Faculty Handbook Committee Minutes

9 September 2019
Minutes drafted 10 September 2019

Asbury Hall, 317B
Initial Chairing: David Holt
Elected Chair: Michael Forster

Meeting Start 3:05 PM
Meeting End 5:16 PM

Documents:

- Agenda for September
- Bylaws, Approved June 2019
- Recommendations 1, 2, and 3 from 2018-2019
- Faculty Handbook, Approved June 2019
- Initiative #3
- Faculty Senate approved statement on Shared Governance and Admin Evals
- David Beckett issues Feb 2018
- Contractual Policy - Response
- Election Language
- Election Selection Guide
- Annual Evaluation Memo from CoDs

Agenda

**Bold Italics are comments or decision points by the committee**

1. Approval of Agenda
   a. Call for approval
2. Approval of Minutes
   a. None – May approved by email vote
3. Reading of approved Recommendations
4. Distribution of New Bylaws
5. Election Results
   a. CoAS: David Holt (declined) seat shifts to Stephen Judd – Voter turn out 48%
   b. CoBED: Marco Wolf – Voter turn out 34%
   c. CoEHS: Michael Forster – Voter turn out 58%
   d. CoNHS: Jill Rushing – Voter turn out 56%
   e. Coast Operations: David Holt – Voter turn out 52%
6. Seating of Newly Elected Members
   a. Stephen Judd
   b. Marco Wolf
   c. Michael Forster
   d. Jill Rushing
   e. David Holt
7. Seating of Appointed Members
8. Explanation of terms
   a. Clarification of Senate Appointed Terms (similar to CoD and Deans?)
      Decided that the appointment is for a full term and the body that appoints can decide if they wish to reappoint annually. The handbook committee will move forward with the presumption that that individual will continue until they resign.

9. Retiring of Past Members
   a. David Cochran
   b. Sam Bruton
   c. Sharon Rouse
   d. John Meyer
   e. Jonathan Barron
   f. Doug Masterson

10. Declaration of Points of Contact for All Constituencies
    a. University Counsel – Subrina Cooper
    b. Employee Handbook – Krystina Varnado
    c. Senate – Susan Hrostowski (president) and Jeremy Scott (chair handbook committee)
    d. Council of Directors – Ward Sayre
    e. College Deans – Trent Gould
    f. Vice President of Research – Sam Bruton
    g. Provost review – Bethanie DeFatta

11. Approved addition of language to the front of our bylaws and FHB at the request of the President
    a. “Governance and standing committee bylaws shall no supersede the authority of the University President as designated by the State Institutions of Higher Learning Board of Trustees or the State of Mississippi”
    b. FHC agree via email to allow the statement in early summer

12. Request to change Annual evaluation language from calendar year to academic year over summer
    a. Email discussion
    b. Not appropriate to vote via email for a significant change
    c. Charge passed to new committee (added to agenda below)

13. Action on Recommendations (prioritize based on ease of passing language changes) (Priority is Ch 4 and 5 for P&T by Nov 1)

Committee decided for 3 levels of priority: Priority 1 (complete by Nov 1), Priority 2 (complete by end of December), and Priority 3 (complete by end of AY)

    a. Highlighted bits from Initiative #3 (not present in FHB online)
       i. Priority 1 1.8.7 paragraph 2, sentence 1?
       ii. Priority 1 6.4.4.6 – 6.4.4.13 University Advisory Committee
       iii. Priority 1 Check Numbering (6.4.4.13 ... 6.3?)
       iv. Priority 1 Chapter 7 “Missing: current handbook has CAC advising deans on some of these issues”
       v. Priority 1 7.2.3 – end of paragraph 1 and all of paragraph 2 – mention of CAC
       vi. Priority 1 7.2.4 CAC mentioned in 2nd paragraph
    b. Appendix D issues
       i. General observations
          1. Priority 1 Confirm the term chair changed to schools and directors (school of computing still has a chair?)
This is a presumption and use of legacy language – all schools have directors now and there are no chairs

ii. Observations about terminology
   1. **Priority 1** “academic staff” is used in a way that conflict with university use – change to faculty or faculty member – Academic personnel is the new language used – confirm
   2. **Priority 2** Confirm business days only listed as calendar days (working days?)

