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## Faculty Senate Agenda, April 7, 2014

Utah State University

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FACULTY SENATE MEETING

April 7, 2014

3:00 – 4:30 p.m.

Merrill-Cazier Library 154

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**Agenda**

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- 3:00 Call to Order**.....Yanghee Kim  
Sign the Roll  
Approval of Minutes March 3, 2014
- 3:05 University Business**.....Stan Albrecht, President  
Noelle Cockett, Provost
- 3:25 Reports**.....Yanghee Kim  
1. Professional Responsibilities and Procedures Committee Report – Stephen Bialkowski  
2. EPC Items for March 2014 – Larry Smith
- 3:30 Unfinished Business**  
1. PRPC Code Change 405.7.2(5) and 407.6.3(2) Notification date unification  
(Second Reading).....Stephen Bialkowski  
2. PRPC Code Change 402.3.2 add assigned teaching to list of unavoidable absences  
(Second Reading).....Stephen Bialkowski  
3. PTR Decision Points.....Yanghee Kim
- 4:15 New Business**  
1. Election of President-Elect of the Faculty Senate.....Robert Schmidt
- 4:30 Adjournment**  
Please be sure you've signed the roll



**USU FACULTY SENATE  
MINUTES  
MARCH 3, 2014  
Merrill-Cazier Library, Room 154**

**Call to Order**

Yanghee Kim called the meeting to order at 3:00 pm. The minutes of February 3, 2014 were adopted.

**Announcements – Yanghee Kim**

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

At the next meeting we will hold open nominations for President-Elect.

**Shared Governance Award – Renee Galliher**

The nominees are Rhonda Miller, Scott Bates, Ed Reeve, and Jason Olsen.

**University Business – President Stan Albrecht, Noelle Cockett**

A highlight of the Founders Day Celebration this year will be a Presidential Series of Lecture by Joyce Kinkead our Carnegie Professor, USU Alum, Briana Bowen our Truman Scholar, and Nobel Laureate Lars Peter Hansen. The celebration this year is focusing more on student and faculty accomplishments.

The legislative session closes at midnight next Thursday. President Albrecht gave an overview of the Tier 1 and Tier 2 tuition and the process for increases to each. Administration has asked the Board of Trustees to approve an increase of Tier 2 tuition in the range of 0 – 3%. Tier 1 will be determined after the legislative session so that we have some flexibility. Tier 1 will likely be around a 3% increase. The Higher Education Base Budget was passed without additional cuts. Any money that comes our way for promotion and tenure increases will not have an effect on any compensation increases that the legislature may approve. When asked by the legislature how USU has met their needed cuts, they were shown that programs offered were reduced by 51, 24 new programs were added, resulting in a net decrease of 27 programs. There are a number of bills that will affect higher education still pending in the legislature; a bill that would require grievance procedures to take place under oath and a bill affecting the licensing of landscape architecture professionals are being discussed.

**Consent Agenda Items – Yanghee Kim**

**Budget and Faculty Welfare Committee Report – Alan Stephens  
Academic Freedom and Tenure Committee Report – Bryce Fifield  
March EPC Items – Larry Smith**

A motion to approve the consent agenda was made and seconded. The motion passed unanimously.

**Information Items**

**Honorary Degrees and Awards Committee Report – Sydney Peterson, Vince Wickwar.** The CEO of Global Poverty Project, Hugh Evans, has been named as the Commencement Speaker for this year. Evans is an Australian humanitarian and an internationally renowned development advocate. He will receive an honorary doctorate along with Tayseer Al-Smadi, senator in the Hashemite Kingdom of Jordan and chairman of the Jordan Press and Publishing Corporation; Pamela J. Atkinson, an advocate for impoverished, underprivileged and homeless populations in Utah; and R. Gilbert Moore, a specialist in rocketry and propulsion science who founded USU's Get Away Special Program.

**PRPC Code Change 405.7.2(5) and 407.6.3(2) Notification date unification (First Reading) – Stephen Bialkowski.** No action taken on first readings.

**PRPC Code Change 402.3.2, add assigned teaching to list of unavoidable absences (First Reading) – Stephen Bialkowski.** No action taken on first readings.

