

Faculty Assembly Meeting 24 October 2006

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

Absent: Armstrong, Beers, Brown, Macdonald, Meyers

Opening Remarks (Kulick):

The meeting was called to order at 15:30. Kulick noted that reports from various committees will be posted to FA website prior to each meeting. This is a response to requests to limit the number of attached files sent by e-mail.

Kulick welcomed Greg Smith and Bill Cooke. Both are new members to FA, who were unable to attend the September meeting.

Fuchs presented a motion to approve minutes from FA meetings held on May 9th. Diaz seconded. The May 2006 minutes were approved by unanimous vote.

Fuchs presented a motion to approve minutes from FA meetings held on September 26th. Leslie seconded. Minor changes to the spelling of a member's name and the attendance were pointed out to the Secretary. The September 2006 minutes were approved unanimously following incorporation of these minor edits.

Provost's Report (Kulick): *The Provost's Report was delivered by Katherine Kulick because the Provost was unable to attend.*

1. *Budget.* The Provost has provided a response to a request for amendments to the Commonwealth's 2006-2008 biennial budget. Budget documents are considered Governor's working papers and are therefore confidential. Amendments do not address system-wide issues such as faculty salary increases, student financial aid, restoring full base adequacy, etc. These amendments are limited to operating budget requests and capital requests. The College's requests will be forwarded to the Governor. If there is interest, the Governor's office will contact the campus for more input.
2. *Space Committee:* The committee has decided to move Career Services (CS) to the former bookstore location on Jamestown Road. The committee has received a number of requests to takeover the space currently occupied by CS in Blow Hall.

Additional space will become available in Blow Hall in 2009 when the Business School moves to its new site.

3. *Assessment and Restructuring:* The Provost is discussing the issue of test in/test out with SCHEV.

Sub-committee Reports

Academic Affairs (Diaz): no current business

COPAR (White): no current business

Faculty Affairs (Leslie): Faculty Affairs is considering changes to the faculty clearance procedures. The issue deals with procedures for faculty who retire/depart W&M. The basic issue has been the number of different signatures required. A draft document was distributed for discussion.

The main points of the document that was distributed include:

1. Retired faculty have a right to retain College ID.
2. The Executive Committee of FA has the right to approve changes to policy.
3. New policy recommends change in sign-off that funnels approvals through the faculty member's Academic Unit and Provost's Office.

Leslie, on behalf of the Faculty Affairs committee, recommended approval of the revised policy document.

Discussion:

Diaz pointed out that the proposed policy changes do not present a burden to the Provost's Office because a relatively small number of faculty leave the campus each year.

White asked about nature of Administrative Handbook.

Kennedy replied that this Handbook pertains to classified/administrative personnel and that the policy under discussion would likely be included as an appendix in the revised Faculty Handbook..

Kulick noted that a goal was to make the faculty procedures on par with those for classified/administrative personnel.

Kennedy noted that revisions to Handbook are underway. Privileges for Emeritus Faculty will be detailed in revised Faculty Handbook.

Lee asked whether Emeritus Faculty are required to purchase a parking pass. Kulick replied that they receive a free parking pass.

Diaz noted that language reads that Emeritus Faculty "may retain" privileges not "will retain". Meese asked whether these are considered "rights" and if so, the document should read "will". Leslie responded that the committee was aware of this subtlety in word choice but was not sure whether the FA has the right to approve policy.

Kulick responded that approval by the FA is one step in the approval process. She noted that the FA approves or modify documents in discussion with Provost.

Meese: If privileges become unduly burdensome, Provost can come back to EC of FA and request an amendment.

Kennedy responded that she was not sure what the next step in the approval process would be. In her view, if a policy pertains to Faculty, it should be an amendment to the Faculty Handbook and be subject to the policies for amendment to the Faculty Handbook.

Kulick agreed that this policy was appropriate for inclusion in the Faculty Handbook.

Smith suggested that Policy Statement language be changed to read, “and will be permitted to retain”. Meese seconded.

Motion passed.

Linneman noted a typo.

Meese followed-up on previous discussion of next steps.

Kennedy noted that the document should not be incorporated into Handbook but should be added as an Appendix. Thus, any changes to this document should be consistent with section 4.

Section 4 will be changed to read, “Changes to this policy will be made pursuant to the procedures for amendment contained in Section 4 of the Faculty Handbook.”

Kennedy presented the motion.

Cooke Seconded.

Approved by unanimous vote.

In the end, the revised document was approved unanimously with the above changes.

Faculty Handbook Revisions (Kennedy)

Kennedy distributed three documents that pertained to the revised Faculty Handbook:

- Statements of Rights and Responsibilities

- Leaves of Absence

- Confidentiality

Kennedy spent a few minutes describing the sequence by which changes to the Handbook would be approved. She reiterated that changes to Handbook come out of PPC. After PPC approves proposed changes, the document is brought to FA. The document can either be considered by a sub-committee of the FA or be considered by the full committee. FA sends changes back to PPC. Eventually, the document proceeds to the Provost and President and BOV.

Provost Feiss has asked Kennedy to start the process that eventually will come out of PPC.

