UNIVERSITY REVIEW COMMITTEE
Thursday, October 2, 2014
3 p.m., Hovey 401D

MINUTES

Members present: Diane Dean, Joe Goodman, Doris Houston (via telephone), Sheryl Jenkins, Bill O'Donnell, David Rubin, Sam Catanzaro (non-voting)

Members not present: Angela Bonnell, Rick Boser, Phil Chidester

Others present: Bruce Stoffel (Recorder)

I. Welcome and introductions

Sam Catanzaro welcomed committee members, and members introduced themselves.

Catanzaro explained that he would preside over the meeting until the committee elects a chairperson.

II. Orientation/overview of committee responsibilities

Catanzaro described the purpose of the committee and its key functions, including review of ASPT policies every five years resulting in adoption of a new edition of the ASPT policies document by the Faculty Caucus of the Academic Senate. The next edition of the document is scheduled to take effect January 1, 2017. Consequently, a key task before the URC in the coming year is review of the ASPT policies document that took effect January 1, 2012.

III. Election of officers

Doris Houston expressed her willingness to be considered for the office of vice-chairperson for 2014-2015.

Diane Dean expressed her willingness to be considered for the office of secretary for 2014-2015.

Sheryl Jenkins agreed to be considered for the office of chairperson for 2014-2015.

Houston asked how frequently URC officers are asked to attend Academic Senate committee meetings or Faculty Caucus meetings. Catanzaro responded that the chairperson may be asked to attend a few times this academic year due to committee work on ASPT policies and on the suspension/dismissal policy.

Catanzaro asked if there were further nominations for any of three offices. There were none.

By voice vote, committee members elected Sheryl Jenkins chairperson for 2014-2015.

By voice vote, committee members elected Doris Houston vice-chairperson for 2014-2015.

By voice vote, committee members elected Diane Dean secretary for 2014-2015.

[At this point Jenkins assumed the role of chairperson and presided over the meeting.]

IV. Approval of minutes from the May 1, 2014 meeting

Dean moved, Rubin seconded approval of minutes from the May 1, 2014, meeting as distributed with committee meeting materials. By voice vote, committee members approved the motion.

V. Review of potential agenda items for 2014-2015

Catanzaro reviewed issues likely to come before the committee in 2014-2015.

Review of ASPT policies

Catanzaro explained the process for periodic review of the ASPT policies document. The next edition of the document is scheduled to become effective January 1, 2017. In 2013-2014 URC began its comprehensive review of the current document and agreed on several recommendations that will eventually be communicated to the Faculty Caucus. The URC review will continue this coming year. To have the new edition in place by January 1, 2017, the edition needs to be approved by the Faculty Caucus during calendar year 2016, preferably by spring 2016. Meeting that target will leave time for colleges to review their college ASPT standards in fall 2016 and to make any changes necessary to conform to the new ASPT policies document prior to its January 1, 2017, effective date.

For the Faculty Caucus to approve a new edition in spring 2016, URC will need to submit its recommendations for changes to the current document to the Faculty Caucus in fall 2015. Consequently, URC will need to conclude its review of the current edition and finalize its recommendations by May 2015.

Catanzaro summarized changes to ASPT policies recommended by URC during the 2013-2014 academic year. Recommendations relate to the nature of evidence acceptable in ASPT processes; timelines for non-reappointment appeals; deadlines for notice of non-reappointment in the case of a one-year appointment; rules of evidence appropriate to appeals processes; the role of the Office of Equal Opportunity, Ethics, and Access should a faculty member seek relief from that office; and clarification of differences among an information conversation, formal meeting, and an appeal.

Bill O'Donnell asked if it is most common that recommended revisions to ASPT policies involve refining refinements made previously. Catanzaro said that has mostly been the case, although there also may be external factors to address and provisions that are no longer relevant.

Houston asked that URC consider how evaluation of faculty members' administrative activities should be handled in the ASPT system. She stated that such duties are not clearly addressed in current ASPT policies. Catanzaro said that administrative duties are considered service activities in the current edition of the ASPT policies document but that discussion of the matter would be appropriate as part of the ASPT policies review. Houston asked how other universities address such duties in their tenure policies. Catanzaro said that he could research this and report back.

Houston suggested that some administrative duties rise above service and might instead be evaluated separately from teaching, research, and service. O'Donnell asked Houston if that might then involve release of faculty from some research responsibilities. Houston said this could be one of several policies to be examined.

Rubin reported that he has a joint appointment in Chemistry and Biological Sciences and that faculty members in those units are allowed to negotiate the balance among teaching, research, and service. Catanzaro suggested that administrative duties might be offset by course releases. Perhaps the new edition of the ASPT policies document could provide college faculty status committees and department/school faculty status committees guidance with such offsets, he added.

Catanzaro reported that he has been compiling a list of ASPT-related questions he has been asked since he has been in his current position. He said he will add the issue regarding administrative duties and will circulate his list to URC members. He stressed that his list is not meant to be inclusive and encouraged URC members to suggest other matters.

Approval of 2015-2016 ASPT calendar

Catanzaro explained that URC is responsible for annually approving a calendar of ASPT activities and deadlines. URC typically reviews the ASPT calendar in October or November, he said. The calendar is then distributed to all colleges for use by CFSCs, DFSCs, and SFSCs as well as by administrators, shared governance committees, and faculty members.

Review of CFSC annual reports

Catanzaro explained that each college is required to submit a report of its ASPT activities to URC by May 1 each year. URC is charged with reviewing the reports for accuracy, consistency, and clarity before they are accepted by the committee and entered into official university records. URC also reviews the reports to identify trends that suggest the need for ASPT policy changes.

URC is also charged with annually reviewing college ASPT standards pursuant to a standards review calendar adopted by URC. College of Applied Science and Technology standards are scheduled for review in 2014-2015. Catanzaro will check the deadline for submission of CAST standards to URC and the deadline for URC review of the standards.

Suspension/dismissal policy

Catanzaro reported that URC and the Faculty Affairs Committee reviewed and commented on a draft suspension and dismissal policy in 2013-2014. That was done at the request of the Academic Senate. In conjunction with its review of the document, the Faculty Affairs Committee suggested adding a provision for minor sanctions, such as reduction in pay, as alternatives to suspension and dismissal. Catanzaro reported that he has been drafting language regarding minor sanctions, working with legal counsel. He plans to send the draft to the Faculty Affairs Committee, which will review the draft and then forward it with comments to URC for its review.

Joe Goodman asked about the role legal counsel plays in such matters. Catanzaro explained that legal counsel reviews draft provisions for their consistency with federal and state laws.

Legal counsel typically completes its review before draft language is considered by committees or by the Faculty Caucus.

Rubin asked about the role of the Provost in establishing a suspension/dismissal policy or related ASPT policies. Catanzaro explained that he serves on URC as the Provost's representative and consults the Provost throughout the policy review and approval process.

VI. Other business

Houston mentioned the hiring controversy at the University of Illinois at Urbana-Champaign. *[Professor Steven Salaita was offered a tenured position in the American Indian Studies unit at UIUC, subject to approval by the Board of Trustees. The offer was withdrawn shortly before the start of the academic year. While no reason was provided, the decision appears to be related to statements made by Salaita on social media criticizing Israel.]* Houston asked how Illinois State University would handle such a situation. Catanzaro responded that the Board of Trustees at Illinois State hires only one staff member, the President, who, in turn, is responsible for faculty hiring. Consequently, the board would not be involved in faculty hiring decisions. At Illinois State, faculty search committees comprised of faculty members are responsible for vetting candidates. Through the vetting process, any questions regarding a candidate's online presence would be addressed.

A proposed URC meeting schedule for fall 2014 was disseminated to committee members and will also be sent to all committee members via email. Catanzaro asked that members provide feedback regarding their availability on the proposed dates. Unless the schedule needs to be changed based on members' responses, the next URC meeting will be held at 3 p.m. on Thursday, October 23.

VII. Adjournment

Dean moved, Goodman seconded adjournment of the meeting. The motion carried. The meeting adjourned at 4:02 p.m.

Respectfully submitted,
Diane Dean, Secretary
Bruce Stoffel, Recorder

UNIVERSITY REVIEW COMMITTEE
Thursday, October 23, 2014
3 p.m., Hovey 209

MINUTES

Members present: Phil Chidester, Diane Dean, Joe Goodman, Doris Houston, Sheryl Jenkins, Bill O'Donnell, Sam Catanzaro (non-voting)

Members not present: Angela Bonnell, Rick Boser, David Rubin

Others present: Bruce Stoffel (recorder)

I. Call to order

Chairperson Sheryl Jenkins called the meeting to order at 3 p.m.

II. Approval of minutes from the October 2, 2014 meeting

Doris Houston requested a correction to a statement in the first paragraph on page 3 of the draft minutes distributed to the committee prior to the meeting (in Item V, Review of ASPT policies). She asked that the last sentence in that paragraph be replaced with the following sentence: Houston said this could be one of several policies to be examined.

Bill O'Donnell moved, Joe Goodman seconded approval of minutes from the October 2, 2014 meeting with the correction requested by Houston. The motion carried.

III. Review of policies referred by the Executive Committee of the Academic Senate

The committee then reviewed versions of two university policies as annotated by Academic Senate Chairperson Susan Kalter (see attached).

Sam Catanzaro prefaced committee discussion by explaining that a goal of the Academic Senate is to examine each university policy for needed revisions on a regular basis. There had been a belief that such review was done every five years. However, because of the large number of policies and the need for the Academic Senate to attend to other matters, it has not been possible to maintain a five-year policy review cycle. Some policies have not been reviewed for 10 or more years. Consequently, the wording in some policies may be outdated. The two university policies on the committee agenda are among numerous policies selected by the Executive Committee for review this year.

Jenkins asked Catanzaro about the URC role in revising these policies. Catanzaro responded that URC is to report its recommendations back to the Academic Senate Executive Committee.

<u>Policy 3.3.2 (Faculty Hiring Procedure)</u>

Catanzaro observed that, in some instances, appropriate wording changes to this policy are clear (e.g., changing "Academic Personnel Office" to "Human Resources"). In other instances the need for replacement wording and the choice of appropriate wording are not clear, because the intent of the policy authors is not known (e.g., academically oriented transfer departments).

Phil Chidester observed that the second sentence of the policy inappropriately mixes references to units (e.g., Milner Library) and individuals. Not every employee of a unit may be subject to faculty hiring procedures, he noted. Catanzaro said that he has sought help understanding terms used in the current policy from persons involved in its adoption. Catanzaro said that he will continue to do so and will report back at the next URC meeting.

Policy 3.2.19 (Right of Access to Personnel Files)

Regarding Kalter's suggestion that reference in the policy regarding the location of official personnel files should conform to ASPT policy, Jenkins asked Catanzaro what ASPT policy directs regarding this matter. Catanzaro referred to the second sentence of XIV.A.1 on page 55 of ASPT Policies ("Official personnel files are kept by the Provost's Office, Human Resources, Departments/Schools, and/or Colleges.") Catanzaro stated that revision of the passage regarding location of personnel files should be inclusive of all employee levels and types. The reference to the location of personnel files for faculty members should reference the Provost's Office, but that might not be appropriate for other employee types.

Houston asked if hourly instructors are considered academic employees. Catanzaro responded that instructors with academic/professional appointments would be considered academic employees.

Diane Dean asked if personnel files referenced in the policy are kept in paper or online. Catanzaro responded that some personnel information is retained in print, some online, and some both, so the policy could pertain to documents in either format. Some personnel information archived online is available to employees via the iPeople system at this time, he added. Dean observed that some employees might not know the format or location of their personnel files.

Committee members discussed the list of documents exempt from examination according to the current policy. Catanzaro explained that the list is based on personnel law.

Houston asked why employees would not have access to their own medical records. Chidester asked why medical records would be kept in a personnel file at all. Jenkins noted that some employees of Mennonite College of Nursing are required to have immunizations, and records of them are kept by the college.

Jenkins asked about the significance of Kalter's suggestion that the term "discharge," as used in the list of materials employees may examine, be changed to "discharge/dismissal/non-reappointment." Catanzaro said that the difference is not clear to him but that he would not object to such a change. Jenkins said that it might be better to use the more general term since it applies to all actions cited by Kalter in her annotation.

Houston expressed concern that employees do not have access to records relevant to pending litigation. Goodman suggested that it might be best to keep such files closed to employee access for reasons of retaliation. Chidester suggested that wording might be added to the policy stating that if litigation is pending, the employee does not have access to the personnel file without taking appropriate legal action. Catanzaro offered that a possible intent of the exemption is not to preclude access but to point to other processes for obtaining records in certain instances. Houston suggested that those alternatives might be referenced in the policy.

Dean posited that some of the exemptions have been included in the statutes because other state employees are subject to them. Perhaps the University is required to include such exemptions in its policy, she said. Houston posited that some exemptions might be related to other state statutes that are not mentioned.

Chidester suggested that, in revising the policy, language could be created that protects the University while minimizing uneasiness on the part of its employees.

Catanzaro said that he will investigate legal constraints regarding employee access to personnel files, seek input from others, and circulate his findings to the committee.

IV. ASPT Policies review

The committee next reviewed lists of possible ASPT revisions, beginning with a list compiled by Catanzaro (see attached). The committee reviewed Catanzaro's list point by point.

Catanzaro explained that II.E (p. 9-10) refers to two reports. One report is compiled for the president and reviewed by the Faculty Caucus of the Academic Senate and includes information regarding annual performance evaluations and promotion and tenure decisions. The other report is compiled for the Board of Trustees and includes information regarding promotion, tenure, and sabbaticals.

Catanzaro noted that passages IV.B.1 (p. 12), IV.B.2 (p. 13), and V.B.1 and 2 (p. 18-19) are related and need to be revised for consistency.

Catanzaro suggested that IX.B.2 and 3 (p. 31) be revised to clearly state that the probationary period is six years and that if a faculty member stops the clock, that year is not counted toward tenure or against the length of the probationary period. Goodman asked if a publication during a stop-the-clock period is counted toward tenure. Catanzaro responded that it would. The entire record of the faculty member should be considered and examined for patterns, he explained, with each situation requiring qualitative professional decisions by parties to ASPT proceedings. Chidester asked if prolific scholarship by a faculty member during a stop-the-clock period would be considered a pattern. Catanzaro said that it should, however, a faculty member is not likely to be prolific in scholarship given the purpose of the stop-the-clock provision. Dean asked if the stop-the-clock provision is used much. Catanzaro responded that in a typical year there might be a handful of cases.

Regarding XII on pages 41-44 of ASPT Policies, Catanzaro said that there are inconsistencies across campus and even within units regarding evaluation of persons on unpaid leave. Catanzaro said that he needs to review this matter with the appropriate parties.

Houston asked that the issue of administrative activities by faculty members be included on the committee agenda. Catanzaro said the issue is scheduled to be considered by the committee in its discussion of Appendix 2.

V. Other business

There was none.

VI. Adjournment

Dean moved, Houston seconded adjournment of the meeting. The meeting adjourned at 4:07 p.m.

Respectfully submitted,
Diane Dean, Secretary
Bruce Stoffel, Recorder

Attachments:

University Policy 3.3.2 – Faculty Hiring Procedure, as annotated by Susan Kalter and transmitted to the University Review Committee via email dated October 7, 2014.

University Policy 3.1.29 – Right of Access to Personnel Files, as annotated by Susan Kalter and transmitted to the University Review Committee via email dated October 7, 2014.

ASPT Clarifications, Revisions, Additions, and other Housekeeping, Prepared by Sam Catanzaro for Discussion by University Review Committee, October 23, 2014.

06.19.14.03
Dist. Executive Committee 8/18/14
Dist. University Review Committee

3.3.2 Faculty Hiring Procedure

Initiating body: Vice President and Provost, Office of Human Resources

Contact: Assistant Vice President for Human Resources (309-438-8311)

Revised on: 01/2002

Policy

The term 'Faculty' refers to any ranked or unranked appointment for the purpose of Instruction, Organized Research or Public Service in one of the academic (credit hour producing) departments and related areas. Also included are Milner Library, University College tutors, individuals teaching overseas, Faculty Development assignments and individuals assigned to one of the academically oriented transfer departments. These appointments may be made on either a Tenure-Track or a Nontenure Track Appointment Type depending upon the allocation of the position. A third appointment type, 'Terminal', is reserved for Faculty previously tenure-track who have been advised that they are in their last year of University employment. Faculty on a terminal appointment are not entitled to the privileges of a probationary-tenure appointment and are not considered in the ASPT process.

A Faculty appointment may carry an administrative title, reflective of the position, in addition to the academic rank. Sample faculty appointment letters are found at the Academic Personnel Office website.

Paperwork required for Faculty hiring or administrative title can be found on the Office of Human Resources website. Questions concerning Faculty hiring may be directed to the Office of Human Resources at 438-8311.

Comment [KS1]: Over 10 years ago. Senate is trying to make sure that we at least begin review of such older polices this year. When complete, could you please add a line for date last reviewed and by whom?

Comment [KS2]: This seemed unclear. How are UCollege tutors faculty? Are all of them faculty? TT or NTT or both? If not faculty, are they instead AP or graduate student (or even undergraduate senior peer)?

Comment [KS3]: This phrase might also need clarification

Comment [KS4]: Same as KS3

Comment [KS5]: Same as KS3

Comment [KS6]: Can first and second types be clarified through formatting or otherwise?

Comment [KS7]: Suggest creating a new paragraph here, since these two sentences seem to be about two different subjects. Perhaps put this sentence into last paragraph on page?

06.19.14.04
Dist. Executive Committee 8/18/14
Dist. University Review Committee

3.1.29 Right of Access to Personnel Files

Initiating body: State of Illinois

Contact: Associate Vice President of Human Resources (309-438-8311)

Revised on: 01/2002

Policy

The University shall maintain a complete official personnel file for each employee. These will be retained in the Office of the Human Resources. The files shall contain only official communications directly related to employment and work performance. Anonymous communications shall not be included in this file.

Access to Personnel Files

Illinois State University shall provide an employee the opportunity to view the file within seven working days following receipt of a written request. If the University can reasonably show that such a deadline cannot be met, the University shall have an additional seven days to comply. Employees should contact the Office of Human Resources for access to their personnel files. Academic employees also shall have access to additional related files at the Department, College, and University levels.

Access to files shall be allowed only in the presence of an authorized office employee during regular office hours. Under no circumstance shall an individual have the right to remove the file from the office. After viewing, an employee may obtain copies of the information or documents in the personnel records at his/her own cost. Upon written request, employees have an unqualified right to examine all written materials which are considered in:

1. determining that individual's qualifications for employment,
2. making recommendations regarding appointment or nonreappointment, promotion, tenure,
3. performance-evaluated salary recommendations,
4. discharge or other disciplinary action.

Documents **exempt** from examination include:

1. letters of reference,
2. portions of test documents,
3. materials used for management planning,
4. medical records,
5. records relevant to pending litigation,
6. transcripts, if so indicated by granting institutions,
7. placement papers if right to access has been waived,
8. information of a personal nature about a person other than the employee inspecting a file,
9. external peer-review documents,
10. any records alleging criminal activity.

Comment [KS1]: Over 10 years ago. Senate is trying to make sure that we at least begin review of such older polices this year. When complete, could you please add a line for date last reviewed and by whom?

Comment [KS2]: Needs to conform to ASPT manual.

Comment [KS3]: See KS2

Comment [KS4]: Probably wise to specify exactly where.

Comment [KS5]: Perhaps change to discharge/dismissal/nonreappointment

Comment [KS6]: Unclear what this means

Comment [KS7]: Is it legal to prevent employees from seeing their own medical records?

Comment [KS8]: Is this always legal?

Comment [KS9]: Unclear why an employee would be denied access to their own transcripts by a granting institution…

Comment [KS10]: Define what a placement paper is?

Comment [KS11]: Why would this kind of information be in the employee's file?

Comment [KS12]: Such as?

Comment [KS13]: In what way is an employee not entitled to know about criminal allegations against them or the fact that their employer is keeping a record of such allegations in their personnel file?

Employees shall be notified at the earliest possible time if his/her personnel files are subpoenaed in accordance with the law.

Disputed Records

If an employee disagrees with any information contained in the personnel file, removal or correction of that information may be mutually agreed upon by the employee and the University. If an agreement cannot be reached, the employee may submit a written statement explaining his/her position and the University is required to attach the statement to the disputed portion of the personnel record. The employee's statement must be included whenever the disputed portion is released to a third party; this does not imply the employer's consent or agreement with the counter-statement.

Basis of Policy

Personnel Record Review Act, 820 ILCS 40, et seq.

Comment [KS14]: Under what conditions may third parties access these files? Which policy or policies covers that?

Comment [KS15]: http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=2395&ChapterID=68

Section pertaining to our section on exemptions:

(820 ILCS 40/10)(from Ch. 48, par. 2010)
Sec. 10. Exceptions. The right of the employee or the employee's designated representative to inspect his or her personnel records does not apply to:
(a) Letters of reference for that employee or external peer review documents for academic employees of institutions of higher education.
(b) Any portion of a test document, except that the employee may see a cumulative total test score for either a section of or the entire test document.
(c) Materials relating to the employer's staff planning, such as matters relating to the business' development, expansion, closing or operational goals, where the materials relate to or affect more than one employee, provided, however, that this exception does not apply if such materials are, have been or are intended to be used by the employer in determining an individual employee's qualifications for employment, promotion, transfer, or additional compensation, or in determining an individual employee's discharge or discipline.
(d) Information of a personal nature about a person other than the employee if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.
(e) An employer who does not maintain any personnel records.
(f) Records relevant to any other pending claim between the employer and employee which may be discovered in a judicial proceeding.
(g) Investigatory or security records maintained by an employer to investigate criminal conduct by an employee or other activity by the employee which could reasonably be expected to harm the employer's property, operations, or business or could by the employee's activity cause the employer financial liability, unless and until the employer takes adverse personnel action based on information in such records.
(Source: P.A. 85-1440.)

ASPT Clarifications, Revisions, Additions, and other Housekeeping
Prepared by Sam Catanzaro
For Discussion by University Review Committee
October 23, 2014

II. E, p. 9-10 (URC reporting)—More precise language needed

"This summary shall also be made available to **the Faculty Caucus of** the Academic Senate in Executive Session."

And further on…

"Final reports prepared for the Board of Trustees shall be available for review by members of the Academic Senate at least forty-eight hours prior to the **Faculty Caucus meeting** in Executive Session."

Note that the reports to the BOT are of Promotion, Tenure, and Sabbaticals, and do not include information on annual performance evaluation. The Provost's Office does provide a separate memo summarizing the annual evaluation results, in addition overall numbers regarding promotion and tenure decisions, to the Senate and the President.

IV. B.1, p. 12–CFSC Review of D/SFSC Policies—inconsistent language

Make clear that CFSC "authority to ensure conformity" means "approval" per V.B.1 PP 18-19 and XII.B.1 P. 43

"The CFSC Shall review **and approve**…"

IV.B.2, p 13—CFSC Review of D/SFSC Policies—inconsistent language

Add "approve" per V.B.2, p19

"… but the CFSC Shall review **and approve** them for…"

V.B. 1&2, p. 18-19—DFSC development of Policies—possible inconsistency

Compare language -

1: "approve….for their conformity to…."

2: "approve them for their clarity, fairness and conformity to…" make consistent OR assume that V.B.1 applies to policies more directly shaped by CFSC and Unit ASPT, whereas V.B.2 refers to the local salary policies and procedures.

IX.B.2 and 3, p 31–Probationary period maximum and effect of "stop the clock"

IX.B.2 defines maximum probationary period as 7 years. This reflects the old limit of only one "stop-the-clock" year while assuming that year counted as part of the probationary period. Now that there is no policy-mandated limit on stop-the-clock years, consider the following revisions:

IX.B.2: "The probationary period at Illinois State may not exceed ~~seven~~ **six** years."

IX.B.3: "A stop-the-clock period will not count toward tenure **or against the length of the probationary period**."

X., pp. 34-38—Post-tenure Reviews

Consider adding **new language** as X.B. (and re-number subsequent subsections as necessary): **Cumulative post-tenure reviews which are required as a result of receiving unsatisfactory performance ratings for any two years of a three-year period of annual ASPT evaluations will occur in the annual evaluation review cycle immediately following the unsatisfactory annual evaluation that precipitates the required cumulative post-tenure review.**

XII, pp. 41-44: Performance (Annual) Evaluation and Salary Incrementation

There has been confusion and inconsistent practice regarding annual evaluation of faculty on leaves other than sabbaticals. This is due in part to the different reasons faculty could be on leave. FMLA leaves are "protected" by law. When a faculty member (or any employee) is on an FMLA leave, they *cannot* be evaluated. Faculty who take unpaid leaves for personal reasons or to visit other universities *may* be evaluated. Sometimes, they are--if they submit materials.

Faculty members who are not evaluated are not eligible for any salary increase. Because any employee on an FMLA leave cannot be disadvantaged upon their return, we need a provision for evaluation at some point after their return to document contributions and determine eligibility for salary increases. I am checking with Legal and HR to find out the statutory requirements regarding the timing of such an evaluation.

Because ASPT XII.B.3.b (p. 43) allows for recognition of "long-term contributions," there is flexibility for incorporating evaluation of accomplishments while on leave in later evaluations. As I get more information on the legal requirements, I will share with the committee and develop draft language for the ASPT policies. In the meantime, I am including this item to familiarize the committee with the relevant issues.

Note that ASPT VII, Faculty Assignments and Faculty Evaluation, also includes policies about the evaluation process (see pp. 24-26). As the draft language for XII develops, we will want to cross-reference and make sure no updates are needed in VII.

XIII, pp. 45-53: Appeals

Consider guidelines for Formal Meetings that occur as a preliminary step for appeals of Dean/Chair's report. Dean/Chair report, by definition, reflects the contrary position to the majority of the CFSC/DFSC/SFSC, and may be appealed. An appeal *requires* a Formal Meeting as a preliminary step (XIII.B.1, p. 45). It may be unnecessary to convene the entire FSC for a Formal Meeting (and indeed, may be to the candidate's disadvantage under some circumstances, given that the vote is by split). This situation arose once in the past three years, and I worked out a procedure with the Chairs of URC and Senate at the time. Formalizing this procedure would require a brief addition to section XIII.B and a new section XIII.E.

See attached draft based on the procedure used previously.

Appendix 1: Calendar

P & T – Appendix 1.B, p. 58: Timeline for Formal Meeting and Appeal

Formal Meeting Timelines—possible additions

Deadlines for requests for formal meetings is OK (5 working days for DFSC/SFSC and 10 working days for CFSC). If proposed XIII.E for meetings with Dean/Chair/Director is adopted, we would need to add provision for these. I recommend the same timelines (5 days for Chair/Director, 10 days for Dean)

Appeal Timelines—possible clarifications

XIII.G.1 (p. 48): Requirement to inform Chair of FRC of *intent* to file within 5 working days of receipt of final recommendation. This would ordinarily fall sometime in the first week of March, as CFSC final recommendations are due March 1.

-Chair of FRC acknowledges within 5 working days

Appendix 1.B (p. 58): Requires that candidate must *file a request for review by FRC* by March 15. Implication is that the "intent to file" is different from the "request for review," which is the actual written statement and supporting materials that comprise the substance of the appeal.

Consider the following revisions:

Prior to March 15: In the event of a negative recommendation by the DFSC/SFSC, the CFSC, or a Dean/Chair/Director, a candidate who wishes a University-wide appeal of his/her credentials must inform the chair of the Faculty Review Committee (FRC) of his/her intent to file an appeal within five (5) business days of receipt of the final CFSC recommendation. The Chair of FRC shall respond to the candidate within five (5) business of receipt of the written intent to request additional review.

March 15: A candidate who wishes a University-wide appeal of his/her credentials must submit a written statement and relevant supporting materials to the Chair of the FRC.

Appendix 2 – Criteria for evaluation of Teaching, Scholarship and Creative Activity, and Service

Do any of these need to be updated?

On-line courses?

Administrative assignments?

Community/civic engagement?

UNIVERSITY REVIEW COMMITTEE
Thursday, November 6, 2014
3 p.m., Hovey 209

MINUTES

Members present: Angela Bonnell, Phil Chidester, Diane Dean, Joe Goodman, Sheryl Jenkins, David Rubin, Sam Catanzaro (non-voting)

Members not present: Rick Boser, Doris Houston, Bill O'Donnell

Others present: Bruce Stoffel (recorder)

I. Call to order

Chairperson Sheryl Jenkins called the meeting to order at 3 p.m.

II. Approval of minutes from the October 23, 2014 meeting

Joe Goodman moved, Diane Dean seconded approval of minutes from the October 23, 2014 meeting. The motion carried.

III. Old business

Review of policies referred by the Executive Committee of the Academic Senate

Sam Catanzaro reported that he has been working on revisions to Policy 3.3.2 (Faculty Hiring Procedures) and Policy 3.2.19 (Right of Access to Personnel Files). He plans to have a draft of each policy ready for URC review by the end of the fall semester. The drafts will also need to be reviewed by other stakeholders including the Office of Human Resources.

ASPT Policies review

The committee continued its review of the document titled "ASPT Clarifications, Additions, and other Housekeeping," prepared by Catanzaro for discussion at the October 23, 2014, URC meeting (attached). Catanzaro asked if committee members had any thoughts or questions regarding sections of the document discussed at the October 23 meeting.

Referring to XII, pages 41-44 of the ASPT policies, Goodman asked how the University defines "year" for purposes of FMLA administration and compliance. He suggested adopting the calendar year for FMLA, since ASPT evaluations are based on performance during the calendar year. Catanzaro said he would investigate the matter.

Catanzaro discussed potential changes to XIII, pages 45-53. Catanzaro explained that chairpersons/directors voting in the minority in promotion or tenure cases before the DFSC/SFSC and deans voting in the minority in promotion or tenure cases before the CFSC are required to write a separate report indicating reasons for dissenting from the majority recommendation. XIII provides for appeal of such reports by the candidate, beginning with a formal meeting with the DFSC/SFSC or CFSC. However, there are no procedures in ASPT policies to guide establishment of a formal meeting. Catanzaro said that such a situation arose

a couple years ago, when a candidate sought to appeal a minority report by a dean. Catanzaro worked with the URC chairperson and the Academic Senate chairperson at the time to arrive at a procedure for establishing an alternative formal meeting with the dean. It was decided not to include in the meeting those CFSC members who had voted in favor of the candidate's application. Catanzaro said the five-year review of ASPT policies provides an opportunity to formalize the procedure. He said he has drafted such a procedure for URC consideration and will send the draft to committee members for their review. Jenkins said the committee will discuss the draft at its next meeting.

David Rubin asked if it is possible for someone to receive tenure but not promotion. Catanzaro responded that it was more common under prior editions of ASPT policies and is still possible but extremely unlikely.

Catanzaro then referred to his recommendations regarding Appendix 1 (on page three of his document). He noted that if the committee adopts his proposed changes to XIII to guide establishment of formal meetings regarding dean/chair/director reports, the committee will also need to consider modifying formal meeting timelines in Appendix 1. He suggested using the same timelines as those used for requests to meet with DFSC/SFSC and CFSC.

Jenkins asked why a five-day notice is required for requests to meet with a DFSC/SFSC while a ten-day notice is required for requests to meet with a CFSC. Catanzaro responded that the additional time is appropriate for CFSC since CFSC is typically a larger group and may need more time to prepare for a meeting. He added that this policy has worked well.

Catanzaro then discussed his recommendation to clarify notices in the event a candidate decides to appeal to the Faculty Review Committee. Wording of XIII.G.1, on page 48, and Appendix 1.B, on page 58, implies that "intent to file" is different from "request for review." Catanzaro suggested requiring a candidate to inform the FRC chairperson of the candidate's intent to file an appeal within five days of receiving the final recommendation and then requiring the candidate to file the formal appeal with FRC by March 15. Jenkins asked if email is an acceptable medium for filing the appeal. Catanzaro said that it is, since it is written and documented. Jenkins said that the appeals guidelines seem clear. Catanzaro responded that it might be best to clarify the guidelines if there is any chance of confusion, due to the high-stakes nature of promotion and tenure decisions.

Catanzaro then asked for direction from the committee regarding Appendix 2, criteria for evaluating teaching, scholarship and creative activity, and service. He asked if any aspect of the appendix needs to be updated. He said that the wording in the appendix seems broad enough to be inclusive yet helpful in guiding faculty and ASPT committees responsible for evaluating faculty performance. He added that he has no specific recommendations for changes. Jenkins said that she found Appendix 2 helpful when she started at the University.

Dean said there has been talk on campus recently about making a distinction between service that is paid and service that is unpaid, with paid service not recognized in performance evaluations.

Dean asked about evaluation of administrators, if there is a point when faculty members performing administrative duties are no longer evaluated through the ASPT system. Catanzaro responded that, in most cases, faculty members who transfer into an academic/professional position are not evaluated through ASPT. The exception involves chairperson, directors, or deans who are candidates for promotion or tenure. In those instances the employee's dossier is

reviewed by DFSC/SFSC. Catanzaro noted that situations may differ across campus units. Angela Bonnell noted that at Milner Library the dean and associate deans are evaluated by the DFSC. Catanzaro noted that annual evaluations of faculty work by administrators are advisory to the administrators' supervisors (e.g., the dean in the case of an associate dean), who have responsibility for the official performance evaluation.

Phil Chidester suggested that faculty members might be evaluated against their faculty assignment rather than against general guidelines for evaluation. Catanzaro noted that VII.A of the ASPT policies sets forth that idea in principle. Chidester suggested referring to VII.A in Appendix 2, perhaps by adding a statement that "individuals are evaluated separately based on their faculty assignment." Dean agreed that such a statement would be helpful. Chidester will draft such a passage for review by the committee.

Dean asked if there issues related to online teaching that need to be addressed in Appendix 2. Chidester said that online courses should absolutely be addressed. He reported that teacher evaluation response rates for online courses in his unit are low. Low response rates may affect promotion and tenure decisions.

Bonnell suggested that college research coordinators should be asked for input regarding the scholarly and creative productivity section of Appendix 2. She noted that college research coordinators have talked about some of the criteria, such as writing research proposals. Perhaps John Baur should be asked for input as well, she added. Catanzaro said that he would do so.

Catanzaro suggested that it would be premature for ASPT policies to require faculty members to submit grant applications, but ASPT policies can address how grant activities are valued. That is best done locally, he said. Each DFSC/SFSC has to determine the value it places on submitting research grant applications, having an application disapproved or approved, and producing outcomes from a grant-funded project. There may be a concern in some units that grant application preparation may consumer time better spent by faculty on research, he added. Rubin noted that the manner in which research proposals are factored into faculty evaluations vary by discipline. In biological sciences it is important for external funding proposals to be approved, he said. Goodman agreed that it would be helpful for departments and schools to address this issue.

Catanzaro said he will circulate the draft he has prepared regarding formal meetings and will compile notes from this discussion. He reminded committee members that their review of ASPT policies is not limited to suggestions he or Academic Senate chairperson Susan Kalter has made. He urged committee members to offer issues for discussion. He asked if there are ways committee members might seek suggestions from their faculty colleagues. Dean reported that she has asked chairpersons in her college for input. Jenkins said she has done the same in her college, and Rubin said he asked for input from faculty in his unit last year but has not yet received any. Catanzaro said he will again ask deans, chairpersons, and directors for input.

Catanzaro said he hopes to compile a document by May setting forth ASPT policy revisions recommended by URC. The Faculty Caucus would then begin its review of the recommendations in August 2015. In 2015-2016 the URC will need to be prepared to field feedback from the Faculty Caucus regarding the committee recommendations. Bonnell noted that when ASPT policies were last reviewed by Faculty Caucus, the process lasted more than a year.

Bonnell said she was a member of Faculty Caucus when it last conducted a five-year review and update of ASPT policies. It would have been helpful to have had URC minutes at that time to better understand the intent of URC recommendations to the Faculty Caucus. She asked if there might be a way for URC to share its minutes with the Faculty Caucus during this five-year review. Catanzaro said he will investigate options for doing so.

IV. Other business

There was none.

V. Adjournment

Dean moved, Rubin seconded that the meeting be adjourned. The meeting adjourned at 4:01 p.m.

Respectfully submitted,
Diane Dean, Secretary
Bruce Stoffel, Recorder

Attachment: ASPT Clarifications, Additions, and other Housekeeping, Prepared by Sam Catanzaro for Discussion by University Review Committee, October 23, 2014

ASPT Clarifications, Revisions, Additions, and other Housekeeping
Prepared by Sam Catanzaro
For Discussion by University Review Committee
October 23, 2014

II. E, p. 9-10 (URC reporting)—More precise language needed

"This summary shall also be made available to **the Faculty Caucus of** the Academic Senate in Executive Session."

