.

9. Exploring and developing professional development opportunities for faculty interested (a) in study abroad, (b) teaching opportunities at college partner schools, (c) academic exchange, and (d) internationalization of curriculum.

10. Exploring and developing potential funding sources, including grants and scholarships, for all students interested in study abroad.

11. Collaborating as appropriate and building on synergies with the Diversity Council to help further the College’s goals related to Diversity & Internationalization.

12. Supporting and contributing to the development of assessment measures related to the above.

Composition:

Seven faculty members, elected for two-year terms, staggered.
2 representatives from the Gore School of Business
3 representatives from the School of Arts and Sciences
1 representative from the School of Nursing and Health Sciences
1 representative from the School of Education

Ex-officio (voting members):
Director of International Recruitment (Admissions)
Director of English for International Students
START Center Representative
Career Center Representative
Student Life Representative
Library Representative
Faculty members are identified and nominated by the current International Council and approved as council members by faculty vote during the April faculty meeting.

5.6.10 Liberal Education Committee

Responsibilities:

1. To monitor the liberal education program.
2. To stay apprised of developments in the field of liberal education.
3. To review and recommend to the faculty additions, deletions, and changes to the liberal education program.
4. To forward recommended changes in the liberal education program to the Curriculum Committee for approval.
5. To periodically assess how well the broad educational goals of the program and the specific goals of the core competencies, foundation courses, and liberal education concentrations are being met.

Composition:

Seven faculty members, elected for two-year terms, staggered.
2 representatives from the Gore School of Business
3 representatives from the School of Arts and Sciences
1 representative from the School of Nursing and Health Sciences
1 representative from the School of Education

Ex officio (non-voting) members:
Director of First-Year Programs (chair)
Librarian or associate librarian
Registrar or associate registrar
Student representative

The Liberal Education Committee will disband at the end of the 2016-2017 academic year. Its remaining functions will be absorbed by Innovative Learning Committee.

5.6.11 Planning and Priorities Committee

The Planning and Priorities Committee reviews comprehensive budget data, plans resource allocation to support the College’s strategic goals, and generates annual budget recommendations to the Board of Trustees.
Responsibilities:

1. In October, review the strategic plan and assess areas of progress and concern;
2. Meet at least once during the budgeting process with the complete Board of Trustees, the Executive Committee of the Board of Trustees, or the Committee of the Board of Trustees responsible for budgetary matters;
3. Review comprehensive budget data, receiving briefings on this data from members of the executive team;
4. Meet twice monthly from October until the completion of the budget process, consulting with all budget officers;
5. As the budget process nears completion, vote on a final comprehensive budget recommendation to the Board of Trustees;
6. Report the results of all votes to faculty, staff, students, and trustees.
7. Provide an annual Budget Summary Report for the faculty, including any major changes, points of sustained disagreement, and plans or concerns for the future.

Composition:

President (chair)
Provost
VP of Finance and Administration
VP of Institutional Advancement
Executive Director of Human Resources
2 faculty members from the School of Business (elected, 3-year term)
3 faculty members from the School of Arts and Sciences (elected, 3-year term)
1 faculty member from the School of Education (elected, 3-year term)
1 faculty member from the School of Nursing (elected, 3-year term)
2 staff members (elected or appointed by the Staff Council, 3-year term)
2 students (appointed by ASWC, 1- or 2-year term)

To initiate the committee, one A & S faculty member will be elected to a 1-year term and 3 faculty members (1 from A & S, 1 from Business, and 1 from either Nursing or Education) will be elected to 2-year terms. The Staff Council and ASWC will determined whether their members will be similarly staggered.

Handling of Sensitive Information:

Members of the Planning and Priorities Committee will occasionally encounter information that should not be widely communicated (individual salary information, for example). The Committee will determine by vote what information ought to be kept confidential. Should a member be found to have communicated such information to anyone outside the Committee, (s)he will be removed from the Committee and will be regarded as disqualified for any future service on the Committee.
Training:

Because the financial management of the College is complex and sensitive, member of the Planning and Priorities Committee will receive training, to be provided by members of the Executive Team. This training may take the form of an on-line course, provided that course is regularly updated and reviewed.

In its first year, the Planning and Priorities Committee will work with the executive team to establish the policies and procedures under which it will operate in the future.

