Academic Freedom and Tenure Committee Minutes, January 24, 2011

Utah State University

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The meeting was called to order at 2:35 PM by AFT Chair Richard Jenson.

Richard Jenson gave an update on the grievance hearing currently before the AFT. A concern was raised that the process was not following the schedule prescribed in the code. Richard explained that part of the delay was due to an amendment to the grievance that added three additional respondents. Two respondents had not yet provided responses. Richard expected that the grievance would proceed sometime during February.

David Peak introduced a proposal to clean up and clarify code paragraphs 405.7(2-5). Some of the changes addressed style and consistency in the wording and switched from passive to active voice. The substantive changes clarified the delivery of evaluation letters to the candidate from the various levels of the promotion and tenure process. The new wording specified who would deliver the letter and when it would be delivered.

David Peak also proposed changes in the code governing the solicitation of external reviews. His proposed changes would require that the initial reviewer solicitation list be expanded to six (the required number of returned letters remains at four) with at least half of the potential reviewers from the candidate’s. David suggested that this addresses the problem of failing to have four reviewers returned from the initial solicitation. There were concerns from some AFT Committee members that increasing the original solicitation to six may create waste in the process due to the imposition on reviewers who may not be necessary.

Scott Budge raised the issue of using external review letters from research collaborators noting that the code does not restrict this. Nevertheless, the central promotion and tenure committee has communicated a doctrine of “arms length” although it is not codified. Because of a relatively small research community in some cases, candidates may need, or find it advantageous to use collaborators as outside reviewers. However, it will be necessary in such cases to provide a context when they are used. Scott Budge was assigned to explore some wording that might be added to the code to address this situation.

David Peak proposed a code amendment to allow any candidate to provide supplementary binder documentation to the Provost one week prior to the meeting of the central committee. The current process, which is not codified, does not invite all candidates to provide such supplementary documentation. David will refine wording for final AFT Committee approval.

Helga Van Miegroet presented a proposal to amend code sections 405.7.1(3) and 407.7.2. The issue she raises is the administrative prerogative to terminate a candidate prior to the final tenure and promotion committee review. She proposes that 405.7.1(3) reference the reasons for non-renewal [407.7.2] and that an administrator be required to present a clear written record to the faculty demonstrating reasons for non-renewal. Because little time was left for discussion, Helga requested that the AFT Committee provide her input so that this issue can be finalized at the Feb 22 meeting.

Nick reported back on the USU mediation program. Larry Smith told him that there was not a big demand for mediation (perhaps one every two years). However, BrandE
Faupell felt the program had value, but that training would have to be kept current. Nick concluded that the mediation program was probably not an alternative for any of the types of faculty grievances typically heard by the AFT hearing panels. Mediation would appear to be better suited for settling communication gaps and not addressing code violations.

- The next meeting of the AFT meeting was scheduled for February 22 at 2:30 (location to be announced).
- The meeting was adjourned at 3:40 PM.

Respectfully submitted by Richard Jenson.