

UNIVERSITY REVIEW COMMITTEE
Tuesday, November 3, 2015
11 a.m., Hovey 102

MINUTES

Members present: Angela Bonnell, Rick Boser, Diane Dean, Christopher Horvath, Doris Houston, Sheryl Jenkins, David Rubin, Sam Catanzaro (non-voting)

Members not present: Joe Goodman

Others present: Bruce Stoffel (recorder)

I. Call to order

Chairperson Doris Houston called the meeting to order at 11:00 a.m.

II. Approval of minutes from the October 20, 2015 meeting

Regarding the discussion in the draft minutes of agenda item IV (Continued discussion of equity review), Christopher Horvath said that, while he asked about consensus of the committee, he did not suggest that URC is not meeting its charge regarding equity review. He asked that paragraph five of agenda item IV be modified by deleting the last clause of the first sentence (i.e., deleting “and that URC is not meeting its charge that there be an equity review”). Committee members agreed to the change.

Regarding the discussion in the draft minutes of agenda item III (Faculty Caucus ASPT review update, Friendly amendment to Overview, Provisions for Mennonite College of Nursing Faculty), Sheryl Jenkins clarified that the dean of Mennonite College of Nursing typically serves as chairperson of the CFSC rather than the DFSC and that the dean does not normally serve on the DFSC. She asked that the first sentence of the paragraph beginning “Sheryl Jenkins explained that the dean ...” be revised accordingly. Committee members agreed to the change.

Also regarding the discussion in the draft minutes of agenda item III (Faculty Caucus ASPT review update, Friendly amendment to Overview, Provisions for Mennonite College of Nursing Faculty), Angela Bonnell clarified that the memorandum of understanding to which she referred relates to a one-time exception to Milner Library policies regarding composition of its ASPT committees and does not set forth a model for ongoing composition of the committees beyond that exception. Bonnell and her committee colleagues agreed to correct the misstatement in the minutes by deleting the last sentence in paragraph five of agenda item III.

David Rubin moved and Jenkins seconded approval of minutes from the October 20, 2015, meeting as distributed prior to the meeting but with the three amendments to which committee members have agreed. The motion carried on voice vote, all voting in the affirmative.

III. Issues from the October 7, 2015 Faculty Caucus ASPT review

A. Revision: Overview, Provisions for Mennonite College of Nursing Faculty

Jenkins reported having spoken with Mary Dyck, the Mennonite College of Nursing (“Mennonite”) representative on the Academic Senate and the senator who requested that URC modify the passage on page five of the ASPT document regarding composition of the Mennonite DFSC and CFSC. According to Jenkins, Dyck explained that she had asked that the passage be revised to reflect the current composition of the Mennonite DFSC and CFSC. Dyck explained to Jenkins that she intended that the passage identify the dean as the CFSC chairperson and the associate dean for research as DFSC chairperson. Jenkins suggested accommodating Dyck’s request by replacing the first sentence of the passage with the following sentence: “Since the Mennonite College of Nursing has only one department the College will accommodate the responsibilities of the DFSC and CFSC by using the College Dean as the chairperson for the CFSC and the associate dean for research as chairperson of the DFSC.”

Sam Catanzaro suggested that the committee consider replacing “the associate dean for research” with “the Dean’s designee” in the sentence proposed by Jenkins, noting that doing so might provide the college flexibility. He noted that the current arrangement seems to be working well but that the college may desire changes to its ASPT committee chairperson assignments in the future.

Horvath identified three options for the DFSC chairperson position in the passage: to refer to the associate dean of research (or to some other appropriate position title), to refer to the Dean’s designee, or to refer to a chairperson elected by DFSC from among its members. Bonnell counseled careful consideration of the matter, as the decision could set a precedent for composition of ASPT committees in other colleges. Catanzaro noted this would be the first instance of a DFSC electing its chairperson from among its members.

Houston suggested seeking input from Mennonite by inviting its interim dean to attend a future URC. Jenkins noted that URC might consider inviting Mennonite faculty members, since the interim dean does not have faculty status. Catanzaro suggested inviting members of the Mennonite DFSC and CFSC.