iii. Questions of formatting and style
   1. **Priority 1** Verify capitalization
   2. **Priority 1** Verify oxford comma
   3. Specific changes by chapter – explanatory and maybe unnecessary to review

iv. Suggestions and Observations *(in Bold High priority -Nov 1)*

1. Chapter 1:
   a. **Priority 1:** Since there is no longer a College or University Advisory Committee and instead College and University Promotion and Tenure Committees will review promotion, tenure, and pre-tenure dossiers, the other functions of the CAC and UAC need to be addressed. *(e.g. Error! Reference source not found.)*
   b. **Priority 1:** Error! Reference source not found. on procedural rules: this came from the current chapter 8 on faculty evaluations (8.2.9), although it seems more broadly applicable. The section on absentee voting says the vote needs to be submitted in a sealed envelope. Discuss if this is necessary.
   c. **Priority 1:** Error! Reference source not found. the Dean’s Advisory Council: the numbers come from Initiative 4, but the wording limits colleges to at most 16 schools. Is this intentional?
   d. **Priority 1:** Error! Reference source not found. Initiative1 specifies that eligibility for service on the FEC is tied to faculty evaluation ratings in the year prior. We do not know how this can be done without violating confidentiality. It also says that this “generally should” be true, which implies that there may be exceptions without making clear the circumstances warranting the exception.
   e. **Priority 1.5:** Initiative 8 deals with school governance, but has not yet been approved. The language in the handbook draft may need to be changed (e.g. program coordinator vs leads) or other information added when it is finalized. Associate school directors may also need to be addressed.

2. Chapter 2:
   a. **Priority 3:** The section on hiring faculty should be closely scrutinized to be sure that important points are addressed in the faculty hiring toolkit.
   b. **Priority 3:** For example, current handbook 3.8.4 says that there is a “general rule of not employing persons who have
earned their terminal degrees from the University in the full-time instructional ranks...”. Is this in fact a rule? The faculty credentialing manual and hiring toolkit do not mention this policy. Nor is it mentioned in the Employee Handbook.

3. Chapter 4 on faculty evaluation
   a. **Priority 1**: Initiative #1 discusses grievance procedures for faculty evaluations, but these are inconsistent with grievance procedures in the old Handbook, which include annual evaluations as items that may be contested under the grievance process. The two processes are inconsistent. The same inconsistency applies to “teaching assignments” mentioned in old grievance procedures descriptions, but that also pertain to Initiative #1 insofar as a teaching assignment is a workload issue.
   b. **Priority 2**: Appendices from Initiative #1 presumably need to “live” somewhere, but we’re not sure where. Maybe on a new Faculty Handbook? The Provost’s website is getting crowded.
   c. **Priority 2**: The Faculty Evaluation Procedures chapter in the old Handbook has a long discussion about evaluation committee membership for the libraries (8.3.1b). We have left that out, having seen nothing about it in Initiative #1.
   d. **Priority 2**: Initiative 1 is not clear about whether the evaluative report comes before or after the first of the two meetings with the director/committee. We have written it as before. Initiative 1 does not specify when the faculty member signs the evaluative report. We have put it in the meeting based on our assumption that the report is given to the faculty before the first meeting. If this is not true, it needs to be changed also. Current practice seems to vary by legacy department or school regarding whether the written evaluation comes before or after the annual evaluation meeting.
   e. **Priority 2**: In 4.4.1, the initiative said that all academic personnel submit an annual activity report. This may need clarification regarding who needs to do this, since administrators are also typically members of the faculty. For example, do deans submit activity reports?
   f. **Priority 3**: In Error! Reference source not found., “a second consecutive assignment of does not meet expectations in one of the three categories” is ambiguous. Is it a second consecutive assignment in the same category or in any category? We assume the former is intended, but it should be clarified.
   g. **Priority 3**: Regarding 4.4.1 (p. 21), we don’t say anything regarding Faculty Leads or Program Leads. If they are included in an approved Initiative #8, they should perhaps be discussed somewhere in the Handbook.

