

SEC/VPAA Joint Conference Minutes

September 14, 2010
2:30 to 4:30 p.m.

Senate Conference Room
140 McFall

Attendance: Basch (Substitute – Jesse Powell); Blair; Border; Borland; Brodke; Carothers; DeBard; Dinda; Folkins; Gremler; Herman; Leclair; Midden

Absence: None

OLD BUSINESS

Flexible Tenure Policy: Current status of Flexible Tenure Policy.

Blair: We discussed the Flexible Tenure Policy at the last Senate Executive Meeting (SEC) meeting. At that time we had not seen the amendments from the Provost's Office on that Policy. The main point of clarification was the length of time allowed. Faculty Welfare has until Monday, 9/27 to review these modifications. A friendly amendment on the eight years and what that means exactly was proposed. The SEC will have a final review on 9/28 in order to place this Policy on the Senate agenda. Gremler: The document came to Faculty Senate in May for approval. It was sent back to the Faculty Welfare Committee and now what? Blair: The Policy was sent back because there was a lack of clarity on the actual time the clock would be stopped. One year? Two years? What you have in front of you is the Policy as it was amended by the Provost's Office and then it was sent back for review by both the Faculty Welfare Committee and the Amendments and Bylaws Committee. Folkins: It also wasn't clear how a one-semester stoppage would impact the actual clock time.

Borland: One of the questions relative to time, if there is a one-semester clock stoppage and then a person needs another one-semester clock stoppage, how will that work? The spirit of the finding was to say that we would not allow this Policy at any point to extend the eight years. A one-semester stoppage is the equivalent of one year unless we adopt a twice a year review process. I hope this language gets us there. Retroactive requests beyond the current academic year will not be approved. It might not be worded as kind or gentle as I would prefer, but Charter language must be direct. Folkins: I think you're right the language must be direct. Otherwise it is open to interpretation. Borland: We did have that type of request this year. The idea of retroactivity did seem to be an important point to include. "Retroactive requests beyond the current academic year of the event will not be approved." Midden: What if this event occurs at the end of the academic year?

Folkins: But if something happens in April, it is difficult to say you have lost that whole year. Leclair: Could the wording be stated more positively to say if the event occurred during the current academic year? Borland: Retroactivity has to be addressed. Midden: I would prefer it said 6 months because if the event happens in February but they don't realize it has negatively impacted them for several months I'd like them to be able to apply. Folkins: I like it the way it is. Leclair: I can see where something happened in April and it takes a few months to assess the gravity of that event, now you can't apply. Border: Is the event a singularity? Midden: Yes, I think we need to define event. Borland: Let's say you had an auto accident in April and you had surgery, medication, and other issues throughout the Fall semester – that's all connected to the event. DeBard: I thought