5.7 Faculty Senate

The Faculty Senate is the representative body of the Westminster College Faculty, acting on behalf of the faculty and reporting to it. In this capacity, the Faculty Senate operates within the guidelines of the faculty's professional academic obligations and responsibilities as described in section 5.2.1 of the Manual for Faculty.

5.7.1 Responsibilities

1. To survey faculty concerns at the start of each academic year. The Senate refers these issues to the relevant faculty committees and tracks progress on these concerns throughout the academic year. Thus, the Senate coordinates faculty efforts and committee work.

2. To vote in place of the faculty on matters of faculty business, unless the Senate deems the matter appropriate to go to the full faculty. All Senate votes will be reported to the faculty at the next faculty meeting. A Senate vote may be challenged by a faculty member and overturned by a simple majority.

3. To track administrative actions that impact the faculty at large, acting as an oversight body and alerting the faculty to issues of shared concern. This oversight function includes monitoring exchanges of memos between faculty and administration, meeting with the president to review administrative priorities, etc.

4. To serve as a source of proposals regarding matters in the faculty's jurisdiction.

5. To receive and review the Curriculum Committee’s report on curricular changes, to discuss and vote on curriculum changes when asked to do so by the Curriculum Committee, and to pass the Curriculum Committee report on to the full faculty.
6. To track or oversee the progress of the long-range academic plans of the College.

7. To serve as an advisory body to the administration, the president’s and chief academic officer’s councils, and the Board of Trustees on all matters relating to the academic functions of the College. 5-12

8. To serve as a forum for the discussion of faculty-administration relationships.

9. To plan the agenda and format for the fall faculty retreat, in consultation with the chief academic officer.

5.7.2 Senate meetings and proceedings

1. The Senate convenes once a month. Extra meetings can be called by the Senate chair, if needed.

2. The Senate reports to the faculty at the regular faculty meetings.

3. The agenda of the Faculty Senate is made public at least four days prior to its meeting.

4. The minutes of the Faculty Senate are ordinarily kept by the secretary of the Faculty Senate and made public upon approval by the whole Senate.

5. The Senate may extend invitations to members of the College community to participate in deliberations on matters of central concern to the College.

6. Senate meetings are open to all faculty.

5.7.3 Membership of the Faculty Senate

1. The Faculty Senate consists of 13 members elected by their schools: 2 each from Education and Nursing, 3 from Business and 6 from Arts and Sciences. All faculty on full-time teaching contracts are eligible for Senate membership. Each Senate member is elected for a three-year term, with roughly a one-third rotation of members each year. Representatives for the Faculty Senate are elected in school meetings during the month of February or March. These elections are held in the last year of the current representative’s term of service.

2. Faculty in any school may choose to elect fewer representatives, in which case the additional senators are elected at large by the full faculty in April.
3. The chair of the faculty serves as a non-voting, ex-officio member of the Faculty Senate.

4. In the case that a Senate member is voted to position of faculty chair, they have the option of stepping down from the Senate or remaining and voting as a Senate member.

5. If a Senate member is unable to attend a regular meeting, the member’s vote may be cast by proxy by another faculty member from the same academic unit by which Senators are elected in that school.

5.7.4 Chair of the Senate

1. The chair of the Faculty Senate serves a one-year term. To elect the next Chair, the current Chair will open nominations at the March meeting and the nominations will remain open until the April meeting. Any senate member who has served one or two years is eligible for nomination. In April, a Senate meeting will be convened with both the current and the new Senate membership, at which time new nominations will be continued and then closed. Immediately after the closing of the nominations, the new Chair will be elected by vote.

2. The chair appoints a secretary whose primary responsibilities include keeping a record of Senate proceedings and making such records available to the faculty as a whole. The secretary for each year is provided by each of the Schools in turn, using the following rotation: Arts & Sciences, Nursing, Business, Education.

1. The chair sets the agenda for regularly scheduled and special meetings of the body and is responsible for reporting to the at-large faculty at the regular faculty meetings

2. The chair of the Faculty Senate is also a voting member.
APPENDIX A

Short Term Disability

A Short Term Disability is any illness/disability (including pregnancy-related disabilities) that last less than six months and prevents the faculty member from performing their duties. If the disability lasts longer than six months, it is considered a Long Term Disability. A faculty member will receive their full salary while on Short Term Disability.

When a disability situation arises, the faculty member should immediately contact Human Resources and their dean. The faculty member will be required to provide Human Resources with the appropriate medical certification demonstrating their disability.

