

Personnel Policies Committee Report for the Faculty Senate Meeting, November 30, 2011

1. Meeting to discuss Post Tenure Review—Wednesday, November 9 at 2:10 in M 219

Members Present: William Fridley, Dan Althoff, Hal Poovey, Dennis Brewster, Chris Moretti (guest)

In preparation for the initial meeting of the Post-Tenure Review Task Force (scheduled for November 14) we reviewed and discussed the Faculty Senate's "Principles for Post-Tenure Review" (included below), and discussed and developed a list of talking points and concerns to represent faculty interests in the Task-Force's work on post-tenure review (see the "Minutes" document included below).

Meeting adjourned at 3:31

2. Post-Tenure Review Task Force—Initial Meeting—Monday, November 14 at 2:00pm in the Large Classroom Building Conference Room

Members Present: Lucretia Scoufos, Will Mawer, Bryon Clark, Claire Stubblefield, Jerry Polson, Jane Licata, William Fridley, Dennis Brewster, Hal Poovey, George Jacox, Dan Althoff, Chris Moretti

Dr. Scoufos chaired the initial meeting and the Task Force was given its charge (document included below). The Personnel Policies Committee distributed the "Principles on Post-Tenure Review" and the AAUP document "Post-Tenure Review: An AAUP Response" to the Task Force Members.

The charges were discussed as were factors relevant to the policies and practice of PTR.

Jane Licata was given responsibility for tasks 1 and 2 (a review of sister institutions' PTR policies). William Fridley was given responsibility for task 4 (review and provide a critical analysis of the FS's "PTR Principles"). Deans Mawer and Scoufos agreed to provide the Task Force with any PTR policies that are currently being used.

3. Meeting with Bryon Clark on the APPM—Wednesday, November 16, at 2:00pm in A307

Members Present: William Fridley, Hal Poovey, Dennis Brewster, Dan Althoff, George Jacox, Chris Moretti (guest)

The routing sheet for pending policy recommendations was discussed, and editorial changes to Chapter 3 of the APPM were reviewed. The meeting was brief because most of us were scheduled for a meeting with President Minks to discuss follow-up to the Harvard Study. The meeting adjourned at 2:59.

4. Executive Committee Meeting with President Minks and Shared Governance Proposal

The FS Executive Committee met with President Minks on Monday, November 21 (see the “Report/Minutes” document—separate email).

President Minks was very pleased with the Shared Governance Proposal that was approved by the Faculty Senate at its November 2 meeting. He requested clarification of the Proposal’s location in the APPM and its relation to other policies pertaining to shared governance. The Executive Committee discussed this and our position is explained in the preamble to the modified Shared Governance Proposal (included below). President Minks also requested the opportunity to review (though not to censor) the reports/minutes from the shared governance meetings before they are published on the SE website. We agreed with his request and have modified the document accordingly (see below in red).

We request the Faculty Senate review these changes to the Shared Governance proposal, and vote to approve them. If approved, we will send the modified Proposal to President Minks.

Faculty Senate's Principles on Post-Tenure Review

Motion—that the Faculty Senate approve this statement of post-tenure review principles and forward the statement to the Administration

Resolved, that it is the opinion of the Faculty Senate as the governing body for all Southeastern faculty that all post-tenure review policies and practices at the University adhere to the following principles in order to comply with the concepts and practices of tenure and shared governance:

- First, that post-tenure review shall be a process distinct from annual evaluation. To fairly represent the body of a faculty member's work, formal post-tenure review should occur every third year, with more frequent evaluation occurring only if required by accreditation, BOROC policy, or at the request of the faculty member.
- Second, that post-tenure review shall encompass the faculty member's entire body of work for the previous three years (i.e. not simply the most recent year).
- Third, that in any formal post-tenure review there is a presumption of proficiency on the part of the faculty member. It is the responsibility of the evaluator(s) to determine sufficient deficiency to lead to and justify an unsatisfactory rating.
- Fourth, that an unsatisfactory rating results only in cases in which it is determined there is a sufficient deficiency in at least two of three areas (teaching, scholarship and service). This preserves the parallelism with the Guidelines for Achieving Tenure, which requires noteworthy achievement in two areas (APPM 4.6.5).
- Fifth, that the criteria for post-tenure review be developed by the faculty within a given discipline, in a manner consistent with the discipline's standards, the mission of the University, and levels of institutional support.
- Sixth, that the faculty within a given field be given the primary responsibility for the review.
- Seventh, any post-tenure review process must include specifics about an appeal process for the review itself (as well as the consequences of the review).
- Eighth, in the case of a favorable rating by the post-tenure review committee (evaluators), the rating decision will stand and the review will proceed no further up the administrative chain of command.
- Ninth, any post-tenure review policy must be clearly publicized and communicated to faculty before the policy is implemented.
- Tenth, consistent with Southeastern's stated policies on faculty evaluation (APPM 4.4) post-tenure review must be primarily directed toward faculty development and improvement rather than used as a punitive measure. Toward that end, any review that determines faculty deficiencies must also include a clear explanation of what needs to be done to remedy these deficiencies.
- Eleventh, post-tenure review policies must be subject to periodic review and recommendations by the relevant faculty (i.e. those that are subject to the policy) and/or the Faculty Senate.