4. Chapter 5 on promotion and tenure
   a. **Priority 1**: The current handbook stipulates that the chair of the department promotion and tenure committee signs the
letter on behalf of the faculty. It does not stipulate this for the college level or the university level. In practice it seems that sometimes letters are signed by everyone on the committees and sometimes by just the chair.

b. *Priority 1:* At every level except the UAC, recommendations are sent to each of the evaluative levels that precede it. However, the UAC forwards a copy of the letter to the applicant only (current handbook section 9.9.2). Is this inconsistency intentional? (new draft section Error! Reference source not found.)

c. *Priority 1:* On page 99 of the current handbook, in section 9.7.2 regarding pre-tenure review the following sentence appears: “Although tenure candidates are not entitled to appear before departmental tenure committees, the committees may, at their discretion, request that parties being assessed appear before them. Departmental tenure committees conducting pre-tenure reviews may consider any matter related to tenure policies…” The sentence about candidates for tenure appearing before the tenure committee seems misplaced here. It also is not addressed elsewhere. If that is an important point and really true, it should be added in to the section on the tenure process at the school level. Does it also apply to promotion cases?

d. *Priority 1:* There is no policy regarding promotion of clinical and research faculty in initiative 2. The paragraph on it in new Error! Reference source not found. comes from the current handbook page 21, section 4.4.A. It says that they are not evaluated by the University Advisory Committee.

e. *Priority 1:* Current handbook 9.3.3 says “The President is advised on personnel recommendations by the administrative heads of the University's academic units, the Provost, the University Advisory Committee, the college deans, the College Advisory Committees, the Vice President for Research, General Counsel, and by the other vice presidents in matters that are within their administrative jurisdiction.” We first split this into two sentences to separate the people who do advise from those who may advise. The latter should be evaluated.

f. *Priority 1:* Sec. Error! Reference source not found., in discussion of negative pre-tenure reviews, references “upon the recommendation of the Provost and the Vice President for Research.” It seems in practice, however, that the VPR is not involved, and this should be changed (although we didn’t change it).

g. *Priority 1:* The old deferral policy (current handbook 9.6.6) permits deferral of tenure to the 7th year or later while the initiative only permits a one-year extension. Should it be the more expansive time? A second question is whether the extension needs to be requested prior to submission of the
application. Third, the handbook should address whether extensions are permitted for third-year review.

h. **Priority 1:** The current handbook has it that department chairs may participate in departmental promotion and tenure proceedings only if approved by secret ballot of departmental committee. Should that stay the same now, substituting schools for departments and school directors for chairs, See also 9.5.2, current handbook. If school directors can be invited, it should be added.

5. Chapter 6: on being disciplined or losing your job
   a. **Priority 3.5:** The current handbook treats non-renewal of contracts and termination separately. However, it seems that perhaps non-renewal is one form of termination and is dealt with there. We have left non-renewal from current handbook 3.11.6 in this new chapter but suggest that, with legal consent, it might be subsumed under termination.
   b. **Priority 3:** The current handbook has non-renewal in chapter 3 and termination in chapter 10. Chapter 3 is a little confusing because 3.11.6 makes clear that tenured faculty are subject to non-renewal, but in 3.11.7 defines non-renewal as “the decision not to renew the existing employment contract of non-tenured faculty members.”
   c. **Priority 3.5:** 3.11.6 also says that non-tenured faculty “shall not be considered renewed until approved by the Board...and the faculty member has received written notification.” We are not sure this is done. Perhaps what is intended is non-tenure track? If so, that needs to be changed.
   d. **Priority 3:** Current chapter 10 was a little puzzling because the same reasons for losing employment as non-renewal are included in 10.1.1; these are financial exigencies, suspension of programs, and such—things that are not the employee’s fault. The bulk of chapter on termination has to do with the process in place for faculty who are in termination procedures due to their own actions. The difference between non-renewal and termination could be made clearer. We came to the conclusion that non-renewal is loss of employment at the end of a contract period through no fault of the employee and that termination is either through the employee’s fault or in mid-contract period.

