

# CNC CHRONICLE

## 1982-83

#1 of 1983  
January 14th

**MON.**  
JANUARY 17

Men's Basketball - 7:30 p.m. (away)  
N. C. Wesleyan College

11:00 a.m. - Curriculum Committee

**TUE.**  
JANUARY 18

9:00 - President/V.P.'s

Women's Basketball - 7:30 p.m. (away)  
N.C. Wesleyan College

1:30 - A338 - School of  
Business & Economics -  
Meeting, Department Heads

**WED.**  
JANUARY 19

Men's Basketball - 7:30 p.m. (away)  
Randolph-Macon College

1:30 p.m. - A449 - Task Force  
on Policies Affecting the  
Faculty. Open Meeting on  
Policies on Terminations and  
Recourses.

**THU.**  
JANUARY 20

3:00 - Meeting, Departments of  
Management & Marketing,  
A338

**FRI.**  
JANUARY 21

Men's Basketball - 8:00 p.m. (home)  
Greensboro College

Women's Basketball - 5:30 p.m. (home)  
Greensboro College

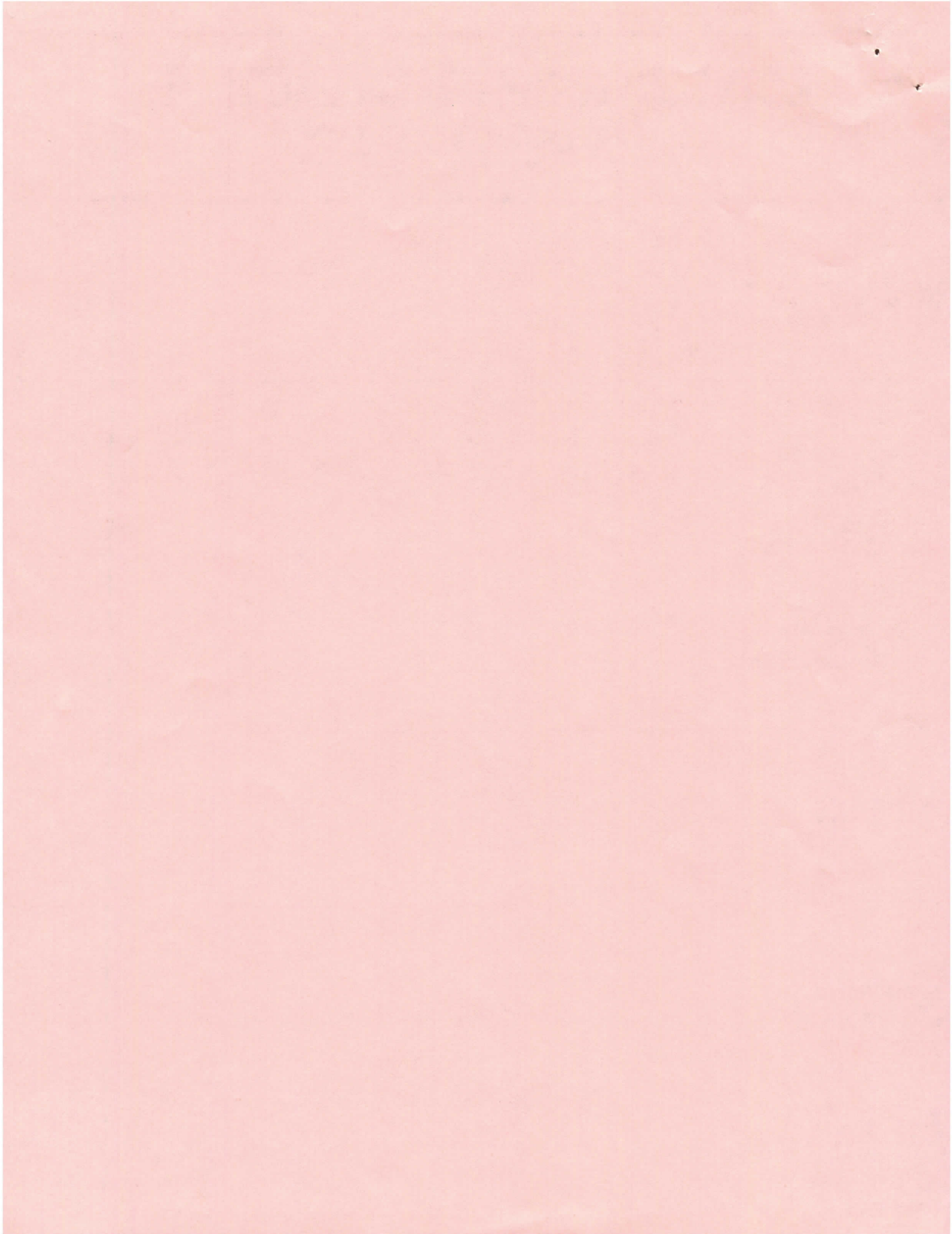
10:00 a.m. - CC214 - School  
of Liberal Arts, Sciences &  
Education, Department  
Chairmen's Meeting

