

**Faculty Assembly Meeting
30 January 2007**

Present: Kulick, Meese, Canuel, Cate-Arries, Armstrong, Beers, Brown, Cooke, Diaz, Fuchs, Evans, Kennedy, Lee, Leslie, Linneman, Macdonald, Meyers, Mooradian, Sheriff, Smith, White

Absent: Brown, Diaz,

Others in Attendance: Provost Feiss, Dennis Manos, Dean Strikwerda, Bob Skolneck, Barbette Spaeth

The meeting was called to order at 15:32.

1. Approval of the minutes of the Nov 28, 2006

David Leslie presented a motion for approval of the minutes for the November 28, 2006 meeting. The motion was seconded by David Armstrong and the minutes were approved by unanimous vote.

2. Consideration of proposed resolution in support of President Nichol.

The Parliamentarian, Alan Fuchs, provided guidelines for the discussion. He noted that all motions are subject to the rules of debate. This means that each candidate can speak no more than twice and each speech is limited to 10 minutes.

The following resolution was presented to the Faculty Assembly on January 30, 2007.

"Be it resolved that on January 30, 2007, the Faculty Assembly affirms its confidence in President Nichol's leadership and its support for the broadly-shared goal of making the College even more welcoming to people from all backgrounds and all faiths. It regrets the controversy over the Wren Cross and endorses the President's appointment of a committee to examine the role of religion at public colleges and universities."

Kulick noted that the proposed motion was endorsed by the Executive Committee before being forwarded to the full assembly.

Meese recused himself from voting because he has been asked to co-chair the committee that has been formed by President Nichol to consider the role of religion in public universities.

The floor was opened for discussion of the proposed resolution:

Evans noted that he does not endorse the President's decision but noted that this resolution articulates the process and that it is good to get behind the process and President.

Kennedy asked a question regarding the process for selection of appointments to the committee. The question was deferred.

MacDonald expressed support for the President's decision and noted that it was the right decision for the College. She supported the resolution and noted that it is important to show our support for President and the many wonderful accomplishments of his presidency.

Bill Stewart commented that it was absurd to judge the President on this single issue and that there are many other criteria for judging the President and his accomplishments.

Smith stated that he would like the resolution to make a stronger statement about supporting freedom of religion. He noted that some people view this action (removal of the cross from the Wren Chapel) as antiseptic – removing all religion from public discourse. It is important to affirm all of the religions that are present on campus are free to use the campus facilities. This is part of the growth and spiritual development of our students. He expressed that the motion and petitions seem to fall short of affirming the freedom of expression and freedom of worship.

Lee expressed support for the broad language of the resolution. He noted that a lot of the criticism of the President is really a proxy for other battles occurring in our society. This motion does not get into those battles and he felt that this is a good aspect of the resolution.

Cate-Arries noted her support of the resolution and the value of this body (Faculty Assembly) to come forward with this statement.

Cooke expressed complete support for the motion. His only regret is that it was not done earlier.

At the conclusion of discussion of the motion, the resolution was moved to vote by Kulick. The vote was as follows:

Yes: all present voted yes

No: 0

Recuse: 1

3. Composition of President Nichol's Committee.

Kennedy suggested that the leadership of the Assembly ask President Nichol if we could suggest names of faculty to serve on committee. She noted that this is part of our charge (forward names for major committees of the university). It was suggested that even if we cannot provide names, it may be possible for the Assembly to vet names.

Beers asked whether this is the President's committee or College committee. He felt that this makes a distinction. We get requests for nominations for College committees but may not be asked to perform this function in cases where we are considering a committee of the President.

Kulick replied that it is the responsibility of the Executive Committee to make such recommendations and that she has made an informal request to President. At the time of the meeting, she had not yet received a reply.

Fuchs noted that this responsibility is a part of the constitution of the Faculty Assembly, approved by BOV. This provision is included in Article 3. Section 4. of the Constitution of Faculty Assembly.

Meese noted that an exception to this policy took place when the President presented names of members of the Diversity Committee.

Smith asked what is the charge for the committee. He noted that the trajectory of how decisions have been made is part of controversy and that the role of religion at public universities is a broad issue.

Meese replied that the co-chairs have asked the President for a written charge. He noted that the President's speech laid out general objectives – broader than the Wren Cross. A written charge and the committee's discretion will result in manageable workload. Focus on issues more material to the committee.

MacDonald expressed support for Colleen's proposal and suggested that the Assembly ask the President for the ability to suggest and vet names. She noted the strong tradition of faculty governance and constitution of the Faculty Assembly.

Meyers asked whether the committee is viewed as a university-wide committee. He noted that if so, the Faculty Assembly is empowered to provide input to its representation.

Fuchs again stated that the constitution provides us this right.

Kulick clarified that the constitution would only afford the Assembly the right to provide input to faculty representatives of committee.

Kennedy suggested that we offer names and comments on names. She noted that this is in everyone's best interest because it will enhance the perception of objectivity. The FA is very knowledgeable of members of the faculty and their opinions. Ultimately, the President can choose not to follow our suggestions.

