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FACULTY SENATE EXECUTIVE COMMITTEE

April 13, 2015

3:00 – 4:30 p.m.

Champ Hall Conference Room

Agenda

- 3:00 Call to Order**.....Doug Jackson-Smith
Approval of Minutes March 16, 2015
- 3:05 Announcements**.....Doug Jackson-Smith
- Senate Elections – President-Elect & Committee on Committees
- 3:10 University Business**.....Stan Albrecht, President
Noelle Cockett, Provost
- 3:20 Reports**
1. Committee on Committees Report.....Sheri Haderlie
 2. Calendar Committee.....Andi McCabe
 3. EPC Items for April.....Larry Smith
- 3:40 Unfinished Business**
1. 402.9 Code Change: Scheduling of Faculty Forum (Second Reading).....Stephen Bialkowski
 2. 405.12.2 (1-3) Code Changes: PTR (Second Reading).....Stephen Bialkowski
 3. 405.6.5 Code Change: Remove Term Quinquennial (First Reading).....Stephen Bialkowski
 4. Mutual Agreement Code.....Doug Jackson-Smith
- 4:20 New Business**
1. Resolution on Gender-Neutral Bathrooms..... Doug Jackson-Smith
 2. Resolution on Presidential Commission on Collegiate Athletics Doug Jackson-Smith
 3. Confirm plans for selection of new FSEC Members in last Senate meeting (College Caucus) right before adjournment. Two year terms are standard. Senators must have served one year in the Senate to be eligible. Colleges needing an FSEC Member are:
 - a. Business
 - b. Education/Human Services
 - c. Engineering
 - d. Libraries
 - e. Regional Campuses, and
 - f. USU-Eastern.
- 4:30 Adjournment**



FACULTY SENATE EXECUTIVE COMMITTEE MINUTES

March 16, 2015 3:00 P.M.

Champ Hall Conference Room

Present: Doug Jackson-Smith (Chair), Dan Davis, Jake Gunther, Betty Hassell, Mark McLellan, Robert Mueller (excused), Dan Murphy, Jeanette Norton, Jason Olsen (excused-Betty Hassell substitute), Michael Pace, Robert Schmidt, Charles Waugh, Vincent Wickwar, Ronda Callister (President Elect), Yanghee Kim (Past President), President Stan Albrecht (Ex-Officio) (excused), Provost Noelle Cockett (Ex-Officio) (excused), Joan Kleinke (Exec. Sec.), Marilyn Atkinson (Assistant) **Guests:** Britt Fagerheim, Stephen Bialkowski, Janet Anderson

Doug Jackson-Smith called the meeting to order at 3:00 p.m.

Approval of Minutes

There were no corrections to the minutes of February 17, 2015. The minutes were adopted.

Announcements

Senate Elections. Doug will distribute a list of committee vacancies. Senators are encouraged to look for positions they can fill.

University Business - President Albrecht and Provost Cockett.

The President and Provost were not in attendance.

Information Items

Faculty Forum Code Change Timing – Doug Jackson-Smith. Doug would like to present the PRPC proposal at the April 6th meeting in order to have time to dispose of the issue before the end of the academic year.

Ronda moved to place the item on the agenda. Jake Gunther seconded and the motion passed unanimously.

Mutual Agreement Code Change Timing – Doug Jackson-Smith. This item was on the agenda for the last senate meeting but due to time limitations was not discussed.

Yanghee Kim moved to put the issue on the senate agenda as a New Business item. Jake Gunther seconded and the motion passed unanimously.

Reports

PRPC Annual Report – Stephen Bialkowski.

A motion to place this on the Reports agenda was made by Vince Wickwar and seconded by Ronda Callister. The motion passed unanimously.

March EPC Items – Janet Anderson. There were two R-401 requests acted on, one of which was a request for a new PhD in Neuroscience that will be offered through the Emma Eccles Jones College of Education.

Robert Schmidt moved to place this item on the Reports agenda and Vince Wickwar seconded. The motion passed unanimously.

FDDE Annual Report – Britt Fagerheim.

A motion to place this item on the Reports agenda was made by Jeanette Norton and seconded by Ronda Callister. The motion passed unanimously.

Unfinished Business

405.2.2 (etc.) Code Change: Teaching Role Description for P&T (Second Reading) – Stephen Bialkowski.

Mark McLellan made a motion to place the second reading on the Senate agenda, Ronda Callister seconded and the motion passed unanimously.

New Business

405.12.2 1-3 Code Changes – Stephen Bialkowski.

Doug Jackson-Smith included a summary of the feedback in the agenda packet from AFT, BFW, FEC, and the PTR committee who reviewed their proposal entitled *Synthesis of Feedback on PRPC PTR Code Draft From Faculty Senate Committees & PTR Workgroup* as well as *Suggested Edits for the Executive Committee Consideration* to review. These documents were included in your agenda packet. The PRPC subcommittee drafted language regarding the appeals process for PTR but felt it was overreaching their charge from the senate and did not include the appeals process in their PTR code change proposal. Doug mentioned that this was specifically requested from the faculty senate as part of their code change drafting request to PRPC. He noted that if we go to “mutual agreement” in our code changes that there has to be an appeal process, as other parts of the code that have mutual agreement clauses have an appeal process. Doug also mentioned that if were to pass this without an appeals process that he thinks it is dead in the water when it get to the next level and we will be discussing it in the further with an appeals process.

Doug then asked for reactions to the draft proposal. Yanghee suggested that we bring it forward with the appeals process draft that was not included in the original PTR proposal. Robert asked if there was a general appeals process in the code and it was stated that there is not a general appeals process that would obviously apply already in faculty code. Mark stated that the three options Doug presented in his handout were interesting. The Executive Committee engaged in a lengthy discussion on the appeals process issue. Some of the ideas discussed included appointing the Faculty Senate President as a decision maker since this situation will not likely be a common one, also, we could form an appeals committee in each college, or one appeals committee for entire the university. Also discussed was if the appeals process should be part of AFT's responsibility or if it is different from the grievance process (which focused on violations of process or code, not mediation of disputes).

Yanghee Kim made a motion to present the 1st draft code change to the Faculty Senate as a first reading, including the appeal process draft option 3. Ronda Callister seconded the motion. Jake Gunther made a motion to split the motion into two parts to be voted on separately and Mark McLellan seconded. The motion passed.

Voting to place the PRPC draft code on the agenda was unanimous.

The Executive Committee then debated code change procedures and continued debating potential appeals processes.

Charles Waugh made a friendly amendment to the second motion to include language for an appeals process in the proposal by amending the second section with the first sentence of Option 3. The amendment to the motion was seconded by Mark McLellan and passed with one dissenting vote.

Doug Jackson-Smith reviewed with the FSEC the 7 other topics included in his packet (items 2-8). Discussion about the list of items indicated that including the appeals process should be top priority and some other things that could be addressed at a later date. Discussion was opened up and Ronda indicated that the appeals process was the most important issues. There was discussion about PRC processes and the role of the ombudsperson. AFT did provide a response that included this issue (in agenda packet provided).

As per AFT's feedback, Charles Waugh made a motion to add language that the PRC should meet. Ronda Callister seconded and the motion passed unanimously.

Yanghee Kim suggested that the proposals be streamlined to make the agenda packet more manageable for the senators. Charles agreed that a condensed list of topics be included for the agenda. Doug agreed to provide background information including the reports from AFT and BFW to provide a clear summary guide to facilitate productive discussion in the senate.

405.6.5 Code Changes – Stephen Bialkowski.

Ronda Callister made a motion to place this item removing the word “quinquennial” on the agenda. The motion was seconded by Jeanette Norton and passed unanimously.

Adjournment

The meeting adjourned at 5:05 p.m.

Minutes Submitted by: Joan Kleinke, Faculty Senate Executive Secretary, 797-1776

2014-2015 Committee on Committees (CoC) Annual Report for Faculty Senate

The responsibility of the Committee on Committees is to: (1) apportion Senate elective positions annually; (2) coordinate and supervise the election of members to the Senate; (3) prepare eligibility slates and supervise nominations and elections within the Senate; and (4) recommend to the Senate the appointed members of all Senate committees and the members of university committees that include Senate representatives. ([Policy 402.12.2](#))

Members:

Sheri Haderlie, chair [2016] (sheri.haderlie@usu.edu)
Daniel Davis [2015] (daniel.davis@usu.edu)
Leslie Brott [2017] (leslie.brott@usu.edu)

Activities:

At the September faculty senate meeting, Leslie Brott was nominated to serve as a committee member and was approved by the faculty senate to replace Robert Schmidt.

During the September faculty senate meeting, Douglas Jackson-Smith proposed a code change to the term length for CoC members. During the January faculty senate meeting, the code change (402.12.3) for the Committee on Committees Term Extension was approved. 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.

During February and March 2015, the committee worked with USU's Colleges, USU Eastern, Cooperative Extension, Regional Campuses, Libraries, and the President's office to fill open Faculty Senate, Faculty Senate Alternate, AFT, BFW, PRPC, EPC, FEC, and FDDE positions. Each unit was successful in their election process and all open positions have been filled for the coming academic year.

Name	email	College	allocations	position	term ends	senator / alternate / SC	new	
Dean Jessop	craig.jessop@usu.edu,	Caine College of the Arts	4	senator	2017	Brott, Leslie		
COMPLETE - results are in	elaine.olson@usu.edu		1 more than previous	senator	2017	Murphy, Daniel		
				senator	2017	Omasta, Matt		
	Nick Morrison - associate dean			senator	2018	new	2018	Kevin Olsen
				alternate	2016	Hills, Nancy		
				alternate	2016	Urquhart, Sarah		
				alternate	2017	Mansfield, Steve		
				AFT	2017	Bruce Duerden		
				BFW	2016	Leslie Timmons		
				EPC	2016	Kevin Olson		
				FDDE	2016	Nancy Hills		
				FEC	2017	Raymond Veon		
				PRPC	2016	Chris Gauthier		
Dean White	ken.white@usu.edu,	College of Agriculture and Applied Sciences	7	senator	2015	Hatch, Royce	2018	Ralph Meyer
COMPLETE - results are in	tammy.firth@usu.edu			senator	2015	Nemere, Ilka	2018	Arthur Caplan
				senator	2015	Norton, Jeanette	2018	Norton, Jeanette (2)
				senator	2016	Lawver, Becki		
				senator	2016	Walsh, Marie		
				senator	2017	Lavoie, Caroline		
				senator	2017	Shirley, Lindsey		
				alternate	2015	Isom, Clay	2018	Heidi Wengreen
				alternate	2016	Carman, John		
				alternate	2017	Oladi, Reza		
				AFT	2015	Grant Cardon	2018	Grant Cardon (2)
				BFW	2017	Michael Pate		
		* Sean Michael - Gen Ed Subcommittee		EPC	2016	Ed Reeve		
				FDDE	2017	Man-Keun Kim (2)		
				FEC	2015	Arthur Caplan	2018	Clay Isom
				PRPC	2015	Heidi Wengreen	2018	Heidi Wengreen (2)
Dean Foley	beth.foley@usu.edu,	Emma Eccles Jones College of Education and Human Services	9	senator	2015	Bates, Scott	2018	Julie Gast
COMPLETE - results are in	shannon.johnson@usu.edu		1 more than previous	senator	2015	Walker, Andy	2018	Suzanne Jones
				senator	2016	Dew, Jeffrey		
				senator	2016	Haderlie, Sheri (2)		
				senator	2016	Lott, Kimberly		
				senator	2016	Kim, Yanghee (2)		
				senator	2016	Mohr, Kathleen (Kit)		
		filling in to complete Cat's term		senator	2017	Buhusi, Catalin	2017	Susan Turner

				senator	2018	new	2018	Becky Blais
				alternate	2015	Camicia, Steven	2018	Lisa Milman
				alternate	2015	Fronske, Hilda	2018	Hilda Fronske (2)
				alternate	2017	Belland, Brian		
				AFT	2017	Troy Beckert		
				BFW	2015	Dale Wagner	2018	Dale Wagner (2)
				EPC	2017	Jared Schultz		
				FDDE	2017	Cinthay Saavedra		
				FEC	2016	Kit Mohr		
				PRPC	2017	Bob Morgan		
Dean Hailey	chris.hailey@usu.edu,	College of Engineering	6	senator	2015	Agblevor, Foster	2018	Chris Winstead
COMPLETE - results are in	melanie.ivans@usu.edu			senator	2016	Britt, David		
				senator	2016	Gunther, Jake		
				senator	2016	Halling, Marv		
				senator	2016	Qi, Xiaojun		
				senator	2017	Barr, Paul		
				alternate	2016	Baktur, Reyhan		
				alternate	2017	Smith, Barton		
				AFT	2016	Kurt Becker		
				BFW	2015	Vicki Allan	2018	Koushik Chakraborty
				EPC	2015	Thom Fronk	2018	Sanghamitra Roy
				FDDE	2017	Reyhan Baktur		
				FEC	2015	Oenardi Lawanto (Chair)	2018	Curtis Dyreson
				PRPC	2015	William Rahmeyer	2018	Heng-Da Cheng
Dean Allen	john.allen@usu.edu,	College of Humanities and Social Sciences	8	senator	2015	Brasileiro, Marcus	2018	Charlie Hueneman
COMPLETE - results are in	natalie.archibald@usu.edu			senator	2015	Lyons, Michael	2018	John Seiter
	(Natalie Smoot)			senator	2015	Peak, Terry	2018	Lisa Gabbert
elected 1 more senator than needed				senator	2015	Spicer-Escalante, JP	2018	Keri Holt
except if Doug is not counted				senator	2016	Jackson-Smith, Doug	2018	Courtney Flint
				senator	2016	Culver, Lawrence		
				senator	2016	Waugh, Charles		
				senator	2017	Moeller, Ryan		
				alternate	2015	Schwabe, Claudia	2018	Karin de-Jonge Kannan
				alternate	2016	Champagne, Brian		
				alternate	2017	Thoms, Josh		
				AFT	2016	Cathy Bullock		
				BFW	2016	Diane Calloway-Graham		
				EPC	2017	Eddy Berry		
				FDDE	2017	Jim Rogers		
				FEC	2017	Cacilda Rego		
				PRPC	2016	Terry Peak		