The faculty member must inform the dean of the anticipated length of the disability and begin a discussion about the faculty member's load and staffing solutions for their classes. In cases where the faculty member will be missing more than two weeks, the dean may reassign the class. Depending on the individual situation and the individual class, the dean will make the decision whether the faculty member will return to the class upon medical certification of the resolution of the disability.

If the dean decides that it would be inappropriate for the faculty member to resume teaching their classes following the disability leave, the faculty member will be assigned administrative or other duties for the duration of the semester. Those duties will be defined by the dean and/or provost.

If a faculty member's disability is such that a reduced work load is the optimal solution, the faculty member and the dean will make those arrangements.

If a faculty member becomes disabled during a May/Summer semester and they are teaching classes on overload, the class will be reassigned or cancelled and there is no need to apply for Short Term Disability. If the faculty member is teaching classes that will complete their contractual obligations, the faculty member will be placed on Short Term Disability leave and the faculty member and the dean will decide how to handle the faculty member's absence from the classroom.

When a faculty member knows in advance that they will need to take disability leave, that faculty member, in consultation with the dean, may be able to adjust their teaching schedule to accommodate both the disability and the needs of the students.

For example, with suitable warning, and when feasible and academically appropriate, a faculty member may be able to schedule their classes to run in a seven week block – thus minimizing the disruption to the students while still taking the medically-needed leave. One example would be if a faculty member becomes pregnant and is due to deliver in mid-November, that faculty member could plan to teach all of their contractual hours in the first seven weeks of the semester.

The faculty member, in consultation with their dean, could also explore other options, including team teaching, co-teaching, and distance learning, that would allow the faculty member to take medically-needed leave without too much disruption to the students while still allowing the faculty member to be in the classroom when they are medically able to be there.
APPENDIX B
TUITION REMISSION

Tuition Remission is a college-administered benefit available to employees, their spouses and children who meet the criteria set forth in this policy. Employees, their spouses and children who wish to attend classes at the college and use tuition remission must first be admitted to the college through the regular admission policy in place at the time an application is made.

**Eligible Employees**
Employees are eligible to use tuition remission after they have worked continuously at the college for 90 calendar days as either a three-quarter-time employee or full-time employee. Employees may then take classes scheduled to begin the term following the expiration of the 90-day waiting period.

**Spouses and Eligible Children**
The employee’s spouse and/or children (defined as biological, adopted, or step-children who are age 24 years or younger) become eligible to use tuition remission when the three-quarter-time or full-time employee has completed 12 months of continuous employment; they may then take classes scheduled to begin the term following the expiration of the required 12-month waiting period. The child of an employee who begins classes at the age of 24 or younger and who maintains continuous enrollment each Fall and Spring semester will continue to be eligible for tuition remission past the age of 24.

NOTE: This benefit may be taxable depending on the child’s dependency status. Also, graduate courses may/may not be taxable depending on the regulation in effect at the time the graduate courses are taken.

*Definition of Eligible Participant(s)*
“Eligible Participant(s)” are defined as those described above under the Eligible Employees and Spouses and Eligible Children designations. The term “eligible participant(s)” will be used to reflect these definitions throughout the remaining text of this policy.

**Application Process**
When an employee wishes to use this benefit for themselves, their spouse, or qualifying children (i.e. “eligible participants”), the employee must acquire application forms from the Human Resources Department. Forms should be submitted to the financial aid office at least four (4) weeks prior to the beginning of the classes for the term for which tuition remission is requested. To ensure timely processing, there may be finance charges and/or late fees assessed for late submission of paperwork and/or payment of fees.

**Applicable College Policies**
Eligible participants using tuition remission are subject to the college’s policies and procedures applicable to all students at the college. Eligible participants must also comply with the financial aid office’s satisfactory progress policy, a copy of which is available in the financial aid office. This policy is distributed to every student who receives financial aid, including those participating in tuition remission.

**Satisfactory Progress Policy**
If an eligible participant using tuition remission fails to meet the academic progress requirements of the college or is placed on academic probation at the college, the tuition remission benefit for the terms following probation will be reduced to 75%. The employee will be responsible for the payment of the remaining 25% of tuition to the college for each term in which the eligible participant is enrolled until the academic status of the participant is returned to good standing.

