Budget and Faculty Welfare Committee Minutes, February 26, 2008

Utah State University
Minutes for February 26, 2008
Budget and Faculty Welfare Committee

Present:
Jeanette Norton, Steve Harris Ted Evans Jim Bame JoLene Bunnell (excused)
Charles Salzberg Gary Stewardson Fred Baker Vance Grange (10) Business
Jake Gunther, Daren Cornforth, James Sanders

Invited Guests for discussion on Grievance process and scheduling
FS President Doug Ramsey, Dean Byron Burnham, Vice Provost Larry Smith

1. Discussion on recommendations for faculty grievance process
BFW has been asked to revisit this issue at the request of the Provost. The Provost has received a letter from the State Attorney General concerning the grievance process at USU. The impact of the length of these grievance and sanction hearings may significantly affect departmental and university budgets as well as faculty resources. These hearings which on average last 10 months can also have detrimental effects on the faculty member who is presenting a grievance. The hearing process is designed to protect the rights of the faculty member and the University.

The discussion focused on the negative impacts of an extended grievance process especially in the situation where departments are required to keep faculty on payroll until resolution. In some sanction cases this has resulted in other faculty taking on their duties while they are on paid administrative leave imposing significant hardship. This may also prevents timely initiation of search procedures for replacement of faculty members. Dean Byron Burnham presented some extended timelines of elapsed days due to the manner in which calendar days are counted and especially due to clock stoppage during academic breaks (policy 407.1.2 Definition of days). The availability of faculty to serve on grievance committees during the summer months was discussed, Dean Byron contended that there were 282 faculty on 12 month appointments that should be available to serve. There are typically 2-3 grievances per year, sometimes less. One area of BFW concern is that with stricter controls on faculty time allocation by granting agencies it is important that faculty not be asked to take time away from dedicated research activities for administrative duties. There was some confusion over timelines for grievances of non-renewal, denial of tenure and sanctions. The guests were thanked for their input and the discussion continued with BFW committee members.

Summary points on grievances, underlined text is quoted from faculty code:
1) A faculty member may not grieve a decision reached under policies 407.3, .4, and .5. Therefore grievance scheduling does not apply to sanctions.
2)407 1.2 Definitions of Days
   In all of the proceedings under policies 407.3 through 407.8 a day is defined as a Monday, Tuesday, Wednesday, Thursday, or Friday during the defined period of appointment for the academic year. Official University holidays are not days.
   Sections 407.3 Sanctions (Reprimands) 407.4 Sanctions other than reprimands and 407.5 Medical Incapacity, therefore the definition of days does apply to sanction scheduling.
If the BFW desired to change the scheduling timeline for sanctions only the appropriate code change would be to change the definition of days to calendar days for policies 407.3, 407.4 and 407.5, it is already calendar days for, 407.9, 407.10 and 407.11 This would leave only 407.7 Non-renewal and 407.8 Scientific misconduct (except research fraud) with academic scheduling

It may be simpler to change the definition of days to calendar days for the whole section 407.3-407.11. Then the timeline for grievances of non-renewal could be handled separately.

2. Review of January minutes and BFW Summary Report, approved

3. Programs for review
   1) Engineering Educational Doctoral program
      Gary Stewardson clarified that the new faculty lines were funded by the Governor’s Engineering Initiative (this is ongoing funding)
      BFW requests the addition of memos of understanding from the College of Education especially concerning availability of research sections
      Library resources are adequate for program, continue working to maintain with Librarian Betty Roseum
   2) Draft of Bachelor of Science in Residential Landscape Design and Construction (PSC)
      BFW wants MOU with LAEP and clarification on the outcome of the degree program for students

4. New business items
   1) Active Service Modified Duties for maternity and adoption leave (Rhonda Callister)