

Senate Minutes

Nov. 25, 2014

EB 162

President Lugo presiding

Meeting called to order: 2:05

Quorum was confirmed shortly thereafter.

Special order of the day: To discuss and provide feedback to the PRT ad hoc committee on the draft revision of the PTR policies forwarded to the Senate.

- I. President Lugo began the discussion with some background. The BOG decided that the system PTR policies need to be rewritten. They don't think that we're firing enough people post-tenure. The Faculty Assembly indicated previously that the new BOG policies were not supported, but to no avail. At this point, we don't have a choice – we have to be in compliance. In response, we need to show that we have a rigorous process. Our PTR Committee has been working hard to polish up our policies, and to make sure that we comply where needed. President Lugo presented on screen the draft policy submitted by the Committee and the previous policy document for comparison. He asked that committee Chairs, Charlie Hardy (Dean, CHHS) and James Hunt (CSB), review the requirements from BOG and how they were addressed.
- II. Hardy began by acknowledging the ad hoc committee - Hardy, Hunt, Aswani Volety (Dean, CAS), Paul Townend (Chair, CAS), Dave Glew (Chair, CSB), Danyell Roseboro (Chair, WCE), Patricia Kelly (CAS), Tracy Hargrove (WCE), and Reggie York (CHHS). The process started with a memo from GA dated July 7, outlining new policy requirements. Essentially this was a revision of Policy 400.3.3. Individual institutions have been requested to comply with the new requirements by May 29, 2015. The Committee had two basic tasks; first, to complete a compliance audit by Sept 30; second, to submit a revised policy for UNCW by Dec. 19. These tasks were accomplished. The audit of existing policies at UNCW found us to be in compliance with 20 of the 31 issues specified, and out of compliance with 11.
- III. Hardy described guiding principles adopted by the committee as they set about revising the UNCW policies. We have a strong policy to begin with, so the committee used our existing policies and worked in the new criteria, with an eye to opportunities for improvements to the 20 issues on which we were already compliant. Policies from AACU and from other institutions were also reviewed for good ideas we might want to incorporate. Committee editing then ensued, with wisdom from folks who have been here for some time, as well as perspective from some new folks. At this point, the draft is ready for fresh eyes. The intent was to ensure that our already effective policy became compliant, to celebrate excellent faculty and not make this a punitive process, and to respect what has already been done. A process map was provided as a handout, along with several other handouts. Some of the changes needed include: evaluation nomenclature (to “meets, exceeds, and does not meet expectations” and involvement of the Dean in the review process. The issue that hung the committee up involved cases in which there might be a split decision between the Chair/department and the Dean, so three scenarios were developed in the process map. Scenarios 2 and 3 involve situations with one or two findings of “Does not meet expectations.”