Dean Luecke	chris.luecke@gmail.com,	College of Natural Resources	3	senator	2017	Koons, David		
COMPLETE - results are in	kirsten.egger@usu.edu			senator	2017	Schmidt, Robert		
				senator	2017	Villalba, Juan		
				alternate	2017	Beard, Karen		
				alternate	2016	Jenkins, Mike		
				AFT	2016	Peter Adler		
				BFW	2017	Chris Monz		
				EPC	2015	Karen Mock	2018	Karen Mock (2)
				FDDE	2015	Helga Van Miegroet	2018	Helga Van Miegroet (2)
				FEC	2017	Mary Connor		
				PRPC	2016	Terry Messmer		
Dean Berreau	lisa.berreau@usu.edu,	College of Science	7	senator	2015	Stevens, John	2018	Stevens, John (2)
COMPLETE - results are in	vicki.jones@usu.edu			senator	2015	Wickwar, Vince	2018	Wickwar, Vince (2)
				senator	2016	Brown, David		
				senator	2016	Bialkowski, Stephen		
				senator	2017	Bernhardt, Scott		
				senator	2017	Evans, Ted		
				senator	2017	Lowry, Tony		
				alternate	2015	Shen, T.C.	no one elected or appointed	
				alternate			no one elected or appointed	
				AFT	2017	Farrell Edwards		
				BFW	2016	Stephen Bialkowski (2)		
				EPC	2015	Richard Mueller	2018	Dan Coster
				FDDE	2016	Nancy Huntly		
				FEC	2017	Tom Lachmar (2)		
				PRPC	2016	Ian Anderson (2)		
Dean Anderson	douglas.anderson@usu.edu	Huntsman School of Business	4	senator	2015	McEvoy, Glenn	2018	John Gilbert
COMPLETE - results are in	kimberly.larson@usu.edu			senator	2015	Skousen, Chris	2018	Ben Blau
				senator	2016	Callister, Ronda		
				senator	2017	Kannan, Vijay		
				alternate	2015	Feigenbaum, Jim	2018	John Johnson
				alternate	2016	Gilbert, John		
				alternate	2016	Stephens, Alan		
				AFT	2015	Richard Jenson	2018	Kathy Chudoba
				BFW	2016	Alan Stephens (2), Chair		
				EPC	2016	Kelly Fadel		
				FDDE	2016	Robert (Bob) Mills		
				FEC	2015	Alan Stephens	2018	Nate Washburn
				PRPC	2017	Dan Holland		
Dean Cole	brad.cole@usu.edu,	Merrill-Cazier Library	2	senator	2015	Davis, Dan	2018	Pamela Martin

COMPLETE - results are in	trina.shelton@usu.edu			senator	2017	Fagerheim, Britt		
				alternate	2017	Shrode, Flora		
				AFT	2016	Becky Thoms		
				BFW	2017	Carol Kochan (2)		
				EPC	2016	Kacy Lundstrom		
				FDDE	2017	Connie Woxland		
				FEC	2015	Sandra Weingart	2018	Dory Cochran
				PRPC	2017	Jennifer Duncan		
Vice Provost Wagner	robert.wagner@usu.edu,	Regional Campuses	2	senator	2016	Archuleta, Martha	move to alternate slot	
COMPLETE - results are in	david.woolstenhulme@usu.edu		have 1 more	senator	2016	Mueller, Robert		
			than needed	senator	2017	Garner, Dennis		
				alternate	2015	Barta, Jim	2018	Martha Archuleta
				alternate	2017	Petersen, Michael		
				AFT	2017	Susan Talley		
				BFW	2016	Rich Etchberger		
				EPC	2017	Nathan Straight		
				FDDE	2016	Christopher Johnson		
				FEC	2015	Karen Woolstenhulme	2018	Scott Allred
				PRPC	2016	Nikole Eyre		
Chancellor Peterson	joe.peterson@usu.edu,	USU Eastern	4	senator	2016	Larson, Don		
COMPLETE - results are in	vicki.noyes@usu.edu,			senator	2016	Hassell, Betty		
	darla.cloward@usu.edu,			senator	2017	Henrie, Scott		
				senator	2017	Olsen, Jason (2)		
				alternate	2015	Perez, Elias	2018	Rich Walton
				alternate	2017	Powell, Rob		
				AFT	2017	Anthony Lott (2)		
				BFW	2017	Mike Kava		
				EPC	2017	Russell Goodrich		
				FDDE	2017	Jennifer Truschka (2)		
				FEC	2017	Elias Perez		
				PRPC	2017	Steve Nelson		
Dean White	ken.white@usu.edu,	USU Extension	4	senator	2016	Pace, Michael		
COMPLETE - results are in	tammy.firth@usu.edu		have 1 more	senator	2016	Beddes, Taun		
			than needed	senator	2017	Patterson, Ron		
				senator	2017	Memmott, Margie (2)		
				senator	2017	Heflebower, Rick		
				alternate	2016	Olsen, Shawn		
				alternate	2017	Heaton, Kevin		
				alternate	2017	Proctor, Debbie (2)		
				AFT	2015	Kathy Riggs	2018	Sterling Banks
				BFW	2016	Joanne Roueche		
				FDDE	2015	Clark Israelsen	2018	Justen Smith

				FEC	2016	Jeff Banks (2)		
				PRPC	2017	Jerry Goodspeed (2)		
President Albrecht	stan.albrecht@usu.edu,	Presidential Appointees				Allen, John	2018	Allen, John
COMPLETE - results are in	sydney.peterson@usu.edu					Cowley, David	2018	Cowley, David
						Dillingham-Evans, Donna	2018	Dillingham-Evans, Donna
						Foley, Beth	2018	Foley, Beth
						Hailey, Christine	2018	Hailey, Christine
						McLellan, Mark	2018	McLellan, Mark
						Morales, James	2018	Morales, James
						White, Ken	2018	White, Ken

CALENDAR COMMITTEE ANNUAL REPORT
Faculty Senate
April 2015



Calendar Committee Members 2014-2015

Andi McCabe, Provost's Office – Chair
Scott Bates, Faculty Senate
Kade Beck, USU Student Association
Diane Buist, Classified Employee's Association
Ted Evans, Faculty Senate
Marvin Halling, Faculty Senate
Stephanie Hamblin, University Advising
Derek Hastings, Graduate Student Senate
Bill Jensen, Sr., Registrar's Office
Kimberly Larson, Professional Employee's Association
John Mortensen, VP Student Services' Office
Sydney Peterson, President's Office
John Stevens, Faculty Senate
Robert Wagner, Academic and Instructional Services

Charge

The Calendar Committee is charged with the responsibility of reviewing, evaluating, and recommending the University's academic calendar and employee holidays. The committee represents faculty, staff, students (undergraduate and graduate), Student Services, Academic and Instructional Services, the Provost's Office, and the President's Office. The actions of this committee are ratified by the Executive Committee after review by the Faculty Senate.

2014-2015 Calendar Committee Actions

1. The committee recommends a proposal for employee holidays in 2018. *(See Supporting Materials #1)*
2. The committee recommends academic calendar proposals for Summer Session 2018, Fall Semester 2018 and Spring Semester 2019. *(See Supporting Materials #2)*
3. The committee recommends revising the approved Fall 2016 and Fall 2017 calendars to change Fall Break to coincide with UEA. *(See Supporting Materials #3)*

Deliberations and Issues

Summer Bell Schedule: Academic and Instructional Support Services proposed a new bell schedule beginning Summer 2015 for the two 7-week sessions and concurrent 14-week session. This schedule alleviates conflicts for students who want to take both 14-week and 7-week classes. The committee approved this schedule on November 7 after concurrence by academic department heads and associate deans, and was ratified by the Executive Committee on November 19, 2014. *(See Supporting Materials #4)*

Common Hour: In Spring of 2014, the Calendar Committee had voted to recommend the elimination of the Common Hour beginning academic year 2015-2016. Before moving that recommendation forward to the Executive Committee, a meeting with the USUSA Executive Council concluded that feedback should be sought from students to gauge opinions on keeping Common Hour as currently scheduled, moving Common Hour to another day, e.g., Monday or Friday, or eliminating Common Hour. In Fall of 2014, the committee, in collaboration with the USU Student Association, developed and conducted a Qualtrics survey, which was distributed to all students, faculty and staff to obtain opinions of the Common Hour.

The results of the survey were reviewed by the committee and the decision of the previous year to recommend elimination of the Common Hour was upheld. This recommendation was ratified by the Executive Committee on December 3, 2014 and was presented to the Faculty Senate on January 12, 2015.

Future Academic Calendars: The committee deliberated many considerations for changing future academic calendars. Although the future calendars on this report have been recommended by the committee, the committee plans to take the opportunity next year to discuss a few changes. One item for review is eliminating the need to hold Monday classes on Tuesday for Presidents' Day holiday. Another item for review and discussion with the Faculty Senate and the USU/SA is aligning our Spring Breaks with the Logan and Cache School Districts.

Status

This report resulted from deliberations at meetings of the Calendar Committee on November 7, 2014, February 9 and March 30, 2015. It will be considered by the Faculty Senate Executive Committee on April 13, 2015 and by the Faculty Senate on April 27, 2015.

Supporting Materials – See Following Pages

1. Proposed Employee Holidays 2018
2. Proposed Academic Calendar for Summer 2018, Fall 2018, and Spring 2019
3. Proposed Revised Academic Calendars for Fall 2016 and Fall 2017
4. Summer 2015 Bell Schedule

2018 Proposed Employee Holidays

New Year's Day	Monday, January 1
Martin Luther King, Jr. Day	Monday, January 15
Presidents' Day	Monday, February 19
Memorial Day	Monday, May 28
Independence Day	Wednesday, July 4
Pioneer Day	Tuesday, July 24
Labor Day	Monday, September 3
Thanksgiving Break	Thursday, November 22 Friday, November 23
Holiday Break	Monday, December 24 Tuesday, December 25 Wednesday, December 26

2018

Proposed Employee Holidays

January						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

March						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

April						
Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

May						
Su	M	Tu	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

June						
Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

July						
Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

August						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

September						
Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

October						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

November						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

December						
Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Notes

2018 Employee Holidays (12 days)

January 1, New Year's Day
 January 15, Martin Luther King, Jr. Day
 February 19, Presidents' Day
 May 28, Memorial Day
 July 4, Independence Day
 July 24, Pioneer Day
 September 3, Labor Day
 November 22-23, Thanksgiving Break
 December 24-26, Holiday Break

Proposed Academic Calendar 2018-2019 (Summer, Fall, Spring)

Summer Semester 2018	
7-week Session #1	May 7 - June 22 (M-F; 33 instr. days, 1 test day)
7-week Session #2	June 27 - August 10 (M-F; 32 instr. days, 1 test day)
14-week Session	May 7 - August 10 (M-R; 66 instr. days, 1 test day)
Summer Session Holidays	May 28 Memorial Day (M); July 4 Independence Day (W); July 24 Pioneer Day (Tu)
Fall Semester 2018 (70 instruction days, 5 test days)	
Classes Begin	August 27 (M)
Labor Day	September 3 (M)
Friday Class Schedule	October 18 (R)
Fall Break	October 19 (F)
Thanksgiving Holiday	November 21 - 23 (W - F)
Classes End	December 7 (F)
Final Examinations	December 10 - 14 (M - F)
Spring Semester 2019 (73 instruction days, 5 test days)	
Classes Begin	January 7 (M)
Martin Luther King, Jr. Day	January 21 (M)
Presidents' Day	February 18 (M)
Monday Class Schedule	February 19 (T)
Spring Break	March 4 - 8 (M - F)
Classes End	April 26 (F)
Final Examinations	April 29 - May 3 (M - F)
Commencement	May 3 - 4 (F - Sa)

Utah State University

2018-2019

Proposed Academic Calendar

Supporting Materials #2B

Notes

May 18						
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June 18						
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July 18						
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September 18						
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October 18						
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January 19						
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May 19						
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Summer 2018

14-Week Session (66 instr. days, 1 test day)

May 7, First Day of Classes

August 10, Last Day of Classes

1st 7-Week Session (33 instr. days, 1 test day)

May 7, First Day of Classes

June 22, Last Day of Classes

2nd 7-Week Session (32 instr. days, 1 test day)

June 25, First Day of Classes

August 10, Last Day of Classes

Summer Holidays

May 28 - Memorial Day

July 4 - Independence Day

July 24 - Pioneer Day

Fall 2018 (70 instruction days, 5 test days)

August 27, First Day of Classes

September 3, Labor Day

October 18, Friday Class Schedule

October 19, Fall Break*

November 21-23, Thanksgiving Break

December 7, Last Day of Classes

December 10-14, Final Examinations

Spring 2019 (73 instruction days, 5 test days)

January 1, New Year's Day

January 7, First Day of Classes

January 21, Martin Luther King, Jr. Day

February 18, Presidents' Day

February 19, Monday Class Schedule

March 4-8, Spring Break

April 26, Last Day of Classes

April 29-May 3, Final Examinations

May 3-4, Commencement

* Subject to change

Proposed Revisions to Fall Semesters 2016 and 2017

Fall Session 2016 (with Revised Fall Break)	
Classes Begin	August 29 (M)
Labor Day	September 5 (M)
Friday Class Schedule	October 20 (R)
Fall Break	October 21 (F) (was October 14)
Thanksgiving Holiday	November 23 - 25 (W - F)
Classes End	December 9 (F)
Final Examinations	December 12 - 16 (M - F)
Fall Session 2017 (with Revised Fall Break)	
Classes Begin	August 28 (M)
Labor Day	September 4 (M)
Friday Class Schedule	October 19 (R)
Fall Break	October 20 (F) (was October 13)
Thanksgiving Holiday	November 22 - 24 (W - F)
Classes End	December 8 (F)
Final Examinations	December 11 - 15 (M - F)

2016-2017

Academic Calendar Proposed Changes

(Move Fall Break from Approved October 14 to October 21)

This calendar is currently online.

