

**Personnel Policies Committee Report for the October 4, 2017 Meeting of the Faculty Senate**

**Personnel Policies Committee (PPC) Minutes  
Thursday, September 28, at 1:00 p.m.  
Morrison 219**

**Attending:** Stan Alluisi, Karl Frinkle, Crystal Moore, William Fridley

**Not Attending:** Charles Matthews

- I. William Fridley was elected as Chair by acclamation
  - II. Ongoing charges from last spring's [End of the Year Report](#) (April 26, 2017) were reviewed.
- A. Charge 1:** Drafting a procedure for how to admit “outside” information that is presented to P & T committees. (Ongoing: develop a policy recommendation to ensure this outside information—which is allowed in current policy 4.6.4 and RUSO policy—be appropriately vetted and that the applicant for tenure and promotion has an opportunity to respond to such information). It was also noted that the method for selecting the chair of P & T committees is not specified in the current policy.

It was noted that the item in question is in the APPM 4.6.3, Step 3: “This review shall be conducted in a manner that allows for input from non-tenured colleagues, students, alumni, and administrative information from the department chair.”

Discussion: it was mentioned that a PPC recommendation, several years ago, that this clause be removed, was deemed to be unacceptable because it is RUSO policy (3.4.7). Questions and issues were raised: how is this input given (in writing, orally)? To whom is the input given? When is this input allowed (prior to the process, during the process)? And, does the applicant have the opportunity to be apprised of the input and to offer a rebuttal in the event the information is negative and/or inaccurate.

No immediate action: It was agreed there were no readily apparent “fixes,” and it would be a worthy issue to take up if new ideas emerge. **Ongoing**

Related action: During the meeting, a clause was noted in the APPM 4.6.4: “Once the tenure process has been initiated, it must be completed.” This clause is contradictory to the current P & T process and policy that allows applicants to withdraw their application after the VPAA’s recommendation (APPM 4.6.3, Withdrawal of Application). A motion to recommend the clause be struck from the APPM will be drafted for the October 4 FS meeting.\*

- B. Charge 2:** Making changes to the APPM that are necessitated by the administrative reorganization of academic affairs. (Ongoing: it was noted that in August, 2016 the Executive Committee forwarded to VPAA Clark recommendations for changing all references to the Dean of Instruction/Dean in Chapter 4 of the APPM in light of the administrative reorganization)

Discussion: It was noted that this is but one example of the backlog of needed updates and edits to the APPM (also including policy recommendations from 2016-2017, and the Administrative Organizational Chart, APPM 2.4). The last substantive updates to the APPM occurred in August of 2016, when the Senate Archivist was given access to a Word file of the APPM and added the Post-Tenure Review policy (3.7.4), and the revised and re-worked the committee and council structure in the APPM (3.3.2—3.6.2, the result of a year-long joint effort between the Personnel Policies Committee and the Committee on Committees).

Immediate action: In a recent conversation with Vice President for Academic Affairs (VPAA) Bryon Clark, it was agreed the *archivist* would compile a list of the aforementioned items needing updating, editing, or to be added to the APPM (and include the list in this report).\*\* The *archivist* will then work with Academic Affairs staff to incorporate the changes into the APPM. We look forward to working with the VPAA to improve work on timely policy modifications, updating the APPM, and documenting and publicizing these changes to the university community. We hope this work will lead to meeting the standards and expectations of the Policy to Modify the Academic Policies and Procedures Manual (APPM Preface), a policy that was developed by Dr. Clark (then the Assistant Vice President for Academic Affairs— Student Learning and Accreditation) and the PPC in 2010-2011 (?). **Ongoing**—rewrite a new and enlarged charge to address updates to the APPM, and the documentation and publication of these changes.

- C. **Charge 3:** Continue working on making the Presidential Advisory Committees for Budget and for Academics into standing committees and develop the membership structure and function statement for these committees. (Ongoing) It was noted that the Presidential Advisory Committee for Academics (PAC-A) recommended the dissolution of their committee. Action is pending until the submission of the PAC-A's final report.

Discussion: The two-year history of the Presidential Advisory Committees (PACs) was briefly reviewed. It was agreed that the important and substantive early work of the PACs had waned by year two (especially for the PAC on Academics). It was noted that much of this work can be accomplished by the existing committee structure. To prevent "committee glut" and "committee fatigue" for a faculty already stretched thin, it was agreed that we would not pursue this charge any further. **Closed**

- D. **Charge 4:** Explore and investigate family leave policies (Ongoing) It was agreed that the current policy (Family and Medical Leave, APPM 5.1.5) would be reviewed. Whether any action is needed will be determined at the next PPC meeting.

