

**Special Call
Faculty Senate Meeting**

April 28, 2009

Binnion 126

Members present: Wilson, Ballotti, Creider, Hendricks, Mahan, Dorsett, Druhan, Herndon, Williams (Schroeder), Singh (President), Hammack (Secretary), Openshaw (Secretary).

Senate President RN Singh called the meeting to order at 2:00 p.m. The purpose of this call meeting of faculty senate is to make recommendations about new proposed Tenure, Promotion & Post-tenure Review procedures at Texas A&M University-Commerce.

Senate President Singh made the following announcements:

1. Tim Wilson attended the Texas Council of Faculty Senate meeting. A bill to overturn the prohibition of licensed concealed weapons on public property will be introduced to the Texas Legislature this session. This bill will allow faculty and students to bring weapons to campus. Senate should take a stand on this issue.
2. The administration is considering bus service from Mesquite to campus. Senate can support a resolution to the Provost for this.

Dr. Singh will be meeting with President Jones on Monday, May 4. He asked the senators for questions to take to the president. The following questions were raised:

1. What does the administration think about early tenure?
2. We need clarification for the university "standards" for service.
3. Are we ignoring the criteria desired by trustees of scholarships in allocating them to students?
4. How are summer salaries determined?
5. The Academic Practices Committee survey indicated that over half of the faculty respondents do not know how summer school salaries are determined, or how many students are required for a section to have enough students.
6. When did students become clients?
7. Are the deans using the standards created by each department for promotion, tenure, and annual evaluation?
8. The Senate does not support overturning the bill that will allow for weapons to be on campus.
9. Will the administration address the inconsistency between work load expectations and salary for faculty?
10. Will the President support the Faculty Senate suggestions for tenure and promotion?
11. The Senate would like to support bus service between Mesquite and the Commerce campus.

The following suggested changes were made to the new proposed Texas A&M University-Commerce Promotion, Tenure, & Post Tenure Review Procedures as identified in the draft document.

Page 8 1.5.3

1.5.3. Administrative Leave

Faculty members may be placed on administrative leave with pay by the faculty member's Dean, with the concurrence of the Provost pending an investigation into matters pertaining to the faculty member's job performance. Notification shall be given in writing and shall include the reasons for placing the faculty member on administrative leave with pay and the terms of the leave. A faculty member placed on administrative leave with pay may appeal the decision in writing to the Provost. ~~by submitting an appeal in writing.~~ The Provost will conduct the appeal, and may appoint a person or persons to assist the Provost in the appeal. The investigation process is not stayed by an appeal. The appeal should be completed within five (5) business days of the receipt of the appeal. This provision is distinct from suspension during the pendency of termination proceedings. Placing a faculty member on administrative leave with pay is justified to aid in an investigation or if the welfare of the faculty member or that of students, colleagues or other institutional employees is threatened by continuance, or if the continued presence of the faculty member would be disruptive of the regular operations of A&M-Commerce. Any such leave should be with appropriate provisions for useful duties, including appropriate access to classrooms, laboratories, libraries and other facilities. A tenured or tenure-track faculty member who has been placed on administrative leave with pay shall be entitled to his or her regular annual salary.

Reinstate sentence in blue previously struck from this procedure (See minutes 4/21/09).

Add may appeal the decision "in writing". Strike out "by submitting an appeal in writing".

Page 8 1.5.4.2

1.5.4.2. Should these efforts fail to achieve a satisfactory resolution and should the difficulties be considered by the administration to be serious enough to warrant dismissal, the faculty member will be afforded the opportunity for a hearing that meets the requirements set forth in Section 1.5.8.; ~~entitled 'Dismissal for Cause Hearing'.~~

Delete from on the last line "entitled 'Dismissal for Cause Hearing'."