And further on…

"Final reports prepared for the Board of Trustees shall be available for review by members of the Academic Senate at least forty-eight hours prior to the **Faculty Caucus meeting** in Executive Session."

Note that the reports to the BOT are of Promotion, Tenure, and Sabbaticals, and do not include information on annual performance evaluation. The Provost's Office does provide a separate memo summarizing the annual evaluation results, in addition overall numbers regarding promotion and tenure decisions, to the Senate and the President.

IV. B.1, p. 12–CFSC Review of D/SFSC Policies—inconsistent language

Make clear that CFSC "authority to ensure conformity" means "approval" per V.B.1 PP 18-19 and XII.B.1 P. 43

"The CFSC Shall review **and approve**…"

IV.B.2, p 13—CFSC Review of D/SFSC Policies—inconsistent language

Add "approve" per V.B.2, p19

"… but the CFSC Shall review **and approve** them for…"

V.B. 1&2, p. 18-19—DFSC development of Policies—possible inconsistency

Compare language -

1: "approve….for their conformity to…."

2: "approve them for their clarity, fairness and conformity to…" make consistent OR assume that V.B.1 applies to policies more directly shaped by CFSC and Unit ASPT, whereas V.B.2 refers to the local salary policies and procedures.

IX.B.2 and 3, p 31–Probationary period maximum and effect of "stop the clock"

IX.B.2 defines maximum probationary period as 7 years. This reflects the old limit of only one "stop-the-clock" year while assuming that year counted as part of the probationary period. Now that there is no policy-mandated limit on stop-the-clock years, consider the following revisions:

IX.B.2: "The probationary period at Illinois State may not exceed ~~seven~~ **six** years."

IX.B.3: "A stop-the-clock period will not count toward tenure **or against the length of the probationary period**."

X., pp. 34-38—Post-tenure Reviews

Consider adding **new language** as X.B. (and re-number subsequent subsections as necessary): **Cumulative post-tenure reviews which are required as a result of receiving unsatisfactory performance ratings for any two years of a three-year period of annual ASPT evaluations will occur in the annual evaluation review cycle immediately following the unsatisfactory annual evaluation that precipitates the required cumulative post-tenure review.**

XII, pp. 41-44: Performance (Annual) Evaluation and Salary Incrementation

There has been confusion and inconsistent practice regarding annual evaluation of faculty on leaves other than sabbaticals. This is due in part to the different reasons faculty could be on leave. FMLA leaves are "protected" by law. When a faculty member (or any employee) is on an FMLA leave, they *cannot* be evaluated. Faculty who take unpaid leaves for personal reasons or to visit other universities *may* be evaluated. Sometimes, they are--if they submit materials.

Faculty members who are not evaluated are not eligible for any salary increase. Because any employee on an FMLA leave cannot be disadvantaged upon their return, we need a provision for evaluation at some point after their return to document contributions and determine eligibility for salary increases. I am checking with Legal and HR to find out the statutory requirements regarding the timing of such an evaluation.

Because ASPT XII.B.3.b (p. 43) allows for recognition of "long-term contributions," there is flexibility for incorporating evaluation of accomplishments while on leave in later evaluations. As I get more information on the legal requirements, I will share with the committee and develop draft language for the ASPT policies. In the meantime, I am including this item to familiarize the committee with the relevant issues.

Note that ASPT VII, Faculty Assignments and Faculty Evaluation, also includes policies about the evaluation process (see pp. 24-26). As the draft language for XII develops, we will want to cross-reference and make sure no updates are needed in VII.

XIII, pp. 45-53: Appeals

Consider guidelines for Formal Meetings that occur as a preliminary step for appeals of Dean/Chair's report. Dean/Chair report, by definition, reflects the contrary position to the majority of the CFSC/DFSC/SFSC, and may be appealed. An appeal *requires* a Formal Meeting as a preliminary step (XIII.B.1, p. 45). It may be unnecessary to convene the entire FSC for a Formal Meeting (and indeed, may be to the candidate's disadvantage under some circumstances, given that the vote is by split). This situation arose once in the past three years, and I worked out a procedure with the Chairs of URC and Senate at the time. Formalizing this procedure would require a brief addition to section XIII.B and a new section XIII.E.

See attached draft based on the procedure used previously.

Appendix 1: Calendar

P & T – Appendix 1.B, p. 58: Timeline for Formal Meeting and Appeal

Formal Meeting Timelines—possible additions

Deadlines for requests for formal meetings is OK (5 working days for DFSC/SFSC and 10 working days for CFSC). If proposed XIII.E for meetings with Dean/Chair/Director is adopted, we would need to add provision for these. I recommend the same timelines (5 days for Chair/Director, 10 days for Dean)

Appeal Timelines—possible clarifications

XIII.G.1 (p. 48): Requirement to inform Chair of FRC of *intent* to file within 5 working days of receipt of final recommendation. This would ordinarily fall sometime in the first week of March, as CFSC final recommendations are due March 1.

-Chair of FRC acknowledges within 5 working days

Appendix 1.B (p. 58): Requires that candidate must *file a request for review by FRC* by March 15. Implication is that the "intent to file" is different from the "request for review," which is the actual written statement and supporting materials that comprise the substance of the appeal.

Consider the following revisions:

Prior to March 15: In the event of a negative recommendation by the DFSC/SFSC, the CFSC, or a Dean/Chair/Director, a candidate who wishes a University-wide appeal of his/her credentials must inform the chair of the Faculty Review Committee (FRC) of his/her intent to file an appeal within five (5) business days of receipt of the final CFSC recommendation. The Chair of FRC shall respond to the candidate within five (5) business of receipt of the written intent to request additional review.

March 15: A candidate who wishes a University-wide appeal of his/her credentials must submit a written statement and relevant supporting materials to the Chair of the FRC.

Appendix 2 – Criteria for evaluation of Teaching, Scholarship and Creative Activity, and Service

Do any of these need to be updated?

On-line courses?

Administrative assignments?

Community/civic engagement?

UNIVERSITY REVIEW COMMITTEE
Thursday, November 20, 2014
3 p.m., Hovey 209

MINUTES

Members present: Angela Bonnell, Diane Dean, Joe Goodman, Doris Houston, Sheryl Jenkins, Sam Catanzaro (non-voting)

Members not present: Rick Boser, Phil Chidester, Bill O'Donnell, David Rubin

Others present: Bruce Stoffel (recorder)

I. Call to order

Chairperson Sheryl Jenkins called the meeting to order at 3:05 p.m.

II. Approval of minutes from the November 6, 2014 meeting

Doris Houston moved, Joe Goodman seconded approval of minutes from the November 6, 2014 meeting. The motion carried.

III. Action item: ASPT calendar for 2015-2016

Sam Catanzaro explained that, according to ASPT Policies, if the University is officially closed on any date for action described in the policies, the deadline for that action is moved to the next working day after the closing. Catanzaro noted two unique situations related to application of the provision to the 2015-2016 calendar.

A faculty member in her or his third or subsequent year whom the Provost has decided should not be reappointed is to be notified at least 12 months before termination of an appointment, or by May 15. May 15 falls on a Sunday in 2016. If the deadline were to be moved to the next working day after the closing (Monday, May 16, 2016), the faculty member would receive less than 12 months' notice before termination of her or his appointment. Consequently, Catanzaro recommends moving the notification deadline to Friday, May 13, 2016. Catanzaro noted that a similar situation exists regarding the deadline for notification of promotion and tenure decisions by the President, which is also set as May 15 in ASPT Policies. Catanzaro recommends moving that notification deadline to Friday, May 13, 2016 as well.

Goodman asked if URC should consult with the Academic Senate before moving those two deadlines backward rather than forward. Catanzaro said he does not think it is necessary, since the change would place the burden on administration to notify the faculty member earlier than it normally would, to the benefit of the faculty member. Committee members agreed.

Diane Dean moved, Angela Bonnell seconded approval of the ASPT Calendar for 2015-2016 as distributed to the committee with meeting materials (see attached). The motion carried.

IV. Faculty Discipline, Suspension, Dismissal Policies

Catanzaro reviewed a document titled "Timeline for Development of Policy on Faculty Discipline, Suspension, and Dismissal" (see attached), which he prepared to provide context regarding the document sent to the committee by Academic Senate Chairperson Susan Kalter (see attached). He explained that drafts of a suspension and dismissal policy were reviewed last academic year by both the University Review Committee and the Faculty Affairs Committee, because he and the Executive Committee of the Academic Senate had not yet decided whether the policy would be incorporated into university-wide policies or ASPT Policies. Catanzaro commented that having two committees reviewing drafts has been helpful given the importance of the issue. Since spring 2014 when URC last reviewed the draft policy, the Faculty Affairs Committee has asked that provisions for minor sanctions be added to it. In addition, Administration and the Executive Committee have agreed that the policy should be part of ASPT Policies. That decision explains the difference in numbering and formatting between the version reviewed last spring and the version Chairperson Kalter recently sent to URC, Catanzaro said.

Catanzaro reported that he is scheduled to review the latest draft of the policy (the draft sent to URC by Chairperson Kalter) at the December 10 Faculty Affairs Committee meeting. Catanzaro plans to revise the draft based on feedback he receives at that meeting and will bring the revised draft to URC for its review.

Houston asked if Chairperson Kalter's comments regarding the draft represent consensus of the Faculty Affairs Committee or if they represent Chairperson Kalter's personal opinions. Catanzaro responded that, to his understanding, the comments are Chairperson Kalter's since the Faculty Affairs Committee had not yet completed its review of the draft.

Houston suggested that URC defer its discussion of the draft until after the Faculty Affairs Committee has reviewed it. Catanzaro agreed, noting that the two committees might otherwise be working at cross purposes.

Jenkins said that the matter will be scheduled for review by URC once the committee has received comments on the latest draft from the Faculty Affairs Committee.

V. Procedures for Meeting with Dean or Chair/Director Preliminary to an Appeal of a Dean or Chair/Director Report Making a Negative Tenure or Promotion Recommendation

Committee members reviewed procedures drafted by Catanzaro, which represent a revised Section XIII.E of the ASPT Policies (see attached).

Houston asked about the role of the faculty advocate. She noted that, according to draft procedures, the faculty advocate is "not to address the Dean or Chair/Director or otherwise argue on the candidate's behalf." Catanzaro replied that the faculty member should speak on her or his own behalf rather than having the advocate speak for her or him. The advocate could consult with the faculty member during the meeting to suggest points the faculty member might make. The Dean or Chair/Director could request information from the advocate, in which case the advocate could respond directly to the Dean or Chair/Director.

Catanzaro and Bonnell noted typographical errors in the draft. Catanzaro will correct them.

It was the consensus of the committee to include this draft, as corrected, with the ASPT policy recommendations it sends to the Faculty Caucus.

VI. Appendix 2

Committee members reviewed a proposed revision to the Appendix 2 introduction as drafted by Phil Chidester (see attached).

Goodman suggested dividing the fifth sentence (beginning "While department/school guidelines for evaluating teaching …) into two sentences for clarity. He said the reference in the draft to Section VIII.C should be changed to Section VII.C.

Catanzaro agreed that the reference to Section VIII.C should be changed but suggested Section VI.B instead. Goodman and Dean agreed. Catanzaro and Goodman noted that the word "proscriptive" as used in the fourth sentence of the draft should be changed to "prescriptive."

Catanzaro suggested that the committee consult with Chidester regarding these suggestions before finalizing its recommendations to the Faculty Caucus. Jenkins said the issue will be brought back to the committee when Chidester is able to attend and provide input.

VII. URC subgroups for additional review of ASPT Policies

Jenkins suggested that the committee organize into subgroups for the purpose of systemically reviewing ASPT Policies in their entirety to identify issues for committee discussion. Committee members in attendance volunteered for subgroups, and Chairperson Jenkins assigned members not present to subgroups based on their expertise. Jenkins asked groups to review their assigned sections and to report their findings at the first committee meeting in January.

Subgroup 1: Chidester, Goodman
Overview of the Illinois State University Appointment, Salary, Promotion and Tenure (ASPT) System; Right of Access to Personnel Documents (XIV); Appendices

Subgroup 2: Houston, Rubin
The ASPT Committee Structure (I, II, III, IV, V)

Subgroup 3: Bonnell, Jenkins, O'Donnell
Policies and Procedures for Appointment, Reappointment, Promotion, Tenure, Post-Tenure Review, and Dismissal (VI, VII, VIII, IX, X, XI)

Subgroup 4: Boser, Dean
Performance Evaluation and Salary Incrementation (XII); Appeals Policies and Procedures (XIII)

VIII. Other business/next meeting

Referring to Section II.D of ASPT Policies, Houston asked if there are specific guidelines for conducting a University-wide equity review. She recommended that the committee discuss this matter at a later time as part of its ASPT Policies review.

Catanzaro explained that equity review is a university-wide process that could identify the need for the University to allocate additional funds, which the University might not have. He added that any individual faculty member who believes she or he is being treated inequitably

may contact the Office of Equal Opportunity, Ethics, and Access for an investigation of her or his personal situation.

Dean agreed that Section II.D is unclear and should be discussed by the committee. She added that if the University does not have resources to address inequities if they are shown to exist, an equity review could cause more dissatisfaction among faculty members.

Jenkins said the matter would be included on a future meeting agenda. Catanzaro said he would research the section before then. Dean suggested that the subgroup assigned to Section II investigate this matter and include its findings in its report to the full committee in January.

Jenkins deferred discussion of University Policies 3.3.2 and 3.1.29 until the next committee meeting.

IX. Adjournment

Goodman moved, Dean seconded that the meeting be adjourned. The meeting adjourned at 4:00 p.m.

Respectfully submitted,
Diane Dean, Secretary
Bruce Stoffel, Recorder

Attachments:

ASPT Calendar 2015-2016: By Category of Activity
ASPT Calendar 2015-2016: Chronological, All Activities
Timeline for Development of Policy on Faculty Discipline, Suspension, and Dismissal
Faculty Discipline, Suspension, Dismissal Policies
Procedures for Meeting with Dean or Chair/Director Preliminary to an Appeal of a Dean or Chair/Director Report Making a Negative Tenure or Promotion Recommendation
Revised Appendix 2 introduction

ASPT Calendar 2015-2016: By Category of Activity

posted at http://provost.illinoisstate.edu/faculty/tenure.shtml

CALENDAR FOR PROMOTION AND TENURE

This calendar for 2015-2016 is based on actions and deadlines described in *Faculty Appointment, Salary, Promotion, and Tenure (ASPT) Policies*, approved May 2011, effective January 1, 2012, and amended on December 19, 2011, and August 14, 2012. Article and section references in this document are to the *ASPT Policies*.

ASPT Policies prescribes that if the University is officially closed on any date for action described in the policies, the action scheduled for that date must be completed on the next working day after the closing. Entries in the "Date for 2015-2016" column of this calendar have been modified to comply with that provision where necessary.

Date for 2015-2016	**Date per *ASPT Policies*, Appendix 1**	**Action per A*SPT Policies***
Monday, November 2, 2015	November 1	Candidates for promotion and tenure must file application materials. In those situations in which a faculty member chooses to extend a shortened probationary period, notification to add the credited years or a portion of the credited years to the probationary period shall be made to the Department Chairperson/School Director prior to November 1 of the year previously scheduled for the summative review for tenure.
Prior to Tuesday, December 15, 2015	Prior to December 15	The DFSC/SFSC may notify promotion and tenure candidates and the CFSC, in writing, of recommendations at any time prior to December 15, but must notify candidates of intended recommendations at least 10 working days prior to submitting the final DFSC/SFSC recommendations to the CFSC. The DFSC/SFSC must provide opportunity, if requested, for each candidate to hold a formal meeting with the committee to discuss the recommendations. If a candidate wants to request a formal meeting to discuss the DFSC/SFSC recommendation, the candidate must request a meeting with the DFSC/SFSC within five (5) working days of receiving the recommendation. Formal meetings will be held under the provisions of Article XIII.
Tuesday, December 15, 2015	December 15	DFSC/SFSC recommendations for promotion and tenure must be reported to the candidate and to the CFSC.

ASPT Calendar 2015-2016: By Category of Activity

posted at http://provost.illinoisstate.edu/faculty/tenure.shtml

CALENDAR FOR PROMOTION AND TENURE *(continued)*		
Date for 2015-2016	**Date per *ASPT Policies*, Appendix 1**	**Action per A*SPT Policies***
Monday, February 1, 2016	February 1	The CFSC must notify candidates of intended recommendations and provide opportunity, if requested, for each candidate to meet with the CFSC to discuss the recommendations. If a candidate wants to request a formal meeting to discuss the CFSC recommendation, the candidate must request a meeting with the CFSC within 10 working days of receiving the recommendation. Formal meetings will be held under the provisions of Article XIII.D.
Tuesday, March 1, 2016	March 1	CFSC recommendations for promotion and tenure must be reported to the Provost, DFSC/SFSC, and candidates.
Tuesday, March 15, 2016	March 15	In the event of a negative recommendation by the DFSC/SFSC or the CFSC, a candidate who wants a university-wide appeal of his/her credentials must file a request for a review by the Faculty Review Committee.
Monday, March 21, 2016	March 21	The Provost's recommendation for non-appealed candidates must be reported to the President, CFSC, DFSC/SFSC, and candidates.
Friday, April 15, 2016	April 15	The Faculty Review Committee must complete its review of promotion and tenure appeals and report to the President, candidate, DFSC/SFSCs, CFSCs, and Provost unless an interim report is appropriate under provisions of Article XIII.F.3.
Monday, May 2, 2016	April 30	The Provost's decision in appealed cases must be reported to the President, candidate, DFSC/SFSC, and CFSC.
Friday, May 13, 2016 (moved forward from May 15 to provide 12 months' notice)	May 15	Notifications of promotion and tenure decisions by the President shall be sent to the candidates, CFSCs, DFSC/SFSCs, and the Provost.

ASPT Calendar 2015-2016: By Category of Activity

posted at http://provost.illinoisstate.edu/faculty/tenure.shtml

CALENDAR FOR PERFORMANCE EVALUATION

This calendar for 2015-2016 is based on actions and deadlines described in *Faculty Appointment, Salary, Promotion, and Tenure (ASPT) Policies*, approved May 2011, effective January 1, 2012, and amended on December 19, 2011, and August 14, 2012. Article and section references in this document are to the *ASPT Policies*.

ASPT Policies prescribes that if the University is officially closed on any date for action described in the policies, the action scheduled for that date must be completed on the next working day after the closing. Entries in the "Date for 2015-2016" column of this calendar have been modified to comply with that provision where necessary.

Date for 2015-2016	**Date per *ASPT Policies*, Appendix 1**	**Action per A*SPT Policies***
Tuesday, January 5, 2016	January 5	All faculty members eligible for performance-evaluation salary increment must submit files in support of their request for performance-evaluation adjustments.
Monday, February 1, 2016	February 1	DFSC/SFSC recommendations for performance evaluation must be reported to the faculty member by February 1 in each year that the faculty member is performance-evaluation eligible. The DFSC/SFSC must notify faculty members of intended recommendations to the CFSC at least 10 working days before submitting the recommendations to the CFSC and provide opportunity, if requested, for the faculty member to meet with the committee to discuss the recommendations. If a faculty member wants to request a formal meeting to discuss the DFSC/SFSC recommendation, the faculty member must request a meeting with the DFSC/SFSC within five (5) working days of receiving the recommendation. Formal meetings will be held under the provisions of Article XIII.B.
Monday, February 15, 2016	February 15	The DFSC/SFSC must transmit its final recommendation for performance-evaluation review to the faculty member and to the CFSC.

ASPT Calendar 2015-2016: By Category of Activity

posted at http://provost.illinoisstate.edu/faculty/tenure.shtml

CALENDAR FOR PERFORMANCE EVALUATION *(continued)*		
Date for 2015-2016	**Date per *ASPT Policies*, Appendix 1**	**Action per A*SPT Policies***
Tuesday, March 1, 2016	March 1	A faculty member who wants to appeal the DFSC/SFSC performance-evaluation recommendation must file an appeal with the CFSC (or Faculty Review Committee in the absence of a DFSC/SFSC).
Thursday, March 31, 2016	March 31	All appeals to the CFSC* of performance-evaluation recommendations must be completed and CFSC* decisions reported to the Provost and to the faculty member. Appeals will be held under the provisions of Article XIII.H. (* or Faculty Review Committee in the absence of a DFSC/SFSC)

ASPT Calendar 2015-2016: By Category of Activity

posted at http://provost.illinoisstate.edu/faculty/tenure.shtml

CALENDAR FOR CUMULATIVE POST-TENURE REVIEW

This calendar for 2015-2016 is based on actions and deadlines described in *Faculty Appointment, Salary, Promotion, and Tenure (ASPT) Policies*, approved May 2011, effective January 1, 2012, and amended on December 19, 2011, and August 14, 2012. Article and section references in this document are to the *ASPT Policies*.

ASPT Policies prescribes that if the University is officially closed on any date for action described in the policies, the action scheduled for that date must be completed on the next working day after the closing. Entries in the "Date for 2015-2016" column of this calendar have been modified to comply with that provision where necessary.

Date for 2015-2016	**Date per *ASPT Policies*, Appendix 1**	**Action per A*SPT Policies***
Tuesday, January 5, 2016	January 5	All faculty members scheduled for cumulative post-tenure review must submit their materials.
Monday, February 15, 2016	February 15	The DFSC/SFSC must inform the faculty member of its cumulative post-tenure review evaluation and, if applicable, a plan for remediation.
Thursday, February 25, 2016	February 25	A faculty member who wants to discuss the DFSC/SFSC response and/or remediation plan must request a meeting with the DFSC/SFSC.
Tuesday, March 8, 2016	March 8	The DFSC/SFSC notifies the faculty member regarding the final outcome of the DFSC/SFSC cumulative post-tenure review.
Tuesday, March 22, 2016	March 22	A faculty member who wants to appeal the DFSC/SFSC cumulative post-tenure review outcome must file a written appeal with the CFSC chairperson. The CFSC chairperson shall acknowledge receipt of the appeal to the appellant and the DFSC/SFSC within five (5) working days. Appeals will be held under the provisions of Article XIII.I.
Friday, April 15, 2016	April 15	The CFSC shall submit to each appellant faculty member and to the appropriate DFSC/SFSC a report that describes the disposition of the cumulative post-tenure review appeal.

ASPT Calendar 2015-2016: By Category of Activity

posted at http://provost.illinoisstate.edu/faculty/tenure.shtml

CALENDAR FOR REAPPOINTMENT

This calendar for 2015-2016 is based on actions and deadlines described in *Faculty Appointment, Salary, Promotion, and Tenure (ASPT) Policies*, approved May 2011, effective January 1, 2012, and amended on December 19, 2011, and August 14, 2012. Article and section references in this document are to the *ASPT Policies*.

ASPT Policies prescribes that if the University is officially closed on any date for action described in the policies, the action scheduled for that date must be completed on the next working day after the closing. Entries in the "Date for 2015-2016" column of this calendar have been modified to comply with that provision where necessary.

Date for 2015-2016	**Date per *ASPT Policies*, Appendix 1**	**Action per A*SPT Policies***
Monday, February 1, 2016	February 1	The Provost issues notification of non-reappointment by February 1 to a faculty member in the second academic year of service, notifying the faculty member that the last employment date is May 15 or, if the appointment terminates during an academic year, at least six months in advance of its termination.
Tuesday, March 1, 2016	March 1	The Provost issues notification of non-reappointment by March 1 to a faculty member in the first year of service, notifying the faculty member that the last employment date is May 15 or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.
Friday, May 13, 2016 (moved forward from May 15 to provide 12 months' notice)	At least 12 months before the termination of an appointment after two (2) or more years of service	The Provost notifies a third- or subsequent-year faculty member who will not be reappointed, 12 months before the termination of the appointment, that the faculty member's last employment date is May 15 of the following year. If the appointment is at least 12 months and terminates during an academic year, notification must take place at least 12 months in advance of the end of the appointment period.

ASPT Calendar 2015-2016: By Category of Activity

posted at http://provost.illinoisstate.edu/faculty/tenure.shtml

CALENDAR FOR REPORTING REQUIREMENTS

This calendar for 2015-2016 is based on actions and deadlines described in *Faculty Appointment, Salary, Promotion, and Tenure (ASPT) Policies*, approved May 2011, effective January 1, 2012, and amended on December 19, 2011, and August 14, 2012. Article and section references in this document are to the *ASPT Policies*.

ASPT Policies prescribes that if the University is officially closed on any date for action described in the policies, the action scheduled for that date must be completed on the next working day after the closing. Entries in the "Date for 2015-2016" column of this calendar have been modified to comply with that provision where necessary.

Date for 2015-2016	**Date per *ASPT Policies*, Appendix 1**	**Action per A*SPT Policies***
Monday, May 2, 2016	May 1	Each CFSC shall submit an annual report (Promotion and Tenure) to its College Council and to the University Review Committee (Article IV.D.). Each CFSC shall submit an annual report to the University Review Committee and to the Provost that enumerates all cumulative post-tenure review appeals and describes their disposition (see XIII.I.9).
Monday, May 2, 2016	May 1	The fifth-year review of College Standards or, in the interim, proposed revisions to College Standards must be submitted to the University Review Committee (by the CFSC).
Monday, May 2, 2016	May 1	The Faculty Review Committee shall submit to the University Review Committee a final report summarizing the number of appeals by Department/School and College, the types of appeals, and the disposition of the appeals (see Article III.F).

ASPT Calendar 2015-2016: By Category of Activity

posted at http://provost.illinoisstate.edu/faculty/tenure.shtml

CALENDAR FOR ASPT ELECTIONS (for 2015-2016 Academic Year)

This calendar for 2015-2016 is based on actions and deadlines described in *Faculty Appointment, Salary, Promotion, and Tenure (ASPT) Policies*, approved May 2011, effective January 1, 2012, and amended on December 19, 2011, and August 14, 2012. Article and section references in this document are to the *ASPT Policies*.

ASPT Policies prescribes that if the University is officially closed on any date for action described in the policies, the action scheduled for that date must be completed on the next working day after the closing. Entries in the "Date for 2015-2016" column of this calendar have been modified to comply with that provision where necessary.

Date for 2015-2016	**Date per *ASPT Policies*, Appendix 1**	**Action per *ASPT Policies***
Friday, April 15, 2016	April 15	Members of the University Review Committee, Faculty Review Committee, and College Faculty Status Committees must have been elected.
Monday, May 2, 2016	May 1	Members of the Department/School Faculty Status Committees must have been elected.

ASPT Calendar 2015-2016: Chronological, All Activities

posted at http://provost.illinoisstate.edu/faculty/tenure.shtml

This calendar for 2015-2016 is based on actions and deadlines described in *Faculty Appointment, Salary, Promotion, and Tenure (ASPT) Policies*, approved May 2011, effective January 1, 2012, and amended on December 19, 2011, and August 14, 2012. Article and section references in this document are to the *ASPT Policies*.

ASPT Policies prescribes that if the University is officially closed on any date for action described in the policies, the action scheduled for that date must be completed on the next working day after the closing. Entries in the "Date for 2015-2016" column of this calendar have been modified to comply with that provision where necessary.

Date for 2015-2016	**Date per *ASPT Policies*, Appendix 1**	**Action per *ASPT Policies***
Monday, November 2, 2015	November 1	**Promotion and Tenure**: Candidates for promotion and tenure must file application materials. In those situations in which a faculty member chooses to extend a shortened probationary period, notification to add the credited years or a portion of the credited years to the probationary period shall be made to the Department Chairperson/School Director prior to November 1 of the year previously scheduled for the summative review for tenure.
Prior to Tuesday, December 15, 2015	Prior to December 15	**Promotion and Tenure:** The DFSC/SFSC may notify promotion and tenure candidates and the CFSC, in writing, of recommendations at any time prior to December 15, but must notify candidates of intended recommendations at least 10 working days prior to submitting the final DFSC/SFSC recommendations to the CFSC. The DFSC/SFSC must provide opportunity, if requested, for each candidate to hold a formal meeting with the committee to discuss the recommendations. If the candidate wants to request a formal meeting to discuss the DFSC/SFSC recommendation, the candidate must request a meeting with the DFSC/SFSC within five (5) working days of receiving the recommendation. Formal meetings will be held under the provisions of Article XIII.
Tuesday, December 15, 2015	December 15	**Promotion and Tenure:** DFSC/SFSC recommendations for promotion and tenure must be reported to the candidate and to the CFSC.
Tuesday, January 5, 2016	January 5	**Performance Evaluation**: All faculty members eligible for performance-evaluation salary increment must submit files in support of their request for performance-evaluation adjustments.

ASPT Calendar 2015-2016: Chronological, All Activities

posted at http://provost.illinoisstate.edu/faculty/tenure.shtml

Date for 2015-2016	**Date per *ASPT Policies*, Appendix 1**	**Action per *ASPT Policies***
Tuesday, January 5, 2016	January 5	**Cumulative Post-Tenure Review**: All faculty members scheduled for cumulative post-tenure review must submit their materials.
Monday, February 1, 2016	February 1	**Promotion and Tenure:** The CFSC must notify candidates of intended recommendations and provide opportunity, if requested, for each candidate to meet with the CFSC to discuss the recommendations. If the candidate wants to request a formal meeting to discuss the CFSC recommendation, then the candidate must request a meeting with the CFSC within 10 working days of receiving the recommendation. Formal meetings will be held under the provisions of Article XIII.D.
Monday, February 1, 2016	February 1	**Reappointment:** The Provost issues notification of non-reappointment by February 1 to a faculty member in the second academic year of service, notifying the faculty member that the last employment date is May 15 or, if the appointment terminates during an academic year, at least six months in advance of its termination.
Monday, February 1, 2016	February 1	**Performance Evaluation**: DFSC/SFSC recommendations for performance evaluation must be reported to the faculty member by February 1 in each year that the faculty member is performance-evaluation eligible. The DFSC/SFSC must notify faculty members of intended recommendations to CFSC at least 10 working days before submitting the recommendations to the CFSC and provide opportunity, if requested, for the faculty member to meet with the committee to discuss the recommendations. If the faculty member wants to request a formal meeting to discuss the DFSC/SFSC recommendation, the faculty member must request a meeting with the DFSC/SFSC within five (5) working days of receiving the recommendation. Formal meetings will be held under the provisions of Article XIII.B.
Monday, February 15, 2016	February 15	**Performance Evaluation**: The DFSC/SFSC must transmit its final recommendation for performance-evaluation review to the faculty member and to the CFSC.
Monday, February 15, 2016	February 15	**Cumulative Post-Tenure Review:** The DFSC/SFSC must inform the faculty member of its cumulative post-tenure review evaluation and, if applicable, a plan for remediation.

ASPT Calendar 2015-2016: Chronological, All Activities

posted at http://provost.illinoisstate.edu/faculty/tenure.shtml

Date for 2015-2016	**Date per *ASPT Policies*, Appendix 1**	**Action per *ASPT Policies***
Thursday, February 25, 2016	February 25	**Cumulative Post-Tenure Review:** A faculty member who wants to discuss the DFSC/SFSC response and/or remediation plan must request a meeting with the DFSC/SFSC.
Tuesday, March 1, 2016	March 1	**Promotion and Tenure**: CFSC recommendations for promotion and tenure must be reported to the Provost, DFSC/SFSC, and candidates.
Tuesday, March 1, 2016	March 1	**Reappointment:** The Provost issues notification of non-reappointment by March 1 to a faculty member in the first year of service, notifying the faculty member that the last employment date is May 15 or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.
Tuesday, March 1, 2016	March 1	**Performance Evaluation**: A faculty member who wants to appeal the DFSC/SFSC performance-evaluation recommendation must file an appeal with the CFSC (or Faculty Review Committee in the absence of a DFSC/SFSC).
Tuesday, March 8, 2016	March 8	**Cumulative Post-Tenure Review:** The DFSC/SFSC notifies the faculty member regarding the final outcome of the DFSC/SFSC cumulative post-tenure review.
Tuesday, March 15, 2016	March 15	**Promotion and Tenure:** In the event of a negative recommendation by the DFSC/SFSC or the CFSC, a candidate who wants a university-wide appeal of his/her credentials must file a request for a review by the Faculty Review Committee.
Monday, March 21, 2016	March 21	**Promotion and Tenure:** The Provost's recommendation for non-appealed candidates must be reported to the President, CFSC, DFSC/SFSC, and candidates.
Tuesday, March 22, 2016	March 22	**Cumulative Post-Tenure Review:** A faculty member who wants to appeal the DFSC/SFSC cumulative post-tenure review outcome must file a written appeal with the CFSC chairperson. The CFSC chairperson shall acknowledge receipt of the appeal to the appellant and the DFSC/SFSC within five (5) working days. Appeals will be held under the provisions of Article XIII.I.

ASPT Calendar 2015-2016: Chronological, All Activities

posted at http://provost.illinoisstate.edu/faculty/tenure.shtml

Date for 2015-2016	**Date per *ASPT Policies*, Appendix 1**	**Action per *ASPT Policies***
Thursday, March 31, 2016	March 31	**Performance Evaluation**: All appeals to the CFSC* of performance-evaluation recommendations must be completed and CFSC* decisions reported to the Provost and to the faculty member. Appeals will be held under the provisions of Article XIII.H. (* or Faculty Review Committee in the absence of a DFSC/SFSC)
Friday, April 15, 2016	April 15	**Promotion and Tenure:** The Faculty Review Committee must complete its review of promotion and tenure appeals and report to the President, candidates, DFSC/SFSCs, CFSCs, and Provost unless an interim report is appropriate under provisions of Article XIII.F.3.
Friday, April 15, 2016	April 15	**Cumulative Post-Tenure Review:** The CFSC shall submit to each appellant faculty member and to the appropriate DFSC/SFSC a report that describes the disposition of the cumulative post-tenure review appeal.
Friday, April 15, 2016	April 15	**ASPT Elections:** Members of the University Review Committee, Faculty Review Committee, and College Faculty Status Committees must have been elected.
Monday, May 2, 2016	April 30	**Promotion and Tenure:** The Provost's decision in appealed cases must be reported to the President, candidates, DFSC/SFSC, and CFSC.
Monday, May 2, 2016	May 1	**Reporting Requirements (CFSC):** Each CFSC shall submit an annual report (Promotion and Tenure) to its College Council and to the University Review Committee (Article IV.D.). Each CFSC shall submit an annual report to the University Review Committee and to the Provost that enumerates all cumulative post-tenure review appeals and describes their disposition (see Article XIII.I.9).
Monday, May 2, 2016	May 1	**Reporting Requirements (CFSC):** The fifth-year review of College Standards or, in the interim, proposed revisions to College Standards must be submitted to the University Review Committee.

ASPT Calendar 2015-2016: Chronological, All Activities

posted at http://provost.illinoisstate.edu/faculty/tenure.shtml

Date for 2015-2016	**Date per *ASPT Policies*, Appendix 1**	**Action per *ASPT Policies***
Monday, May 2, 2016	May 1	**ASPT Elections:** Members of the Department/School Faculty Status Committees must have been elected.
Monday, May 2, 2016	May 1	**Reporting Requirements (FRC):** The Faculty Review Committee shall submit to the University Review Committee a final report summarizing the number of appeals by Department/School and College, the type of appeals, and the disposition of the appeals (see Article III.F).
Friday, May 13, 2016 (moved forward from May 15 to provide 12 months' notice)	May 15	**Promotion and Tenure:** Notifications of promotion and tenure decisions by the President shall be sent to the candidates, CFSCs, DFSC/SFSCs, and the Provost.
Friday, May 13, 2016 (moved forward from May 15 to provide 12 months' notice)	At least 12 months before the termination of an appointment after two (2) or more years of service	**Reappointment:** The Provost notifies a third- or subsequent-year faculty member who will not be reappointed, 12 months before the termination of the appointment, that the faculty member's last employment date is May 15 of the following year. If the appointment is at least 12 months and terminates during an academic year, notification must take place at least 12 months in advance of the end of the appointment period.

Timeline for Development of Policy on Faculty Discipline, Suspension, and Dismissal

Summer 2013

1. Chair of Academic Senate requests more detailed policy in place of University Policy 3.3.9 and ASPT Policy XI.B, which are very general.
2. AVP Catanzaro begins work researching AAUP recommendations, benchmarking policies at other universities, updating existing notes begun at ISU several years earlier, and drafting an updated policy. At this time, it had not been determined whether the policy would be a general University policy or an ASPT revision.

