Inter-Office Correspondence

TO: Rodney Bennett
    President

FROM: Steven Moser
      Provost and Senior Vice President for Academic Affairs

RE: Faculty Handbook Bylaw Recommendations

DATE: September 8, 2020

Attached you will find the amended Bylaws of the Faculty Handbook Committee which reflect the request you made regarding processes for routing changes of the Faculty Handbook and the timeline for submitting those changes to the Office of the President. As these changes comply with your request, I recommend that you approve the attached as written.
David Holt proposes changes to Faculty Handbook Committee Changes Concerning 1.8.3 and Bylaws Step 5 of the Amendment Process, concerning the reporting structure of the FHC, June 23, 2020 following a memo received by the committee from President Bennett dated June 23, 2020 outlining a reporting structure for the committee.

First Vote Date:
First Vote Results: ________________
Majority Opinion: ________________
Minority Opinion: ________________

Length of Review and Potential Second Vote Date: ________________
University Counsel Opinion: ________________
Employee Handbook Opinion: ________________
Faculty Senate Opinion: ________________
Council of Directors Opinion: ________________
Deans Opinion: ________________
Vice President of Research Opinion: ________________
Provost Opinion: ________________

Second Vote Results ________________
Majority Opinion: ________________
Minority Opinion: ________________
Presidential Approval or Rejection with date: ________________

In the Handbook:

1.8.3 Faculty Handbook Committee
The Faculty Handbook Committee considers proposals, modifications, and amendments to the Faculty Handbook brought to it from an official university governance body or administrative office. If approved by the committee, changes are formally recommended to the University President for a final decision.

Be changed to: (GREEN)

The Faculty Handbook Committee considers proposals, modifications, and amendments to the Faculty Handbook brought to it from an official university governance body or administrative office. If approved by the committee, changes are formally recommended to the University President through the Provost and Senior Vice President for Academic Affairs for a final decision.
In the Bylaws:

5.6. Second vote held, proxy votes allowed, plurality of membership to pass

5.6.1. Vote fails

5.6.1.1. Returns to first vote (Step 2)

5.6.2. Vote passes

5.6.2.1. Final counsel review

5.6.2.2. Advances to step 6

Step 6. Faculty Handbook Committee and Provost bring proposal(s) to Office of the President

6.1 President rejects policy

6.1.1. Policy change fails (Step 3)

6.2. President accepts policy as written (Step 7)

6.3. President accepts policy with modification

6.3.1. Modifications are substantial and send back to second first vote (Step 2 5)

6.3.2. Modifications are editorial or clarifying (Step 7)

AND

ARTICLE IV

COMMUNICATIONS/REPORTING

Section 1. Administrator to whom the committee reports

The Faculty Handbook Committee reports and moves recommendations to the President of the University. If approved by the committee, changes are formally recommended to the University President for a final decision.

Section 6. Annual Report
An annual report will be written by the chair of the Faculty Handbook Committee and submitted to the President of the University at the end of the academic year. By July 1 of each year, the Faculty Handbook Committee chair will submit a copy of the annual report to the Committee on Committees along with a letter from the president acknowledging receipt of the report. The annual report will include the major yearly activities of the committee, along with a list of amendments and revisions that have been approved by the President during the year.

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Rationale:

Memo sent on July 23, 2020 recommended changes to include a process through the Provost’s office.
THE UNIVERSITY OF SOUTHERN MISSISSIPPI
FACULTY HANDBOOK COMMITTEE
BYLAWS
Approved by Committee on May 7, 2019
Approved by Rodney Bennett, President on June 6, 2019 and August 27, 2020

Notice: governance and standing committee bylaws shall not supersede the authority of the University President as designated by the State Institutions of Higher Learning Board of Trustees or the State of Mississippi.

