

**Austin Peay State University
Faculty Senate
Called Meeting of Thursday, April 12, 2012
University Center, UC 307
3:00pm**

Call to order – Senate President Jack Deibert

Recognition of Guests: Lori Buchanan, Sue Evans, Mickey Wadia

Roll call of Senators – Secretary Pat Perdew. Absent Senators: Bonnington, Cervelli, Gray, Hayes, Jator, Johnson, Lowrance, Matthews, Meyer, Nicodemus, Salama, Semler, Shea, Shipley, Snyder, Starnes, Sutt, Thompson, Thornton

Today's agenda approved.

Remarks

1. Senate President – Jack Deibert

- Human Resources wants to make sure you review your salary letter from fall. Check the information in the letter for accuracy.
- Thanked the Faculty Handbook Committee: Mickey Wadia (chair), Elaine Berg, Sue Evans, Steve Ryan, and Tim Winters.
- The Faculty Handbook Committee and the Faculty Senate Executive Committee are in favor of the items up for approval at today's meeting.

Proposed Items for Called Meeting of Senate April 12, 2012

Contact: Dr. Mickey Wadia, Chair, Handbook/Policy Committee, Harned 227
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BLUE TEXT IS NEW LANGUAGE.

- 1.** The college committee **retention and tenure minority report form** as well as the college committee **promotion minority report form** need to be amended to remove the identity of the author of the document. The phrase "selected faculty member" needs to be removed, and the space for the committee member's name will be removed. The word "signature" on page 2 of both these forms will also be deleted. The anonymity of the writers on these forms should be protected.

AUSTIN PEAY STATE UNIVERSITY
**COLLEGE COMMITTEE RETENTION AND TENURE
MINORITY REPORT**

EVALUATION OF FACULTY CANDIDATE by Selected Committee Member

College _____

Name of faculty: _____

Committee member: _____

These will be deleted

- Motion and second to approve item.
- Amendment to change line to "Name of faculty candidate:" in figure above approved.
- Amended motion unanimously approved.

2. In APSU Policy 2:007 Research Involving Animals

(<http://www.apsu.edu/files/policy/2007.pdf>) ---the language for who is to be on this committee does not include a student representative and should include the provision for a student member so that policy and practice are in conformity. (See p. 2, III. Mechanism).

III. Mechanism

A. An Institutional Animal Care and Use Committee (IACUC) shall be appointed by the President as a standing committee of the University, with a composition as follows:

1. A representative from each department in which animals covered by the Animal Welfare Act is used for teaching or research purpose.
2. A representative from a department that neither conducts research in a science discipline nor uses animals for teaching or research purposes.
3. A licensed veterinarian with training or experience in Laboratory Animal Science and Medicine.
4. An individual not affiliated with the University, other than by service on this committee, and not a member of the immediate family of a person affiliated with the University.
5. A representative of the Grants and Sponsored Programs office (ex officio) and the Chair of the Graduate and Research Council (ex officio).
6. [A student representative.](#)

- Motion and second to approve item.
- Motion approved.

3. Leaves of absence: [A faculty member who is normally eligible to serve on review committees but who is on a leave of absence or on faculty development leave during the current review cycle shall not participate or vote in any RTP process.](#)

- Motion and second to approve item.
- Motion approved.

4. Student evaluations. Faculty members may comment on their own student evaluations. Current policy only permits faculty to comment on low participation, for example, but it does not allow room for comment from faculty on anomalous situations or other issues that might have contributed to low scores, which can be attributed to a variety of reasons.

[Faculty members may comment on their own student evaluations as appropriate. These comments related to student evaluations shall be on a separate sheet that should be placed](#)

before the student evaluations in the faculty member's e-dossier. If a faculty member is commenting on a specific set of evaluations, those courses should be clearly identified within the commentary. (e.g. Comments for Spring 2011 English 1010 class)

- Motion and second to approve item.
- Amendment to strike "as appropriate" approved (see above in blue text).
- Amended motion unanimously approved.