Discussion of the DFSC chairperson role ensued. Catanzaro observed that the chairperson may have more power than other DFSC members, with some of that power derived from performance of DFSC administrative duties and contacts with faculty members rather than from policy. The DFSC chairperson’s vote on the committee may also carry more weight by virtue of the department culture, he added. Horvath suggested that, in light of Catanzaro’s observations, URC should do what it can to maximize faculty power on the DFSC. He suggested that it might be best to invite Mennonite CFSC and DFSC members to discuss this matter with URC.

Following additional discussion regarding the structure of colleges and provisions in the ASPT system for appeals, the committee decided that Houston will send a letter to Mennonite DFSC and CFSC members inviting them to the December 1, 2015, URC meeting to discuss revisions to the passage. It will be made clear in the letter that the assembled group will discuss but not necessarily finalize the matter. Jenkins said she will follow up personally with Mennonite DFSC and CFSC members to let them know

to expect an invitation from Houston. Houston asked that a larger meeting space be arranged to accommodate the group.

B. Revision: Article V.B.1

Houston referred committee members to the report titled “Status of ASPT Document Changes” included with the meeting materials (see attached). She reviewed the entry in the report regarding Article V.B.1.

Catanzaro suggested replacing the third sentence of the version of Article V.B.1 recommended by URC to the Faculty Caucus with the following: “Department/School ASPT policies and procedures shall be reviewed at least every three years. Any changes shall be subject to vote and approval by a majority vote of the eligible Department/School faculty. If no changes are deemed necessary, then no vote is necessary.”

Discussion ensued whether a DFSC/SFSC should be asked to report to their CFSC regarding their review of ASPT policies even if the DFSC/SFSC decides that no changes are needed to them. Horvath suggested it might be easiest to monitor whether DFSC/SFSCs have conducted their policy review if they are asked to conduct a vote on their ASPT policies and to report results of their vote to their CFSC even if no changes to the policies have been made. Catanzaro said URC could consider recommending a new section V.D.3 (a subsection of “DFSC/SFSC Reporting Requirements”) that provides for annual submission by each DFSC/SFSC to their college office and CFSC regarding the status of their ASPT policies and any changes that have been made that year. Bonnell noted that Milner Library faculty already reviews the DFSC document every year. Other committee members shared their department/school practices. Horvath suggested only including a passage regarding such DFSC/SFSC reporting in V.B.1. He expressed concern that the ASPT document may be getting too complicated. Boser opined that it might not be bad to have all reporting requirements in one section so chairpersons can easily check what is expected of them. Catanzaro offered to draft changes to Article V.B.1 and draft a new Article V.D.3 based on this discussion and to circulate his draft to committee members prior to the next committee meeting. He said he will consider including a cross reference to V.B.1 in V.D.3 rather repeating the full passage from V.B.1. Houston noted that the URC representatives attending Faculty Caucus meetings will need to advise the caucus about new Article V.D.3 when URC updates the caucus regarding Article V.B.1.

IV. Issues from the October 21, 2015 Faculty Caucus ASPT review

A. Addition: Article VIII

Bonnell and Catanzaro explained that the issue before the committee is whether to repeat Article IV.C.2, which includes a provision allowing negative DFSC/SFSC recommendations to be forwarded to the CFSC only if the candidate for promotion requests they be forwarded, in Article VIII (Promotion Policies). Catanzaro explained that the logic for repeating the passage from Article IV.C.2 in a new Article VIII.C is to have all promotion policies in the Promotion Policies article, which candidates may be more likely to consult. Boser asked if the recommendation is to reproduce Article IV.C.2 in full or to just insert a reference to it. Catanzaro said either approach may be unwieldy but it may be better to have redundancy in this case. Horvath pointed out the

notation in the status report asking URC to consider repeating Article IV.C.2 in Article XVI (formerly numbered Article XIII) as well. Houston noted that the Faculty Caucus asked URC to consider doing so but discussion was tabled because the caucus was not discussing Article XVI at the time. Horvath said that adding the passage to Article XVI is probably not appropriate, because Article XVI is about appeals policies and procedures. Catanzaro agreed.