**Taking Classes During the Work Schedule**
There may be circumstances where an employee may wish to take classes during their normal work schedule. In order to do so, the employee must request and receive prior permission from their supervisor at least one (1) month in advance of the beginning of classes. All employees must be aware that there are some positions on campus that, because of the duties and responsibilities of the position, prevent supervisors from granting such permission. If the supervisor grants permission, the employee may take a maximum of six (6) hours of classes per week during the normal work schedule. The time missed from work must be made up during the same workweek.

Registration
Degree-seeking eligible participants may register for classes any time during the student's assigned registration period. Non-degree-seeking eligible participants may register for classes only during the open registration period.

Degrees and Hours Covered by the Benefit
Eligible participants may each use the tuition remission benefit to take a maximum of 140 undergraduate hours, to include a maximum of one bachelor’s degree from the college and to take a maximum of 70 graduate hours, to include a maximum of one master’s degree from the college.

Retaking a Class
Eligible participants may use the tuition remission benefit to register for the same class on two (2) different occasions. However, if an eligible participant wishes to register for that same class a third (3rd) time after having withdrawn or failed the class the first two (2) times, the employee will be responsible to pay the full tuition amount charged for that class. The retaking of a class by an eligible participant is subject to space availability. There are some classes, such as art classes or physical education classes, that may be taken more than three (3) times by an eligible participant with the permission of the instructor and on a space-available basis.

Classes Not Covered by this Benefit
The tuition remission benefit covers only those classes taught by faculty employed by the college. From time to time, the college may arrange for an organization other than the college to offer and teach classes for college credit. The tuition charged for classes offered or taught by an organization or entity other than the college is not covered by this benefit. The college also reserves the right to designate other programs as exempt from the tuition remission benefit. For example, the college’s aeronautical institute’s flight program is not covered by tuition remission. Should eligible participants wish to take these classes, they will have the responsibility to pay the tuition.

Fees and Costs Not Covered by this Benefit
The tuition remission benefit does not cover any fees, including, but not limited to, student activity fees, application fees, workshop fees, lab fees, flight fees, or technology fees. The benefit does not cover books or materials required for classes. The benefit does not apply to any seminars, conferences, or workshops that occur on campus, whether or not the seminars, conferences or workshops are offered or sponsored by the college or another organization or entity. All students enrolled in classes at Westminster College are subject to mandatory fees. Fees must be paid before the first day of class.

MBA COHORT and MAT Tuition Remission Funding
The tuition remission benefit for students enrolled in the MBA or MAT programs will be funded at 80% of tuition for eligible employees and their dependents who choose to enroll in the new MBA COHORT model effective Fall 2005 Semester or the new MAT program effective summer 2007 semester. The tuition remission benefit for the MBA program will be funded at 90% of tuition for eligible employees and their dependents that choose to and are eligible to be grandfathered through the remainder of their degree under the old MBA model.

Termination of the Benefit
If an employee’s employment with the college ends before the deadline for withdrawing from the term without a “WF,” the eligible participant will have the option of withdrawing from the class and owing no tuition or continuing with the class and paying the full amount of tuition for that class. If an employee’s
employment with the college ends after the deadline for withdrawing from the class with a "WF," the tuition remission benefit will remain in effect for the eligible participant through the end of that term, at which time the benefit will terminate.

**Eligibility for Spouses and Children in the Case of Staff Member's Death**
When an employee has been continuously employed by the college for at least 15 years and dies while employed by the college, the tuition remission benefit shall be extended to the spouse and children of the deceased employee.

**Appeal Process**
An employee may appeal a decision made pursuant to this policy to the President by filing a written appeal with the Director of Human Resources. The appeal must contain a statement of the decision made, a statement of the action the employee is requesting to be taken, and the reasons why the employee believes they are entitled to have the request granted. The Director will review the appeal and submit a response to the President addressing the issues raised by the employee in their appeal. The President will review the appeal and the response, request additional information as needed, and make the final decision.

**Tuition Exchange**
Westminster College participates in tuition exchange programs. By participating in these programs, qualified dependents of Westminster College faculty and staff may qualify for tuition remission or reduction at other participating educational institutions.

Contact the Financial Aid Office for more detailed information about the Tuition Remission Program.
APPENDIX C

PARENTAL LEAVE POLICY

When a faculty member will be the primary care giver in the year following the birth, adoption, or fostering of a child, they may choose to take an entire semester off at 80% of their salary. The faculty member can choose to use this parental leave either the semester in which the child arrives or the semester that immediately follows the arrival. The parental leave can be applied during the fall semester for a child that arrives either during the spring semester or anytime during the summer months.