**SAT.**  
JANUARY 22  
**SUN.**  
JANUARY 23

Women's Basketball - 4:30 p.m. (home) - UNC-Greensboro  
Circulation of Dossier in Peer Group and Recommendations Completed

Men's Basketball - 2:00 p.m. (home)  
U. of N.C. (Greensboro)

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Vice President for  
Academic Affairs**





## OFFICIAL ANNOUNCEMENTS

### Special Faculty Meeting

There will be a called meeting of the Faculty on Friday, January 28, 1983. The meeting will convene at 3:00 p.m. in N125. The sole item of business on the agenda will be the consideration of recommendations from the Handbook Committee's Task Force on Policies Affecting the Faculty. In the event that the Faculty is unable to complete its consideration of the business in question in one session, it will recess and reconvene in a second session at the same location at 3:00 p.m., Monday, January 31, 1983--and similarly in third and subsequent sessions as might be needed during the succeeding days of the week of January 31, 1983.

-- Vice President for Academic Affairs

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### Notice to Faculty & Staff

When only the college return address is used on out-going mail and the matter is returned to the college for any reason, the mail room clerk must open the envelope to find appropriate clues concerning to whom the matter should be returned.

For this reason, financial documents, confidential matters, or other correspondence which should be controlled should only be mailed in envelopes showing the complete return address of the sender.

-- James D. Eagle, VPFA

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## NEWS & GENERAL INFORMATION

TO: Faculty, Staff, Administrators, Board of Visitors

FROM: Chinese Gourmet

You are cordially invited to join us at Ming Gate I at 3509 Kecoughtan Road on Sunday, January 30th. Happy Hour will be from 6:15-6:45. Dinner will be served about 6:45.

Make checks for \$10.00 per person to Ming Gate I and get to Bob Saunders or Tony Tseng by January 28th at 4:00 p.m.

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## FACULTY/STAFF NEWS

Priscilla Woodley, Instructor in music, presented a lecture-recital at Mid-America Nazarene College, Olathe, Kansas on December 3, 1982. The topic was "Fourteen Settings of Four Emily Dickinson Poems by Eleven Composers."

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Priscilla Woodley was soprano soloist in Mid-America Nazarene College's presentation of Handel's Messiah on December 5, 1982.

\* \* \* \* \*

Priscilla Woodley was the soloist for the Hilton area churches joint Thanksgiving service at Hilton Presbyterian Church, Newport News.

\* \* \* \* \*

Ruth Kernodle has been appointed to the Eastern Region Advisory Committee established by the Virginia Center on Aging to advise on a 17-month training grant entitled "Model Training Project for Service Providers in Aging." The project which is funded by the Administration on aging represents an effort to develop a comprehensive model training program to improve mental health services to the elderly.

\* \* \* \* \*

Ruth Kernodle is participating in an on-going Pre-Retirement Planning program at the

Newport News Shipyard and Drydock Company.

\* \* \* \* \*

Mary Lu Royall attended the annual Virginia Association for Health, Physical Education, Recreation and Dance Convention which was held in Fredericksburg, Virginia, December 3-5, 1982. She was elected Elementary Section Chairman of the VAHPER for 1983.

\* \* \* \* \*

Jane Chambers was recently notified by the editor of The Explicator that a short essay of hers explicating lines 48-52 of Coleridge's Christabel is to be published in either "the Spring or Summer issue in 1983."

\* \* \* \* \*

Jane Chambers recently received a letter from Dr. A.C. Hamilton of Queen's University, in Kingston, Ontario, inviting her to consider applying "as a contributor" to the forthcoming Spenser Encyclopedia. According to Dr. Hamilton, General Editor of this book-in-progress, this work "is projected as one volume of 1-1.5 million words; it is funded by the Canada Council and NEH; and it will be published by the University of Toronto Press in 1985 or 1986." Dr. Hamilton mentioned having contacted Jane Chambers as a possible contributor because of her two works on Spenser published in two journals: a paper in ESQ in 1974 and a paper in Essays in Literature in 1981.