### **Old Business**

**PTR Decision Points – Yanghee Kim.** At the previous meeting the senate asked the FSEC to create decision points for discussion and voting. These decision points are included in the agenda packet. There are three major issues that cover the differences between the current code and the proposed code. The first issue is on the PTR process, the second issue concerns post tenure committee structure, and the third is the professional development plan. The FSEC determined that changes to the professional development plan are dependent on what is decided on the first two issues and will be discussed and finalized in the next FSEC meeting. Doug Jackson-Smith reminded senators that this is only an advisory vote and not changing code; any decisions made will be forwarded as a guide to PRPC and go through the appropriate channels.

Becky Lawver moved that in the interest of time, discussion should be limited to three minutes for each item. The motion was seconded and passed with one dissenting vote. Discussion continued and a friendly amendment was made and accepted to extend the time to 7 minutes per item. The vote was unanimous.

Question 1 - Should the post-tenure peer review process be

- a. Triggered: required only of tenured faculty that are judged to be 'not meeting expectations' in annual reviews, or
- b. The current code: (required of all tenured faculty, every 5 years).

Senators spoke in favor of each proposal. Renee clarified that the annual review criteria is developed by the departments, and it is not in code that the department head conduct the reviews. Jake Gunther commented that there has been a criticism of the current code that it is not uniform, but what can be more uniform than requiring every person to undergo a review every 5 years. The statement was made that option B fosters more trust. Clarification of option A was that a peer review will occur only when the faculty member is reviewed as "not meeting expectations" during an annual review. Under the current code a negative review would not trigger a peer review and it could likely be that a person might receive 4 or 5 negative reviews before a peer review would be enacted. It was brought up that the Code states that the purpose of the annual department review is to be used for salary adjustment and for renewing contracts. Discussion continued for over 10 minutes.

The faculty senate president called for a vote. Votes in favor of option A: 25. Votes in favor of option B: 17.

Question 1-1 – If triggered, should annual reviews for post-tenure faculty consider

- a. A multi-year rolling window, or
- b. The current code: "each department shall establish procedures..." (405, page 30).

Renee explained that the rationale of the task force in having a rolling window was that the current code unfairly penalizes faculty members who have a bad year. Recognizing there are variations in careers overtime and one of the benefits of tenure is the freedom to take risks and try new things, it was felt there needed to be a broader window in terms of the annual review. Senators engaged in a discussion on the meaning of the phrases “meets/does not meet expectations” and “effective and excellence” as used in the review process. Yanghee clarified that “excellence and effectiveness” are used only for promotion and tenure, not for the annual reviews. Discussion continued until the Senate President announced the time limit had expired at 12 minutes.

A motion was made and seconded to vote to accept the multi-year rolling window for annual reviews for post tenure faculty (option A). Clarification was made that this applies only to the post tenure review process, and that this is not drafting code language at this time. Votes in favor of the motion: 39, Votes against the motion: 3

Clarification was made that “Each department shall establish procedures based on a multi-year rolling window” is the language that PRPC should work into the code language for this issue.

Question 2 - Should the post-tenure peer review committee be

- a. College-level, or
- b. The current code: “the committee appointed by the dept. head or supervisor in consultation with the faculty member...” (405, page 30).

In support of the current code, a statement was made that the person being evaluated is consulted in the selection of the committee. The first initial review comes from people in your department because they know best if you are successful or not. There was discussion about small departments who do not have enough tenured faculty to comprise a committee and whether or not committees should be formed at the college level. One member’s problem was with the language “appointed by the department head”. The pros and cons were discussed. Clarification was made that the Code states that the committees “must include at least one member from outside the academic unit”, etc. The concern from RCDE colleagues is that if there is a change in the Code and there are not enough people that efforts need to be made to find people who have relevant experience to speak to their situation. Discussion continued past the time limit and largely focused on the phrase “in consultation with” from the current code.

Yanghee Kim called for a vote of all those in favor of option A: 18. Those in favor of option B: 25.

A motion to table the rest of the agenda until the next meeting was received and seconded.

### **New Business**

**Reviews of Administrators – Yanghee Kim.** Discussion on this item was postponed until the next meeting due to time limitations.