If the faculty member acting as the primary care giver does not wish to take parental leave for the entire semester, they are also eligible for a 6-credit course reduction at full pay, to be spread over a maximum of two consecutive semesters (not including summer).

Parental Leave runs concurrently with any leave allowed a faculty member under federal FMLA.

FAMILY LEAVE POLICY

To be eligible for family leave, a faculty member must, during the period of the leave, be the primary care giver for a child or other dependent. The definition of “primary care giver” will vary across family situations but the individual must have exclusive care responsibility for a dependent for a significant fraction of the day during the regular work week. A faculty member who has dependent care assistance for more than 30 hours per week on average, for instance, would not generally qualify as primary care-giver. Within these guidelines, the determination of whether a faculty member is a primary care giver is determined by the provost, upon the recommendation of the department head or dean.
It is Westminster College's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition.

While on Westminster College premises and while conducting business-related activities off Westminster College premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

Employees with questions or concerns about substance dependency or abuse are encouraged to use the resources of the Employee Assistance Program. They may also wish to discuss these matters with their supervisor or the Human Resources Department to receive assistance or referrals to appropriate resources in the community.

Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may participate in a rehabilitation or treatment program through Westminster College's health insurance benefit coverage.

In accordance with the Drug-Free Workplace Act of 1988, all employees must notify their immediate supervisor and the Human Resources Director of their conviction for a criminal drug statute violation occurring in the workplace no later than five (5) days after such conviction.

Employees with questions about this policy or issues related to drug or alcohol use in the workplace should consult with their supervisor or the Human Resources Department without fear of reprisal.
This policy and procedure is in the process of revision. If you have any questions, please contact Darin Jones in the Human Resources Department.

Westminster College is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, word, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, or any other legally protected characteristic will not be tolerated. Westminster College provides sexual harassment training to ensure an environment free of sexual and other unlawful harassment.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after negative response to sexual advances.
- Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
- Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- Physical conduct that includes touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: 1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; 2) submission or rejection of the conduct is used as a basis for making employment decisions; or, 3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

Employees who experience or witness sexual or other unlawful harassment in the workplace should report it immediately to their supervisor. If the supervisor is unavailable or perceived to be inappropriate to contact, the employee should immediately contact the Human Resources Department or any other member of the administration. Concerns may be raised, or reports made, without fear of reprisal or retaliation.

All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, the confidentiality of the complainant, any witnesses, and the alleged harasser will be protected against unnecessary disclosure. When the investigation has been completed, all parties will be informed of the
outcome.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment must immediately advise the Human Resources Department or any member of the administration so it can be investigated in a timely and confidential manner. Any employee engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

8.19 Problem Resolution
Effective Date: 01/01/2005

Westminster College encourages all employees to attempt to resolve work-related issues through informal means whenever possible. The college believes that employees should also have an avenue to present their work-related complaints and appeal the administration’s decisions through a formal grievance procedure. The college will attempt to promptly resolve all grievances that are appropriate for handling under this policy.

Definition
An appropriate grievance is defined as an employee’s expressed feeling of dissatisfaction concerning any interpretation or application of a work-related policy by the administration, supervisors, or other employees. Some possible examples are as follows:

- Misapplication or violation of college policies, practices, rules, regulations, and procedures believed to be to the detriment of an employee.
- Treatment considered unfair by an employee, such as coercion, reprisal, harassment, or intimidation.
- Alleged discrimination because of race, color, gender, age, religion, national origin, marital status, disability, sexual orientation, mental or physical disability, or status as a disabled veteran or veteran of the Vietnam era.
- Improper or unfair administration of employee benefits or conditions of employment such as vacations, fringe benefits, promotions, retirement, holidays, performance review, salary or seniority.

Procedure
Employees must notify the Human Resources Department in writing within five (5) working days of any grievance appropriate for handling under this policy. The grievance procedure is the exclusive formal remedy for employees with any work-related problem or complaint.

Employees will not be penalized for proper use of the grievance procedure. However, it is not considered appropriate if an employee abuses the procedure by raising grievances in bad faith or solely for the purpose of delay or harassment or by repeatedly raising grievances that a reasonable person would deem to have no merit.

The grievance procedure has a maximum of four (4) steps, but grievances may be resolved at any step in the process. Grievances are to be fully processed until the employee is satisfied or does not file an appeal within the time limits outlined below or until the right of appeal is exhausted. A decision becomes binding on all parties whenever an employee does not file an appeal within the time limits as outlined, or when a decision is made in the final step and the right of appeal no longer exists.