Horvath moved that the following passage from Article IV.C.2 be repeated as a new Article VIII.C (with existing Article VIII.C renumbered Article VIII.D, existing Article VIII.D renumbered Article VIII.E, and so on).

“In all situations involving a positive DFSC/SFSC recommendation for promotion, the CFSC shall review the promotion application of the individual involved and either endorse the DFSC/SFSC’s recommendation or reach an alternate recommendation. A faculty member may withdraw an application for promotion at any time during the review process prior to review by the President. Negative DFSC/SFSC recommendations for promotion shall not be forwarded beyond the Department/School to the CFSC unless the faculty member requests, in writing, to the Department/School Chairperson/Director, additional review.”

Bonnell asked if the motion could be amended to add a cross reference at the end of new Article VIII.C referring readers to Article IV.C.2 (e.g., “see also IV.C.2”). Committee members agreed.

Bonnell seconded the amended motion. The motion passed on voice vote, all voting in the affirmative.

B. Revision: Article IX.B.2

Catanzaro talked about ASPT policies that allow tenure candidates to “stop the clock” and policies that allow tenure candidates to add years previously credited toward tenure back to their reduced probationary period. He said he is not sure what would be gained by repeating the sentence in Article IX.B.3 stating that “A stop-the-clock period will not count toward tenure or against the length of the probationary period” in Article IX.B.2. Horvath said the two sections (Article IX.B.3 and Article IX.B.2) are not about the same things. Boser moved that Article IX.B.2 remain as previously recommended by URC, i.e., that the suggestion of adding a sentence from Article IX.B.3 (“A stop-the-clock period will not count toward tenure or against the length of the probationary period.”) to Article IX.B.2 not be done. Rubin seconded the motion. The motion passed on voice vote, all voting in the affirmative.

C. Revision: Article X.D

Due to the length of the meeting, Houston deferred this item until the next committee meeting.

V. Response to Provost Janet Krejci re equity review

Houston offered to draft a response to Provost Krejci regarding equity review based on feedback Houston has received from committee members and to then bring the draft to the next committee meeting for discussion. Committee members agreed. Houston thanked committee members who had already sent her comments and said she welcomes additional comments.

VI. Sharepoint

Due to the length of the meeting, Houston deferred this item until the next committee meeting.

VII. Other business

There was none.

VIII. Adjournment

Jenkins moved, Horvath seconded that the meeting adjourn. The motion was approved on voice vote, all voting in the affirmative. The meeting adjourned at 12:05 p.m.

Respectfully submitted,
Rick Boser, Secretary
Bruce Stoffel, Recorder

Attachment: *Status of ASPT Document Changes as of October 21, 2015*

STATUS OF ASPT DOCUMENT CHANGES

As of October 21, 2015

ADDITIONAL URC REVIEW REQUESTED BY FACULTY CAUCUS

Article/Section/Passage: Overview, Provisions for Mennonite College of Nursing Faculty

Date of Faculty Caucus request: October 7, 2015

Faculty Caucus request: Revise to reflect current practice

Date of additional URC review: October 20, 2015

URC action: Refer the issue to Mennonite College of Nursing for a recommendation back to URC

Status: Catanzaro to contact Mennonite College of Nursing

Article/Section/Passage: Article I.E

Date of Faculty Caucus request: October 7, 2015

Faculty Caucus request: Consider replacing "obtain" with "consider"

Date of additional URC review: October 20, 2015

URC action: URC approved a motion to replace the word "obtain" with the word "consider"

Status: URC action to be reported to Faculty Caucus

Note: Revised passage reads "All committees and officials within the faculty status system process will make every possible effort to consider the most reliable evidence available for use in their deliberations."

Article/Section/Passage: Article V.B.1

Date of Faculty Caucus request: October 7, 2015

Faculty Caucus request: Consider requiring department/school review of department/school ASPT documents at least every five years rather than at least every three years.

