

FACULTY WELFARE COMMITTEE

UC Council Room

October 6, 2021 | 3:30 p.m.-5:00 p.m.

MINUTES

Present: Brown, Doerner (Johnson), Endres, Johnson, Matchett, Senbet, Sileo, Williams

Absent: Applegate, Blatt, Fulks, Murza, Wiegand

Guests: Levin, Satriana

Call to Order

The meeting was called to order at 3:36pm.

Approval of the Agenda

Approved without objection.

Approval of the September 22, 2021 meeting minutes

Approved without objection.

Chair's Report/Announcements

- We will review the RSCW Misconduct revisions and discuss sanctions short of dismissal.
- We have also added the existing dismissal policies to the agenda, as there are some issues to clarify.
- Levin will lead the chair/director discussion under new business if we have time today.
- The Student-Faculty Dispute Complaints Report is also ready for review.

Special Orders

Unfinished Business

- **RSCW Misconduct Policy**

- The committee reviewed a clean copy of the RSCW Misconduct revisions.

DISCUSSION:

- Brown brought to the committee's attention a recent [Inside Higher Ed article](#) about a university president charged with plagiarism in speeches.
- The committee determined that this type of plagiarism by an administrator is outside the scope of the RSCW Misconduct policy.

MOTION: Williams – It is moved to approve the RSCW Misconduct policy as presented and send to Codification.

VOTE: Approved by voice vote.

- **Sanctions short of dismissal**

- Satriana presented a one-page document outlining key concepts to consider in crafting a policy for disciplines other than dismissal.
- List of behaviors that may constitute minor misconduct:

1. Discrimination, harassment and/or retaliation of students, employees and/or other persons in violation of law or University policy;
 2. Other treatment of students, employees, and/or other persons in violation of applicable law or University policy;
 3. Violations of law(s) or University policy substantially related to the fitness of the faculty member to engage in teaching, research, or service to the University;
 4. Greater than de minimis use of University property for other than University purposes;
 5. Academic misconduct;
 6. Refusal or failure to perform reasonable assigned duties; and/or
 7. Disclosure of confidential information or education records in violation of law or University policy.
- Note: If any of the minor misconduct behaviors are severe or repetitive, they may become serious misconduct and result in serious discipline (i.e., dismissal, suspension, demotion, or reduction in compensation).
 - List of sanctions (other than dismissal, suspension, demotion, or reduction in compensation) for minor misconduct:
 1. Oral reprimand;
 2. Written reprimand;
 3. Completion of additional education;
 4. Required performance management meetings with Department Chair, Dean or Provost; and/or
 5. Ineligibility for prospective benefits (e.g., salary increases or promotion eligibility) for a stated period.

DISCUSSION:

- We need a framework of definitions before drafting a policy.
 - Serious versus Minor Misconduct – what types of infractions qualify as serious or minor; at what point do minor violations rise to serious violations
 - Serious versus Minor Discipline – any discipline is minor that is not: dismissal, suspension, demotion, or reduction in compensation
- Consider *who* may initiate complaints/sanctions against a faculty member; what channels will the process follow.
- We need to consider *who* determines whether misconduct rises to minor/serious levels and what sanction(s) are appropriate for particular cases of misconduct.
 - Potential for policy to be wielded inappropriately; difficulty in determining what may/may not be considered misconduct
 - Intersections of work-place behavior and first amendment rights of expression/speech

- Policies already exist that address expectations for behavior/conduct; some instances may not readily fit into specific categories
- AAUP may have guidelines regarding when certain types of sanctions (e.g., reduction in rank, suspension) may/may not be appropriate
- What appeal process should be created to provide checks/balances (e.g., a faculty review committee).
 - Under what circumstances should decisions be able to be appealed
- The policy should address issues that are not already remedied in the established evaluation policies or grievance policies.
- Consider whether to create a policy to address only major/serious misconduct.
 - Potential for abuse of policy at the minor levels, resulting in inappropriate penalties with long-term consequences
- versus*
- Inability to address/correct at the minor level may result in conduct rising to level beyond correction/guidance, resulting in more severe penalty
- The committee will examine sanctions short of dismissal and the existing dismissal policy at the same time.

New Business

- **Dismissal proceedings of tenured faculty**
- **Chair/Director discussion**
- **Student-Faculty Dispute Complaints Report**

Other New Business

Adjournment

The meeting was adjourned at 5:03pm.

Dawit Senbet
Chair

Betsy Kienitz
Recording Secretary