#### COMMITTEE INFORMATION & FACULTY BUSINESS

##### Open Meeting

The Handbook Committee's Task Force on Policies Affecting the Faculty will hold an open meeting at 1:30 pm, Wednesday, January 19, 1983, in A449. The purpose of the meeting is to provide all interested persons the opportunity to comment upon and contribute to the draft of the proposed revision to the policy on terminations and recourse procedures to be considered at a special meeting of the Faculty on 1/28/83. The proposal on terminations is reproduced on the pages following; the draft on recourse procedures will be distributed in the near future.

-- L. J. Sacks, Chairman  
Task Force on Policies Affecting  
the Faculty

\* \* \* \* \*



1 V.C.5. Termination of Appointments

2 a. Introduction

3 Terminations of appointments by actions initiated by either the faculty  
4 member or the College differ according to whether the termination is to oc-  
5 cur at the end of a contract period or during the time the contract is in  
6 effect; therefore, responsibilities of the faculty member and the College for  
7 initiating termination are described separately for each situation. All ap-  
8 pointments other than probationary and tenured appointments terminate automa-  
9 tically at the end of the term specified in the contract; consideration of  
10 such other appointments in this section is, therefore, restricted to termina-  
11 tions during the contract period.

12 b. Termination at the Initiative of the Faculty Member

13 1) Termination at the End of the Contract Period

14 A faculty member who decides to terminate his or her employment with  
15 the College notifies the Department Chairman, the Dean and the Vice Presi-  
16 dent for Academic Affairs of his planned departure as early as possible.  
17 Notification prior to the date signed contracts are due is the latest ac-  
18 ceptable notification , unless an extension is agreed upon by both parties.

19 2) Termination During a Contract Period

20 A faculty member who wishes to terminate an appointment before the  
21 end of the contract period does so only by agreement with the VPAA and  
22 approval of President that the termination date of the contract then in  
23 effect be advanced. A tenured member is expected to give at least one  
24 semester's notice.

25 c. Termination at the Initiative of the College

26 1) Termination at the End of a Probationary Contract

27 Termination at the end of a probationary contract results from a  
28 determination that the faculty member's services will not be needed past  
29 the conclusion of the current contract period. Continuing failure to  
30 meet the general criteria stated in Section (00-00) is sufficient

reason, per se, for non-renewal of a probationary appointment. Notification of non-renewal is in accordance with the provisions of Section B.2.d.

2) Termination During the Term of the Appointment

a) Introduction

An appointment is terminated during its term only for adequate cause. Adequate causes fall into four categories:

- (1) programmatic considerations;
- (2) financial exigency;
- (3) medical incapacity; and
- (4) dismissal.

Terminations induced solely by programmatic considerations or financial exigency are due to conditions beyond the faculty member's direct control and involve considerations other than the faculty member's competence or ability to carry out responsibilities. Where these factors occur as the result of long-term trends, adequate time is available in many cases for gradual adjustments through retirement, attrition, or retraining. Where such remedies are not available, terminations are made according to the standards and procedures set forth below. Each cause for termination is described below; then, procedures common to terminations for programmatic considerations and financial exigency are given. Termination for medical reasons and dismissal require procedures peculiar to each, which are listed following the procedures for the first two causes.

b) Description of Causes for Termination

(1) Terminations Due to Programmatic Considerations

- (a) Changing enrollment patterns for at least the past three years and projections for the next two years may produce conditions requiring termination of tenured or probationary appointments:

at the departmental level; or

in a specialty within a department.

(b) Reductions in positions might be caused by curriculum changes determined within the College or by external agencies.

(2) Terminations due to Financial Exigency

Reduction in faculty positions might be necessitated by an emergency situation due to financial exigency of such severity that sufficient funding is not available for existing faculty positions.

(3) Termination for Reason of Medical Incapacity

Termination for medical reasons is based on clear and convincing medical evidence that the faculty member will be unable to meet his or her responsibilities for a period exceeding that covered by existing policy on leave of absence for illness or other disability (Section 00-00).

