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## USU Faculty Senate Minutes, January 12, 2015

Utah State University

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**USU FACULTY SENATE  
MINUTES  
JANUARY 12, 2015  
Merrill-Cazier Library, Room 154**

**Call to Order**

Doug Jackson-Smith called the meeting to order at 3:01 pm. The minutes of December 1, 2014 were adopted.

**Announcements – Doug Jackson-Smith**

**Roll Call.** Members are reminded to sign the role sheet at each meeting.

**Extra Service Compensation Policy and Procedure Update.** This is being finalized with the President's Executive Committee on January 28<sup>th</sup>, and will then move on to the Board of Trustees.

**Electronic P&T Binders.** A formal presentation to the Faculty Senate will be made at the February meeting.

**University Business – President Stan Albrecht**

President Albrecht gave a brief update on the progress of the two capital facility projects. The Science Building and Clinical Services Building will go to the legislature this session. The Business Building is coming along close to schedule, the Student Recreation and Wellness Center is on schedule to finish August 2015. The Price and Tooele classroom buildings are about 50% completed and the Brigham City building is making progress. There are two non-state funded projects that we will be hearing more about in the coming weeks. First, a major renovation and expansion of the Fine Arts facility which will be covered in large part by private donations, upgrades to the sound systems and HVAC systems will be covered by capital improvement funds. The Morgan Theater and Kent Concert Hall will receive major upgrades, expansion to the museum area, and changes to the main entrance and expansion on the west side. The second major project is the demolition to the west part of Romney stadium. The renovations will include many upgrades to enhance fan experience. The new section of the stadium will include premium seats. The project is funded by donor funds and revenue bonds. The bonds are funded by the sale of the premium seats. Demolition will begin about the first of April. 2016 will be the next comprehensive review for the Northwest Commission on Colleges and Universities (NWCCU). You will be hearing much more about this as we prepare for the visit. US News and World Report recently ranked USU's online program 13<sup>th</sup> in the nation.

**Information Items**

**Discontinuance of Common Hour Fall 2015 – Noelle Cockett, Provost.** Provost Cockett was unable to attend. Doug Jackson-Smith presented the information item. The Common Hour has been assessed and it is largely not being used for the purposes it was intended. The decision has been made to discontinue it beginning Fall semester and return to the regular class schedule.

**Reports**

**December EPC Items – Larry Smith.** No 401 proposals were presented in December. Academic Standards subcommittee submitted several items bringing policy up to current practice and language clarification. They also discussed a revision to the grading policy that would allow faculty more time to submit final grades. Currently faculty must submit grades 96 hours after the

final exam. The new recommendation is 120 hours from the time of the last final on Friday. EPC passed a change to the recommendation, proposing that faculty be allowed until 5:00 on Thursday the week after final exams.

**Council on Teacher Education – Francine Johnson.** Francine was unable to get to our meeting in time for the report due to another meeting. Doug asked if there were questions regarding the report from senate members. There were no questions.

**Scholarship Advisory Board – Taya Flores.** The report covers the 2013-14 year and only covers what goes through the scholarship office.

A motion to approve the three reports as a consent agenda was made by Lesley Brott and seconded by J P Spicer-Escalante. The motion passed unanimously.

### Unfinished Business

**Code Change 402.12.3 Committee on Committee Term Extension (Second Reading) – Stephan Bialkowski.** The change extends the term of members to three years, and makes them a supernumerary member of the Senate if their committee term extends beyond their senate term.

A motion to pass the second reading of section 402.12.3 was made by Stephan Bialkowski and seconded by Robert Schmidt. The motion passed unanimously.

**PTR Working Group Recommendations – Doug Jackson-Smith.** At the last senate meeting a working group was formed to clarify decision points so the process can move forward. Doug reviewed the working group's recommendations which are included in the agenda packet. The group agreed on several key points; that the system should be fair, rigorous, and credible, it should be grounded in the judgment of peers and be an efficient process that protects faculty from abusive administrators. The implications of the proposal would require PRPC to re-write code language using guidance from the discussion today and write a version of code that will be brought back to the senate for discussion and a vote later this spring. Doug suggests the process be to review the proposal, then offer the opportunity for amendments to it, culminating in an up or down vote to decide whether or not to send it to PRPC.

A faculty member questioned the consistency of the working group's recommendations with Regents Policy in that Department Heads would not necessarily be an expert in the faculty member's field and therefore the review would not be collegial or qualified to give an extensive review. Doug replied that all indications are that the policy is in fact in line with the Regents code. Comments from senators indicated the proposed process is much more collegial than current practice. Stephan Bialkowski suggested we break the proposal into three separate components: who does the PDP (the department head or the PTR committee); whether to form the PTR committee by "mutual agreement"; and whether to link or trigger the PTR process to the annual review process. A working group member assured the senate that these three components were discussed and the group agreed unanimously to ask the senate to consider this as a combined package. Doug decided to proceed with the full proposal, but encouraged people to propose changes to any of these components.

Doug presented a graphic outlining and comparing the current process and the proposed changes. (Please see attached documentation.) Doug asked for a motion to send the proposal to PRPC. The motion was made by Matt Omasta and seconded by Kathleen Mohr.

