Commission on Faculty Affairs
Minutes
March 22, 2007

Members present: Hardcastle, Lener, Mitchell, Brewster, Grene, Ball, Eriksson, Hyer (teleconference)

Guest(s): Hardus Odendaal, Bethany Flora, Linda Woodard

Hardcastle called the meeting to order with four agenda items: 1) New Staff Policies, 2) CFA Representatives for other university/committees or commissions, 3) Part-time tenure track resolution, and 4) Scholarly misconduct policy.

The minutes were approved and agenda were approved.

NEW STAFF POLICIES

Linda Woodard, Assistant Vice President for Personnel, reported on the Higher Education Restructuring Act and the impact that this legislation will have on Virginia Tech, William and Mary, and the University of Virginia. Prior to the adoption of this policy, non-faculty personnel were categorized as “classified staff” and governed under state policies. As of July 1, 2006, this status will no longer be used; instead, the term “university staff” will apply to all new employees. With the exception of retirement, health insurance, staff grievance procedures, and workers compensation, the Board of Visitors will develop HR policies for university staff. Staff hired before July 1, 2006, are still apart of the state classified system; however they will have an option to convert to university staff.

Essentially, the only difference between university and classified staff, at this point, is when they were hired. Woodard acknowledged the complexity of this issue and explained that ultimately, a commitment needs to be made to making the most improvement to benefit everyone. In June, the Board of Visitors reestablished a severance policy for individuals who are dismissed due to position elimination. Other than this change in policy, the Board has adopted a “mirror-image model.” All university and classified staff will be governed under the same policies until information is gathered and recommendations are made. Focus groups of 300 randomly selected staff and 50 supervisors were created to generate data for a survey to be distributed to all staff next month. In addition, committees were created to inform design teams for policy development. A steering committee consisting of administrators and office representatives and the Employee Advisory Committee (EAC) was also formed to assist in this endeavor. Chairs of the Commission for Faculty Affairs, Commission for Staff Policy Affairs, and Commission for Administrative and Professional Faculty serve on this committee.

Woodard intends to share the results of the survey at a later date and asked for members to contact her if any questions or concerns materialize.
DISCUSSION OF CFA REPRESENTATIVES FOR OTHER UNIVERSITY COMMITTEES OR COMMISSIONS

Hardcastle asked members for nominations for representatives for several university committees or commissions. Representatives are as follows: Ruth Grene (Commission on Equal Opportunity and Diversity) and Ed Lener (Employee Benefits). Hardcastle will ask Susan Hagan to serve as the CFA liaison to the Virginia Tech Employees, Spouses, and Scholarship Committee.

DISCUSSION AND VOTE ON PART-TIME TENURE TRACK RESOLUTION

On March 13, the Faculty Senate approved the part-time tenure track resolution with five dissenting votes and no abstentions. Concerns still remain regarding the possible exploitation of junior faculty. Grene stated that permanent part-time status should not be allowed until after tenure. She also expressed concerns with regard to start-up packages and stated that in the sciences, shared lab space is not a work environment conducive for any employee - a subordinate relationship could be established and feeling of second class citizenship may occur.

Grene made a motion to amend the resolution so that probationary faculty are only allowed “term” appointments, instead of permanent. The motion passed with one opposing vote.

The resolution as amended was then approved unanimously.

DISCUSSION ON SCHOLARLY MISCONDUCT POLICY REVISIONS

A task force working through the Commission on Research has been working to revise the university’s policies with regard to reporting scholarly misconduct so that they are aligned with new federal guidelines. The Commission on Research is now soliciting input from CFA. They would like for the new procedures to be in place by the fall, which would require the Board of Visitor’s approval at the June meeting.

According to Hyer, scholarly misconduct violations are handled within the colleges with no consistent practice. Federal regulations require a streamlined process in which violations of academic misconduct are reported to one individual – typically a Research Integrity Officer (RIO). A new office of Research Integrity has been approved and until this position is filled in the fall, Bob Walters will be responsible for carrying out these duties.

Hardcastle explained the draft of the flow chart (Procedures for Responding to Allegations for Misconduct in Research) developed by the Health and Human Services. The following questions or concerns were raised:
• Should the RIO determine the credibility of a complaint or should this matter be handled by the Inquiry Committee?

• The standing members of the Inquiry Committee should be clearly stated in the document.

• Should the sponsoring agency be notified when an allegation is initially made or after each phase of the investigation? Notifying too soon may jeopardize future relationships if the complaint isn’t substantiated.

• Appeals should not be addressed to the provost since the provost is part of the decision making chain. Hyer suggested that the President serve in this capacity and that it would be up to his discretion as to who he consults.

• If confidentiality is breached, the Faculty Ethics Committee would deal with the complaint. Members questioned whether it was necessary (as suggested) to have everyone involved sign a confidentiality agreement.

• Other than the research being sequestered, what else happens to the faculty member during the investigation?

• Clarification should be made as to who receives written notification regarding the conclusion of the investigation.

Hardcastle asked that members review the document carefully and send comments via email. Faculty Senate will need to vote on this resolution on April 10th so that it can be included with the other resolutions to be voted on during the April 13th meeting of University Council.

Hyer will revise the part-time resolution to reflect the intent of the amendment.

Recorder: Tracey Cameron, Office of the Provost