Fall 2013

1. Catanzaro continues to develop first draft of new policy, and received consultation from General Counsel.
2. Catanzaro visits Faculty Affairs Committee (FAC) of Academic Senate to discuss general issues related to the policy.

Spring 2014

1. Draft of Suspension and Dismissal shared with URC for an initial review in February; comments from URC summarized and shared with FAC along with draft policy.
2. Catanzaro visits Faculty Affairs Committee of Academic Senate to discuss the draft policy.

Summer 2014

1. Catanzaro integrates the feedback from the URC and FRC. Among the suggestions was to make explicit provision for "minor sanctions," leading to a third section of the policy.
2. Decision made to integrate these policies into ASPT, as they all involve ASPT committees.
3. New draft of ASPT-formatted policies on discipline, suspension, and dismissal is developed. Framed as new sections number XI, XII, and XII (necessitating re-numbering of the current ASPT policies).

Fall 2014

1. Draft policy completed and vetted by General Counsel.
2. Draft policy forwarded to FAC for consideration.
3. Senate Chair provides comments on draft being considered by FAC.
4. Catanzaro scheduled to visit FAC on December 10.

Spring 2015

1. Catanzaro will continue discussion with FAC and integrate their comments into a revision.
2. Revised version will be forwarded to URC for further review and discussion.
3. Final version reflecting URC input will be forwarded to Academic Senate Executive Committee for consideration by Faculty Caucus.

DRAFT ASPT sections on Minor Sanctions, Suspension, and Dismissal/Termination of Appointment: 10-30-2014

XI. Disciplinary Actions

A. Faculty may be subject to discipline of varying levels short of suspension or dismissal for such adequate causes as violations of laws or University policies; malfeasance; acts of moral turpitude that bear on their ability to perform in their professional capacity; and failure or refusal to perform assigned duties in a manner consonant with professional standards.

B. Disciplinary actions (including suspension or termination) or the threat thereof may not be used to restrain faculty members' exercise of academic freedom. Faculty members shall retain their right to file a grievance with the Faculty Academic Freedom, Ethics, and Grievance Committee, if they believe that their academic freedom or the Code of Ethics has been violated.

C. In all disciplinary proceedings, faculty members have the rights to due process, to timely notice, to seek advice, to respond to developments in the disciplinary process, and to have an advisor present at discussions, hearings, and appeals.

D. Disciplinary actions that fall short of suspension or termination include oral and written reprimand, fines, reduction in salary, requirement of corrective action, and suspension with ~~or without~~ pay. Specific policies related to suspension are provided in ASPT XII. Specific policies related to termination of appointment are provided in ASPT XIII.

E. Faculty members' duties may be reassigned temporarily while possible causes for disciplinary actions are being investigated or while the due process for a disciplinary action is being followed. The reasons for such reassignment of duties will be provided to the faculty member.

F. Disciplinary action may be initiated by a DFSC/SFSC or by the appropriate College Dean or by the Provost.

1. The Dean or Provost may initiate disciplinary action upon receipt of a substantiated finding of violation from University Ethics Officer, for violations of the State Ethics Act and other relevant laws; the Academic Freedom, Ethics, and Grievance Committee, for violations of academic freedom or the Code of Ethics; the Office of Equal Opportunity, Ethics, and Access, for violations of the Anti-Harassment and Anti-Discrimination Policy; or the Associate Vice President for Research, for violations of the Integrity in Research and Scholarly Activities policy. Disciplinary action will not be implemented until all appeals as provided for in the relevant policies are exhausted. When the recommendation to initiate disciplinary action comes from the Dean or the Provost, the faculty

Comment [KS1]: Define and delimit, or eliminate. It is not a good idea for vague, subjective moral codes or nebulous legal concepts to enter into our professional deliberations.

Comment [KS2]: Cross-reference to academic freedom policy and/or 3.3.9

Comment [SK3]: Just one?

Comment [KS4]: These should be clearly stepped from least serious to most serious, so that the discipline is clearly progressive. See AAUP Faculty Misconduct and Discipline (2005) on progressive discipline and the profession-wide standard list: oral reprimand, written, recorded, restitution, loss of benefits for defined duration, fine, salary reduction

Comment [KS5]: This whole list, and particularly the suspension without pay part, may be in keeping with one university (MSU), but it is not in keeping with the 1971 AAUP list (see the 2005 AAUP document). We need to go with AAUP.

Comment [SC6]: New section, see below

Comment [SC7]: Re-numbered and expanded from prior section XI, see below.

Comment [KS8]: Temporary reassignment is considered by AAUP to be tantamount to suspension. It should be avoided, not allowed to turn into de facto suspension, and be limited to very extreme cases. It should certainly not be included in a section emphasizing progressive discipline short of suspension. If it remains anywhere, it must be named as a form of suspension, strictly delimited in its duration, and AAUP philosophy and guidelines be followed with respect to it. I would recommend invoking it only in criminal allegation/imminent harm circumstances

Comment [SK9]: The wording of this sentence is strange. It leans toward guilt.

Comment [KS10]: The check on this office is the State Ethics office: that should be listed somewhere. Faculty may appeal the ISU Ethics Officer's judgment.

Comment [KS11]: What is the check on these offices? How do we determine whether they are acting neutrally? Do we think it is possible for them to act neutrally in a faculty-university dispute? Wouldn't ...

Comment [KS12]: See KS9

Comment [KS13]: What are the relevant policies?

member and the DFSC/SFSC will be informed in writing of the proposed disciplinary action and its rationale. In such cases, the DFSC/SFSC may choose to communicate, in writing, a non-binding advisory recommendation to the Dean or Provost on the matter.

2. The DFSC/SFSC may recommend disciplinary action whenever it becomes aware of evidence of cause for such action, as described in XI.A. In such cases, the DFSC/SFSC shall communicate its recommendation to the appropriate Dean and the Provost. The Provost may implement disciplinary action after consultation with the Dean.

G. No disciplinary action may be implemented until all appeals relevant to the policies in question are exhausted.

H. Probationary faculty who face disciplinary actions and are either exonerated or required to complete corrective actions may request a one year "stop-the-clock" extension of their ~~as~~ probationary period, as described in IX.B.3. The records of the disciplinary process, including completion of any required corrective actions, may be reviewed in the tenure and promotion process as it bears on the faculty member's performance in teaching, research, and service.

XII. Faculty Suspensions

A. Suspension occurs when a faculty member is temporarily relieved of academic duties, such that the faculty member is not engaged in any teaching, research, or service activities at the University. The faculty member could be on paid ~~or unpaid~~ status.

B. It is understood that suspension ~~(~~with ~~or without~~ pay~~)~~ of faculty members will only be contemplated in circumstances when there is a reasonable threat of imminent harm to ~~the University, including~~ the faculty member in question, students, and other employees or when credible evidence of adequate cause for dismissal is available. The administration of the University will inform the faculty member of its rationale for judging that suspension is indicated.

C. Faculty members may be suspended for a specified time period, or with conditions that must be met prior to reinstatement, or as a preliminary step toward termination of appointment/dismissal for cause (see XIII.B).

D. A faculty member in the suspension process is afforded due process. This right is balanced against the University's responsibility to prevent harm to students and~~,~~ other employees,~~ and the institution itself~~.

E. ~~Ordinarily, S~~suspensions without pay will only occur after the process described in XII.F is completed and all appeals or related grievances are adjudicated. ~~In extraordinary cases when there is evidence that the faculty member has~~

Comment [SK14]: So the Provost has already decided what to do before pretending that s/he cares for advice?

Comment [KS15]: Problematic. Is this really the way we want to do things around here? Will a chair/DFSC or dean/CFSC ever say no to a Provost who INITIATES a disciplinary action? And even if some will, will all, even if they would be in the right?

Also, the final word is the President's.

Where is the FRC in this process?

Why not word as: upon receipt of a substantiated finding of violation…the Provost shall forward that finding to the relevant DFSC/SFSC for consideration and recommendations?

Comment [KS16]: I would recommend making XI.F.2 into XI.F.1, and making XI.F.1 into XI.F.2. Otherwise, this looks like an administrative end-run around due process, regardless of actual intent.

Comment [SK17]: This again assumes guilt in all cases. It also assumes that the Provost should issue oral reprimands rather than the DFSC. Let's reword for impartiality. The DFSC is obliged to investigate the evidence, not just be aware of it.

Comment [SK18]: Note elimination here and above/below of unpaid suspension. Plentiful AAUP rationales against.

Also, it would seem that there could be many areas in between usual duties and full suspension. Partial suspension could be suspension from teaching only, or from one class for the remainder of a semester. Or from committee involvement but not teaching/research.

Comment [KS19]: This needs to be excised. Please see the long AAUP discussion of the abuses of this vague wording. The imminent harm standard needs to be narrow and well-defined.

Comment [SK20]: Reword as "during an investigation" Otherwise, we are again assuming guilt with our language.

Comment [SC21]: New numbering, see below.

Comment [KS22]: See KS14

~~abandoned professional duties or is unable to fulfill such duties, a temporary suspension without pay may be instituted prior to completion of the University's process.~~ Individuals suspended without pay and subsequently exonerated can be compensated.

F. Procedural Considerations Related to Suspension

1. Each step in the procedures described below should be completed as soon as is practicable, and normally in the time frame indicated. However, the President or Provost may extend these deadlines for good reason, and concerned parties may request consideration for doing so. The President, Provost, or their designee will communicate extensions of the normal timelines provided below in writing to all concerned parties. Such extensions shall not constitute a procedural violation of this policy.

2. ~~There~~ If disciplinary suspension or reassignment of a faculty member is proposed, there shall be discussion between the faculty member, the DFSC/SFSC~~Chair/Director~~, the Dean, and Provost (or their designees). The intention of this discussion will be to develop a mutually agreeable solution that ensures safety for the University community and educational success of students. This mutually agreeable solution could result in a either a full suspension or a re-assignment of duties.

3. While discussion is ongoing, the University reserves the right to temporarily re-assign a faculty member from any or all duties, including teaching, in order to prevent harm to ~~the University or~~ members of its community.

4. If a mutually agreeable solution is found, it shall be documented in writing signed by the faculty member and appropriate administrative officers of the university. A mutually agreeable solution should be finalized within 5 business days of initiation of discussion. However, if the parties mutually agree in writing, this period may be extended if such extension would make agreeing to a solution likely. Such an agreement to extend will be communicated to the Dean and Provost within 5 business days of the initiation of discussion.

5. If a mutually agreeable solution cannot be found ~~and the administration determines that suspension is necessary~~, then the following process will take place.
    a. The Chair/Director will consult with DFSC/SFSC. Such consultation will entail informing the DFSC/SFSC of the areas of concern and the reasons why suspension ~~is~~ may be indicated. Such consultation will include review of relevant documentation/information (e.g., past performance evaluations;

Comment [SK23]: If we can give almost $500,000 to a departing president for not working the following year-plus, we can afford a few thousand to an accused faculty member while the process plays out. Innocent until proven guilty in this country still at last check.

Comment [KS24]: In our process, the DFSC/SFSC is not advisory to the CHAIR. It is advisory to the President. It is a voting body and the chair/director has an equal vote with the other members, though may write minority reports, etc.

Comment [KS25]: the University

Comment [SK26]: deliberating with the DFSC/SFSC regarding the areas

Comment [KS27]: These may or may not be relevant, depending on the alleged offense.

investigation report) and/or advice of Legal Counsel.

b. The faculty member will be notified in writing of the consultation with the DFSC/SFSC, including the reasons why suspension ~~has been proposed is indicated~~. The faculty member shall have the opportunity to present reasons why suspension should not occur, in writing, to the DFSC/SFSC. The faculty member's written statement shall be submitted within 5 business days of notification of the consultation with the DFSC/SFSC.

c. There shall be documentation of the consultation with the DFSC/SFSC. ~~The elected members of the DFSC/SFSC may make a non-binding advisory recommendation to the Chair/Director.~~ Consultation with the DFSC/SFSC, documentation of ~~such~~this consultation, and any recommendations made by the DFSC/SFSC, shall be completed within 10 business days.

d. Following DFSC/SFSC consultation, the Chair/Director shall consult with the Dean and Provost and provide written notice of a decision to the faculty member, DFSC/SFSC, Dean, and Provost within 5 business days. ~~The DFSC/SFSC shall be informed of the decision.~~ If the decision is to suspend rather than a lesser action or no action, and the reasons for the proposed suspension would also constitute adequate cause for dismissal as described below and in ASPT Policies XIII.B.1, the written notice shall so indicate, and the dismissal procedures delineated below shall commence.

6. A suspended faculty member may appeal to the President within 10 business days of the written notice from the Chair/Director, as described in XII.E.4.c. Such appeal must be made in writing, with copies provided to the ~~Chair/Director~~ DFSC/SFSC, Dean, and Provost. Appeals may be based on substantive or procedural grounds. The President shall rule on the appeal within 21 business days.

7. Suspended faculty members shall retain their right to file a grievance with the Faculty Academic Freedom, Ethics, and Grievance Committee, if they believe that their academic freedom or the Code of Ethics has been violated. Suspensions will remain in effect while such grievances are adjudicated.

8. ~~Faculty members who are suspended as a preliminary step~~ Suspended faculty members who are also facing proceedings toward dismissal for cause will retain their right to due process throughout the dismissal

Comment [SK28]: Do not assume what you are trying to prove.

Comment [SC29]: New step--FAC requested explicit description of faculty member's ability to respond to the process. Seems like it should go here—faculty presents his/her case, which can be considered by the DFSC.

Comment [KS30]: See comment KS17

Comment [SC31]: Changed from 5 days.

Comment [SC32]: New numbering, see below

Comment [SC33]: Was 5 days

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Comment [SC34]: Was 5 days

Comment [SC35]: Has consideration of FRC involvement in this process been contemplated? If not, why not? If so, why no inclusion of FRC in the process?

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Comment [SK36]: Seems like #6 and #7 ought to change places. AFEGC hearings should generally take place prior to President's involvement so s/he has all the information at hand to make a fully informed decision about an appeal.

Comment [SK37]: This kind of language again assumes guilt.

proceedings, which shall follow the principles and steps described below.

XIII. Termination of Appointment of Probationary and Tenure Faculty

A. Probationary Faculty

1. Recommendations for nonreappointment prior to a tenure decision shall be made by the DFSC/SFSC in consultation with the Dean and the Provost. The Chairperson/Director of the DFSC/SFSC shall communicate the recommendation of nonreappointment in writing to the faculty member, the Dean, and the Provost. Nonreappointment can also be the result of a negative tenure recommendation. Official notices of nonreappointment, whether issued prior to a tenure decision or as a result of a negative tenure decision, are issued from the Office of the Provost.

    a. Upon notice of non-reappointment other than a negative tenure recommendation, a probationary faculty member may request an oral statement of reasons for non-reappointment from the Chair/Director.

    b. Following the oral statement of reasons for non-reappointment under XIII.A.1.a., a probationary faculty member may request a written statement of reasons for non-reappointment from the Chair/Director. The Chair/Director shall advise the probationary faculty member of the pros and cons of obtaining such a statement in writing. If the probationary faculty member still wishes a written statement, the Chair/Director shall provide the requested written statement.

    c. Appeals of non-reappointment other than those following a negative tenure decision shall be governed by Article XIII.J.

    d. Appeals of non-reappointment following a negative tenure recommendation shall follow the provision of Article XIII. F.

2. Notice of termination shall be given not later than March 1 of the first academic year of service; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination; not later than February 1 of the second academic year of service; or, if the appointment terminates during an academic year, at least six months in advance of its termination; at least twelve months before termination of an appointment after two or more years of service.

~~2.~~3. Termination of a probationary faculty for such adequate causes as lack of fitness to continue to perform in the faculty member's professional capacity as a teacher or researcher; failure to perform assigned duties in a manner consonant with professional standards; or malfeasance may proceed irrespective of the timeline specified in XIII.A.2. Notice of such termination will be issued by the Provost, after consultation with the Dean

Comment [SC38]: This section on Probationary Faculty is currently ASPT XI.A.

Comment [SK39]: Chair

(An individual is the chairperson/director of a department/school. The chairperson/director of a department/school chairs the DFSC/SFSC. Thus, only the word chair is needed here. No one "directs" a DFSC/SFSC (though I'm sure some would like to!) ☺)

Comment [SC40]: Will change to XV

Comment [SC41]: Will change to XV

Comment [SK42]: Really they ought not. We should be suspending with pay and then terminating according to the XIII.A.2 timeline.

and Department Chair/School Director, as soon as feasible. Appeals may be made to the President within 10 business days of the Provost's communication of the nonreappointment ~~termination~~. The President shall rule on the appeal within 21 business days.

B. Tenured Faculty

1. Dismissal of a tenured faculty member may be effected by the University for such adequate causes as lack of fitness to continue to perform in the faculty member's professional capacity as a teacher or researcher; failure to perform assigned duties in a manner consonant with professional standards; malfeasance; or demonstrable University financial exigency or program termination.

2. The standard for dismissal of a tenured faculty member is that of adequate cause. The burden of proof shall be upon the institution. Negative performance-evaluation ratings shall not shift the burden of proof to the faculty member (to show cause why the faculty member should be retained). Evaluation records may be admissible but may be rebutted as to accuracy.

3. ASPT Policy V.C.3 provides for initiation of dismissal proceedings by the DFSC/SFSC. University Administration may also initiate dismissal proceedings when it becomes aware of adequate cause.

4. Termination of faculty due to financial exigency or program termination will follow the process outlined in the ISU Constitution (Article III, Section 4.B.2) and all applicable policies.

5. Procedural Considerations Related to Termination of Appointment of Tenured Faculty

   a. Each step in the procedures described below should be completed as soon as is practicable, and normally in the time frame indicated. However, the President or Provost may extend these deadlines for good reason, and concerned parties may request consideration for doing so. The President, Provost, or their designee will communicate extensions of the normal timelines provided below in writing to all concerned parties. Such extensions shall not constitute a procedural violation of this policy.

   b. If the recommendation to initiate dismissal proceedings comes from the Department, School, ~~or College~~, the DFSC/SFSC (per ASPT V.C.2) ~~or Dean of the College~~ in which the faculty member's locus of tenure resides will submit a letter to the Dean and the Provost describing charges that indicate that the University

Comment [SK43]: Eliminate this line for two reasons. It is stated in XIII.A.1 and we should not be conflating the terms "termination" and "nonreappointment." In all cases, a probationary faculty member is non-reappointed, not "terminated." One terminates non-faculty employees. One non-reappoints or dismisses faculty.

Comment [SK44]: This entire section needs to be completely rethought. It takes the DFSC and academic due process completely out of the mix and assumes guilt again on the part of an individual simply because s/he is probationary. Again, there is abundant AAUP rationale against such summary action on the part of a university administration.

Comment [SK45]: Let us not eliminate wholly the existing XI.B.2 We should continue to remind ourselves that we are expecting ourselves to "adhere to the principles set forth in the American Association of University Professors' documents" etc. Particularly given that this rough draft at this stage rather radically deviates from many of them.

Comment [SC46]: Formerly XI.B.3.

Comment [SK47]: This is quite a problematic statement and quite a deviation from decades of local control. See KS15 above.

Comment [SC48]: From XII.B.3 onward, new draft policy as reviewed during 2013-14 by URC and FRC.

Comment [SC49]: Flexibility in timeline.

Comment [SK50]: ???? See SK47 above.

~~has~~ may have adequate cause to effect dismissal of the faculty member.

If the ~~recommendation to initiate dismissal proceedings comes from the University Administration~~Dean, the CFSC or the Provost receive evidence, or findings by one of the bodies listed in XI.F.1 above, that might indicate cause to initiate dismissal proceedings, the Dean or the Provost will inform the faculty member in writing of the charges and provide ~~the Dean~~CFSC and DFSC/SFSC with a copy. ~~In such cases, the DFSC/SFSC may choose to communicate, in writing, a non-binding advisory recommendation to the Provost on the matter.~~

If a faculty member being charged with adequate cause for dismissal is ~~suspended~~ also being charged with adequate cause for suspension as described in ASPT XII, the due process for suspension will be followed while dismissal proceedings are underway.

c. The Provost will direct, in writing, the Faculty Caucus of the Academic Senate to select a committee of six faculty members to determine whether, in its view, formal proceedings for the faculty member's dismissal should be instituted. This written direction shall be made within 5 business days of date of the letter ~~from the~~ initiating dismissal proceedings (from the Provost, DFSC/SFSC, or Dean as required in XII.B.5.b). The committee will consist of one faculty member from each college except that in which the faculty member's locus of tenure resides. The Faculty Caucus should meet in executive session within 21 business days of the date of the Provost's written direction to select the committee members.

Comment [SK51]: Premature and a violation of V.C.3? The Faculty Caucus should come in only at the end of a proceeding, not at the beginning, and perhaps in some cases not at all. I recommend moving this XIII.B.5.c to later in the dismissal proceedings process.

Comment [SC52]: Was 10 days. Seemed short.

d. The ~~committee~~ DFSC/SFSC will review each charge contained in the letter alleging adequate cause, and will have the authority to interview the respondent/faculty member, ~~the Dean, the Department Chair/School Director~~, and any other person who may have relevant information. The ~~committee~~ DFSC/SFSC may also have access to any relevant documentation.

e. The ~~committee~~ DFSC/SFSC will submit their recommendation within ~~four calendar weeks~~21 business days of the date of the formation of the committee.

f. If the committee recommends that dismissal proceedings should commence, ~~or if the Provost, even after considering a recommendation favorable to the faculty member, determines that a proceeding should be undertaken~~, a statement of the grounds

proposed for the dismissal should be jointly formulated by the committee and the Provost or Provost's designee. If there is disagreement, the Provost or the Provost's designee shall formulate the statement. The statement shall be formulated within 10 business days of the committee's communication of the recommendation to the Provost.

g. The Provost shall communicate in writing to the faculty member: (1) the statement of grounds for dismissal; (2) information regarding the faculty member's procedural rights; and (3) a statement informing the faculty member that, at the faculty member's request, a hearing will be conducted by the Faculty Review Committee (FRC) of Illinois State University to determine whether s/he should be removed from the faculty position on the grounds stated. This communication to the faculty member shall be delivered within 5 business days of the date of the statement. The hearing date should be far enough in advance to permit the faculty member to reasonably formulate and prepare a defense, and at least 10 business days from the date of the Provost's letter communicating the decision to the faculty member.

h. The faculty member should state in reply no later than 5 business days before the time and date set for the hearing whether s/he wishes a hearing. If a hearing is requested, the faculty member shall answer the statements in the Provost's letter in writing and submit this document to the Provost and the FRC ~~not less~~ no later than five business days before the date set for the hearing.

i. The Faculty Review Committee (FRC):

   i. Shall consider the statement of grounds for dismissal already formulated and the faculty member's response before the hearing;

   ii. If the faculty member has not requested a hearing, the FRC may consider the case on the statement of grounds and the reply and any other obtainable information and decide whether the faculty member should be dismissed.

   iii. If the faculty member has requested a hearing, the FRC shall hold a hearing.

j. Hearings by the Faculty Review Committee
   i. The FRC shall decide whether the hearing is public or private;

Comment [SC53]: Was 5

Comment [SK54]: Wouldn't all of this rough draft section negate the function of the FRC as an appeals body rather than a primary adjudicating body?

We need to rethink and rewrite this entire section XIII.B.5 so that dismissal proceedings remain the purview of the DFSC.

Please see III.E. of our current document. I can see no legitimate reason for deviating from this process, which has been in place for decades.

I've decided to leave no further comments until I can consider a redrafted section on dismissal of a tenured faculty member.

Comment [SC55]: Made language consistent with first sentence of paragraph.

ii. If facts are in dispute, testimony may be taken or other evidence received;
iii. The Provost or a designee shall attend the hearing;
iv. The FRC will determine the order of proof, and may secure the presentation of evidence important to the case;
v. The faculty member shall have the option of assistance from counsel or other advisor, whose role shall be limited to providing advice to the faculty member rather than presenting or actively engaging in the proceedings;
vi. The faculty member shall have the assistance of the committee in securing the attendance of witnesses. Because the committee cannot compel the participation of a witness, the proceedings shall not be delayed by the unavailability of a witness.
vii. The proceedings will be recorded at the expense of the University;
viii. The Provost's representative and the faculty member shall present any information helpful to the determination. Each may request the committee in writing to ask witnesses to answer specific questions. Appropriate procedure will be determined by the FRC.
ix. The FRC shall permit a statement and closing by the Provost's representative and the faculty member.
x. The FRC may request written briefs by the parties.
xi. The FRC shall reach its decision promptly in conference, on the basis of the hearing if one was held, and submit a full written report to the Provost and the faculty member. The written report shall be submitted to the Provost within 21 business days of the hearing. A record of any hearing should be made available to the Provost and to the faculty member.

Comment [SC56]: Was 10

k. The Provost shall review the full report of the FRC for final action. If the Provost disagrees with the decision of the FRC, s/he shall request the FRC to reconsider the report. The Provost shall then make a final decision whether the faculty member should be dismissed. The Provost's final decision shall be communicated to the faculty member within 10 business days of the final report of the FRC (after reconsideration, if any).

l. The faculty member may appeal the Provost's decision to the President, who shall make a final decision, stating whether the faculty member shall be retained or shall be dismissed. Such appeal shall be requested in writing within 10 business days of the date of the Provost's communication of the final decision. The President shall communicate a decision to the faculty member, the

Comment [SC57]: Was 5

Provost, Dean, Chair, and DFSC/SFSC within 21 business days of the written request for appeal.

m. Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements about the case by either the faculty member or administrative officers should be avoided so far as possible until the proceedings have been completed. Announcement of the final decision should include a statement of the FRC's original decision, if this has not previously been made known.

DRAFT – New Provision -- DRAFT

XIII.E Procedures for Meeting with Dean or Chair/Director Preliminary to an Appeal of a Dean or Chair/Director Report Making a Negative Tenure or Promotion Recommendation

1. The faculty member should know the rationale for the negative recommendation to be able to address the concerns raised in that recommendation and speak to factors or materials that have been ignored or misinterpreted.

2. In the event that a Dean, Chair, or Director submits a report making a diffrerent recommendation than the majority of the CFSC/DFSC/SFSC, a candidate may request a Formal Meeting with the full CFSC/DFSC/SFSC, as provided for in ASPT Policies XIII.D. Because the Dean/Chair/Director report is by definition arguing against the majority recommednation of the CFSC/DFSC/SFSC, a Formal Meeting with the full CFSC/DFSC/SFSC is not required.

3. As an alternative to a Formal Meeting with the entire CFSC/DFSC/SFSC, an opportunity to meet with the Dean/Chair/Director shall be provided, to address factors or materials that the faculty member believes to have been ignored or misinterpreted. Information not originally presented in applications for tenure/promotion may be submitted, and will be considered at the discretion of the Dean/Chair/Director.

4. A faculty advocate may accompany the candidate, available to provide advice but not to address the Dean or Chair/Director or otherwise argue on the candidate's behalf. The faculty advocate may answer questions directed to him/her by the Dean or Chair/Director.

5. If the candidate wishes to bring witnesses, then a Formal Meeting with the full CFSC/DFSC/SFSC shall be convened and witnesses may participate as provided in XIII.D.2.

6. The timeline for meeting with the Dean or Chair/Director and subsequent steps in the appeals process shall follow that for Formal Meetings and Appeals provided in Appendix 1.B to these policies.

As presently constituted:

APPENDIX 2

University Guidelines and Criteria for Faculty Evaluation

Faculty effort and activity are evaluated in three areas: teaching, scholarly and creative productivity, and service. Because these areas are mutually supportive, the activities undertaken in one area may at times overlap another. Despite this interdependence, each area has its own definition, its own activities, and its own guidelines and criteria for evaluation. It is emphasized that the activities referred to in this section are illustrative and that, while departmental/school guidelines must be consistent with University guidelines, departments/schools are expected to adapt these guidelines to their own unique situations. It is expected that the guidelines and criteria for evaluation will demonstrate quality of accomplishment and a standard of excellence.

Suggested revision:

APPENDIX 2

University Guidelines and Criteria for Faculty Evaluation

Faculty effort and activity are evaluated in three areas: teaching, scholarly and creative productivity, and service. Because these areas are mutually supportive, the activities undertaken in one area may at times overlap another. Despite this interdependence, each area has its own definition, its own activities, and its own guidelines and criteria for evaluation. The activities referred to in this section are illustrative rather than proscriptive. While departmental/school guidelines for evaluating teaching, scholarly and creative productivity, and service must be consistent with University guidelines, departments/schools are expected to adapt these guidelines to their own unique situations as outlined in Section VIII C of the Faculty Appointment, Salary, Promotion and Tenure Policies. Departments/schools must consider a demonstration of quality of accomplishment and a standard of excellence as they select specific guidelines and criteria for evaluation.

UNIVERSITY REVIEW COMMITTEE
Thursday, December 4, 2014
3 p.m., Hovey 209

MINUTES

Members present: Phil Chidester, Angela Bonnell, Diane Dean, Doris Houston (via telephone), Sheryl Jenkins, David Rubin, Sam Catanzaro (non-voting)

Members not present: Rick Boser, Joe Goodman, Bill O'Donnell (attended and then excused himself)

Others present: Bruce Stoffel (recorder)

I. Call to order

Chairperson Sheryl Jenkins called the meeting to order at 3 p.m.

II. Approval of minutes from the November 20, 2014 meeting

Diane Dean moved, Angela Bonnell seconded approval of minutes from the November 20, 2014 meeting as distributed prior to the meeting. The motion carried.

III. Policy review

Action item: Policy 3.1.29

Sam Catanzaro reported that he has consulted Human Resources and Legal Counsel regarding changes he has proposed to Policy 3.1.29. He said that if URC has any changes to his redraft of the policy, he will consult Human Resources and Legal Counsel about them and then send the revised policy to the Academic Senate Executive Committee. Catanzaro said he will keep URC informed of changes as they are made.

Dean said the revised policy follows state laws and guidelines and is cleaner in terms of its content. Houston agreed, noting that the revised policy is much clearer. Houston reported a typographical error in the list headed "Documents exempt from examination include…" ("realte" should be "relate").

Dean moved, Bonnell seconded approval of Policy 3.1.29 as revised by Catanzaro with correction of the typographical error (see attached). The motion carried.

Action item: Policy 3.3.2

Catanzaro reported having revised Policy 3.3.2 (attached) and having consulted Human Resources and Legal Counsel regarding his proposed changes. Jenkins said the policy is much clearer now that ambiguous language has been deleted.

Phil Chidester moved, David Rubin seconded approval of Policy 3.3.2 as revised by Catanzaro (see attached). The motion carried.

IV. ASPT Policies review

Revised Appendix 2 introduction

The committee reviewed the introduction to Appendix 2 of the ASPT policies as re-drafted by Chidester and subsequently revised by URC at its last meeting. Chidester expressed his satisfaction with changes recommended by URC.

Catanzaro rechecked the reference to Section VI.B in the revised draft and suggested that reference to some other section of ASPT policies would be more appropriate. After discussing several options, the committee agreed to change the reference from VI.B to V.B.1.

It was the consensus of the committee to include this re-draft (see attached) with the ASPT policy recommendations it sends to the Faculty Caucus.

Update on subgroup assignments

Houston asked if feedback from subgroups regarding their assigned sections of ASPT policies should identify issues warranting discussion by URC or if subgroups should also make recommendations to URC for changes to the policies. Jenkins replied that subgroups can do both. She said that subgroups are welcome to contact her to discuss issues but do not have to do so.

Chidester and Jenkins suggested that URC not meet again until the end of the second or third week of spring semester classes to give subgroups sufficient time to review their sections. Bruce Stoffel will contact committee members to arrange a URC meeting for the week of January 26, 2015.

V. New business

Request for ASPT interpretation (re Milner Library)

Bonnell provided background regarding the memorandum sent to Catanzaro by her, Jean MacDonald, and Vanette Schwartz of Milner Library faculty requesting an interpretation by URC of a new faculty evaluation policy recently communicated at a Milner Library faculty meeting (see attached). The new policy provides for solicitation by associate deans of anonymous feedback from faculty and staff regarding tenure-line faculty who serve as administrative coordinators. Bonnell reported that Human Resources has been consulted regarding the policy and has approved its use. Bonnell noted, however, that sections V.C.2.d and XIV.A.1 of ASPT policies prohibit use of anonymous feedback other than student reactions to teaching performance. Bonnell expressed concern that administrative coordinators would not be allowed to review the anonymous comments. The comments would instead be reviewed and used exclusively by the associate deans.

Catanzaro explained that is it in the purview of URC to respond to the request from the Milner Library faculty members, as one role of URC is to interpret ASPT policies.

Catanzaro asked Bonnell if the administrative functions that would be evaluated using anonymous surveys are evaluated as service contributions. Bonnell responded that the administrative functions are evaluated in the category of librarianship, which is analogous to the teaching category recognized by most academic units on campus.

Catanzaro said that while it is good for the library to encourage feedback from persons with whom the administrative coordinators work, ASPT policies are clear that use of anonymous feedback of this type in evaluation of tenure-line faculty members is not allowed.

Chidester noted that faculty members in his unit have been asked to anonymously evaluate the chairperson. Use of anonymous feedback in that manner has seemingly been deemed acceptable, he added. Catanzaro explained that department chairpersons and school directors can be evaluated anonymously because they are not subject to ASPT policies. They are instead evaluated as administrative/professional employees.

Catanzaro asked Bonnell if current Milner Library ASPT policies allow someone to submit anonymous feedback regarding administrative coordinators. Bonnell responded that current Milner policies do not allow such anonymous feedback. If someone wants to offer such feedback, she or he would need to sign it. Chidester asked if anonymous feedback regarding administrative coordinators has been solicited at Milner Library in the past. Bonnell responded that it has not. Chidester said that if a policy providing for anonymous feedback is not now in Milner Library DFSC policies, Milner cannot implement the proposed policy.

Dean stated that, on its surface, the proposed policy violates ASPT policies. Allowing Milner Library to solicit anonymous feedback regarding faculty members serving as administrative coordinators would be analogous to asking faculty members to evaluate her work on a committee. She said that if there is no provision in Milner DFSC policies for such feedback, then it is a violation of ASPT policies even if the intent is good.

Bonnell asked if the library may assign responsibility for reviewing anonymous feedback to one person. She said that she is used to having committees review feedback instead. Catanzaro responded that review of feedback by one person is allowed.

Catanzaro suggested that if there is interest among Milner Library faculty in incorporating feedback regarding administrative coordination into the faculty evaluation process, library faculty might take more time to figure out how to do so. The question before the committee at this time is whether the method that has been proposed at Milner Library is consistent with current university ASPT policies.

Catanzaro stated that Bonnell will need to recuse herself from committee deliberation regarding this matter. He asked if a quorum will be present if Bonnell were to do so. Jenkins responded that there would be a quorum and, consequently, action may be taken by the committee.

[Bonnell left the meeting.]

It was the consensus of the committee that the proposal by Milner Library to solicit anonymous feedback from faculty and staff regarding tenure-line administrative coordinators and to use said feedback in the faculty evaluation process violates university ASPT policies.

Catanzaro suggested that Jenkins send a letter to the Milner Library faculty members who requested the URC interpretation to inform them of URC consensus in this matter. He added that the letter could include suggestions for how Milner Library might implement a process for including feedback in its evaluation of administrative coordinators. Catanzaro said that the situation might provide Milner Library an opportunity to reflect on the role of its administrative coordinators and how they fit into the larger personnel structure.

[Bonnell returned to the meeting.]

Other

Houston asked if URC is scheduled to discuss the provision in current ASPT policies for an equity review. Houston reported that she has talked with Academic Senate Chairperson Susan Kalter about this issue and has also attempted to obtain information related to the issue from Shane McCreery of the Office of Equal Opportunity, Ethics, and Access. Dean noted that the committee decided at its last meeting to have the appropriate subgroup review this matter and report back to the full committee in January. Dean noted that Houston is a member of that subgroup. Houston asked how her subgroup can obtain information needed to investigate the equity review issue, such as how the university defines an equity review and where requests for equity reviews originate. Catanzaro responded that subgroup members can contact him for assistance.

VI. Adjournment

Dean moved, Rubin seconded that the meeting be adjourned. The meeting adjourned at 4:04 p.m.