May 16						
Su	M	Tu	W	Th	F	Sa
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July 16						
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August 16						
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December 16						
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January 17						
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February 17						
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March 17						
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April 17						
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May 17						
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Notes

Summer 2016

14-Week Session (66 instruction days)

May 9, First Day of Classes

August 12, Last Day of Classes

1st 7-Week Session (33 instr. days, 1 test day)

May 9, First Day of Classes

June 24, Last Day of Classes

2nd 7-Week Session (32 instr. days, 1 test day)

June 26, First Day of Classes

August 12, Last Day of Classes

Summer Holidays

May 30 - Memorial Day

July 4 - Independence Day

Fall 2016 (70 instruction days, 5 test days)

August 29, First Day of Classes

September 5, Labor Day

October 20, Friday Class Schedule

October 21, Fall Break

November 23-25, Thanksgiving Break

December 9, Last Day of Classes

December 12-16, Final Examinations

Spring 2017 (73 instruction days, 5 test days)

January 2, New Year's Day (Observed)

January 9, First Day of Classes

January 16, Martin Luther King, Jr. Day

February 20, Presidents' Day

February 21, Monday Class Schedule

March 6-10 Spring Break

April 28, Last Day of Classes

May 1-5, Final Examinations

May 5-6, Commencement

2017-2018

Academic Calendar Proposed Changes

(Move Fall Break from Approved October 13 to October 20)

This calendar is currently online.

May 17						
Su	M	Tu	W	Th	F	Sa
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June 17						
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July 17						
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August 17						
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September 17						
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October 17						
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November 17						
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December 17						
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January 18						
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February 18						
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March 18						
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April 18						
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May 18						
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27	28	29	30	31		

Notes

Summer 2017

14-Week Session (66 instr. days, 1 test day)

May 8, First Day of Classes

August 11, Last Day of Classes

1st 7-Week Session (33 instr. days, 1 test day)

May 8, First Day of Classes

June 23, Last Day of Classes

2nd 7-Week Session (32 instr. days, 1 test day)

June 26, First Day of Classes

August 11, Last Day of Classes

Summer Holidays

May 29 - Memorial Day

July 4 - Independence Day

July 24 - Pioneer Day

Fall 2017 (70 instruction days, 5 test days)

August 28, First Day of Classes

September 4, Labor Day

October 19, Friday Class Schedule

October 20, Fall Break

November 22-24, Thanksgiving Break

December 8, Last Day of Classes

December 11-15, Final Examinations

Spring 2018 (73 instruction days, 5 test days)

January 1, New Year's Day

January 8, First Day of Classes

January 15, Martin Luther King, Jr. Day

February 19, Presidents' Day

February 20, Monday Class Schedule

March 5-9, Spring Break

April 27, Last Day of Classes

April 30-May 4, Final Examinations

May 4-5, Commencement

Supporting Materials #4

14 week schedule				
3-credit MTW or TWR	4-credit MTWR	2-credit MW or TR	1-credit M, T, W, or R	5-credit MTWRF
1:00 BLS BSS DSS	1:00 Math hour	1:00	1:00	1:00
1:00 BHU BAI DSC	1:00	1:00	1:00	1:00
1:00 BCA BPS DHA	1:00 Stats hour	1:00 Math 1060	1:00	1:00
1:00 BLS BSS DSS	1:00	1:00	1:00	1:00
1:00 BHU BAI DSC	1:00	1:00	1:00	1:00
1:00 BCA BPS DHA	1:00	1:00	1:00	1:00
1:00	1:00	1:00	1:00	1:00

Report from the Educational Policies Committee April 10, 2015

The Educational Policies Committee met on April 2, 2015. The agenda and minutes of the meeting are posted on the Educational Policies Committee web page and are available for review by the members of the Faculty Senate and other interested parties.

During the April meeting of the Educational Policies Committee, the following discussions were held and actions taken.

1. Approval of the report from the Curriculum Subcommittee meeting of April 2, 2015 which included the following notable actions:
 - The Curriculum Subcommittee approved 121 requests for course actions.
 - A request from the Department of Management to rename the Manufacturing Management Specialization to Shingo Operational Excellence was approved.
 - A request from the Department of Plants, Soils and Climates to offer a Landscape Management Certificate was approved.
 - Ed Reeve was elected Chair of the Curriculum Subcommittee for AY 2015-2016.
2. Approval of the report from the Academics Standards Subcommittee meeting of March 26, 2015. Action items from that meeting included the following:
 - Revisions to the Grading Policy were approved. The revised language is (italics indicates newly added language):

Grading Policy [NEW]

Grading is the main symbolic method of recording the evaluation of a student's academic performance. This academic evaluation is both the responsibility and the prerogative of the individual instructor. Where appropriate, the instructor may delegate authority but not responsibility in this matter. The instructor is the ultimate arbiter of grades in the course. All grades must be submitted within 96 hours after the final examination for the course.

The instructor of record of a course has the responsibility for any grade reported. Once a grade has been reported to the Office of the Registrar, it may be changed upon the signed authorization of the instructor of record who issued the original grade. In case the instructor is not available, the department head has authority to change the grade. This applies also to the grade of Incomplete (I). A change of grade after more than one year also requires the signature of the academic dean of the college in which the course is offered *with one exception: graduate thesis and dissertation courses (6990, 7990) do not require the signature of the academic dean to be changed from Incomplete (I) to a letter grade.*

The establishment of grading policy devolves on the Faculty Senate as the representative of the individual instructor. The Faculty Senate Committee charged with the establishment and review of grading policy is the Academic Standards Subcommittee of the Educational Policies Committee, which has student representatives, since students are directly affected by changes in grading policy. All matters regarding grading policy throughout the University shall, therefore, be referred to this subcommittee.

3. Approval of the report from the General Education Subcommittee meeting of March 17, 2015.
Actions include:

- The following General Education courses or syllabi were approved:

CMST 4570 (QI, Lisa Guntzviller)
HIST/RELS 3270 (DHA, Danielle Ross)
HIST/RELS 4565 (DHA, Danielle Ross)
MUSC 3030 (DSS, Kevin Olson)

- A motion to overturn last month's vote to change the Communications Intensive (CI) criteria statement, *"2. Require both written and oral communication"* to read *"2. Require written and/or oral communication,"* was approved.
- A motion to survey department heads concerning CI courses they currently offer or might offer was approved.

402.9 FACULTY FORUM

9.1 Membership of the Faculty Forum; Description

Faculty Forum consists of all elected Senate members, and the chairs of the Academic Freedom and Tenure Committee, the Budget and Faculty Welfare Committee, the Professional Responsibilities and Procedures Committee, the Faculty Diversity, Development and Equity Committee, and the Faculty Evaluation Committee. The Faculty Forum meetings are a means of open discussion for elected Senate members and the committee chairs without participation by or from the president of the university, the executive vice president and provost, the presidential appointees, academic deans and department heads, chancellors, regional campus deans, or the student members of the Senate, unless specifically requested by the Executive Committee of the Faculty Forum (see Policy 402.9.3(2)). During meetings of the Faculty Forum, participants may discuss subjects of current interest, question and debate any policies and procedures, and formulate recommendations for consideration by the Faculty Senate. The Faculty Forum does not exercise the legislative authority of the Faculty Senate.

9.2 Meetings; Agenda; Notice

The Faculty Forum shall ~~convene at and in lieu of the regularly~~be scheduled in October or November ~~meeting of the Senate~~by the Officers and Executive Committee of the Faculty Forum. This annual scheduled meeting of the Faculty Forum will be open to all faculty members to attend and speak, with the exception of those excluded by policy 402.9.1.

Additional special meetings may be held by the call of the Faculty Forum President, or upon the written request of a majority of the Faculty Forum Executive Committee, or upon the written petition of 10 members of the Faculty Forum, or upon the written petition of 25 faculty members. Special meetings of the Faculty Forum will be scheduled, whenever possible, within two weeks after receipt of the petition(s) by the Faculty Forum President. Business at special meetings of the Faculty Forum will be conducted by Faculty Forum members. The Faculty Forum Executive Committee will set the agenda for the November meeting and other Faculty Forum meetings. The agenda will include all items raised by the petition(s), together with items deemed pertinent by the Executive Committee. The minutes and agenda for all Faculty Forum meetings shall be distributed in accordance with policy 402.4.2(3). Notice of the ~~November~~ Faculty Forum meeting will be given in the ~~October~~previous Senate meeting and distributed to faculty on all campuses.

9.3 Officers and Executive Committee of the Faculty Forum

(1) Officers.

The Senate President shall preside over and conduct meetings of the Faculty Forum and its Executive Committee. The Senate President-Elect shall serve as the President-Elect of both, and shall perform the duties of the Senate President when the latter is unable to exercise them or when the Senate President-Elect is designated by the Senate President to perform in the Senate President's stead.

(2) Executive Committee of the Faculty Forum.

The Faculty Forum Executive Committee shall consist of the elected faculty members on the Senate Executive Committee (policy 402.12).

CURRENT CODE *(text that was deleted is highlighted in yellow)*

405.12 REVIEW OF FACULTY

There are **two additional reviews** of faculty performance other than those for tenure-eligible faculty and for promotion. These are annual reviews for faculty for salary adjustments and for term appointment renewal, and **quinquennial reviews** of tenured faculty.

Tenure (see Section 405.1) is a means to certain ends, specifically; freedom of teaching, research and other academic endeavors, and a sufficient degree of economic security to make the profession attractive to men and women of ability. Academic freedom and economic security for faculty are indispensable to the success of a university in fulfilling its obligation to its student and to society. With tenure comes professional responsibility, the obligation conscientiously and competently to devote one's energies and skills to the teaching, research, extension and service missions of the university. A central dimension of academic freedom is the exercise of professional judgment in such matters. The intent of post-tenure review is to support the principles of academic freedom and tenure through the provision of effective evaluation, useful feedback, appropriate intervention, and timely and affirmative assistance to ensure that every faculty member continues to experience professional development and accomplishment during the various phases of his or her career. Useful feedback should include tangible recognition to those faculty who have demonstrated high or improved performance. It is also the intent of this policy to acknowledge that there will be different expectations in different disciplines and changing expectations at different stages of faculty careers.

PROPOSED CODE *(text that is added is underlined)*

405.12 REVIEW OF FACULTY

There is one additional review of faculty performance other than those used for tenure-eligible faculty and for promotion. This annual review shall be used for evaluation of faculty for salary adjustments, for term appointment renewal, and for post-tenure review of tenured faculty.

Tenure (see Section 405.1) is a means to certain ends, specifically: freedom of teaching, research and other academic endeavors, and a sufficient degree of economic security to make the profession attractive to men and women of ability. Academic freedom and economic security for faculty are indispensable to the success of a university in fulfilling its obligation to students and to society. With tenure comes professional responsibility, the obligation conscientiously and competently to devote one's energies and skills to the teaching, research, extension, and service missions of the university. A central dimension of academic freedom is the exercise of professional judgment in such matters. The intent of post-tenure review is to support the principles of academic freedom and tenure through the provision of effective evaluation, useful feedback, appropriate intervention, and timely and affirmative assistance to ensure that every faculty member continues to experience professional development and accomplishment during the various phases of his or her career. Useful feedback should include recognition to those faculty who have demonstrated high or improved performance. It is also the intent of this policy to acknowledge that there will be different expectations in different disciplines and changing expectations at different stages of faculty careers.