Discussion: Work on this charge was initiated four or five years ago. It was agreed that we would review the policy for discussion at the next PPC meeting. It was noted that this policy is not included in the APPM's Table of Contents. This will be added to the list of needed updates to the APPM. **Ongoing**

- E. **Charge 5:** It was agreed the PPC would consider two issues related to intellectual property: the status of intellectual property in regard to third-party agreements (e.g. with Academic Partners), and the status of intellectual property in instances when an instructor is no longer teaching a course that is still in progress (i.e. the original instructor is replaced). These items were

determined to be within the PPC's charges, and were deemed as necessary considerations that are not addressed in the recommended Intellectual Property Statement approved by the Distance Education Council (February 28, 2017, Appendix B) and the recommended Intellectual Property Policy approved by the Faculty Senate (March 8, 2017, V. New Business).

Discussion: Two recent developments on this charge: VPAA Clark informed the FS that RUSO legal counsel had expressed some concerns about the *prior notification* clause in the recommended Intellectual Property Policy (see Sept. 6, 2017 minutes). And, the FS voted to request that VPAA Clark send us the specific legal concerns in writing (see Sept. 20, 2017 minutes-approval pending). It is also likely that the issue of intellectual property will be included in the Shared Governance Forum (FS topic) scheduled for October 30, 2017.

These are timely and complex issues, and our discussion included questions about: Who has access to course materials stored in the LMS? Is access by virtue of one's position and a *need to know basis*, or does access require *just cause* or *warrant*? If the latter, how or by whom is this *just cause* determined? How does (or does) accessing ("searching") online materials differ from accessing a faculty member's office or visiting their classroom? In which cases is prior notification, or a request for permission an appropriate and reasonable expectation?

There was discussion of the use of faculty-created curricular materials (i.e. their intellectual property). Is it ever acceptable to use faculty-created work without the creator's consent? What about cases in which the faculty—due to illness or death—cannot consent to the use of their material? In cases where faculty leave in the midst of an ongoing course? In cases where faculty resign, retire, or move to another university and don't consent to the use of their created material? Are there legitimate distinctions on what can be used depending on the type of material created (e.g. syllabi, video recordings, texts of lectures and class activities, courses developed and designed)? Are there relevant AAUP policies on these matters? Might there be AAUP national staff who could be consulted for information and counsel?

A passage "Who has Access to this Course," from the Instructor Guide included in online master's courses' Blackboard shells was read as a point of information.

**Students enrolled** in the course via Campus Connect will be loaded into the course.

Upon request from the instructor, students completing an **incomplete** can be enrolled in a current section.

**CIDT** Employees are able to access your course for troubleshooting issues either with you or your students or to provide data to administrators at any time.

**Department Chairs** have the ability to search for and "Quick Enroll" in Courses to look through a course's progress at any time.

When Accrediting Agencies such as **HLC** visit campus, they are given a custom Administrator Role that gives them the ability to look inside available courses.

**Academic Partnerships** has been given access to courses in the programs with which they are working. Either an instructor or a department chair is able to request that someone be enrolled in a course for **observing/training** purposes, such as new faculty or adjuncts.

It was agreed that this charge requires more thought and work to prepare for action. **Ongoing**

**\*Motions for the October 4, 2017 meeting of the Faculty Senate**

1. **Motion:** It is recommended that the sentence “Once the tenure process has been initiated, it must be completed” be struck from the APPM 4.6.4.

**Rationale:** This clause is contradictory to the current P & T process and policy that allows applicants to withdraw their application after the VPAA’s recommendation (APPM 4.6.3, Withdrawal of Application).

**Current Policy** (4.6.4, section excerpt with clause to be struck in bold)

After the process is completed, the following action should be taken:

- a. The results of all balloting and recommendations from the dean, department chair, and Vice President for Academic Affairs will be placed in the personnel file of the candidate.
- b. The portfolio and a copy of all recommendations will be returned to the candidate.
- c. Other confidential, relevant records leading to tenure shall then be destroyed.

**Once the tenure process has been initiated, it must be completed.**

2. **Motion:** It is recommended that the sentence “At their first meeting, the Promotion and Tenure Review Committee will elect a chair for the Committee” be added to the APPM 4.6.3, Step 3.

**Rationale:** When drafting this report, the PPC chair noticed the last item in Charge 1 had not been addressed. “It was also noted that the method for selecting the chair of P & T committees is not specified in the current policy.” This motion proposes a method for selecting the chair of P & T committees.

**Current Policy** (4.6.3, Step 3, excerpt with recommended addition in bold)

All of the following must be completed no later than October 15: The department chair or dean shall call a meeting of the Promotion and Tenure Review Committee to initiate discussion of the request. **At their first meeting, the Promotion and Tenure Review Committee will elect a chair for the Committee.**

After each member of the Promotion and Tenure Review Committee critiques the portfolio and each performance criterion, the faculty member’s performance shall be reviewed, discussed, and evaluated by the Promotion and Tenure Review Committee.

