

## **University Senate**

February 9, 2009

### **Members Present**

Members present at the meeting: 92

### **Call to Order**

Senate Chair Holum called the meeting to order at 3:17 p.m.

### **Approval of the Minutes**

Chair Holum asked for additions or corrections to the minutes of the December 11, 2008 meeting. Hearing none he declared the minutes approved as distributed.

### **Report of the Chair/ Report of the Senate Executive Committee (SEC)**

Chair Holum welcomed everyone.

#### General Education Task Force

Chair Holum explained that we now have a Chair for the General Education Task Force. Ira Berlin will lead the group of 19 campus representatives. They will begin their work this semester and will continue over the summer to collect preliminary data. They will present their report to the Senate in December 2009 or spring 2010 so that the new requirements can be implemented in the fall of 2010. Holum commended Berlin and his colleagues for taking on such a daunting task serving on this important task force.

#### Post-Tenure Review Task Force

Adele Berlin, Chair of the task force, has presented a draft of her report to the Senate. It will be discussed later in the meeting, and Senators will be given an opportunity to give feedback.

#### Committee Update

Chair Holum gave an overview of the current activity on some of the Senate committees. The Student Conduct Committee (SCC) has established a working group chaired by Brad Docherty, Undergraduate Senator in Business and SEC member. They will look at the Good Samaritan Policy and will report to SCC and to Senate by the end of the spring semester. The SCC is also working on formulating strategies to reduce plagiarism. Their report should come to Senate by end of semester.

The Elections, Representation & Governance (ERG) Committee will present a report at today's meeting. The Academic Procedures & Standards (APAS) Committee will give a report on the Arbitrary and Capricious Grading Policy at the next Senate Meeting. The Educational Affairs Committee's report on expanding the services provided by the

University Writing Center is going to the Graduate Council. The Campus Affairs Committee is reviewing a Smoke-Free Campus proposal.

Elections

Montfort explained that the elections for next year's Senators were running smoothly. Staff elections are complete, and every category of staff will be represented. Undergraduates are currently in the candidacy period with over 65 applicants thus far for 23 apportioned seats. Montfort further explained that next year's Senate will have representation from every constituency on campus.

**Senate Elections, Representation & Governance (ERG) Committee**

**Amendment to Teaching Faculty Election Policy**

**Senate Doc. No. 08-09-9 (Action)**

Sabrina Baron, Chair of the ERG committee was not present at the meeting. Breslow advised that the report could be moved by another Senator. Holum gave an overview of the amendment. He further stated that the SEC requested a slight revision on the text of the amendment in order to remove redundancy. Miller-Hooks, Chair-Elect, Civil & Environmental Engineering, made a motion to present the ERG Committee's report to the Senate and Falvey, Chemistry & Biochemistry seconded the motion. Holum opened the floor to discussion. Hearing none, he called for a vote. The result was 1 opposed, majority yes. The amendment was adopted. Cohen, Physics, made a motion to approve the language change and Levermore, IPST, seconded the motion. Holum opened the floor to discussion. Hearing none, he called for a vote. The result was unanimously in favor of approving the language change.

**Special Order of the Day**

*Open Forum to Discuss and Provide Input on the Draft Report from the Post-Tenure Review Task-Force*

Chair Holum gave an overview of the report, and he described the procedure to be used to speak at the forum. He explained that this was just a forum not a vote on the report. He further announced that some of the task force members were present along with the Chair, Adele Berlin, and they would answer questions.. He noted that task force members can speak without an introduction. Holum explained that there would be no formal presentation. He gave a summary of the policy and how it makes use of the existing salary and merit committees as a framework for reviewing faculty performance. Holum invited Berlin to speak about the report. Berlin explained that the report is a draft but is open to input. She explained that she cannot promise that all comments will be included in the final report but will take into account any comments made at the Senate meeting. Holum further explained that the final report would be presented to the Senate at the next meeting.

Holum invited the Senate to comment on the proposed policy.

Senator Auchard, Faculty, College of Arts & Humanities, was concerned about the size of the pieces involved. He is especially concerned that research that takes a long time will be drastically affected (i.e. poems vs. novels or scientific research). He believes we are following a poor business model.

Berlin, Task Force Chair, stated that the aim was to make the review simple and efficient instead of the five year review. She explained that there must be defined measures and each department must work it out for themselves. There is a misunderstanding of how tough the annual reviews would be. They would have the same criteria as the current merit review.