Date of additional URC review: October 20, 2015

URC action: URC is considering retaining the requirement for review at least every three years while clarifying that departments/schools need not revise their ASPT documents unless deemed necessary by department/school faculty.

Status: Catanzaro to draft revision for review by URC

Article/Section/Passage: Article VIII

Date of Faculty Caucus request: October 21, 2015

Faculty Caucus request: Consider inserting a new Article VIII.C based on IV.C.2: "In all situations involving a positive DFSC/SFSC recommendation for promotion, the CFSC shall review the promotion application of the individual involved and either endorse the DFSC/SFSC's recommendation or reach an alternate recommendation. A faculty member may withdraw an application for promotion at any time during the review process prior to review by the President. Negative DFSC/SFSC recommendations for promotion shall not be forwarded beyond the Department/School to the CFSC unless the faculty member requests, in writing, to the Department/School Chairperson/Director, additional review." See also new Article XVI (current Article XIII) for possible addition of the same passage as new B.1.B or D.1.B.

Date of additional URC review:

URC action:

Status:

Article/Section/Passage: Article IX.B.2

Date of Faculty Caucus request: October 21, 2015

Faculty Caucus request: Consider adding the following passage from Article IX.B.3 to Article IX.B.2: "A stop-the-clock period will not count toward tenure or against the length of the probationary period."

Date of additional URC review:

URC action:

Status:

Article/Section/Passage: Article X.D

Date of Faculty Caucus request: October 21, 2015

Faculty Caucus request: Reconsider the parenthetical passage. Consider removing it. Consider keeping it. Consider keeping it but adding qualifying language to the effect that a department might not be able to provide resources, that resources are available to other faculty members (e.g., faculty members who have not been deemed deficient), and that other types of support are potentially available to assist the faculty member (i.e., types of support not already listed in the parentheses)

Date of additional URC review:

URC action:

Status:

Notes: The passage as initially recommended by URC reads as follows: "Plans for remediation of deficiencies, especially plans whose implementation will require commitment of department/school resources (e.g., for travel to conferences, for new teaching equipment or materials, or for release or reassigned time or other workload changes), shall be written and shall be communicated to and signed by the relevant parties, including the dean."

ASPT DOCUMENT CHANGES APPROVED BY FACULTY CAUCUS

None

ATTACHMENTS

ASPT discussion notes, Faculty Caucus, October 21, 2015

ASPT discussion notes, Faculty Caucus, October 7, 2015

ASPT discussion notes, Faculty Caucus, September 23, 2015

IMPORTANT NOTE:

The following notes provide an unofficial, partial account of discussion at the October 21, 2015, meeting of the Faculty Caucus. These notes refer only to the part of that Faculty Caucus meeting during which changes to the ASPT document were discussed. These notes are intended for use only by the University Review Committee in responding to requests from the Faculty Caucus regarding the ASPT document. These notes are not intended to replace the official meeting record compiled by the Administrative Clerk of the Academic Senate and approved by vote of the Faculty Caucus. For the official record of this meeting contact Cynthia James at cdjames@IllinoisState.edu, 309-438-8735.

ASPT DISCUSSION

Faculty Caucus

Wednesday, October 21, 2015

Approximately 9:15 p.m., Old Main Room, Bone Student Center

Agenda: Articles VI, VII, VIII, IX, X

(Susan) Kalter: Before moving on to VI, Kalter said she would like to ask a question regarding IV.B.1 and IV.B.2. She doesn't think (the Department of) English has ever approved policies and procedures for allocation of monies devoted to performance-evaluated salary increments.

(Sam) Catanzaro: The department should do so.

Kalter: Perhaps URC can nudge departments to get this done.

(Mary) Dyck: Mennonite has them and follows them.

Article VI: Appointment Policies

Kalter: We will not talk about the recommended change of the article title at this time (section title). Does Faculty Caucus have anything to add?

[There were no comments.]

Article VII: Faculty Assignments and Faculty Evaluation

Kalter: Reviews recommended changes.

