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Academic Freedom and Tenure Committee Minutes, September 25, 2013

Utah State University

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Meeting convened at 1:00 pm in room 152, Center for Persons with Disabilities. In attendance: Bryce Fifield (Chair), John Stevens, Grant Cardon, Lynn Keisker, Becky Thoms, Cathy Bullock, Anthony Lott (by phone).

Grievances in Progress

There is currently one faculty grievance in process. The grievance statement was filed July 10, but changes in the Provost's office and the retreats associated with the start of the new semester made it necessary to extend the deadlines. Thanks to committee members who have agreed to serve on the panel and thanks to those who responded to the request to extend the deadlines.

Bryce and Kathy Chudoba (Hearing Panel Chair) have met with the faculty member who has agreed to engage in a mediated discussion with the supervisor. The grievance is temporarily on hold to try to resolve some of the issues relevant to the grievance.

The Committee discussed several issues associated with the grievance including language in the code that refers to the term “arbitrary and capricious”. Our shared understanding is that the grievance process outlined in the code (specifically Section 407) is not a mechanism to appeal decisions, but to address an arbitrary or capricious application of university practice, policy, or code. A Hearing Panel can make a recommendation to the university president who could ultimately reverse a decision.

New Business

The Committee discussed the status of evolving recommendations from ad hoc work groups developing recommendations for changes to the code addressing university financial emergencies and post-tenure review processes. This is a carry over from last year, but a new Provost and new Faculty Senate President have started this process over with a slightly new direction. If and when the AFT committee is requested to ‘review’ the proposed changes, we will take a much more formal approach than was the case last spring.

The Committee discussed the efforts last year to develop some resources to assist the committee chair and those who serve as Hearing Panel chairs in discharging their duties. The consensus of the group was to spend time over the coming year developing those tools. Suggested topics include: suggestions on how to handle and track communications with
grievance parties, timelines for deadlines as established by the code, suggestions and possibilities for handling negotiations between a faculty member and supervisor in lieu of holding a grievance hearing, the process of keeping records and passing them on to a new committee chair, and a crib sheet for a hearing panel chair.

The Committee determined to hold a monthly meeting this semester on the 4th Wednesday at 1:00 pm in room 152 of the CPD.

Respectfully submitted,

Bryce Fifield (Chair)