

To: Faculty of St. Olaf College
From: Review and Planning Committee
Re: Revision to the Faculty Manual
Date: September 24, 2003

At the October 2003 Faculty Meeting the Review and Planning Committee will move that the faculty vote to recommend that the Board of Regents approve the addition of a new Section 1 and a new Section 2 to the Faculty Manual. The old Section 1 and Section 2 were, you may recall, moved to the Faculty Handbook last spring.

The proposed text of these new sections is as follows:

SECTION 1 – THE FACULTY MANUAL

1.0 Purpose and Distribution

The Faculty Manual sets forth the rights of faculty members, and various obligations of faculty members to the College, and of the College to faculty members, through policies adopted by the Board of Regents pursuant to its responsibility under Section 3.02 of the College Bylaws. The Faculty Manual is recognized as a contract between each faculty member and the College. The terms of the contract are as set forth herein, and can be changed as provided in sections 1.1 and 1.2 of the Manual. Consistent with the College's commitment to shared governance, these policies generally reflect substantial faculty input, and the implementation of most of the policies contained herein depends upon faculty participation. The Dean of the College shall distribute the Manual in print or electronic form to the faculty.

The Board of Regents, as the highest governing body of the College, may change the policies contained in this Manual by following the procedures contained herein.

Modifications to the Faculty Manual may be initiated during the academic year only. The following procedures will be used.

1.1 Changes Initiated By the Faculty

Any faculty member may suggest to the Review and Planning Committee (RPC) that a modification be made in the Faculty Manual, or RPC may on its own determine that a modification should be made. In either case, the RPC shall discuss the proposed revision, modify the proposal in any way it sees fit and, if it believes the proposal is worthy, present it to the entire faculty. An individual faculty member may bring a proposed modification to the faculty for a vote if RPC declines to do so. Proposed changes must be brought to the faculty at one of its regularly scheduled meetings, and faculty members must be notified of the proposed change seven (7) days prior to the meeting. Ratification of a proposed modification requires a favorable vote by at least

60% of those attending a regularly scheduled faculty meeting at which there is a quorum. The President, as chair of the faculty, shall then convey modifications approved by the faculty to the Board of Regents with or without his or her personal recommendation. The RPC may request of the Board of Regents an opportunity to confer with the Executive Committee of the Board of Regents about the proposed revision. The conferring between the Executive Committee and the RPC may, at the option of the Executive Committee, occur in person, electronically, by telephone, or in writing. If the Board of Regents approves the proposed modification, it becomes effective at the beginning of the next academic year, unless otherwise specified.

1.2 Changes Initiated by the Board or President

The Board of Regents or the President may propose modifications to the Manual. The President shall publish the proposed modification in writing to the RPC. The RPC shall then analyze the proposed modification and make a recommendation to the faculty with respect to the proposed modification. Proposed changes must be brought to the faculty at a regularly scheduled meeting and faculty members must be notified of the proposed change seven (7) days prior to the meeting. Faculty action on the proposed modification must occur by the third regularly scheduled faculty meeting after the President publishes the modification to RPC. Ratification of a proposed modification requires a favorable vote by at least 60% of those attending a regularly scheduled faculty meeting at which there is a quorum. Lack of ratification by the faculty does not preclude adoption of the proposed changes by the Board of Regents. The President, as chair of the faculty, shall then convey the recommendation of the faculty to the Board of Regents with or without his or her personal recommendation. In addition, the RPC may request an opportunity to confer with the Executive Committee of the Board of Regents about the proposed revision. The conferring between the Executive Committee and the RPC may, at the option of the Executive Committee, occur in person, electronically, by telephone, or in writing. The modification becomes effective at the beginning of the next academic following its approval by the Board of Regents, unless otherwise specified.

SECTION 2 – THE FACULTY HANDBOOK

2.0 Purpose and Distribution

The Faculty Handbook provides members of the faculty information beyond that included in the Faculty Manual that is important for their work as teachers, advisers, and scholars. The handbook also provides information about benefits. The Board of Regents, as the highest governing body of the College, may change the content in the Handbook and has directed the President to be responsible for the handbook according the Procedures for Modification of the Handbook. The Dean of the College shall distribute the Handbook in print or electronic form to the faculty.

2.1 Categories of Handbook Content and Procedures for Modification

There are four categories of content in the Faculty Handbook each with a different procedure for modification. All of the content in the Handbook is to be clearly identified by category number.

2.2 Category #1 Handbook Content

Category #1 content is general descriptive information and/or externally established rules and regulation that the College and/or its faculty are required to follow either because of law or contractual obligations of the College. Category #1 content is included in the handbook because the President considers it to be important and/or it required that the faculty be informed about it. The responsibility for making timely changes to Category #1 content lies with the President or the President's designee(s) and advance notice of changes is not expected.

2.3 Category #2 Handbook Content

Category #2 content is rules, policies, regulations and guidelines related to academic matters about which the President is to seek a recommendation from the faculty before the content is added, modified, or eliminated from the Handbook. A recommendation for an action regarding Category #2 content may be initiated by the faculty or by the President following procedures prescribed in the Faculty Manual that lead to a vote by the faculty. While the President has the authority to create, modify, or eliminate Category #2 content opposed by the faculty, as indicated by a majority vote of the faculty, such an action would be extraordinary and the President is to advise the Board of Regents when taking such an extraordinary action.