this Policy was politically correct. If someone's publication record is lagging, and they decide that an event that happened three years ago is the cause, on what basis would you deny an extension? This is a legal document. Why would you have the right to deny an extension if this becomes Policy? You stated the parameter; it cannot go beyond 8 years. And, I understand it cannot be retroactive. Folkins: Anyone could ask for an extension. You'd reference points 1 through 6. DeBard: I thought point 6 could be a bit broad. It appears to me you have to have set criteria. Folkins: If a faculty member goes on leave without pay, due to a medical issue or whatever, the Flexible Tenure Policy would not apply. This is only if they are getting paid. Midden: Who decides if a medical condition is sufficiently serious to warrant a delay? Borland: I met with Sean Fitzgerald and I remember having to operationalize these terms. If you qualify for the Family Medical Leave Act, then that would be an indicator. Midden: Is this an "and" list or an "or" list? Folkins: This is an "or" list. Midden: Who decides? Is it the Provost? Borland: No, that is done in HR through FMLA. Blair: If someone becomes ill, they do not have report the nature of the illness through the Chair. The Unit and the Chair are notified of the need for medical leave but they do not grant the leave. Leaves are communicated through HR. Folkins: This Policy doesn't apply here. This is for someone who is here and working. Midden: Yes, but someone has to address this request. Folkins: I would assume this would go through the chain... Chair, Dean, Provost's Office. Midden: I'm still not clear on who is making that decision? I understand the FMLA or other leave is already decided. But, if they haven't taken a leave it appears they can still file for an extension. Who makes that decision? What are the criterion by which that is decided? If this isn't very clear-cut, we could be open to litigation. The clearer we are the better. Blair: The person who makes the leave decision is the Dean, according to (2)(C). Midden: So the Dean will be making this decision without the documentation on the medical condition? Blair: They have a liaison to explain the reason for the leave. Midden: I have a medical condition, but I don't have to share that information with you. HR has not granted a leave but I can still request this extension. Folkins: You can't violate HIPA but it does mean that if you are requesting the leave you have to substantiate the reason. DeBard: I'm satisfied that the Faculty Welfare Committee has reviewed this and are satisfied with it. The points of contention, can two non-contiguous semesters be taken? The answer is no. Can the request be made retroactively? No. The Policy is benevolent and flexible. Border: What is the role of HR in this process? Just a presence - yes or no? Or are they judging the quality of the request? Midden: They may be spelled out in FMLA. Blair: That's a hard question to answer. Folkins: You have to put that information into the rationale for the stoppage request. Border: The Dean asks HR for this information... Folkins: But, because of HIPA they can't share that information. Carothers: They do because this same type of a process applied to a graduate student who needed an extension. No exchange of medial diagnoses were shared anywhere. The student provided evidence she was under treatment and that was sufficient. Border: But as to the role of HR, if they are doing the FMLA work. Couldn't we say in this request per FMLA requirements? Carothers: Leave it in the hands of FMLA? Border: I would make that clear than that this is FMLA. Carothers: I believe that FMLA is narrower. Perhaps a divorce is the reason and that is not medical in nature. You don't have to check off a box; these are some of the things that might apply. Border: I would be more comfortable as a faculty member if I knew what information I have to give HR? What is their role?

Privacy is important. Carothers: The process is communicating to your Chair who takes the request to the Dean. I don't see anywhere that you have to go to HR as well. Border: If it involves FMLA, OK. But, if it were an illness, I'd prefer to keep that private. Borland: If your argument is going to be based on a medical issue, it must be submitted to HR. Midden: Would they provide a judgment? Borland: No, they are affirming that medical documentation exists. Border: Unless this is state law, I don't understand this. I don't like the idea of medical going through HR. Carothers: Ultimately that office is the employer when it comes down to it. Border: Can it be explained to a faculty member then? Is it based on FMLA? Carothers: No, it may not be for medical purposes. DeBard: I view this as a repository of documentation, nothing more. But, I suspect, there are ramifications of having such documentation stored. Having nothing related to this Policy, if we are absent and not replaced, we do not have to report that fact. HR has the records for our sick leave. The whole point of this policy is to give those who need some flexibility that option. I think we should move this forward. Folkins: Somewhat in opposition to that, on the second page... The Dean makes the decision and the Provost must review that approval. Blair: I would take that as a friendly amendment. Carothers: What is the role of Amendments and Bylaws? Blair: Amendments and Bylaws had one tweak on b)(1)(b)– under no circumstance should that extend the tenure process beyond 8 years. I don't have that language in front of me. Another issue I'd like to raise, there will be a review at the October Board meeting of the Partners benefits ... I'm wondering if we should change the language to spouse or partner? Borland: I'm sure we'll want to have legal counsel look at this and the language. Folkins: It's spelled out what a domestic partner is. Blair: Assuming the Domestic Partners Policy passes, we should use the same language. Folkins: Ask the Faculty Welfare Committee to check on this language. Leclair: Does it define other close relatives? Folkins: Part of the concern is my great aunt in another state has an issue. Immediate family is spouse, parent, and child. Borland: Who draws that line about who a person should be caring for? I'm not sure what passes muster legally? Midden: First-degree relationship? Folkins: The language, immediate family members, does discourage people from mentioning their cousin. But, it does allow for a brother who lives with that person and needs care can be interpreted as immediate family. Borland: This is intended to help us understand the request for a tenure clock adjustment. Blair: I do see a piece of residual language on number 3 which should be changed to one year. Gremler: I don't see how the one-year or one-semester issue is resolved. It does address no more than eight years. Blair: It's presumed, based on the way we do tenure reviews on this campus, which is once a year, that it is one year. Carothers: Other discussion? Blair: We'll take a final look at this in a couple of weeks.