5. Policy 5:062 Faculty Appointments. Amending language for the formation of a search committee within a department. New language conforms to practice and allows some flexibility. Original language in policy did not include a tenured faculty member. New language addresses the deficiency and permits a chair to serve on a search committee but not as chair of the committee.

C. A search committee ~~to be chaired by the department chairperson~~, **shall be appointed and convened by the department chair.** ~~shall be selected by the department.~~ The committee shall include a minimum of ~~two (2)~~ **at least one** tenure-track faculty members and **at least one tenured faculty member.** In addition, one (1) student shall be selected to serve. **A department chair may serve on a search committee. The department chair may chair the committee, appoint the committee chair, or but may choose to permit the committee to select its own chair. A chair may serve on a search committee but shall not serve as chair of the search committee.** Insofar as possible, the search committee shall include members of protected groups. At the discretion of the department, it is encouraged that a person outside the department serves on the search committee. Names of all search committee participants shall be forwarded to the college Dean as soon as selected.

- Motion and second to approve item.
- Amendment to allow department chair to serve as chair of the search committee approved. (See red text above and overstrikes in blue text for changes from amendments.)
- Amendment to change requiring two tenure-track faculty members to requiring at least one on the committee approved.
- Amendment to move statement that the chair could serve on the committee approved.
- Motion and second to table the item did not pass.
- Amendment to include language "representative selection" in the item did not pass.
- The item as amended was approved.

6. Chairs not serving on RTP committees from other departments. **When a small department must constitute RTP committees with faculty from other departments, chairs from other departments may not serve on this RTP committee.**

- Motion and second to approve item.
- Motion approved.

7. Associate Deans not serving on college-level RTP committees. **Associate Deans shall not serve on or preside over college-level RTP committees.**

- Motion and second to approve item.
- Motion unanimously approved.

8. Policy 5:029 addresses compensation for chairs for Maymester for main campus.

III. Chair Compensation

(This section does not apply to Directors who are on a 12-month, full-time contract.)

Academic chairs on the main campus will have duties and responsibilities during the academic year (mid-August - mid-May). They will receive nine monthly stipends from September through May to cover their service during the academic year. In the event a department chair does not serve during the academic year, the stipend may be transferred to an interim chair after approval from the Provost. A separate stipend will be paid in May, June and July for chair duties performed for the Maymester, Summer I, and Summer II terms respectively. In the event a department chair chooses not to serve during either Maymester, Summer I, or Summer II Terms, the stipend may be transferred to a summer substitute chair after approval from the Provost.

- Motion and second to approve item.
- Motion approved.

9. Seeking the senate's opinion on this question: Should a faculty member get the additional year of service when the faculty member under review fails to appeal a series of negative reviews (no positives) and, in essence, has "resigned" his/her position by the act of not submitting an appeal? There are arguments on both sides. You forfeit several rights when you choose not to appeal your case. Most faculty members are entitled to the additional year of service in normal conditions when they are denied retention/tenure (3+ service).

- Motion to survey the senate's opinion of this item.
- After discussion, the survey indicated that a majority wished to grant the additional year to the faculty member.

10. Appeals. New language here addresses and clarifies several issues.

- (a) Your options when you have two negative recommendations at department or college level
- (b) Your options for filing an appeal or withdrawing an e-dossier (in promotion cases)
- (c) The decision not to appeal two negative recommendations carries considerable risk.
- (d) You may not appeal one negative and one positive recommendation at the department or college level.
- (e) One-sentence and very brief appeals will now be disregarded by review committees. Appeals, by policy, must contain substantive narrative rationale.

- (f) Review committee members will need to be informed prior to the meeting and vote if a faculty member has filed an appeal. Committee needs to know with 24 hours' notice minimum.
- (g) All previous actions on a promotion e-dossier that has been withdrawn shall be kept on file. Faculty will need to provide that information in any subsequent promotion application.
- (h) Finally, chairs and Deans shall be notified by the faculty member under review if he/she intends to file an appeal and when he/she has actually filed one.