Minutes from the Personnel Policies Committee Meeting of Wednesday, November 7, 2011

Meeting began at 2:10 in Morrison 219

Members Present: William Fridley, Hal Poovey, Dennis Brewster, Dan Althoff, and Chris Moretti (guest)

We discussed issues related to Post-Tenure Review in preparation for the initial meeting of the Post-Tenure Review Task Force (November 21). Those items we decided should be introduced at the first meeting of the Task Force are in bold print. The other items will be raised should we deem it appropriate (given the charge and the procedures established at the meeting).

Items and Talking Points

- **Present the FS's Principles on Post-Tenure Review (PTR)—this is the faculty's voice and we ask that these principles guide our development of a PTR policy. William Fridley will bring hard copies of the Principles to distribute to the Task Force. (It might be a good idea to sketch out the rationale and the APPM referents for these principles for use at our future meetings).**
- **Chris Moretti will bring hard copies of the document "Post Tenure Review: An AAUP Response," to distribute to members of the Task Force.**
- **Get our charge—ask for clarification of any RUSO directives related to PTR. We have heard rumors of such directives since 2006, when at least one department (EIL) formed a committee charged with developing a PTR policy. Clarification of RUSO's desires will help us to give an informed and careful consideration of their concerns.**
- **Ask that the Task Force's charge be expanded to include the consideration of re-instating departmental T & P review criteria (give a rationale and supporting documents).**

FS Resolution from February 14, 2007: Personnel Policies Committee – William Fridley requested that the faculty senate endorse a statement he had drafted that opposed a proposed post-tenure policy within the School of Educational and Behavioral Sciences. Specifically, it stated: "The Faculty Senate opposes any post-tenure review policy that eviscerates, weakens, or is inconsistent with the concept and practice of *tenure*." (Brett Elliott/David Barnes = [Vote: 17 for, 0 against, 1 abstention]).

Provide links and/or cut and paste PTR policies from RUSO, ORHEC, and our sister institutions:

- **RUSO Policy Manual 3.3.5-- b)** The academic and professional performances of each tenured faculty member at each institution must be reviewed at least every three (3) years. When the review results in a finding that a tenured faculty member's academic and professional performance is unsatisfactory, the faculty member shall be notified of the deficiencies in performance and must be reviewed again within one (1) year. The results of each review will be placed in the personnel record of the tenured faculty member. The tenured faculty member should be given a copy of the review and an opportunity to respond. Two

consecutive unsatisfactory post-tenure performance evaluations may be grounds for dismissal or suspension.

- **SE APPM 4.6.6-- Evaluation of Tenured Faculty**

The academic and professional performance of each tenured faculty member may be reviewed annually and must be reviewed at least every third year. The results of the review will be placed in the personnel record of the tenured faculty member. The tenured faculty member should be given a copy of the review and an opportunity to respond before it is placed in the personnel folder. An unsatisfactory review will require another review within one year. An unsatisfactory review at that time will be grounds for dismissal as listed under Sections 4.6.7 and 4.6.8 below.

Foundational Questions: What are the rationale, the meaning, the purpose, and the function of PTR?

To what degree are the aims, characteristics (e.g. flexibility, considering quantity and quality of work), standards, and functions of PTR related to those of current policies and procedures for faculty development and evaluation?

To what degree are the aims, characteristics, standards, and functions of PTR related to those of current policies and procedures for tenure and promotion?

One benefit of having clear PTR policies and procedures is to “immunize” the administration from accusations and the perception of making arbitrary or unfair decisions.

The PTR procedure used in SEBS has a “pass/fail-type” function. What are the pros and cons of this?

Question: is the policy intended to function as a device to weed out professors? Hopefully, the administration’s answer will be “no,” and we would be in agreement with that position.