(4) Dismissal

Dismissal is based upon findings of incompetence, or gross neglect of duty, or misconduct of such a nature as to render the faculty member unfit to continue as a member of the faculty. Examples of such misconduct are: conviction for a felony after initial employment; submitting false information in official documents of the college; willful violation of terms of the employment contract. Dismissal is the most serious college action against a faculty member. Dismissal, or threat thereof, is not used to restrain faculty members in their exercise of academic freedom or other rights.

c) Procedures for Causes (1) and (2), above

(1) Committee

(a) The Faculty Hearing Committee (FHC) advises the VPAA concerning



1 matters relating to initiation of procedures for termination  
2 of faculty position(s) for cause(s) (1) or (2), above.

3 (b) The F.H.C. is advised through its Chairman (or Vice Chairman,  
4 in the absence of the Chairman) by the VPAA that one or more  
5 terminations is being considered in accordance with the pro-  
6 visions of this Section.

7 (2) Statement of Reasons for Possible Termination(s)

8 The VPAA presents to and discusses with the F.H.C., all  
9 pertinent information relating to the possible termination(s).

10 (3) Committee Consideration and Recommendations

11 (a) The Committee considers all pertinent data and other informa-  
12 tion relating to the possible termination(s). In the per-  
13 formance of this responsibility the Committee has access to  
14 all relevant information and may call upon any member(s) of  
15 the College for advice or further information.

16 (b) The Committee formulates and forwards to the VPAA its written  
17 recommendation concerning the proposed termination(s).

18 (4) Decision by the VPAA

19 Should the VPAA decide to proceed with the termination, the  
20 VPAA so notifies, in writing, those immediately affected specify-  
21 ing the reason for the termination. A copy of the Committee's  
22 recommendation accompanies this notification. Should the VPAA  
23 decide not to proceed with a termination, those involved in the  
24 decision are so notified and the procedure terminates at this  
25 point.

26 Continuation of the procedure follows different routes accord-  
27 ing to the reason for the termination; each is considered  
28 separately.

29 (5) Notification to the Faculty



1           The VPAA informs the faculty that a decision has been reached  
2           to terminate one or more faculty positions under the provisions  
3           of this section. The recommendation of the Hearing Committee to  
4           the VPAA is also communicated to the faculty at this time.

5           (6) Participation by the Faculty

6           At a meeting of the Faculty held no later than one week follow-  
7           ing notification to the Faculty of the decision by the VPAA to  
8           invoke the provisions of this section, the Faculty decides whether  
9           to go on record as endorsing the decision to terminate one or more  
10          positions under the provisions of this Section. An affirmative  
11          vote for a resolution for participation by a majority of the  
12          Faculty eligible to vote is required for such participation.

13          (7) Committee on Reduction in Faculty Positions

14          There shall be an ad hoc faculty committee on reductions in  
15          faculty positions (RIF Committee) elected at a meeting of the  
16          Faculty. The RIF Committee consists of five tenured members of  
17          the faculty from departments not involved in the RIF if the af-  
18          fected departments have been determined. No more than two members  
19          from the same School of the College and no more than one member  
20          from the same Department may serve on the Committee.

21          The Committee advises the VPAA concerning the department(s)  
22          in which the reduction(s) should occur; in the implementation of  
23          the criteria for identifying the member(s) who may be affected;  
24          and in assuring full consideration of alternate service for affected  
25          members.

26          (8) Decisions

27          Decisions to terminate are made by the President, upon recom-  
28          mendation of the VPAA.

29          (9) Order of Consideration of Positions

30          The order in which positions are considered for termination is:

- Part-time appointments
- Temporary appointments
- Restricted appointments
- Terminal appointments
- Probationary appointments
- Tenured appointments

but in all cases consistent with the academic needs of the department(s) in which reduction is made.

If a decision involves more faculty members in a given rank than must be considered, the initial basis for the reduction(s) includes the results of the faculty evaluations of all such members for the past five years.