### **Adjournment**

The meeting adjourned at 4:30 pm.

# **Professional Responsibilities and Procedures Committee (PRPC) Report**

**April 2014**

**Prepared by Stephen E Bialkowski (Chair)**

The Professional Responsibilities and Procedures Committee members for AY 2013-2014 are:

- Heidi Wengreen (15) – Agriculture
- Chris Gauthier (16) – Arts
- Randy Simmons (14) – Business
- TBD (16) – Education
- William Rahmeyer (16) – Engineering
- Terry Peak (16) – Humanities & Social Sciences
- Terry Messmer (14) – Natural Resources
- Ian Anderson (16) – Science
- John Elsweller (14) – Libraries
- Jerry Goodspeed (14) – Extension
- TBD (16) – Regional Campuses & Distance Education
- Elaine Youngberg (14) – USU Eastern
- Jeanette Norton (15) – Senate
- TBD – Senate
- Stephen Bialkowski, Chair (15) - Senate

The Professional Responsibilities and Procedures Committee advises the Faculty Senate regarding composition, interpretation, and revision of Section 400 in University Policies and Procedures. Recommended revisions shall be submitted to the Senate for its consideration. The following is a summary list of code changes presented to the Faculty Senate in this academic year in the order they were introduced.

- September 2013 - PRPC Section 402, Language changes for RCDE, USU Eastern and the elimination of GSS: several changes made throughout Section 402 to reflect name changes and university structure.
- October 2013 – Section 402.12.7 FEC wording on what follows “decide university awards”: changes wording of the Faculty Evaluation Committee description to include the sponsor name in named awards.
- December 2013 – Section 402.4.3 Order of Business: changes the order of business in Faculty Senate agendas.
- December 2013 – Section 405.6 Campus or Center location: changes to role statement descriptions to include campus or center location.

- January 2014 – Section 402.3 ASUSU to USUSA: changes to reflect name change of student organization to Utah State University Student Association.
- January 2014 – Section 402.12.5: Changes the Professional Responsibilities and Procedures Committee description to include reference to Section 202 of the USU Policy Manual.
- March 2014 - Sections 405.7.2(5) and 407.6.3(2): Changes 407.6.3(2) to unify notification dates with 405.7.2(5).
- March 2014 – Section 402.3.2: Add “assigned teaching” to the list of unavoidable absences for Faculty Senators.

Specific approved wording changes approved are documented in the Faculty Senate minutes.

Committee action was performed through email discussions and voting.

**Report from the Educational Policies Committee**  
**March 7, 2014**

The Educational Policies Committee met on March 6, 2014. The agenda and minutes of the meeting are posted on the Educational Policies Committee web page<sup>1</sup> and are available for review by the members of the Faculty Senate and other interested parties. During the March meeting of the Educational Policies Committee, the following actions were taken:

1. Approval of the report from the Curriculum Subcommittee meeting of March 6, 2014 which included the following actions:
  - The Curriculum Subcommittee approved 62 requests for course actions.
  - A request from the Department of English to change the name of the On-line M.S. in English with a Specialization in Technical Writing, to Master of Technical Communication was approved.
2. There was no February report from the Academics Standards Subcommittee.
3. There was no February report from the General Education Subcommittee.
4. Other Business:
  - A request from the Emma Eccles Jones College of Education and Human Services to form a new Department of Nursing and Health Professions was approved.



## Code Sections 405.7.2(5) and 407.6.3(2) date unification

The code lists two dates for notification of untenured faculty who will not have their contracts renewed.

Section 405.7.2(5) states “The president shall notify the provost, director (where applicable), academic dean or vice president for extension, department head or supervisor, tenure advisory committee, and, where appropriate, the chancellor or regional campus dean, and the candidate in writing of the president's decision to deny tenure no later than April 15. For candidates in their third year, the deadline is **December 10<sup>th</sup>**.”

Section 407.6.3(2) states “For tenure-eligible faculty appointments, non-renewal must first be preceded by the following minimum notice (a) not later than March 1 for first-year and second-year appointees; (b) not later than **December 15** for third-year appointees; (c) no later than January 29 prior to the issuance of a terminal year appointment for fourth-year and fifth-year appointees, except in the case of denial of tenure (see Policy 407.6.1), where minimum notice shall be not later than April 15.”