ARTICLE I
PURPOSE STATEMENT

The Faculty Handbook Committee considers proposals, modifications, and amendments to the Faculty Handbook brought to it from an official university governing body or administrative office. The committee ensures that proposed changes are clear, well-written, and consistent with other parts of the Faculty and Employee Handbooks as well as other University documents and policies.

ARTICLE II
MEMBERSHIP

Section 1. Members

Voting Elected Members:
- Member of the faculty from the College of Arts and Sciences selected by the college*
- Member of the faculty from the College of Business and Economic Development selected by the college*
- Member of the faculty from the College of Education and Human Sciences selected by the college*
- Member of the faculty from the University Libraries selected by the library*
- Member of the faculty from the College of Nursing and Health Professions selected by the college*
- At-Large Member of the faculty appointed to the Gulf Coast selected by the coast locations*

Voting Appointed Members:
- Member of Faculty Senate selected by the Faculty Senate Executive Committee
- Dean selected by the College Deans
- Director selected by the Council of Directors

Non-voting Ex-officio Member:
- Member of general counsel appointed by the Office of General Counsel
* Must be regular faculty with at least 3 years’ experience in a tenure-track or teaching-track line at the university below the level of school director and cannot be serving on any other university governing body.

**Section 2. Terms**
The Faculty Handbook Committee membership shall serve staggered three-year terms. A university counsel member will serve as ex-officio on the committee. Terms will begin on September 1, and end on August 31. No member shall serve more than two consecutive terms unless there are no available replacements.

The committee will be split into two groups. The chair of the Faculty Handbook Committee is responsible for notifying represented offices or bodies of term completions and the need for new members by February 1 of the year the replacement is needed.

The groups are assigned as follows:

**Group 1 (3-year terms beginning September 1 of 2021, 2024, 2027, 2030, etc.)**
- Member of the faculty from the College of Arts and Sciences
- Member of the faculty from the College of Nursing and Health Professions
- **Member of the faculty from the University Libraries**
- School director from the Council of Directors
- Member of the Faculty Senate

**Group 2 (3-year terms beginning September 1 of 2019, 2022, 2025, 2028, etc.)**
- Member of the faculty from the College of Business and Economic Development
- Member of the faculty from the College of Education and Human Sciences
- At-Large Member of the faculty from Gulf Coast
- Dean selected by the College Deans
- Member of the University Counsel

**Group 3 (off year for appointments/elections 2020, 2023, 2029, etc.)**

**Section 3. Elections**
The Faculty Handbook Committee will elect a chair and historian at the first meeting of the year from the faculty members. Council, School Director, and Dean are not eligible for election to chair or historian. Chairs and historians may serve up to three consecutive one-year terms. The chair and historian will be voting members of the committee and will assist in verify qualifications, developing the ballot, administering elections, and report the elections of new members.

Elections to the Faculty Handbook Committee will be coordinated by the chair and historian. Each constituency group needing an elected or appointed member will be notified in February of the need for an election or appointment (see section 1 for qualifications). All members of the corps of instruction (described in the Faculty Handbook 2.1.2) in the constituency group are eligible to vote.
Section 4. Responsibilities
Members are to attend all regularly scheduled meetings of the Faculty Handbook Committee and communicate the issues raised in the committee meetings to their represented constituencies. If a member of the Faculty Handbook Committee is no longer a member of their constituency group, their seat will be declared vacant. If members of the Faculty Handbook Committee fail to attend two regularly scheduled meetings of the committee in a single academic year without supplying a proxy, they shall be notified in writing by the chair of the committee that their position will be declared vacant in the event of a third absence without a proxy. Upon a third absence in a single academic year without a proxy, their position shall be declared vacant by the chair of the committee and recorded in the minutes.