Respectfully submitted,
Diane Dean, Secretary
Bruce Stoffel, Recorder

Attachments:

Policy 3.1.29: Right of Access to Personnel Files (as recommended by the University Review Committee, 12-4-14)

Policy 3.3.2: Faculty Hiring Procedure (as recommended by the University Review Committee, 12-4-14)

Introduction to Appendix 2 of ASPT Policies (as recommended by the University Review Committee, 12-4-14)

Memorandum dated 11-26-14 from Angela Bonnell, Jean MacDonald, and Vanette Schwartz, Milner Library Faculty Council members, to Dr. Sam Catanzaro, Assistant Vice President for Academic Administration, re Milner Library request for University Review Committee interpretation

3.1.29 Right of Access to Personnel Files

Initiating body: State of Illinois

Contact: Associate Vice President of Human Resources (309-438-8311)

Revised on:

Policy

The University shall maintain a complete official personnel file for each employee. These will be retained in the Office of the Human Resources. Related files for faculty are kept in the offices of the Provost, the College, and the Department/School. The files shall contain only official communications directly related to employment and work performance. Anonymous communications shall not be included in this file, with the single exception of anonymous comments from student evaluations of courses in the case of faculty.

Access to Personnel Files

Illinois State University shall provide an employee the opportunity to view the file within seven working days following receipt of a written request. If the University can reasonably show that such a deadline cannot be met, the University shall have an additional seven days to comply. Employees should contact the Office of Human Resources for access to their personnel files. Academic employees also shall have access to related files at the Department/School, College, and Provost offices.

Access to files shall be allowed only in the presence of an authorized office employee during regular office hours. Under no circumstance shall an individual have the right to remove the file from the office. After viewing, an employee may obtain copies of the information or documents in the personnel records at his/her own cost. Upon written request, employees have an unqualified right to examine all written materials which are considered in:

1. determining that individual's qualifications for employment,
2. making recommendations regarding appointment or nonreappointment, promotion, tenure,
3. performance-evaluated salary recommendations,
4. discharge/dismissal or other disciplinary action.

Documents **exempt** from examination include:

1. letters of reference,
2. portions of test documents,
3. materials used for management planning where the materials relate to or affect more than one employee,

4. records relevant to pending litigation,
5. transcripts, if so indicated by granting institutions,
6. placement papers if right to access has been waived,
7. information of a personal nature about a person other than the employee inspecting a file,
8. external peer-review documents, including letters of reference and external letters for promotion and tenure unless the writer waives confidentiality.
9. any records alleging or investigating criminal activity or security records regarding possible criminal activity, unless and until such records are the basis for an adverse personnel action.

Employees shall be notified at the earliest possible time if his/her personnel files are subpoenaed in accordance with the law.

Disputed Records

If an employee disagrees with any information contained in the personnel file, removal or correction of that information may be mutually agreed upon by the employee and the University. If an agreement cannot be reached, the employee may submit a written statement explaining his/her position and the University is required to attach the statement to the disputed portion of the personnel record. The employee's statement must be included whenever the disputed portion is released to a third party as required by law; this does not imply the employer's consent or agreement with the counter-statement.

Basis of Policy

Personnel Record Review Act, 820 ILCS 40, et seq.

3.3.2 Faculty Hiring Procedure

Initiating body: Vice President and Provost, Office of Human Resources

Contact: Assistant Vice President for Academic Administration (309-438-70181)

Revised on:

Policy

The term 'Faculty' refers to any ranked or unranked appointment for the purpose of Instruction, Organized Research or Public Service in one of the academic (credit hour producing) departments and related areas. There are three types of Faculty appointment:

1. Tenured/Tenure-Track
2. Non-Tenure Track
3. Terminal

Appointment to either of the first two types depends on the allocation of the position. The third appointment type, Terminal, is reserved for faculty previously tenure-track who have been advised that they are in their last year of University employment. Faculty on a terminal appointment are not entitled to the privileges of a probationary-tenure appointment and are not considered in the ASPT process.

Included in Faculty are tenured/tenure-track and non-tenure-track faculty in Milner Library, University College non-tenure-track faculty, and individuals teaching for academic credit overseas.

A Faculty appointment may carry an administrative title, reflective of the position, in addition to the academic rank.

Sample faculty appointment letters for tenure-track positions are found at the Provost's Office website. Paperwork required for Faculty hiring or administrative titles can be found on the Office of Human Resources website. Questions concerning Faculty hiring may be directed to the Office of Human Resources at 438-8311.

APPENDIX 2

University Guidelines and Criteria for Faculty Evaluation

Faculty effort and activity are evaluated in three areas: teaching, scholarly and creative productivity, and service. Because these areas are mutually supportive, the activities undertaken in one area may at times overlap another. Despite this interdependence, each area has its own definition, its own activities, and its own guidelines and criteria for evaluation. The activities referred to in this section are illustrative rather than prescriptive. Departmental/school guidelines for evaluating teaching, scholarly and creative productivity, and service must be consistent with University guidelines. Departments/schools are expected to adapt these guidelines to their own unique situations as outlined in Section V.B.1 of the Faculty Appointment, Salary, Promotion and Tenure Policies. Departments/schools must consider a demonstration of quality of accomplishment and a standard of excellence as they select specific guidelines and criteria for evaluation.

The following attachment has been redacted from the version of this document posted on the University Review Committee Minutes website.

Memorandum dated 11-26-14 from Angela Bonnell, Jean MacDonald, and Vanette Schwartz, Milner Library Faculty Council members, to Dr. Sam Catanzaro, Assistant Vice President for Academic Administration, re Milner Library request for University Review Committee interpretation

UNIVERSITY REVIEW COMMITTEE
Thursday, February 5, 2015
3 p.m., Hovey 209

MINUTES

Members present: Rick Boser, Phil Chidester, Angela Bonnell, Diane Dean, Joe Goodman, Doris Houston, Sheryl Jenkins, David Rubin, Sam Catanzaro (non-voting)

Members not present: Bill O'Donnell

Others present: Bruce Stoffel (recorder)

I. Call to order

Chairperson Sheryl Jenkins called the meeting to order at 3 p.m.

II. Approval of minutes from the December 4, 2014 meeting

David Rubin moved, Joe Goodman seconded approval of minutes from the December 4, 2014, meeting as distributed prior to the meeting. The motion carried.

III. Overview of spring 2015 committee work

Jenkins identified four primary tasks the committee will undertake during the spring 2015 term: reviewing CAST college standards, reviewing reports of ASPT activities from the colleges and the Faculty Review Committee, continuing review of ASPT policies, and reviewing the proposed suspension/dismissal policy.

IV. Subgroup reports

Jenkins asked each subgroup to briefly report findings of its review of the ASPT policies document.

Subgroup 1(Phil Chidester and Joe Goodman)

Goodman and Chidester reported on their review of the ASPT policies document overview, right of access to personnel documents (Section XIV), and appendices.

Goodman noted that the words "shall" and "must" are used throughout the document. He asked if one or the other should be used consistently. Angela Bonnell said there had been deliberate discussion regarding this issue when the current version of the ASPT policies document was compiled. Diane Dean said it would not hurt to revisit the question. Rick Boser suggested that "shall" has legal connotations such that if an action is not done, negative consequences could result, like a fine. Chidester said that usage needs to be consistent throughout the document. Catanzaro suggested using "shall" unless committee members think otherwise.

Goodman asked if use of the pronoun "them" in the second line of the last paragraph on page 2 (of the ASPT document) is appropriate.

Chidester reviewed issues identified by the subgroup with respect to Section XIV and the appendices. He said he sent his comments to Bruce Stoffel via email prior to the meeting (see the attached report for an itemization of issues raised by Chidester).

Subgroup 2 (Doris Houston and David Rubin)

Houston and Rubin reported on their review of the ASPT committee structure (Sections I, II, III, IV, and V). In her report to the committee, Houston identified issues she had summarized in a document sent to the committee on behalf of the subgroup prior to the meeting (see attached). Houston reviewed substantive issues with the committee, asking committee members to send her their comments regarding minor wording changes.

Regarding the subgroup suggestion that the second sentence of Section 1.A, be modified (from "The Board of Trustees has granted to the President final responsibility to formulate decisions based upon advice of the Provost and Faculty Review Committee …" to "The Board of Trustees has granted to the President final responsibility to formulate *and implement policies* based upon the advice of the Provost and the Faculty Review Committee …"), Diane Dean commented that existing wording is more accurate. Committee consensus was to not make the suggested change.

Rubin explained the suggestion to add the following sentence to the end of Section 1.B: *Additionally, no persons, at any level, may participate in deliberations regarding the evaluation of a spouse's or relative's senior administrator*. Rubin explained that the sentence refers to the five-year evaluation of chairpersons. Catanzaro noted that evaluation of chairpersons is not addressed in the ASPT document, because chairpersons are evaluated in accordance with processes external to the ASPT system; chairpersons are evaluated through the ASPT system only when they apply for tenure or promotion (in faculty rank). Catanzaro suggested that an alternative approach to addressing the concern regarding conflict of interest in chairperson evaluations might be to strengthen the conflict of interest passage in the ASPT document.

Houston explained the suggestion by the subgroup to modify the passage regarding a university-wide equity review. The subgroup suggests stipulating that such a review "will" be conducted by URC and providing direction as to the definition of equity review, its purpose and methodology, reporting of results, and enactment of recommendations. Houston reported that she has tried to find an explanation for context of the passage by outreaching to Jim Jawahar (Associate Provost), Susan Kalter (Academic Senate Chairperson), and Shane McCreery (Director of the Office of Equal Opportunity, Ethics, and Access). Houston said that there appears to be no institutional memory of the University having ever conducted an equity review pursuant to ASPT policies. She said that OEOEA has addressed salary equity in some of its analyses and reports but not equity in hiring, tenure, and promotion.

Boser asked what is meant by "equity review." Houston responded that there are different definitions and that the subgroup has not yet offered one. Generally, the concept refers to reviewing the extent to which the University distributes its resources in an equitable manner, she said. Rubin said that salary comprehension could be an issue for review, noting that some departments at the University have a problem with that. Catanzaro reminded the committee that salary equity is addressed through salary incrementation policies set forth in the ASPT

document. One concern in conducting equity review might be potential contravening of the peer review process provided for in the document. Catanzaro also noted that reference to equity review in the ASPT document might be a holdover from a time when the University did not have a unit like OEOEA to conduct systematic analyses. But the OEOEA role in equity review has been limited to salary, Houston noted.

Houston said more information gathering is needed in this matter, including review of the American Association of University Professors position and identification of equity review policies and practices at other universities.

Subgroup 3 (Angela Bonnell and Sheryl Jenkins)

Bonnell and Jenkins reported on their review of Sections VI, VII, VIII, IX, X, and XI of the ASPT document.

Bonnell circulated a copy of those sections annotated with her comments and suggestions (see attached). She and Jenkins reviewed the document with the committee.

Regarding the question whether reference in the ASPT document to the instructor rank is still needed, Catanzaro said that the instructor rank among tenure-line faculty might still be used when hiring a faculty member who has not yet completed a dissertation but will need to do so to qualify for tenure. Chidester concurred. Catanzaro said that the question will need to be investigated with Human Resources.

Bonnell explained that the committee may have already recommended changes to Section IX.B at prior meetings (e.g., passages related to the "stop-the-clock" provision). Rubin asked about the deadline for invoking the stop-the-clock mechanism. Catanzaro responded that a faculty member may invoke the provision at any time up to the date when the promotion/tenure application is due, although waiting that long is not recommended.

Regarding the question whether reference to certification in Section IX.B.6 is still relevant and needed, Jenkins said that certification is important to faculty in Mennonite College of Nursing.

Jenkins asked about the reference to "compensation equity adjustments" in Section X.A.5 (related to post-tenure review). Catanzaro explained that evaluation of faculty performance across multiple years, which is possible in post-tenure review, may suggest the need for compensation adjustments when the need for such adjustments might not have been apparent in annual performance evaluations. Rubin asked about the source of funds for such compensation. Catanzaro responded that such funds typically come from the ASPT-mandated reserve of 10% of the raise pool for the Provost (XII.A.1), although individual units may choose to allocate funds for such adjustments as well in "Departmental Equity" (XII.A.2.c).

Subgroup 4 (Rick Boser and Diane Dean)

Dean reported on her subgroup review of Sections XII and XIII of the ASPT document. She circulated a version of the sections with notes from the subgroup (see attached).

Dean reported that the subgroup finds Section XII acceptable as it is. The subgroup suggests reorganizing Section XIII to make it easier to use and has suggested wording changes to bring uniformity across the text. All references to days need to be checked for accuracy and appropriateness. Clarification is needed whether a witness to a proceeding is allowed to attend

the proceeding and also whether an appellant may address the Faculty Review Committee in person.

[Catanzaro left the meeting at this point]

Houston asked how the committee should move forward with review and consideration of subgroup findings and recommendations. Jenkins responded that she will consult with Catanzaro and develop a plan for future discussions.

Stoffel asked subgroups to send him any additional subgroup reports, which he will then compile and circulate to all committee members.

V. Adjournment

Boser moved, Bonnell seconded that the meeting be adjourned. The meeting adjourned at 4:02 p.m.

Respectfully submitted,
Diane Dean, Secretary
Bruce Stoffel, Recorder

Attachments:

Report from ASPT Subgroup 1
Report from ASPT Subgroup 2
Report from ASPT Subgroup 3
Report from ASPT Subgroup 4

University Review Committee
ASPT Subgroup 1

Report Submitted by Phil Chidester
February 5, 2015

RIGHT OF ACCESS TO PERSONNEL DOCUMENTS

XIV. Right of Access To Personnel Documents

A. General Policies:

1. Illinois State University shall provide access to personnel documents in accordance with applicable statutes. Official personnel files are kept by the Provost's Office, Human Resources, Departments/Schools, and/or Colleges. Anonymous communications other than student evaluations shall not be included in the official personnel file nor used as part of any ASPT evaluation or decision.

3. Faculty members shall have the right to respond to materials contained in their official personnel files in the Office of the Provost, Human Resources, or in their Department/School or College files.

B. Faculty Access to Personnel Files:

3. The right of faculty members to examine written materials does not extend to letters of reference or to external peer review documents for that faculty member under 820 ILCS 40/10. However an external reviewer or referee may provide a written and signed waiver of confidentiality permitting the faculty member to examine the peer review letter(s), letters of reference, and/or documents.

C. In the absence of a statutory restriction or judicial order, the University shall notify a faculty member upon receipt of a subpoena for the faculty member's personnel file.

Comment [p1]: Should we include "or solicited supervisor reviews" to cover situations similar to the one we discussed going on at the library? I'm wondering if we might even refer to "unsolicited anonymous communications" as a way of leaving room open for official university surveys that seek anonymous feedback on performance outside of the classroom.

Comment [p2]: And/or to be consistent with the rest of the points in XIV

Comment [p3]: Again, and/or

Comment [p4]: Add comma here

Comment [p5]: Is there a provision for asking for this waiver of confidentiality? I don't know what kind of document is used to solicit these materials from external reviewers. In other words, are we leaving it up to these reviewers to express the desire for such a waiver? Can faculty members request that such a waiver be offered to the reviewer?

Comment [p6]: I'd reverse this sentence – as is, it seems to be saying that it is the absence of the statutory restriction or judicial order that triggers the notification, rather than the receipt of the subpoena. I'd suggest, then, "The University shall notify a faculty member upon the receipt of a subpoena for the faculty member's personnel file unless such notification is prohibited by statutory restriction or judicial order."

APPENDIX 1

(Pretty straightforward. My only observation is that there is inconsistency between the use of "must" and "shall" in the individual points. Is there any substantive difference between the two? In my mind, "must" seems to carry some sort of legal "or else," while "shall" is softer – it's just an expectation that such and such "shall be done." Most of the individual points use "must;" those that don't include: under B. Calendar for Promotion and Tenure, Nov. 1 and May 15; under D. Calendar for Cumulative Post-Tenure Review, March 8 and April 15; under E. Calendar for Reporting Requirements, May 1 (1st & 3rd paragraphs).

APPENDIX 2

Factors Used For Evaluation of Teaching

12. Development of new teaching techniques (videotapes, independent study modules, computer activities, instructional technologies, etc.);

Comment [p7]: Perhaps change to "video recording" to be more contemporary, as well as to generically cover all visual recording technologies? Does anyone use videotape anymore?

Criteria for the Evaluation
of Scholarly and Creative Productivity

Definition of Research

A large subset within the area of scholarly and creative productivity is commonly called research. The term "research" has been defined by the University Research Committee and the faculty evaluation system shall continue to recognize the University Research Committee's definition of research and modes of documenting research. The University definition for research is given below:

Evaluation Guidelines and Criteria for Scholarly and Creative Productivity

6. Performances, exhibitions, and other creative activities locally, regionally, nationally and internationally;

Comment [p8]: Slipping a comma in after "Committee" will help – I had to read through this sentence 4 times to make sense of it!

Comment [p9]: "…and other creative activities engaged in locally, regionally…"

University Review Committee
ASPT Subgroup 2

Report Submitted by Doris Houston and David Rubin
February 3, 2015

URC Subgroup 2: Doris Houston/David Rubin

The ASPT Committee Structure

I. Committees: Policies, Selection, Organization, and Responsibilities

A. It is understood that all committees act in an advisory capacity to the President. The Board of Trustees has granted to the President final responsibility to formulate and implement policies ~~decisions~~ based upon the advice of the Provost and the Faculty Review Committee, regarding appointment, salary, promotion, and tenure presented to the Board of Trustees (see XII.A).

B. Members of the University Review Committee, Faculty Review Committee, and College Faculty Status Committees will be elected by April 15 and members of the Department/School Faculty Status Committees will be elected by May 1 of each academic year. Their terms of office will normally commence with the start of the fall semester. No faculty member may serve for more than two consecutive terms on any one of these committees. No persons, at any level, may participate in deliberations regarding their own evaluations or those of spouses or other relatives by law or by consanguinity. Additionally, n~~N~~o persons, at any level, may participate in deliberations regarding the evaluation of a ~~their~~ spouse's or relative's senior administrator.

C. Elected members of the Academic Senate shall not be eligible for election to the University Review Committee or the Faculty Review Committee. Faculty members shall be eligible to serve on only one of the following elected bodies at a time: the University Review Committee, the Faculty Review Committee, a College Faculty Status Committee, or a Department/School Faculty Status Committee. College Council members shall not be eligible to serve on a College Faculty Status Committee. Those faculty members holding administrative appointments may not be elected to serve on ASPT committees (URC, FRC, CFSC, DFSC/SFSC). Vacancies on the University Review Committee, Faculty Review Committee, College Faculty Status Committee, or Department/School Faculty Status Committee shall be filled by established election procedures. No faculty member shall vote in the election of more than one department/school and one college.

D. All deliberations and all results and reports of these deliberations by committees and officials within the faculty status system process shall be confidential, and files of committees and officials shall be managed in keeping with University policies regarding personnel files (see XIV).

Confidentiality regarding academic personnel processes is not only an academic tradition, but is also a necessity for broad and candid participation in the personnel process if it is to remain a

Comment [DR1]: I.B., page 7

Comment [DR2]: May need some wording changes. P.7

Comment [HD3]: Need to clarify which kind of administrative appointments P.7

shared governance process. While this necessary confidentiality may be breached by some legal inquiries, the confidentiality must, in the absence of any such inquiry, be respected and observed by all participants, committee members, officials, and applicants alike.

All deliberations regarding ~~of~~ committee decisions ~~s~~ and officials within the faculty status system process shall be confidential (subject to Illinois and Federal laws) and files of committees and officials shall be managed in keeping with University policies regarding personnel files.

At the beginning of DFSC/SFSC deliberations, the chair/director should remind committee members (and at the beginning of CFSC deliberations, so should a dean remind committee members) that the committee's work may be communicated only to the next level of the faculty status process as defined in Faculty Appointment, Salary, Promotion and Tenure Policies and approved revisions, or in two other very specific instances:

First, if a DFSC/SFSC or CFSC committee member chooses to file a minority report, the text of such a report cannot reveal confidential aspects of a committee's or an official's deliberations. (A "minority report" is defined as a voluntary written statement submitted by a committee member(s) other than the Department/School Chairperson/Director indicating reasons for dissenting from an action or recommendation taken by the majority of the committee. Such a minority report may focus on the conclusions the author wishes to propose, and the evidence for such conclusions. Such an argument is understood to argue that the majority conclusions are flawed. The minority report must not breach the confidentiality of the faculty status process by reporting the deliberations of the committee, by reporting the views or statements of individual members of the committee during deliberations, or be communicated or transmitted to any member of the university other than the immediate next level of the faculty status process.)

Comment [HD4]: The definition of "Minority report" should be described here during its first use as opposed to later in the current document: CFSC Review of Departmental/School Recommendations (C.4) P.8

Second, should a member of a DFSC/SFSC or CFSC committee conclude that the committee or an official involved in the faculty status system process has violated the civil rights of an applicant, that member should immediately notify the University Office of Diversity and Affirmative Action, where a confidential inquiry will be initiated.

II. University Review Committee (URC)

A. The URC shall be comprised of elected faculty members with tenure (as defined on p. 1) and the Provost or the Provost's designee, who is an ex officio non-voting member. Each college shall have a minimum of one member on the URC. Any College with more than one hundred faculty members shall have one additional member for every additional one hundred faculty members (or major fraction thereof). Members from each College shall be elected at large for staggered three-year terms by and from the faculty of each College. In addition, the URC shall include a faculty representative, subject to the qualifications, proportions, and term outlined for college representatives, elected by and from the faculty members of the Milner Library. Each College Dean and the University Libraries Dean shall inform the Provost of individuals elected to the URC.

URC Subgroup 2: Doris Houston/David Rubin

B. The URC shall elect a Chairperson, a Vice-Chairperson, and a Secretary from among its membership.

C. A primary responsibility of the URC is to formulate, and at five-year intervals and on an as-needed basis, revise the Illinois State University ASPT document. If necessary, the URC will forward appropriate recommendations for revision of these policies and procedures to the Academic Senate. Unless otherwise provided, revisions of these policies shall be effective as of January 1 of the year following approval by the Faculty Caucus of the Academic Senate. The URC reviews and approves college standards at five-year intervals and on an as-needed basis. The URC considers Department/School policies and procedures only at the request of the appropriate Dean or DFSC/SFSC. It does not consider individual cases. In order to fulfill this primary function, the URC shall receive annual reports from each College Faculty Status Committee (see IV.D.) and from the Faculty Review Committee (see III.F.).

D. ~~The URC may conduct a University-wide equity review. In this case, the URC shall develop an appropriate equity distribution plan. This plan must be approved by the faculty members of the Academic Senate prior to its implementation. The Office for Diversity and Affirmative Action shall determine the criteria for affirmative action equity review in consultation with the URC.~~

"The URC *will* conduct a university-wide equity review *every XXXX years*. The URC shall develop written guidelines for these reviews and shall develop an appropriate equity distribution plan. This plan must be approved by the Faculty Caucus of the Academic Senate prior to its implementation. The Office of Equal Opportunity, Equity and Access shall assist the URC in determining criteria for the affirmative action portion of these equity reviews."

1. Definition of Equity Review
2. Purpose and Method of equity review
    a. Personnel to be reviewed for equity review
        i. OEOEA affirmative action
    b. Scope of equity review policy
3. Instrument to report results of equity review findings

~~Enactment of Equity Review and Appeal of Equity Review~~

4.

E. In consultation with the URC, as is deemed necessary, the Provost shall (1) ensure that University faculty status policies and procedures are available to all faculty members, (2) distribute the faculty status calendar indicating specific dates by which time the Departments/ Schools and Colleges are to perform their stated function, (3) receive an aggregate ~~general~~ report of faculty performance-evaluation appraisals made by each DFSC/SFSC and each CFSC, (4) provide interpretations of ASPT policies related to procedure and (5) submit a summary of faculty performance recommendations to the President. This summary shall also be made available to the Academic Senate in Executive Session.

Comment [DR5]: II.D., Page 9

Comment [HD6]: Suggested Language change (ASPT policy II.D.) p.9

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Final reports prepared for the Board of Trustees shall be available for review by members of the Academic Senate at least forty-eight hours (2 business days) prior to the Executive Session. Faculty members of the Academic Senate may present suggestions or comments in writing to the President. During the Executive Session only written comments to the President, received prior to the Academic Senate meeting, can be discussed. There shall be no discussion of individual faculty members.

F. In consultation with the Provost, the URC shall (1) develop the faculty status calendar indicating specific dates by which time the Departments/Schools and Colleges are to perform their stated functions and (2) provide interpretations of ASPT policies and procedures as needed. Any faculty member or committee may request interpretation of ASPT policies. Such opinions are advisory; appeals of specific actions taken under the ASPT process must be directed to the appropriate appellate body. During an appeal, the appeal committee may consult with the URC regarding interpretations of ASPT policies only in the broad sense; however, the URC shall not provide specific interpretation of a particular case.

III. Faculty Review Committee (FRC)

A. The FRC shall comprise elected faculty members with tenure (as defined on p. 1) who have served previously on a Department/School Faculty Status Committee or College Faculty Status Committee. Each college, including Milner Library, shall have a minimum of one member on the FRC. Any college with more than one hundred faculty members shall have one additional member for every additional one hundred faculty members (or major fraction thereof). Members from each College shall be elected at large for three-year staggered terms by the tenured and tenure-track faculty members from that College. Each College Dean, including Milner Library, shall inform the Provost of individuals elected to the FRC.

B. The FRC shall elect a Chairperson, a Vice-Chairperson, and a Secretary from among its membership.

C. The FRC as a whole shall consider appeals of promotion and tenure decisions only. An FRC member from an appellant's department/school will not take part in the appellant's appeal. Any member serving on a particular case shall continue on that case until the case is resolved, even if resolution occurs after the member's term would otherwise have ended. An appeal of a performance evaluation decision must be made to the CFSC (see XIII.F).

D. Section XIII of this document details appeals policies and procedures. Prior to hearing promotion or tenure appeals, the FRC operates under the following guidelines:

1. A faculty member may request a University-wide review of his/her credentials only if he/she has followed the procedures for resolving differences between individuals and the appropriate DFSC/SFSCs or CFSCs;

2. If the procedures mentioned in III.D.1 have failed to resolve a tenure or promotion disagreement, a request for University-wide review shall be submitted to the FRC no later than March 15.

Comment [HD7]: We should clarify the definition of "university wide review" and offer guidelines/procedures for such review. P.11

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E. The FRC will be the University committee to hear an appeal for dismissal of a tenured faculty member.

F. The FRC shall submit to the URC a final report summarizing the number of appeals by Department/School and College, the type of appeals, and the dispositions of these appeals.

IV. College Faculty Status Committee (CFSC)

A. Membership of the CFSC:

1. Each College shall have a CFSC that comprises three to six faculty members (as defined on p. 1) whose locus of tenure is within that college and the Dean, who is an ex officio voting member and Chairperson of the Committee. All members of the committee must hold tenure. Members shall be elected at-large by the faculty (as defined above) of the College for staggered two-year terms. In those Colleges having six or more departments/schools, no Department/School shall have more than one representative. In no event shall one Department/School have more than two representatives. CFSC Guidelines must specify whether CFSC members may participate in, be present at, or vote in ASPT deliberations (including appeals) involving individuals from their own departments/schools.

2. Milner Library shall have a CFSC that is comprised of two faculty members (as defined in the Overview) and the Dean, University Libraries, who is an ex officio voting member and Chairperson of the Committee. Elected members of the committee must hold tenure. Members shall be elected at-large by Milner Library Faculty for staggered two-year terms. Since Milner Library has no departments, Milner Library CFSC members may participate in all deliberations unless these deliberations involve them as individuals.

3. The following stipulations shall apply to the Mennonite College of Nursing until it has an appropriate number of tenured faculty members.

Comment [HD8]: Does this language still apply? P.12

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a. With no tenured faculty members, there shall be no CFSC; instead, the Dean shall be responsible for the implementation of faculty status policies.

b. With one tenured faculty member (excluding the Dean), the CFSC shall comprise the tenured faculty member and the Dean.

c. With two tenured faculty members (excluding the Dean) the CFSC shall comprise the two tenured faculty members and the Dean.

d. With three tenured faculty members (excluding the Dean), the CFSC shall comprise the three tenured faculty members and the Dean.

B. CFSC Review of Departmental/School Policies and Procedures:

URC Subgroup 2: Doris Houston/David Rubin

1. The CFSC shall review Department/School policies and procedures for appointment, reappointment, performance-evaluation, promotion, tenure, and post-tenure reviews with authority to ensure conformity to College standards and University policies and procedures.

2. The CFSC shall review Department/School policies and procedures for the allocation monies devoted to performance-evaluated salary increments. These policies and procedures are left to the discretion of each Department/School, but the CFSC shall review them for clarity, and fairness, and internal consistency.

3. The URC shall be notified in writing of ~~decide in the event of a~~ disagreement between a DFSC/SFSC and a CFSC regarding the development of the policies and procedures. In such case, URC will decide which proposed policy and/or procedure best represents the interests of the university.

Comment [HD9]: p.13
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C. CFSC Review of Departmental/School Recommendations:

1. In all situations involving tenure, the CFSC shall review the cases of the individuals involved and either endorse the DFSC/SFSC's recommendation or reach an alternate recommendation.

2. In all situations involving a positive DFSC/SFSC recommendation for promotion, the CFSC shall review the promotion application of the individual involved and either endorse the DFSC/SFSC's recommendation or reach an alternate recommendation. A faculty member may withdraw an application for promotion at any time during the review process prior to review by the President. Negative DFSC/SFSC recommendations for promotion shall not be forwarded beyond the Department/School to the CFSC unless the faculty member requests, in writing, to the Department/School Chairperson/Director, additional review.

3. The CFSC shall receive a report of the DFSC/SFSC recommendations for performance-evaluated salary increments. The CFSC shall approve the recommendations in the report for consistency and conformity to Department/School policies, College standards and University policies. Faculty members may appeal to the CFSC a DFSC/SFSC performance-evaluated review. The CFSC shall serve as the final appellate body for a performance evaluated review (see XIII.H.).

4. In cases of tenure and promotion, the DFSC/SFSC shall forward to the CFSC the candidate's evidence of accomplishment, together with its recommendation and rationale, all minority reports, and the chairperson's/director's recommendation (if required) and rationale. Chairpersons/directors are required to write a separate report when the chairperson's/director's recommendation differs from the DFSC/SFSC recommendation. (~~A "minority report" is defined as a voluntary written statement submitted by a committee member(s) other than the Department/School Chairperson/Director indicating reasons for dissenting from an action or recommendation taken by the majority of the committee. Such a minority report may focus on the conclusions the author wishes to propose, and the evidence for such conclusions. Such an argument is understood to argue that the majority conclusions are flawed. The minority report must not breach the confidentiality of the faculty status process by reporting the deliberations of the committee, by reporting the views or statements of individual members of the committee during~~

Comment [HD10]: p.13
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~~deliberations, or be communicated or transmitted to any member of the university other than the immediate next level of the faculty status process.)~~ Materials may be requested by the CFSC to clarify, support or substantiate the faculty credentials. In those rare instances when an event occurs or information becomes available after the initial recommendation of the DFSC/SFSC and before deliberation of the CFSC, which event or information has direct bearing on the review, such event or information may be considered by the CFSC with full written disclosure to the candidate and the DFSC/SFSC. The CFSC shall notify the candidate in writing of its intended recommendation and rationale before submitting its recommendation to the Provost and shall provide opportunity for the candidate to meet with the CFSC to discuss the intended tenure and/or promotion recommendation. The candidate who believes that relevant factors or materials have been ignored or misinterpreted shall be entitled to present arguments and additional materials. This activity must be accomplished within the time period provided for CFSC review (see Appendix 1.B). The candidate must provide to the DFSC/SFSC any evidence provided to the CFSC that was not previously shared with the DFSC/SFSC.

5. The CFSC recommendation and rationale, any minority reports, and the Dean's recommendation (if required) and rationale shall be forwarded in writing to the candidate, the DFSC/SFSC, and the Provost. Any member of the CFSC may submit a minority report as defined in I.D. (pp----) of this document. ~~(A "minority report" is defined as a voluntary written statement submitted by a committee member(s) other than the Dean indicating reasons for dissenting from an action or recommendation taken by the majority of the committee. Such a minority report may focus on the conclusions the author wishes to propose, and the evidence for such conclusions. Such an argument is understood to argue that the majority conclusions are flawed. The minority report must not breach the confidentiality of the faculty status process by reporting the deliberations of the committee, by reporting the views or statements of individual members of the committee during deliberations, or be communicated or transmitted to any member of the university other than the immediate next level of the faculty status process.)~~ Deans are required to write a separate report when their recommendation differs from the CFSC recommendation.

Comment [HD11]: This language was moved up to section I.D. **Committees: Policies, Selection, Organization, and Responsibilities P.14**

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6. The candidate's application, DFSC/SFSC and CFSC reports, all minority reports from those committees, together with the chairperson's/director's and dean's reports (if required) shall be used by the Provost in formulating a recommendation. The Provost may request further information about any of the recommendations or from the candidate before making a recommendation to the President. In those rare instances when an event occurs or information becomes available after the recommendation of the CFSC and before deliberation of the Provost, which event or information has direct bearing on the review, such event or information may be considered by the Provost with full written disclosure to the candidate, the DFSC/SFSC and the CFSC.

D. CFSC Reporting Requirements:

URC Subgroup 2: Doris Houston/David Rubin

1. The CFSC shall inform the appropriate DFSC/SFSC and the faculty member in writing of all its actions and recommendations regarding faculty members (see IV.C. 1-6). In reporting all formal CFSC actions and recommendations to the Provost a record of the numeric vote shall be included.

2. All DFSC/SFSC and CFSC reports with all materials and documents used in making the recommendation shall be forwarded to the Provost for review. After receiving and considering these reports, the Provost shall make recommendations to the President.

3. Each CFSC shall submit by May 1 an annual report to its College Council and to the URC. This report should include, for Departments/Schools and for the College as a whole, the following information:

a. the number of eligible faculty recommended and not recommended for tenure;

b. the number of eligible faculty recommended for promotion to each rank;

c. the number of times the CFSC concurred with DFSC/SFSC recommendations for promotion and for tenure;

d. the number of promotion and tenure cases in which the CFSC reached alternate recommendations to those made by DFSC/SFSCs;

e. the number of promotion and tenure cases in which each Department/School Chairperson/Director made alternate recommendations to those reached by the DFSC/SFSC;

f. the number of promotion and tenure cases in which the Dean made alternate recommendations to those reached by CFSCs.

g. the number and disposition of appeals;

h. the number of faculty members recommended for performance-evaluated salary increments.

i. by department, the number of non-reappointed tenure track faculty members with the number of years served at Illinois State and the number of years attributed to the faculty member before hire.

Comment [HD12]: This might be a logical place to add language regarding departmental data to be collected and reported as it relates to URC pending equity review policies. P.16

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E. CFSC College Standards:

1. With appropriate faculty input, each CFSC shall develop brief College Standards that identify requirements unique and special to the mission of the College and its faculty. College Standards shall be limited to qualitative statements linked to the guidelines for teaching, scholarly and creative productivity, and service (see Appendix 2). College Standards shall not contain numeric thresholds or ranking of criteria for measuring performance of faculty. College Standards are appended to the ASPT document and are subject to review by the University Review Committee every fifth year. The College Standards shall be approved by a majority vote of the departments/schools within each College. Each department/school shall have one vote,

representing the majority vote of the department/school faculty eligible to vote according to ASPT policy. Colleges through their CFSCs may propose reasonable and modest revisions to their Standards during the interim. These Standards or recommended revisions to them shall be submitted to the URC by May 1.

V. Department/School Faculty Status Committee (DFSC/SFSC)

A. Membership of the DFSC/SFSC:

1. Except as noted in V.A.4., each Department/School shall have a DFSC/SFSC that comprises at least three faculty members (as defined on p. 1) whose locus of tenure is within that Department/School and the Chairperson/Director of the Department/School, who is an ex officio voting member and Chairperson of the Committee. The majority of the elected committee members must be tenured, except as noted in V.A.4. Department/School policies shall not preclude the election of probationary faculty members to the DFSC/SFSC. Faculty members of the DFSC/SFSC shall be elected by Department/ School faculty members (as defined above) for two-year staggered terms. Election procedures shall be submitted by each Department/School to the CFSC for approval. For ASPT purposes, the faculty members of the Milner Library and the Mennonite College of Nursing subject to the ASPT system shall each elect a DFSC/SFSC.

2. An untenured faculty member shall not be elected to a term that coincides with the year in which the DFSC/SFSC is considering the individual for tenure. A tenured faculty member shall not be elected to a term that coincides with the year in which they will be a member of the DFSC/SFSC in considering themselves for promotion.

Comment [DR13]: V.A.2., page 18

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3. The Department/School shall develop written procedures, subject to review by the CFSC, for electing one of its number to complete an unexpired term.

