Minutes
Faculty Affairs Committee of the Senate Meeting
February 10, 2005

Members present: Ben Baez, Cathy Brack, Harry Dangel, Nancy Floyd, Shelby Frost, Cecilia Grindel, Hugh Hudson, Beth Jones for Jerry Rackliffe, Charles Marvin, Dick Miller, Charlotte Petrek, Jim Senn, Debra Snell, Tammy Sugarman, Cherian Thachenkary and Marta White

Members absent: Glen Abney, Pam Barr, Conrad Ciccotello, Valerie Fennell, Gerald Gay, Emanuela Guano, Ron Henry, Amy Helling, Ralph LaRosss, Mona Matthews, Linda Nelson, Dave Pavesic, Wayne Reed, and Armenia Wilson

Guest: Terry Ward, Research Associate, Office of Institutional Research

The meeting began with the approval of the minutes of the January meeting.

Nancy Floyd then explained the focus of her subcommittee. Her subcommittee is charged with reviewing the 2002 Administrative and Support Unit Assessment (ASUR) report of the offices of the Ombudsperson, Legal Affairs and Opportunity Development/Diversity Education Planning, formerly called Affirmative Action. The ASUR report pointed out that employees of the university are confused about the functions of these three units. Nancy’s subcommittee was charged with looking into how these three offices handle complaints. All three offices provide assistance to the person filing a complaint, but the offices do not provide services for the person being charged. All three offices have the interests of the university as their primary focus.

The Office of the Ombudsperson houses the Faculty Ombudsperson and the Staff Ombudsperson. This office offers advisement only. Interchange between this office and a complainant is informal, with no paper trail. ODDEP refers a complainant back to the supervisor in an informal process, but formal complaint procedures may alternately be required. Legal Affairs gets involved in issues of litigation requiring defense of the university. All three departments are in contact with each other.

The ASUR report of 2002 made several recommendations, such as:
- There needs to be clear policy statement regarding the rights of the accused.
- Informal complaints should be handled by the Ombudsperson, formal complaints should be handled by ODDEP, and charges of discrimination should be handled by Legal Affairs
- ODDEP needs to change its name to something more informational.

The report also pointed out that there were deficiencies in documentation. Additionally, there was concern that faculty and staff can be investigated without their knowledge.

The group agreed that both faculty and staff can be terminated for cause, and ODDEP finds cause in its investigations. The group also found the fact that because in an investigation there is not a finding of guilt or innocence, the need for legal representation might be downplayed inappropriately. Lastly the group felt strongly that it is not proper for an agent of the university to conduct “secret” investigations that could affect employment.

Nancy’s group suggested that there be a legal statement of rights for the accused. This group feels that there should be a subcommittee formed, to include someone from the legal faculty, to develop a type of handbook for faculty detailing what happens when you are charged in ODDEP. Cherian disagreed, feeling that there should be a distinct unit for those who are being charged, not just a Faculty Affairs subcommittee handbook. Cherian found the issue to be one of who is prosecuting and who is defending. Hugh felt that there should be a policy to spell out how long a period of time should elapse before a person is notified that there is a charge against him or her. Jim Senn felt that the entire policy needed to be redefined. Charlotte brought up the fact that there is a committee chaired by Joan Carson, which is drafting a grievance policy. The group felt that a faculty member should be on Dr. Carson’s committee. Cherian suggested that there needs to be some sort of meta policy, detailing the rights of the person being accused and the person making the charge. He also felt that the obligations of each office need to be spelled out. Hugh suggested bringing a motion to the Senate. The following motion was proposed by the group:

In conformity with the ASUR Committee recommendation of 2002 and in conjunction with Faculty Affairs and Staff Council, the Senate hereby directs the Office of Legal Affairs, the Office of the Ombudsperson, and the Office of Opportunity Development/Diversity Education Planning to respond and assist the joint Faculty Affairs/Staff Council subcommittee which will report to the Senate to produce a policy detailing:
Dick suggested that this subcommittee should be made up of two Staff Council members, Charlotte and BJ, and five faculty members who have summer availability, Nancy, Shelby, Cathy and Carole Winkler

The motion was approved by the group.

Benefits Committee
Cherian reported that the Donated Leave Policy was approved by the Executive Committee and is being presented to the Senate at the next meeting.

Governance of NTT Faculty
Ben’s group has found that NTT faculty have many labels, and the labels are not relevant. What is relevant is whether a faculty member is TT or not. Jim mentioned that we might want to make it clear that we are looking at NTT faculty in their home departments, not joint appointments. In matters of graduate faculty, governance varies by college/school.

Several questions arose:
- Should NTT be involved in graduate issues?
- Should NTT be involved in hiring TT?
- If elected to the Executive Committee, should NTT be involved in annual evaluation of TT?

Hugh suggested that this is a very large issue, and he requested that the issues be tabled until the March 2nd meeting. The motion was approved.

The meeting concluded with the recommendations of the Office of Institutional Research regarding the survey of administrators. One week before the survey is to go out, the Senate Office will send out an introductory email regarding the survey. One day prior to the survey going out, the Senate Office will send out another introductory email, along with any attachments. This should give adequate warning of the upcoming survey.

Named categories of response have been replaced by a numerical scale ranging from “strongly agree” to “strongly disagree” with a “don’t know” option. The survey will now have a reliability coefficient statistic. And, lastly, the questionnaires will be shortened.