Senator Levermore, Faculty, College of Computers, Mathematical & Physical Sciences, was at Arizona when they implemented their post-tenure review policy and the same issues were raised. He believes that in Arizona the policy addressed critics in the legislature and overall helped the university. However, he believes our policy lacks directive on how the units should implement the policy. They need a clear trail that includes whether the review has to be in writing, signed, etc. Generally, he is supportive but vagueness of procedure is a shortcoming. Each department should say what their general guidelines are and then individual changes can be made. Having things written out will be easier to defend in court.

Scholnick, Task Force Member, stated that Levermore had a legitimate concern, but a lot of this is already in place in the APT criteria process. The department should already assign points or some other system.

Senator Cohen, Faculty, College of Computers, Mathematical & Physical Sciences, has served on salary committee in his unit so is aware of the process. The problem he has is that the policy does not specify how sharp any salary reduction could be. There is no clear number of how much of a reduction is allowed. It would be nice if there could be a restriction on how much the reduction could be so that the system is not abused.

Berlin, Task Force Chair, stated that this issue came up in the task force discussions, but they didn't know what number was appropriate so they decided to leave it out. The committee was perplexed on how to agree on a number or percentage.

Senator Gullickson, Faculty, College of Arts & Humanities, stated that she was troubled by the proposal because it seems as if we do not trust each other and are looking over each other's shoulder. This policy opens the door for all of that. She thinks it is enough to conduct a review every 5 years. The annual review is unnecessary and takes up the time of people actually conducting the reviews. She is unhappy about the proposal and wishes we were not moving in this direction. She believes that the Administration already has enough power to do something about underperforming faculty if they wish, so we do not need to give them more power. She is disturbed about putting part of the decision in the hands of someone outside the department.

Senator Pease, Faculty, College of Behavioral & Social Sciences, read a statement from the Sociology faculty. They stated that they believe the policy as proposed is seriously flawed in numerous ways. It is unworkable for larger departments to have a huge number of such reviews to conduct. This is much more than simply supplementing the annual merit review. They also believe that an annual "post-tenure" review will essentially make the faculty into staff members (without the benefit of union representation) and raise serious questions about to what degree the word "tenure" retains its historical meaning. They feel that the policy is an insult to faculty who have worked hard to make the University what it is today. It is hard for us to imagine the faculty of any university department recommending

reducing the income of one of its colleagues. They strongly believe that the proposed policy should be withdrawn.

Senator Almon, Emeriti, stated that he does not like the sound of this policy. He said that it discourages investment. He gave examples of faculty who took 15 years for their most notable works. If this policy was put in place in the past, we would have lost one of our most distinguished works.

Scholnick, Task Force Member, stated that many units have already built into their salary considerations a range of time in their evaluations. Everyone is focusing only on research and scholarship but that is not the only factor. Those with long turnovers on research might excel in other areas such as teaching. This process acknowledges the accomplishments of faculty not the tail end.

Senator Miller-Hooks, Chair-Elect, College of Engineering, inquired what happens to the money when a reduction in salary is made. She believes there is a conflict of interest there.

Berlin, Task Force Chair, stated that the task force raised the same point and felt that it should stay in the unit, but the task force did not write it into the policy. They understand the implications but it will be such a small amount of money that the conflict of interest should not be a factor.

Senator Newhagen, Faculty, College of Journalism, stated that he was on the Faculty Affairs Committee and Senate when the five year review was implemented. He thinks it is a useful policy but believes that most units are not complying with the current policy. He also stated that his faculty colleagues universally agreed that they were uneasy with the policy in substance and style. He stated that the salary committee process is highly political. He is concerned that this policy will further politicize the process and particularly objects to the idea of a salary reduction.

Senator Gimpel, Faculty, College of Behavioral & Social Sciences, stated that he was taking a middle position on the policy. He stated that they do have faculty who are not productive but also thinks that an annual review is excessive and is probably going to mean that they do not do it at all. It could be better to do review between 1-5 years and should account for the pace of knowledge production in the various fields.

Senator Docherty, Undergraduate, Robert H. Smith School of Business, stated that the policy is not clear on whether faculty have to excel in all three aspects (research, teaching & service) or just one of them.

Falvey, Task Force Member, responded that individual units should set a standard of weights of each of the aspects. Units should also account for short term and long term research.

Berlin, Task Force Chair, cited excerpts from the policy: Paragraph 1: "expectations may vary from unit to unit, faculty to faculty and over the career of an individual faculty member. The committee took this to mean that there is a lot of flexibility for each faculty member. Paragraph 5: "if for 2 consecutive years, overall performance has fallen substantially below reasonable and equitable expectations," so the expectations are more narrowly defined.