Fuchs noted that it is within the authority of the Assembly to "recommend appointments".

Kulick concluded that she will make a formal request to President, on the Assembly's behalf, to allow the Assembly to provide input to the committee's composition.

4. Provost's Report:

1. *Annual Report on Specified Term Faculty:*

Report was distributed to Faculty Assembly.

Arts&Sciences: 22 (5.3% percent of full-time)

Business: 8 (14% of full-time)

Education:0

Law: 0

Marine Science: 4 (7.4%)

Total: 34 (5.7% of Full Time)

The Provost noted that the proportion of specified-term appointments has remained almost constant for about 10 years, at about 5.5-5.7%. The Provost noted one area of concern: a number of grand-fathered specified term appointments (approximately 10). The faculty member hold long-term continuous contracts but are not in tenure/tenure track positions.

Provost must justify extending specified term appointments beyond 5-year period. The burden for these requests resides with the Deans to explain why position should not be tenure eligible position. Usually, this is a programmatic need, related to the character of the position and not a resource issue.

Smith asked whether there are categories for these positions. The Provost replied that the categories are described in the Faculty Handbook.

For each case when there is a request to extent the specified term appointment beyond 5-years, the request is made by the Dean to the Provost. The Provost forwards these cases to the Executive Committee.

According to AAUP guideline, if you hire instructional faculty member for more than 5 years, you should tenure them. AAUP recommend that individuals in these cases should have same the same rights as tenured faculty.

3-2. *Budget.*

The Provost noted that the budget situation in Richmond looks as good at this time. Governor's budget is supportive of the College but deliberations are now occurring in both the Senate and House. The governor's budget would hold faculty salary increases at 5% and staff salary increases at 4%. The budget requests have no money for base adequacy. There is, however, money for several capital projects. At this point, the prognosis looks good and it is expect process to proceed on time.

3-3. *Women's Network Salary Study*

The Provost and committee have analyzed the data from a survey examining salaries by gender. The Provost has not provided info to President yet. Upon doing so, the report will be forwarded to Faculty Assembly. Preliminary results show no systemic problem but there are few cacses that need to be investigated.

3-4. *Task Force on Digitization on Campus*

The Provost has split the task force into two sub-committees. One will be specific to administrative needs. The other will address students, faculty teaching and research. The Provost noted that the issues are multi-dimensional and include security, privacy, and copyright.

3-5. *Provost to New Committee to Democracy 2000 Conference*

The Provost noted that this conference will take place in September, in Williamsburg. The College wants to take full advantage of this opportunity.

3-6. *SCHEV Faculty Awards and TJ Awards*

Two faculty members from W&M will receive SCHEV Teaching Awards. Thomas Jefferson award will be presented at Charter Day.

3-7. *BOV Meeting*

The first siting study for the new School of Education will be discussed at the upcoming BOV meeting. A goal is to preserve as much space as possible for future use. Thus, to the extent possible, they plan to use existing space that has been developed.

Questions to the Provost:

Fuchs asked about the status of Phased Retirement

Provost replied that his office is trying to pressure the Attorney General's office to move forward.

Meyers asked whether new buildings will be "green buildings".

The Provost noted that the costs of getting a "green building" designation can be high. However, significant attention will be paid to "green" practices, since the pay back of these practices is high over the life of a building.

Meyers asked about whether it would be possible to return the start date of merit salary increases to July 1, the start of the fiscal year.

Provost noted that Sam Jones does not want to bring this to the General Assembly.

Meyers asked whether implementation of this could take place internally. This may be possible in the future with the use of private funds, within the guidelines of the restructuring agreement.

Meese asked about plans to reconsider our peer group.

The Provost has not heard anything further from SCHEV about revising our peer groups.

5. FA Committee Reports

(a) Academic Affairs Committee, Bob Diaz

Academic Affairs (Diaz absent): no current business (communicated by e-mail)

(b) Committee on Planning and Resources, Tom White

White is collecting views from COPAR about establishing a dialogue with the Development office. White will meet with Pieri to share the committee's views.

Endowment is at point it can make difference on our campus. White would like COPAR to keep dialogue with Development for faculty voice to be heard.

(c) FA - Faculty Affairs Committee, David Armstrong Sub-committee Reports Faculty Handbook Revisions

Parts 3a and 3b. Recommendations from Faculty Affairs distributed. Kulick reminded that approval of sections does not mean final approval.

Provost clarified that handbook is for instructional faculty, not professional and administrative faculty. Eventually, professional and administrative faculty will have their own handbook.

Kennedy noted that some sections (e.g. consensual amorous relationships" will apply across both.

Section 3a.

Armstrong- suggest eliminating "...in their designated fields" phrase
FA/FAC felt it was inappropriate for this phrase to appear in section about academic freedom. He noted that this phrase generated strong feelings from faculty.