4. The following stipulations shall apply to Departments/Schools with few or no tenured faculty members:

a. In a Department/School with no tenured faculty members, there shall be no DFSC/SFSC; instead the Department/School Chairperson/Director shall be responsible for the implementation of faculty status policies.

b. In a Department/School with one tenured faculty member (excluding the Chairperson/Director), the DFSC/SFSC shall comprise the tenured faculty member, an elected faculty member and the Chairperson/Director.

c. In a Department/School with two tenured faculty members (excluding the Chairperson/Director), the DFSC/SFSC shall comprise two elected faculty members, at least one of whom holds tenure, and the Chairperson/Director.

5. Each Department/School shall develop policies and procedures for use when DFSC/SFSC members are evaluated. These policies and procedures must be approved by the majority vote of the Department/School faculty.

B. DFSC/SFSC Development of Departmental/School Policies and Procedures:

1. Following appropriate faculty input, each DFSC/SFSC shall develop Department/School policies and procedures for appointment, reappointment, performance-evaluation, promotion, tenure, and post-tenure reviews. These policies and procedures shall be approved by the majority vote of the eligible Department/School faculty prior to January 1 of the year in which the policies and procedures take effect. Copies of these policies and procedures shall be distributed to each Department/School faculty member. These policies and procedures are left to the discretion of each Department/School but they shall be submitted to the appropriate CFSC, which will approve them for their conformity to College standards and University policies and procedures (see IV.B.1).

2. Following appropriate faculty input, each DFSC/SFSC shall develop Department/School policies and procedures for the allocation of monies devoted to performance-evaluated salary increments and salary equity adjustments. These policies and procedures must be approved by the majority vote of the Department/School faculty prior to January 1 of the year in which the policies and procedures take effect. Copies of these policies and procedures shall be distributed to each Department/ School faculty member. These policies and procedures are left to the discretion of each Department/School, but they shall be submitted to the appropriate CFSC, which will approve them for their clarity, fairness, and conformity to College standards and University policies and procedures (see IV.B.2).

C. DFSC/SFSC Responsibility for Review of Departmental/School Faculty:

1. The DFSC/SFSC shall be responsible for conducting pre-tenure reappointment reviews. A pre-tenure reappointment review is an evaluation of a probationary faculty member's professional activities and performance that culminates in a recommendation with regard to whether or not the probationary faculty member shall be reappointed for the coming year. Pre-tenure reappointment reviews shall be conducted annually until such time as the faculty member has been recommended for tenure in the University or has been given a notice of nonreappointment.

2. The DFSC/SFSC shall be responsible for conducting summative reviews of evaluations of a faculty member's professional activities and performance for purposes of determining performance-evaluated salary increments, formulating recommendations for promotion and tenure, for completion of post-tenure review and for dismissal.

a. A performance evaluation review shall be conducted every year to determine the size of performance-evaluated salary increment to be awarded for the coming year (see XII.).

b. A promotion or tenure review shall be conducted as a necessary step in the formulation of a written recommendation concerning promotion and tenure. This review shall support a Departmental/School recommendation concerning promotion or tenure and be completed, with the

approval of the DFSC/SFSC, only at the time an individual is considered for promotion or tenure. A faculty member's academic department/ school may initiate recommendations with respect to promotion in rank, regardless of the allotment of a faculty member's time. After serving the minimum period of time at a particular rank, a faculty member may also request consideration for promotion and provide the documentation supporting the request (see IV.C.2.). A faculty member's academic department/ school initiates review for tenure (see IX.B.4.). Departments/schools are encouraged to recommend early tenure only in unusual circumstances.

c. In compliance with Board of Trustees Policies, a post-tenure review shall be conducted for each tenured faculty member after the date of the faculty member's achievement of tenured status. Cumulative post-tenure performance evaluation policies, procedures, and criteria shall be part of DFSC/SFSC policies. Cumulative post-tenure review responses written by the DFSC/SFSC should reflect annual evaluations of the faculty member during the review period. The Provost's Office shall have access to cumulative post-tenure evaluation policies, procedures, and criteria and to the results of cumulative post-tenure evaluations on a yearly basis (see X.).

d. In support of any of these evaluative activities, the DFSC/SFSC shall collect information from each faculty member that includes, but shall not be limited to, systematically gathered student reactions to teaching performance in addition to supplemental measures of faculty teaching performance (e.g. ctlt observations, tenured faculty observations, faculty assessment tools etc. The anonymity of students shall be preserved as far as possible. Anonymous communications (other than officially collected student reactions to teaching performance) shall not be considered in any evaluative activities.

Comment [HD14]: Should this section be more broad to include evaluative activities in scholarship and service as well? P.21

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3. The DFSC/SFSC shall be responsible for making recommendations regarding faculty contracts and appointments, for reappointment and non-reappointment, for performance evaluation, for salary adjustments and for promotion, tenure, and dismissal.

4. In cases of tenure and promotion the DFSC/SFSC shall notify the candidate of its intended recommendation and rationale before submitting its recommendation to the CFSC and shall provide opportunity for the candidate to meet with the DFSC/SFSC to discuss the intended tenure and promotion recommendation. The candidate who believes that relevant factors or materials have been ignored or misinterpreted shall be entitled to present arguments and supplement his or her materials before final recommendation by the DFSC/SFSC. This activity must be accomplished within the time period provided for DFSC/SFSC review (see Appendix 1.B). The candidate's evidence of accomplishment together with the DFSC/SFSC recommendation and rationale, the Chairperson/Director's report, if required (see IV.C.4), and all minority reports shall be forwarded in writing to the candidate, the CFSC, DFSC/SFSC and the Provost. Any member of the DFSC/SFSC may submit a minority report (see IV.C.4). If additional materials are used by the DFSC/SFSC to reach a recommendation the DFSC/SFSC must inform the candidate in writing about their use and the materials must be made available to the candidate. All materials used in arriving at a recommendation must be forwarded on to the CFSC.

URC Subgroup 2: Doris Houston/David Rubin

D. DFSC/SFSC Reporting Requirements:

1. The DFSC/SFSC shall inform each departmental/school faculty member in writing of DFSC/SFSC recommendations and the Chairperson's/Director's recommendations (if required in IV.C.4) pertaining to his or her rank, tenure status, and salary increments according to the annual faculty status calendar given in this document (see Appendix 1). The DFSC/SFSC shall also report its recommendations regarding performance evaluations, promotions, and tenure to the CFSC and to the faculty member affected by these actions. Any DFSC/SFSC member may submit a minority report (see IV.C.4). In reporting DFSC/SFSC actions and recommendations to the CFSC and to the faculty member affected by these actions and recommendations, the DFSC/SFSC shall include a record of its numeric vote and forward all material used in arriving at the recommendation. The DFSC/SFSC shall observe strict confidentiality regarding its recommendation and its deliberations.

University Review Committee
ASPT Subgroup 3

Report Submitted by Angela Bonnell
February 5, 2015

Policies and Procedures for Appointment, Reappointment, Promotion, Tenure, Post-Tenure Review, and Dismissal

VI. Appointment Policies

A. Department/school search committees, in accordance with established department/school policy, are responsible for the recruitment of potential faculty members. Search committees should be appointed pursuant to department/school, college, and University policies. Recommendations for appointment of new faculty members originate with the department/school search committee according to established department/school policy.

B. All tenured and tenure-track faculty members shall be given an opportunity to review candidates' credentials. All tenured faculty members shall be given an opportunity to respond to the proposed appointment on the Recommendation for Academic Appointment form. Initial appointments of probationary or tenured faculty members shall ordinarily have the approval of the majority of all DFSC/SFSC members and the majority of the tenured faculty members of the Department/School. Ordinarily, faculty are appointed on a probationary basis (see IX.) but on occasion can be appointed with tenure.

C. The Department/School Chairperson/Director shall forward to the College Dean recommendations for appointment on the Personnel Action Form provided for that purpose. The appointment form shall designate whether the appointment is probationary or non-tenure-track, specify the rank, salary, and, for a probationary appointment, the probationary period after which the person who is being appointed must be considered for tenure (see IX.).

D. The Dean shall review the Recommendation for Academic Appointment form and request additional signatures if the Dean considers them necessary. The Dean may, with the approval of the Provost, reduce the number of signature requirements as necessary to expedite specific decisions. Such action shall be reported to the DFSC/SFSC.

E. The Dean shall have the responsibility of recommendations to the Provost for appointments of personnel within the College.

G. The Department/School Chairperson/Director or a designee shall personally interview all candidates for tenure-eligible positions, and all candidates for appointments with tenure shall visit the campus so that they may interact personally with Department/School faculty members.

H. The Department/School search committee is responsible for checking relevant references prior to making a recommendation. The Chairperson/Director and Dean, in consultation with the DFSC/SFSC, will recommend salary and rank. The Provost must approve appointments, salary, and rank for all faculty members.

I. If a position involves duties in more than one Department/School or area, the recommendation and appointment shall originate in the major Department/School, only after consultation among the supervisors of all Departments/Schools or areas in which the person appointed shall serve. Cooperative interviews are encouraged. The written appointment form shall include the signature of the administrative officer of the minor Department/School or area and shall be accompanied by a written agreement stating the terms of employment signed by both the administrative officers of the major and minor Departments/Schools or areas. Copies of these written agreements shall be kept in the Department/School office and in the Office of the Dean.

J. A letter of intent shall issue from the Department/School upon final approval setting forth all of the essential terms of employment for the prospective faculty member and providing the candidate with information regarding department/school, college, and university policies. The letter of intent should be approved by the relevant college dean and the Provost. Employment will not begin until an appointment contract is issued by the University.

Comment [alb1]: I think an onsite visit is ideal, but wonder about ruling out virtual options such as Skype or Facetime.

VII. Faculty Assignments and Faculty Evaluation

A. Faculty assignments are integral to the mission of a department/school and thus of the University. Each faculty assignment represents the part that the faculty member will play during the coming academic year in carrying out that mission. Faculty assignments shall embody the principles of consistency and flexibility. Because the University expects from all faculty consistent high-quality performance in the mutually supportive areas of teaching, scholarly and creative productivity, and service, faculty assignments shall be designed not to inhibit faculty members from contributing in all three areas over their term of

employment. Appropriate effort shall be made to achieve flexibility in faculty assignments so that the changing needs of the University are recognized and so that, by giving faculty members the latitude to explore academic and professional opportunities as they arise, faculty contributions to the University can be maximized. Faculty assignments may differ from person to person in a given year, and an individual faculty member may complete several types of assignments during the course of several years.

B. The Chairperson/Director shall communicate to all faculty members in writing and in a timely manner courses they are expected to teach and whether the Department/School will allocate to them reassigned time for the completion of activities that do not involve direct classroom instruction.

C. Faculty assignments within a department/school shall be defined in writing so that faculty members understand the nature of their assignments for the coming year. In the performance evaluation of faculty members, the DFSC/SFSC shall recognize that individual efforts and activities elicit different types of productivity and that the quality and thoroughness of work done by a faculty member in completing an individual assignment constitute the criteria on which performance evaluation decisions and summative reviews may be based.

Comment [alb2]: Specify academic year?

D. Prior to Departmental/School performance evaluations, faculty members shall provide to the DFSC/SFSC activities reports specific to their assignments. Department/School ASPT Guidelines should provide guidance regarding the format and content of activities reports. Electronic submission of activities reports is encouraged and may be required by DFSC/SFSC Guidelines. Items that are difficult or impossible to document electronically may be submitted directly. Reports are due by January 5 of each year.

E. Departments/schools must develop guidelines for what constitutes overall "satisfactory" and "unsatisfactory" performance. The term "satisfactory" is defined as meeting or exceeding minimum expectations as defined within Department/School Guidelines. The annual performance evaluation process shall include (1) an annual assessment of a faculty member's performance in teaching, scholarly and creative productivity, and service; (2) a separate interim appraisal of the faculty member's progress toward tenure and/or promotion, if applicable; and (3) an overall evaluation of the faculty member's performance in the

evaluation period as either "satisfactory" or "unsatisfactory." Departments/Schools may choose to provide separate assessments of faculty performance in each evaluation category (teaching, scholarly and creative productivity, and service) as either "satisfactory" or "unsatisfactory," but must provide an overall assessment as well.

F. Departments/Schools shall provide a detailed letter including intended recommendations and overall assessment to each faculty member at least 10 working days before submitting these recommendations to the CFSC and provide opportunity, if requested, for the faculty member to meet informally with the DFSC/SFSC or for a formal meeting. Formal meetings with the DFSC/SFSC are required prior to an appeal to the CFSC. Requirements for formal meetings and appeals are found in Section XIII. Intended recommendations will become the final recommendation at the end of ten working days unless additional information is discovered or unless the Department/School changes its recommendation following an informal or formal meeting with the faculty member.

Comment [alb3]: ten for consistency (see below)

Comment [alb4]: ten

VIII. Promotion Policies

A. The attainment of successively higher academic ranks at Illinois State University marks professional growth and the achievement of status within a discipline. Further, such status is generally expected to be demonstrated by a sustained record of professional competence. Hence, promotions are neither automatic nor the product of any set formula based on yearly performance-evaluation ratings.
B. Promotions are initially recommended and justified by the DFSC/SFSC. It is the responsibility of Departments/Schools to ensure that faculty members understand their individual assignments of efforts and activities. Interim appraisals must be made in writing by the DFSC/SFSC. Faculty may request a summative review for promotion in any year of eligibility.
C. Department/School, College, and University criteria for promotion shall be provided to faculty. Under no circumstances should a candidate be promised or in any way assured of promotion.
D. A Department/School may require that peer evaluators, external to Illinois State University, review the credentials of each faculty member

who is a candidate for promotion. If peer evaluation is part of a Department/School's promotion review process, this fact must be stated in the Departmental/School policies and procedures document. Department/School guidelines must expressly state whether or under what conditions written evaluations will be considered without a waiver of confidentiality by the evaluator. Departments/Schools using external evaluators shall provide to the evaluators Department/School, College, and University mission statements and a written description of the candidate's assignment of efforts and activities for the entire timespan being evaluated. The written evaluations of external evaluators shall be available to the DFSC/SFSC, CFSC, FRC, Provost and President as part of their deliberations on promotion. Written evaluations shall not be made available to the candidate for promotion unless the evaluator has given prior written permission pursuant to 820 ILCS 40/10.

E. So that the University adheres to common standards, the following minimal requirements in teaching, scholarly and creative productivity, and service for promotion are set forth. Criteria for meeting these requirements are suggested but not limited to the criteria found in Appendix 2. Only under unusual and justifiable circumstances will variations from these requirements be approved.

1. For possible promotion from Instructor to Assistant Professor:

Comment [alb5]: Do we still hire in as Instructor?

   a. The candidate shall possess the appropriate terminal degree or its equivalent in the discipline, as determined by the Department/School and the College, together with other professional qualifications and accomplishments, including demonstrated teaching competence in the candidate's field of academic concentration.
   b. The candidate's continuing professional growth and professional activities should be of sufficient quality to warrant promotion to Assistant Professor.

2. For possible promotion from Assistant Professor to Associate Professor:

   a. The candidate shall possess the appropriate terminal degree in the discipline, as determined by the Department/School and the College, or sufficient stature

in their field and profession, as attested to by regionally and nationally recognized accomplishments (publications, external grant awards, art shows, performances, honors, etc.) to justify waiving the requirement of an appropriate terminal degree.

Comment [alb6]: Best language? Not used in Appendix 2

b. A candidate may bring in up to two years of full-time service at the rank of assistant professor at the college or university level in consideration for promotion to Associate Professor. An Assistant Professor is eligible for review for promotion in the fourth year of service. Promotion to Associate Professor may take effect in the fifth year. Faculty members who hold rank in an academic department/school but who are assigned to laboratory schools are considered for these purposes as teaching at the college or university level. (Ordinarily, promotion to Associate Professor shall not occur prior to recommendation for tenure, see IX.C.5).

c. The candidate's continuing professional growth and professional activities should be of sufficient quality to warrant promotion to Associate Professor.

3. For possible promotion from Associate Professor to Professor:

a. The candidate shall possess the appropriate terminal degree in the discipline, as determined by the Department/School and the College, and/or highly recognized stature in their field and profession, as attested to by regionally and nationally recognized accomplishments (publications, external grant awards, art shows, performances, honors, etc.) to justify waiving the requirement of an appropriate terminal degree.

Comment [alb7]: Best language? Not used in Appendix 2

b. Ordinarily an Associate Professor must have served full time for at least four years as associate professor at Illinois State and have completed at least ten full-time years as a faculty member at the college or university level. Review for promotion to Professor may occur in the tenth year of service. Promotion to Professor may take effect in the eleventh year. Review for promotion to Professor would normally occur in the fourth year of

service as Associate Professor at Illinois State University. Promotion to Professor may take effect the following year. Faculty who hold rank in an academic department/school but who are assigned to laboratory schools are considered for these purposes as teaching at the college or university level.

c. The candidate's professional activities shall demonstrate an excellence of quality that reflects sustained past performance and is indicative of meritorious future performance.

F. All DFSC/SFSC recommendations regarding promotion shall be based on criteria set forth in the faculty status policies and procedures that have been developed for Departmental/School use (see V.C.2.b). These criteria shall be consistent with the University Guidelines and Criteria for Performance Evaluation that are found in Appendix 2 of this document.

G. Time spent on unpaid leaves of absence shall not be counted as progress toward promotion. Time spent on sabbatical leaves shall be counted as progress toward promotion unless the faculty member and the Provost agree in advance that it shall not be so counted.

IX. Tenure Policies

A. Nature of Tenure

1. The 1940 Statement of Principles of Academic Freedom and Tenure states, "After the expiration of a probationary period, teachers or investigators should have permanent or continuous tenure, and their services should be terminated only for adequate cause" such as "extraordinary circumstances because of financial exigencies." The 1940 Statement also provides a rationale for tenure:

> Tenure is a means to certain ends; specifically: (1) Freedom of teaching and research and of extramural activities, and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence tenure, are

indispensable to the success of an institution in fulfilling its obligations to its students and to society.

2. Recognition of the tenure concept and its rationale is provided in the Board of Trustees Governing Policy for Illinois State University and in the Illinois State University Constitution. Briefly summarized, academic tenure is an arrangement under which faculty appointments, after successful completion of a probationary period, are continued, subject to dismissal only for adequate cause, unavoidable termination on account of genuine and demonstrable exigency or elimination or reduction of an institutional program, until retirement. Termination due to financial exigency or to program elimination or reduction must be in accordance with University and Board of Trustees policies. The probationary period is that period of professional service during which a faculty member does not hold tenure and is carefully and systematically observed by colleagues for the purpose of evaluation of professional qualifications. At the end of this period, the faculty member either receives tenure or is not reappointed.

B. General Tenure Policies: To be recommended for tenure, faculty members must serve a probationary period, as stated in their initial appointment contracts. A tenure decision will be initiated by the DFSC/SFSC or, in Departments/Schools that have no DFSC/SFSC, by the Department/School Chairperson/Director, in a timely enough manner to allow final determination to occur at least one year before the end of the probationary period. An award of tenure requires the approval of the President.

1. Time spent on unpaid leaves of absence generally shall not be counted as progress toward tenure; exceptions may be granted by the Provost, in consultation with the Dean and Department/School Chairperson/Director. Time spent on sabbatical leaves shall be counted as progress toward tenure unless the faculty member and the Provost agree in advance that it shall not be counted. A copy of that agreement shall be retained in the faculty member's personnel file. Ordinarily, a leave of absence to pursue political activity shall not be counted toward fulfilment of the probationary period of service. The faculty evaluation process also provides for a pre-tenure stop-

Comment [alb8]: fulfillment

the-clock mechanism for exceptional circumstances outlined elsewhere (see IX.B.3).

2. The probationary period at Illinois State University may not exceed seven years. This period may be reduced by full-time service as a faculty member at other institutions of higher learning. A newly-appointed faculty member with prior full- time service may be credited with up to three years of service and shall be notified in writing how many years of probationary service credit is being given and how long, therefore, the reduced probationary period of service shall be. A faculty member whose probationary period of service has been thus reduced may be considered for tenure according to the reduced period of service or request that the years of service already credited be added back to the reduced probationary period, thereby lengthening the probationary period and deferring the tenure decision. In those situations in which a faculty member chooses to extend a shortened probationary period, notification to add the credited years or a portion of the credited years to the probationary period shall be made to the Department/School Chairperson/Director prior to November 1 of the year previously scheduled for the summative review for tenure. Once the process of summative review for tenure has begun, the faculty member shall not be allowed to add years to the probationary period (see Appen dix 1.B).
3. Exceptional circumstances may on occasion disrupt normal progress toward tenure. Upon request by a faculty member, a one-year stop-the-clock extension of the probationary period with compensation may be granted by the Provost in consultation with the Dean and the Department/School Chairperson/Director. Exceptional circumstances may include, but are not limited to, pregnancy and/or childbirth, extended illness or injury, severe domestic issues, disruption of research facilities, or foreign teaching assignments. Because extension of the probationary period is intended to address unforeseen circumstances, such an extension should not be granted merely because a faculty member has failed to meet performance expectations. A stop-the-clock period will not count toward tenure.

Comment [alb9]: IX.B.2: "The probationary period at Illinois State may not exceed -seven- six years."IIIX.B.3: "A stop-the-clock period will not count toward tenure **or against the length of the probationary period.**"

Comment [BA10]: international?

4. The decision concerning tenure must be made at least twelve months before the expiration of the probationary period. The DFSC/SFSC shall, for every faculty member whose tenure date occurs in the following year, submit its recommendation to the CFSC, which in turn will recommend to the Provost, who will recommend to the President. Departments/Schools are encouraged to recommend early tenure only in unusual circumstances, and when candidates are recommended for tenure before the last year of the probationary period, should the recommendation not be accepted, the candidate may finish the probationary period and may reapply for tenure.

5. Department/School and University criteria for tenure shall be provided to faculty members. Under no circumstances should a candidate be promised or in any way assured of tenure.

6. It shall be the faculty member's responsibility to provide appropriate certification of the completion of degrees or credit hours before November 1 if these are to be considered in a tenure recommendation intended to become effective during the following academic year. The Provost, however, may use discretion in interpreting what constitutes "appropriate certification."

Comment [alb11]: When does this apply?

C. Criteria for Tenure: The granting of tenure is a major decision and should not be considered automatic once a faculty member enters the probationary period. Tenure is neither automatic nor the product of any set formula based solely on yearly performance-evaluation ratings. The following statements list the primary criteria on which tenure recommendations at Illinois State University are based. Exceptions to these criteria, while possible, shall be rare.

1. Consideration for tenure is predicated upon receipt of a terminal degree or its equivalent in the discipline, as determined by the Department/School and the College, together with other professional qualifications and accomplishments, including demonstrated teaching competence in the candidate's field of academic concentration.
2. There must be evidence of continuing high quality professional performance during the probationary period with an emphasis on the mutually supportive activities of teaching, scholarly and

creative productivity, and service (see Appendix 2). It is also understood that the awarding of tenure carries with it the expectation for continued high-quality performance.

3. The candidate's competencies must be in keeping with the long- range goals of the Department/School and the University if tenure is to be recommended.
4. The candidate must have demonstrated the capability to work responsibly and knowledgeably toward the goals of the Department/School and the University.
5. To be eligible for tenure, a faculty member should hold the rank of Associate Professor or Professor or be recommended for promotion to the rank of Associate Professor when tenure is recommended. An individual who cannot qualify for promotion to Associate Professor at the time of tenure shall ordinarily not be considered for tenure.

D. Procedural Considerations Related to Tenure:

1. Evaluation of the performance of a faculty member during the probationary period is ongoing. The decision to award or deny tenure shall take into account the faculty member's performance during the entirety of the probationary period. Annual letters from the DFSC/SFSC shall address the candidate's strengths and weaknesses that pertain to future tenure recommendations (see IX).
2. To this end, a written appraisal of performance, including a statement of the faculty member's potential contribution to the long-range goals of the Department/School, will be provided every year by the DFSC/SFSC (see V.C) to each full-time, probationary faculty member.
3. A department/school may require that peer evaluators external to Illinois State University review the credentials for each faculty member who is a candidate for tenure. If peer evaluation is part of a department/school's tenure review process, this fact must be stated in the departmental/school policies and procedures document. Department/School guidelines must expressly state whether or under what conditions written evaluations will be

considered without a waiver of confidentiality by the evaluator. Departments/Schools using external evaluators shall provide to the evaluators Department/School, College, and University mission statements and a written description of the candidate's assignment of efforts and activities for the entire timespan being evaluated. The written evaluations of external evaluators shall be available to the DFSC/SFSC, CFSC, FRC, Provost, and President as part of their deliberations on tenure. However, those written evaluations shall not be made available to the candidate for tenure unless the evaluator has given prior written permission, pursuant to 820 ILCS 40/10.

4. A summative review of a faculty member's professional activities shall be completed at the time a tenure recommendation is made.

X. Post-Tenure Reviews Including Cumulative Post-tenure Reviews

Post-tenure review can occur in one of several ways at Illinois State University. First, tenured faculty are evaluated annually (as are all faculty at Illinois State) for the purpose of yearly accountability and for assessment of merit relative to salary incrementation programs. Second, faculty members who receive an unsatisfactory performance rating, as defined by the ASPT guidelines during this annual process for any two years of a three-year period are required to undergo a cumulative post-tenure review. Third, individual academic departments may require, as a feature of their internal ASPT guidelines, a cumulative review of all tenured faculty on a recommended three-to five-year cycle. Finally, tenured faculty members may wish to voluntarily submit their dossiers for a cumulative post-tenure review at certain junctures of their careers.

A. Cumulative reviews are meant to assess and evaluate the performance of the Department/School's tenured faculty relative to the mission and goals of the Department/School and University while at the same time to support and develop the faculty. The reviews have several purposes, including:

1. The cumulative post-tenure review allows tenured faculty members to evaluate their own work and their own short- and long-range professional goals in a multi-year context.

2. The cumulative post-tenure review allows tenured faculty members to evaluate, plan, and implement their career goals in relation to changing departmental needs. The faculty member must be supported and protected during periods of changing departmental mission by allowing each faculty member a reasonable amount of time to adjust to these changes, and by clear, written guidance and approval of plans and adjustments that may be needed.
3. The cumulative post-tenure review encourages Departments/Schools to assist faculty members in fulfilling faculty and department/school goals that pertain to teaching, scholarly and creative activity, and service.
4. The cumulative post-tenure review provides a measure of accountability to the University, its stakeholders and the State of Illinois.
5. The cumulative post-tenure review offers benefits to individual faculty members, as well. Individual faculty may wish to present their materials for a number of reasons, including obtaining "feedback" regarding teaching or research plans, obtaining access to faculty development funds or research seed money to support a developmental goal, on assessing readiness for promotion or other changes such as sabbaticals or leaves of absence; making sure that the changing interests of mid- or late-career faculty can be productively and positively tied to departmental needs and departmental roles. Some key research or publication projects or proposals for teaching innovation may require prior agreement regarding evaluation criteria in the interim. Some, if not all, cases for compensation equity adjustments require the evaluation of a multi-year period, and a faculty member may wish to make a holistic case for equity on merit over a three- to five-year period. Modifications or flexibility in workload to allow deeper engagement in scholarship or teaching, over a multi-year period, may best be requested in the context of a post-tenure review. Finally, peer recognition of individual career development is positive, and many-faceted; linking the "sphere of the individual" to the departmental collective is especially important when the individual is considering redirecting or rechanneling professional efforts, and highly functioning

Comment [alb12]: ?

Comment [alb13]: ?

Additional language from earlier URC meeting:
Consider adding **new language** as

X.B. (and re-number subsequent subsections as necessary): **Cumulative post-tenure reviews which are required as a result of receiving unsatisfactory performance ratings for any two years of a three-year period of annual ASPT evaluations will occur in the annual evaluation review cycle immediately following the unsatisfactory annual evaluation that precipitates the required cumulative post-tenure review.**

departments must be kept aware of these changes to better meet student needs. Institutional vitality depends upon individual faculty vitality, and a supportive environment will connect the individual's goals, motivations, and interests to the organization's goals, culture and policy.

All varieties of post-tenure review are carried out in a context of formative evaluation, of respect for academic freedom, and of respect for planned career development on the part of faculty. Illinois State University acknowledges that tenured faculty, especially full professors, may exercise a great deal of latitude in choosing directions for research and teaching, for example, as well as in choosing relative emphasis for the teaching, research, and service roles in an individual's career and at various times in that career. While curricular coverage, departmental teaching loads and the like must be maintained, the vitality of faculty careers and interests must be respected. Informed and specific conversations about possible changes or tensions among all these facets of careers are imperative, if Departments/Schools are to understand and fully engage the resources of their members, and if individual faculty are to understand, over the course of long careers, how their changing talents relate to the needs of Illinois State University.

It is expected that the cumulative post-tenure review shall not be inconsistent with, but rather, will incorporate, reflect and build on the annual reviews of the previous years. Emphasis should be placed on the positive role played by the cumulative post-tenure review in enabling faculty members to shape their continuing careers and for their Departments/Schools and Colleges to grow and change along with the constituent faculty.

B. At the time of cumulative post-tenure review a faculty member shall submit to the DFSC/SFSC materials for performance-evaluation review and a narrative. It is not the intent of this cumulative post-tenure review policy to increase unnecessarily the paperwork for individual faculty members. Ideally, for example, a dossier for a cumulative post-tenure review would consist of clearly-labeled copies of the documentation submitted for each of the previous three to five years, along with copies of the summative evaluation for each of those years as received from the DFSC/SFSC. The narrative may be relatively short, referring to the materials for preceding years, but it also offers the opportunity for the faculty member to provide a more holistic sense of the faculty member's work than is possible in a narrative that covers a one-year review.

1. Through the narrative the faculty member should:

    a. Address what the faculty member considers significant accomplishments and provide assessment and evaluation of work over the previous three to five years.
    b. Formulate and describe individual goals and plans for teaching, for scholarly and creative productivity, service, and project other relevant professional activity for the coming three to five years.

2. The faculty member may identify specific needs, opportunities to teach or develop courses in new areas, and plans for pedagogical or scholarly work that may involve a request for new equipment or facilities. The faculty member may request a change in assignment to allow for innovative or varied activities.

C. Cumulative post-tenure review documents shall be submitted to the DFSC/SFSC, which in turn will respond in writing to the faculty member under review. If a DFSC/SFSC recognizes, after having received a cumulative post-tenure review document, that serious unresolved deficiencies exist, the DFSC/SFSC, in consultation with the faculty member, shall develop a plan for remediation of these deficiencies. This plan must accompany the final recommendation to the faculty member. In the future, annual summative reviews of performance by the DFSC/SFSC shall assess and evaluate the extent to which the plan has been acted upon until the deficiencies are eliminated.

Comment [alb14]: Plan for remediation not included in DFSC responsibilities in V.C.2.c. Should it?

Plans for remediation of deficiencies, especially those that require faculty development activities which require the commitment of resources (for example, for travel to conferences for new teaching equipment or materials, or for release, or reassigned time, or other workload changes) must be written, and communicated to, and signed by the relevant parties, including the dean, if the resource needs exceed those available to the department/school. Plans developed by faculty who are not addressing deficiencies, but rather are delineating new directions or emphases, should, if these plans involve resources or workload shifts, be similarly recorded.

D. Having received the DFSC/SFSC response by February 15, the faculty member then has the right to respond, in writing or in person, to the

DFSC/SFSC should the faculty member believe that there has been a misrepresentation, misjudgment, or procedural error relating to the review or remediation plan. This response, explaining the misrepresentation, misjudgment, or procedural error, must occur by February 25. The DFSC/SFSC must reply to the faculty member's response by March 8 with the final outcome of review and/or mediation plan. Copies of all materials generated by the faculty member and by the DFSC/SFSC will be supplied to the Dean.

XI. Termination of Appointment of Probationary and Tenured Faculty

A. Probationary Faculty:

1. A recommendation for the nonreappointment of a faculty member during the probationary period must follow the regulations of the Board of Trustees. Recommendations for nonreappointment prior to a tenure decision shall be made by the DFSC/SFSC in consultation with the Dean and the Provost. The Chairperson/Director of the DFSC/SFSC shall communicate the recommendation of nonreappointment in writing to the faculty member, the Dean, and the Provost. Nonreappointment can also be the result of a negative tenure recommendation. Official notices of nonreappointment, whether issued prior to a tenure decision or as a result of a negative tenure decision, are issued from the Office of the Provost.
2. Notice of termination shall be given not later than March 1 of the first academic year of service; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination; not later than February 1 of the second academic year of service; or, if the appointment terminates during an academic year, at least six months in advance of its termination; at least twelve months before the termination of an appointment after two or more years of service.

B. Tenured Faculty:

1. Dismissal of a tenured faculty member may be effected by the University for such adequate causes as lack of fitness to continue to perform in the faculty member's professional capacity as a teacher or researcher; failure to perform assigned duties in a manner consonant with professional standards; malfeasance; or demonstrable University financial exigency or program termination.
2. Procedures and standards for dismissal shall be according to University policies approved by the Academic Senate which should adhere to the principles set forth in the American Association of University Professors' documents (as of January 1, 1999) regarding principles of academic freedom and tenure and procedural standards in dismissal proceedings.
3. The standard for dismissal of a tenured faculty member is that of adequate cause. The burden of proof shall be upon the institution. Negative performance-evaluation ratings shall not shift the burden of proof to the faculty member (to show cause why the faculty member should be retained). Evaluation records may be admissible but may be rebutted as to accuracy.

XI. Termination of Appointment of Probationary and Tenured Faculty

A. Probationary Faculty

University Review Committee
ASPT Subgroup 4

Report Submitted by Diane Dean
February 5, 2015

ORIGINAL

NO REVISIONS SUGGESTED

NO DISCUSSION POINTS

XII. Performance Evaluation Policies and Salary Incrementation Procedures

A. General Procedures:

1. Each year, after consultation with the President, the Provost shall make known to the faculty the amount of funds available to the ASPT system. All salary increase funds shall be distributed through the ASPT system. The Department/School's ASPT funds shall never be less than 90 percent of the tenured and probationary faculty members' proportionate share of any salary increase. The Provost determines the distribution of the remaining personal service funds to raise-eligible faculty.

2. The Provost shall allocate at a minimum 90 percent of the salary funds directly to Departments/Schools for salary increments through the ASPT system. The equivalent allocation to each Department/School shall be proportional as a percentage of base salary for each raise-eligible faculty member within the Department/School. These salary increments shall take the form of (1) standard increments payable to all raise-eligible faculty members who receive overall satisfactory performance ratings and (2) performance-evaluated increments that recognize contributions made by particular faculty members.

    a. Faculty members with overall unsatisfactory performance shall receive no incremental raise.

    b. Twenty percent of each Department/School's allocation shall be distributed as a standard increment. Standard increments shall be payable as an equal percentage of base salary to all raise-eligible faculty who receive at least minimum overall satisfactory performance ratings.

    c. Eighty percent of each Department/School's allocation shall be distributed as performance-evaluated increments to faculty members based on established

3. Department/School policies for salary adjustments. Performance-evaluated increments shall recognize equity, and short-term and long-term contributions made by particular faculty members and shall be payable to raise-eligible faculty members. 3. Following completion of the performance evaluation process under Section VII, and all appeals resulting from it, each CFSC shall deliver to the Provost its recommendations for

performance evaluation of faculty members. The CFSC shall include a copy of the DFSC/SFSC's original recommendations.

4. The Provost shall receive and approve recommendations from the DFSC/SFSC and CFSC, with consideration of the reports regarding performance-evaluation appraisals and salary increments based on the requirements. A summary of these recommendations shall be submitted by the Provost to the President and the Academic Senate. The University Review Committee shall receive a general report of recommendations made by DFSC/SFSCs and CFSCs (see II.E.).

5. Salary increments shall be paid to individuals promoted from Assistant Professor to Associate Professor ($3000/yr minimum) and from Associate Professor to Professor ($5000/yr minimum) with the effective date of the promotion. The Provost may increase the minimum amount.

6. The Provost shall notify faculty members of their new salaries (subject to necessary approval of the University's appropriation request by the General Assembly and the Governor).

B. Department/School Procedures:

1. Departments/Schools are encouraged to recognize in their summative reviews for performance evaluation the variety of activities of individual faculty members. These activities are illustrated generally in Appendix 2: University Guidelines and Criteria for Faculty Evaluation. Following appropriate faculty input, each DFSC/SFSC shall develop two sets of Department/School policies and procedures: (1) for appointment, reappointment, performance-evaluation, promotion, tenure, and post-tenure reviews, and (2) for the allocation of monies devoted to salary equity adjustments and performance-evaluated salary increments. Both sets of policies and procedures shall be submitted for approval to the appropriate CFSC (see V.B.1-2.), but only after they have been approved by a majority vote of the Department/School faculty. After they have received CFSC approval, the Department/ School Chairperson/Director shall distribute them to each faculty member in the department/school.