Charles Waugh, a member of the working group, stated that the group discussed at length the possibility of a bad department head using the system in inappropriate ways. Current code allows the department head to initiate a PDP and begin the censure process unchecked. This proposal allows departments to set the annual review process, and in the event of a negative departmental annual review, would require a comprehensive review by peers in part selected by the affected faculty member before a PDP can be put into place. In this way it protects faculty from potentially abusive administrators better than the status quo.

Matt offered an amendment to the motion requiring that a “warning letter” be issued one year before a negative review could trigger the formation of a PTR committee. A second to this amendment was made by Caroline Lavoie. Members of the working group responded that protection from a ‘surprise’ decision to invoke the PTR process should be enhanced by using a five year window, and if a department suddenly made a formally negative annual review recommendation, that decision would be reviewed by the peer review committee, which would have to agree with the department head. A senate member commented that the five year window is not a guarantee of protection if one year you publish less than prior years; you could be reprimanded for decreased productivity. Alan Stephens stated that most department heads currently do not evaluate annual reviews based on the code standard of whether faculty member conscientiously and with professional competence discharges their duties. He believes that it would be surrendering faculty responsibilities to administration to allow departments to decide if a PTR peer review committee is warranted. Kathleen asked for clarification that the amendment would require a warning letter to precede a negative annual review by one year. Doug affirmed that was correct and it was clarified that the letter would contain language similar to “I am concerned that you are approaching the level at which you may not be performing up to standards”. Another faculty commented his feeling that this proposal strengthens protections to faculty rather than taking protections away.

Voting on the amendment was 33 in favor, 14 opposed. The amendment passes.

There was discussion about the differences in the annual review process between departments. A Senator asked for clarification on the multiyear review window history. Doug explained that departments currently get to decide what on the window for annual reviews and there is currently little guidance in code for the reviews. A year and a half ago the senate voted to allow departments to choose their own windows. Later that was changed with a vote on a 5 year window, which was amended on the floor to a three year window. The working group discussed this point again and decided to start the discussion here with a 5 year window, which they felt more fairly assesses the changes in publications and research etc. Doug asked if anyone wanted to propose an alternative to the 5-year window.

A motion was made to limit the discussion on this topic to 60 seconds, and a second was received. The voting was unanimous in the affirmative.

The discussion moved to item H in the Process Suggestion document, merit pay. John Stevens clarified that for pre-tenure faculty the provost has presented a separate code change proposal that would separate the promotion and tenure letter from the annual review. He asked if this might conflict with the PTR proposal goals? Doug clarified that the provost’s proposal would be compatible with the working group PTR proposal. For some faculty, apparently, the P&T evaluation letter is currently used as their annual review letter. The intent of Provost’s change is to not allow departments to use the promotion and tenure letter for the annual review process and vice versa. Whatever we do with the annual reviews or PTR process, the provost’s change (which will be debated in the senate next month) would not be affected.

A question was asked if the proposal includes the scenario that if the peer review committee disagrees with the department head’s negative review that will override the department heads decision, and could not initiate one for another 5 years. Doug noted that the proposal distributed in the agenda packet states that “most of us recommend that a Peer Review Process could only be initiated once every 5 years (e.g., if the PRC does not concur with the negative departmental evaluation, there must be a waiting period before another formal negative MYAR could trigger the PTR process).” He also noted that the committee was not unanimous about this detail and encouraged the senators to offer suggestions about whether they wanted a ‘waiting period’ in the proposal that goes to PRPC. A working group member commented that the waiting period idea was included to provide an extra level of caution so that a department head would have to have solid evidence of misconduct to proceed with the process, knowing that if it was repealed he or

she could not invoke it again the next year. Another senator commented that if there were valid, objective examples of the person not fulfilling their role statement, and the review committee did not disagree with all of it, but the next year the person clearly did not fulfill their duties, the department head's hands would be tied. It seems that waiting 5 years is too long.

A motion to amend the proposal to reduce from a 5-year to a 2-year waiting period before being able to trigger formation of the committee again after a positive PRC review was made and seconded. The discussion continued and a senator made a friendly amendment to change to a 3 year period which would provide a full two years of time elapsed to be reviewed. The friendly amendment was accepted.

A senator questioned, if a warning letter is required is a three year waiting period really necessary?

A vote was called on the proposal to reduce from a five to a three year waiting period. 26 votes in favor and 14 votes opposed. The amendment to the proposal passed.

More discussion ensued and a motion was made to remove the waiting period after the PRC has reversed the department head recommendation for a PDP completely by Mark McLellan and seconded by Jeanette Norton. The vote was 27 in favor and 15 opposed. The motion passed.

There was no further discussion, so Doug called for a vote on the motion to submit the working group proposal (as amended) to PRPC with instructions to present to the faculty senate later this semester draft code language to implement the amended proposal.

A motion was made to send the proposal with the amendments to PRPC to draft code language and a second was received. The motion passed 42-3.

### **New Business**

**AFT Code Change Proposals – John Stevens.** The committee is proposing three changes. Two of them very minor, and deal with editorial corrections and typographical corrections. The other is to clarify which reason is invoked for non-renewal of faculty, but allows the president to elaborate if he so desires.

A motion was made by Michael Lyons and seconded by Ronda Callister to send this proposed change to PRPC for consideration. The motion passed unanimously.

### **Adjournment**

The meeting adjourned at 4:34 pm.