Department Level Retention and Tenure

At the departmental level during the retention and tenure process, a faculty member may appeal only in cases of two negative recommendations. If there are two negative recommendations, the faculty member may appeal the two departmental-level negative recommendations to the college Dean. If there is one negative and one positive recommendation, no appeal shall be permitted.

However, if the faculty member chooses *not* to file an appeal related to the two negative recommendations at the department level within the time frame set for that level by the Calendar for Faculty Personnel Actions, the faculty member's e-dossier shall still move forward in retention and tenure actions to the college level, the Provost, and the President. The decision by the faculty not to appeal two negative recommendations may jeopardize the faculty member's employment with Austin Peay State University.

In all retention and tenure cases, the e-dossier automatically moves forward whether the faculty member files an appeal or not.

College Level Retention and Tenure

At the college level during the retention and tenure process, a faculty member may appeal only in cases of two negative recommendations. If there are two negative recommendations at the college level, the faculty member may appeal the two college-level negative recommendations to the University Tenure and Promotion Appeals Board. If there is one negative and one positive recommendation, no appeal shall be permitted.

However, if the faculty member chooses *not* to file an appeal related to the two negative recommendations at the college level within the time frame set for that level by the Calendar for Faculty Personnel Actions, the faculty member's e-dossier shall still move forward in retention and tenure actions to the Provost and the President. The decision by the faculty not to appeal two negative recommendations may jeopardize the faculty member's employment with Austin Peay State University.

In all retention and tenure cases, committee members at the college level reviewing an e-dossier should be informed at least **one business day 24 hours** before a personnel meeting that a candidate has filed an appeal. See also "College Level Promotion."

In all retention and tenure cases, the e-dossier automatically moves forward whether the faculty member files an appeal or not.

Department Level Promotion

At the departmental level during the promotion process (regardless of whether the faculty member has been tenured or not), a faculty member may appeal only in cases of two negative recommendations. If there are two negative recommendations, the faculty member may appeal the decision to the college Dean.

However, if the faculty member chooses not to file an appeal related to the two negative recommendations at the departmental level within the time frame set for that level by the Calendar for Faculty Personnel Actions, the e-dossier cannot move forward. In promotion cases, the faculty member's decision not to appeal shall be seen as a withdrawal. The e-dossier, in this case, shall not be reviewed by the College Committee or the Dean during this particular promotion cycle.

If the faculty member chooses to file an appeal within the time frame for that level set by the Calendar for Faculty Personnel Actions, then the e-dossier shall move forward to the College Committee and the Dean. If the faculty member receives one positive and one negative recommendation, the e-dossier automatically moves forward **unless the faculty member chooses to withdraw**, and no appeal shall be permitted.

At the departmental level, in order to determine whether the promotion e-dossier does or does not advance to the next level for review in the event of two negative recommendations concerning promotion, the faculty member shall notify the chair of his/her intent to appeal or his/her choice not to appeal. The faculty member shall consult the Calendar for Faculty Personnel Actions for the deadline to file an appeal and notify the chair by that date.

Because applying for promotion is optional, the faculty member may choose to submit an e-dossier and apply for promotion at a later date. However, the official recorded actions (reports and votes etc.) of all previous submissions shall be included within the faculty member's subsequent e-dossiers for promotion.

All appeals within the retention, tenure, and promotion process must offer a substantive, narrative rationale as the basis of the appeal. A very brief document containing a statement such as "I appeal this decision" is not helpful to review committees examining the appeal. If the faculty member persists and still submits a one-sentence or very brief appeal (as described above), review committees at the next level shall disregard that appeal and ignore it as an item for consideration in that review cycle. In their report, the review committee shall provide a brief explanation for non-consideration of the faculty member's appeal based on lack of substance as required by policy.