(10) Considerations to Affected Members

Faculty members whose positions are terminated for any of the reasons described in Sections 2)b)(1) through (3) are entitled to the following considerations by the College:

- (a) An arrangement to provide another position at the College is made unless it would result in a significant decrease in the quality of the academic offering or in the service provided by a non-teaching position.
- (b) Where alternate service cannot be provided, the member is assisted, to the extent possible, in relocating, retraining or through direct compensation.
- (c) Notice of termination to tenured members is at least one year.
- (d) Recourse through the grievance procedures is provided.
- (e) Should the conditions causing the termination be relieved within two years following termination, so that the position again becomes available, a member previously on a tenured appointment is offered reappointment to the position first,



with privileges previously held; former probationary members are offered reappointment next. Members who held other appointments do not retain preferential consideration.

d) Procedure for Termination Due to Medical Incapacity

(1) Termination of non-tenured Appointments

By the end of the stipulated leave period [Section C.2.b) (3)], the Dean, following consultation with the faculty member or the member's representative and with the member's department chairman, determines whether a non-tenured member's appointment is to be extended, and recommends accordingly to the VPAA. The VPAA, in turn, recommends to the President, who notifies the faculty member or the member's representative of the decision.

(2) Termination of Tenured Appointments

A tenured member whose leave period has expired may request an extension with or without pay if the incapacity is likely to be temporary. Members should consult prevailing disability provisions of both the VSRS and Social Security programs (or such other plan under which they may have disability benefits) for benefits for long-term disability.

A tenured appointment is terminated for reason of medical incapacity only following completion of a procedure that provides peer consideration and recommendation. This procedure consists of the following steps (1) through (4) of the Procedure for Causes (1) and (2) (see Section c), above), with the understanding that all references to cause for termination refer to medical incapacity.

(3) Recourse

Recourse is provided in accordance with Section (00-00).

e) Procedure for Termination due to Dismissal

(1) General Considerations

1           The process of termination through dismissal includes pre-  
2           liminary attempts to resolve the situation informally whenever  
3           possible. That failing, the VPAA consults with the Faculty  
4           Advisory Committee concerning the institution of formal dismissal  
5           procedures. These procedures include a formal hearing before the  
6           Faculty Dismissal Hearing Panel (DHP) and that committee's recom-  
7           mendation to the President. Further steps consist of considera-  
8           tion of the matter by the President and consideration of a resolu-  
9           tion for dismissal by the Board of Visitors. Dismissal is effec-  
10          tive upon passage by the Board of Visitors of the resolution for  
11          dismissal.

12          (2) Preliminary Attempts toward Resolution of the Situation

13               Prior to or following step (3), below, confidential, informal  
14               discussions are held among those involved in the situation toward  
15               finding an acceptable resolution of the situation, if such discus-  
16               sions are feasible under the circumstances. Possible solutions  
17               include resignation by the faculty member, agreement to a mutually  
18               acceptable course of corrective action, punitive actions short of  
19               dismissal, and reduction or withdrawal of the charges.

20          (3) Formal Dismissal Procedures

21               (a) Status of the Faculty Member During Dismissal Procedure

22                       During a dismissal procedure a faculty member may be suspended  
23                       or assigned to other duties in lieu of suspension, at the  
24                       discretion of the President. Salary continues during the  
25                       period of suspension. In case of convincing evidence of  
26                       threat to property or of bodily harm to a member of the  
27                       College, the President may bar a suspended faculty member from  
28                       all or part of the College buildings and grounds.

29               (b) Advisory Committee



1 The Faculty Advisory Committee (FAC) is the committee  
2 advisory to the VPAA on dismissal recommendations. The FAC  
3 is notified through its Chairman (or Vice Chairman, in ab-  
4 sence of the Chairman) by the VPAA that a dismissal is being  
5 considered.

6 (c) Statement of Reasons

7 The VPAA presents to and discusses with the FAC all pertinent  
8 information relating to the possible dismissal.

9 (d) Committee Consideration and Recommendation

10 The FAC considers all pertinent data and other information  
11 relating to the possible dismissal. In the performance of  
12 this responsibility the Committee has access to all relevant  
13 information and may call upon any member(s) of the college  
14 for advice or further information. The faculty member under  
15 consideration for dismissal or his agent shall have the op-  
16 portunity to provide information. The Committee formulates  
17 and forwards to the VPAA its written recommendation concern-  
18 ing the proposed dismissal.

19 (e) Decision by the VPAA

20 Should the VPAA decide not to proceed with a termination,  
21 those involved in the decision are so notified and the pro-  
22 cedure terminates at this point. Should the VPAA decide that  
23 dismissal is appropriate, the VPAA so notifies the President.  
24 Those immediately affected are notified by the President, in  
25 writing, of the VPAA's decision. A copy of the Committee's  
26 recommendation accompanies this notification.