(Will) Daddario: In E, "satisfactory" is defined but "unsatisfactory" is not. Should it be?

Catanzaro: Each department and school defines "unsatisfactory" per university policy Not sure which (university policy it is).

Article VIII: Promotion Policies

Kalter: Reviews recommended changes. What is "Comment 1" referred to in Comment [SC17]?

Catanzaro: The explanation of getting rid of the instructor category?

Kalter: Instead of “faculty evaluation” (referring to F?) why not “faculty performance evaluations”?

(Anne) Wortham: That’s being too picky.

(Peter) Bushell: “Performance” might relate more to performance evaluation while this section is on promotion. So it is best not to change (the wording).

Daddario: In E, what is “common standards”?

(Diane) Dean: It refers to “us” ... our community. With the understanding that each department and school sets its own standards. A common understanding inside the University.

(Paula) Crowley: Maybe the wording should be changed (*referring to Kalter’s suggestion of changing “faculty evaluation” to “faculty performance evaluation”*?).

(Nerida) Ellerton: “Faculty evaluation” is used in the heading, so that is consistent.

Bushell: Proposes an addition to Article VIII. Article IV.C.2 describes CFSC and school recommendations regarding promotion. It says SFSC presents recommendations for promotion. CFSC does too. The provost does too. But a negative recommendation from SFSC stops the process. Unless the faculty member requests additional review. Maybe that language should be in (Article) VIII too.

Kalter: (Article) IV.C.2 allows the faculty member to ask for additional review but that is in the CFSC section (of the ASPT document). A faculty member wouldn’t think to look there. Can URC consider adding that language to Article VIII?

Bushell: For tenure (applications) there is no stop (in the process), but for promotion there is a stop. Suggests duplicating the passage in IV.C.2 in Article VIII and the appendices.

Catanzaro: Where?

Bushell: After Article VIII.B add a new C. In new Article 16 (now Article XIII), add a new D.1.B (*or did he say B.1.B?*).

Kalter: But there is a separate appeals article on promotion. Should it be there? Kalter asks URC to consider the changes.

Article IX: Tenure Policies

Kalter: IX.B.1, misspelling of fulfillment?

Kalter: Any comments about the changes recommended in B.2?

(Dan)Rich: The sentence has no qualifiers on it. Is that okay? Is the structure okay to bring stop-the-clock into play?

Catanzaro: Yes.

Kalter: Consider adding ... “stop-the-clock years do not count toward the six years.”

Rich: Doesn't mean to wordsmith.

Catanzaro: Susan's suggestion is reasonable. Will add what is at the end of (IX.B.)3 (on page 34).

Bushell: Thinking about the six years in the context of giving a year's notice, how does that work?

Catanzaro: The length of the probationary period is irrelevant in such circumstances. The probationary period is over. The faculty member is on terminal contract for one year, no longer in the probationary period.

Ellerton: Once a terminal contract begins, the faculty member is no longer on probation.

Kalter: There's something about it I'm not comfortable with. If we change from seven to six (years), we don't have a category for the person.

Catanzaro: The person continues to be tenure track. There are three classes: tenure track, tenured, and tenure track terminal.

Kalter: Check with legal. We might be creating something unintended.

Ellerton: May need to change definitions of tenure track.

Catanzaro: Cites university policy 3.2.1 Academic Personnel. It provides for three classes of faculty: tenured/tenure track, non-tenure track, terminal. So terminal is a class in itself.

Article X: Post-Tenure Reviews Including Cumulative Post-tenure Reviews

Rich: Sounds like there is no major change in (X) B. What is the change in C (new D)? Wording or substance?

Catanzaro: The change is just intended to make it clearer.

(John) Bantham: His DFSC recommends striking the parenthetical phrase in C (new D).

Bushell: The wording makes it look like they are getting funding, while those who are not deficient don't.

Bantham: Yes.

Catanzaro: Examples in parentheses are meant to be illustrative only. (To Dean and Angela Bonnell): Does URC want to consider this (striking the parenthetical)?

Kalter: It is good that someone who is deficient should have access to resources others don't. That's part of the point.