College Level Promotion

At the college level during the promotion process, (regardless of whether the faculty member has been tenured or not), a faculty member may appeal only in cases of two negative

recommendations. If there are two negative recommendations, the faculty member may, ~~and has a right to,~~ appeal the decision to the University Tenure and Promotion Board. If the faculty member chooses to file an appeal within the time frame set for that level by the Calendar for Faculty Personnel Actions, then the e-dossier shall move forward to the University Tenure and Promotion Appeals Board, the Provost and the President. If the faculty receives one positive and one negative recommendation, the e-dossier automatically moves forward **unless the faculty member chooses to withdraw**, and no appeal shall be permitted.

At the college level, during the *promotion process*, in order to determine whether the promotion e-dossier does or does not advance to the next level for review in the event of two negative recommendations concerning promotion, the faculty member shall notify the Dean of his/her intent to appeal or his/her choice not to appeal and also inform his/her chair. The faculty member shall consult the Calendar for Faculty Personnel actions for the deadline to file an appeal and notify the chair and the Dean by that date.

However, if the faculty member chooses not to file an appeal within the time frame set for that level by the Calendar for Faculty Personnel Actions, the e-dossier cannot move forward. In promotion cases, the decision not to appeal shall be seen as a withdrawal. The e-dossier, in this case, shall not be reviewed by the University Tenure and Appeals Board, the Provost, or the President during this particular promotion cycle.

If review committee members at the college level have access to an e-dossier prior to the inclusion of the faculty member's appeal, the review committee shall be informed by the individual convening the meeting (at the college level, this individual is the Dean, or his/her designee) that the faculty member has written an appeal. In all retention, tenure, and promotion cases, committee members at the college level reviewing an e-dossier should be informed at least **one business day 24 hours** before a personnel meeting that a candidate has filed an appeal. This step shall take place before any voting occurs so faculty members on review committees who previously might not have seen the appeal now have the opportunity to review the appeal.

Because applying for promotion is optional, the faculty member may choose to submit an e-dossier and apply for promotion at a later date. However, the official recorded actions (reports and votes etc.) of all previous submissions shall be included within the faculty member's subsequent e-dossiers for promotion.

[p. 18 of 44, letter j in 5:060. Add phrase "**See Appeals.**" **For more details on the appeals process, please see Section XYZ.** [This will help faculty navigate 5:060 more easily. It is not possible to put ALL appeal-related language in one section. Some materials do overlap, but the bulk of the appeals process will now be in one place in 5:060.]

- Motion and second to approve item.
- Amendments to change "24 hours" to "one business day" in two places in the language approved. (See red text above and overstrikes in blue text for changes from amendments.)

- Amendment to strike “and has a right to” approved.
- Amendments to add “unless the faculty member chooses to withdraw”, regarding the e-dossier going forward for the faculty member’s promotion when one positive and one negative vote has occurred, approved.
- Motion as amended was unanimously approved.

11. The proposed changes in this section address three basic issues.

(1) The chair of a department is permitted to introduce documents [reminder that policy 5:060 indicates that the chair shall have an independent review of a faculty member] that meet the criteria for “not ordinarily meeting content and order requirements” as long as certain procedural conditions are met.

(2) May a chair use a document or part of a document that a department committee voted to exclude from a faculty member’s e-dossier? The answer is YES. New language here clarifies procedural changes for the information exchange between chair and committee. Presiding officer is required to present a narrative report on the department committee’s actions and the vote.

(3) In the interests of fairness and full disclosure, the chair is also required to provide a narrative report to assist reviewers at the college level and beyond for including information in a faculty member’s e-dossier when the department committee voted to exclude that same information. Exceptions may occur because of legal restrictions.

From 5:060 (to see it in context)

Documents Not Ordinarily Part of Content and Order Requirements

Documents *not* ordinarily part of the content and order requirements as stipulated in 5:060 (III.B.1.e) or other standard review materials (Chair’s report, Provost’s report etc.) may be introduced at any personnel review meeting on the condition that such documents relate to the three areas under review. Faculty members on a review committee wishing to introduce documentation at the personnel meeting must inform the chair and supply the documents or copies thereof.

