

Minutes of the Meeting of the Faculty of Arts and Sciences, The College of William and Mary, November 5, 1996

The meeting was called to order at 3:35 p.m., Dean Robert Archibald presiding.

I. Approval of Minutes THE MINUTES OF THE OCTOBER 1, 1996 MEETING WERE APPROVED AS SUBMITTED.

Dean Archibald announced that the college is within \$10,000 of its United Way goal and urged that outstanding pledges be turned in.

II. Reports of Administrative Officers Provost Cell updated the faculty regarding post-tenure review. In line with the Strategic Plan the college began last year to explore Arts & Sciences implementation of post-tenure review. However, Provost Cell was recently informed that the college needed to submit policies that would be approved by the State Council on Higher Education at its November 12 meeting in order to avoid cuts in state funding. Given indications that the already-proposed Arts and Sciences policy would NOT be approved, the provost hastily drafted a new policy for Arts and Sciences. She then met with the Deans and with the Executive Committee of the Faculty Assembly. The Executive Committee advised against attempting to add the proposed policy as an amendment to the 1982 Handbook, suggesting instead that the draft policy be taken first to the Faculty Assembly and then to the Personnel Policy Committee for approval. The faculty should in the future discuss whether to add the policy as an amendment to the new Faculty Handbook.

Because of the need for the Faculty Assembly to pass a policy that would pass muster with the State Council, Provost Cell discussed the proposed policy with Peg Miller of the State Council staff before it was voted on by the Assembly. The policy has been approved by the Faculty Assembly and by the Personnel Policy Committee. It has been sent to the deans and department chairs and a memo is being sent to the faculty.

The critical issue needing to be addressed in the post-tenure review policy was the provision of a "trigger" for unscheduled reviews. The new policy states that either two consecutive annual reviews or two out of three annual reviews resulting in an overall rating of "unsatisfactory" would trigger an unscheduled post-tenure review. Additionally, the policy specifies a clear timetable for the procedures and a clear statement of possible sanctions. The question of what constitutes unsatisfactory performance was deliberately left vague so that this decision could be left to the various schools.

Dean Archibald announced that he had discussed the post-tenure review policy with the Faculty Affairs Committee and will meet with the chairs to consider what general policies Arts and Sciences wishes to establish. Dean Archibald expressed concern over procedures by which a faculty member's continued failure to improve leads directly to action by the dean. This should not be left entirely up to an administrator; an elected faculty committee should exist to advise the dean. In addition, a timing sequence covering each of the various steps must be put in place, ensuring timely completion of the

entire process. Beyond these two concerns Dean Archibald recommends that Arts and Sciences allow the various departments to decide the details on implementing the new policy.

Dean Archibald will bring to the December, 1996 meeting a proposal for an Arts and Sciences policy that can become active in the 1997-98 academic year.

Discussion:

Question: Given that the State Council has already approved for some schools policies less stringent than ours, would it be possible to modify our plan? Specifically, might a system of annual reviews plus a "trigger" that would lead to a more comprehensive post-tenure review suffice? Answer: Yes, a less stringent policy might well have passed; our own policy was based on our schools' proposals, all of which included scheduled post-tenure reviews.

Provost Cell clarified that William & Mary's policy has already been approved by the State Council staff, though not yet formally approved by the council itself.

Professor M. Faia (Sociology) recommended that we affirm the AAUP guidelines for dismissal of faculty, stressing that the vague language of the new policy is dangerous, serving only to widen the range of circumstances potentially resulting in dismissal. Dean Archibald replied that the Arts and Sciences faculty now has the opportunity to define precisely what is and is not acceptable performance. Professor Faia moved that we stick with the procedures as set forth in the revised Faculty Handbook; the motion was not seconded. Professor Faia then moved that we postpone consideration of post-tenure review indefinitely. Professor Emeritus Ludwell Johnson (History) seconded and offered as a friendly amendment that the Arts and Sciences faculty not postpone discussion indefinitely, but discuss post-tenure review in the context of the history of academic freedom and tenure in February, 1997; Professor Faia accepted the amendment. It was clarified that we now have a university-wide policy governing post-tenure review; Arts and Sciences can appropriately discuss only the implementation of that policy. Discussion then focused on the question of whether Arts and Sciences policy should be uniform or department-specific and on the value of post-tenure review in general. Professor Alan Fuchs (Philosophy) MOVED THAT THE ISSUE OF HOW THE FACULTY OF ARTS AND SCIENCES SHOULD RESPOND TO THE ISSUE BE REFERRED TO THE FACULTY AFFAIRS COMMITTEE. THE MOTION TO REFER WAS SECONDED AND PASSED BY VOICE VOTE.