46 **CURRENT CODE**

47
48 **12.1 Annual Review of Faculty**

49
50 Each department shall establish procedures by which all faculty shall be reviewed annually. Such
51 reviews shall, at a minimum, incorporate an analysis of the fulfillment of the role statement. The
52 basic standard for appraisal shall be whether the faculty member under review discharges
53 conscientiously and with professional competence the duties appropriately associated with his or her
54 position. The department head or supervisor shall meet with the faculty member annually to review
55 this analysis of the fulfillment of the role statement and, subsequently, provide a written report of this
56 review to the faculty member. A copy of this report shall be sent to the academic dean or vice
57 president for extension, and, where appropriate, chancellor or regional campus dean. **The annual**
58 **evaluation and recommendation by the department head or supervisor for tenure-eligible faculty**
59 **(405.7.1 (3) may constitute this review for salary adjustment.** For faculty with term appointments,
60 the annual review shall also include a recommendation regarding renewal of the term appointment.
61

62 **PROPOSED CODE**

63
64 **12.1 Annual Review of Faculty**

65
66 Each department shall establish procedures by which all faculty shall be reviewed annually. This
67 evaluation shall review the work of each faculty member in a manner and frequency consistent with
68 accreditation standards. In the case of tenured faculty, this evaluation shall encompass a multi-year
69 window of performance that covers a five-year span. Such reviews shall, at a minimum, incorporate
70 an analysis of the fulfillment of the role statement. The basic standard for appraisal shall be whether
71 the faculty member under review discharges conscientiously and with professional competence the
72 duties appropriately associated with his or her position. The department head or supervisor shall
73 meet with the faculty member annually to review this analysis of the fulfillment of the role
74 statement and, subsequently, provide a written report of this review to the faculty member. A copy
75 of this report shall be sent to the academic dean or vice president for extension, and, where
76 appropriate, chancellor or regional campus dean. The annual evaluation and recommendation letter
77 by the department head or supervisor developed for tenure-eligible faculty as part of the promotion
78 and tenure process (405.7.1 (3)) may not serve as a substitute for this annual review letter. For faculty
79 with term appointments, the annual review letter shall also include a recommendation regarding
80 renewal of the term appointment.

CURRENT CODE

12.2 Quinquennial Review of Tenured Faculty

Tenured faculty shall be reviewed every five years by a post-tenure quinquennial review committee consisting of at least three tenured faculty members who hold rank equal to or greater than the faculty member being reviewed. The committee shall be appointed by the department head or supervisor in consultation with the faculty member and academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean, and must include at least one member from outside the academic unit. If there are fewer than two faculty members in the academic unit with equal to or higher rank than the candidate, then the department head or supervisor shall, in consultation with the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, complete the membership of the committee with faculty of related academic units. Department heads and supervisors of the faculty member being reviewed shall not serve on this committee, and no committee member may be a department head or supervisor of any other member of the committee. An administrator may only be appointed to the quinquennial review committee with the approval of the faculty member under consideration.

For post-tenure quinquennial review meetings and for meetings held between either the department head or supervisor and the candidate to review the committee's evaluation and recommendation, the candidate or department head or supervisor may request the presence of an ombudsperson in accordance with policy 405.6.5. The basic standard for appraisal shall be whether the faculty member under review discharges conscientiously and with professional competence the duties appropriately associated with his or her position as specified in the role statement. It is the intent of this policy to acknowledge that there will be different expectations in different disciplines and changing expectations at different stages of faculty careers. This evaluation of tenured faculty shall include the review of the annual evaluation (405.12.1), and shall include the current curriculum vita and other professional materials deemed necessary by the faculty member, and any professional development plan in place. The review will be discipline and role specific, as appropriate to evaluate: (1) teaching, through student, collegial, and administrative assessment; (2) the quality of scholarly and creative performance and/or research productivity; and (3) service to the profession, the university, and the community. The criteria for the award of tenure or promotion to the most senior ranks shall not be employed for the review of the tenured faculty. In the event that a faculty member is promoted to the most senior rank, the review made by his or her promotion committee shall constitute the quinquennial review. In such cases, another review need not be scheduled for five years.

Upon completion of its review, the review committee for tenured faculty shall submit a written report to the department head or supervisor, who shall forward a copy to the academic dean or vice president for extension, and, where appropriate, chancellor or regional campus dean. A copy of the committee's report shall be sent to the faculty member. In the event that the outcomes of a professional development plan are contested (405.12.3(3)), the review committee for tenured faculty may be called upon by the faculty member to conduct its quinquennial review ahead of schedule. In such cases, another review need not be scheduled for five years. The review committee may also, at times, between its quinquennial reviews, review the professional development plan as described in sections (405.12.3(1-2)).

PROPOSED CODE

12.2 Post-Tenure Review of Tenured Faculty

Beginning the year after a faculty member's tenure or post-tenure decision, the annual review process (405.12.1) shall also provide formal assessment on the post-tenure performance of tenured faculty.

The review will be discipline and role specific, as appropriate to evaluate post-tenure performance. The basic standard for post-tenure review shall be whether the faculty member under review discharges conscientiously and with professional competence the duties appropriately associated with his or her position as specified in the role statement. It is the intent of this policy to acknowledge that there will be different expectations in different disciplines and changing expectations at different stages of faculty careers. The criteria for the award of tenure or promotion to the most senior ranks shall not be employed for the review of the tenured faculty.

To fulfill this requirement, and beginning no earlier than 5 years after a faculty member is promoted or awarded tenure, the department head or supervisor will be required in writing to indicate as part of the annual review letter whether or not the faculty member is meeting the formal standard for post-tenure review outlined above. If a department is concerned that a faculty member is not meeting the post-tenure review standards, the department head or supervisor must indicate this concern with regards to post-tenure performance by providing a formal written warning to the faculty member. If no less than one year after issuing a formal written warning the department again determines that the faculty member is not meeting the post-tenure review standard, the department head or supervisor must formally request in writing that a Peer Review Committee (PRC) be formed to provide an independent evaluation of whether the faculty member has met the post-tenure review standard.

A tenured faculty member may optionally request the formation of a PRC to provide feedback on post-tenure performance, but such a request may not be made more than once every five years nor earlier than five years after being promoted in rank or granted tenure. The PRC decision in this case is only to provide post-tenure performance feedback.

The PRC shall consist of at least three tenured faculty members who hold rank equal to or greater than the faculty member being reviewed, and shall be formed by mutual agreement of the department head or supervisor, and the faculty member being reviewed. The PRC must include at least one member from outside the academic unit of the faculty member being reviewed. If there are fewer than two faculty members in the academic unit with equal to or higher rank than the candidate, the committee members may be selected from faculty of related academic units. Department heads and supervisors of the faculty member being reviewed shall not serve on the PRC, and no committee member may be a department head or supervisor of any other member of the PRC. An administrator may only be appointed to the PRC with the approval of the faculty member under consideration.

If mutual agreement about membership for the PRC cannot be reached within 2 weeks, the college faculty appeals committee (CFAC) will be asked to form the PRC. If a CFAC does not exist, individual department, college, and/or University appeal or hearing procedures should be used to resolve disagreements.

To carry out its review, the PRC shall be provided with a copy of the documentation used by the department to evaluate the five-year performance of the faculty member in question. This

Commented [DJ1]: Added at faculty meeting April 6, 2015

173 documentation shall at a minimum contain: the department head or supervisor's negative annual
174 evaluation letter of the faculty member (405.12.1) and the warning letter that led to the forming of
175 the PRC; the previous five annual written evaluations; the faculty member's current role statement
176 and curriculum vitae; other professional materials deemed necessary by the faculty member; and any
177 professional development plan in place. The PRC may also receive a written statement from the
178 department head or supervisor citing the reasons for determining that the faculty member is not
179 meeting the post-tenure review standard, as well as a written statement from the faculty member under
180 post-tenure review, outlining his or her response to the department head or supervisor's negative post-
181 tenure evaluation. These materials should be provided to the PRC within 3 weeks of the appointment
182 of the committee. Within 4 weeks after receiving these materials, the PRC shall meet to discuss their
183 evaluation of the faculty member's post-tenure performance. At this meeting, the faculty member
184 should be allowed to make oral presentations to the committee. For any meeting held between the
185 faculty member, the department head or supervisor, and/or the PRC for the purposes of post-tenure
186 performance review an ombudsperson may be requested by the faculty member, the department head
187 or supervisor, and/or the PRC in accordance with policy 405.6.5.

188
189 Upon completion of its review, the PRC shall submit its written findings outlining the PRC's decision
190 and rationale for determining whether the faculty member in question is, or is not, discharging
191 conscientiously and with professional competence the duties appropriately associated with his or her
192 position, as specified in the role statement. This written report shall be provided to the faculty member
193 in question, and to the department head or supervisor who shall forward a copy to the academic dean
194 or vice president for extension, and, where appropriate, chancellor or regional campus dean. If the
195 PRC determines that the faculty member is meeting the standard for post-tenure performance, no
196 further action shall be required. If the PRC agrees with the recommendation of the department that
197 the faculty member in question is not meeting the standard for post-tenure performance, a professional
198 development plan shall be initiated as outlined in policy 405.12.3.

199
200 If a PRC is formed at the request of a faculty member, and not because of a formal negative
201 departmental evaluation, it shall be formed according to procedures outlined above.

Commented [DJ2]: Added at faculty meeting April 6, 2015

Commented [DJ3]: Added at faculty meeting April 6, 2015

CURRENT CODE

12.3. Professional Development Plan

(1) The department head or supervisor may, as a consequence of the annual review process, initiate the negotiation of a professional development plan to help the tenured faculty member more fully meet role expectations. The plan shall respect academic freedom and professional self-direction, and shall permit subsequent alteration. The professional development plan shall be mutually agreed to and signed by the faculty member and the department head or supervisor and approved by the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean. If agreement cannot be reached, individual department, college, and/or University appeal or hearing procedures should be used to resolve disagreements before transmitting revised role statements to promotion advisory committee and tenure committees. Such appeal and hearing procedures can, upon request, include a review of the professional development plan by the Review Committee described in policy 405.12.2.

(2) The professional development plan should include elements which: (1) identify the specific strengths and weaknesses (if any) and relate these to the allocation of effort assigned in the role statement; (2) define specific goals or outcomes needed to remedy the identified deficiencies; (3) outline the activities that are necessary to achieve the needed outcomes; (4) set appropriate time lines for implementing and monitoring the activities and achieving the outcomes; (5) indicate appropriate criteria for progress reviews and the evaluation of outcomes; and (6) identify any institutional commitments in the plan.

(3) The faculty member shall meet with the department head or supervisor, at times indicated as appropriate in the professional development plan, to monitor progress toward accomplishment of the goals or outcomes included in the plan. The department head or supervisor shall, at the conclusion of the professional development plan, evaluate the fulfillment of the goals or outcomes described in the plan, in terms of the criteria established by the plan. The department head or supervisor shall meet with the faculty member to review this analysis and subsequently, the department head or supervisor shall provide a written report of this review to the faculty member and shall also forward a copy to the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean. For meetings held between either the department head or supervisor and faculty member to discuss the report, the faculty member or department head or supervisor may request the presence of an ombudsperson in accordance with policy 405.6.5. At the request of the faculty member, department head, or supervisor, this report may be reviewed by the committee for tenured faculty, who shall conduct an in-depth evaluation as described in 405.12.2, including an analysis of the fulfillment of the goals or outcomes, or any other features included in the professional development plan. In this event, this in-depth review shall constitute the quinquennial review and another review need not be scheduled for five years. Upon completion of its review, the committee shall submit a written report to the department head or supervisor. A copy of the committee's report shall be sent to the faculty member, to the chancellor or campus dean and to the academic dean or vice president for extension.

PROPOSED CODE

12.3 Professional Development Plan

(1) A determination by a Peer Review Committee (PRC) that a faculty member is not discharging conscientiously and with professional competence the duties appropriately associated with his or her position as specified in their role statement shall lead to the negotiation of a professional development plan to help the tenured faculty member more fully meet role expectations. The plan shall respect academic freedom and professional self-direction, and shall permit subsequent alteration. The professional development plan shall be mutually agreed to and signed by the faculty member and the department head or supervisor, and approved by the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean. At the request of the faculty member, department head or supervisor, the professional development plan may be reviewed by the PRC, who shall conduct an in-depth evaluation, as described in policy 405.12.2, including an analysis of the of the goals or outcomes, or any other features of the professional development plan. Upon completion of its review, the PRC shall submit its written findings outlining the PRC's decision and rationale for determining whether the professional development plan is appropriate. This written report shall be provided to the faculty member in question, and to the department head or supervisor who shall forward a copy to the academic dean or vice president for extension, and, where appropriate, chancellor or regional campus dean.

