

**FACULTY COUNCIL**  
**Draft Minutes for Meeting of Wednesday, October 28, 2009, 3:00-5:00 PM**  
**Lewis Towers (LT) Ballroom (Beane Hall)**

Members present: G. Battaglia , H. Boller, H. Cannon, A. Cardoza, M. Dominiak, K. Egenes, D. Embrick, J. Fine, A. Fitch, D. Kaplan, T. Kilbane, N. Lash, J. Lieblich, H. Miller, E. Myers, G. Ramsey, H. Rose, B. Schmidt, P. Schraeder, D. Schweickart, A. Shoenberger, N. Sobe, M. Udo, S. Urban

**Called to order 3:10 pm.**

1. Invocation—Janice Fine

2. Approval of September Minutes

September minutes: Approved as amended 23-0-2

3. President's Report (Peter Schraeder)

- Status report was given on Gerry McDonald: Doing well.
- Scheduling Classes between LSC and WTC (FC requested a block on students attempting to schedule classes between WTC and LSC unless at least 50 minutes in between): Provost's office indicated that they would like to first try "red flagging" any student who attempts this (i.e., the student will be informed electronically this is a bad idea), and we hopefully can count the number of red flags that pop up to see how many students are actually affected (Provost's Office is checking on this).
- Faculty Contracts (SSOM and Lakeside Campuses): Are all Full-Time Non-Tenure Track (NTT) Faculty given the same warnings for contract non-renewal as Full-time Tenure-Track Faculty (3 mo, 6 mo, one year for 1, 2, or 3 yrs service, p.64-65 Handbook) – Provost Wiseman informed us that Full-Time NTT Faculty who are paid with permanent funds (code 85) have this non-renewal warning privilege vs. Full-Time NTT Faculty who fall under the category of "temporary faculty" and who are paid with temporary funds (code 88) **do not have this warning**. This distinction, however, was not listed in the contracts of the affected Faculty. Provost Wiseman informed us that next year's contracts will clearly state if they are "temporary faculty," and that this distinction for all Full-Time Non-Tenure Track Faculty will be made clear to chairs and deans. When asked about the break-down between these two categories, we were told that the numbers for the 2008-09 academic year were 32 on code 88 while 20 on code 85 funds– P.Schraeder will check on actual numbers since they differ from those given at our retreat. Discussion on clarifications of the contract stipulations ensued:
  - Need for greater transparency in the process, both for the chairs and faculty involved
  - What about NTT on 9-month contracts? Can they teach elsewhere during the summer? P.S. will clarify this with Provost Wiseman
  - SSOM – added language in contracts: new language was added from part-time contracts. SSOM faculty questioned the necessity of the clause, "and as may be prescribed by the administrative officers of the University." P.Schraeder and W. Jay will be speaking with Dr. Whelton about this and other issues, and will report on this later.

- Committee on Researching a Faculty Senate is moving forward. It presently consists of: D. Schweickart, P. Schraeder, M. Dominiak, G. Ramsey and W. Jay. More information will be given at the November meeting.
- Publications/Legal Defense (referred by Noah Sobe): What is the university's responsibility for providing legal defense for Faculty? For example, would the university provide legal representation regarding publication protection (re: defamation law suit in Oregon)? Does the Legal Department have the option of not representing the faculty member? Insurance is available for law suits where university does not defend faculty member (A. Schoenberger). N. Lash mentioned that we should let faculty know of this insurance and our General Council Office policy. Issue was referred to Provost Wiseman, who indicated she would check with Legal.
- Faculty Affairs University Policy Committee (FAUPC) update (Heather Cannon for Harvey Boller): At the last FAUPC meeting, discussed tenure and promotion guidelines (i.e., which guidelines are followed: the current handbook or the handbook in effect when faculty were hired?) The committee is also researching the possibility of creating an ombudsperson's office. The former one only dealt with staff (by choice). They are also discussing intellectual property and entrepreneur's rights.
- American Association of University Professors (AAUP) – Friday Oct 30<sup>th</sup> AAUP is meeting with guest Provost Wiseman regarding the gender equity report and other issues.

4. Evaluations of Deans: (N. Lash) – This year there is nobody to evaluate. Next year there will be eight deans due for evaluation.

5. Faculty Status Committee (A. Shoenberger) – Financial data will be provided at November meeting.

6. Elections Committee (D. Schweickart) – Duties associated with this committee used to be labor intensive, but electronic ballots have eased the burden. Only two committee members are required. D. Schweickart will deal with J. Corliss from IT. Terri Kilbane volunteered to serve.

7. Tenure and Promotion (T & P) Guidelines – FAUPC is dealing with T & P guidelines (p. 51, para. 1, HB). The sentiment of the FC regarding the term “prospectively” as to which guidelines are followed is that the P & T guidelines in effect when faculty were hired should be followed. There is no official university interpretation of the term “prospectively”. Key elements of the discussion:

- Faculty should be grandfathered in for new requirements added
- Should tenure and promotion be separated or not? – different consequences could arise (A. Fitch). This would not agree with university policy (A. Cardoza)
- It is unfair to hire under some guidelines but promote/grant tenure based on new guidelines
- Mid-term review: after that no guidelines should change (G. Ramsey) perhaps grandfather all in.
- Dates are open in new handbook and departments determine the process and guidelines (A. Schoenberger). We are unsure of the effect of changing P&T on a particular faculty member, since even procedural changes could be significant (vs. substantive). Faculty should have a choice on this matter.

- Departmental guidelines should be specific and transparent.
- Midterm reviews are important in briefing faculty on specific requirements for tenure and promotion. Then university committees can act based upon these guidelines that have been approved by faculty in the department. (M. Udo)
- We may need a university policy to clear this problem.
- Immediate implementation could be detrimental if guidelines change constantly. (H. Miller)
- Sense of FC: common sense and fairness states that T & P should be based on the T & P guidelines in place when one was hired.

8. Faculty Input in the selection of Senior Academic Officers: Key points of the discussion:

- Fr Garanzini says YES, but what constitutes consultation?
- FC evaluates Deans.
- Dean replacements often have significant input
- There should be a university-wide process common to all campuses
- Replacements seem to be straightforward, but removals are often not. These are generally different processes (A. Fitch)
- Administrative hierarchy control vs. tenured faculty is a challenge (A. Cardoza)
- Dean evaluations are formalized in the handbook, but the Provost does not have to act on the recommendations
- Evaluations are held every 3 yrs for each Dean and FC gets feedback
- We should formalize faculty involvement in hiring upper administration (Provost, Dean); the concern is with permanent Deans, not acting Deans (H. Miller)
- Timeline for removing Deans may be a factor in whether faculty should be involved (H. Miller)
- Confidentiality issues for removing Deans are important
- Should there be establishment of benchmarks for Deans? Faculty are not qualified in many of these areas to evaluate Deans
- We should have a definite policy (FC) on faculty role in administrative hiring/firing.

The Executive committee will draft something for consideration. Items will include search committee membership, slate and election, and role of interim Deans. We should push for uniform standards for all campuses (G. Battaglia). Does this include Deans and above or Directors of Centers as well? This will be addressed.

9. Additional Business? Course loads – major changes are made without faculty input. There should be a balance between scholarship and teaching loads. This will be on the November meeting agenda.

10. Adjournment – Motion: B. Schmidt, Second: A. Fitch, Adjourned at 5:00 pm.