3. **Motion:** It is recommended that the reference to “(4.6.3)” be added to the APPM 4.5.3.

**Rationale:** The APPM 4.5.3 refers to *the promotion process*, but does not identify where the promotion process is located in the APPM.

**Current Policy** (4.5.3, excerpt with recommended addition in bold)

It is the responsibility of the individual faculty member to initiate the request for a promotion in rank and to prepare the portfolio of materials. The department chair will advise the faculty member in preparation of this request. The following steps outline the procedures in the promotion process **(4.6.3)**.

**\*\*List of Items to add, delete, edit, change, and update in the Academic Policies and Procedures Manual (APPM).** (Emailed to Vice President for Academic Affairs Bryon Clark, by the Faculty Senate Archivist on October 2, 2017)

1. We request the APPM, with these changes, be updated to 2017-2018. The 2016-2017 APPM be saved and archived in accord with the APPM Preface--Policy to Modify the Academic Policies and Procedures Manual (The APPM will be archived by academic year in a read-only document; the year will be listed on each page as a watermark. The archived APPMs will be listed by academic year on the Academic Affairs Website.). Perhaps we can also begin the appendix of changes (All substantive changes made to the APPM during an academic year will be listed in an appendix; the list will include both the original request and the approved change.). And revisions will be identified (All substantive changes will be identified by the entity/individual initiating the request, reviewing entities, the date the request was submitted, and the date the request was approved/denied.).
2. Insert page numbers into the APPM
3. APPM 2.4 Organizational Chart be updated to reflect the current administrative organization.
4. References to Deans and Executive Dean for Academic Affairs (EDAA) be removed from APPM Chapter 4, as identified by the Faculty Senate (FS) Executive Committee (EC) in a document drafted in August, 2016. There are several sections where the FS had no recommendations:

**4.1.5. Hiring Procedures and Guidelines**

**4.2 Endowed Chair Policy**

**4.6.11 Disciplinary Action Other Than Dismissal or Suspension**

**4.10.3 Departmental Chairs' Selection Process**

**4.10.4 Evaluation of Chairs**

**4.10.5 Replacement of Chairs for Cause**

**2016-2017 Recommendations from the FS**

1. Recommended addition to the APPM 3.6.2 Other Councils and Committees—approved by the FS on [November 30, 2016](#)

**Insurance and Benefits Committee**

The Personnel Policies Committee (PPC) will be responsible for forming/appointing and facilitating communication for the Insurance and Benefits Committee. The Committee will consist of two faculty representatives, two representatives chosen by the Staff Association, a representative chosen by the Human Resources Office, and the Vice President for Business Affairs (or designee). The Committee will function to represent SE faculty and staff on matters concerning insurance and benefits, both at the state level with the Oklahoma Higher Education Employees Interlocal Group and on matters specific to SE. The Insurance and Benefits Committee will provide reports of its activities to the PPC and solicit faculty and staff requests through the PPC, which will in turn channel this information to the Faculty Senate for publication on the website.

The Insurance and Benefits Committee will be formed/appointed by the end of the Fall semester for the next calendar year.

2. A recommended addition to the APPM for cases where a Department Chair is an applicant for Promotion and/or Tenure was approved by the FS on [August 31, 2016](#). The actual wording for this recommended addition was included in the [minutes of January 25, 2017](#) (capitalization has been change for consistency with that section of the APPM):

The department chair who is a candidate for Promotion and Tenure will provide the names of two department chairs, who must hold the rank of Full Professor and not be serving in an interim position, to the VPAA. The VPAA will select one to serve in the capacity of the chair throughout the Promotion and Tenure process.

It is believed that this is the process that was used for such cases in 2016-2017. It is requested that this addition be made in the APPM 4.6.3, as a second paragraph to Step 1.

3. A recommendation for non-substantive editorial corrections to the Post-Tenure Review Policy (APPM 4.4.7) was approved by the FS on [January 25, 2017](#).

#### **4.4.7.2 Post-Tenure Reviews: The Determination of Satisfactory or Unsatisfactory Findings**

The post-tenure review finding shall be a synthesis of the review panel rating and the department chair's annual evaluations in the three-year period covered by the review panel rating. If the review panel overall rating is deficient (as defined in [4.4.7.4 4.4.7.5 below](#)) and the faculty member received a "less than proficient" overall rating on at least one of the annual evaluations in the three-year period, then the post-tenure review finding shall be unsatisfactory.