NEW BUSINESS

Carothers: Most of the new business items are related to Provost Borland's opening remarks. Can you please expand on these topics?

Strategic Planning/Program Review

Borland: Over the past two years the departments/colleges had been asked to develop compacts. One of the things I heard over the past year was that we used to have program reviews and not compacts. We don't necessarily know what the compacts are used for and how we move forward in terms of quality if we don't evaluate our programs from

time to time. If we are going to do something that is compact related, it needs to add value, be connected to something. It might be advantageous to tie that to the strategic plan. All those things should be driven by strategic plans departments developed. What are the things the departments are trying to accomplish? What resources are needed? How are they doing in working towards those ends? We have to have something that captures this information. Last year a template was developed to help develop a unit level strategic plan. We've asked that departments engage that process this year. The compact is a piece of history. How could the program review process be improved? How would that fit into the assessment of learning? Accountability? I asked the Deans to come up with some kind of review that is simple, easily understood; easily accomplished – something Institutional Research could provide data for; student assessment? It doesn't have to be done every year and shouldn't be burdensome. Program review should be cyclical. We're hoping it makes the best arguments possible when we go into the budget process. This past year we drew upon the reviews for the budget process. It was understood and clear. Maybe every two years rather than every year – but our budget process is yearly. We're piloting this at the departments this year. The compacts won't be used in the future but the data can be included into the new process. Program review, I'll get these to you electronically, one side is the past review process.

Folkins: It's not mentioned in the Charter.

Borland: I didn't think it was. One of the big differences between the options – if your program deals with an accrediting body – then you don't need to do program review.

Midden: It (accreditation review) wouldn't necessarily link to the strategic plan. Borland:

Everyone must do the unit level strategic plan. Before if you had accreditation you still had to do the program review. NCATE will cover it for education. Carothers: In all of

those there would be an external review? Borland: Yes. Dinda: Would these reviews be available? Borland: Yes, these are public documents.

Borland: We're trying to make the process easy, but meaningful. Carothers: Would it be boilerplate that all departments would use or would there be a level of personalization?

Borland: In my experience, some things are pretty consistent. But, at the department level you want to measure not only what you do or are... but inspirational reviews as well.

Carothers: More specifically, I've written three. In almost every case there was a rider put on by the Dean that had nothing to do with our departmental aspirations. For whatever reason the Dean wanted to know the answer to these questions. As the host to the external reviewer I have to explain why this question is included, as the Chair. Borland:

Philosophically, I think that's where the strategic plan comes into play. This is an assessment of our progress. Out of that assessment we should develop improvement goals and strategies to achieve those. Borland: I think those things need to be set out in the self-

assessment phases. Blair: How soon can we expect a program review cycle to be distributed/published? Borland: Right now we're having those conversations. We're trying to map out accreditations. We're going to see how many dollars it will cost too.

We have to budget for that process. Financially, how many can we do a year? If this happens to be a 5-year review cycle, we'd only want to deal with 20% in any given year.

Blair: In regard to strategic planning preparation has there been any word on dates for training for chairs? Borland: Yes in the next day or so.