Section 5. Proxies and Vacancies
Proxies: In the case that a member of the committee must be absent from a meeting it is expected that a proxy will be named to represent the committee member at the meeting. It is preferred that the proxy be chosen from the members of the represented constituency. In the case of an extended absence from the university committee members are expected to name a long-term proxy for a set term as communicated to the chair. All proxies must be reported by the sitting member of the committee to the chair of the Faculty Handbook Committee at least one day prior to the meeting the proxy will attend. It is the committee member’s responsibility to notify the chair via email of need for a proxy and the name of the proxy. Proxies retain voting privileges in representing regular committee members. If the chair of the Faculty Handbook Committee is not notified of a proxy attending at least one day prior to the meeting, the proxy may attend the meeting but will forfeit voting privileges. Proxies may not represent more than one voting member of the committee.

Vacancies: Should a position on the Faculty Handbook Committee be vacated for any reason the chair of the committee shall notify the body or office from which the position was vacated of the need for a replacement. It is expected that replacements be in place by the next scheduled meeting of the committee. Previous election results should be considered in appointing a new replacement, but if enough time has passed to warrant a new election, an interim appointment will be made from the constituency group until that election can take place. Elected replacements will be seated at the next scheduled meeting with full voting rights. Permanent replacements for members shall serve out the remainder of the original 3-year term and will be eligible for additional terms.

ARTICLE III

OPERATING PROCEDURES

Section 1. Meetings

Regular meetings of the Faculty Handbook Committee will be held on the second or third Monday of the month at 3 PM during the academic year. The chair may call special meetings as needed. A quorum, consisting of a majority of members or their proxies, is required. The chair will conduct meetings according to Robert’s Rules of Order. Each meeting must have minutes,
attendance, and proxies recorded. Each meeting agenda is expected to be posted at least one week before the meeting, and all meetings are open to all faculty members. Effort should be made to explicitly invite any constituency group that might be particularly affected by a proposed modification.

Section 2. Changes to Handbook

Proposals for changes to the Faculty Handbook should be made in writing by any official university governing body or administrative office at least 10 days before the next scheduled meeting. All proposals shall be brought before the committee for consideration.

The Amendment Process for change in the University Faculty Handbook:

Step 1. Proposal phase
1.1. Written proposals are brought to the Faculty Handbook Committee
   1.1.1. Proposal is given to the chair of the committee in writing at least 10 days before the scheduled meeting
   1.1.2. Chair responsibilities
      1.1.2.1. Chair confirms receipt of proposal
      1.1.2.2. Chair distributes the proposal to all members of the committee
      1.1.2.3. Chair notifies the relevant constituency groups of proposal
      1.1.2.4. Chair notifies University Counsel of proposal
      1.1.2.5. Proposal is added to the agenda of the next meeting
1.2. Proposal is read to the floor at next scheduled meeting and recorded in the minutes (Step 2)

Step 2. First vote process (to approve proposal to advance for review)
2.1. Proposal read to the floor
   2.1.1. Stakeholder comments (if present)
      2.1.1.1. Voices of dissent for policy
      2.1.1.2. Voices of support for policy
   2.1.2. Proposal is discussed as a committee of the whole
2.2. Vote held, proxy votes allowed, plurality of those present to pass
   2.2.1. Vote fails – policy rejected (Step 3)
   2.2.2. Vote passes – policy moves to review process (Step 4)

Step 3. Policy rejected
3.1. Process stops, is recorded in the minutes, and included in the annual report

Step 4. First vote review process
4.1. Review and comment period (can be contemporaneous)
   4.1.1. University Counsel review for conflict or legal concerns
   4.1.2. Employee Handbook review through human resources for conflict
   4.1.3. Senate and constituent review and comment period
   4.1.4. Council of Directors’ review and comment period
   4.1.5. College Dean’s review and comment period
   4.1.6. Vice President of Research review and comment period
   4.1.7. Provost review and comment period
4.2. After a reasonable amount of time for review (stipulated by the chair in the minutes) the policy is added to the agenda for the next meeting (Step 5)

Step 5. Second vote process
5.1. The policy is re-read to the floor.
5.2. The chair reports a summary of all reviews of the policy from counsel, human resources, senate, provost, and constituent reviews

5.3. Stakeholder comments (if present)
   5.3.1. Voices of dissent for policy
   5.3.2. Voices of support for policy

5.4. Committee discussion on reviews

5.5. If significant changes are needed (beyond editorial or clarification of language) or issue discovered with the policy after review, the policy does not have a 2nd vote but returns to first vote (Step 2), else it advances to second vote (Step 5.6).