Bantham: Says that without being in the DFSC discussion, he goes along with Sam, that striking the parenthetical is not a problem.

(Jeffrey) Clark: The chair might not have resources to help the faculty member, which makes the decision process more challenging.

Kalter: Suggests clarifying. The current version might imply that the chair has control over resources to assist the faculty member, and the faculty member might believe that the chair does have money to help. Does a person who is deficient know what to ask for? Does a person know how to ask for resources? Can URC consider if taking out the parenthetical will keep persons from knowing to ask for resources?

(Wendy) Troxel: Does leaving it in limit creative approaches?

Kalter: Maybe move it? Maybe add a sentence, that the department might not be able to provide resources, that resources are available to others, that there are other examples and possibilities?

[Discussion ended at approximately 9:45 p.m.]

IMPORTANT NOTE:

The following notes provide an unofficial, partial account of discussion at the October 7, 2015, meeting of the Faculty Caucus. These notes refer only to the part of that Faculty Caucus meeting during which changes to the ASPT document were discussed. These notes are intended for use only by the University Review Committee in responding to requests from the Faculty Caucus regarding the ASPT document. These notes are not intended to replace the official meeting record compiled by the Administrative Clerk of the Academic Senate and approved by vote of the Faculty Caucus. For the official record of this meeting contact Cynthia James at cdjames@IllinoisState.edu, 309-438-8735.

ASPT DISCUSSION

Faculty Caucus

Wednesday, October 7, 2015

9:15 p.m., Old Main Room, BSC

Agenda: ASPT Overview and Articles I, III, IV, V

(Susan) Kalter: There will be no must/shall debates this evening. The table of contents of the ASPT document will not change (as is recommended by URC) unless Faculty Caucus adds the new sections regarding disciplinary actions recommended by URC. The one exception is the addition of an appendix with the timeline for appeals to CFSC of non-reappointment recommendations on procedural grounds (labeled Appendix 8 in the document recommended by URC).

Overview

(Mary) Dyck: The college dean is not the chair of both the CFSC and DFSC in Mennonite College of Nursing (referring to page 5). The Associate Dean for Research chairs the DFSC. (Denise Wilson chairs the CFSC.)

(Doris) Houston: We will consider that a friendly amendment that need not go back to URC.

Article I

(Nerida) Ellerton: Expresses concern about use of the word “obtain” in I.E (“All committees and officials within the faculty status system process will make every effort to obtain the most reliable evidence available for use in their deliberations”). Agrees with the intent of the statement but says we need to be careful of potential misuse of the word “obtain.”

Houston: It would be the responsibility of the departments to get all information regarding an allegation, to protect the faculty member.

Ellerton: But using the word “obtain” opens up the potential for abuse by a committee that seeks information and uses the statement as an excuse to go beyond what is reasonable. Instead of “to obtain” consider using “to take into account” or “to consider.” There is also an internal contradiction in the statement, since both “available” and “obtain” are used in it. There is no need to obtain something that is already available.

Houston (to Kalter): Do we need to go back to URC with this matter?

Kalter: Suggests checking the statement against the rest of the document for context and consistency before a change is made.

Ellerton: Agrees. Check into it before making a change.

(Sam) Catanzaro: Somewhere else in the document there is a passage about making available to the faculty member all information being considered. We will review the context and go back to URC with this.

Kalter: Suggests that Houston consider whether to return to URC with this matter.

Houston: Will do.

(Wade) Nichols: (Also referring to I.E) Perhaps the phrase “every possible effort” should be changed to “every reasonable effort.”

(Diane) Dean: Agrees.

(Dan) Rich: Thanks for adding I.E. It will be great to have for chair training.

Houston: We had checked through the document and not found similar language (as URC has suggested for I.E). We will take this matter back to URC as it is a substantive matter.

Article II

Kalter: We are skipping II because there are questions regarding equity review that still need to be answered.

Article III

There were no comments.

Article IV

Kalter: It is comforting to add the word “approve” in 4.B.1 and elsewhere in this article (“The CFSC shall review and approve Department/School policies and procedures ...”).