We view any PTR policy that is developed as part of a comprehensive effort to support and improve faculty performance.

According to the FS’s Principles, there must be an appeals process to appeal any “negative” PTR decision. In conjunction with our work with Dr. Clark on the APPM, we would like to recommend that such appeals be heard by the Faculty Appellate Committee, and that the APPM be modified so that appeals are heard and decided on by the entire Faculty Appellate Committee (i.e. not the current practice of having only 3 members of the Committee make such decisions).

We recognize that for some time, faculty of the John Massey School of Business have operated as a—for lack of a better term—separate entity on matters of T & P and PTR. We respect this independence on PTR, and have no desire to encroach on the PTR standards they have developed for themselves.

Ask for documents: is there a rubric for the SEBS PTR policy?

Post-Tenure Review Task Force

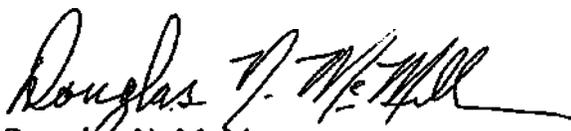
Task Force Charge

The task force is charged to accomplish the following tasks:

1. Conduct a review of our sister institutions in the RUSO System with regard to their specific policies and procedures regarding post-tenure review.
2. Provide a written summary of the review requested in number one above.
3. Review applicable RUSO Board Policy requirements for post-tenure review.
4. Review and provide a written critical analysis of the Faculty Senate's Statement on Post-Tenure Review.
5. Develop a recommended procedure for conducting post-tenure review at Southeastern.
6. Develop a recommended process that encourages faculty to continue active involvement in their work and discipline beyond tenure and promotion decisions.
7. Provide recommendations for any needed policy modifications or additions for post-tenure review.
8. Obtain a review of the recommended procedure and related policy modifications/additions for post-tenure review from the RUSO legal counsel.
9. Recommend a timeline for implementation of the new post-tenure review process.

Timeline and Task Importance

The Post-Tenure Review Task Force will initiate their work immediately and will present a final report prior to spring break 2012, March 16, 2012. Sincere appreciation is expressed for


Douglas N. McM

individuals serving on this very important task force.

Interim Vice President for Academic Affairs

Recommendation on Placement in the APPM: This proposed policy is intended to replace sections 3.7, 3.7.1 and 3.8.1, with the remainder of Section 3.7 and 3.8 left intact. If approved, this would also necessitate a re-numbering of some of these sections, and a re-configuration of Figure B. Flow of Shared Governance (in Section 3.8)

3.7 STATEMENT ON SHARED GOVERNANCE

The administration, faculty, and staff at Southeastern Oklahoma State University embrace the principle of shared governance. Due to the complexity of institutions of higher education, there is an inescapable interdependence among the governing board, administration, faculty, students, and others. The relationship among these entities requires that there be adequate communication among the entities/components in order to provide full opportunity for appropriate joint planning and effort.

Joint effort in an academic institution takes a variety of forms, appropriate to the different kinds of situations being encountered. —In some instances, an initial recommendation will be made by the President, with consideration by the faculty at a later stage. In other instances, an initial recommendation will be made by the faculty, subject to the endorsement of the President and governing board. In other instances, substantive contributions can be made when student leaders are responsibly involved in the process.

Two general conclusions regarding joint effort are warranted: (1) Important areas of action involve, at one time or another, the initiating capacity and decision-making participation of all the institutional components. (2) Differences in the weight of each voice from one point to the next should be determined by reference to the responsibility of each component for the particular matter at hand.

3.7.1 INTRODUCTION

The University and other academic institutions are less autonomous than in the past, and are now supported by funds from sources over which the university exercises diminishing control. If the voices of all parties at the university are to be successfully heard, this institution must be in a position to speak from a generally unified view. When all components at the university recognize their interdependence, and are aware of the usefulness of communication, the result is that the force of joint action increases the university's capacity to solve broad educational problems.

3.7.2 PRINCIPLES

- A. Final authority and responsibility for the welfare of Southeastern Oklahoma State University rests with Regional University System of Oklahoma Board of Regents and the Oklahoma State Regents for Higher Education. The Boards delegate to the President portions of that authority for the purpose of assuring the effective management of the university.
- B. Shared governance procedures and principles apply at all levels within the university.
- C. Shared governance requires informed participation and collaboration by faculty, students, staff, and administrators.