However, these documents must be signed and may not be introduced at the review meeting unless the faculty member under review has been previously informed by the chair that these documents may be introduced and discussed. These documents are not required to be signed by the faculty member under review; rather, the documents are to be signed by the individual (s) who has/have authored the document(s).

On the matter of the chair informing the faculty member, the chair of the department or members of the review committee must provide written evidence of such communication. An e-mail to the faculty member under review with a “request a delivery receipt” and “request a read receipt” option sent with the e-mail is recommended. All written communication between the faculty member and the chair or between the faculty members and members of the review committee must include a time and date stamp. A chair or members of a review committee who initiate

these messages to the faculty member shall bring copies of such communications to the personnel meeting.

The faculty member shall have the right to see the documents or copies of such documents. If the faculty member is not informed about such documentation at least three (3) business days before the personnel meeting, such documentation may not be introduced at the meeting or discussed. If any member of the committee or the chair wishes to introduce a document, that document will then be given to the presiding officer, who will then present the nature of the document to the committee.

~~However, Written narrative comments by students that were completed as part of the normal faculty evaluation process are not to be shared with committee members during personnel meetings and are not to be used in any way as part of the personnel process. [This paragraph of existing policy has simply been moved forward. No substantive change]~~

However, no document may be introduced until the faculty member under review (a) has seen the documents or copies of documents; (b) has been informed in advance about such documentation as prescribed in the previous paragraph; and (c) is assured that these documents have not been altered in any way. If requested, the presiding officer will read the document aloud. The entire committee will then vote to determine the admissibility of this document within the committee's deliberations. A simple majority vote shall determine the outcome. A secret ballot process (similar to that used for conventional retention, tenure, and promotion actions) shall be used in order for the votes to remain anonymous. A tie vote is not a majority vote, and the document shall not be discussed. The chair shall not be permitted to break a tie vote.

If the committee has voted to admit these documents, the reports of the review committee shall reference these documents and include clear narrative statements that (a) are specific and (b) demonstrate the importance of this document (s) to reviewers. All positive or negative reports may include attachments as needed. The presiding officer shall arrange for the document itself to be included in the e-dossier of the faculty member under review. If a chair is under review and is the subject of the document, the Dean of that college shall fulfill the role normally assigned to the chair.

~~The presiding officer from the departmental committee shall inform the department chair in writing of the results of the committee members' deliberations on documents that meet the criteria for "not ordinarily part of content and order requirements" and the decision whether or not to permit the inclusion of the document or parts thereof within the e-dossier of the faculty member under review. The presiding officer of the departmental committee shall prepare a narrative rationale for the department chair, which will include the numerical results of the vote on the document in question.~~

~~In order to assist reviewers at the college level and beyond, the chair shall make a note in his/her report of the department review committee's ruling on the document if the chair chooses to include or refer to the document that has been voted *not to be included* in the candidate's e-dossier by the review committee. Similarly, the chair shall make a note in his/his report of the department review committee's ruling on the document if the chair chooses to include or refer to~~

a document that has been voted to be included in the candidate's e-dossier by the review committee.

When a department committee has voted not to include this material but the chair chooses to include the same document or parts thereof, the chair's report shall include substantive rationale and clear narrative statements that (a) are specific and (b) demonstrate the importance of this document(s) for reviewers beyond the chair's level. The chair shall include the original documents (which meet the criteria for "documents not ordinarily part of content and order requirements") by attaching them to the chair's report. The chair's report and these documents "not ordinarily part of content and order requirements" shall be uploaded to the e-dossier of the faculty member under review.

When a chair receives documented information (positive or negative) relating to the three areas of review on a faculty member that the chair intends to include within his/her report, the chair shall notify the departmental committee regarding such information according to the normal procedure for documents that meet the criteria for "not ordinarily part of content and order requirements." **Exceptions may occur because of legal restrictions.**

- Motion and second to approve the item.
- Motion unanimously approved.

Meeting adjourned at 5:16 pm.