2. The materials upon which faculty members are evaluated shall include student reactions to teaching performance.

3. Each DFSC/SFSC shall conduct annual performance evaluations of each faculty member subject to the ASPT system under Section VII.

    a. During the annual performance review, the DFSC/SFSC shall consider activities performed (or reaching completion) during the calendar year being evaluated but give due attention to long-term contributions made by particular faculty.

b. Each faculty member shall be assigned a performance evaluated increment based upon activities completed during the evaluation year but also on long-term faculty contributions.

c. The Department/School policies and procedures for appointment, reappointment, performance-evaluation, promotion, tenure, and post-tenure reviews shall explain clearly the procedure for electing DFSC/SFSC members.

4. If a faculty member has formal assignments in two or more Departments/Schools or areas, each Department/School or area shall assume responsibility for performance evaluations and salary recommendations reflecting the extent of participation in the Department/School or area. The Department/School in which the faculty member holds rank shall be responsible for the final evaluation of the faculty member with regard to promotion and tenure with consideration of the other Department/School or area's evaluation of the faculty member. Each year, the Provost shall specify the percentage distribution for salary recommendation for individuals having split assignments and shall notify the individuals and administrative units concerned. Salary increment funds shall then be distributed in accordance with these determinations.

5. Each DFSC/SFSC shall notify each faculty member annually in writing of the faculty member's performance evaluation and of any recommended change in rank and/or tenure status. This letter shall provide an assessment of the faculty member's strengths and weaknesses and, when applicable, progress toward achievement of promotion and/or tenure.

6. Persons evaluated as having overall "unsatisfactory performance" shall be informed in writing of the reasons that these ratings were given.

7. Following completion of appeal hearings held by the CFSC, each DFSC/SFSC shall submit to the Dean a final list of faculty evaluations.

8. Each year, after the salary increment process is complete, the Department/School Chairperson/Director shall provide to each faculty member the components of the salary increment process (standard increment, performance-evaluated increment, equity adjustment, promotion increment, other adjustments) and the number of salary increment dollars awarded to each component for the respective faculty member.

9. Each year, after the salary increment process is complete, the Department/School Chairperson/Director shall provide to each faculty member the Department's/School's aggregate number of salary increment dollars awarded to each salary increment component including standard increment, performanceevaluated increment, equity adjustment, promotion increment, and any other adjustment.

ORIGINAL

XIII. Appeals Policies and Procedures

A. Illinois State University encourages the fair and equitable resolution of appeals. Informal resolution of issues is encouraged at the DFSC/SFSC and CFSC levels prior to formal meetings and/or appeals. Time requirements and deadlines for filing appeals and for other processes are found in Appendix 1 to these Policies.

B. The Nature of Formal Meetings with DFSCs/SFSCs and CFSCs

1. A formal meeting with a DFSC/SFSC or CFSC is a preliminary step in all appeals. A formal meeting must be requested by a faculty member following a negative recommendation by the DFSC/SFSC or CFSC for promotion and/or tenure prior to appeal to the Faculty Review Committee (FRC). A formal meeting with a DFSC/SFSC must also be requested by a faculty member prior to an appeal of a recommendation for performance evaluation or post-tenure review to the CFSC.

2. Formal meetings must be requested by the faculty member in writing within 5 business days of receipt of the recommendation. Faculty members must state clearly in the written request their reasons for the meeting.

3. All formal meetings with a DFSC/SFSC or CFSC will be conducted in accordance with XIII.D.

C. Definition of Appeals:

An appeal is here defined as a written statement by a faculty member that explains why a faculty member believes that there has been a misinterpretation, misjudgment, or procedural error relating to a promotion, tenure, or performance evaluation recommendation concerning that faculty member.

D. Procedures Common to Formal Meetings and all Appeals before the CFSC:

1. Faculty members must be afforded a reasonable time to present arguments. The faculty member who believes that relevant factors or materials have been ignored or misinterpreted shall be entitled to present arguments and supplement his or her materials before final recommendation by the DFSC/SFSC or CFSC. Information not originally presented in applications for tenure/promotion or annual evaluation materials may be considered at the discretion of the DFSC/SFSC or CFSC.

2. Faculty members may be accompanied by a faculty advocate. The advocate may be present to advise the faculty member only and not to address the committee. Although witnesses to specific facts or occurrences or to provide perspective regarding teaching, scholarly or creative productivity or service will not ordinarily be necessary, faculty members will be allowed a reasonable number of witnesses. The DFSC/SFSC or CFSC shall have the discretion to limit the number of witnesses at a formal meeting or appeal hearing.

3. Formal meetings or appeals hearings with the CFSC will be closed to all but the DFSC/SFSC and CFSC, the faculty member, and the faculty advocate. The faculty member shall be provided, if requested by the faculty member, a meeting with the CFSC without members of the DFSC/SFSC present. Subsequent to that meeting the CFSC shall meet with the DFSC/SFSC. Students shall be called as witnesses only in extraordinary circumstances.

4. Formal rules of evidence as required in a court of law will not be followed. Reasonable time should be allowed for formal meetings or appeals hearings.

5. Following the formal meeting or appeal hearing, the DFSC/SFSC or CFSC will meet to reconsider the earlier decision and will promptly issue a communication either (a) affirming the prior recommendation or (b) changing the prior recommendation. If changes to the prior recommendation are made, no reference will be made to the nature of the prior recommendation. The faculty member will be notified in writing of the decision promptly and informed of any further rights of appeal.

E. The Appeals Process: *(reflects revisions effective January 1, 2012)*

1. Any negative promotion and/or tenure recommendation by a DFSC/SFSC or CFSC may be appealed. Appeals from the DFSC/SFSC to the FRC may take place only after the decision by the CFSC is made final, and then on the same appeals schedule as appeals from the CFSC. The appeal procedure is outlined in XIII.D.

2. Performance evaluations conducted by a DFSC/SFSC may be appealed to the CFSC only. Performance evaluations conducted by a CFSC, in the absence of a DFSC, may be appealed to the FRC. (See XIII.H.).

3. Separate Dean or Chair/Director reports may be appealed to the FRC on the same appeals schedule as appeals from the CFSC.

4. Minority reports, unless the appellant alleges that violations of ethics or academic freedom have occurred, are not subject to appeal.

F. The Nature of Promotion or Tenure Appeals:

1. The system that governs the appeal process in cases involving promotion and tenure recommendations is based on the following points:
    a. The DFSC/SFSC, CFSC, Provost, and Faculty Review Committee (FRC) may each formulate recommendations regarding promotion and tenure. Only the President, as designated by the Board of Trustees, has the authority to render a University decision.

    b. A faculty member may request that the FRC formulate its additional recommendation if a negative recommendation has been forwarded by the DFSC/SFSC or CFSC.

    c. All recommendations (DFSC/SFSC, CFSC, Provost, and FRC) are forwarded to the President for consideration.

2. If a faculty member wishes to request an appeal of a negative recommendation by the DFSC/SFSC or CFSC with respect to promotion or tenure, he/she may direct the request to the FRC. The faculty member should refer to the Academic Freedom, Ethics and Grievance Committee (AFEGC) any allegations of violation that fall within that committee's jurisdiction.

3. If the FRC believes that the basis of the appeal is an academic freedom or ethics violation question, the FRC may suspend its proceedings until it receives the report from the AFEGC. However, if the FRC does not receive a report from the AFEGC in time to fulfill the reporting obligation according to the calendar (see Appendix 1.B.) the FRC shall forward an interim report. Likewise it may address itself to other issues raised in its own review and issue an interim report.

4. Upon completion of AFEGC hearings, if any, reports of the AFEGC, in addition to being processed as outlined in the procedures of the AFEGC, shall also immediately be forwarded to the FRC and shall become a permanent part of the FRC report. If, in the judgment of the AFEGC, a violation of academic freedom has occurred, the FRC must decide whether the violation significantly contributed to the decision to deny promotion or tenure. The FRC shall then complete its deliberations and forward its complete report and recommendation.

G. Initiation of a Promotion or Tenure Appeal:

1. In the case of promotion or tenure recommendations, the faculty member shall notify the Chairperson of the FRC in writing of an intention to appeal. This notification must be given within five (5) business days (days when University offices are open to the public) of the date that the faculty member received official notification of the CFSC recommendation. The Chairperson of the FRC shall respond to the faculty member within five (5) business days following the receipt of a written intent to request additional review.

2. The Chairperson of the FRC shall notify the appropriate college and department/school faculty status committees and the Provost of a faculty member's request for an appeal. The FRC shall initiate consideration of an appeal as expeditiously as possible. 49

3. The FRC in promotion and tenure cases must receive from the faculty member written information supporting the request for an appeal. This information shall also be made available to the DFSC/SFSC and CFSC. The faculty member may request appropriate information regarding the case. This information shall include any official document used to support a decision regarding a faculty member.

4. In order to effect a just and efficient appeal, the FRC shall be provided any documents used by the DFSC/SFSC or CFSC in the process of making recommendations. The FRC may request the parties to the review to appear in person. The FRC may deny an appeal where there is no evidence that a substantial basis for an appeal exists.

5. An FRC recommendation shall be based on a majority vote of the members of the committee. The FRC shall report the recommendation to the faculty member, the appropriate DFSC/SFSC, CFSC, the Provost, and the President (see XIII.F.3). The Provost and President shall consider this recommendation in making a decision.

H. Initiation of a Performance-Evaluation Appeal:

1. A summative recommendation for a performance-evaluation review of a faculty member conducted by the DFSC/SFSC may be appealed to the CFSC regarding interpretations of faculty performance and/or adherence to ASPT policies. In a performance-evaluation appeal, the CFSC is the sole and final appellate body. It may support or reverse a recommendation made by the DFSC/SFSC. If the CFSC believes that the basis of the appeal is an academic freedom or ethics violation question, the CFSC may suspend its proceedings until it receives the report from the Academic Freedom, Ethics and Grievance Committee.

2. Before filing a written intent to appeal a performance evaluation with the appropriate CFSC, a faculty member who believes that relevant factors or materials have been ignored or misinterpreted by the DFSC/SFSC is encouraged to seek an informal resolution of the issues with the DFSC/SFSC. If such informal resolution is unsuccessful, the faculty member shall be required to have a formal meeting with that committee to present arguments and additional materials for reconsideration of the decision prior to filing the written appeal. If the attempt of resolution after a formal meeting is unsuccessful, the appeal process shall proceed if the appellant so desires.

3. The appellant shall notify the appropriate CFSC Chairperson in writing of the intention to appeal the performance evaluation within ten (10) business days (days when University

offices are open to the public) of the date on which the appellant received official notification of the department/school action giving rise to the appeal. The Chairperson of the appropriate CFSC in the case of a performance evaluation appeal shall respond to the appellant within five (5) business days following the receipt of a written intent to appeal.

4. The Chairperson of the appropriate CFSC shall inform the Chairperson/Director of the DFSC/SFSC of an appellant's performance evaluation appeal. The appropriate CFSC shall initiate consideration of a performance evaluation appeal (see Appendix 1.C.).

5. The CFSC in performance evaluation cases must receive from the appellant written information supporting the appeal. The appellant may request appropriate information regarding the case. This information shall include any official document used to support a decision regarding a faculty member. The appellant has the right to address the CFSC in person, and either the appellant or the CFSC can request the DFSC/SFSC to appear in person before the CFSC.

6. The CFSC shall have access to any materials used by the DFSC/SFSC to make a decision. The CFSC may request from the appropriate faculty status committee written information supporting the original decision, which the DFSC/SFSC shall supply. In those rare instances when an event occurs or information becomes available after the initial decision of the DFSC/SFSC and before deliberation of the CFSC, which event or information has direct bearing on the materials under review, such event or information may be considered by the CFSC with full written disclosure to the faculty member and the DFSC/SFSC. The CFSC may deny a hearing on an appeal where there is no showing that a substantial basis for appeal exists.

7. If a hearing is permitted by the CFSC, it will be conducted in accordance with XIII.D.

8. The CFSC is the sole appeal in the case of performance evaluations. If a CFSC decision results in a change to a DFSC/SFSC recommendation, the DFSC/SFSC recommendation letter shall be revised in accordance with the CFSC decision, and all prior DFSC/SFSC communications shall be purged from the faculty member's record.

9. A majority vote of the CFSC is necessary to sustain or reverse the DFSC/SFSC recommendation.

10. Each CFSC shall submit an annual written report to the URC and to the Provost that enumerates all performance-evaluation appeals and describes their disposition.

I. Initiation of a Cumulative Post-Tenure Review Appeal (*The reader should consult the current ASPT calendar for cumulative post-tenure review appeal dates.*)

1. A summative recommendation from a cumulative post-tenure review of a faculty member conducted by the DFSC/SFSC may be appealed to the CFSC regarding interpretations of faculty performance, and/or goals for extending teaching, scholarly and creative productivity and service initiatives over the coming three to five years. Failure to adhere to ASPT policies may also be appealed. In a cumulative post-tenure review appeal, the CFSC is the sole and final appellate body. It may support or modify a recommendation made by the DFSC/SFSC. If the CFSC believes that the basis of the appeal is an academic freedom or ethics violation question, the CFSC may suspend its proceedings until it receives the report from the Academic Freedom, Ethics and Grievance Committee.

2. A faculty member who believes that relevant factors or materials have been ignored or misinterpreted by the DFSC/SFSC is encouraged to seek an informal resolution of the issues with the DFSC/SFSC. If such informal resolution is unsuccessful, the faculty member shall be required to have a formal meeting with the DFSC/SFSC to present arguments and additional materials for reconsideration of the decision (see Section X.D.) If the formal meeting is unsuccessful then the appeal process shall proceed if the appellant so desires.

3. By March 22 a faculty member must file to the CFSC chairperson a written appeal to the cumulative post-tenure review evaluation and/or plan for remediation. The Chairperson of the appropriate CFSC shall acknowledge receipt of the appeal to the appellant and the DFSC/SFSC within five (5) business days and shall refer the faculty member to the appropriate section of the ASPT policy.

4. The appellant may request appropriate information regarding the case. This information shall include any document used to support a decision regarding a faculty member. The appellant has the right to address the CFSC in person, and either the appellant or the CFSC can request the DFSC/SFSC to appear in person before the CFSC.

5. The CFSC shall have access to any materials the DFSC/SFSC used to make its decision. The CFSC may request from the appropriate faculty status committee written information supporting the original decision, which the DFSC/SFSC shall supply. In those rare instances when an event occurs or information becomes available after the initial decision of the DFSC/SFSC and before deliberation of the CFSC, which event or information has direct bearing on the materials under review, such event or information may be considered by the CFSC with full written disclosure to the faculty member and the DFSC/SFSC. The CFSC may deny a hearing on an appeal where a substantial basis for an appeal has not been demonstrated.

6. If a hearing is permitted by the CFSC, it will be conducted in accordance with XIII.D. In no event shall written notification of the CFSC's decision occur later than April 15.

7. The CFSC is the sole appeal in post-tenure reviews. If a CFSC decision results in a change to a DFSC/SFSC recommendation, the DFSC/SFSC recommendation letter shall

be revised in accordance with the CFSC decision, and all prior DFSC/SFSC communications shall be purged from the faculty member's record.

8. A majority vote of the CFSC is necessary to sustain or modify the DFSC/SFSC recommendation.

9. By May 1 each CFSC shall submit an annual written report to the URC and to the Provost that enumerates all cumulative post-tenure review appeals and describes their disposition.

J. Recommendations for Non-reappointment: *(reflecting revisions effective January 1, 2012)*

1. A recommendation for non-reappointment of a probationary faculty member may be appealed to the CFSC to consider whether the DFSC / SFSC provided adequate due process to the non-reappointment decision. In instances when a non-reappointment recommendation is made by a CFSC because of the absence of a DFSC / SFSC, the probationary faculty member may appeal to the FRC.

2. In determining whether adequate due process was provided, the CFSC shall restrict its inquiry to procedural issues related to the manner in which the review was conducted. The CFSC shall not substitute its judgment for that of the DFSC/SFSC on the merits of whether a candidate should be reappointed.

3. If, using the preponderance of the evidence (more likely than not) test as the standard of review, the CFSC determines due process errors that substantially affected the non-reappointment decision, the CFSC shall refer the recommendation back to the DFSC / SFSC to reassess the merits, remedying any inadequacies of the prior process.

4. If a faculty member believes that the basis for non-reappointment was an academic freedom or ethics violation, the faculty member may request a review by the Academic Freedom, Ethics and Grievance Committee. In order to allow a final decision prior to the end of the faculty member's appointment, the faculty member must file a complaint as required by the Academic Freedom, Ethics and Grievance Committee within five (5) business days (days when the University offices are open to the public) of the date that the faculty member received the official notification of non-reappointment from the Provost. The Academic Freedom, Ethics, and Grievance Committee must submit its report by May 1 of the academic year in which the appointment terminates.

5. If a faculty member believes that the basis for noon-reappointment was a violation of the University's Policy on Harassment and Discrimination, he/she may seek relief through the Office of Equal Opportunity, Ethics and Access.

Key

- Green Font = suggested revisions
- Red Font = questioned wording
- Yellow = need to check all dates, confirm consistency
- ...?... = point of question

Focus of Revisions

- Editing for consistency in language and terminology
- Consolidating closely similar sections for greater readability and clarity
    - Consolidated prior XIII.B "Nature of formal meetings..." and XIII.D "Procedures common to formal meetings..."
    - Consolidated prior XIII.F. "Nature of promotion/tenure appeals..." and XIII.G "Initiation of a promotion/tenure appeal"

XIII. Appeals Policies and Procedures

A. Illinois State University encourages the fair and equitable resolution of appeals**.** Informal resolution of issues is encouraged at the DFSC/SFSC and CFSC levels prior to formal meetings and/or appeals. Time requirements and deadlines for filing appeals and for other processes are found in Appendix 1 to these Policies.

B. Definition and Types of Appeals

1. An appeal is here defined as a written statement by a faculty member that explains why a faculty member believes that there has been a misinterpretation, misjudgment, or procedural error relating to a promotion, tenure, performance evaluation, or non-reappointment recommendation concerning that faculty member.

2. Types of appeals:

    a. A promotion and/or tenure recommendation by a DFSC/SFSC may be appealed to the FRC. Such appeals may take place only after the decision by the CFSC is made final, and then on the same schedule as appeals from the CFSC. The appeal procedure is outlined in XIII.D.

        i. A promotion and/or tenure recommendation by a CFSC may be appealed to the FRC.

        ii. A promotion and/or tenure report issued by a Dean or Chair/Director may be appealed to the FRC on the same schedule as appeals from the CFSC.

        iii. A promotion and/or tenure minority report issued by a DFSC/SFSC or CFSC committee member(s) is not subject to appeal, unless the appellant alleges that violations of ethics or academic freedom have occurred. In such instances, the faculty member should refer to the Academic Freedom, Ethics and Grievance Committee (AFEGC).

b. Performance evaluations conducted by a DFSC/SFSC may be appealed to the CFSC only. Performance evaluations conducted by a CFSC, in the absence of a DFSC, may be appealed to the FRC. The appeal procedure is outlined in XIII.E.

c. Cumulative post-tenure reviews may be appealed to the CFSC only. Cumulative post-tenure reviews conducted by a CFSC, in the absence of a DFSC, may be appealed to the FRC. The appeal procedure is outlined in XIII.F.

d. Recommendations for non-reappointment of a probationary faculty member may be appealed to the CFSC only. Recommendations for non-reappointment conducted by a CFSC, in the absence of a DFSC, may be appealed to the FRC. The appeal procedure is outlined in XIII.F.

C. Procedures Common to Formal Meetings and Appeals with a DFSC/SFSC or CFSC

1. A formal meeting with a DFSC/SFSC or CFSC is a preliminary step in all appeals.

   a. A formal meeting with the DFSC/SFSC or CFSC must be requested by a faculty member prior to an appeal of a negative recommendation for promotion and/or tenure to the Faculty Review Committee (FRC).

   b. A formal meeting with a DFSC/SFSC must be requested by a faculty member prior to an appeal of a recommendation for performance evaluation or post-tenure review to the CFSC.

   c. A formal meeting with a DFSC/SFSC must be requested by a probationary faculty member prior to an appeal of a recommendation for non-reappointment to the CFSC.

2. Formal meetings must be requested by the faculty member in writing within 5 business days of receipt of the recommendation. Faculty members must state clearly in the written request their reasons for the meeting.

Comment [DD1]: In original, appears to vary in different types.

3. All formal meetings with a DFSC/SFSC or CFSC will be conducted in accordance with the following guidelines:

   a. Faculty members must be afforded a reasonable time to present arguments. The faculty member who believes that relevant factors or materials have been ignored or misinterpreted shall be entitled to present arguments and supplement his or her materials before final recommendation by the DFSC/SFSC or CFSC. Information not originally presented in applications for tenure/promotion or annual evaluation materials may be considered at the discretion of the DFSC/SFSC or CFSC. The faculty member has may request appropriate information regarding the case, including any official document used to support a decision.

   b. Faculty members may be accompanied by a faculty advocate. The advocate may be present to advise the faculty member only and not to address the committee. Although witnesses to specific facts or occurrences or to provide perspective regarding teaching, scholarly or creative productivity or service will not ordinarily be necessary, faculty members will be allowed a reasonable number of witnesses. The

DFSC/SFSC or CFSC shall have the discretion to limit the number of witnesses at a formal meeting or appeal hearing.

c. Formal meetings or appeals hearings with the CFSC will be closed to all but the DFSC/SFSC and CFSC, the faculty member, and the faculty advocate. The faculty member shall be provided, if requested by the faculty member, a meeting with the CFSC without members of the DFSC/SFSC present. Subsequent to that meeting the CFSC shall meet with the DFSC/SFSC. Students shall be called as witnesses only in extraordinary circumstances. ...?...

Comment [DD2]: Are the appellant's witnesses permitted to attend the meeting?

Comment [DD3]: In all cases, or just P&T?

Comment [DD4]: Does this mean brought by faculty, or called in by the committee?

4. Formal rules of evidence as required in a court of law will not be followed.

5. Following the formal meeting or appeal hearing, the DFSC/SFSC or CFSC will meet to reconsider the earlier decision and will promptly issue a communication either (a) affirming the prior recommendation or (b) changing the prior recommendation. If changes to the prior recommendation are made, no reference will be made to the nature of the prior recommendation. The faculty member will be notified in writing of the decision promptly and informed of any further rights of appeal.

D. Initiation of a Promotion or Tenure Appeal:

1. The system that governs the appeal process in cases involving promotion and tenure recommendations is based on the following points:

   a. The DFSC/SFSC, CFSC, Provost, and Faculty Review Committee (FRC) may each formulate recommendations regarding promotion and tenure. Only the President, as designated by the Board of Trustees, has the authority to render a University decision.

   b. A faculty member may request that the FRC formulate its additional recommendation if a negative recommendation has been forwarded by the DFSC/SFSC or CFSC, or a negative report has been received from the Chair/Director or Dean.

   c. All recommendations (DFSC/SFSC, CFSC, Provost, and FRC) are forwarded to the President for consideration, along with any report(s) from the Chair/Director and/or Dean, and any minority report(s) from member(s) of the DFSC/SFSC and/or CFSC.

2. If a faculty member wishes to request an appeal of a negative recommendation by the DFSC/SFSC or CFSC with respect to promotion or tenure, he/she may direct the request to the FRC. The faculty member should refer to the Academic Freedom, Ethics and Grievance Committee (AFEGC) any allegations of violation that fall within that committee's jurisdiction.

3. The faculty member shall notify the FRC Chairperson in writing of an intention to appeal any promotion or tenure recommendation, within five (5) business days (days when University offices are open to the public) of the date that the faculty member received official notification of the CFSC recommendation. An appeal of a DFSC/SFSC recommendation cannot be made until after the CFSC has completed its recommendation. The FRC Chairperson shall respond to the appellant within five (5) business days following the receipt of a written intent to request additional review.

Comment [DD5]: It's 10 on the current ASPT calendar

Comment [DD6]: Not shown in ASPT calendar. Does it need to be?

Comment [DD7]: Is this language intentional? In other types of appeals it says "written intent to appeal"

4. The FRC Chairperson shall notify the CFSC Chairperson, the DFSC/SFSC Chairperson/Director, and the Provost of the faculty member's request for a tenure recommendation appeal. The FRC shall initiate consideration of an appeal as expeditiously as possible.

5. The FRC in promotion and tenure cases must receive from the appellant written information supporting the request for an appeal. This information shall also be made available to the DFSC/SFSC and CFSC. The appellant may request appropriate information regarding the case. This information shall include any official document used to support a decision regarding a faculty member. ...?...

Comment [DD8]: *(Does the appellant have the right to address the FRC?)*

6. The FRC shall have access to any materials that were used by the DFSC/SFSC or CFSC in the process of making their recommendations. The FRC may request the parties to the review to appear in person. The FRC may deny a request for an appeal where a substantial basis for an appeal has not been demonstrated.

7. If the FRC believes that the basis of the appeal is an academic freedom or ethics violation question, the FRC may suspend its proceedings until it receives the report from the AFEGC. However, if the FRC does not receive a report from the AFEGC in time to fulfill the reporting obligation according to the calendar (see Appendix 1.B.) the FRC shall forward an interim report. Likewise it may address itself to other issues raised in its own review and issue an interim report.

8. Upon completion of AFEGC hearings, if any, reports of the AFEGC, in addition to being processed as outlined in the procedures of the AFEGC, shall also immediately be forwarded to the FRC and shall become a permanent part of the FRC report. If, in the judgment of the AFEGC, a violation of academic freedom has occurred, the FRC must decide whether the violation significantly contributed to the decision to deny promotion or tenure. The FRC shall then complete its deliberations and forward its complete report and recommendation.

9. An FRC recommendation shall be based on a majority vote of the members of the committee. The FRC shall report the recommendation to the faculty member, the DFSC/SFSC Chairperson/Director, the CFSC Chairperson, the Provost, and the President by the date specified in the current year University ASPT calendar. The President shall consider this recommendation in making a decision.

10. See Appendix 1.B. for the standard University ASPT calendar for promotion/tenure reviews, and consult the current ASPT calendar for all relevant current-year dates.

E. Initiation of a Performance-Evaluation Appeal:

1. A summative recommendation for a performance-evaluation review of a faculty member conducted by the DFSC/SFSC may be appealed to the CFSC regarding interpretations of faculty performance and/or adherence to ASPT policies. In a performance-evaluation appeal, the CFSC is the sole and final appellate body. It may support or modify a recommendation made by the DFSC/SFSC. If the CFSC believes that the basis of the appeal is an academic freedom or ethics violation question, the CFSC may suspend its proceedings until it receives the report from the Academic Freedom, Ethics and Grievance Committee. ...?...

Comment [DD9]: *(Can the faculty also refer to AFEGC, as is permitted in tenure/promotion and non-reappointment appeals?)*

2. Before filing a written intent to appeal a performance evaluation with the CFSC, a faculty member who believes that relevant factors or materials have been ignored or misinterpreted by the DFSC/SFSC is encouraged to seek an informal resolution of the issues with the DFSC/SFSC. If such informal resolution is unsuccessful, the faculty member shall be required to have a formal meeting with the DFSC/SFSC to present arguments and additional materials for reconsideration of the decision prior to filing the written appeal (see Section XIII.C.). If the attempt of resolution after a formal meeting is unsuccessful, then the appeal process shall proceed if the appellant so desires.

3. The appellant shall notify the CFSC Chairperson in writing of the intention to appeal the performance evaluation within ten (10) business days (days when University offices are open to the public) of the date on which the appellant received official notification of the department/school action giving rise to the appeal. The CFSC Chairperson shall respond to the appellant within five (5) business days following the receipt of a written intent to appeal.

4. The CFSC Chairperson shall notify the DFSC/SFSC Chairperson/Director of the faculty member's request for a performance evaluation appeal. The CFSC shall initiate consideration of a performance evaluation appeal.

5. The CFSC in performance evaluation cases must receive from the appellant written information supporting the appeal. The appellant may request appropriate information regarding the case. This information shall include any official document used to support a decision regarding the appellant's case. The appellant has the right to address the CFSC in person, and either the appellant or the CFSC can request the DFSC/SFSC to appear in person before the CFSC

6. The CFSC shall have access to any materials that were used by the DFSC/SFSC to make its decision. The CFSC may request from the appropriate faculty status committee written information supporting the original decision, which the DFSC/SFSC shall supply. In those rare instances when an event occurs or information becomes available after the initial decision of the DFSC/SFSC and before deliberation of the CFSC, which event or information has direct bearing on the materials under review, such event or information may be considered by the CFSC with full written disclosure to the faculty member and the DFSC/SFSC. The CFSC may deny a hearing on an appeal where a substantial basis for appeal has not been demonstrated.

7. If a hearing is permitted by the CFSC, it will be conducted in accordance with section XIII.C.

8. The CFSC is the sole appeal in the case of performance evaluations. If a CFSC decision results in a change to a DFSC/SFSC recommendation, the DFSC/SFSC recommendation letter shall be revised in accordance with the CFSC decision, and all prior DFSC/SFSC communications shall be purged from the faculty member's record.

9. A majority vote of the CFSC is necessary to sustain or modify the DFSC/SFSC recommendation.

10. Each CFSC shall submit an annual written report to the URC and to the Provost that enumerates all performance-evaluation appeals and describes their disposition, by the date specified in the current year University ASPT calendar.

Comment [DD10]: Is the timeline a matter of specific days (10), or a specific date? ASPT calendar says Feb 2 is date for receipt of dept letter, and March 2 as the date for filing appeals of performance evals with CFSC. That's 20 days not 10.

Comment [DD11]: Not in ASPT calendar. Does it need to be?

11. See Appendix 1.C. for the standard University ASPT calendar for performance evaluations, and consult the current ASPT calendar for all relevant current-year dates.

F. Initiation of a Cumulative Post-Tenure Review Appeal:

1. A summative recommendation from a cumulative post-tenure review of a faculty member conducted by the DFSC/SFSC may be appealed to the CFSC regarding interpretations of faculty performance, and/or goals for extending teaching, scholarly and creative productivity and service initiatives over the coming three to five years, and/or adherence to ASPT policies. In a cumulative post-tenure review appeal, the CFSC is the sole and final appellate body. It may support or modify a recommendation made by the DFSC/SFSC. If the CFSC believes that the basis of the appeal is an academic freedom or ethics violation question, the CFSC may suspend its proceedings until it receives the report from the Academic Freedom, Ethics and Grievance Committee. ..?..

2. Before filing a written intent to appeal a post-tenure review with the CFSC, a faculty member who believes that relevant factors or materials have been ignored or misinterpreted by the DFSC/SFSC is encouraged to seek an informal resolution of the issues with the DFSC/SFSC. If such informal resolution is unsuccessful, the faculty member shall be required to have a formal meeting with the DFSC/SFSC to present arguments and additional materials for reconsideration of the decision prior to filing the written appeal (see Section XIII.C.). If the attempt of resolution after a formal meeting is unsuccessful, then the appeal process shall proceed if the appellant so desires.

3. The appellant shall notify the CFSC Chairperson in writing of the intention to appeal to the cumulative post-tenure review evaluation and/or plan for remediation by March 22. The CFSC Chairperson shall respond to the appellant and the DFSC/SFSC within five (5) business days following the receipt of a written intent to appeal and shall refer the faculty member to the appropriate section of the ASPT policy.

..?..

4. The CFSC in cumulative post-tenure review cases must receive from the appellant written information supporting the appeal. The appellant may request appropriate information regarding the case. This information shall include any document used to support a decision regarding the appellant's case. The appellant has the right to address the CFSC in person, and either the appellant or the CFSC can request the DFSC/SFSC to appear in person before the CFSC.

5. The CFSC shall have access to any materials that were used by the DFSC/SFSC used to make its decision. The CFSC may request from the appropriate faculty status committee written information supporting the original decision, which the DFSC/SFSC shall supply. In those rare instances when an event occurs or information becomes available after the initial decision of the DFSC/SFSC and before deliberation of the CFSC, which event or information has direct bearing on the materials under review, such event or information may be considered by the CFSC with full written disclosure to the faculty member and the DFSC/SFSC. The CFSC may deny a hearing on an appeal where a substantial basis for an appeal has not been demonstrated.

Comment [DD12]: *(Can the faculty also refer to AFEGC, as is permitted in tenure/promotion and non-reappointment appeals?)*

Comment [DD13]: Keep date, or use timeline?

...within X business days of the date on which the appellant received official notification of the department/school action giving rise to the appeal.

Comment [DD14]: Not in ASPT calendar. Does it need to be?

Comment [DD15]: *(Does the CFSC Chairperson need to inform the DFSC, as with performance appraisal appeals?)*

Comment [DD16]: Which is..... ?

6. If a hearing is permitted by the CFSC, it will be conducted in accordance with section XIII.C. In no event shall written notification of the CFSC's decision occur later than April 15.

Comment [DD17]: Section should be consistent. Calendar dates, specified time duration (e.g. 10 days)

7. The CFSC is the sole appeal in post-tenure reviews. If a CFSC decision results in a change to a DFSC/SFSC recommendation, the DFSC/SFSC recommendation letter shall be revised in accordance with the CFSC decision, and all prior DFSC/SFSC communications shall be purged from the faculty member's record.

8. A majority vote of the CFSC is necessary to sustain or modify the DFSC/SFSC recommendation.

9. Each CFSC shall submit an annual written report to the URC and to the Provost that enumerates all cumulative post-tenure review appeals and describes their disposition, by the date specified in the current year University ASPT calendar.

10. See Appendix 1.D. for the standard University ASPT calendar for cumulative post-tenure review, and consult the current ASPT calendar for all relevant current-year dates.

G. Initiation of a Recommendation for Non-reappointment Appeal:

1. A recommendation for non-reappointment of a probationary faculty member may be appealed to the CFSC to consider whether the DFSC / SFSC provided adequate due process to the non-reappointment decision. In instances when a non-reappointment recommendation is made by a CFSC because of the absence of a DDFSC / SFSC, the probationary faculty member may appeal to the FRC.

2. In determining whether adequate due process was provided, the CFSC shall restrict its inquiry to procedural issues related to the manner in which the review was conducted. The CFSC shall not substitute its judgment for that of the DFSC/SFSC on the merits of whether a candidate should be reappointed.

3. If, using the preponderance of the evidence (more likely than not) test as the standard of review, the CFSC determines due process errors that substantially affected the non-reappointment decision, the CFSC shall refer the recommendation back to the DFSC / SFSC to reassess the merits, remedying any inadequacies of the prior process.

4. If a faculty member believes that the basis for non-reappointment was an academic freedom or ethics violation, the faculty member may request a review by the Academic Freedom, Ethics and Grievance Committee. In order to allow a final decision prior to the end of the faculty member's appointment, the faculty member must file a complaint as required by the Academic Freedom, Ethics and Grievance Committee within five (5) business days (days when the University offices are open to the public) of the date that the faculty member received the official notification of non-reappointment from the Provost. The Academic Freedom, Ethics, and Grievance Committee must submit its report by May 1 of the academic year in which the appointment terminates.

5. If a faculty member believes that the basis for noon-reappointment was a violation of the University's Policy on Harassment and Discrimination, he/she may seek relief through the Office of Equal Opportunity, Ethics and Access.

UNIVERSITY REVIEW COMMITTEE
Thursday, February 12, 2015
3 p.m., Hovey 209

MINUTES

Members present: Rick Boser, Phil Chidester, Angela Bonnell, Diane Dean, Joe Goodman, Doris Houston, Sheryl Jenkins, David Rubin, Sam Catanzaro (non-voting)

Members not present: Bill O'Donnell

Others present: Bruce Stoffel (recorder)

I. Call to order

Chairperson Sheryl Jenkins called the meeting to order at 3:02 p.m.

II. Approval of minutes from the February 5, 2015 meeting

Bruce Stoffel circulated minutes of the February 5, 2015 meeting to committee members. Jenkins asked that approval of the minutes be deferred to the February 26, 2015 meeting to allow committee members sufficient time to review them.

III. Process for discussing ASPT sub-group recommendations

Jenkins said that review of sub-group recommendations would commence at the next committee meeting, scheduled for February 26, 2015. Jenkins asked that committee members plan to work through issues in sub-group order, from Sub-group 1 to Sub-group 4.