(John) Bantham: Questions have been asked in the College of Business about IV.C.2 (a passage that URC has not recommended be changed). Does this refer to both requests for promotion from assistant to associate and requests for promotion from associate to full or just to one or the other?

Catanzaro: Both.

Article V

Kalter: Notes that Faculty Caucus has been provided a supplemental document intended to clarify changes URC has recommended for V.B.1.

Bantham: Requiring review of department/school ASPT policies every three years seems like a quick turnaround.

(Peter) Bushell: Agrees.

Kalter: Agrees.

Catanzaro: Explains that adding a statement to the document regarding department/school review of its ASPT policies was suggested by the University Research Council. Council members are concerned that some department/school ASPT policies are not remaining current with trends in scholarship in their disciplines. This might negatively impact junior faculty in those disciplines. The University Review Committee has agreed.

Bantham: Three years means there would be a constant state of review occurring.

Ellerton: Agrees. An unintended result of requiring review every three years might be that some faculty may think ... it was just done, it is okay ... and then not closely reviewing their document. It is psychological.

Kalter: Having policies reviewed every three years seems off the five-year cycle (used for review of the ASPT document and college standards). There are very few fields that change that fast. It would be logistically difficult for a department to remember to do it.

(Stewart) Winger: Wouldn't you want to do it (review department/school ASPT policies) after the ASPT document itself has been revised (referring to the five-year review of the ASPT document)?

Houston: We will revisit this issue with URC. So, is it the recommendation of Faculty Caucus that URC change the review from three years to five years?

Kalter: That is our thought. But have URC tell us if we are off base.

IMPORTANT NOTE:

The following notes provide an unofficial, partial account of discussion at the September 23, 2015, meeting of the Faculty Caucus. These notes refer only to the part of that Faculty Caucus meeting during which changes to the ASPT document were discussed. These notes are intended for use only by the University Review Committee in responding to requests from the Faculty Caucus regarding the ASPT document. These notes are not intended to replace the official meeting record compiled by the Administrative Clerk of the Academic Senate and approved by vote of the Faculty Caucus. For the official record of this meeting contact Cynthia James at cdjames@IllinoisState.edu, 309-438-8735.

ASPT DISCUSSION

Faculty Caucus

Wednesday, September 23, 2015

7 p.m., Old Main Room, BSC

General comments regarding the XI-XIV.

(John) McHale: Asks, for context, about the circumstances of prior disciplinary actions at the University.

(Sam) Catanzaro: Violations of the law, endangerment of students, fitness to teach - being able to do the job. There was one dismissal in the history of the University. The issue was inappropriate contact with students.

(Michaelene) Cox: Expresses concern that the new sections regarding discipline need to be more specific as to what “fitness” means. It may help to include examples in the text. Expresses concern that the disciplinary policy might be used against someone targeted because they do not fit with the group.

(Doris) Houston: Offers that terminology may need to be less subjective.

(Alan) Lessoff: Expresses concern about the meaning of “violation of the law” and “harm to the University.”

(Stewart) Winger: Suggests striking the term “harm to the University.” If the phrase has been used to provide the University discretion in disciplinary matters, it is not needed.

(Dan) Rich: Asks what is meant by the term “imminent.”

(Susan) Kalter: Suggests the caucus may need to consider when it is appropriate for uniformed officers to be on campus (in connection with a disciplinary matter). Suggests clarifying the nature of suspension. What can a person who is suspended do (e.g., can they come to campus)?

McHale: Expresses concern that using the phrase “harm to the University” may be slippery.

Winger: Referring to a case at the University of Illinois, Winger notes that university administrators may be under external pressure to act in disciplinary matters when they might not otherwise do so.

Houston: Asks the sense of the group. What is being suggested?

McHale: Maybe the sections should address intent of an action in addition to the action itself. Did the faculty member intend for the action to have adverse consequences?

Lessoff: Without explaining what “harm to the University” means, it is dangerous to use it.

Cox: Agrees that the phrase “harm to the University” should be struck from the document.

