

Faculty Assembly Meeting
Minutes for February 25, 2014
3:30 – 5:00pm
Blow Hall Board Room

Members Present: Berhanu Abegaz, Jim Barber, Eric Chason, Bill Cooke (Secretary), David Dessler, John Eisele, Nancy Gray, Susan Grover (Vice-President), Will Hausman, Carl Hershner, Gina Hoatson, Scott McCoy, Brent Owens, Lily Panoussi, Suzanne Raitt (President), Brad Weiss, Jeanne Wilson.

Members Absent: Courtney Harris, Gul Ozyegin (at CCPD meeting), J.C. Poutsma

Others in Attendance: Michael Halleran (Provost), Terry Meyers (Parliamentarian), Tamara Johnson, Jill Mitten (President, Faculty Senate, Richard Bland College), Iyabo Osiapem, Christy Porter, George Rublein.

The meeting was called to order at 3:35pm. The President welcomed Ms. Mitten, and the three representatives from the Non-Tenure Eligible Association, Ms. Porter, Ms. Johnson and Ms. Osiapem.

1. Approval of Minutes

The minutes of the January 28, 2014 meeting were approved unanimously.

2. Provost's Report: Mr. Halleran

a) The General Assembly is no longer discussing any major bills that would directly affect the University's procedures. There are competing versions of the budget. Items of particular concern are a possible significant increase in the University's contribution to Fringe Benefits and the Virginia Retirement System, which may total as much as \$2 million more than had been expected. In addition, the governor and the legislature are still divided on Medicaid. This may cause a delay in the final approval of a budget, and it could have a major financial impact on the University. There is also still discussion of a bonus, rather than state employee raises, and this could complicate the University's plans to raise faculty salaries as planned by the Board of Visitors.

b) The Provost reported on the numbers of faculty who are tenured, tenure eligible, and both full and part time non-tenure eligible. There has been some increase in the percentage of full time non-tenure eligible faculty as Arts and Sciences combines part-time positions into a smaller number of full time positions. The relative percentages in all four categories have been relatively stable over the last six years, whether measured in absolute numbers, number of courses taught, or number of student credit hours taught. The Provost said that he would be concerned if the fraction of tenured and tenure eligible faculty dropped below 60% of the total. He promised to circulate all the details of his report to the full Faculty Assembly.

Questions:

Ms. Porter asked why the 60% figure was important. Mr. Halleran responded that 60% is not a magic number, and it is significantly different from the national average, but that he believes tenured and tenure eligible faculty provide needed stability to the University. He also stated that continuing, full time non-tenure eligible faculty can provide similar stability.

Mr. Weiss asked why this report is presented, and Mr. Halleran responded that the Faculty Assembly is expected to monitor the composition of the faculty to

ensure the stability and the quality of the teaching mission. Ms. Gray stated that the long term non-tenure eligible faculty can be a major benefit to smaller programs when financial pressures do not allow tenure eligible hires, and the Provost agreed that this is why it should be an option.

3. Proposed amendments to the Faculty Handbook:
 - a. Amendment to salary notification timing passed unanimously. This clarifies that contracts will be sent out as soon as possible after a budget is approved by the Board of Visitors. The previous language specified a date, which has often been impossible to meet.
 - b. Amendment restricting Scheduled Semester Research Leave (SSRL) to tenured faculty.

Ms. Raitt introduced this to say that this change would make the SSRL program consistent with the description on the Provost's webpage. Mr. Meyers stated that there is ample documentation showing that the Faculty Assembly had intended the SSRL language to allow non-tenured faculty to receive SSRLs. Mr. Cooke stated that when the Faculty Research Committee was collecting Research Active definitions, most departments in Arts and Sciences had restricted Research Active to tenured faculty, in accordance with the draft SSRL document. Mr. McCoy asked if any non-tenured faculty had received SSRLs. The Provost responded that there had been fewer than five such cases over the years. The amendment passed unanimously.
 - c. Amendment clarifying the meaning of "inadequate consideration" in the section of the Faculty Handbook pertaining to the Procedural Review Committee. Ms. Raitt read from the Provost's memo stating that this clarified the reason for an appeal to be limited to issues of procedure, rather than substance. Mr. Cooke asked how issues of substance could be addressed. Mr. Halleran said that it is always possible to appeal to the President or the Board of Visitors for any reason. Ms. Raitt read section III.C.1.d.ii that clarifies that the procedures include "application of the relevant standards of the College or the faculty member's department or school." Mr. Eisele noted that "Violation" implies intent, whereupon Mr. Hausman moved that "violation of procedure" be replaced by "failure to follow procedure" throughout the amendment. This change made the language consistent with Mr. Halleran's memo describing the amendment. The substitution motion passed unanimously. The amended amendment then passed unanimously.
 - d. Amendment on automatic extension of probationary period
This amendment changes the default option to automatically extend the probationary period for those tenure eligible faculty members who use disability, medical, or family leave. The faculty member can still choose not to extend the probationary period, but the period will be extended in the absence of a specific request. Several members suggested language errors, and the Faculty Assembly passed a motion to make the following two substitutions: In line 7, "an untenured instructional faculty member" was replaced with "a tenure-eligible instructional faculty member." In line 8, the words "infant, newly adopted child care parental care" were struck to make the language consistent with the first sentence. Considerable discussion followed pointing out that the need for this was evidence of a failure of department chairs to properly supervise their tenure-eligible faculty members. Mr. Hausman questioned the statement: "Any

