Call to Order

Approval of the agenda/December 3, 2014 minutes

The agenda was approved without objection.
The December 3, 2014 minutes were approved unanimously.

Chair’s Report/Announcements

Temkin noted that Schuttler is on sabbatical leave this semester and he is willing to serve as Chair in her absence. The Committee agreed unanimously to this transition for the spring semester.

Temkin is working on the draft documents for the Evaluation, Promotion, and Tenure sections of the BPM and UR and will have Riley forward to the Committee this week.

Temkin outlined additional edits needed in the University Regulations regarding Biennial Review amendments. The faculty will be notified of the discrepancy (Revised University Regulations indicate that a tenure-track faculty member who fails to get at least an “exceeds expectations” in either instruction or professional activity and at least a “meets expectations in the other areas on the third year pre-tenure review must have an annual review in the fourth year. The Board Policy manual, already approved by the Board, says that tenure-track faculty members after their third year may have a biennial review. For this year, faculty will be notified that the language of the Policy Manual controls but that, although not required to do so, fourth year tenure track faculty with less than the above indicated outcomes are encouraged to request an annual review in the fourth year.)
The necessary amendments will be addressed before the subsequent evaluation cycle. Temkin reminded Committee members that the Board Policy Manual information should be the guideline for current faculty evaluations.

Unfinished Business

Procedure for Recusal in Tenure Decision

Temkin outlined the rationale for the proposed Recusal Procedure being remanded back to the Committee-the Senate asked for additional language to outline the notification procedure (person whose recusal is sought). The Committee discussed the current recusal request timelines (adequate timeframe), timeframes for response/appeal, the time between material submission and voting (varies throughout the university), the life of the granted recusal only for current evaluation), and notification procedures (notify entire department if recusal request is granted).

Wacker recommended a clause outlining possible delays in consideration to allow for the completion of the recusal notification and process.

MOTION: Amend the original proposed Recusal Procedure language to change 20 working days to 10 working days in paragraph one, and add language to clarify notification procedures. Jares.

SECOND: Gardiner.

(a) Procedure for Requesting Recusal.

An individual applying for tenure, promotion, or post-tenure comprehensive review may request that an individual who would otherwise be involved in the decision-making process (faculty member, chair/director, dean or CAO) be recused. Any request for such recusal must be made in writing to the CAO at least 10 working days before submission of the application for tenure, promotion, or post-tenure review. The recusal request must contain a good faith allegation that the individual whose recusal is sought would engage in illegal, arbitrary or capricious action with respect to the application. Action is considered arbitrary or capricious if it has no factual basis or evinces personal bias.

The recusal request must be supported by direct evidence of behavior on the part of the person whose recusal is sought that supports the claim that the person (1) has in the past engaged in illegal, arbitrary or capricious behavior toward the applicant that supports the claim that the person will more likely than not engage in such behavior with respect to the application or (2) has stated an intention to engage in illegal, arbitrary or capricious action with respect to the faculty member’s application for...
tenure, promotion, or post-tenure review that supports the conclusion that the person would more likely than not engage in such behavior.

If the CAO considers the case plausible, the person whose recusal is sought will be notified and given a reasonable period of time to respond to the recusal request prior to the CAO’s final decision. The party initiating the recusal will also be notified of this action.

The initial decision on the recusal request will be made by the CAO (even when the CAO is the person whose recusal is requested). If either the party who makes the request or the individual whose recusal is requested disagrees with the CAO’s decision on the request, he/she may appeal the decision to the President of the University. Such appeal must be made within ten (10) working days of receipt of the CAO’s decision. The President must then render a decision on the appeal within ten (10) working days. The President’s decision is final.

Consideration of the dossier for tenure, promotion, or post-tenure comprehensive review may be delayed until the process is complete.

VOTE: The motion passed unanimously.

Curriculum Approval Process and Form
The Committee verified the amendment proposals outlined (December 3 meeting minutes). Jares asked for clarification of signature line placement and alignment of the review sections. Wacker will forward the course form amendment recommendations to the Registrar’s Office for updates.

Evaluation, Promotion, and Tenure
Temkin noted that the evaluation sections of the draft documents will be forwarded to the Committee this week.

Faculty Contracts
Temkin asked for Committee input on the reinstatement of contracts, and what information should appear in a contract (rank, tenure status, program area, salary). Per Keaten, HSS contracts are on file in the dean’s office.

Program Area List: Temkin and Wacker met over the break to discuss program areas (current and former). The Committee discussed whether or not tenure should reside in the program area or within the University, and discussed the pros and cons of tenure residing in the program area (what if the program area is eliminated?). Temkin welcomed additional input/discussion for the next Committee meeting.

Annual Timeline for Comprehensive Reviews: Topic not covered.

New Business
Other New Business
Adjournment
The meeting adjourned at 4:40 p.m.

Jack Temkin
Interim Chair

Lori Riley
Recording Secretary