(David) Marx: Notes that there is always potential danger in the labs on campus. If an accident were to happen, would the professor be subject to discipline?

(Diane) Dean: Notes that the new ASPT sections provide multiple layers of protection against unwarranted actions against faculty.

Comments re XI

Lessoff: The phrase “violations of laws” is very vague. Is there a better way to state that?

Winger: It should be violation of laws that relate to the job.

Rich: XI.A 2, 4, and 5 all have vague language. Suggests that it may be fruitless to try to codify all contingencies. It might be better to create boundaries, by describing what actions we agree are bad and what actions we agree are not.

(Jeffrey) Clark: XI doesn’t really define what sanction, suspension, and dismissal mean. Suggests defining those terms in XI.

(Wendy) Troxel: The order of parts of XI is important. Suggests removing the bullets and reworking the section into a narrative preamble.

(Peter) Bushell: Suggests including clearer definitions of terms in XI and then repeating those definitions in subsequent sections.

(Allison) Alcorn: Comments on XI.C for Martha Horst. Suggests modifying a sentence in that section by adding the word “only”: “Such reassignments shall *only* be made to prevent reasonable threats of harm ...”

(Dan) Breyer: XI should first define what the actions are and then should provide examples.

(John) Bantham: Suggests deleting XI completely and merging its content into subsequent sections.

McHale: Reference in XI.A.5 to “financial exigency” should not be there.

Kalter: Agrees with McHale. Suggests that the document needs to be very explicit that disciplinary policies cannot be used for dismissal due to financial exigency.

Troxel: Don’t we need XI to set up the sections that follow?

Rich: If the document does not define the scope then the term “cause” (as in “adequate causes”) covers everything.

(Nerida) Ellerton: The document needs to define terms. XI should be used to do so.

Lessoff: Asks why the policy was drafted as it was. Suggests giving those who wrote it a chance to comment and explain.

Houston: States that the draft is a just a starting point for discussion.

Troxel: Financial exigency is not a disciplinary action (and should not be included in the document).

Catanzaro: As is often the case in such matters, XI was written last (after XII-XIV). The intent was to set up what follows. XI.B applies to all considerations. It is important for it to stay.

Bantham: Agrees. Maybe XI.B should be free standing with a bolded heading so readers of the document can find it.

Kalter: Expresses hesitation about separating XI.B so far from the rest of the pertinent text that people can't find it. We need to consider probationary faculty rights (when revising the document). Unless there is harm, AFEGC should weigh in on every case of suspension before the fact not after. Expresses mixed feelings about XI.D. Allowing records of the disciplinary processes to be reviewed in tenure and promotion cases could work against the faculty member. Its use would be double jeopardy.

McHale: Asks where the Caucus goes next with the discussion.

Kalter: The next step would be for Caucus to send concerns (about the sections) to URC. But there are no clear directions from the Caucus at this point. Suggests stopping the discussion of the new disciplinary actions sections (at this point in the evening) and not revisiting those sections until after the November 1 deadline for faculty comment. At the next ASPT discussion, scheduled for October 7, Caucus will review articles I-V.

(Mary) Dyck: Asks who received the request for comments. She hadn't seen the request.

Kalter: She sent one request to all faculty, and sent other requests to DFSC and CFSC chairpersons with a request that they pass the request to their faculty. One issue that needs to be addressed is trying to find out who DFSC and CFSC members are so information can be sent to them. Arts and Sciences posts the information on the website, but not all colleges do that.

Dyck: The chairperson of the CFSC at Mennonite is Denise Wilson.

Kalter: At some point the Caucus needs to decide what to send to URC (in terms of direction). We aren't there yet. We will figure that out in November. The soonest extra Caucus session to discuss ASPT is October 28.

(Michael) Gizzi: It hasn't been decided yet whether Caucus will meet on that date.

Kalter: No, we haven't decided. The first extra session might not be until November.

Houston: When does the Senate plan to given URC feedback on XI?

Kalter: No sooner than November but maybe not until spring. URC should do nothing regarding XI until then.