Commission on Faculty Affairs  
Minutes  
February 3, 2006

Members present: Redican, Ball, Eriksson, Hagen, Hyer, Hardcastle, Sanders, Kelly, Robinson, Stephens, O’Keefe, Welch, McNamee

Redican called the meeting to order with five items on the agenda: 1) Draft of Modified Duties Policy, 2) Draft revision of Stop the Clock Provisions, 3) Annual Evaluations Update, 4) Discussions and approval of 1.5.1 and 2.13.1, 5) Draft of proposed revision to 2.8.4.2. Minutes from the previous meeting were approved.

Draft of Modified Duties Policy

Hyer and Redican provided an overview of the feedback that was received during the AdvanceVT conference session on university policies. During the session a draft of the Modified Duties Policy was circulated for comment. Participants suggested editorial changes so that the policy was as comprehensive as possible. Changes would also allow the policy to be interpreted by faculty in a manner consistent with the policy’s objectives.

Draft of Stop the Clock Provisions (2.8.2.1)

Hyer and Redican also reviewed the suggested changes to the Stop the Clock Provision that were collected during the AdvanceVT conference session on university policies. Currently the draft Modified Duties policy and Stop the Clock provisions are written to not only address personal concerns of faculty but also addresses faculty concerns related to attending to the needs of immediate family. CFA members discussed whether legal issues could arise from the term ‘immediate family’ as it is subject to different interpretations. Hyer will work with Linda Woodard, Assistant Vice President of Human Resources, to clarify the language and revise the policy so that it is consistent with language used elsewhere in the Faculty Handbook.

Participants in the AdvanceVT conference session felt it would be beneficial to monitor how often faculty request a modification of duties or an extension of tenure. Participants felt the decision should be negotiated at the department level but the Provost’s Office should have a record of all requests that are made so that the number of approved and denied requests could be monitored. Reasons why faculty are using the policies could also be tracked. Oversight would allow the university to determine whether the policies were being enacted consistently across departments and colleges and whether faculty members were able to utilize the policies. One participant suggested that moving to an electronic form that could be submitted simultaneously to parties involved at the department, college, and university levels would be an ideal way to monitor policy usage. CFA members agreed with this notion. In addition, CFA members agreed the university grievance procedures would provide an adequate measure of recourse if faculty wanted to appeal a denial.
Annual Evaluations Update

CFA members agreed to return to this item on the agenda if time allowed after the other items were covered.

Discussions and approval of 1.5.1 (Reconciliation Committee) and 2.13.1 (Valid Issues for Grievance)

Provost McNamee joined the CFA to provide insight into how grievances are addressed and how the Reconciliation Committee is currently used during the university promotion and tenure process. CFA members highlighted the importance of having appropriate bodies review procedural and merit based issues when an individual files a grievance during the promotion and tenure process.

The draft revision to Section 2.13.1 includes “substantive violations of promotion and tenure procedures” as a valid issue for grievance. The expectation is that faculty members would pursue available appeals as described in section 2.8.5 of the Handbook, but they could also file a grievance if their claim included a substantive procedural violation (probably after exhausting P&T appeals). CFA members agreed there is no expectation that the outcome of a grievance would be the granting of tenure, but the grievance process allows a more thorough investigation of irregularities, gathering of relevant documents, hearing of the parties and others who may have relevant information, and an opportunity to uncover serious procedural problems that may exist and should be addressed for consistency across the university. The recommendation would go to the provost who could, in the most egregious cases, convene an ad hoc committee to conduct an independent evaluation of the dossier, if so warranted. The more likely outcome, however, would be identification of problem areas with recommendations for changes. CFA members agreed that the valid issues for grievance as listed in 2.13.1 were satisfactory.

Reviewing a case that has been denied based on merit should be done by a committee that is closely aligned to the faculty member’s field and should therefore be reviewed at the department or college level. Based on the discussion, both policies need to be reworked so that they clearly state that promotion and tenure guidelines provide a process to file an appeal based on merit while grievances and appeals based on procedure are handled by the Faculty Reconciliation Committee. Members agreed that the provision to create an ad hoc committee as outlined in Section 2.8.5 of the Faculty Handbook should be dropped from the policy. The concern is providing faculty with different opportunities and venues to pursue his/her appeal that would involve convening additional committees. Hyer will revise and distribute at the next meeting.

Draft of proposed revision to 2.8.4.2

The university-level P&T process has been moving toward the principle that participants vote only once on a case. Revisions to 2.8.4.2 (College Evaluation) make that principle
consistent at all levels, removing department head participation on college committees since they make a separate recommendation at the department level. CFA members agreed that wording in the policy should be revised so that it is clear deans and department heads could not serve on college level review committees. A representative from each department should serve on the committee and members should be chosen by either elections or a faculty-approved selection process. The committee should be chaired by a faculty member who does not hold the role of dean or department head. Language should also be included to make it clear that the college committee and the dean prepare independent recommendations. Language in the policy will be revised based on the discussion and brought before the CFA for review and approval.

Recorder,
Catherine Amelink