The faculty raised a number of points for the Faculty Affairs Committee to consider. The committee was urged especially to explore the possibility of developing an Arts and Sciences-wide definition of unsatisfactory performance. It was observed that the new policy reflects the Faculty Handbook which in turn is modeled on the AAUP standards. Our own guidelines governing dismissal might likewise closely reflect AAUP guidelines. Standards already developed by departments for use in annual merit reviews might also help define satisfactory and unsatisfactory performance. Reviews should not be construed as punitive; they could result in commendation. While absolute uniformity is impossible

it was stressed that the principle of equal rigor is valid; certain behaviors can be agreed upon as unsatisfactory. It was observed that careers have cycles over which an individual's energy might be directed in various directions; a BROAD list of expectations might help take this phenomenon into account.

Dean Archibald announced that the revised Faculty Handbook will probably be passed at the November Board of Visitors meeting. Parts of the old handbook do not appear in the new; these will eventually be brought back by the Faculty Affairs Committee. In the meantime the dean issued the following edicts regarding final examinations:

1. No examinations except final lab exams may be given in the last week of classes.
2. The deadline for returning take-home finals is the scheduled exam time.

### III. Report of the Faculty Affairs Committee

Professor H. Schone (Physics) presented the revised Bylaws of the Faculty of Arts and Sciences [attached]. The version passed out at today's meeting indicates changes from the existing Bylaws. It was agreed that the faculty would discuss the Bylaws today and vote on them after the Faculty Affairs Committee had considered the faculty's recommendations. Faculty discussion suggested the following further revisions:

I. Specify that when a new department is created the faculty of Arts and Sciences will assign it to one of the three existing areas.

I.1 Change "Professors emeriti/ae" to "faculty emeriti/ae."

III.1 Clarify that the faculty does not hold a January meeting.

III.3 Reexamine whether eighty is an appropriate number for a quorum.

III.5.1 Ambiguity regarding whether nonmembers may attend faculty meetings needs clarification, especially in light of relevant portions of the Freedom of Information Act.

IV.3.2 The phrase "adequate representation" needs clarification.

V.1 The stipulation of "balanced" committees does not require that all committees shall consist of three, six, or nine members.

V.1.4 See VII.3.

V.2.4 The section needs to clarify that the Faculty Affairs Committee may act in behalf of the faculty only when the college is not in session.

V.3.1 Consider adding a representative from the library ex officio on the Committee on Educational Policy.

V.4.2 Specify that the Committee on Degrees has jurisdiction over undergraduate credits and degrees only.

V.5.1 Specify that the Committee on Academic Status is an Arts and Sciences committee, not a

university-wide committee.

V.6.1 Change "six members" to "six Arts and Sciences members" to clarify that the committee consists only of members of the Arts and Sciences faculty.

V.6.2 End the last sentence after "the Dean of the Faculty"; delete the remainder of the sentence.

VI.1.2 Change "shall include" to "may include" the Dean of the School of Marine Science.

VI.1.3 Specify that the Committee on Educational Policy has jurisdiction over the Charles Center.

VI.1.4 The nature and extent of the Committee on Educational Policy's authority over standing curricular committees was discussed at length; some clarification is in order.

VII.1 Change "constituency" to "area" for the sake of consistency.

VII.3 Add the language of this section stipulating that someone nominated from the floor must indicate their acceptance to V.1.4.

**It was moved, seconded, and passed by voice vote without audible dissent THAT THE REVISION OF THE BYLAWS BE REFERRED BACK TO THE FACULTY AFFAIRS COMMITTEE TO CONTINUE REVISING THEM IN LIGHT OF TODAY'S DISCUSSION.**

#### IV. Report of the Educational Policy Committee

Professor Jesse Bohl (Philosophy) reported that the committee has settled the procedures for the pilot project in GER assessment. They have also made two changes on the course request form:

1. The form will now ask whether the department proposing the course has contacted the library staff about the resources needed for the course. If the department has not already done so, they may not make special requests of the library after the course has already been approved.
2. In the case of changes in the course description for GER courses the department must resubmit the GER request form.

#### V. New Business

A question was raised about the role of the faculty of Arts and Sciences in establishing a policy for student access to the worldwide web. Specifically, may students establish their own web pages that live on college machines? No policy exists, but the college is exploring questions related to its legal liability in this area.

The meeting was ADJOURNED AT 5:27 P.M.

Respectfully submitted,

Julie Galambush  
Secretary