5.6. Second vote held, proxy votes-allowed, plurality of membership to pass
   5.6.1. Vote fails
      5.6.1.1. Returns to first vote (Step 2)
   5.6.2. Vote passes
      5.6.2.1. Final counsel review
      5.6.2.2. [highlighted:] Final Provost review
      5.6.2.3. Advances to step 6

Step 6. Faculty Handbook Committee and Provost bring proposal(s) to Office of the President

6.1. President rejects policy
   6.1.1. Policy change fails (Step 3)

6.2. President accepts policy as written (Step 7)

6.3. President accepts policy with modification
   6.3.1. Modifications are substantial and send back to second first vote (Step 2-5)
   6.3.2. Modifications are editorial or clarifying (Step 7)

Step 7. New language added to the Faculty Handbook

7.1. Provost reviews revisions

7.2. Revised text is sent to the chair of Faculty Handbook Committee to determine if changes are accurate,
   7.2.1. New text is determined accurate by chair (moves to Step 8)
   7.2.2. New text is not determined accurate by chair (moves to step 7.1)

Step 8. New Faculty Handbook is amended and updated to the provost’s webpage

8.1. New Faculty Handbook records the new date of implementation and includes a note of the changes in an executive summary as a cover letter written by the Faculty Handbook Committee and full details of the change added to the appendix.

8.2. Faculty Handbook Committee reviews new Faculty Handbook for accuracy of changes

8.3. Faculty Handbook Committee verifies all URL links in the Faculty Handbook

8.4. Faculty Handbook Committee chair informs the Provost of approval of handbook as posted or informs the Provost of necessary edits

Changes to the official handbook take effect July 1 of the next fiscal year. All changes made to the handbook in a given year will be included in an annual appendix.

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Section 1. Administrator to whom the committee reports
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Section 2. Staff Support

The Faculty Handbook Committee will have staff support from the Office of the Provost as deemed appropriate by the Provost. The Office of the Provost will assign a point of contact for uploading minutes and documents to the Provost’s website. The Office of Human Resources will assign a point of contact for review of new policies against the current Employee Handbook. The Office of General Counsel will use the non-voting ex-officio as the point of contact for counsel reviews.

Section 3. Minutes

Minutes of the Faculty Handbook Committee meetings are recorded by the historian and approved by the committee members. The approved minutes are distributed to the designated Office of the Provost staff support member to post to the Provost’s website and for distribution to the committee members, directors, deans, the Provost, and the President.

Section 4. Website Location and Changes

The Faculty Handbook Committee will communicate to the university community utilizing an appropriate website. The Faculty Handbook Committee website will be the primary resource regarding amendments/revisions in the Faculty Handbook, committee minutes, membership list, and bylaws. The Provost Office staff member and Faculty Handbook Committee chair will be responsible for posting the approved committee minutes within 60 days of the committee’s meeting, using an appropriate website. Past minutes are kept on the website for a minimum of five years. The Faculty Handbook Committee historian will review all active URL links in the current Faculty Handbook to verify accuracy. Any errant URLs will be reported to either the Office of the Provost or Office of Human Resources.

Section 5. System for Preserving Minutes, Changes, and Copies

The most current copy of the Faculty Handbook is retained by the Office of the Provost as a .pdf and is designated as the official Faculty Handbook. The Provost’s Office will be responsible for keeping records of amendments and revisions to the Faculty Handbook and disseminating the amendments and revisions to the faculty.

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