extension of the probationary period will not affect the standards applied to the tenure review,” by noting that if there were a one semester leave, and the probationary period were extended by one year, then this itself is a change in the standards. Mr. Halleran responded that some faculty negotiate reduced probationary periods when they are hired, if they have considerable experience at another university, and the same promotion and tenure standards are to be applied to them, because the standards represent evidence of excellence, not simply yearly production. The amended amendment then passed unanimously.

4. Standing Committee Reports

A. Academic Affairs: Ms. Wilson

No report.

B. Faculty Affairs: Mr. Dessler

Mr. Dessler continued a discussion from the January 28, 2014 meeting exploring the sense of the Assembly as regards representation of Non-Tenure Eligible (NTE) faculty on the Faculty Assembly. Much discussion again ensued. Mr. Dessler said that he wanted to divide the discussion into two parts: (1) the principle of whether NTE faculty should have representation, (2) the mechanics of how best this might happen. He wanted to first limit the discussion to the issue of principle. He said that he believed that NTE Instructors were faculty and should have representation. Mr. Cooke asked if the category of NTE Instructors included graduate students, as suggested by the AAUP guidelines that had been previously distributed. Mr. Dessler said that he would exclude graduate students and post docs from his definition of NTE instructors. The discussion further digressed from a simple discussion of principle, once Mr. Hausman asked if tenure-eligible faculty members could serve on the Faculty Assembly. Mr. Meyers responded that they could serve. Mr. Weiss said that one could not separate principle from procedure this way. Mr. Weiss said that he represented more faculty members than just those from Area II in Arts and Sciences. Mr. Weiss said the question is whether NTE faculty members should be represented as a separate class, or as part of the faculty. Mr. Cooke stated that full-time NTE faculty members could vote in all Arts and Sciences elections, and that they and non-area II members likely voted for Mr. Weiss. Mr. Meyers verified that full-time NTE members can vote in Arts and Science elections. Mr. Hausman suggested that the NTE Association should have a non-voting member on the Faculty Assembly to keep the Faculty Assembly informed of its concerns, much as the Board of Visitors has a non-voting faculty member. Ms. Raitt said that it might be possible for NTE continuing faculty members to run for the Faculty Assembly and in addition have an NTE Association member, appointed by the Faculty Assembly Executive Committee, on the Faculty Assembly. Mr. Weiss stated that he preferred allowing NTE faculty members to run for election to Faculty Assembly alongside tenure-eligible and tenured faculty members. Mr. Hershner said that in VIMS they are fully incorporated in this way. Mr. Dessler said that FAC will consider this discussion and bring a motion with concrete options to the next meeting of Faculty Assembly.

C. COPAR: Mr. McCoy

Mr. McCoy reported that there are three issues that COPAR is considering: a report on the use of the new Business School fee, a history of the budget of

the university showing timelines for income and expenditures, and costs of the new Arts and Sciences curriculum.

D. Executive Committee: Ms. Raitt

- a. Ms. Raitt reported that a working group has been culling data from the faculty survey and will soon have a complete report.
- b. Ms. Raitt also reported the Executive Committee is in the process of appointing an *ad hoc* committee to work with Kiersten Boyce to rewrite the discrimination procedures in the Faculty Handbook. There are four issues to be addressed. The present section is not well organized and so it has been hard to follow, and does not serve as a good resource for those who believe they have suffered discrimination. There are not clear time lines, and some parts of the procedure do not have any time restriction. The investigation process is not clear, and there is no method to ensure that the investigators are familiar with proper procedures. The level of proof used in the procedures may be a problem.

E. Liaison Committee: Ms. Grover

In view of the short time remaining, Ms. Grover gave no report.

5. Old Business: none

6. New Business:

- a. Ms. Grover reported on the Town Hall Meeting that followed the recently circulated misogynist email. She stated that the Town Hall Meeting had an attendance of approximately 700 students, many of whom expressed their frustration that the email was typical of what they described as a "rape culture" on campus. Ms. Hoatson reported that the Town Hall Meeting was followed by a Teach-In that also had high attendance, including the Provost, the President, many faculty members, and mostly students. Ms. Grover reported that the Executive Committee is collecting more information with the intent to bring a motion before the Faculty Assembly to support efforts to improve the campus climate regarding sexual assault.

The President adjourned the meeting at 5:10 pm.