D. Faculty, staff, and students shall have opportunities to participate, appropriate to their special knowledge and expertise, in decisions that relate to:

1. Mission and budget priorities for the university;
2. Curriculum, course content, and instruction;
3. Research;
4. Appointment, promotion, and tenure of all faculty members and the development of policies that affect faculty welfare generally;
5. Development of human resources policies and procedures for exempt and non-exempt staff;
6. Election and appointment of administrators;
7. Issues that affect the ability of students to complete their education; and
8. Other issues that arise from time to time that affect the overall welfare of the university.

E. While some members of shared governance bodies may be appointed, the substantial majority should be elected by their constituencies. Such bodies should elect their own presiding officers.

3.7.3 PRACTICE

Two forms of communication between the President and the faculty will be utilized in order to further the issue of shared governance:

1. Executive Committee Meetings:

This meeting is to take place and continue as developed during the Spring 2011 semester. The purpose of the meetings is to develop a line of communication between the Faculty Senate and the President. The format of the meetings shall continue as previously developed in that the Chair of the Faculty Senate and President establish a time and place for the meeting (approximately once a month) to discuss concerns of the Senate directly with the President. The Chair of the Faculty Senate will provide the President an agenda of up to three items to be discussed and delivered to the President one week in advance of the scheduled meeting to provide the President sufficient time to prepare for the meeting. Following the meeting the members of the executive committee will hold a roundtable discussion in order to document the events and discussion from the meeting. **The document developed by the executive committee will be reported to the Faculty Senate at the next Senate meeting and a copy will be sent to the President for review before the report is published on the website.**

2. Shared Governance Forum:

This meeting is a meeting with the President of the University (or his/her designee) with the general faculty through the Faculty Senate. These meetings will be held—at a minimum—two times in each of the Fall and Spring semesters. The purpose of the meetings is to establish lines of communication between the administration and the faculty of the University. Further, the purpose is to share information about specific areas of concern of both the faculty and the administration of the university in order to resolve specific issues. While concrete solutions may not be possible in the forum, solutions to the issues should be sought and action (where and when possible) be implemented at the earliest possible time.

The President and the Chair of the Faculty Senate will each identify one topic for each meeting. The Faculty Senate chair will then arrange (date, time, place) the meeting and agenda between the President and the Faculty Senate (all faculty will be notified and invited to attend the meetings). Faculty will be informed of the topics for the meeting at least two weeks prior to the meeting. While members of the faculty are encouraged to actively participate at the meeting, it is recognized that not all faculty may be able to attend. In such circumstance, the faculty senators may act as proxies for members of the faculty. The agenda sequence will alternate between the President's topic and the Faculty Senate's topic at the initial meeting and then alternate in subsequent meetings (for instance at the second meeting the Faculty Senate topic will go first). The minutes of this meeting will be part of the Faculty Senate Executive Committee report to the Faculty Senate. **The report will be sent to the President for review, prior to publication of the report on the website.**

The goal of these forums is to ensure that all parties are:

1. Being informed on issues that confront higher education and the institution;
2. Acting within time constraints that are imposed by external agencies and influences, sometimes with little or no notice;
3. Sharing appropriate information and providing timely feedback;
4. Recognizing the specific goals and needs of the institution, and being accountable to the constituencies represented; and
5. Aware of the roles played by various units and individuals in decision making and administration.

Given the dynamic nature of institutional governance, it is understood

1. That there may be occasions when institutional leaders must act in the best interest of the institution on major issues affecting the institutional constituencies without full benefit of the shared governance process. In such cases the representative bodies shall be informed in a timely manner and have an opportunity to comment on the issues.

2. That administrators shall inform important constituencies in a timely manner if they choose to disregard, in whole or in part, the advice and recommendation of constituencies, and they should provide the reasons for their decision. In these cases, the shared governance body may, if it so chooses, present a written statement of its position and/or any objections to the decision as part of the institution's or unit's record on the issue.

3. Faculty and staff who do not hold administrative appointments, and all students may express their opinions freely on all shared governance matters without retaliation. Administrators, including faculty holding administrative appointments, may also express their opinions freely during policy discussions, without retaliation, but once a decision is determined all stakeholders are expected to support and implement policy as determined by the institutional leadership.

Shared governance requires a commitment of resources and time from the university. The university shall provide a proper level of resources, as determined by the President, to faculty, staff, and students to allow them to carry out their shared governance responsibilities effectively.

While participation in governance by faculty, staff, and students is necessary and important for the well-being of the university, the final responsibility for decision-making rests with the institutional President, the Regional University System of Oklahoma Board of Regents, or the Oklahoma State Regents for Higher Education who are ultimately held accountable by the public and its elected leaders.