6. Chapter 7: grievances and appeals
   a. **Priority 1.5:** It is necessary to address what replaces the College and University Advisory Committees for functions other than tenure and promotion. We suggest that it should be a different committee from promotion and tenure to avoid the danger that a grievance might bias committee members against a tenure or promotion.
   b. **Priority 1.5:** Error! Reference source not found. All of this needs to be reconsidered in light of the change of college and
university advisory committees to promotion and tenure committees. IHL by laws 405.02 provide for a University Grievance Committee for non-faculty. Perhaps there should be something comparable for faculty.

c. **Priority 1.5:** Clarify the process at the school level. The current handbook has the initial appeal/grievance going to either the chair of the personnel committee or the department chair. One possible suggestion is that the policy be that faculty submit their claim to the school director who tries to resolve it informally and then takes it to the school personnel committee if the case is not resolved through an informal discussion between the director and faculty.

7. **Priority 3:** Chapters 6 and 7 (discipline, termination, grievances): in many cases, the Handbook refers to notification happening by “certified mail”. We’ve left those in, because it is a substantive policy question, but recommend other forms of written notification be considered.

8. **Priority 3:** Chapter 8: Section on “Academic and Other Leaves of Absence” (old chapter 5) should be examined

   a. **Priority 3:** It is not clear what the “other” leaves are. The section seems to create a distinction between sabbaticals and other academic leaves of absence. On the other hand, perhaps “professional leave” is not necessarily academic, although it is listed as a type of academic leave.

   b. **Priority 3:** Review the process for applying for non-sabbatical academic leave. Is it necessary to have two processes, one for sabbatical and one for other leaves? The process for non-sabbatical academic leave in the handbook appears to be identical with that for sabbaticals on the Provost’s website except that the former does not specify what should be included in the application and it may be reviewed by an Academic Leave Committee instead of a Sabbatical Committee. Perhaps these could be a single committee and it could be a single process. The only change we made to the process in the handbook was to change departments to schools and chairs to directors.

   c. **Priority 3:** In the resources chapter, should we mention Arts Institute of Mississippi (AIM), housed in CAS? How about Partners for the Arts?

   d. **Priority 3:** Having included Summer Grants for Instructional Improvement and the Awards of Excellence, how about Lucas Endowment, Nina Bell Suggs? HEADWAE?

   e. **Priority 3:** How about including the ACUE Faculty Development Institute – it could go with CFD or with awards. Completion of ACUE Institute earns a USM designation of “ACUE Distinguished Teaching Scholar”.

9. **Priority 2:** Multiple chapters: typically, we speak of “research, scholarship, and creative activity,” although sometimes the initiative language included also librarianship. We suggest a new label, for
example, “professional activity,” to encompass “research, scholarship, creative activity and librarianship” (RSCAL?). This could be less clunky, more consistent, and inclusive. If such a category is created, it could be defined in the chapter on faculty responsibilities.

10. **Priority 3:** Appendices A, B, and C: These three appendices are taken directly from Initiative 1. However, some of the material seems redundant because it is already addressed in the relevant chapters, but it was included because it was part of an approved initiative.

c. **Other issues**
   i. **Priority 3:** Who is allowed to vote in FHC elections? Corps of instruction only or include research and clinical?
   ii. **Priority 3:** Which are the university governance committees that people cannot be elected to serve more than one? (FS appoints a member to FHC)
   iii. **Priority 3:** Who can be school director? Specifically, can a staff member or non-corps of instruction?
   iv. **Priority 3:** Shared governance document approved from senate needs to be include/adjusted into FHB – new section 2.2 (but shortened) and director (chair) evaluations no longer in handbook?
   v. **Priority 3:** Need to define an elections committee for FHC
   vi. **Priority 3:** Recommend an university elections committee for all persons electing positions? To senate?
   vii. **Priority 3:** Should librarians be represented on FHC?
   viii. **Priority 2:** Beckett listed several issues Feb 2018 that were not addressed because of reorg, need to be read to floor for first votes
   ix. **Priority 0:** Contractual policy response sent to committee and needs to be addressed (shift to senate?) **Move to Senate for their comment/recommendation**
   x. **Priority 2:** Request from CoD to change annual evaluations to academic year evaluations –Section 4.4.1+
   xi. **Priority 2:** FHC reporting to Provost in new reorg and not President
   xii. **Priority 1:** Teaching track being allowed to vote on promotion
   xiii. **Priority 1:** T&P needs to be P&T and arranged in handbook that way