Page 8 1.5.4.3

1.5.4.3. Unless a faculty member is summarily dismissed pursuant to Section 1.5.8., ~~entitled ‘Dismissal for Cause Hearing’,~~ ~~A~~ a faculty member may be reassigned or suspended during the pendency of termination proceedings; however, suspension of the faculty member is justified only if the welfare of the faculty member or that of students, colleagues, or other institutional employees ~~might be~~ ~~is~~ threatened by continuance, or if the continued presence of the faculty member ~~might~~ ~~would~~ be materially and substantially disruptive of the regular operations of A&M-Commerce. Any such suspensions should be with pay and with appropriate provisions for useful duties including appropriate access to classrooms, laboratories, libraries and other facilities

Delete “entitled ‘Dismissal for Cause Hearing’ on first line.”
Replace ‘is’ with the words ‘might be’.
Replace ‘would’ with ‘might’.

Page 9 1.5.5.1/1.5.5.2

1.5.5.1. A&M-Commerce is ~~not~~ required to give a non-tenured faculty member a reason for a decision not to reappoint for another contract term or to provide a hearing.

Dr. Singh will get clarification regarding procedure (1.5.5.1) to determine if it is a system policy and clarify to whom the grievance should go in procedure 1.5.5.2.

1.5.5.2. A non-tenured faculty member may present, in person, a grievance ~~to the President~~ over non-renewal of the faculty member’s employment at A&M-Commerce. The President may designate an individual within the A&M-Commerce’s administration to hear the faculty member’s grievance. ~~(see section 8).~~

After grievance add “to the President”. Delete (See section 8).

Page 9 1.5.5.3

1.5.5.3. A non-tenured faculty member may appeal a decision not to reappoint on the basis that the decision was made in violation of the academic freedom of the individual or for an illegal reason or for inadequate consideration of the faculty member’s record of professional achievement. For purposes of this section, an illegal reason is defined as a decision based on race, sex, age, national origin, religion, creed, color, or disability unrelated to the performance of duties; or ~~made make~~ in retaliation for the faculty member’s exercise of protected First Amendment rights. Such an appeal must be filed within twenty (20) business days of the date on which the faculty member was given written notice of non-reappointment.

Change the word 'make' to 'made'.

Page 10 1.5.5.5

1.5.5.5. In any evidentiary hearing, the burden of proving that the decision was made in violation of academic freedom or for an illegal reason, or without adequate consideration of the faculty member's record of professional achievement, shall rest with the faculty member. The burden of proof must be met by a preponderance of evidence, i.e., that which is more convincing, more credible, and of greater weight than ~~contrary~~~~contract~~ evidence. Both the faculty member and the administration have the right of representation at this hearing. A&M-Commerce shall provide staff support to schedule and hold a hearing. If the appeal is filed before March 1, the hearing shall be scheduled within sixty (60) calendar days from the date the committee chair is notified of the appeal; the chair of the hearing committee may extend the time for completing the hearing fifteen (15) calendar days for good cause shown. If more than one appeal is filed in a given year, some appeals may be delayed until the first full academic term following the notice of appeal. The committee shall complete its report within fifteen (15) calendar days of completion of the hearing. The importance of conducting the hearing in a prompt manner shall guide A&M-Commerce and the hearing committee. Hearing committee members' departments shall assist, as needed, to accommodate the scheduling of the hearing.

Change 'contract' to 'contrary'. Add a space between March 1.

Page 10 1.5.6.1

1.5.6.1. Professional track and clinical faculty may have appointments of variable length; however, professional track and clinical faculty members whose contracts ~~have~~~~has~~ not expired may be dismissed for cause on the same basis that tenured faculty may be dismissed for cause under A&M System Policy 12.01, subsection 4.3.

Change the word 'has' to 'have'. Add an 's' to contract.

Page 13 1.6.3

1.6.3 To ensure consistency over time, each department shall publish its annual review procedure on paper or by electronic means. Annual review procedures for the department shall be approved by the respective College Dean before publication and shall be reviewed by the Provost for consistency with this section. The creation and modification of this document should be a product of joint deliberation by faculty members and the Department Head. ~~If there is no need for department specific guidelines, a college-wide document, developed jointly by faculty and Dean and~~

~~reviewed by the Provost, is sufficient.~~ The annual review procedure document must include the following elements:

Delete the sentence beginning with “If there is not need for...”