Employees who feel they have an appropriate grievance should proceed as outlined below:
NOTE: At all levels of this procedure, the employee must put the grievance in writing and include the following information: 1) The policy or rule which the employee believes has been violated; 2) the facts surrounding the grievance; and 3) the remedy the employee seeks. Any grievance that does not include this essential information may be rejected OR the employee may be asked to include any missing elements before action can be taken.

1. **STEP ONE** – Promptly file the grievance with the Human Resources Director. The employee must then immediately bring the grievance to the attention of their immediate supervisor. In cases where the grievance is with the supervisor, the employee must then present the grievance to the next supervisory level. If the immediate supervisor is a vice president, the employee may then proceed to Step Three. The supervisor who receives the grievance is to investigate the grievance, attempt to resolve it, and give a decision to the employee within ten (10) working days, when possible. If, for any reason, the supervisor conducting the investigation is unable to reach a proposed resolution within ten (10) working days, the supervisor must inform the complainant as to the status of the investigation. The supervisor should prepare a written and dated summary of the grievance and proposed resolution for file purposes. The supervisor should inform the employee of their proposed resolution.

2. **STEP TWO** – If the employee is not satisfied with the supervisor's decision, they may appeal the decision to their vice president, unless the grievance is with that vice president, in which case the employee may proceed to Step Three. Such an appeal must be made in writing within five (5) working days of receiving the decision in Step One. The vice president will, within ten (10) working days, when possible, confer with both the employee and supervisor and any other members of the administration they deem appropriate, investigate the issues, and communicate a decision in writing to all the parties involved.

3. **STEP THREE** – If the grievance is with the employee's vice president, or the employee is not satisfied with the vice president's decision in Step Two, the grievance will be made/appealed to a review committee made up of two (2) vice presidents of the grievant's choice and the Human Resources Director (or designee). Such an appeal must be made in writing within five (5) working days of receiving the decision in Step Two. The review committee will confer with the grievant, their vice president, and any other members of the administration or employees it deems appropriate. They will investigate the issues and communicate a decision in writing to all the parties involved within ten (10) working days.

4. **STEP FOUR** – If the employee is still not satisfied with the decision, they may appeal the decision to the president of the college. The timeliness requirement and procedures to be followed are identical to those in Step Three. The president will take the steps they deem necessary to review and investigate the grievance and will then issue a written, final and binding decision.

Final decisions on grievances will not be precedent-setting or binding on future grievances unless they are officially stated as college policy. When appropriate, the decision may be retroactive to the date of the employee's original grievance.

Contact the Human Resources Department for more information about Problem Resolution.
APPENDIX F
CONSENSUAL SEXUAL/ROMANTIC RELATIONSHIPS
BETWEEN FACULTY AND STUDENTS

The mission of Westminster College is promoted by professionalism in student-faculty relationships. Professionalism is fostered by an atmosphere of mutual trust and respect. Taking note of the respect and trust accorded a faculty member by a student, faculty recognize that they are presumed to make decisions regarding their relationships with students which will not endanger this atmosphere of mutual trust and respect. Faculty should be aware of the possibility that an apparent consensual sexual-romantic relationship with a student may be interpreted (either now or at a later date) as nonconsensual and, therefore, sexual harassment.

The power differential inherent in faculty/student relationships may compromise the student’s ability to decide and thus call into question the bona fide consensual nature of the relationship. The potential exists for the student to perceive a coercive element in suggestions regarding activities outside those appropriate to professional relationships. Moreover, faculty, particularly in relationships with students in their classes and under their supervision, such as work study students, student employees, or student interns, need to be aware of potential conflicts of interest and the possible compromise of their evaluative capacity. They also need to be aware that a relationship may give rise to a perception on the part of others that the evaluative capacity of the faculty member has been compromised.

It is a violation of this policy for a faculty member to undertake a sexual/romantic relationship or permit one to develop with a student who is enrolled in the person’s class or is subject to that person’s supervision or evaluation, even when both parties appear to have consented to the relationship.

Sexual/romantic relationships between faculty and students outside the instructional and supervisory context are also discouraged and, when they occur, should be reported to the faculty member’s dean.