CUE Implementation Committee

Please clarify – is it in place and in motion? Or, is it still being formed? Borland: Following the release of the CUE Committee, Jesse and Messer-Kruse began the process of convening the Implementation Committee. I'm told the interest level is high. They need to include graduate and undergraduate students. Carothers: Can I make a friendly suggestion that an instructor also be included? Midden: The plans are still in place to have the seminar in place for next year? Borland: We'll be using many of the things that are already in place. Not everything will be brand new. The target is the incoming freshman cohort would be engaged in the program. Midden: Some things will be new. Powell: How does the BGX program fit into this? Borland: The program as you know it today will be absorbed into the CUE curriculum. As a program, you probably won't recognize it as such. Folkins: Are there likely to be peer facilitators? Sunday afternoon programs? Powell: I can't stress that peer facilitator relationship enough. Folkins: You generate student credit hours for the students – pick this up. Borland: That may be addressed in the full report. I would check with Dr. Jesse. The implementation group will be addressing the nuts and bolts. Midden: Does the implementation committee have a budget? How will the financial aspect of faculty development be handled? Borland: We have set aside \$100,000 for faculty development for this year. A lot of it will be reallocation of existing funds. Messer-Kruse will be in charge of that funding. Midden: Potent external funding opportunities for this initiative. Is anyone charged with seeking external funding? Borland: I think that would be an exciting way of approaching this. We're approving the real deal, not a pilot. Midden: Pick up Bob's remarks on Institutional Innovation grant – Borland: Talking to major donors who have contributed to BGX.

Review of Graduate Programs

Carothers: Has that process already begun? Borland: Let me clarify, I think that work has already been done. We hope to develop a strategic plan that is focused on the future of graduate education. This is what we need to do for our students. What's the future of graduate education? I'd like to have this adopted by the whole campus much in the same way we did with CUE. Tim Messer-Kruse has been charged with this initiative. Carothers: I don't mean to contradict you, but at the Senate meeting you indicated one of Tim's charges was this hard look at graduate programs, some evaluation of them. Borland: That's not what I meant. Blair: Arts and Sciences units have received correspondence from the ADean about the need to generate some data similar to the process of program review. I think that's where this question comes from. The other concern is what is the relationship between that graduate review and the strategic planning we're doing? It seems like we're doing two reports. That is a lot in one academic year. Borland: I'm not sure... pull this. Borland: Important for them to work together. Blair: Clarity on the types of information we're expected to supply. Midden: Schedule for the strategic plan for graduate programs? Borland: Yes, this academic year. Dinda: Can we read the reviews as they are going on? Borland: If you can find them. I don't know who is collecting what at this point? Messer-Kruse has only been on the job for one month and Dale Klopfer? Only for a short time.

Graduate College

Carothers: I have a quick comment or two on the Graduate College restructuring. The Graduate College consists of only six people... it has been pared down substantially. But, it appears their duties have grown? What is the scope of the new Graduate College?
Borland: The Graduate College exists as it existed before; the Graduate Dean is still responsible for many of those same responsibilities. The research component is separated but there is a relationship. Academic functions, compliance functions, transactional functions... Through the separation program a number of individuals within the Graduate College left. We can't afford redundancy. We can't have separate silos doing the same work. If we can combine undergraduate and graduate transactional work, we can capitalize on those efficiencies. We had to develop some kind of relationship with enrollment management. The functions are still there but they are in a different spot in the organizational chart. We can get more help for graduate students by streamlining processes. Midden: Who makes the decisions on graduate student issues? Borland: Institutional Research says this is the most intensive drilling we've done in the fee waivers area. I'm doing this proactively as we are in very serious economic times. The intention is not to create a one-size-fits-all solution. We're quite sure we're going to have less money, not more money going into the future. Midden: Is it fair to say the Deans will have more control? Borland: Yes. Midden: I would suggest some communication about this might be worthwhile.

Faculty Senate Open Forum

The Faculty Senate Open Forum on Collective Bargaining will be held on Tuesday, 9/21/2010 during the regularly scheduled on-call meeting time in Room 280 of the Bowen-Thompson Student Union.

ISSUES AND CONCERNS

Marie Rizzo in the Math Department has agreed to serve on the Committee on Professional Affairs. Rizzo spent 10 years as an instructor while working on her Ph.D. She left the University but returned to teach. Blair: Didn't she have an active role on Health & Wellness Committee? DeBard moved that we accept Rizzo; Midden seconded. Passed unanimously. Blair: This is an SEC appointment so this is the final step. Gremler: What is the committee charged with? Blair: response?? Is this okay?

ADJOURNMENT

4:35 p.m.