Page 13 1.6.3.4

1.6.3.4 Basis for evaluation. All sources of information to be used for the evaluation must be specified. The following are examples of possible sources of information: (a) Annual activity report (required as a source); (b) personal observation by evaluator; (c) discussions with colleagues, students, and/or others; (d) student evaluations of teaching; (e) peer evaluations of teaching. Note that the standard end-of-semester student evaluations of teaching must not be the only instrument used in determining teaching quality and effectiveness, (f) published departmenta criteria for tenure and promotion, (h) published departmental annual evaluation procedures.

Add (f) published departmental criteria for tenure and promotion.

Add (g) published departmental annual evaluation procedures (Here the minutes should suggest that the deans are violating procedures if they do not follow each department’s published guidelines).

Page 15 2.2.1.2

2.2.1.2 Faculty members should act professionally in the classroom and in other academic relationships with students. Faculty members should exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. ~~Faculty members are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter that has no relation to their subject.~~

Delete sentence that begins with “Faculty members are entitled to...”

Page 15 2.2.1.3

2.2.1.3 Faculty members should maintain respect for their students and ~~for the student's role as a learner. Faculty — members should~~ evaluate them student on the true merit of their academic performance. Faculty members should be available at reasonable intervals to students for consultation on course work.

Reword the first sentence that says respect for the student by changing it to “respect for their students and evaluate them.”

Page 17 3.1.1

3.1.1 The granting of tenure shall follow procedures specified in the A&M System Policies 12.01 and 12.02. To be eligible to receive tenure, a faculty member

generally should be an employee of A&M-Commerce who holds academic rank as assistant professor, associate professor, or professor. ~~Members of the faculty whose appointments are ordinarily temporary, part-time, or otherwise clearly short-term, e.g., lecturers, visiting professors of any rank, graduate students serving as teaching assistants, and post-doctoral fellows are generally not entitled to tenure and consequently will ordinarily not be subject to the provisions of this document regarding the probationary period for tenure. Full-time research associates also are normally considered to have term appointments and are considered to hold positions that are without tenure and not tenure-accruing.~~

Delete sentences from “Members of the faculty” to the end of the paragraph.

Page 17 3.1.3

3.1.3 Administrative personnel, such as department heads and deans, who hold academic rank in addition to their administrative titles, retain their tenured status as faculty members, but administrative positions per se are not subject to tenure. The administrative personnel shall be subjected to the Post-Tenure Review process six years after returning to a full-time faculty position (see Section 5 below).

Add “a” to the last sentence so it reads after return to **a** full-time faculty...

Page 17 3.2.2

3.2.2 ~~De jure~~ Tenure is obtained only by the affirmative action of the Board of Regents

Drop the word ‘De jure’ and begin sentence with ‘Tenure’.

Page 18 3.3.1

3.3.1 The probationary period for a tenure-track faculty member shall not exceed seven (7) years of full-time service, beginning with appointment to the rank of instructor or a higher tenure-eligible rank. Under extenuating circumstances, the probationary period at A&M-Commerce may be extended with the written concurrence of the faculty member involved, the Department Head, College Dean, and the Provost. The probationary period may include appropriate full-time service at other institutions of higher education. If a faculty member has served a term of probationary service at one or more institutions, the probationary period at A&M -Commerce may be for fewer than seven (7) years. In such cases, however, the person's total probationary period in the academic profession may be extended beyond seven years.

Add the words “tenure-track” in the first sentence.

Page 18 3.3.2

3.3.2 In most circumstances, Assistant professors at A&M-Commerce will be evaluated for promotion to associate professor and for tenure concurrently and will not be awarded one without the other. Exceptions must be justified.

Add “In most circumstances” to the beginning of the paragraph. Add “Exceptions must be justified.” to the end of the paragraph.

Next meeting: Tuesday May 5, 2009 at 2:00 p.m.

Adjournment: 4:00 p.m.

Respectfully submitted,

Linda Openshaw & Barbara G. Hammack, Secretary