Kennedy noted that there are problems with the present Handbook regarding how violations of policy are handled. Some of these issues have legal implications. She noted that organization of the Handbook makes it difficult to use. This revision will attempt to clarify the language, settle ambiguities, and bring the text in-line with practice. Revisions will also be consistent with law/regulation.

The Provost has set-up an ad-hoc Faculty Handbook writing committee consisting of Kennedy, Kulick, Meese and Provost Feiss. The goal of the committee is to take note of objections but the committee will actually do the writing rather than leaving it to campus-wide committees.

Kennedy suggested basic reorganization. Some of the most important changes are highlighted below:

1. Section A. Statement of Rights and Responsibilities as they apply to faculty members. This section discusses what happens when a faculty member does not uphold the rights and responsibilities of their position.

External Paid Employment moved to appendix.
Intellectual property policy moved to appendix.
Links to Code of Virginia.

2. Section B. Broken into sub-sections. Added sub-section defining postdoctoral fellows, part-time employment, phased retirement.

Section B1. Academic Freedom
Section B2. Contracts and Notices.

3. Section C. Procedures for Evaluation. This section is purview of BOV
Evaluation procedures have been removed from this section.
The revised document will incorporate memos about interim review, tenure, promotion reviews.
These procedures must be approved by the faculty.

A section on appeals of decisions was moved into this section.

Substantive Issues:

1. PRC has struggled with A&S committee for retention, promotion and tenure of faculty (RPT). PRC advises the deans. Committee now writes 2-4 page reports that go to Dean. Candidate does not see this before it goes to Dean. This violates faculty member's rights to review materials before they are passed along to the Dean.

Discussion:

Diaz noted that Handbook requires candidate to see materials before they are forwarded to the Dean.

Meese said that this could be viewed as an internal recommendation.

Cooke noted that argument could be made that RPT is analogous to members of the Dean's Office. He asked whether the procedures could be changed to provide oral opinion.

Meece noted that the procedural issue is that the candidate has not received "material" provided by RPT. This is assumed to be "written material". This raises an issue that differs from oral opinion.

Cooke noted that candidates should have an opportunity to correct misinformation or perceptions that may not be accurate.

Kulick responded that RPT has written reports in response to request from Deans.

Evans noted that information is provided to the candidate if requested.

Kennedy noted that the issue is that candidate should have an opportunity to respond to RPT report before a decision is made.

Smith commented that RPT synthesizes information and makes a recommendation.

2. Section of handbook will be changed from 'sexual harassment' to "discrimination".

Procedures for discrimination will be followed.

Members of writing committee feel strongly that appeals should stay with committees and not follow EO procedures. Want to avoid complaint running through two committees in parallel.

In cases of reconsideration of tenure, the procedures will involve PRC and faculty hearing. Cases of discrimination will be handled differently.

3. Leaves of Absence. Minor amendments

4. Conflicts of Interest Consensual Amorous Relationships moved to this section. Relationships with colleagues differ than relationships with students. External paid employment moved to this section.

5. Violation of Policy. The old Handbook had several places where information pertaining to this issue was found. The committee is setting out an entire section called Allegation of Violation of Policy. This will include section on: Procedures Discrimination Academic Misconduct Incompetence/Neglect of Duty The revised Handbook defines the terms and procedures for each violation. The revised Handbook tries to be consistent with EO, AAUP, etc.

Other changes to the organization of the Handbook include the following:

1. Grievance will be its own section.
2. There will be separate sections for termination for medical reasons vs. for financial exigencies.
3. Two sections – Research and Integrity in Research have been incorporated into other sections.
4. All preambles have been removed.
5. The revised Handbook will include a long series of appendices.

Discussion:

Smith asked about electronic appendices. How do you make sure documents will not be tampered with? Kennedy responded that everything that comes through FA is archived but will convey this concern.

Kulick noted that the first sections of the revised Handbook will come to FA at its November meeting. The documents will be posted to FA website for consideration.

Faculty Survey:

Kulick reminded faculty in your areas to complete Faculty Survey.

New Business:

1. Kennedy asked whether FRC is supposed to approve the criteria for “research active” as it pertains to SSRL policy. The procedures indicate that departments should establish their criteria but approval should be by FRC.

Cooke responded that the Provost’s office retains the ability to approve “research active” criteria in consultation with FRC and Deans. In a conflict, the Provost makes decision. All A&S departments have submitted criteria to FRC. No approvals thus far.

Cooke noted that it is important to provide instruction to FRC about directions based on new policies. FRC needs guidance from FA.

2. Meese noted that the FA made a recommendation regarding the use of redaction in documents pertaining to tenure/promotion last year. The Provost recently sent a memo that gives each unit a local option. This is inconsistent with the FA’s recommendation. The Faculty Affairs sub-committee wanted the policy to be a university-wide policy. However, the Provost thought we wanted it to be local option. Unfortunately, the FA minutes are vague despite the fact that Faculty Affairs wanted this to be university-wide policy. It was pointed out that, ultimately, the Faculty Handbook will address this issue. However, Meese will ask the Provost to correct this issue.

Adjournment:

Motion to adjourn at 5:01.

Respectfully submitted,
Elizabeth A. Canuel, Secretary