2.4 Category #3 Handbook Content

Category #3 content is rules, policies, regulations and guidelines over which the President may delegate responsibility to various Officers of the College. Category #3 content can be added, modified or eliminated from the Handbook with the approval of the President, normally following a recommendation to the President from those responsible. While a change can be made without advance notice to the faculty, it is expected that the President will normally provide the faculty a 30-day notice.

2.5 Category #4 Handbook Content

Category #4 content provides information about benefits. The content provided in the Faculty Handbook provides an overview of the benefits associated with employment at the College. The detailed explanation of the binding terms of the benefits are found in the official plan documents and contracts with insurance and other companies. The overview of the benefits must be regularly updated to reflect changes in rates, insurance coverage, and changes in tax laws and other government regulations. Normally, additions, deletions and other changes to the Category #4 content will be recommended to the President by the College's Benefits Committee and the faculty will receive at least a thirty day notice. Depending on the situation, some content changes may also require

action by the Board of Regents. Given extraordinary circumstances the President may authorize and direct that changes are made without advance notice to the faculty, but this would be extraordinary. The President is to immediately advise the Board of Regents when taking such an extraordinary action.

Rationale:

At the request of an earlier incarnation of RPC, the Board of Regents agreed in the Spring of 2001 to revise the College Bylaws to recognize the Faculty Manual as the authorized vehicle for the publication and dissemination of policies setting forth the rights and obligations of faculty. In return, RPC agreed to take two steps:

- 1) To present a resolution to the faculty proposing a procedure for modifying and amending the Faculty Manual.

- 2) To propose moving certain items that are not consonant with the "rights and obligations" of faculty from the Faculty Manual to a newly created Faculty Handbook. Such items include language of a purely descriptive nature (e.g. the history of the college, descriptions of the travel budget), items describing administrative units and administrative expectations (e.g. section II), and items of interest to the faculty that the Board need not formally approve.

RPC brought a resolution addressing both issues to the faculty meeting in May 2001 (RPC00/01-09: [_ HYPERLINK http://www.stolaf.edu/committees/rpc/RPC09.htm](http://www.stolaf.edu/committees/rpc/RPC09.htm) [_http://www.stolaf.edu/committees/rpc/RPC09.htm](http://www.stolaf.edu/committees/rpc/RPC09.htm)). The resolution was tabled and never resurrected.

RPC has resurrected this project for the following reasons:

- 1) We wish to uphold RPC's earlier promise to the Board of Regents. We also believe, however, that it would be wise for the faculty to act before the Board (which has indicated that it wants to vote on a final version of the Faculty Manual at its December 2003 meeting) acts on its own. We must remember that the Bylaws of the College give our Board the authority to modify the Faculty Manual without any input from or consultation with the faculty. One of the primary objectives of this motion is to ensure that the faculty has an explicitly recognized role not just in the current process of restructuring the Faculty Manual but also in any future effort to modify its contents.

- 2) Creating a Faculty Manual that is recognized by the faculty, the administration, and the Board of Regents as consistent with the College Bylaws will serve the interests of both the College and its faculty.

- 3) The College does not currently have a process in place that allows it to keep the Faculty Manual compliant with changes in the law. Policies in the FM not in compliance

include family leave, disclosure of student records, grievance and harassment procedures, alcohol and drug use, crime awareness, campus security, equal employment opportunity, and leaves of absence. The College needs an alternative source of information for the faculty that can be updated easily.

It is important for everyone to understand that this project is not intended to reduce faculty rights or privileges. The proposal that the Board recognize the contractual nature of the Faculty Manual solidifies its legal status, and the procedure proposed for modifying the new Manual insures that the Board will solicit input from the faculty before making changes to the Manual. There will be no change in the legal status of employee benefits, as the College's obligations will continue to be specified in plan documents and provider contracts. The new Handbook will contain administrative expectations related to the work of the faculty, along with general personnel policies that relate to the faculty. The expectations and policies moved to the new Handbook will not be considered contractually binding upon the College or upon the faculty, but they will continue to be seen by each as guidelines.

The purpose of this motion, and proposed changes to the Faculty Manual are intended to:

- 1) Formally identify and constitute the Faculty Manual as the document that articulates contractual aspects of the faculty's relationship the College and its Board of Regents.
- 2) To formally identify and constitute the Faculty Handbook as the document that articulates important but not contractual aspects of our relationship to the College and its Board of Regents.
- 3) To formally establish a set of processes, which for the first time explicitly, requires faculty input, by which the Faculty Manual and the Faculty Handbook can be modified.

If the faculty endorses this motion, RPC will move at the November faculty meeting that it also endorse a formal split of the existing Faculty Manual into a new Faculty Manual and a new Faculty Handbook. This split will propose a reallocation of material found in the existing Faculty Manual but will NOT propose any changes in the language of the existing Faculty Manual.