The college does recognize that consensual sexual/romantic relationships may exist prior to the time a student is assigned to a faculty member as a member of that person’s class or is placed in a situation where the faculty member must supervise or evaluate the student. Such a relationship is considered a recent sexual/romantic relationship if it is ongoing or has been in existence at any time within the six months immediately preceding the assignment of the student to the faculty member. Persons who are married, or were married, are included within the definition of those persons having, or who have had, a consensual sexual/romantic relationship.

Where the faculty member is having a current, or has had a recent sexual/romantic relationship with a student, the following procedures shall be followed:

1) If, at all possible, the student should be advised in their course selections or avoid course sections taught by the instructor with whom the student is having or has had a recent consensual sexual/romantic relationship. Where a student is working or interning under the supervision of a faculty member with whom the student is having or has had a recent consensual sexual/romantic relationship, efforts should likewise be made to place that student under the supervision of a different faculty member.

2) In the event it is not possible for the student to avoid the class taught by the faculty member or the supervision of the faculty member, the faculty member shall advise their dean of the present or recent consensual sexual/romantic relationship and the following steps shall be taken:
   a) The dean shall appoint another instructor to evaluate the student’s written work, such as essays, research papers, essay tests, care plans, etc.
   b) The dean shall appoint another instructor to evaluate student’s non-written work or performance such as artistic performances, teaching practice, internships or clinical practice.
   c) When an appropriate instructor is not available to evaluate the student’s work, the dean will provide the evaluation.
   d) Where the student is also an employee of the college, a student worker, or a work study
student, the faculty member will remove themselves from the consideration of the student for promotion, recognition, hiring or determination of salary.

e) A student should not be assigned to a faculty advisor with whom that student has or has had a recent sexual/romantic relationship. The faculty advisor should request that the student be reassigned.

If a faculty member violates this college policy on consensual sexual/romantic relationships between faculty and students, in whole or in part, the faculty member may be subject to disciplinary action. Such action includes, but is not limited to, a verbal warning, a letter of discipline, suspension without pay, and/or immediate dismissal from employment with the college.

A faculty who is dismissed from the college for failure to comply with this policy may appeal the decision as outlined in section 3.11 of the faculty manual.
Search Committee Membership
After a vacancy in a program has been identified, the appropriate dean should consult with the program chair, who ordinarily serves as the chair of the search committee. The committee should have at least four additional members, as agreed upon within the program and by the dean, including at least one faculty member from outside the division and one student (a major in that program, if possible).

Describing and Advertising the Position
The search committee, in consultation with the dean, should prepare a position description specifying the duties associated with the position and the desirable academic and experiential qualifications. The chief academic officer must concur with this description and must verify that language is included to ensure compliance with the College’s Equal Employment Opportunity policy. The chief academic officer ordinarily places all ads for faculty positions in the *Chronicle of Higher Education*. The college also advertises in various diversity publications. In addition, search committees are encouraged to place the ad in a discipline-specific print and/or electronic journal of their choice. All faculty positions are advertised nationally, and all open faculty positions are posted on the college’s website.

Applications
Applications should include
- a formal letter of application, addressed to the appropriate dean
- a curriculum vitae
- transcripts (official or unofficial)
- letters of reference (three or more) OR names and contact information for references (three or more), depending on the standard practice for the discipline.

Additionally, some committees request a “Teaching Philosophy” statement and/or a “Research Philosophy/Plan.”

All applications are maintained by an administrative assistant in the school office. Except when a search committee is using the applicant files during a committee meeting, the files should remain in the school office, not in faculty offices.

Ideal Timeline for a Faculty Search
**August–September:** Identify search committee and advertise position.
**November:** Review files of applicants and identify a “short list” of top applicants.
**November–December:** Make contact with top candidates.

Committee members should call candidates’ references, as well as candidates, and should keep notes from all phone interviews to share with the committee and the dean. These calls should be made as early as possible, preferably as soon as a short list is identified. The dean should call each top candidate before arranging an on-campus interview. The dean’s conversation with the candidate should include a discussion of the salary range for the position and a description of the college’s contract review system.

Using a list of top candidates provided by the search committee chair or the school administrative assistant, the Human Resources Office will send the candidates a packet of materials about the college. If a candidate requests other information about the Salt Lake City area, pertaining to real estate or schools, for example, the Human Resources Office will provide that information as well.

**January–February:** If possible, interview candidates at a national meeting prior to inviting them on campus. Conduct on-campus interviews:
The search committee should maintain communication with all top candidates throughout the search process (notes, e-mails, etc.). The Human Resources Office should also offer to answer questions for candidates, before, during, and after campus visits.