Section 405.7.2 describes procedures for faculty that have been denied tenure. Section 407.6.3 describes procedures for non-renewal of tenure-eligible faculty annual contracts.

To unify the dates, the Professional Responsibilities and Procedures Committee recommends that the notification date be set to December 10 for all 3<sup>rd</sup> year tenure-eligible faculty. The Section 407.6.3(2) date should be changed from “**December 15**” to “December 10”. The reasoning is the earlier a person learns of this the better their chances for finding alternative employment.

The specific change to Section 407.6.3(2) is shown below.

For tenure-eligible faculty appointments, non-renewal must first be preceded by the following minimum notice (a) not later than March 1 for first-year and second-year appointees; (b) not later than December ~~15~~ **10** for third-year appointees; (c) no later than January 29 prior to the issuance of a terminal year appointment for fourth-year and fifth-year appointees, except in the case of denial of tenure (see Policy 407.6.1), where minimum notice shall be not later than April 15.

In the February 3 Faculty Senate meeting, the Senate moved to have PRPC include a statement in Section 402.3.2 listing teaching as a reason for missing Faculty Senate meetings. PRPC recommends the following change in red.

#### **402.3 MEMBERSHIP; ALTERNATES; TERM; VACANCIES**

##### **3.2 Alternates for Elected Members**

Senate members are expected to attend its meetings regularly. In cases of unavoidable absence, including sabbatical leave, professional development leave, **assigned teaching**, and unpaid leaves of absence, senators will arrange for an elected alternate senator to attend in their place (see policy 402.10.2). The alternate shall have full voting rights.

Senators must notify the Executive Secretary of the Senate in writing (email is acceptable) whenever alternates will replace them. If a senator fails twice to make a documented effort to arrange for an alternate during an academic year, then that senator's position will be considered vacant (see policy 402.3.4).

## FURTHER DECISION POINTS FOR REVISIONS TO 405.12

### I. Decisions by the Senate, Mar 3, 2014:

- *A post-tenure peer review committee will be held as a consequence of annual reviews that evaluate the multi-year performance of the faculty member.*
- *A peer review committee will be formed in a manner described in the current code.*

### II. Further Decisions to be made:

#### 1) *Peer Review Committee Appointment:*

The peer review committee shall be appointed by

- a. Mutual agreement of the dept. head and the faculty member. If agreement cannot be reached, the individual department, college, and/or University appeal or hearing procedures should be used to resolve disagreements, **OR**
- b. Current code (405, page 30: “the committee appointed by the department head or supervisor in consultation with the faculty member...”).

#### 2) *The Meaning of a Negative Annual Review:*

*A negative review* means that the faculty member under review fails to ‘discharge conscientiously and with professional competence the duties appropriately associated with his or her position (405.12.1)’. **Yes    No**

#### 3) *Faculty Appeal:*

When a faculty member disagrees with a negative annual review, the faculty member may choose to request a peer committee review. This request shall be submitted to the Dean or the authority above the department head. **Yes    No**

#### 4) *Initiation of Professional Development Plan:*

If the department head initiates a professional development plan, as a consequence of annual reviews, the post-tenure peer review shall be held to conduct an evaluation of the multi-year performance of the faculty member. **Yes    No**

## **Current Code (405.12. 1-3)**

### **12.1 Annual Review of Faculty**

Each department shall establish procedures by which all faculty shall be reviewed annually. Such reviews shall, at a minimum, incorporate an analysis of the fulfillment of the role statement. 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. The department head or supervisor shall meet with the faculty member annually to review this analysis of the fulfillment of the role statement and, subsequently, provide a written report of this review to the faculty member. A copy of this report shall be sent to the academic dean or vice president for extension, and, where appropriate, chancellor or regional campus dean. The annual evaluation and recommendation by the department head or supervisor for tenure-eligible faculty (405.7.1 (3)) may constitute this review for salary adjustment. For faculty with term appointments, the annual review shall also include a recommendation regarding renewal of the term appointment.

### **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)).

### **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.

...