d. **Call to the gallery and committee for any other items of consideration**
   i. **Voices from gallery**
      1. **Priority 1:** wants voices from the gallery to be allowed more frequently
      2. **Priority 1:** Stakeholders should be allowed to speak only
   ii. **Voices from committee**
      1. No further comments

14. **TABLED:** Elections Process for Special Election (approve for future elections?)
   a. **Errors/ complications in the Special Election**
      i. Eric Salient was left off the ballot while Leila Hamdan was added
      ii. Alan Thompson’s name was not listed as “Alan”
      iii. Zikai Zhou (just started) did not receive a vote because not listed in HR list
      iv. Sharon Rouse and Jonathan Beedle originally listed in CoEHS and needed to be in CoAS
   v. **List of Solutions:**
      1. Confirm opt in ballot with individual
a. Allow for “Name change” from HR records
2. Confirm eligible candidates with deans
3. Rely upon HR data for ballots to eligible voters

b. Language of the ballots
c. Decision tree for selecting qualified members
d. Election process formalized
e. Bylaws changes concerning who can vote and/or formalizing the election committee

15. Election of Chair
   a. Michael Forster, Elected

16. Passing of Chair
17. Election of Historian (new position)
   a. David Holt, Elected
   b. Historian charges:
      i. Confirm POC for HR and Provost’s Office
      ii. Document meeting

18. Charges:
   a. Send Commentary on Contracts to Senate for discussion
   b. Handbook review charges
   c. A second FHC meeting in September?
   d. When to move first vote items to constituents?

Roll Call

Group One (September 2019 – August 2021)

Present: Voting, Elected Member of Faculty from College of Arts and Sciences – Stephen Judd (2019-2021)
Proxy Becky Newton: Voting, Elected Member of Faculty from College of Nursing and Health Professions – Jill Rushing (2019-2021)

Present: Voting Member of Faculty Senate (Senate Appointed) – Jeremy Scott (2019-2021)

Group Two (September 2019 – August 2022)

Present: Voting, Elected Member of Faculty from College of Business and Economic Development – Marco Wolf (2019-2022)
Present: Voting, Elected Member of Faculty from College of Education and Human Sciences – Michael Forester (2019-2022)
Present: Voting, At-Large Member of Gulf Coast Faculty – David Holt (2019-2022)
Present: Voting Elected member from Dean – Dean Trent Gould (2017-2022)

Gallery: Alan Thompson, David Beckett, Jennifer Brannock, Mac Alford
Concerning: **Conditionally negating the document titled “Procedure for Implementing Amendments to the Faculty Handbook” dated May 28, 2013**

RECOMMENDATION 01-2018/19 FROM FACULTY HANDBOOK COMMITTEE:

WHEREAS, the document titled “Procedure for Implementing Amendments to the Faculty Handbook” dated May 28, 2013, is posted to the Provost’s webpage along with the current bylaws and has been recommended by the reorganization committee of Vision 2020 to “be followed”; and,

WHEREAS, the May 28, 2013, document contains language that is no longer applicable; and,

WHEREAS, the new Faculty Handbook Committee Bylaws will contain procedures for amending the Faculty Handbook that render the May 28, 2013, document inconsistent or redundant;