(2) The professional development plan should include elements which: (i) identify the faculty member's specific strengths and weaknesses (if any), and relate these to the allocation of effort assigned in the role statement; (ii) define specific goals or outcomes needed to remedy the identified deficiencies; (iii) outline the activities that are necessary to achieve the needed outcomes; (iv) set appropriate time lines for implementing and monitoring the activities and achieving the outcomes; (v) indicate appropriate criteria for progress reviews and the evaluation of outcomes; and (vi) identify any institutional commitments in the plan.

(3) The faculty member shall meet with the department head or supervisor, at times indicated as appropriate in the professional development plan, to monitor progress toward accomplishment of the goals or outcomes included in the plan. The department head or supervisor shall, at the conclusion of the professional development plan, evaluate the fulfillment of the goals or outcomes described in the plan, in terms of the criteria established by the plan. The department head or supervisor shall meet with the faculty member to review this analysis and subsequently, the department head or supervisor shall provide a written report of this review to the faculty member. A copy of this written report shall also be forwarded to the PRC members, the academic dean or vice president for extension and, where appropriate, the chancellor or regional campus dean. For meetings held between either the department head or supervisor and faculty member to discuss the report, the faculty member or department head or supervisor may request the presence of an ombudsperson in accordance with policy 405.6.5. At the request of the faculty member, department head, or supervisor, this report may be reviewed by the PRC, who shall conduct an in-depth evaluation as described in 405.12.2, including an analysis of the fulfillment of the goals or outcomes, or any other features included in the professional development plan. Upon completion of its review, the PRC shall submit a written report of its findings to the faculty member, to the chancellor or campus dean, and to the academic dean or vice president for extension.

POSSIBLE REMAINING EDITING SUGGESTIONS FOR DRAFT PTR CODE

(Developed by Doug Jackson-Smith, with input from FS committees,
FS PTR Working Group members, and Faculty Senate Executive Committee)

April 7, 2015

Overview:

The draft of code from PRPC does a good job implementing nearly all of the elements that were included in the memo approved by the Faculty Senate on January 12, 2014. In reviewing the draft, a number of potential areas where the code draft could be modified were identified. During the Faculty Senate Meeting on April 6, 2015 the following edits were made to the draft PRPC code text:

- Add sentence to specify that an appeals process will be followed if mutual agreement between the faculty member and department head on membership on a PRC is not possible. New material would start at end of fourth paragraph under 406.12.2.
“If mutual agreement about membership for the PRC cannot be reached within 2 weeks, the college faculty appeals committee (CFAC) will be asked to form the PRC. If a CFAC does not exist, individual department, college, and/or University appeal or hearing procedures should be used to resolve disagreements.”
- *Clarify that the Peer Review Committee should meet and establish deadlines for the process. Add three new sentences on line 185 (before 'For any meeting...')*
"These materials should be provided to the PRC within 3 weeks of the appointment of the committee. Within 4 weeks after receiving these materials, the PRC shall schedule a meeting to discuss their evaluation of the faculty member's post-tenure performance. At this meeting, the faculty member should be allowed to make oral presentations to the committee."
- *Clarify what types of meetings permit or require ombudsperson (lines 184-186)*
Insert bold text: "... between the faculty member, the department head or supervisor, and/or the PRC **for the purposes of formal post-tenure performance review**, an ombudsperson may be requested ..."

A few remaining issues were introduced in the faculty senate agenda (and on the screen during the meeting), but time did not permit discussion or voting on any of the other potential edits to the draft code that are summarized on the next page.

Before our faculty senate final meeting of the year, the FSEC needs to provide advice on whether the FS has the authority to make further amendments to the PRPC draft code during the second reading (e.g., whether amendments require a first reading themselves). If they believe this is allowed, the following issues could be discussed and the code change amended at the April 27th meeting. If not, they can be introduced, but would need to be revisited in the fall if the rest of the code change is approved (perhaps as amendments to the previously approved code change).

Additional amendments that could be considered by faculty senate this spring or next fall:

- 1) **Clarify that the list of materials that will be provided to PRC is ‘the minimum’ not the only things that could be requested**
 - a. At beginning of second sentence on line 172, revise the start with **“The documentation provided to the PRC shall at a minimum contain: the department head or supervisor’s negative annual evaluation letter...”**
- 2) **Clarify timing and content of warning letter (lines 140-149)**
 - a. Line 145 - **add bold:** “indicate this concern with regards to post-tenure performance **initially** by providing a formal written warning...”
 - b. Insert new sentence next: **“To serve as the formal written warning, this letter should clearly indicate that the department is concerned that, if performance does not improve, the department is likely to request the formation of a Peer Review Committee (PRC) to conduct a review of post-tenure performance as outlined below.”**
- 3) **Clarify what happens when PRC determines the faculty member IS meeting the PTR standard (line 196)**
 - a. Replace “no further action is required.” with **“a written summary of the reasons for their decision shall be provided to the faculty member, department head, and appropriate academic dean, vice-president for extension, regional campus dean, or chancellor, and no further action is required.”**
- 4) **Make small changes in “voluntarily convened PRC” section (lines 151-154)**
 - a. Line 153 – add new second sentence: **“The PRC will meet and review materials related to the 5-year performance of the faculty member.”**
 - b. Line 153 – replace ‘decision’ with ‘role’ as in: “The PRC role in this case is only to provide post-tenure performance feedback.”
 - c. Line 154 – continue last sentence by adding a new clause **“in writing to the faculty member requesting the review.”**
- 5) **Make a small change in PRC membership paragraph.**
 - a. Line 162 – add bold text: “Department heads and supervisors of the faculty member being reviewed, **and any other faculty members formally involved in the departmental annual review decision that triggered the review**, shall not serve on the PRC...”
- 6) **Provide for appeals process for PDP content (reinsert edited version of current code)**
 - a. End of line 262, add: “If agreement cannot be reached, individual department, college, and/or University appeal or hearing procedures should be used to resolve disagreements ~~before transmitting revised role statements to promotion advisory committee and tenure committees.~~ Such appeal and hearing procedures can, upon request, include a review of the professional development plan by the Peer Review Committee described in policy 405.12.2.”

DETAILED APPENDIX OF REMAINING CODE AMENDMENT OPTIONS AND SUGGESTIONS (for background use only)

1) Clarify that the list of materials that will be provided to PRC is ‘the minimum’ not the only things that could be requested

a. RATIONALE:

- i. AFT feedback points out that the proposed change could be interpreted as limiting the materials that could be given (and there could be confusion about whether the exact same documents used in the departmental review should be considered by the PRC).
- ii. They also point out that the ombudsperson could be given a checklist to ensure a full set of documents were given to the PRC.

b. SUGGESTION:

- i. At beginning of second sentence on line 172, revise the start with “The documentation provided to the PRC shall at a minimum contain: the department head or supervisor’s negative annual evaluation letter...”

2) Clarify timing and content of warning letter (lines 140-149)

a. RATIONALE:

- i. We need some mechanisms to address seriously underperforming faculty in the 5 years after tenure or promotion. The warning letter provides an important vehicle for departments to signal serious concerns about post-tenure performance before the formal decision is made to request a PRC in year 5.
- ii. In order to request a PRC exactly 5 years after a tenure or promotion decision, it is necessary to allow warning letters to be issued in years 1-4. Whether this is possible is ambiguous in the current wording.

b. SUGGESTION:

- i. Line 145 - add the word ‘initially’: “indicate this concern with regards to post-tenure performance INITIALLY by providing a formal written warning to the faculty member.”
- ii. Insert new sentence next: “To serve as the formal written warning, this letter should clearly indicate that the department is concerned that, if performance does not improve, the department is likely to request the formation of a Peer Review Committee (PRC) to conduct a review of post-tenure performance as outlined below.”

3) Clarify what happens when PRC determines the faculty member IS meeting the PTR standard

a. RATIONALE:

- i. Current draft says ‘no further action shall be required’ – yet it would make sense to ask the PRC to provide a written report/letter to the faculty member, department head, and relevant upper administrators.

b. SUGGESTION:

- i. Line 196, replace “no further action is required.” to “a written summary of the reasons for their decision shall be provided to the faculty member, department head, and appropriate academic dean, vice-president for extension, regional campus dean, or chancellor, and no further action is required.”

4) Make a small change in “voluntarily convened PRC” section (lines 151-154)

a. RATIONALE:

- i. The PRC does not need to make a ‘decision’ if voluntarily convened by the faculty member. It makes more sense to refer to their ‘role’.
- ii. We should specify that the PRC should meet and provide a written report to the faculty member requesting the review.

b. SUGGESTION:

- i. Line 153 – add new second sentence: “The PRC will meet and review materials related to the 5-year performance of the faculty member.”
- ii. Line 153 – replace ‘decision’ with ‘role’ as in: “The PRC role in this case is only to provide post-tenure performance feedback.”
- iii. Line 154 – continue last sentence by adding a new clause “in writing to the faculty member requesting the review.”

5) Make a small change in PRC membership paragraph (lines 163-172)

a. RATIONALE:

- i. Since some units have other faculty (e.g., program chairs) participate in the annual review process, we might want to ensure that any other faculty who play a formal role in the departmental annual review process not be allowed to serve on the PRC.

b. SUGGESTION:

- i. Line 162 – add a clause (in CAPS):
 1. “Department heads and supervisors of the faculty member being reviewed, AS WELL AS ANY OTHER FACULTY MEMBERS FORMALLY INVOLVED IN THE DEPARTMENTAL ANNUAL REVIEW DECISION THAT TRIGGERED THE REVIEW, shall not serve on the PRC...”

6) Replace modified version of current appeals process for PDP content disagreements

a. RATIONALE:

- i. If the PDP content cannot be mutually agreed upon, we need a way forward.
- ii. Not sure why the appeals process was deleted in proposal – though the existing language references a ‘revised role statement’ not a PDP, which is confusing.

b. SUGGESTION:

- i. OPTION 1: Replace the appeals process with edited version of original code:
 1. At the end of line 262, add: “If agreement cannot be reached, individual department, college, and/or University appeal or hearing procedures should be used to resolve disagreements ~~before transmitting revised role statements to promotion advisory committee and tenure committees~~. Such appeal and hearing procedures can, upon request, include a review of the professional development plan by the Peer Review Committee described in policy 405.12.2.”
- ii. OPTION 2: Have the PRC resolve the disagreements about the PDP content.
- iii. OPTION 3: Use faculty appeals committee outlined above

Academic Freedom and Tenure Committee (AFT)
Feedback on Proposed Code Changes for Post-Tenure Review Process
6 March 2015

At the request of Faculty Senate President Doug Jackson-Smith (in a February 25 email), the AFT committee reviewed a draft of proposed code changes from the Professional Responsibilities and Procedures Committee (PRPC), following ongoing discussions in the Faculty Senate regarding the post-tenure review process. The Faculty Senate President gave two deadlines for an AFT response – by Friday March 6th on three narrow issues (see second section below), and by the end of March on the overall package of proposed changes (see first section below). AFT met Wednesday March 4th to discuss these proposed code changes, and this document summarizes that discussion.

Overall Package of Proposed Changes (more AFT feedback coming by end of March)

The AFT committee has deep concerns about a central feature of the proposal, which implicitly allows the annual department-level review to be conducted by a department head or supervisor alone (in cases where such is the annual review procedure established by the department). This may be inconsistent with the requirement that the annual review be “consistent with accreditation standards” (Policy 405.12.1, proposed revision), as NWCCU accreditation standard 2.B.6 refers to the “collegial” element of regular faculty reviews. (“Collegial” is defined by dictionary.com as “of or characterized by the collective responsibility shared by each of a group of colleagues, with minimal supervision from above.”) Such an inconsistency in code may give rise to grievances, which relates to AFT jurisdiction. The AFT committee charged its chair John Stevens to contact NWCCU regarding the issue of whether a supervisor-only annual review could be considered “collegial.” John has done so and will report back to AFT and the Faculty Senate President by the end of March on this issue.

Also by the end of March, AFT will provide additional feedback on other issues from the proposed code changes involving AFT jurisdiction (such as process timelines, appeals, and a requirement that the “negative” and “warning” aspects of annual reviews be made explicit in the letter from the department head) and a few typographical errors. The two-stage nature of AFT feedback (with a second feedback document coming by the end of March) should not be interpreted by the Faculty Senate as tacit approval or disapproval of any other part of the proposed code changes, but only reflects the feedback deadlines suggested by the Faculty Senate President.

Three Narrow Issues (AFT feedback due Friday March 6th)

These same three issues were discussed in the March 2nd Faculty Senate meeting, but AFT still met to discuss them following the Faculty Senate President’s invitation. Feedback given here focuses on AFT jurisdiction, including processes that may give rise to grievances.

(a) Should the ombudsperson be present at all Peer Review Committee (PRC) meetings?

The proposed code changes do not actually require there to be any PRC meetings; it implicitly could allow purely email correspondence among PRC members. From the perspective of protecting and documenting the process, AFT insists that the code should require the following:

- i. a meeting of the PRC,
- ii. the presence of an ombudsperson (with a checklist and training from the Provost's office [405.6.5]) at that meeting, and
- iii. allowance for the faculty member to be present for at least part of that meeting.

(b) Should a single sentence in current Policy 405.12.2, second paragraph [referring to (1) teaching, (2) research, and (3) service] be dropped?