IV. Draft ASPT policies on faculty discipline

Sam Catanzaro provided context for review of draft ASPT policies regarding faculty discipline (see attached). In 2013-2014 the Academic Senate chairperson requested development of a more informative and detailed policy regarding faculty dismissal. That year the University Review Committee and the Faculty Affairs Committee of the Academic Senate considered the matter and provided feedback regarding a draft policy. As review of the policy proceeded, it became clearer to Catanzaro that the policy should be integrated with ASPT policies, so the policy document reviewed in 2013-2014 has been recast as part of the ASPT document. After reviewing an earlier draft of the proposal, the Faculty Affairs Committee recommended adding provisions for minor sanctions to the provisions for suspension and dismissal. That has been done, Catanzaro said.

Catanzaro informed committee members that just one faculty member has been dismissed from Illinois State University since its founding in 1857. Having a policy in place would help guide the University through the stress related to a proposed dismissal in the unlikely event one should occur. The draft being considered at this meeting reflects benchmarking with institutions similar to Illinois State University with respect to size, shared governance culture, and mission. The draft also takes into account recommendations of the American Association of University Professors (AAUP).

Catanzaro said that the draft suspension and dismissal policy will be considered by URC as part of the larger package of changes to the ASPT document. Catanzaro will keep the Faculty Affairs Committee chairperson updated regarding URC progress in reviewing the suspension and dismissal policy.

Catanzaro asked for feedback from committee members regarding the latest draft.

Referring to Section XI.A.5 (line 31), Phil Chidester asked how often the University has dismissed faculty members due to program termination. Catanzaro responded that program termination is rare. He added that procedures have already been adopted to guide the University through those rare instances. Those procedures provide for reassignment of faculty members to other programs when feasible. Rubin asked if those procedures cover non-tenure track faculty members as well as tenure track faculty members. Catanzaro responded that the policy addresses tenure track faculty.

Rick Boser suggested dropping use of the word "minor" to describe sanctions. Problems elevated to discussion of sanctions, such as violations of the Code of Ethics, are not minor, he said. Agreeing with Boser, Chidester suggested referring to "sanctions" rather than "minor sanctions." Catanzaro explained that the Faculty Affairs Committee decided to use the term "minor" after reviewing a similar policy from Michigan State University. Catanzaro will consider other terminology.

Referring to Section XII.B.2 (beginning on line 96), Chidester suggested that a DFSC/SFSC should inform the faculty member before communicating a recommendation for a sanction to the appropriate Dean and the Provost. This would be consistent with the approach described elsewhere in the ASPT document to work through problems at the unit level, especially issues that are minor. Chidester expressed concern that a DFSC/SFSC might start reporting minor issues to the Provost when those issues should instead be resolved by the unit. Boser agreed, suggesting adding language to the effect that a faculty member will be notified of any action before it is reported outside the department. Catanzaro said he will draft language to address this concern.

Referring to Section XIII.C, line 129, Boser asked if the sentence "Individuals suspended without pay and subsequently exonerated can be compensated" should instead read "Individuals suspended without pay and subsequently exonerated shall be compensated." Catanzaro noted that university legal counsel prefers using the term "can," however in practice the University would most likely compensate the faculty member. Catanzaro will revisit this matter with legal counsel.

Referring to Section XIII.D.2, line 144, Boser asked if the phrase "to this" is redundant in that context. He also noted inclusion of two periods after that phrase. Catanzaro said that he typically prefers redundancy if it serves to clarify, but he will omit the phrase "to this" in this instance and will also correct the punctuation.

David Rubin asked if a flow chart will be added to this new draft, as was the case with a prior draft. Angela Bonnell agreed with Rubin's suggestion. Catanzaro said he could add a flow chart after the committee has decided on the text or, if a flow chart would help committee members in their review of the draft, he could create one now.

Referring to Section XIV.A.1.b, Diane Dean asked if there really might be situations in which a faculty member might not want to receive a written statement of reasons for non-

reappointment. Catanzaro explained that once reasons are written, the written statement may be discoverable. The wording in the draft is recommended by AAUP and allows faculty members to decide whether to have reasons committed to writing based on circumstances unique to each case.

Referring to that same section, Boser questioned whether it would be appropriate to ask a chair/director to draft and send the written statement. This might be challenging, especially for new chairs/directors, he said. Catanzaro responded that assistance from the dean, Provost's office, and university general counsel is implied.

Referring to Section XIV.3.j.i, Chidester asked about the rationale for the Faculty Review Committee (FRC) deciding whether a hearing should be public or private. Catanzaro explained that FRC would attempt to reach a mutually agreeable arrangement with the faculty member regarding the nature of the hearing, exercising professional judgment in doing so. Ultimately, however, FRC would make the final decision in such matters, as the body convening the hearing.

Catanzaro noted another redundant "to this" phrase on line 387.

Boser asked that the document be edited for consistency in use of semi-colons and periods.

Chidester thanked Catanzaro for consistency with use of the term "shall," noting that this draft is much more consistent with that usage than other documents the committee has been reviewing recently.

Chidester expressed concern that there could be a glaring omission in the draft that might not yet be obvious but might be detected through review of a flow chart illustrating processes described in the text. Catanzaro said he will work to complete a flow chart before the next URC meeting. He will send the chart to committee members in advance of the next meeting and ask members to review the document once more, using the flow chart as an aid.

Catanzaro asked committee members if they have any issues related to the recommended timelines attached to the draft policy. He reminded committee members that extensions can be granted by the Provost or the President if conditions warrant them.

Jenkins asked if the timelines attached to the draft policy will appear in the ASPT document. Catanzaro said they could. Jenkins noted irregular spacing in the Activity column in the sixth row (from the top) of the timeline titled "Dismissal – XIV, Dismissal of Tenured Faculty – XIV.B." Catanzaro explained that entries in that row are intended to be subordinate to entries in the prior row. He will test if removing the line between those rows makes that hierarchy clearer.

Rubin asked if there are any differences in the manner in which the policy relates to tenured and probationary faculty members. Catanzaro responded that faculty in the two categories are treated equally.

Also referring to the timeline titled "Dismissal – XIV, Dismissal of Tenured Faculty – XIV.B," Chidester noted that an entry in the Recommended Timeline column of row five (from the top) refers to setting a hearing "at least 10 business days after the date of the Provost's letter …" Chidester suggested adding a deadline to that passage.

Referring to the recommended timeline titled "Dismissal – XIV, Probationary Faculty – Dismissal for Adequate Cause," Doris Houston suggested that the phrase "As soon as is feasible" be replaced with clearer direction. She noted that a similar phrase appears in the text, on line 259 (page 6 of the draft). Perhaps that phrase could be deleted, she said. Catanzaro will delete the phrase from both locations.

Houston noted that entries in that same timeline (titled "Dismissal – XIX, Probationary Faculty – Dismissal for Adequate Cause," do not include text references as is the case with entries in other timelines in the draft. She asked if the notation in the timeline title to "A.3" means that all entries in that timeline refer to that section of the text. Catanzaro said it does.

Catanzaro then summarized the changes he will make to the draft based on suggestions made at this meeting. He said he will circulate a revised policy, with a flow chart, for discussion at the next committee meeting.

Jenkins said the next meeting is scheduled for February 26. The meeting will begin with discussion of the revised faculty discipline policy. The committee will then begin discussion of ASPT sub-group recommendations, beginning with recommendations from Sub-Group 1.

V. Adjournment

Chidester moved, Rubin seconded that the meeting be adjourned. The meeting adjourned at 3:53 p.m.

Respectfully submitted,
Diane Dean, Secretary
Bruce Stoffel, Recorder

Attachments:

Draft ASPT policies on faculty discipline, including

Memorandum from Sam Catanzaro to Sheryl Jenkins dated January 30, 2015
Recommended Timelines for Faculty Discipline
Draft ASPT sections on Minor Sanctions, Suspension, and Dismissal/Termination of Appointment
Proposed Revisions of ASPT Policies Table of Contents Reflecting Draft Sections on Disciplinary Actions

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ILLINOIS STATE UNIVERSITY
Illinois' first public university

MEMORANDUM

TO: Sheryl Jenkins, Chair, University Review Committee

FROM: Sam Catanzaro, Assistant Vice President for Academic Administration

RE: Draft ASPT Policies on Faculty Discipline

DATE: January 30, 2015

Attached please find a draft of new and revised sections of the ASPT Policies pertaining to faculty discipline. I request that URC review this draft pursuant to ASPT Policy II.C, and that this review be completed in time for forwarding the sections to Faculty Caucus for final approval prior to the end of the Spring 2015 semester.

Development of these draft policies began at the request of the Chair of the Academic Senate during 2013-14, with review by both URC and the Faculty Affairs Committee of the Academic Senate. The attached version of these draft policies reflects the input of both committees. Some highlights include:

- Organization under the broad rubric of "Disciplinary Action," with distinct sections on "General Considerations" (XI), "Minor Sanctions" (XII), "Faculty Suspensions" (XIII), and "Termination of Appointment of Probationary and Tenured Faculty" (XIV). A draft of how this would appear in the ASPT Table of Contents is attached. This approach will necessitate re-numbering of current ASPT Policies XI through XIV.

- Last year, URC reviewed early versions of the sections on "Faculty Suspensions" (XIII) and on dismissal of Tenured Faculty (XIV.B). FAC suggested the current organizational rubric and specifically requested development of sections on General Considerations and Minor Sanctions. General Considerations (XI) includes material that had been embedded in earlier versions of the sections on suspensions and on dismissal of tenured faculty.

- The timelines have been lengthened compared to those that were included in the versions reviewed by URC last year. A summary of the timelines is also attached.

- Because of the extent of new material and re-organization, this version does not show tracked changes. However, a few comments are included to provide additional background and some cross-referencing to the current ASPT Policies.

DRAFT ASPT sections on Minor Sanctions, Suspension, and Dismissal/Termination of Appointment: 01-27-2015

DISCIPLINARY ACTIONS

XI. General Considerations

A. Types of Disciplinary Actions

1. Faculty may be subject to discipline of varying levels. Disciplinary actions include Minor Sanctions, Suspension, and Dismissal.

2. Minor sanctions may be imposed for such adequate causes as violations of laws or University policies, including the Code of Ethics and its appendices. Specific policies related to minor sanctions are provided in ASPT XII.

3. Suspension occurs when a faculty member is temporarily relieved of academic duties, such that the faculty member is not engaged in any teaching, research, or service activities at the University. The faculty member could be on paid or unpaid status. Specific policies related to suspensions are provided in ASPT XIII.

4. It is understood that suspension (with or without pay) of faculty members will only be contemplated in circumstances when there is a reasonable threat of imminent harm to the University, including the faculty member in question, students, and other employees or when credible evidence of adequate cause for dismissal is available. The administration of the University will inform the faculty member of its rationale for judging that suspension is indicated.

5. Dismissal of a tenured faculty member may be effected by the University for such adequate causes as lack of fitness to continue to perform in the faculty member's professional capacity as a teacher or researcher; failure to perform assigned duties in a manner consonant with professional standards; malfeasance; or demonstrable University financial exigency or program termination. Specific policies related to termination of tenured faculty appointments are provided in ASPT XIV.B.

Comment [SC1]: Currently ASPT Policy XI.B.1.

6. Termination of faculty due to financial exigency or program termination will follow the process outlined in the ISU Constitution (Article III, Section 4.B.2) and all applicable policies.

B. Faculty Rights

1. Disciplinary actions (including suspension or termination) or the threat thereof may not be used to restrain faculty members' exercise of academic freedom. Faculty members shall retain their right to file a grievance with

the Faculty Academic Freedom, Ethics, and Grievance Committee, if they believe that their academic freedom or the Code of Ethics has been violated.

2. In all disciplinary proceedings, faculty members have the rights to due process, to timely notice, to seek advice, to respond to developments in the disciplinary process, and to have an advisor and/or counsel present at discussions, hearings, and appeals. Such advisor/counsel is advisory to the faculty member only.

C. Faculty members' duties may be reassigned temporarily while possible causes for disciplinary actions are being investigated or while the due process for a disciplinary action is being followed. The reasons for such reassignment of duties will be provided to the faculty member. Such reassignments will be made to prevent reasonable threats of harm to the University, the individual faculty member, or other members of the University community; when required by law; or when necessitated by pending criminal investigation or legal proceedings.

D. Probationary faculty who face disciplinary actions and are either exonerated or required to complete corrective actions may request a one year "stop-the-clock" extension of their as probationary period, as described in IX.B.3. The records of the disciplinary process, including documentation of exoneration and completion of any required corrective actions, may be reviewed in the tenure and promotion process as it bears on the faculty member's performance in teaching, research, and service. The purpose of such review will be to ensure that only the documented facts of the individual's exoneration and/or corrective actions are considered.

XII. Minor Sanctions

A. Minor sanctions include oral and written reprimand, fines, reduction in salary, and requirement of corrective action.

B. Minor sanctions may be initiated by a DFSC/SFSC or by the appropriate College Dean or by the Provost.

1. The Dean or Provost may initiate minor sanctions upon receipt of a substantiated finding of violation from University Ethics Officer, for violations of the State Ethics Act and other relevant laws; the Academic Freedom, Ethics, and Grievance Committee, for violations of academic freedom or the Code of Ethics; the Office of Equal Opportunity, Ethics, and Access, for violations of the Anti-Harassment and Anti-Discrimination Policy; or the Associate Vice President for Research, for violations of the Integrity in Research and Scholarly Activities policy. Disciplinary action will not be implemented until all appeals as provided for in the relevant policies are exhausted. When the recommendation to initiate disciplinary action comes from the Dean or the Provost, the faculty member and the DFSC/SFSC will be informed in writing of the disciplinary action and its rationale. In such cases, the DFSC/SFSC may

choose to communicate, in writing, a non-binding advisory recommendation to the Dean or Provost on the matter.

2. The DFSC/SFSC may recommend minor sanctions whenever it becomes aware of evidence of cause for such action, as described in XI.A.2. In such cases, the DFSC/SFSC shall communicate its recommendation to the appropriate Dean and the Provost. The Provost may implement disciplinary action after consultation with the Dean.

C. No minor sanctions may be implemented until all appeals relevant to the policies in question are exhausted.

D. Application of minor sanctions will be communicated to the faculty member in writing by the Provost, who shall also inform the Chair/Director and Dean. If the minor sanctions include corrective actions, the requirements of these corrective actions, including timeline and acceptable documentation will be described in the same written communication and copied to the personnel/ASPT file. The faculty member may request, and shall receive, clarification of such requirements.

XIII. Faculty Suspensions

A. Faculty members may be suspended for a specified time period, or with requirements of corrective action to be completed prior to reinstatement, or as a preliminary step toward termination of appointment/dismissal for cause (see XIV).

B. A faculty member in the suspension process is afforded due process. This right is balanced against the University's responsibility to prevent harm to students, other employees, and the institution itself.

C. Ordinarily, suspensions will be paid suspensions. Suspensions without pay will only occur after the process described in XIII.D is completed and all appeals or related grievances are adjudicated. In extraordinary cases when there is evidence that the faculty member has abandoned professional duties or is unable to fulfill such duties, a temporary suspension without pay may be instituted prior to completion of the University's process. Individuals suspended without pay and subsequently exonerated can be compensated.

D. Procedural Considerations Related to Suspension

1. Each step in the procedures described below should be completed as soon as is practicable, and normally in the time frame indicated. However, the President or Provost may extend these deadlines for good reason, and concerned parties may request consideration for doing so. The President, Provost, or their designee will communicate extensions of the normal timelines provided below in writing to all concerned parties. Such

extensions shall not constitute a procedural violation of this policy.

2. There shall be discussion between the faculty member, the Chair/Director, the Dean, and Provost, or their designees. Ordinarily, the Provost's designee will not be an attorney for the University, though there may be exceptions to this.. The intention of this discussion will be to develop a mutually agreeable solution that ensures safety for the University community and educational success of students. This mutually agreeable solution could result in a suspension or a re-assignment of duties.

3. While discussion is ongoing, the University reserves the right to temporarily re-assign a faculty member from any or all duties, including teaching, in order to prevent harm to the University or members of its community; when required by law; or when necessitated by pending criminal investigation or legal proceedings. (See ASPT XI.C.)

4. If a mutually agreeable solution is found, it shall be documented in writing signed by the faculty member and appropriate administrative officers of the university. A mutually agreeable solution should be finalized within 5 business days of initiation of discussion. However, if the parties mutually agree in writing, this period may be extended if such extension would make agreeing to a solution likely. Such an agreement will be communicated to the Dean and Provost within 5 business days of the initiation of discussion.

5. If a mutually agreeable solution cannot be found and it is determined that suspension is necessary, then the following process will take place.
    a. The Chair/Director will consult with DFSC/SFSC. Such consultation will entail informing the DFSC/SFSC of the areas of concern and the reasons why suspension is indicated. Such consultation will include review of relevant documentation/information (e.g., past performance evaluations; investigation report) and/or advice of Legal Counsel.

    b. The faculty member will be notified in writing of the consultation with the DFSC/SFSC, including the reasons why suspension is indicated. The faculty member shall have the opportunity to present reasons why suspension should not occur, in writing, to the DFSC/SFSC. The faculty member's written statement shall be submitted within 5 business days of notification of the consultation with the DFSC/SFSC.

    c. There shall be documentation of the consultation with the DFSC/SFSC. The elected members of the DFSC/SFSC may make a non-binding advisory recommendation to the Chair/Director. Consultation with the DFSC/SFSC,

documentation of such, and any recommendations made by the DFSC/SFSC, shall be completed within 10 business days.

d. Following DFSC/SFSC consultation, the Chair/Director shall consult with the Dean and Provost and provide written notice of a decision to the faculty member, Dean, and Provost within 5 business days. The DFSC/SFSC shall be informed of the decision. If the reasons for the suspension also constitute adequate cause for dismissal as described below and in ASPT Policies XIV.B.1, the written notice shall so indicate, and the dismissal procedures delineated below shall commence.

6. A suspended faculty member may appeal to the President within 10 business days of the written notice from the Chair/Director, as described in XII.E.4.c. Such appeal must be made in writing, with copies provided to the Chair/Director, Dean, and Provost. Appeals may be based on substantive or procedural grounds. The President shall rule on the appeal within 21 business days.

7. Suspended faculty members shall retain their right to file a grievance with the Faculty Academic Freedom, Ethics, and Grievance Committee, if they believe that their academic freedom or the Code of Ethics has been violated. Suspensions will remain in effect while such grievances are adjudicated.

8. Faculty members who are suspended as a preliminary step toward dismissal for cause will retain their right to due process throughout the dismissal proceedings, which shall follow the principles and steps described below.

XIV. Termination of Appointment of Probationary and Tenured Faculty

A. Probationary Faculty

1. Recommendations for nonreappointment prior to a tenure decision shall be made by the DFSC/SFSC in consultation with the Dean and the Provost. The Chairperson/Director of the DFSC/SFSC shall communicate the recommendation of nonreappointment in writing to the faculty member, the Dean, and the Provost. Nonreappointment can also be the result of a negative tenure recommendation. Official notices of nonreappointment, whether issued prior to a tenure decision or as a result of a negative tenure decision, are issued from the Office of the Provost.

   a. Upon notice of non-reappointment other than a negative tenure recommendation, a probationary faculty member may request an oral statement of reasons for non-reappointment from the Chair/Director.

Comment [SC2]: New numbering, see below

Comment [SC3]: Section XIV.A 1 and 2 on Probationary Faculty are currently ASPT XI.A. Section XIV.A.3 is new language added to address termination for cause (e.g., major criminal offense or ethics violation) as distinct from non-reappointment for poor performance or lack of progress toward tenure.

b. Following the oral statement of reasons for non-reappointment under a. (above), a probationary faculty member may request a written statement of reasons for non-reappointment from the Chair/Director. The Chair/Director shall advise the probationary faculty member of the pros and cons of obtaining such a statement in writing. If the probationary faculty member still wishes a written statement, the Chair/Director shall provide the requested written statement.

c. Appeals of non-reappointment other than those following a negative tenure decision shall be governed by Article XIII.J.

Comment [SC4]: Will change to XVI

d. Appeals of non-reappointment following a negative tenure recommendation shall follow the provision of Article XIII. F.

Comment [SC5]: Will change to XVI

2. Notice of termination shall be given not later than March 1 of the first academic year of service; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination; not later than February 1 of the second academic year of service; or, if the appointment terminates during an academic year, at least six months in advance of its termination; at least twelve months before termination of an appointment after two or more years of service.

~~2.~~3. Termination of a probationary faculty for such adequate causes as lack of fitness to continue to perform in the faculty member's professional capacity as a teacher or researcher; failure to perform assigned duties in a manner consonant with professional standards; or malfeasance may proceed irrespective of the timeline specified in XIII.A.2. Notice of such termination will be issued by the Provost, after consultation with the Dean and Department Chair/School Director, as soon as feasible. Appeals may be made to the President within 10 business days of the Provost's communication of the termination. The President shall rule on the appeal within 21 business days.

B. Tenured Faculty

1. The standard for dismissal of a tenured faculty member is that of adequate cause. The burden of proof shall be upon the institution. Negative performance-evaluation ratings shall not shift the burden of proof to the faculty member (to show cause why the faculty member should be retained). Evaluation records may be admissible but may be rebutted as to accuracy.

Comment [SC6]: Currently XI.B.3.

2. ASPT Policy V.C.3 provides for initiation of dismissal proceedings by the DFSC/SFSC. University Administration may also initiate dismissal proceedings when it becomes aware of adequate cause.

3. Procedural Considerations Related to Termination of Appointment of Tenured Faculty

Comment [SC7]: From XIV.B.3 onward, draft policy is that reviewed during 2013-14 by URC and FRC, with some minor changes

a. Each step in the procedures described below should be completed as soon as is practicable, and normally in the time frame indicated. However, the President or Provost may extend these deadlines for good reason, and concerned parties may request consideration for doing so in writing. The President, Provost, or their designee will communicate extensions of the normal timelines provided below in writing to all concerned parties. Such extensions shall not constitute a procedural violation of this policy.

b. If the recommendation to initiate dismissal proceedings comes from the Department, School, or College, then the DFSC/SFSC (per ASPT V.C.2) or Dean of the College in which the faculty member's locus of tenure resides will submit a letter to the Provost describing charges that the University has adequate cause to effect dismissal of the faculty member.

   If the recommendation to initiate dismissal proceedings comes from the University Administration, the Provost will inform the faculty member in writing of the charges and provide the Dean and DFSC/SFSC with a copy. In such cases, the DFSC/SFSC may choose to communicate, in writing, a non-binding advisory recommendation to the Provost on the matter.

   If a faculty member being charged with adequate cause for dismissal is suspended as described in ASPT XII, the due process for suspension will be followed while dismissal proceedings are underway.

c. The Provost will direct, in writing, the Faculty Caucus of the Academic Senate to select an Initial Review Committee of six faculty members to determine whether, in its view, formal proceedings for the faculty member's dismissal should be instituted. This written direction shall be made within 5 business days of date of the letter initiating dismissal proceedings (from the Provost, DFSC/SFSC, or Dean as required in XIV.B.3.b). The committee will consist of one faculty member from each college except that in which the faculty member's locus of tenure resides. The Faculty Caucus should meet in executive session within 21 business days of the date of the Provost's written direction to select the Initial Review Committee members.

d. The Initial Review Committee will review each charge contained in the letter alleging adequate cause described in XII.B.5.b, and

will have the authority to interview the respondent/faculty member, the Dean, the Department Chair/School Director, and any other person who may have relevant information. The Initial Review Committee may also have access to any relevant documentation.

e. The Initial Review Committee will submit their recommendation within 21 business days of the date of the formation of the committee.

f. If the Initial Review Committee recommends that dismissal proceedings should commence, or if the Provost, even after considering a recommendation favorable to the faculty member, determines that a proceeding should be undertaken, a statement of the grounds proposed for the dismissal should be jointly formulated by the Initial Review Committee and the Provost or Provost's designee. If there is disagreement, the Provost or the Provost's designee shall formulate the statement. The statement shall be formulated within 10 business days of the committee's communication of the recommendation to the Provost.

g. The Provost shall communicate in writing to the faculty member: (1) the statement of grounds for dismissal; (2) information regarding the faculty member's procedural rights; and (3) a statement informing the faculty member that, at the faculty member's request, a hearing will be conducted by the Faculty Review Committee (FRC) of Illinois State University to determine whether s/he should be removed from the faculty position on the grounds stated. This communication to the faculty member shall be delivered within 5 business days of the date of the statement. The hearing date should be far enough in advance to permit the faculty member to reasonably formulate and prepare a defense, and at least 10 business days from the date of the Provost's letter communicating the decision to the faculty member.

h. The faculty member should state in reply no later than 5 business days before the time and date set for the hearing whether s/he wishes a hearing. If a hearing is requested, the faculty member shall answer the statements in the Provost's letter in writing and submit this document to the Provost and the FRC no later than 5 business days before the date set for the hearing.

i. The Faculty Review Committee (FRC):

    i. Shall consider the statement of grounds for dismissal already formulated, the recommendation of the Initial

Review Committee, and the faculty member's response before the hearing;

ii. If the faculty member has not requested a hearing, the FRC may consider the case on the statement of grounds and the reply and any other obtainable information and decide whether the faculty member should be dismissed.

iii. If the faculty member has requested a hearing, the FRC shall hold a hearing.

j. Hearings by the Faculty Review Committee
   i. The FRC shall decide whether the hearing is public or private;
   ii. If facts are in dispute, testimony may be taken or other evidence received;
   iii. The Provost or a designee shall attend the hearing (Ordinarily, the Provost's designee will not be an attorney for the University, though there may be exceptions to this) ;
   iv. The FRC will determine the order of proof, and may secure the presentation of evidence important to the case;
   v. The faculty member shall have the option of assistance from counsel or other advisor, whose role shall be limited to providing advice to the faculty member rather than presenting or actively engaging in the proceedings;
   vi. The faculty member shall have the assistance of the committee in securing the attendance of witnesses. Because the committee cannot compel the participation of a witness, the proceedings shall not be delayed by the unavailability of a witness.
   vii. The proceedings will be recorded at the expense of the University;
   viii. The Provost's representative and the faculty member shall present any information helpful to the determination. Each may request the committee in writing to ask witnesses to answer specific questions. Appropriate procedure will be determined by the FRC.
   ix. The FRC shall permit a statement and closing by the Provost's representative and the faculty member. The FRC may exercise its discretion in allowing a reasonable amount of time for each statement.
   x. The FRC may request written briefs by the parties.
   xi. The FRC shall reach its decision promptly in conference, on the basis of the hearing if one was held, and submit a full written report to the Provost and the faculty member. The written report shall be submitted to the Provost within

21 business days of the hearing. A record of any hearing should be made available to the Provost and to the faculty member.

k. The Provost shall review the full report of the FRC for final action. If the Provost disagrees with the decision of the FRC, s/he shall request the FRC to reconsider the report. The Provost shall then make a final decision whether the faculty member should be dismissed. The Provost's final decision shall be communicated to the faculty member within 10 business days of the final report of the FRC (after reconsideration, if any).

l. The faculty member may appeal the Provost's decision to the President, who shall make a final decision, stating whether the faculty member shall be retained or shall be dismissed. Such appeal shall be requested in writing within 10 business days of the date of the Provost's communication of the final decision. The President shall communicate a decision to the faculty member, the Provost, Dean, Chair, and DFSC/SFSC within 21 business days of the written request for appeal.

m. Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements about the case by either the faculty member or administrative officers should be avoided so far as possible until the proceedings have been completed. Announcement of the final decision should include a statement of the FRC's original decision, if this has not previously been made known.

Recommended Timelines for Faculty Discipline

General Note: All disciplinary processes should be completed as soon as is practicable, and ordinarily according to the following timelines. However, the President or Provost may extend these deadlines for good reason, and concerned parties may request consideration for doing so. The President, Provost, or their designee will communicate extensions of the normal timelines provided below in writing to all concerned parties. Such extensions shall not constitute a procedural violation of this policy. (See also draft ASPT Policies XIII.D.1 and XIV.B.3.a.)

Suspension – XIII

Activity	**Recommended Timeline**
Discussion leading to mutually agreeable solution (D.4)	Within 5 business days; can be extended by mutual agreement. Any extension agreement communicated to Dean and Provost within 5 business days
DFSC/SFSC consultation and written notification of faculty member (D.5.a)	Upon failure to find mutually agreeable solution
Faculty member's written statement to DFSC/SFSC (reasons why suspension should not occur) (D.5.b)	Within 5 business days of notification to faculty member of consultation with DFSC/SFSC
Consultation with and nonbinding advisory recommendation from DFSC/SFSC (D.5.c)	Within 10 business days
Consultation with Dean and Provost and written notice of decision (D.5.d)	Within 5 business days
Appeal to President (copies to Chair, Dean, and Provost) (D.6)	Within 10 business days of written notice of decision
President ruling on appeal (D.6)	Within 21 business days of written appeal
	56 days business days

Recommended Timelines for Faculty Discipline

Dismissal – XIV

Probationary Faculty – Dismissal for Adequate Cause (A.3)

Activity	**Recommended Timeline**
Notice issued by Provost	As soon as is feasible
Appeal to President	Within 10 business days of receipt of Provost's communication
Decision by President	Within 21 business days of receipt of written statement of appeal
	31 business days

Recommended Timelines for Faculty Discipline

Dismissal – XIV

Dismissal of Tenured Faculty – XIV.B

Activity	**Recommended Timeline**
Provost directs Faculty Caucus to select Initial Review Committee to determine whether formal proceedings should be instituted (B.3.c)	Within 5 business days of date of letter initiating proceedings
Meeting of Faculty Caucus to select Initial Review Committee (B.3.c)	Within 21 business days of Provost's written direction to form Initial Review Committee
Initial Review Committee submits recommendation (B.3.e)	Within 21 business days of date of Initial Review Committee formation
Statement of grounds for dismissal (B.3.f)	Within 10 business days of committee's recommendation to Provost
Provost letter to faculty member stating grounds for dismissal, procedural rights, and date of optional hearing before FRC (B.3.g)	Delivered within 5 business days of the date of statement of grounds for dismissal. Date of hearing set at least 10 business days after the date of the Provost's letter described in B.3.g
Faculty member replies in writing whether s/he wishes a hearing. If a hearing is requested, faculty member shall include answer the statement of grounds for dismissal in writing. (B.3.h)	No later than 5 business days before hearing date
FRC decision in writing (B.3.j.xi)	Within 21 business days of hearing
Provost final decision communicated (B.3.l)	Within 10 business days of Provost's final decision
Request of appeal to President (B.3.k)	Within 10 business days of Provost's communication of final decision
President communicates decision regarding appeal (B.3.k)	Within 21 business days of written request for appeal
	144 business days

Proposed Revisions of ASPT Policies Table of Contents Reflecting Draft Sections on Disciplinary Actions

Comment [SC1]: Completely New Sections

Comment [SC2]: Currently Section XI included in "Policies and Procedures for Appointment, etc."

Comment [SC3]: Beginning here, Sections are re-numbered.

UNIVERSITY REVIEW COMMITTEE
Thursday, February 26, 2015
3 p.m., Hovey 209

MINUTES

Members present: Rick Boser, Phil Chidester, Angela Bonnell, Diane Dean, Joe Goodman, Doris Houston, Sheryl Jenkins, David Rubin, Sam Catanzaro (non-voting)

Members not present: Bill O'Donnell

Others present: Bruce Stoffel (recorder)

I. Call to order

Chairperson Sheryl Jenkins called the meeting to order at 3:02 p.m.

II. Approval of minutes

A. Diane Dean moved, Phil Chidester seconded approval of minutes from the February 5, 2015, meeting as distributed prior to the meeting. The motion carried.

B. Joe Goodman moved, David Rubin seconded approval of minutes from the February 12, 2015, meeting as distributed prior to the meeting. The motion carried.

III. Draft ASPT policies on faculty discipline

Jenkins reminded committee members that they had decided to review the draft ASPT policies on discipline again, aided by a flow chart. Sam Catanzaro reported that the flow chart was not yet ready. Jenkins said she would schedule the discussion for a future committee meeting once the chart has been completed.

IV. Discussion of ASPT subgroup reports

Jenkins asked that subgroups review with the committee the report each made to the committee on February 5, 2015 (see minutes of the February 5, 2015, meeting), in the process discussing issues and recommendations point-by-point. Jenkins asked that subgroups report in the following order: Subgroup 1, Subgroup 3, Subgroup 4, and Subgroup 2.

A. Subgroup 1

Phil Chidester and Joe Goodman reported.

Chidester noted that the comment marked "p1" in the subgroup report (should XIV.A.1 be written to allow "unsolicited anonymous communications") is the only substantive issue raised by the subgroup. Chidester suggested that the committee consider changing this passage to cover situations similar to the one in Milner Library (discussed by the committee at its December 4, 2014, meeting).

Angela Bonnell noted that prohibition of anonymous communication has been included in ASPT policies back to 1979. The issue was discussed at length during the last comprehensive five-year review of ASPT policies, she said, and the decision was made then to retain the prohibition. Bonnell reported that Milner Library faculty has initiated discussions regarding alternate ways to provide feedback for use in evaluating tenure-line administrative coordinators. One approach being considered is solicitation of anonymous feedback regarding a program or service rather than the individual coordinating it. Thus, there would be no need to change XIV.A.1 to accommodate Milner Library, she said.

Catanzaro stated that the issue of anonymous communication in faculty evaluation is an issue only at Milner Library. Doris Houston offered that the instance at Milner Library might be the only one that has come to light. Catanzaro said that the only other situation he can think of in which the issue of anonymous communication might be raised is with centers, but there have been no such instances to his knowledge. Chidester said that there may be an intersection with law to the extent that anonymous communication would be allowable only for a small percentage of faculty.

Jenkins offered that it would be reasonable to retain XIV.A.1 as it is, since Milner Library has found an alternate means of obtaining feedback. The consensus of committee members was to not modify XIV.A.1.

B. Subgroup 3

Angela Bonnell and Sheryl Jenkins reported.

Jenkins asked if it is yet known whether the University still hires faculty at the rank of "instructor." Catanzaro said he was to check with Human Resources and will do so.

Referring to the note in VI.G about possibly allowing virtual communication in lieu of a campus visit, Houston asked if the subgroup has language it is proposing. Bonnell responded that the subgroup does not have specific changes to recommend but thought the change might make sense. Rubin asked about spousal hires. Catanzaro said there is flexibility in part of the hiring process but when hiring for a tenure track position the final interview needs to be in person. Chidester asked about the meaning of the word "candidate" in the passage. After further discussion, committee members decided that the passage is acceptable as it is.

Jenkins asked Bonnell about the comment marked "alb14" (plan for remediation not included in DFSC responsibilities in V.C.2.c – should it?). Bonnell explained that V.C.2.c, which describes the membership and responsibilities of DFSCs/SFSCs, does not provide for a DFSC/SFSC developing a remediation plan in connection with cumulative post-tenure reviews. Catanzaro said that V.C.2.c is worded broadly enough to accommodate development of a remediation plan.

Referring to X.A.5 (comments marked "alb12" and "alb13"), Bonnell said that quotation marks were first used in the 2005 edition of the ASPT policies book and have been carried forward in subsequent editions.

Jenkins noted that all other comments made by Subgroup 3 are editorial.

C. Subgroup 4

Diane Dean and Rick Boser reported.

Dean circulated a color copy of the Subgroup 4 report to aid committee review of subgroup notations. She explained the color coding, noting that changes suggested by the subgroup are intended to make the narrative more consistent and logical. She noted that amendments made since approval of the current ASPT policies book have been incorporated. Jenkins asked if the subgroup found a problem with the text as it is. Dean responded that the subgroup found no substantive problems.

Dean asked if an appellant is allowed to meet with the Faculty Review Committee (FRC) in person. She noted that the ASPT policies book is not clear with regard to that matter. Catanzaro noted that another section of the policies book states that FRC may invite the appellant to meet with the committee but does not have to do so; thus, the appellant does not have a right to appear.

Dean explained that the subgroup has recommended changes to the order of the text, to bring together definitions and types of appeals and the nature of promotion and tenure and the initiation of a promotion or tenure request. Dean asked if those changes should be made or if the text should be left as it is. Houston asked if Dean could present the committee with a side-by-side comparison of versions or place reworded passages to the side of the existing text, to aid committee discussion of the matter. Dean said she could do so.

Houston asked for clarification regarding the approach the committee should take with respect to its review. She asked if the committee is to retain as much of the existing text as possible or if the committee is to make changes suggested by the subgroups. Houston said that if the committee can revise the text so it is clearer, that would not be bad. Jenkins responded that the committee should do both, depending what is appropriate in each instance, but that reorganizing sections can get confusing.