THEREFORE, BE IT RECOMMENDED THAT the May 28, 2013, document be rendered void and removed from the website upon approval of new Bylaws from the Faculty Handbook Committee and confirmation that the May 28, 2013, document is incorporated properly in the bylaws and therefore redundant.
Concerning: **Adoption of the New Faculty Handbook as outlined in Initiative #3 of Vision 2020 and charge to the new Faculty Handbook Committee**

**RECOMMENDATION 02-2018/2019 FROM FACULTY HANDBOOK COMMITTEE:**

WHEREAS, the reorganization process of Vision 2020 has produced Initiative #3 that proposed a newly formatted Faculty Handbook; and,

WHEREAS, the Faculty Handbook Committee has voted to move the Initiative #3 forward for approval; and,

WHEREAS, the Faculty Handbook Committee does not have adequate time this academic year to address issues listed in Appendix D and other needed adjustments to the Vision 2020 Faculty Handbook; and,

WHEREAS, the Faculty Handbook Committee does not have adequate time this academic year to fully compare our current 2017-2018 Faculty Handbook to the new Vision 2020 Faculty Handbook;

THEREFORE, BE IT RECOMMENDED THAT the University **advance Initiative #3 of Vision 2020 and create a new Faculty Handbook while retiring the 2017-2018 Faculty Handbook**; and,

BE IT FURTHER RECOMMENDED THAT the newly elected Faculty Handbook Committee **be charged to address all questions outlined in Appendix D of Initiative #3** in Fall of 2019 with full authority to address and make recommendations to update the new Faculty Handbook following the procedures outlined in the Faculty Handbook Committee Bylaws; and,

BE IT FURTHER RECOMMENDED THAT the newly elected Faculty Handbook Committee **be charged to address any continuity issues in the new Faculty Handbook** (e.g., definition of purpose of Faculty Handbook Committee) in Fall of 2019 with full authority to address and make recommendations to update the new Faculty Handbook following the procedures outlined in the Faculty Handbook Committee Bylaws; and,

BE IT FINALLY RECOMMENDED THAT the new Faculty Handbook Committee **be charged with reviewing the 2017-2018 Faculty Handbook** to address any concerns raised by faculty and the committee about omissions or unintended policy changes in the next academic year with full authority to address and make recommendations to update the new Faculty Handbook following the procedures outlined in the Faculty Handbook Committee Bylaws.
To: President Rodney Bennett and Provost Steven Moser
From: the University Faculty Handbook Committee
Authored by: David Holt, Chair
Date: May 7, 2019
Approval Date: May 7, 2019

Concerning: Authorizing Elections and Transitioning the Faculty Handbook Committee

RECOMMENDATION 03-2018/2019 FROM FACULTY HANDBOOK COMMITTEE:

WHEREAS, the Initiative #3 of Vision 2020 recommends that 5 members be elected to the new Faculty Handbook Committee for September 2019; and,

WHEREAS, the current Faculty Handbook Committee consists of members who are both appointed and have terms extending into the next academic year; and,

WHEREAS, the Faculty Handbook Committee has changed its bylaws to authorize elections to replace its current membership; and,

WHEREAS, electing all new members to a new Faculty Handbook Committee will not allow a staggered rotation of terms as recommended by Initiative #3 in Vision 2020 and Faculty Handbook Committee Bylaws; and,

WHEREAS, normal election cycles are in Spring, but the Faculty Handbook Committee has voted to reconstitute the Faculty Handbook Committee;

THEREFORE, BE IT RECOMMENDED THAT both elections of the 4 colleges and Gulf Coast faculty at-large and appointments for Dean, Director from the Council of Directors, and Faculty Senate Appointment occur in August 2019 to seat new members for a September 1, 2019 start; and,

THEREFORE, BE IT FURTHER RECOMMENDED that “group 1” of the newly elected Faculty Handbook Committee be elected for an initial 2-year term and “group 2” be elected for a full 3-year term; and,

THEREFORE, BE IT FINALLY RECOMMENDED that Dean Trent Gould, Sam Bruton, Sharon Rouse, and David Holt have their terms shortened to terminate on August 31, 2019 with rights for re-appointment or election.