AFT agrees that this sentence could be safely dropped (as it has been in the proposed code changes) without threatening the process, as language in the same code section refers to the role statement, where such roles (teaching, research, and service) would be specified as appropriate.

(c) What documents should be provided to the PRC?

AFT agrees that the list of documents listed in the fifth paragraph of 405.12.2 (proposed version) should be sufficient for the purposes of the PRC. The presence of an ombudsperson (with appropriate checklist; see a.ii above) could ensure this important element of the process.

At the same time, from a procedural perspective AFT raises the concern that the wording of the first sentence of that paragraph suggests that those same documents are the only ones to be considered in the annual department-level review. (Inconsistency here could lead to grievances.) A possible point of discussion is whether the exact same set of documents should be considered by both the annual department-level review and PRC review, or whether perhaps the second sentence of the paragraph might instead read "The documentation provided to the PRC shall also at a minimum contain ..."

Respectfully Submitted,

John Stevens (as 2014-2015 AFT Chair)
Dept. of Mathematics and Statistics
Utah State University

Memo: To FSEC

From: BFW

Date: March 16, 2015

Subject: Post Tenure Review

Members attending: Vicki Allan, Stephen Bialkowski, Rich Etchberger, Carol Kochan, Chris Monz, Ilka Nemere, Michael Pate, Christopher Skousen, Alan Stephens, Dale Wagner

The BFW committee met Friday February 27, 2015 to discuss the code revision produced by PRPC.

This memo is NOT to be considered the final statement of BFW regarding the proposal to change Section 405 of the code. We address two issues below: 1) whether the code revision written by PRPC follows the direction given to PRPC, and 2) an evaluation of the code revision in contrast to the current code or the current code with modifications.

Issue 1: Did PRPC do its job?

- BFW fully endorses the comments of John Stevens Chair of AFT. Professor Stevens states:

“Regarding context, it seems like the AFT, BFW, and FEC committees are being asked to verify that the proposed code changes accurately reflect the package that was sent from the faculty senate to PRPC. If we respond positively (or negatively), it could be incorrectly viewed as approval (or disapproval) of the content with respect to the committee's respective jurisdictions. For example, even if AFT unanimously felt that the proposed code changes would negatively affect academic freedom or the concept of tenure, but also unanimously conceded that the proposed code changes did accurately reflect the package PRPC was given, our response to this specific invitation could be interpreted (out of context) as unanimously positive.”

“Regarding jurisdiction, it really isn't within AFT jurisdiction to double-check that PRPC has done its job. Code says that AFT "will review, for consideration by the Senate, all matters pertaining to faculty rights, academic freedom, and tenure." Any review done by AFT should (and will) focus on those aspects alone. I'm a little concerned that if we do that, though, our response may be disregarded (or worse, misrepresented) since in your email you specifically say that you're not inviting

feedback on the content of the proposal, just how the draft "reflects the will of the senate."

- BFW for its part notes that our charge, in part, "is periodically evaluate and report to the Senate on matters relating to faculty salaries, insurance programs, retirement benefits, sabbatical leaves, consulting policies, and other faculty benefits." Of particular note is the evaluation of other faculty benefits of which any diminution of faculty rights under the code are of particular concern. Thus as Professor Stevens notes: "it really isn't within BFW's jurisdiction to double-check that PRPC has done its job."
- With respect to the PRPC code revision we note that two issues should be addressed.
 - That for all meetings between a faculty member and a committee, an ombudsperson must be present.
 - If we are going to persist with the fiction that the "department" not the Department Head does the evaluations with respect to PTR then the "department" must meet as a body once per year to ensure PTR standards are understood and applied.
 - BFW agrees with AFT on items b and c of their response dated March 6, 2015

Issue 2: Evaluation of the code revision.

- The "will of the senate" is supposedly presented in the code revision, however as Professor Stevens notes: "That January faculty senate meeting was unnecessarily rushed and uncivil. Senators were interrupting, talking over others, and misusing rules of order (such as repeated inappropriate applications of "calling the question" to prematurely end discussion)."
 - The central issue with the January meeting was the one-sided nature of the presentation that dealt only with the proposal coming out of FSEC committee. That is, all the senate did was modify the proposal coming out of the FSEC and then pass it along "as the will of the senate". At that point PRPC's hands were tied. However, there was no effort to examine the existing code and make the same sort of revisions. It simply sat by itself as the unwanted step child, ignored and with no defense.
 - As has been provided to FSEC multiple times, it is possible to tweak the existing code, with little effort, which will eliminate the problems of administrative interference and keep a faculty right with the faculty. This solution has been largely ignored by FSEC.
- The proposal continues to transfer a faculty right to an administrator, i.e., the department head.

- The proposal makes special effort to remove the term Department Head and replace it with Department. While in theory it is the department that makes evaluation decisions, this is largely a fictional structure and it is, in fact, the DH that makes all evaluative decisions.

As one member of BFW observed, “in all reviews, evaluations and salary discussions, FACULTY have been taken out of the process and we are enabling one more cut to faculty input.”

- Given that DHs, who are hired by and subject to the deans of the colleges, it may be expected that DHs would be in favor of the code change. However, there is evidence that DHs are not in favor of such a change.
- The proposal continues to be punitive rather than collaborative and includes no incentives. Thus the proposal has a serious incentive misalignment problem.
- The proposal is unnecessarily complex.
 - The single benefit that has been identified for this proposal is that it will reduce faculty workload. That is, faculty will not have to meet every 5 years to collaboratively work with their colleagues.
 - As our very young charges would say “REALLY!” Are we willing to admit that we are too lazy or incompetent to fulfill our duty to the academic community and that instead we, the faculty, are willing to rely on administrators whose allegiance is to the administrative structure and not necessarily to the faculty.
 - Are we willing to forego the idea that “Faculty status and related matters, such as appointments, reappointments, nonrenewals of appointments, terminations, dismissals, reductions in status, promotions, and the granting of tenure are primarily a faculty responsibility?” (401.8.1(3))
- The consensus of those attending the BFW meeting on February 27 is that the proposed code change is not in the best interests of the faculty.

Section 405.6.5

6.5 Ombudspersons

All academic units will appoint ombudspersons to serve in the promotion, tenure, and post-tenure review processes. Ombudspersons will be tenured faculty members (as defined in section 401.2.1) and elected or appointed in their respective academic units. The provost's office will develop and implement a plan for the ombudsperson program that defines the election or appointment process, the terms of office, the training, and the implementation of the ombudsperson program.

An ombudsperson must be present in person or by electronic conferencing at all meetings of a promotion advisory committee or a tenure advisory committee. Ombudspersons must receive adequate advance notice of a committee meeting from the chairperson.

For post-tenure **quinquennial** review meetings and for meetings held between either the department head or supervisor and the tenure, promotion, or review candidate to review the committee's evaluation and recommendation, the candidate or department head or supervisor may request the presence of an ombudsperson.

The ombudsperson is responsible for ensuring that the rights of the candidate and the university are protected and that due process is followed according to section 400 of the USU Policy Manual. Ombudspersons shall not judge or assess the candidate, and therefore is not a member of the promotion, tenure, or review committee, or a supervisor of the candidate.

Ombudspersons who observe a violation of due process during a committee meeting should immediately intervene to identify the violation. Committee reports shall be submitted to the department head or supervisor only if they include the ombudsperson's signed statement that due process has been followed. If the ombudsperson cannot sign such a statement, then the ombudsperson shall report irregularities to the department head or supervisor and the appropriate dean or other administrator. After conferring with the ombudsperson, the department head or supervisor, dean or other administrator will determine what, if any, actions should be taken.

Proposal for code change on P&T committee membership (From Faculty Senate Executive Committee)

CORE IDEA:

Replace the phrase ‘in consultation with’ with ‘by mutual agreement with’ in sections of code where the appointment of

1. Motivation: To provide faculty with the right to help decide the composition of the committees that engage in reviews for tenure and promotion decisions, and post-tenure review purposes.
2. Proposal
 - a. Revise several sections of code (see specific text below):
 - i. 405.6.2 (1) Tenure Advisory Committee (TAC)
 - ii. 405.6.2 (2) Promotion Advisory Committee (PAC)
 - iii. 405.8.2 (1) Meetings of the PAC
 - iv. 405.11.2 Term Faculty Promotion Advisory Committee
 - v. 405.12.2 Quinquennial Review of Tenured Faculty
 - b. Replace “in consultation with” with “by mutual agreement with” the faculty member and other appropriate decision-makers.
 - c. To review places in the code where “by mutual agreement with” is currently used –see below.

AREAS WITHIN SECTION 405 OF CURRENT FACULTY CODE WHERE “IN CONSULTATION WITH” IS MENTIONED

405. 6 TENURE, PROMOTION AND REVIEW: GENERAL PROCEDURES

405.6.2 Advisory Committees

(1) Tenure advisory committee (TAC).

For each new tenure-eligible faculty member who is appointed, the faculty member's department head or supervisor shall, **in consultation with** the faculty member and with the approval of the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, appoint a tenure advisory committee. A tenure advisory committee must be appointed during the faculty member's first semester of service. The committee shall consist of at least five members, one of whom must be from outside the academic unit. The department head or supervisor will designate the chair of the committee. The dean of the college will appoint a tenure advisory committee for department heads appointed without tenure in academic departments. The provost will appoint a tenure advisory committee for deans, vice presidents, or chancellors (where applicable) appointed without tenure.

The tenure advisory committee members shall be tenured and hold rank higher than that held by the faculty member under consideration unless that faculty member is an untenured full professor, librarian, extension professor, or professional career and technical education professor. If there are fewer than five faculty members in the academic unit with higher rank than the candidate, then the department head or supervisor shall, **in consultation with** the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, complete the membership of the committee with faculty of related academic units. The department head or supervisor of the candidate shall not serve on the tenure advisory committees, and no committee member may be a department head or supervisor of any other member of the committee. A department head or supervisor may only be appointed to the TAC with the approval of the faculty member under consideration. The department head or supervisor for each committee shall fill vacancies on the committee. **In consultation with** the faculty member, academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, the department head or supervisor may replace members of the tenure advisory committee. The candidate may request replacement of committee members subject to the approval of the department head or supervisor, and the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean.

The role and responsibility of the TAC is to provide an annual evaluation of a faculty member's progress toward tenure and promotion. The TAC is responsible for providing feedback to the faculty member with regard to progress toward tenure and promotion, and shall recommend (a) to renew the appointment or (b) not to renew the appointment (407.2.1(5)). In the final year of the pre-tenure probationary period, the committee shall recommend (a) awarding promotion and tenure or (b) denying promotion and tenure (407.2.1(5)). At any time during the pre-tenure probationary period, the committee can be asked to render judgment on an administrative proposal to grant promotion and tenure in accordance with Section 405.7.3(1) of the USU Policy Manual. Under those circumstances, the TAC shall recommend (a) to award promotion and tenure or (b) to continue the pre-tenure probationary period.

(2) Promotion Advisory Committee (PAC)

When a faculty member without tenure is to be considered for promotion, the tenure advisory committee shall also serve as a promotion advisory committee. The term of this committee shall expire when the faculty member is awarded tenure.

Following tenure, if a faculty member so desires, he or she may request in writing to the department head or supervisor that a promotion advisory committee be formed and meet with the faculty member. This shall be done by the department head **in consultation with** the faculty member and academic dean, or vice president for extension, and, where appropriate, the chancellor or regional campus dean, within 30 days of receipt of the written request. The promotion advisory committee must be formed by February 15th of the third year following tenure and it is recommended that the informational meeting outlined in 405.8.2(1) below be held at this time.

The promotion advisory committee shall be composed of at least five faculty members who have tenure and higher rank than does the faculty member. The department head or supervisor shall appoint a chair other than him or herself. Normally, two academic unit members of higher rank who have served on the candidate's tenure advisory committee shall be appointed to the promotion advisory committee, and at least one member shall be chosen from outside the academic unit. If there are fewer than four faculty members in the academic unit with higher rank than the candidate, then the department head or supervisor shall, **in consultation with** the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, complete the membership of the committee with faculty of related academic units. Department heads and supervisors of the candidate shall not serve on promotion advisory committees, and no committee member may be a department head or supervisor of any other member of the committee. A department head or supervisor may only be appointed to the promotion advisory committee in unusual circumstances and with the approval of the faculty member under consideration. The appointing authority for each committee shall fill vacancies on the committee as they occur. **In consultation with** the faculty member and academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, the department head or supervisor may replace members of the promotion advisory committee. The candidate may request removal of committee members subject to the approval of the department head or supervisor and the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean...

405.8 PROCEDURES SPECIFIC TO THE PROMOTION PROCESS

405.8.2 Faculty with Tenure

The promotion advisory committee shall meet upon request of the faculty member, or in no case later than February 15 of the third year following tenure, to consider a recommendation for promotion.

The department head or supervisor, academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, provost, or president may propose promotion. Such a proposal shall be referred to the promotion advisory committee for consideration and all procedures of 405.8.3 shall be followed.