Senator A'Hearn, Faculty, College of Computers, Mathematical & Physical Sciences, stated that he had reservations about salary reductions. He would prefer to have colleagues in the unit review and make decision rather than the administrators. It seems as if the issue is with the salary committees in their units not the policy. The ones that can look at the case the best are colleagues. He believes that the benefits outweigh disadvantages.

Senator Klank, Faculty, College of Arts & Humanities, agrees that decisions should go with the unit but is concerned about people deciding who is good or not. In the performing/creative arts, it is nearly impossible to do annual reviews because productions take several years to come to fruition. He has a general problem with the timeline being too restrictive.

Berlin, Task Force Chair, stated that she hears his concerns about showing productivity every year and will look at it; the higher-level review is there so there are not political considerations and for protection to the faculty member;

Senator Moses, Faculty, College of Arts & Humanities, stated that the faculty in her unit have set a standard that all of the faculty must meet and have paid attention to how they work, look at course evaluations and service. Her unit already does it every year, so it appears that everything here is what we currently do until we get to how to handle nonperformers. She asked are we asking outside people to be involved in setting standards for people in our unit and is the only new portion, punitive measures for non-performers.

Berlin, Task Force Chair, responded that they hope all units are already conducting an annual review and that the punitive measures are the only addition to existing practice.

Senator Cadou, Faculty, College of Engineering, stated that their system works well because expectations are made clear. He has concerns that the policy is vague. He believes that if standards are communicated ahead of time there should not be a problem. If people are worried about abuse, then Miller-Hook's suggestion could be an issue. He suggested that we create an escrow account within the department with these funds for special needs.

Senator Siewerdt, Faculty, College of Agricultural & Natural Resources, stated that he was surprised that the only issue everyone seems to have is focused on is punishment not how to re-motivate the underperformers and get them back on track. He believes punishment versus motivation is the real issue and wonders if department chairs are being candid on what it will take to get people back on track.

Scholnick, Task Force Member, stated that the development plan should motivate people and provide opportunities for development.

Senator Zlatic, Undergraduate, Arts and Humanities, believes that the policy is really vague and that there is so much left open and not specific. She thinks it needs more specific wording.

Senator Pease, Faculty, College of Behavioral & Social Sciences stated that if you do the numbers 5% (under-performing) is approximately 100 faculty on campus who would get

reduction. He has an issue with the process of the task force report going to SEC and Senate and everyone voting on it. He thinks this should be a faculty only vote because it is a faculty policy.

Scholnick, Task Force Member, stated it was only about five people total that had the full review in peer institutions.

Senator Levermore, Faculty, College of Computers, Mathematical & Physical Sciences, stated that he applauded the flexibility but the critiques are based on vagueness of the policy. He believes that there must be precise numbers so there is no abuse of the system. There should be a mandate that units be precise. Everything should be in writing, signed, with an arbitration process. He believes that the procedural items have to be cleaned up before we can approve the policy.

Falvey, Task Force Member, stated that the Faculty Affairs committee did send recommendations that each unit set specific standards.

Senator Auchard, Faculty, College of Arts & Humanities, stated that he was concerned that older faculty are not considered for service and should not be faulted for that. He is concerned about how we are treating senior faculty.

Senator Fries-Britt, Faculty, College of Education, inquired, what are we not capturing with the existing policy that does not allow us to address the issue?

Scholnick, Task Force Member, responded that right now the five year review is not being done and does not have to be done. She is concerned that the process is inefficient. Those not carrying their weight cannot be dealt with. This policy suggests alternatives and builds in a system of oversight for the punitive portion.

Senator Fries-Britt, Faculty, College of Education, stated that she assumes that there is already an existing policy to deal with this and hold people accountable. She asked why the current policy couldn't be beefed up. She also stated that this policy feels punitive to those who do perform well.

Senator Rupp, Faculty, College of Education, stated that he is concerned about what message we are sending about reviews. How do we define productivity and each unit should have this timeline clearly identified. It seems as if faculty do not want to be evaluated once they get tenure.

Holum thanked everyone for a productive discussion.

### **New Business**

Senator Johnson, Faculty, College of Engineering stated that recordings of committee meetings should be destroyed.

Chair Holum responded that this policy was reviewed and guidelines were sent to all committee chairs.

Hearing no further business, Senate Chair Holum adjourned the meeting at: 4:55pm.