Meese noted that it was important to make it clear that tenure may be based on contributions to field. Recognition to have freedom to conduct research is not same as criteria for tenure.

Page 2. Add "performance"
Two other stylistic issues. No discussion.

Meyers: suggest change, "based solely on professional performance"

Page 3. Suggest add a reference to non-discrimination on basis of sexual orientation to follow requirements.

Statement about not being able to hold two positions at same time. Case of someone who left to take tenure eligible position at another institution and were granted years leave of absence here.

Strikwerda stated that it is extremely difficult to know whether person is tenure eligible. May be granted tenure during their leave.

Provost replied that in cases where a candidate is holding tenure eligible position at two institutions, he will ask for a choice as soon as possible.

White noted that the candidate may be ambivalent. In these cases, we want them to come back, and this policy may not support this outcome.

Stikwerda noted that a faculty member cannot hold tenure at two institutions but may be in tenure eligible position at two institutions

Meyers expressed the fact that we don't want to stop a candidate who may want to return to campus.

At this point in the discussion, Kulick postponed further discussion of the handbook.

6. Scheduled Semester Research Leave Policy

Bob Skolneck, Barbette Spaeth (FAC) and Bill Cooke (all members of FRC) were present for discussion of SSRL Policy.

It was noted that FRC had been given the role of approving guidelines by which school and departments would decide who was research active.

FRC is committed to the SSRL program by giving leaves to those who are active researchers and scholars. A&S is the most diverse group and the FRC does not want to micro-manage how units define "research active".

A general criteria of three research activities within a five year period has been proposed. FRC has tried to be flexible within programs and has considered three criteria: (1) Criteria must be rigorous, (2) reasonable, and (3) appropriate for the discipline.

FRC feels that rigor must be reflected by research activities that have peer-review and are substantive. However, they have allowed departments to decide what "peer review" and "substantive" mean.

To date, the criteria for "research active" have been approved in 17 of 22 departments in Arts & Sciences. Criteria are still being developed for the English, Art History, Religious Studies, History, and Theatre, Speech and Dance departments. FRC is also in the process of considering criteria for departments involving joint appointments (e.g., Women's Studies, American Studies).

To date, they have received definitions for the Schools of Business, Law and Education.

FRC has done its job of instilling rigor but allows flexibility. For example, Anthropology was insistent that they have “operating a research project” as one of their criteria. This was discussed with the Anthropology Dept. because the criteria seemed stringent. Eventually, the committee agreed that research projects should be vetted by department. In Physics, members of the department insisted on merit score based system. To meet the guidelines, faculty members need >3 out of 6 points for the research component of the annual evaluation process.

A question was asked about how to handle reports of research leave. These reports may not show up for 2-3 years after leave. FRC wants to incorporate this. The emphasis is not to make strict rules but to encourage each dept to think holistically to have active scholars who take advantage of these leave opportunities. Cooke noted that FRC’s job is to ensure there are rigorous standards in-place. Departments will have to back up any changes to policy.

Kennedy noted that some departments are in a position where an appeal process may have to be implemented. She also noted that the time pressures in activities across all departments are not equal. For example, standards in the humanities likely differ from standards in the sciences.

Cooke replied that most departments have come back with clarification and reasonable activities for their discipline. Most departments have been able to justify what is research active in their discipline.

Cate-Arries asked a question about eligibility. She had assumed that candidate had to attain tenure before eligible but wanted clarification.

Cooke responded that the Provost has pointed out to FRC that it is teaching faculty who are deemed research eligible. Full-time teaching faculty fall under this policy.

Cate-Arries noted that expectations (range of responsibilities and workloads) for specified term appointments may differ from those in tenure/tenure eligible positions.

Cooke replied that the standards should match the research activities of members of the department eligible for research leave. In all cases, candidates should be scholars.

Provost expressed concern about withholding leave from a research scholar because of their title. He envisions this situation as a rare event. Most of these candidates have higher teaching loads, and may not have time for scholarship.

Meese asked about the presence of a default rule (3 criteria) and whether departments can justify something less than what is the bare minimum for their discipline.

Cooke responded that this raises a crucial point – once a department institutes procedures how do you evaluate whether they do what was intended.

Stewart noted that it is inherent that departments police criteria. There must be efforts to make sure that people who get leave really deserve it.

Smith noted that the timing of leaves has changed. It used to be 6 years, now 7 years on center.

Provost responded that granting leaves on a 6 year basis was a best case scenario under past criteria but typically unlikely because of limited funding.

Smith expressed interest in knowing the levels of candidates for leave.

Provost responded that the administration want to know what demand is and will look for resources to support needs.

7. New Business:

Kulick reported that preliminary results from the Faculty Survey will be reported to BOV at their February meeting. This will be an agenda item for the February meeting of the Faculty Assembly.

8. Adjournment:

Meese presented a motion to adjourn. White seconded. The meeting was adjourned at 5:12 pm.

Respectfully submitted,
Elizabeth A. Canuel, Secretary