(1) Meetings of the promotion advisory committee

When the promotion advisory committee, formed by the department head or supervisor **in consultation with** the faculty member and with the approval of the chancellor or regional campus dean (where applicable) and the academic dean, meets for the first time, the purpose of this meeting, similar to the first tenure meeting, will be to ensure that an appropriate role statement is in place and to provide information to the faculty member about promotion to the rank of professor...

405.11 TERM APPOINTMENT: GENERAL PROCEDURES FOR PROMOTION

405.11.2 Promotion Advisory Committee

When a faculty member with term appointment is being considered for promotion, the department head or supervisor shall, **in consultation with** the academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean appoint a promotion advisory committee of at least five faculty members who have higher rank than does the candidate for promotion, a majority of whom are tenured. The department head or supervisor shall appoint a chair other than him or herself. The promotion advisory committee shall be appointed during the fall semester of the year upon the request of the faculty member who seeks promotion. At least one member shall be chosen from outside the academic unit. If there are fewer than five qualified faculty members in the academic unit, the department head or supervisor shall, **in consultation with** the academic dean, or vice president for extension, and, where applicable, the chancellor or regional campus dean, fill the vacancies with qualified faculty of related academic units. The department head or supervisor for each committee shall fill vacancies on the committee. The department head or supervisor may, with the approval of the academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean, replace members of the promotion advisory committee. The candidate may request removal of committee members subject to the approval of the department head or supervisor and the academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean...

405.12 REVIEW OF FACULTY

405.12.2 Quinquennial Review of Tenured Faculty

Tenured faculty shall be reviewed every five years by a post-tenure quinquennial review committee consisting of at least three tenured faculty members who hold rank equal to or greater than the faculty member being reviewed. The committee shall be appointed by the department head or supervisor **in consultation with** the faculty member and academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean, and must include at least one member from outside the academic unit. If there are fewer than two faculty members in the academic unit with equal to or higher rank than the candidate, then the department head or supervisor shall, **in consultation with** the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, complete the membership of the committee with faculty of related academic units. Department heads and supervisors of the faculty member being reviewed shall not serve on this committee, and no committee member may be a department head or supervisor of any other member of the committee. An administrator may only be appointed to the quinquennial review committee with the approval of the faculty member under consideration.

AREAS WITHIN 405 SECTION OF CURRENT FACULTY CODE WHERE “MUTUAL AGREEMENT” IS CURRENTLY USED

405. 6 TENURE, PROMOTION AND REVIEW: GENERAL PROCEDURES

6.1 Role Statement and Role Assignment

A role statement will be prepared by the department head or supervisor, agreed upon between the department head or supervisor and the faculty member at the time he or she accepts an appointment, and approved by the academic dean and the provost and where applicable, the chancellor, vice president for extension or regional campus dean. The role statement shall include percentages for each area of professional domains (404.1.2). These percentages will define the relative evaluation weight to be given to performance in each of the different areas of professional domains. Role statements serve two primary functions.

First, the faculty member can gauge his or her expenditure of time and energy relative to the various roles the faculty member is asked to perform in the university. Second, role statements provide the medium by which the assigned duties of the faculty member are described, including the campus or center location, and by which administrators and evaluation committees can judge and counsel a faculty member with regard to his or her allocation of effort. During the search process, the department head or supervisor will discuss with each candidate his or her prospective role in the academic unit as defined by the role statement.

The role statement shall be reviewed, signed and dated annually by the faculty member and department head or supervisor and academic dean, or, where appropriate, the vice president for extension, chancellor, or regional campus dean and revised as needed. Any subsequent revision may be initiated by either the faculty member or the department head or supervisor. Any revision of the role statement, including the campus or center location, **should be mutually agreed to by the faculty member and department head or supervisor and approved by the academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean.** If agreement cannot be reached, individual department, college, and/or University appeal or hearing procedures should be used to resolve disagreements before transmitting revised role statements to promotion advisory committee and tenure committees.

405.7 PROCEDURES SPECIFIC TO THE TENURE PROCESS

7.2 Additional Events During the Year in which a Tenure Decision is to be Made

(1) External peer reviews.

Prior to September 15, the department head or supervisor will make a solicitation of letters from at least four peers of rank equivalent to or higher than that sought by the candidate. If fewer than four letters arrive, additional letters will be solicited only to attain the minimum of four letters. The reviewers must be external to the university and must be held with respect in academe. The candidate will be asked to submit the names of potential reviewers and to state the nature of his or her acquaintance with each of them. The number of names should be at least equal to the number of letters to be solicited. At least one-half of the reviewers must be selected from the candidate's list. The candidate may also submit names of potential reviewers that he or she does not want contacted, although this list is not binding on the department head or supervisor.

The department head or supervisor and the tenure advisory committee shall mutually agree to the peer reviewers from whom letters will be solicited. A summary of the pertinent information in his or her file initially prepared by the candidate and a cover letter initially drafted by the department head or supervisor with **final drafts mutually agreed upon by the candidate, the tenure advisory committee, and the department head or supervisor** shall be sent to each reviewer by the department head or supervisor. Each external reviewer should be asked to state, the nature of his or her acquaintance with the candidate and to evaluate the performance, record, accomplishments, recognition and standing of the candidate in the major area of emphasis of his or her role statement. If the candidate, department head, and tenure advisory committee all agree, external reviewers may be asked to evaluate the secondary area of emphasis in the role statement as well. Copies of these letters will become supplementary material to the candidate's file (see Code 405.6.3).

405.8 PROCEDURES SPECIFIC TO THE PROMOTION PROCESS

8.3 Procedures for Promotion

(1) External peer reviews.

Prior to September 15, the department head or supervisor will solicit letters from at least four peers of rank equivalent to or higher than that sought by the candidate. If fewer than four letters arrive, additional letters will be solicited only to attain the minimum of four letters. The reviewers must be external to the university and must be held with respect in academe. The candidate will be asked to submit the names of potential reviewers and to state the nature of his or her acquaintance with each of them. The number of names should be at least equal to the number of letters to be solicited. At least one-half of the reviewers must be selected from the candidate's list. The candidate may also submit names of potential reviewers that he or she does not want contacted, although this list is not binding on the department head or supervisor.

The department head or supervisor and the promotion advisory committee shall mutually agree to the peer reviewers from whom letters will be solicited. A summary of the pertinent information in his or her file initially prepared by the candidate and a cover letter initially drafted by the department head or supervisor with **final drafts mutually agreed upon by the candidate, the promotion advisory committee, and the department head or supervisor** shall be sent to each reviewer by the department head or supervisor. Each external reviewer should be asked to state the nature of his or her acquaintance with the candidate, and to evaluate the performance, record, accomplishments, recognition and standing of the candidate in the major area of emphasis of his or her role statement. If the candidate, department head, and promotion advisory committee all agree, external reviewers may be asked to evaluate the secondary area of emphasis in the role statement as well. Copies of these letters will become supplementary material to the candidate's file.

(2) Evaluation and recommendation by the promotion advisory committee.

405.11 TERM APPOINTMENT: GENERAL PROCEDURES FOR PROMOTION

11.1 Role Statement and Role Assignments

A role statement will be prepared by the department head or supervisor, agreed upon between the department head or supervisor and the faculty member at the time he or she accepts an appointment, and approved by the academic dean and the provost and, where applicable, the chancellor, vice president for extension or regional campus dean. In determining the role statement, consideration shall be given to all forms of professional service (policy 404.1.2). Role statements provide the medium by which the assigned duties of the faculty member are described and by which administrators and promotion evaluation committees can judge a faculty member with regard to his or her performance. During the search process, the department head or supervisor will discuss with each candidate his or her prospective role in the academic unit as defined by the role statement.

The role statement shall be reviewed annually and shall be revised as needed. The process of revision may be initiated by either the faculty member or the department head or supervisor. **Any revision of the role statement should be mutually agreed to by the faculty member and department head or supervisor and approved by the academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean.** If agreement cannot be reached, individual department, college, and/or University appeal or hearing procedures should be used to resolve disagreements before transmitting revised role statements to promotion advisory committees. A copy of the role statement, and any later revisions, will be provided to the faculty member, the department head or supervisor, the academic dean or vice president for extension and the provost, and where applicable, the chancellor or regional campus dean, and the members of the tenure and/or promotion advisory committee.

11.4 Events During the Year in which a Promotion Decision is to be Made

(1) External peer reviews

Prior to September 15, the department head or supervisor will make a single solicitation of letters from at least four peers of rank equivalent to or higher than that sought by the candidate. If less than four letters arrive, additional letters will be solicited to attain the minimum of four letters. The reviewers must be external to the university and must be respected in their fields. The candidate will be asked to submit the names of potential reviewers and to state the nature of his or her acquaintance with each of them. The number of names should be at least equal to the number of letters to be solicited. At least one-half of the reviewers must be selected from candidate's list. **The department head or supervisor and the promotion advisory committee shall mutually agree to the peer reviewers from whom letters will be solicited.** A summary of the pertinent information in his or her file initially drafted by the department head or supervisor, with **final drafts agreed upon by the candidate, the promotion advisory committee, and the department head or supervisor**, shall be sent to each reviewer by the department head or supervisor. Each reviewer should be asked to state at the very least the nature of his or her acquaintance with the candidate, and to evaluate the candidate's work, recognition, and standing among his or her peers. Copies of these letters will become supplementary material to the candidate's file. The external review process is not required for those seeking promotion in the lecturer ranks.

405.12 REVIEW OF FACULTY

12.3 Professional Development Plan

(1) The department head or supervisor may, as a consequence of the annual review process, initiate the negotiation of a professional development plan to help the tenured faculty member more fully meet role expectations. The plan shall respect academic freedom and professional self-direction, and shall permit subsequent alteration. **The professional development plan shall be mutually agreed to and signed by the faculty member and the department head or supervisor and approved by the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean.** If agreement cannot be reached, individual department, college, and/or University appeal or hearing procedures should be used to resolve disagreements before transmitting revised role statements to promotion advisory committee and tenure committees. Such appeal and hearing procedures can, upon request, include a review of the professional development plan by the Review Committee described in policy 405.12.2.

Resolution in support of gender inclusive bathrooms

Faculty Diversity, Development and Equity Committee

March 2015

Whereas this issue is important to the student community at USU;

Whereas the Access and Diversity Center has identified bathrooms that can easily be switched at a relatively low cost;

Whereas some classroom buildings on campus do not contain any gender inclusive bathrooms nor any nearby; and

Whereas one of the roles of the FDDE is to make recommendations for implementation of proposals related to faculty diversity, development, and equity,

Therefore, **FDDE supports the Access and Diversity Center's initiatives to increase the number of gender inclusive bathrooms on the Logan campus. FDDE also support efforts to create or increase the number of general inclusive bathrooms at the regional campuses and USU Eastern, if necessary.**

Douglas Jackson-Smith

From: Bowen, Mike <mbowen@usf.edu>
Sent: Thursday, April 02, 2015 11:05 AM
To: Reid.Oetjen@ucf.edu; mrahdert@temple.edu; robert.kirkman@pubpolicy.gatech.edu; pwfeld01@louisville.edu; senate.chair@miami.edu; david_zonderman@ncsu.edu; Paul.J.McGinn.1@nd.edu; spring@pitt.edu; dbcarter@syr.edu; garofalo@virginia.edu; bhausman@vt.edu; dwebster@umd.edu; knickerson1@unl.edu; patricia.hart.1@purdue.edu; mfbarnarddon@wisc.edu; kschalin@iastate.edu; creed@ku.edu; drintoul@ksu.edu; hewes@ou.edu; michael.farmer@ttu.edu; Jennifer.Orlikoff@mail.wvu.edu; kwilson@fiu.edu; mswanbom@latech.edu; William.Canak@mtsu.edu; facultypresident@uncc.edu; james.conover@unt.edu; pchampag@odu.edu; Karen.Daas@utsa.edu; cepps@uab.edu; mbcox@utep.edu; margaret.crowder@wku.edu; ahardin@bsu.edu; joelo@bgsu.edu; zubrow@buffalo.edu; spenc1a@cmich.edu; jfox@kent.edu; marshabw@miamioh.edu; wpitney@niu.edu; karen.hoblet@utoledo.edu; c.dennis.simpson@wmich.edu; anthonymarker@boisestate.edu; mary.stromberger@colostate.edu; Douglas Jackson-Smith; ejanak@uwyo.edu; helene.ossipov@asu.edu; silvester@usc.edu; aberbach@polisci.ucla.edu; steve.alder@utah.edu; pkumar@ufl.edu; andrew.hippisley@uky.edu; encope@lsu.edu; jwoosley@tamu.edu; kocham@appstate.edu; jcm5337@louisiana.edu; stockley@ulm.edu; jestis@southalabama.edu; mc15@txstate.edu; drosser-mims@troy.edu
Subject: Request from COIA: Faculty Senate consideration of support for U.S. House Bill H.R. 275 - a bill to create a Presidential Commission to look into issues facing Intercollegiate Athletics
Attachments: BILLS-HR 275 - Rush.pdf; COIA Request for Member Senate Vote on a Possible Presidential Commission.docx
Importance: High

Friends,

I'm writing the faculty governance leaders at our member, and non-member, institutions concerning the request, currently before the US Congress, for a Presidential Commission to look into issues facing Intercollegiate Athletics. I've attached a copy of a resolution (H.R. 275, is attached) for your information, and am asking for your help in presenting the matter to your Faculty Senate/Council/Governing Body's for their consideration of support for the bill. Your senate's statement of support for this resolution, if the senate can do so, would be very important. We are presently trying to get the bill out of committee (*Committee on Education and the Workforce* - U.S. House of Representatives), and faculty support of the resolution will be a powerful signal to the Congressional leadership. I should add that the bill, currently with four bi-partisan co-sponsors, is one of the very few bills receiving bi-partisan support in the U.S. Congress in the past several years.