#### **4.4.7.3, Point E**

E. The panel will review the packet with reference to the faculty member's performance over the previous three years in the categories of teaching, research/scholarship, and service. While the annual reviews recognize a fourth category, (non-teaching or administrative duties) for the purpose of post-tenure review these activities would fall under the category of service. The review panel will not be permitted to interview the faculty member or any additional entities during their review process. The panel will assign a proficient or deficient rating in each of the three categories, and also assign an overall rating (see [4.4.7.3 4.4.7.4 Proficient Ratings and 4.4.7.4 4.4.7.5 Deficient Ratings below](#)). Panel members shall not be permitted to abstain. Panel decisions will be made by a majority vote. The panel will make its decision and issue its report on or before March 1.

4. A recommendation for editorial updates to the Post-Tenure Review policy, replacing references to the Executive Dean for Academic Affairs (EDAA) with references to the Vice President for Academic Affairs (VPAA) or designee was approved by the FS on [January 25, 2017](#).

#### **4.4.7.3 Post-Tenure Review Process**

A. The chair of each academic department will maintain and post a three-year post-tenure review calendar that includes the schedule of post-tenure reviews for all tenured faculty. By September 15th each year, the department chair will inform the departmental faculty of the need to conduct a post-tenure review. The chair will make a formal request of the faculty member to prepare a post-tenure review packet. In regard to the post tenure review of department chairs, the role and functions of the department chair, as described herein, will be performed by the [Executive Dean for Academic Affairs \(EDAA\) Vice President for Academic Affairs \(VPAA\) or designee](#).

#### **4.4.7.4 Proficient Ratings:**

If the panel decides on a proficient overall rating, they will draft a succinct report in which they describe their review of the faculty member's performance that includes constructive suggestions and advice for improvement

and faculty development. On or before March 1, the review panel chair will send this report to the faculty member, the department chair, and the **EDAA VPAA**. No later than April 1, the department chair will meet with the faculty member to discuss the review panel's report. The **EDAA VPAA (or designee)** may opt to attend the meeting. In the case of a successful appeal (as described in 4.4.7.7), this meeting will occur after the conclusion of the appeals process.

#### **4.4.7.5 Deficient Ratings:**

**Professional Development Plan:** the **EDAA VPAA (or designee)** and the department chair will arrange a meeting with the faculty member to discuss the review panel's report and to sketch an outline of a professional development plan. This is not to be confused with the annual Faculty Development Agreement utilized by departments for the annual faculty evaluations. In consultation with the **EDAA-VPAA (or designee)**, the department chair will then draft a professional development plan for the faculty member. The plan will include goals, timelines and institutional resources available to support the plan. The department chair will schedule a meeting at which the development plan is given to the faculty member and discussed. If the plan does not reflect the expectations that were established during the meeting with the chair and **EDAA VPAA (or designee)**, then there will be opportunity to revise the plan so that it is mutually agreeable and clear.

5. A change to the Membership statement of the Graduate Council was approved by the FS on [February 8, 2017](#).

#### **Membership**

The Graduate Council will be composed of six graduate faculty members who are not graduate coordinators, two graduate students, the Graduate Dean, and the coordinators of each of the graduate programs. In the case where a coordinator of a graduate program is also an administrator, he/she will appoint a faculty member from that graduate program to serve as his/her proxy. If there is a question whether a coordinator is an administrator or a staff member with administrative duties, the Committee on Committees will make the final decision. The chair of the council will be a faculty member. The Graduate Dean will serve as an ex officio, non-voting member and act as a liaison to the committee. Two members will be graduate students, recommended by the Graduate Dean and approved by the Graduate Council, and serve for two-year staggered terms. Six faculty members (who have Regular Faculty status) will be appointed by the Faculty Senate, two from the School of Business, two from the School of Education and Behavioral Sciences, and two from the School of Arts and Sciences. Appointments of the faculty members are for three year terms.

6. The FS recommended an addition (in bold) to the Membership statement of the BSLASCC (APPM 3.5)—approved on April 26, 2017.

#### **Membership**

The Bachelor of Science in Liberal and Applied Studies Coordinating Committee will consist of at least seven faculty members. The Faculty Senate will appoint members for three-year staggered terms. There will be a minimum of one committee member from each of the six groups (Arts, Humanities, Natural Sciences, Applied Sciences, Behavioral Sciences and Applied Behavioral Sciences), and an additional member from the department of English, Humanities and Languages. **The Dean of E-programming and the BSLAS Coordinator will serve as ex officio, non-voting members.**

Requested: Add to the Table of Contents: 5.1.5 Family and Medical Leave, 5.1.6 Military Leave. There are other gaps and overlaps in section 5.1 Leave Policies. This entire section is in serious need of attention.