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**Utah State University
Academic Freedom and Tenure (AFT) Committee**

Minutes for meeting held 27 January 2016
2:30 P.M. ANSC (Animal Science) room 119
(Dial-In participants: 801-582-9977, passcode/extension 061540;
UEN video unit USU-Logan-Mobile-ANSC@ivc.uen.net)

In attendance (in person or via dial-in or videoconference): Bruce Duerden, Kathy Chudoba, Kurt Becker, Cathy Bullock, Peter Adler, Farrell Edwards, Becky Thoms, Susan Talley, Anthony Lott, John Stevens, Suzie Jones, Michael Lyons

Meeting called to order at 2:30 pm, and minutes from 12/07/15 meeting were approved.

Old Business

- Define “arbitrary or capricious conduct” for Guidelines
 - Rough language drafted (to be discussed in 2/24/15 meeting, and possibly vote to include in Guidelines document)

“Arbitrary or capricious” means doing something according to one’s will or whim (as in a sudden, unpredictable change). An action or decision is arbitrary if it is not supported by logic or the necessary facts, or if it is made in the absence of decision-making criteria consistent with USU policy and procedures. An action or decision is capricious if it is adopted without thought or reason, or is irrational.

(Acknowledge partial language from <http://definitions.uslegal.com> ?)

New business

- Question from Faculty Senate Executive Committee meeting: AFT position (based on code) is that the role of tenure and promotion advisory committees is strictly evaluative, and the “advisory” nature is towards the department head only. [See 3/23/15 AFT minutes] Then what “guidance” is to be provided by the promotion advisory committee to the faculty member before the faculty member submits materials for promotion consideration? [see 405.8.2(1-3)]
 - Discussion settled on conclusion that the committee should state where they view the faculty member’s performance relative to the necessary criteria for promotion, and the committee should let this guide the faculty member’s decision to go up for promotion or not.

- Other items from committee
 - Concern was raised about the letter of nonrenewal and reasons for nonrenewal not being clearly stated (see 407.6.4). Committee discussion involved seeking a sense of fairness, and providing focus to potential grievants (so they could not, for example, grieve violations of academic freedom if the stated reasons for non-renewal clearly did not violate their academic freedom). Previous AFT Committee work on this led to a request from upper administration to pair a code proposal with something to limit the president's likelihood of being named in a grievance; see 9/21/15 and 10/19/15 AFT minutes. It wasn't clear whether we could explicitly require the president to specify reasons for nonrenewal while simultaneously protecting the president from being named in a grievance. We also discussed the possibility of requiring reasons for nonrenewal to be specified by previous administrative levels during the review process. John was given the homework to draft possible code to be discussed in our 2/24/15 meeting.