Please note that the resolution urges your faculty to consider contacting your local congressional representative(s) for their support and to ask them to possibly sign-on to the bill as a co-sponsor. A large number of co-sponsors, of course, often play a significant role in the outcome of votes taken on an issue. We also believe that this will help get the bill more quickly to the floor of Congress for discussion.

I should add that Congress is currently being lobbied for COIA's inclusion on any President's Commission that is formed.

In short then, please consider asking your senate to consider the matter before the end of the academic year. Please let me know the outcome of any of their deliberations.

Thanks for your help and support in this effort, and please get back with me if you have any questions or concerns.

Mike
Michael G. Bowen, Ph.D.
Chair, Coalition on Intercollegiate Athletics (COIA)
University of South Florida
Muma College of Business
Department of Marketing
4202 East Fowler Ave, BSN 3409
Tampa, Florida 33620-5500
813.974.1765 (O)
mbowen@usf.edu
<https://sites.comm.psu.edu/thecoia/>



The following resolution is for your Faculty Senate/Council/Governing Body's consideration of the request, currently before the US Congress (a copy of the bill: H.R. 275, is attached), for a Presidential Commission on Intercollegiate Athletics. Your senate's support of this resolution, if you can support the resolution, is very important. Faculty support of the resolution, and further efforts to obtain additional co-sponsors in Congress for the bill so that it will be brought expeditiously to the floor of Congress for discussion and voting, are very important.

WHEREAS, [name of institution] is a member of the National Collegiate Athletic Association (NCAA); and

WHEREAS, the NCAA's recent restructuring effort has failed to effectively address critical issues currently confronting intercollegiate athletics: significant lapses of academic integrity, grave threats to the financial stability of athletic programs, the alarming escalation of coaches' salaries, the escalation of student fees and institutional general fund subsidies to support athletics, excessive athletics time demands that do not allow athletes to devote sufficient time to their academic studies, and ongoing concerns about the health and safety of college athletes, among others; effective reform of intercollegiate athletics is so complex and important to higher education that a blue ribbon commission of faculty, collegiate sports experts and members of Congress should be convened to objectively study these issues and propose solutions.

WHEREAS, the academic integrity and reputation of our higher education institutions and the education, health and welfare of college athletes are too important to allow these questionable practices to continue.

NOW THEREFORE BE IT RESOLVED by the Faculty Senate/Council that the Senate go on record in support of H.R. 275, a bi-partisan bill being considered by the 114th Congress, that would establish a blue-ribbon Presidential Commission "to identify and examine issues of national concern related to the conduct of intercollegiate athletics and to make recommendations for the resolution of such issues;" and

BE IT FURTHER RESOLVED that individual faculty members consider contacting their respective Congressperson to ask that they co-sponsor the H.R. 275.

Current Co-Sponsors of the Bill include:

Bobby Rush (D-IL)
Joe Barton (R-TX)
Charlie Dent (R-PA)
Bobby Scott (D-VA)

The Coalition on Intercollegiate Athletics is an alliance of faculty governance bodies from the academic institutions in the Football Bowl Subdivision. COIA's mission is to promote the academic integrity of our universities, and to represent the interests of our faculties, non-athlete students and student-athletes in matters related to college sports that can significantly affect the health, sustainability and educational missions of our institutions.

<https://sites.comm.psu.edu/thecoia/>

114TH CONGRESS
1ST SESSION

H. R. 275

To establish a commission to identify and examine issues of national concern related to the conduct of intercollegiate athletics, to make recommendations for the resolution of the issues, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 12, 2015

Mr. RUSH (for himself, Mr. BARTON, Mr. SCOTT of Virginia, and Mr. DENT) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To establish a commission to identify and examine issues of national concern related to the conduct of intercollegiate athletics, to make recommendations for the resolution of the issues, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SENSE OF CONGRESS.**

4 It is the sense of Congress that—

5 (1) properly conducted intercollegiate athletic
6 programs contribute to the beneficial development of
7 student athletes and the vibrancy of campus life at
8 institutions of higher education;

1 (2) recent events pose grave threats to the fi-
2 nancial stability of athletic programs at institutions
3 of higher education and create pressure on institu-
4 tions of higher education to consider eliminating
5 non-revenue Olympic sports or increasing general
6 fund, student fee, and donor subsidies to athletics at
7 a time when such resources are needed for priority
8 academic programs;

9 (3) there are concerns about the health and
10 safety needs of student athletes with regard to ade-
11 quacy of injury protections and other medical proto-
12 cols;

13 (4) academic integrity at institutions of higher
14 education is threatened by increased incidences of
15 academic fraud involving student athletes, failure to
16 provide adequate remedial programs for academi-
17 cally unprepared admitted athletes, and excessive
18 athletics time demands;

19 (5) student athletes faced with loss of financial
20 aid and other benefits and National Collegiate Ath-
21 letic Association (NCAA) member institutions in
22 danger of financial penalties, loss of media rights,
23 and public embarrassment due to alleged rules viola-
24 tions are not being afforded adequate due process;

1 (6) the NCAA, member institutions of the
2 NCAA, and college presidents have not adequately
3 addressed these issues; and

4 (7) reform is so complex and important to high-
5 er education that a blue ribbon commission of sport
6 experts and members of Congress should be con-
7 vened to objectively study these issues and propose
8 solutions.

9 **SEC. 2. ESTABLISHMENT.**

10 There is established a commission to be known as the
11 Presidential Commission on Intercollegiate Athletics.

12 **SEC. 3. DUTIES.**

13 (a) REVIEW.—The Commission shall review and ana-
14 lyze the following issues related to intercollegiate athletics:

15 (1) The interaction of athletics and academics,
16 including—

17 (A) the extent to which existing athletic
18 practices allow student athletes to succeed as
19 both students and athletes;

20 (B) how athletics affect the academic mis-
21 sion, academic integrity, and credit worthiness
22 of institutions of higher education;

23 (C) graduation rates of student athletes;
24 and

1 (D) standards of academic eligibility for
2 participation in and terms of scholarships for
3 student athletes.

4 (2) The financing of intercollegiate athletics, in-
5 cluding—

6 (A) sources of revenue, including student
7 fees, media contracts, and licensing agreements;

8 (B) expenditures of revenue, including
9 compliance with title IX of the Education
10 Amendments of 1972, coaching salaries, and fa-
11 cilities development;

12 (C) the ability of institutions of higher
13 education to finance intercollegiate athletics;

14 (D) the financial transparency of inter-
15 collegiate athletics;

16 (E) the criteria for receipt of financial dis-
17 bursements or rewards from athletic member-
18 ship associations;

19 (F) rules related to earnings and benefits
20 by student athletes, including the possibility of
21 commercial compensation for the use of the
22 names, images, and likenesses of student ath-
23 letes and whether a student athlete may retain
24 a personal representative to negotiate on behalf
25 of the student athlete;

1 (G) tax regulations related to revenue from
2 intercollegiate athletics; and

3 (H) Federal judicial decisions that affect
4 compensation for student athletes or the right
5 of student athletes to organize as a collective
6 bargaining unit.

7 (3) Recruitment and retention of student ath-
8 letes, including rules related to—

9 (A) professional sports participation;

10 (B) transfer of student athletes to other
11 institutions; and

12 (C) recruitment and representations made
13 to potential student athletes.

14 (4) Oversight and governance practices.

15 (5) Health and safety protections for student
16 athletes.

17 (6) Due process and other protections related to
18 the enforcement of rules and regulations related to
19 student athletes.

20 (7) Any other issues the Commission considers
21 relevant to understanding the state of intercollegiate
22 athletics.

23 (b) RECOMMENDATIONS.—The Commission shall de-
24 velop recommendations regarding the issues identified in

1 subsection (a) based on the review and analysis of the
2 issues under such subsection.

3 **SEC. 4. MEMBERSHIP.**

4 (a) IN GENERAL.—The Commission shall be com-
5 posed of 17 members appointed as follows:

6 (1) Five members appointed by the President,
7 in consultation with the Secretary of Education and
8 the Attorney General.

9 (2) Three members appointed by the Speaker of
10 the House of Representatives, including—

11 (A) one Member of the House of Rep-
12 resentatives; and

13 (B) two individuals who are not Members
14 of Congress.

15 (3) Three members appointed by the minority
16 leader of the House of Representatives, including—

17 (A) one Member of the House of Rep-
18 resentatives; and

19 (B) two individuals who are not Members
20 of Congress.

21 (4) Three members appointed by the majority
22 leader of the Senate, including—

23 (A) one Member of the Senate; and

24 (B) two individuals who are not Members
25 of Congress.

1 (5) Three members appointed by the minority
2 leader of the Senate, including—

3 (A) one Member of the Senate; and

4 (B) two individuals who are not Members
5 of Congress.

6 (b) QUALIFICATIONS.—Appointments shall be made
7 from individuals who are specially qualified to serve on
8 the Commission by virtue of their education, training, or
9 experience.

10 (c) VACANCY.—Any vacancy on the Commission shall
11 not affect the powers of the Commission, but shall be filled
12 in the manner in which the original appointment was
13 made.

14 (d) CHAIR.—The Chair of the Commission shall be
15 elected by the members.

16 (e) REIMBURSEMENT; SERVICE WITHOUT PAY.—
17 Members of the Commission shall serve without pay, ex-
18 cept members of the Commission shall be entitled to reim-
19 bursement for travel, subsistence, and other necessary ex-
20 penses incurred by them in carrying out the functions of
21 the Commission, in the same manner as persons employed
22 intermittently by the Federal Government are allowed ex-
23 penses under section 5703 of title 5, United States Code.

1 **SEC. 5. STAFF.**

2 The Commission may appoint and fix the compensa-
3 tion of a staff director and such other personnel as may
4 be necessary to enable the Commission to carry out its
5 functions, without regard to the provisions of title 5,
6 United States Code, governing appointments in the com-
7 petitive service, and without regard to the provisions of
8 chapter 51 and subchapter III of chapter 53 of such title
9 relating to classification and General Schedule pay rates,
10 except that no rate of pay fixed under this paragraph may
11 exceed the equivalent of that payable for a position at level
12 V of the Executive Schedule under section 5316 of title
13 5, United States Code.

14 **SEC. 6. MEETINGS.**

15 (a) IN GENERAL.—The Commission shall meet at the
16 call of the Chair or of a majority of its members.

17 (b) FIRST MEETING.—The first such meeting shall
18 occur not later than 90 days after the date of the enact-
19 ment of this Act.

20 **SEC. 7. POWERS.**

21 (a) IN GENERAL.—The Commission may, for the
22 purpose of carrying out this Act, hold hearings, sit and
23 act at times and places, take testimony, and receive evi-
24 dence as the Commission considers appropriate.

25 (b) DELEGATION.—Any member or agent of the
26 Commission may, if authorized by the Commission, take

1 any action which the Commission is authorized to take by
2 this section.

3 (c) ACCESS TO INFORMATION.—The Commission
4 may secure directly from any department or agency of the
5 United States information necessary to enable it to carry
6 out this Act. Upon request of the Commission, the head
7 of such department or agency shall furnish such informa-
8 tion to the Commission.

9 (d) USE OF MAILS.—The Commission may use the
10 United States mails in the same manner and under the
11 same conditions as other departments and agencies of the
12 United States.

13 (e) ADMINISTRATIVE SUPPORT.—The Administrator
14 of General Services shall provide to the Commission on
15 a reimbursable basis such administrative support services
16 as the Commission may request that are necessary for the
17 Commission to carry out its responsibilities under this Act.

18 **SEC. 8. REPORT.**

19 Not later than the date that is 1 year after the date
20 of the first meeting of the Commission, the Commission
21 shall submit to the President and the Congress a written
22 report of its findings and recommendations based on the
23 review and analysis required by section 3.

1 **SEC. 9. TERMINATION.**

2 The Commission shall terminate on the date that is
3 30 days after the date on which the Commission submits
4 the report required by section 8.

5 **SEC. 10. DEFINITIONS.**

6 (a) COMMISSION.—In this Act, the term “Commis-
7 sion” means the Presidential Commission on Intercolle-
8 giate Athletics established by section 2.

9 (b) INSTITUTION OF HIGHER EDUCATION.—In this
10 Act, the term “institution of higher education” means any
11 institution that—

12 (1) meets the definition in section 102(a)(1) of
13 the Higher Education Act of 1965 (20 U.S.C.
14 1002(a)(1)); and

15 (2) has student athletes who are eligible for
16 Federal student loans.

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