27 (f) Faculty Dismissal Hearing Panel (DHP)

28 The DHP is the peer review committee in dismissal procedures.  
29 It consists of five members of the FHC selected by lot. The

1 faculty member is allowed one preemptory challenge to  
2 membership on the panel and additional challenges for cause  
3 up to a total of three challenges. The determination of  
4 exemption from service on the DHP because of challenge for  
5 cause is decided by the unchallenged members of the FHC.  
6 Replacement of any member of the DHP excluded from service  
7 is by lot from the remaining members of the FHC. The DHP  
8 elects one of the empaneled members as chairman.

9 (g) Pre-hearing Meetings

10 The DHP chairman may initiate pre-hearing meetings of the  
11 DHP, faculty member and VPAA in order to: (i) effect  
12 stipulations of facts; (ii) provide for exchange of docu-  
13 mentary or other information; (iii) simplify the issues;  
14 and (iv) achieve such other appropriate pre-hearing objectives  
15 as will make the hearing fair, effective and expeditious.

16 (h) Notice of Hearing and Member's Options

17 Written notification by certified mail of notice of the DHP  
18 hearing is sent to the faculty member at least twenty  
19 calendar days prior to the hearing. The faculty member has  
20 the right to be present at the hearing to present arguments  
21 and evidence against the charges and/or may submit written  
22 documentation to this effect.

23 (j) Hearing

24 (i) During the hearing proceedings, the faculty member and  
25 the VPAA will be permitted to have an academic  
26 adviser and a counsel present.

27 (ii) At the request of either party or the DHP, one repre-  
28 sentative of each of one or more responsible educational/  
29 professional associations shall be permitted to attend



1 the proceedings as observers.

2 (iii) A verbatim record of the hearing or hearings will be  
3 taken and a copy will be made available to the faculty  
4 member without cost.

5 (iv) The burden of proof that adequate cause for dismissal  
6 exists rests with the College and shall be satisfied  
7 only by clear and convincing evidence in the record con-  
8 sidered as a whole.

9 (v) The DHP may grant brief and reasonable adjournments not  
10 to exceed 5 working days each to enable either party to  
11 investigate evidence as to which a valid claim of  
12 surprise is made or upon a showing that good cause for  
13 an adjournment or continuance exists.

14 (vi) The faculty member will be afforded an opportunity to  
15 obtain necessary witnesses and documentary or other  
16 evidence. The administration will cooperate with the  
17 DHP in securing witnesses and making available docu-  
18 mentary and other evidence. It is incumbent upon both  
19 parties to submit such evidence promptly so that DHP  
20 may act within stated time limitations. The DHP may  
21 set reasonable time limits for the completion of these  
22 actions by the faculty member and VPAA.

23 (vii) The faculty member and the VPAA will have the  
24 right to confront and cross-examine all witnesses. Where  
25 the witnesses cannot or will not appear, but the DHP  
26 determines that the interests of equity require admission  
27 of their written statements, the DHP will identify wit-  
28 nesses, disclose their statements, and if feasible pro-  
29 vide for interrogatories.

(viii) In the hearing on charges of incompetence, the testimony shall include that of qualified faculty members from this or other institutions of higher education.

(ix) The DHP will not be bound by strict rules of legal evidence, discovery or procedure, and may admit any evidence which is of probative value in determining the issues involved. Reasonable efforts will be made to obtain the most reliable evidence available.

(x) The findings of fact and the decision will be based solely on the hearing record and all documentation considered during the hearing.

(k) Notification of Findings

The DHP will submit its recommendation to the President within 90 calendar days from the date of the President's notice of intended dismissal [see (e), above], unless an extension is authorized by the President. For the recommendation of the DHP to be considered by the President, it must be submitted within the authorized time. The DHP is dissolved at end of the authorized time or at time of submission of its recommendation to the President, whichever comes first. The hearing record and all documentation are forwarded to the President.

(l) Decision by the President

The President decides whether dismissal is appropriate. If the decision is not to recommend dismissal to the Board of Visitors, the dismissal procedure ends. If the decision is to proceed, the President prepares a resolution of dismissal for presentation to the Board of Visitors.

(m) Action by the Board of Visitors

Dismissal is effective upon passage by the Board of Visitors



1 of the resolution to that effect. Notification to the  
2 faculty member or his representative in the proceedings is  
3 by certified mail to the last known address.

4 (n) Confidentiality

5 The dismissal proceedings are considered confidential, and  
6 publicity or public statements are avoided unless authorized  
7 by the DHP to gather information before or during the hearing.