**Interviews at National Meetings**
Some disciplines have national meetings conveniently scheduled in late December or early January, and in some disciplines, interviewing at these meetings is the norm. In such cases, the college will arrange to support the attendance of at least one committee member at the meeting; candidates can then be interviewed as a way of screening the short list before extending on-campus invitations.

**Arrangements for Campus Visits**
Ordinarily the school’s administrative assistant, in consultation with the committee chair and dean, should

a) make the plane reservations for candidates, or arrange for reimbursement of candidates who make their own reservations.

b) schedule times for the candidate to meet with the committee, dean, and chief academic officer, with direction from the committee chair

c) send a schedule for the candidate’s visit to the candidate in advance of their arrival in Salt Lake City

d) make lodging reservations (downtown locations, or locations with easy access to mass transit, are advisable, so that candidates can become acquainted with the city)

e) arrange for transport to and from the airport and from hotel to campus (usually by a committee member or a hotel van)

f) distribute copies of the schedule for the visit, as well as the curriculum vitae and letter of application for each candidate, to committee members, dean, and chief academic officer

**Typical Visit Schedule**

**Day 1**
Candidate arrives in SLC in the afternoon.
A committee member may pick up the candidate at the airport or have the candidate take a shuttle/taxi to the hotel.
One or two committee members take the candidate to dinner that evening.

**Day 2**
The candidate arrives on campus (either transported by a committee member or hotel van or taxi).

Specific events should take place, not necessarily in this order:

- A student, student ambassador, or admissions person takes the candidate on a campus tour.

- The candidate meets with the search committee, the dean, and the chief academic officer. The topics in each meeting include the candidate’s teaching experience and philosophy and their research.

- As arranged with the candidate in advance of their arrival, the candidate makes a presentation and/or teaches a class, preferably for an audience made up of a significant number of students. Attention should be given to making these teaching or presentation situations as similar as possible for all candidates for a position.

- If possible, the candidate meets with a group of students (preferably majors in the program, or other interested students: they’re our best ambassadors!). One suggestion might be to have an informal lunch on campus for the candidate and 4–6 students.

- The candidate has dinner with one or two committee members.

The candidate may leave that evening or the following morning. In some cases, candidates wish to stay longer to become better acquainted with the city, even perhaps to have a realtor show them housing.
options. In these cases, the committee chair should make arrangements for one of the realtors on our approved list to assist the candidate. The committee should make sure that candidates are not neglected on the official days of a visit, but if the visit is extended, the committee need not entertain the candidate indefinitely.

**Budget**

Search committees should keep costs reasonable by following some guidelines:

1) Making plane reservations with sufficient advance time will reduce costs. Sometimes the importance of completing a search quickly will necessitate overriding this cost-cutting measure.

2) Except in unusual circumstances, as approved by the dean, only one or two committee members should take a candidate to dinner. This is not just a cost-cutting measure: it also ensures that the committee members will get to know the candidate better. The standard rule is that committees need not take candidates to hamburger joints, nor is it necessary to choose the most expensive restaurants. Moderation is in order, but meals also offer committees a chance to show off the city’s range of dining options. (Probably expensive bottles of wine should also be forgone, and committee members should be sensitive to the candidate’s preferences regarding alcohol consumption.)

3) As described earlier, a typical visit should require 2–3 nights of lodging. Especially if the candidate is a top candidate, it is reasonable for the college to allow the candidate to stay in Salt Lake longer. The candidate can be instructed to keep a record of food expenses and submit those for reimbursement from the college, and the college should pay for the additional housing, at the dean’s discretion.

**Record-Keeping**

It is imperative for the committee to keep good records:

a) Notes should be kept from all phone and on-campus interviews of candidates.

b) Notes should be kept indicating strengths and weaknesses of all candidates: such records are needed in cases of lawsuits that might be filed by unsuccessful candidates.

**Cautionary Notes**

It is important that all candidates, both internal and external, be treated equally in an on-campus interview.

It is both unwise and/or illegal to ask candidates questions about their marital status, religion, political views, national origin, sexual orientation, accent, etc.; and committees should be careful not to say anything to a candidate that could be misinterpreted regarding any of these matters.

Even if a candidate mentions one of these topics, that is not an excuse to ask follow-up questions.

Ordinarily only the dean and/or the chief academic officer discuss the salary for a position with a candidate.