- IV. Summary of key discussion points and questions:
- a. If the Dean must review every individual (vs a designee or committee), the load could be quite large for some units like CAS. This might be operationalized at the unit level, as a function of scope. It was noted that the BOG was not concerned with this issue when the Faculty Assembly expressed similar concerns.
 - b. Much of the Committee time was spent considering what to do if there was a disagreement between the Department and the Dean. They elected to have split decisions go to our current RPT Committee for resolution via peer review, and then on to the Provost. There was real struggle with this issue, and the decision may not be optimal, but it's where the Committee ended up. There was no guidance on this issue in the BOG requirements. The PTR Committee feeling was that they didn't want to create a new committee, and that the current RPT is already constituted to consider similar issues. There would probably be only a few cases a year, so not too much extra work. The attempt was to use the processes already in place for RPT.
 - c. GA requires a 10-year review of the PTR process. Only 217 or 2.8% of individuals considered for PTR were found deficient in the last 10 years for the system. UNCW has had only 2 faculty found deficient. The Committee thinking was that Scenario 3 (i.e., a split decision) would be rare for us.
 - d. There were questions about involving the Provost at two different points in the process – first as a decision on PRT, and then as a decision on an appeal. Is this double jeopardy? The Committee thinking was that appeals are not about the substantive content of the performance, but rather about the process for review. The Provost's decision on the appeal is about problematic process, rather than about the performance. What if the improper process involved the Provost? Perhaps the Chancellor or someone else would be involved. There needs to be a mechanism in the appeal process to address this. Faculty could also go to the Faculty Professional Relations Committee, where the appeal could go to the Chancellor next.
 - e. What if the departmental peer-review committee and the Chair don't agree? This was just changed for RPT. There is only one recommendation, which is informed by the Faculty.
 - f. Is it intended in the revision that the Dean makes an independent review, uninformed by department/chair evaluations? No. The evaluation is done by the chair, communicated to the faculty, and the entire package moves forward. The Dean's recommendation should be informed by the previous evaluation.
 - g. In the situation where the Dean and senior faculty disagree, some emphasis on arbitration would be a good idea, especially if a faculty member is about to be fired. Response was that there is a developmental plan, with a timeline, and regular meetings at the unit level if an individual is found to not meet expectations. The Dean is copied in case there are resource issues, etc. Then the Chair and the Dean decide if the faculty member fails to meet the plan.
 - h. It was then suggested that CTE/CFL could be involved in arbitration. The response was that arbitration might not make sense because all decisions have been carefully made – not arbitrary or capricious. A reversal of decision due to arbitration is then unlikely. It was clarified that arbitration often happens at an earlier point, when the developmental plan is being determined. It was further argued that some intervention should take place after the plan is in place, but before an individual is dismissed. We want to make sure that all options have been explored before sanctions are imposed. It was noted

that if progress isn't being made, that would be pointed out along the way, so there should be no surprise at the end.

- i. Regarding the role of the RPT Committee in the process, this would represent a 180 degree reversal from the thinking behind the original PTR design. It was meant to be a separate process, and standards for PTR are different from those for RPT. We should also consider when RPT members should recuse themselves. Perhaps RPT members should be out for the year in which they are being considered for PTR. This would be approximately 1/5 of the RPT members in any given year, which would be a large recusal rate, and may call into question whether a different committee should be involved.
 - j. A table showing the 11 items on which our policies are currently out of compliance was considered next. Hardy reviewed each of the 11 items. It was determined that our focus for today was just to review and discuss the revisions, rather than to vote on them, so that the Committee has Senate feedback to take into consideration for its final draft, which will come back to the Senate. Further discussion of the final draft in December, with a vote in January, should still allow us to meet our deadlines.
 - k. Do the mandates specify how each requirement must be met, or just that it must be met? It depends on the item.
 - l. For compliance issue #1, does the mandate say what the developmental plan needs to look like? Response – this should be consistent with the expectations of the department/college/school, and could be modified on an annual basis. Some of this will require that department “policy up,” to clarify what expectations really involve, so there should be a heads-up to department chairs. GA also says that they will be providing training modules. The CFL Chairs Policy Camp could also target this issue.
 - m. For compliance issue #9, what unit will provide the additional training? Response – the BOG document says that the provost will certify that we've done this. Provost Battles recommended a broad statement on this issue, so that any change would not require all levels of review. She commented further that the Provost in consultation with Human Resources would ensure that training is done.
 - n. What is the relation between this new policy and the 3R Committee recommendations? Response – faculty workload issues are critical here. Chairs of the 3R Committee were unable to attend today.
 - o. Item #7 is imprecise because some departments elect members of the peer-review committee for PTR. Response – elections should be OK. It's just that the faculty member cannot select the 3 tenured colleagues to serve on their committee.
 - p. The revised PTR document has also gone to the Provost and the Deans to get input.
 - q. It was suggested that the division of the vote of the department committee become part of the package. Response – some departments give strengths/weaknesses of the faculty member, and the Committee did not wish to dictate what departments have to do.
 - r. There may be some inconsistencies in wording – one statement holds that a faculty member can't be forced to be considered early, and another holds that a faculty member can be reviewed at any time.
- V. President Lugo requested that all Senators now do their homework. We should inform our chairs and departments to review the revised document. The PTR Committee will consider modifications based on today's discussion. Early in January, we should be prepared to go

through the proposal again. Lugo will annotate the document for the January meeting, as he did for the RPT document.

Meeting adjourned at 3:28