Boser said he does not want to rearrange everything if there is not a problem to solve. He added that it would not make sense for the committee to get too specific, since others are likely to rewrite parts of the text anyway. Goodman suggested that the committee focus on processes to make sure they make sense.

Dean asked that all dates and deadlines in the text be checked against the current ASPT calendar. There is at least one item not in the current calendar that should be, she said. She noted that some passages define deadlines according to calendar days in relation to some event, while other passages set forth specific dates. Dean asked if the policies should be consistent in the use of one form or the other. Catanzaro explained that because some deadlines are based on the number of days following receipt of a letter by the faculty member and dates of receipt may vary, it is not possible to specify a date. Dean agreed but noted that only the post tenure appeals process cites dates. Catanzaro pointed out that XIII.I.2 (top of page 52 of the ASPT policies document) refers to X.D, which also cites dates. Dean suggested that all dates in the document be reviewed for appropriateness of format and for consistency.

Houston asked when the committee is expected to report its recommendations. Catanzaro responded that the committee is scheduled to do so at the end of the spring semester.

V. Other business

There was none.

VI. Adjournment

Dean moved, Goodman seconded that the meeting be adjourned. Jenkins adjourned the meeting at 4:01 p.m.

Respectfully submitted,
Diane Dean, Secretary
Bruce Stoffel, Recorder

Attachments: None

UNIVERSITY REVIEW COMMITTEE
Thursday, March 26, 2015
3 p.m., Hovey 209

MINUTES

Members present: Angela Bonnell, Rick Boser, Phil Chidester, Joe Goodman, Doris Houston, Sheryl Jenkins, David Rubin, Sam Catanzaro (non-voting)

Members not present: Diane Dean, Bill O'Donnell

Others present: Bruce Stoffel (recorder)

I. Call to order

Chairperson Sheryl Jenkins called the meeting to order at 3 p.m.

II. Approval of minutes from the February 26, 2015 meeting

Doris Houston moved, Angela Bonnell seconded approval of minutes from the February 26, 2015 meeting as distributed prior to the meeting. The motion carried.

III. Old business

A. Draft ASPT policies on faculty discipline

Sam Catanzaro stated that he has distributed a draft of the proposed disciplinary actions policy to deans, department chairpersons, and school directors. Catanzaro has asked for their feedback by April 6, 2015.

Catanzaro led committee members through review of the latest draft of the policy, annotated with changes recommended by the committee at its February 12, 2015 meeting (see attached), and flow charts illustrating the sanctions, suspension, and dismissal processes, prepared by Catanzaro and Greta Janis (Office of the Provost) (see attached).

Committee members agreed to refer to "sanctions" throughout the document rather than "minor sanctions." The rationale for this change is that, from the perspective of the faculty member, sanctions of any sort would not likely be considered "minor."

Joe Goodman asked if the role of committee members in reviewing the draft policy is to ensure a fair process for all parties. Catanzaro responded in the affirmative.

Sheryl Jenkins asked if the flow charts are intended for committee use only or if the flow charts will be available to others. Catanzaro said that he is not yet sure how the flow charts will be used. Houston suggested that the flow charts be included in the ASPT document, in an appendix. Committee members concurred.

Committee members first reviewed the sanctions flow chart and associated draft policy text (XII).

Jenkins suggested including a reference on the left side of the sanctions flow chart to informing the faculty member, as has been done on the right side of the sanctions flow chart (below the box labeled "Dean or Provost XII.B.1"). Catanzaro suggested relabeling the box below the box labeled "DFSC/SFSC XII.B.2" to read "Inform Faculty Member, Dean, and Provost of recommendation." Catanzaro also suggested modifying line 98 of the text (XII.B.2) to read "… such cases, the DFSC/SFSC shall inform the faculty member and communicate its recommendation to the …"

Boser asked if informal resolution is possible before the DFSC/SFSC recommends sanctions and communicates the recommendation to the faculty member, dean, and Provost. Catanzaro responded that informal resolution is implied. Informal resolution is encouraged at various points in the ASPT document, he said.

Committee members next reviewed the suspensions flow chart and associated draft policy text (XIII).

Goodman noted that references in the flow chart to XII.D.4 should be changed to XIII.D.4. Houston added that XII.D.5 should be changed to XIII.D.5 and XII.D.6 should be changed to XIII.D.6.

Chidester asked about the box labeled "Chair consults with DFSC; notification of faculty member." He asked if the faculty member is notified of suspension at that time. Catanzaro explained that the notification in that box refers not to notification of suspension rather notification that the chairperson and DFSC have consulted. Catanzaro will revise flow chart to make that clearer.

Chidester asked if a box should be added for filing a grievance with the Faculty Academic Freedom, Ethics, and Grievance Committee. Catanzaro responded that such a box is not needed, because a grievance may be filed by the faculty member at any time during the process.

Jenkins asked whether a determination has been made whether use of the word "can" on line 129 of the text ("subsequently exonerated can be compensated") is to be changed to "shall." Catanzaro responded that he has consulted Associate University Counsel Wendy Smith regarding the matter. Smith recommended retaining the term "can," because there may be instances when it might not be appropriate for the University to compensate the faculty member. Smith cited precedents in which a suspended employee works in another job while the suspension is in place and is exonerated. A common practice is to award back-pay, adjusted so as to not exceed what would have been earned if the suspension had not occurred. Chidester suggested modifying the passage, from passive to active voice, so it reads "Individuals suspended without pay and subsequently exonerated may seek compensation." Committee members concurred.

Goodman asked if the concept of "pay" is defined anywhere in the document. For example, does "pay" include benefits and accrued interest? Catanzaro said "pay" is not defined in the document. He will check with General Counsel whether inclusion of benefits and accrued interest is assumed. If it is not, Catanzaro will modify the text accordingly.

Chidester said that the University needs to consider the public perception of having a faculty member suspended and being paid. That would not be accepted well by the public,

he noted. Catanzaro agreed, citing a case at another Illinois university in which a suspended professor received three years of pay.

Boser asked Catanzaro if he reviewed University of Illinois faculty disciplinary policies when preparing draft policies for Illinois State. Catanzaro responded that he had done so and that University of Illinois policies basically follow recommendations of the American Association of University Professors (AAUP). Catanzaro suggested that Illinois State might be better served by having an explicit disciplinary policy that incorporates AAUP recommendations but does not adopt them in their entirety. Catanzaro cited AAUP recognition of reassignment from teaching as a de facto suspension as one element of AAUP recommendations that Illinois State may want to clarify in its own policy or reconsider.

The committee next reviewed the dismissal flow chart and associated draft policy text.

David Rubin asked if the State Universities Retirement System (SURS) is mentioned anywhere in the draft policy. Catanzaro responded that SURS is not mentioned anywhere in the ASPT document. The retirement system is a separate issue, Catanzaro explained.

Rubin noted the words “yes” and “no” erroneously embedded within multiple boxes in the dismissal flow chart. He suggested that those errors be corrected.

Catanzaro noted a misspelling. The blue-shaded box labeled “FRC holds learning according to …” should be relabeled to read “FRC holds hearing according to …”

Chidester suggested that text in the red-shaded box labeled “Faculty member reply in writing and state whether s/he wishes a hearing …” be rewritten.

Houston noted that reference to XIV.B.3.K in the blue-shaded box labeled “Provost reviews report of FRC …” should instead read XIV.B.3.k.

Catanzaro suggested removing the phrase “as soon as feasible” from line 259 of the text. Committee members agreed.

Chidester noted that a change is needed to the lowest blue-shaded box on the flow chart. Catanzaro agreed, noting that the reference to XIV.B.3.1 should be to XIV.B.3.l (i.e., lower case letter el).

Bonnell noted that a change is needed to the section reference in the blue-shaded box labeled “FRC holds learning according to …” Catanzaro agreed, noting that the reference to VIV.3.i.j should be XIV.B.3.i-j.

Chidester asked whether the sentence beginning on line 358 (“The faculty member should state in reply no later than 5 business days…”) suggests that the Provost, by that point in the process, has set a time and date for the hearing. Catanzaro responded that it does.

Catanzaro asked for suggestions regarding the timelines at the end of the draft policy.

Referring to Recommended Timelines for Faculty Discipline, Dismissal-XIV, Probationary Faculty-Dismissal for Adequate Cause (A.3), Catanzaro suggested that the phrase “As soon as is feasible” (first entry in the Recommended Timeline column) be

removed, as it will be from the policy text. The second entry in the Recommended Timeline column should be modified to read "Within 10 business days of receipt of Provost's communication of notice," Catanzaro suggested. Referring to that same timeline, Chidester asked if an entry should be added in the Activity column opposite the entry "31 business days" in the Recommended Timeline column. Catanzaro explained that "31 business days" refers to the length of the dismissal process. He will add a notation at the bottom of the timeline to make that clearer. He will add similar notations to the bottom of the other timelines as well. Houston asked what action begins the 31-day process. Catanzaro explained that the 31-day period starts when the faculty member receives the Provost's notice of dismissal for adequate cause.

Referring to Recommended Timelines for Faculty Discipline, Dismissal-XIV, Dismissal of Tenured Faculty-XIV.B, Catanzaro said he will remove indentations from the two table cells with indented text.

Catanzaro referred to the cell in the Recommended Timeline column with the text "Delivered within 5 business days of the date of statement of grounds for dismissal. Date of hearing set at least 10 business days after the date of the Provost's letter described in B.3.g." Catanzaro noted that the committee, at its February 12, 2015 meeting recommended adding to the end of that entry a limit on the number of days between the date of the Provost's letter communicating the decision to the faculty member and the hearing date. Catanzaro suggested that such a limit is not needed, because the faculty member has the right to react to the hearing date and decide against it.

Jenkins noted that the indented entry in the Activity column (the entry beginning "Faculty member replies in writing whether s/he wishes a hearing …") does not make sense. Catanzaro will delete the word "include" from the second sentence.

Catanzaro thanked committee members for their input and said he will make the changes recommended by the committee. He noted that if he receives suggestions regarding the draft policy from deans, chairpersons, or directors, he will so inform the committee at its April 9, 2015 meeting. If any of the suggestions are substantive, the committee may need to discuss them, Catanzaro added.

B. ASPT sub-group reports

Jenkins announced that discussion of ASPT sub-group reports will resume at the April 9, 2015 committee meeting, starting with discussion led by sub-group 4 and continuing with discussion led by sub-group 2. Houston asked committee members to review sub-group 2 documents prior to the April 9 meeting (the documents were disseminated to committee members at the beginning of this meeting; see attached).

IV. New business

There was none.

V. Adjournment

Chidester moved, Goodman seconded that the meeting be adjourned. Jenkins adjourned the meeting at 4:05 p.m.

Respectfully submitted,
Diane Dean, Secretary
Bruce Stoffel, Recorder

Attachments:

Draft ASPT sections on Minor Sanctions, Suspensions, and Dismissal/Termination of Appointment: 01-27-2015, annotated with changes recommended by the University Review Committee at its February 12, 2015 meeting

Flow charts (3) illustrating processes set forth in "Draft ASPT sections on Minor Sanctions, Suspensions, and Dismissal/Termination of Appointment: 01-27-2015," prepared by Sam Catanzaro and Greta Janis [n.d.]

URC equity review language recommendations, URC Equity Review Policy subgroup, with attached list of variables, prepared by Doris Houston and David Rubin [n.d.]

URC feedback
February 12, 2015

DRAFT ASPT sections on Minor Sanctions, Suspension, and Dismissal/Termination of Appointment: 01-27-2015

DISCIPLINARY ACTIONS

XI. General Considerations

A. Types of Disciplinary Actions

1. Faculty may be subject to discipline of varying levels. Disciplinary actions include Minor Sanctions, Suspension, and Dismissal.

2. Minor sanctions may be imposed for such adequate causes as violations of laws or University policies, including the Code of Ethics and its appendices. Specific policies related to minor sanctions are provided in ASPT XII.

3. Suspension occurs when a faculty member is temporarily relieved of academic duties, such that the faculty member is not engaged in any teaching, research, or service activities at the University. The faculty member could be on paid or unpaid status. Specific policies related to suspensions are provided in ASPT XIII.

4. It is understood that suspension (with or without pay) of faculty members will only be contemplated in circumstances when there is a reasonable threat of imminent harm to the University, including the faculty member in question, students, and other employees or when credible evidence of adequate cause for dismissal is available. The administration of the University will inform the faculty member of its rationale for judging that suspension is indicated.

5. Dismissal of a tenured faculty member may be effected by the University for such adequate causes as lack of fitness to continue to perform in the faculty member's professional capacity as a teacher or researcher; failure to perform assigned duties in a manner consonant with professional standards; malfeasance; or demonstrable University financial exigency or program termination. Specific policies related to termination of tenured faculty appointments are provided in ASPT XIV.B.

6. Termination of faculty due to financial exigency or program termination will follow the process outlined in the ISU Constitution (Article III, Section 4.B.2) and all applicable policies.

B. Faculty Rights

1. Disciplinary actions (including suspension or termination) or the threat thereof may not be used to restrain faculty members' exercise of academic freedom. Faculty members shall retain their right to file a grievance with

URC:
Drop this term or replace it throughout the document.

Comment [SC1]: Currently ASPT Policy XI.B.1.

URC:
Edit document for consistency in use of semi-colons and periods.

the Faculty Academic Freedom, Ethics, and Grievance Committee, if they believe that their academic freedom or the Code of Ethics has been violated.

2. In all disciplinary proceedings, faculty members have the rights to due process, to timely notice, to seek advice, to respond to developments in the disciplinary process, and to have an advisor and/or counsel present at discussions, hearings, and appeals. Such advisor/counsel is advisory to the faculty member only.

C. Faculty members' duties may be reassigned temporarily while possible causes for disciplinary actions are being investigated or while the due process for a disciplinary action is being followed. The reasons for such reassignment of duties will be provided to the faculty member. Such reassignments will be made to prevent reasonable threats of harm to the University, the individual faculty member, or other members of the University community; when required by law; or when necessitated by pending criminal investigation or legal proceedings.

D. Probationary faculty who face disciplinary actions and are either exonerated or required to complete corrective actions may request a one year "stop-the-clock" extension of their as probationary period, as described in IX.B.3. The records of the disciplinary process, including documentation of exoneration and completion of any required corrective actions, may be reviewed in the tenure and promotion process as it bears on the faculty member's performance in teaching, research, and service. The purpose of such review will be to ensure that only the documented facts of the individual's exoneration and/or corrective actions are considered.

URC: See above

XII. Minor Sanctions

A. Minor sanctions include oral and written reprimand, fines, reduction in salary, and requirement of corrective action.

B. Minor sanctions may be initiated by a DFSC/SFSC or by the appropriate College Dean or by the Provost.

1. The Dean or Provost may initiate minor sanctions upon receipt of a substantiated finding of violation from University Ethics Officer, for violations of the State Ethics Act and other relevant laws; the Academic Freedom, Ethics, and Grievance Committee, for violations of academic freedom or the Code of Ethics; the Office of Equal Opportunity, Ethics, and Access, for violations of the Anti-Harassment and Anti-Discrimination Policy; or the Associate Vice President for Research, for violations of the Integrity in Research and Scholarly Activities policy. Disciplinary action will not be implemented until all appeals as provided for in the relevant policies are exhausted. When the recommendation to initiate disciplinary action comes from the Dean or the Provost, the faculty member and the DFSC/SFSC will be informed in writing of the disciplinary action and its rationale. In such cases, the DFSC/SFSC may

choose to communicate, in writing, a non-binding advisory recommendation to the Dean or Provost on the matter.

2. The DFSC/SFSC may recommend minor sanctions whenever it becomes aware of evidence of cause for such action, as described in XI.A.2. In such cases, the DFSC/SFSC shall communicate its recommendation to the appropriate Dean and the Provost. The Provost may implement disciplinary action after consultation with the Dean.

C. No minor sanctions may be implemented until all appeals relevant to the policies in question are exhausted.

D. Application of minor sanctions will be communicated to the faculty member in writing by the Provost, who shall also inform the Chair/Director and Dean. If the minor sanctions include corrective actions, the requirements of these corrective actions, including timeline and acceptable documentation will be described in the same written communication and copied to the personnel/ASPT file. The faculty member may request, and shall receive, clarification of such requirements.

XIII. Faculty Suspensions

A. Faculty members may be suspended for a specified time period, or with requirements of corrective action to be completed prior to reinstatement, or as a preliminary step toward termination of appointment/dismissal for cause (see XIV).

B. A faculty member in the suspension process is afforded due process. This right is balanced against the University's responsibility to prevent harm to students, other employees, and the institution itself.

C. Ordinarily, suspensions will be paid suspensions. Suspensions without pay will only occur after the process described in XIII.D is completed and all appeals or related grievances are adjudicated. In extraordinary cases when there is evidence that the faculty member has abandoned professional duties or is unable to fulfill such duties, a temporary suspension without pay may be instituted prior to completion of the University's process. Individuals suspended without pay and subsequently exonerated can be compensated.

D. Procedural Considerations Related to Suspension

1. Each step in the procedures described below should be completed as soon as is practicable, and normally in the time frame indicated. However, the President or Provost may extend these deadlines for good reason, and concerned parties may request consideration for doing so. The President, Provost, or their designee will communicate extensions of the normal timelines provided below in writing to all concerned parties. Such

URC:
Add...
The faculty member will be notified of any action before it is reported outside the Department.

URC:
Change to "shall".
(SC: Will check with legal counsel)

extensions shall not constitute a procedural violation of this policy.

2. There shall be discussion between the faculty member, the Chair/Director, the Dean, and Provost, or their designees. Ordinarily, the Provost's designee will not be an attorney for the University, though there may be exceptions to this.. The intention of this discussion will be to develop a mutually agreeable solution that ensures safety for the University community and educational success of students. This mutually agreeable solution could result in a suspension or a re-assignment of duties.

URC: Delete

3. While discussion is ongoing, the University reserves the right to temporarily re-assign a faculty member from any or all duties, including teaching, in order to prevent harm to the University or members of its community; when required by law; or when necessitated by pending criminal investigation or legal proceedings. (See ASPT XI.C.)

4. If a mutually agreeable solution is found, it shall be documented in writing signed by the faculty member and appropriate administrative officers of the university. A mutually agreeable solution should be finalized within 5 business days of initiation of discussion. However, if the parties mutually agree in writing, this period may be extended if such extension would make agreeing to a solution likely. Such an agreement will be communicated to the Dean and Provost within 5 business days of the initiation of discussion.

5. If a mutually agreeable solution cannot be found and it is determined that suspension is necessary, then the following process will take place.
   a. The Chair/Director will consult with DFSC/SFSC. Such consultation will entail informing the DFSC/SFSC of the areas of concern and the reasons why suspension is indicated. Such consultation will include review of relevant documentation/information (e.g., past performance evaluations; investigation report) and/or advice of Legal Counsel.

   b. The faculty member will be notified in writing of the consultation with the DFSC/SFSC, including the reasons why suspension is indicated. The faculty member shall have the opportunity to present reasons why suspension should not occur, in writing, to the DFSC/SFSC. The faculty member's written statement shall be submitted within 5 business days of notification of the consultation with the DFSC/SFSC.

   c. There shall be documentation of the consultation with the DFSC/SFSC. The elected members of the DFSC/SFSC may make a non-binding advisory recommendation to the Chair/Director. Consultation with the DFSC/SFSC,

documentation of such, and any recommendations made by the DFSC/SFSC, shall be completed within 10 business days.

d. Following DFSC/SFSC consultation, the Chair/Director shall consult with the Dean and Provost and provide written notice of a decision to the faculty member, Dean, and Provost within 5 business days. The DFSC/SFSC shall be informed of the decision. If the reasons for the suspension also constitute adequate cause for dismissal as described below and in ASPT Policies XIV.B.1, the written notice shall so indicate, and the dismissal procedures delineated below shall commence.

Comment [SC2]: New numbering, see below

6. A suspended faculty member may appeal to the President within 10 business days of the written notice from the Chair/Director, as described in XII.E.4.c. Such appeal must be made in writing, with copies provided to the Chair/Director, Dean, and Provost. Appeals may be based on substantive or procedural grounds. The President shall rule on the appeal within 21 business days.

7. Suspended faculty members shall retain their right to file a grievance with the Faculty Academic Freedom, Ethics, and Grievance Committee, if they believe that their academic freedom or the Code of Ethics has been violated. Suspensions will remain in effect while such grievances are adjudicated.

8. Faculty members who are suspended as a preliminary step toward dismissal for cause will retain their right to due process throughout the dismissal proceedings, which shall follow the principles and steps described below.

XIV. Termination of Appointment of Probationary and Tenured Faculty

A. Probationary Faculty

Comment [SC3]: Section XIV.A 1 and 2 on Probationary Faculty are currently ASPT XI.A. Section XIV.A.3 is new language added to address termination for cause (e.g., major criminal offense or ethics violation) as distinct from non-reappointment for poor performance or lack of progress toward tenure.

1. Recommendations for nonreappointment prior to a tenure decision shall be made by the DFSC/SFSC in consultation with the Dean and the Provost. The Chairperson/Director of the DFSC/SFSC shall communicate the recommendation of nonreappointment in writing to the faculty member, the Dean, and the Provost. Nonreappointment can also be the result of a negative tenure recommendation. Official notices of nonreappointment, whether issued prior to a tenure decision or as a result of a negative tenure decision, are issued from the Office of the Provost.

   a. Upon notice of non-reappointment other than a negative tenure recommendation, a probationary faculty member may request an oral statement of reasons for non-reappointment from the Chair/Director.

b. Following the oral statement of reasons for non-reappointment under a. (above), a probationary faculty member may request a written statement of reasons for non-reappointment from the Chair/Director. The Chair/Director shall advise the probationary faculty member of the pros and cons of obtaining such a statement in writing. If the probationary faculty member still wishes a written statement, the Chair/Director shall provide the requested written statement.

c. Appeals of non-reappointment other than those following a negative tenure decision shall be governed by Article XIII.J.

Comment [SC4]: Will change to XVI

d. Appeals of non-reappointment following a negative tenure recommendation shall follow the provision of Article XIII. F.

Comment [SC5]: Will change to XVI

2. Notice of termination shall be given not later than March 1 of the first academic year of service; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination; not later than February 1 of the second academic year of service; or, if the appointment terminates during an academic year, at least six months in advance of its termination; at least twelve months before termination of an appointment after two or more years of service.

~~2.~~3. Termination of a probationary faculty for such adequate causes as lack of fitness to continue to perform in the faculty member's professional capacity as a teacher or researcher; failure to perform assigned duties in a manner consonant with professional standards; or malfeasance may proceed irrespective of the timeline specified in XIII.A.2. Notice of such termination will be issued by the Provost, after consultation with the Dean and Department Chair/School Director, as soon as feasible. Appeals may be made to the President within 10 business days of the Provost's communication of the termination. The President shall rule on the appeal within 21 business days.

URC:
Replace with clearer direction.
(SC: delete?)

B. Tenured Faculty

1. The standard for dismissal of a tenured faculty member is that of adequate cause. The burden of proof shall be upon the institution. Negative performance-evaluation ratings shall not shift the burden of proof to the faculty member (to show cause why the faculty member should be retained). Evaluation records may be admissible but may be rebutted as to accuracy.

Comment [SC6]: Currently XI.B.3.

2. ASPT Policy V.C.3 provides for initiation of dismissal proceedings by the DFSC/SFSC. University Administration may also initiate dismissal proceedings when it becomes aware of adequate cause.

3. Procedural Considerations Related to Termination of Appointment of Tenured Faculty

Comment [SC7]: From XIV.B.3 onward, draft policy is that reviewed during 2013-14 by URC and FRC, with some minor changes

a. Each step in the procedures described below should be completed as soon as is practicable, and normally in the time frame indicated. However, the President or Provost may extend these deadlines for good reason, and concerned parties may request consideration for doing so in writing. The President, Provost, or their designee will communicate extensions of the normal timelines provided below in writing to all concerned parties. Such extensions shall not constitute a procedural violation of this policy.

b. If the recommendation to initiate dismissal proceedings comes from the Department, School, or College, then the DFSC/SFSC (per ASPT V.C.2) or Dean of the College in which the faculty member's locus of tenure resides will submit a letter to the Provost describing charges that the University has adequate cause to effect dismissal of the faculty member.

   If the recommendation to initiate dismissal proceedings comes from the University Administration, the Provost will inform the faculty member in writing of the charges and provide the Dean and DFSC/SFSC with a copy. In such cases, the DFSC/SFSC may choose to communicate, in writing, a non-binding advisory recommendation to the Provost on the matter.

   If a faculty member being charged with adequate cause for dismissal is suspended as described in ASPT XII, the due process for suspension will be followed while dismissal proceedings are underway.

c. The Provost will direct, in writing, the Faculty Caucus of the Academic Senate to select an Initial Review Committee of six faculty members to determine whether, in its view, formal proceedings for the faculty member's dismissal should be instituted. This written direction shall be made within 5 business days of date of the letter initiating dismissal proceedings (from the Provost, DFSC/SFSC, or Dean as required in XIV.B.3.b). The committee will consist of one faculty member from each college except that in which the faculty member's locus of tenure resides. The Faculty Caucus should meet in executive session within 21 business days of the date of the Provost's written direction to select the Initial Review Committee members.

d. The Initial Review Committee will review each charge contained in the letter alleging adequate cause described in XII.B.5.b, and

will have the authority to interview the respondent/faculty member, the Dean, the Department Chair/School Director, and any other person who may have relevant information. The Initial Review Committee may also have access to any relevant documentation.

e. The Initial Review Committee will submit their recommendation within 21 business days of the date of the formation of the committee.

f. If the Initial Review Committee recommends that dismissal proceedings should commence, or if the Provost, even after considering a recommendation favorable to the faculty member, determines that a proceeding should be undertaken, a statement of the grounds proposed for the dismissal should be jointly formulated by the Initial Review Committee and the Provost or Provost's designee. If there is disagreement, the Provost or the Provost's designee shall formulate the statement. The statement shall be formulated within 10 business days of the committee's communication of the recommendation to the Provost.

g. The Provost shall communicate in writing to the faculty member: (1) the statement of grounds for dismissal; (2) information regarding the faculty member's procedural rights; and (3) a statement informing the faculty member that, at the faculty member's request, a hearing will be conducted by the Faculty Review Committee (FRC) of Illinois State University to determine whether s/he should be removed from the faculty position on the grounds stated. This communication to the faculty member shall be delivered within 5 business days of the date of the statement. The hearing date should be far enough in advance to permit the faculty member to reasonably formulate and prepare a defense, and at least 10 business days from the date of the Provost's letter communicating the decision to the faculty member.

h. The faculty member should state in reply no later than 5 business days before the time and date set for the hearing whether s/he wishes a hearing. If a hearing is requested, the faculty member shall answer the statements in the Provost's letter in writing and submit this document to the Provost and the FRC no later than 5 business days before the date set for the hearing.

i. The Faculty Review Committee (FRC):

    i. Shall consider the statement of grounds for dismissal already formulated, the recommendation of the Initial

Review Committee, and the faculty member's response before the hearing;

ii. If the faculty member has not requested a hearing, the FRC may consider the case on the statement of grounds and the reply and any other obtainable information and decide whether the faculty member should be dismissed.

iii. If the faculty member has requested a hearing, the FRC shall hold a hearing.

j. Hearings by the Faculty Review Committee
   i. The FRC shall decide whether the hearing is public or private;
   ii. If facts are in dispute, testimony may be taken or other evidence received;
   iii. The Provost or a designee shall attend the hearing (Ordinarily, the Provost's designee will not be an attorney for the University, though there may be exceptions to this) ;
   iv. The FRC will determine the order of proof, and may secure the presentation of evidence important to the case;
   v. The faculty member shall have the option of assistance from counsel or other advisor, whose role shall be limited to providing advice to the faculty member rather than presenting or actively engaging in the proceedings;
   vi. The faculty member shall have the assistance of the committee in securing the attendance of witnesses. Because the committee cannot compel the participation of a witness, the proceedings shall not be delayed by the unavailability of a witness.
   vii. The proceedings will be recorded at the expense of the University;
   viii. The Provost's representative and the faculty member shall present any information helpful to the determination. Each may request the committee in writing to ask witnesses to answer specific questions. Appropriate procedure will be determined by the FRC.
   ix. The FRC shall permit a statement and closing by the Provost's representative and the faculty member. The FRC may exercise its discretion in allowing a reasonable amount of time for each statement.
   x. The FRC may request written briefs by the parties.
   xi. The FRC shall reach its decision promptly in conference, on the basis of the hearing if one was held, and submit a full written report to the Provost and the faculty member. The written report shall be submitted to the Provost within

URC: Delete

21 business days of the hearing. A record of any hearing should be made available to the Provost and to the faculty member.

k. The Provost shall review the full report of the FRC for final action. If the Provost disagrees with the decision of the FRC, s/he shall request the FRC to reconsider the report. The Provost shall then make a final decision whether the faculty member should be dismissed. The Provost's final decision shall be communicated to the faculty member within 10 business days of the final report of the FRC (after reconsideration, if any).

l. The faculty member may appeal the Provost's decision to the President, who shall make a final decision, stating whether the faculty member shall be retained or shall be dismissed. Such appeal shall be requested in writing within 10 business days of the date of the Provost's communication of the final decision. The President shall communicate a decision to the faculty member, the Provost, Dean, Chair, and DFSC/SFSC within 21 business days of the written request for appeal.

m. Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements about the case by either the faculty member or administrative officers should be avoided so far as possible until the proceedings have been completed. Announcement of the final decision should include a statement of the FRC's original decision, if this has not previously been made known.

Recommended Timelines for Faculty Discipline

General Note: All disciplinary processes should be completed as soon as is practicable, and ordinarily according to the following timelines. However, the President or Provost may extend these deadlines for good reason, and concerned parties may request consideration for doing so. The President, Provost, or their designee will communicate extensions of the normal timelines provided below in writing to all concerned parties. Such extensions shall not constitute a procedural violation of this policy. (See also draft ASPT Policies XIII.D.1 and XIV.B.3.a.)

Suspension – XIII

Activity	**Recommended Timeline**
Discussion leading to mutually agreeable solution (D.4)	Within 5 business days; can be extended by mutual agreement. Any extension agreement communicated to Dean and Provost within 5 business days
DFSC/SFSC consultation and written notification of faculty member (D.5.a)	Upon failure to find mutually agreeable solution
Faculty member's written statement to DFSC/SFSC (reasons why suspension should not occur) (D.5.b)	Within 5 business days of notification to faculty member of consultation with DFSC/SFSC
Consultation with and nonbinding advisory recommendation from DFSC/SFSC (D.5.c)	Within 10 business days
Consultation with Dean and Provost and written notice of decision (D.5.d)	Within 5 business days
Appeal to President (copies to Chair, Dean, and Provost) (D.6)	Within 10 business days of written notice of decision
President ruling on appeal (D.6)	Within 21 business days of written appeal
	56 days business days

Recommended Timelines for Faculty Discipline

Dismissal – XIV

Probationary Faculty – Dismissal for Adequate Cause (A.3)

Activity	**Recommended Timeline**
Notice issued by Provost	As soon as is feasible
Appeal to President	Within 10 business days of receipt of Provost's communication
Decision by President	Within 21 business days of receipt of written statement of appeal
	31 business days

URC:
Add ~~text~~ reference for clarity and consistency (A.3)

URC:
Replace with clearer direction (SC: delete?)

Recommended Timelines for Faculty Discipline

Dismissal – XIV

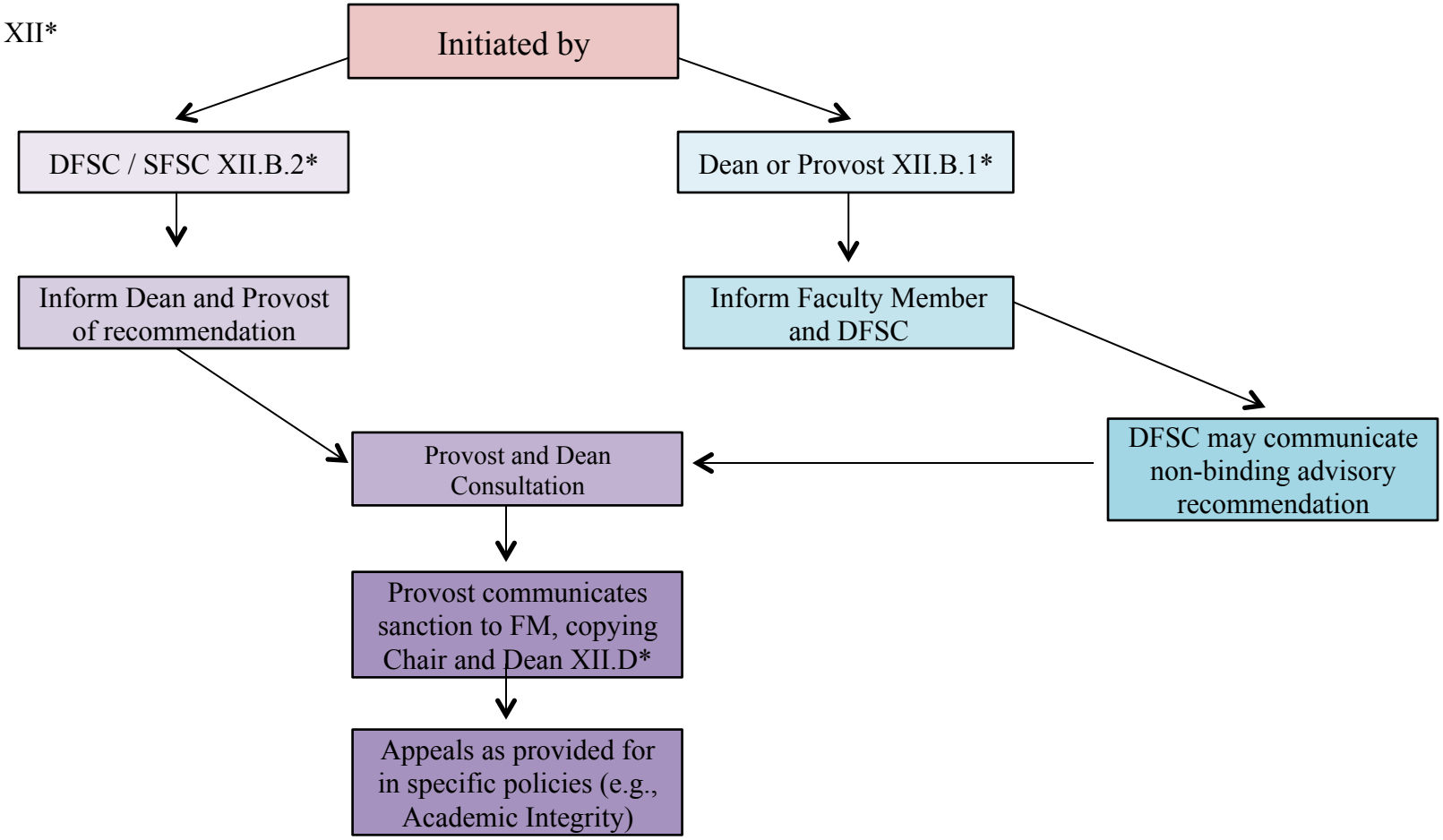
Dismissal of Tenured Faculty – XIV.B

Activity	**Recommended Timeline**
Provost directs Faculty Caucus to select Initial Review Committee to determine whether formal proceedings should be instituted (B.3.c)	Within 5 business days of date of letter initiating proceedings
Meeting of Faculty Caucus to select Initial Review Committee (B.3.c)	Within 21 business days of Provost's written direction to form Initial Review Committee
Initial Review Committee submits recommendation (B.3.e)	Within 21 business days of date of Initial Review Committee formation
Statement of grounds for dismissal (B.3.f)	Within 10 business days of committee's recommendation to Provost
Provost letter to faculty member stating grounds for dismissal, procedural rights, and date of optional hearing before FRC (B.3.g)	Delivered within 5 business days of the date of statement of grounds for dismissal. Date of hearing set at least 10 business days after the date of the Provost's letter described in B.3.g
Faculty member replies in writing whether s/he wishes a hearing. If a hearing is requested, faculty member shall include answer the statement of grounds for dismissal in writing. (B.3.h)	No later than 5 business days before hearing date
FRC decision in writing (B.3.j.xi)	Within 21 business days of hearing
Provost final decision communicated (B.3.l)	Within 10 business days of Provost's final decision
Request of appeal to President (B.3.k)	Within 10 business days of Provost's communication of final decision
President communicates decision regarding appeal (B.3.k)	Within 21 business days of written request for appeal
	144 business days

URC:
Delete indent.

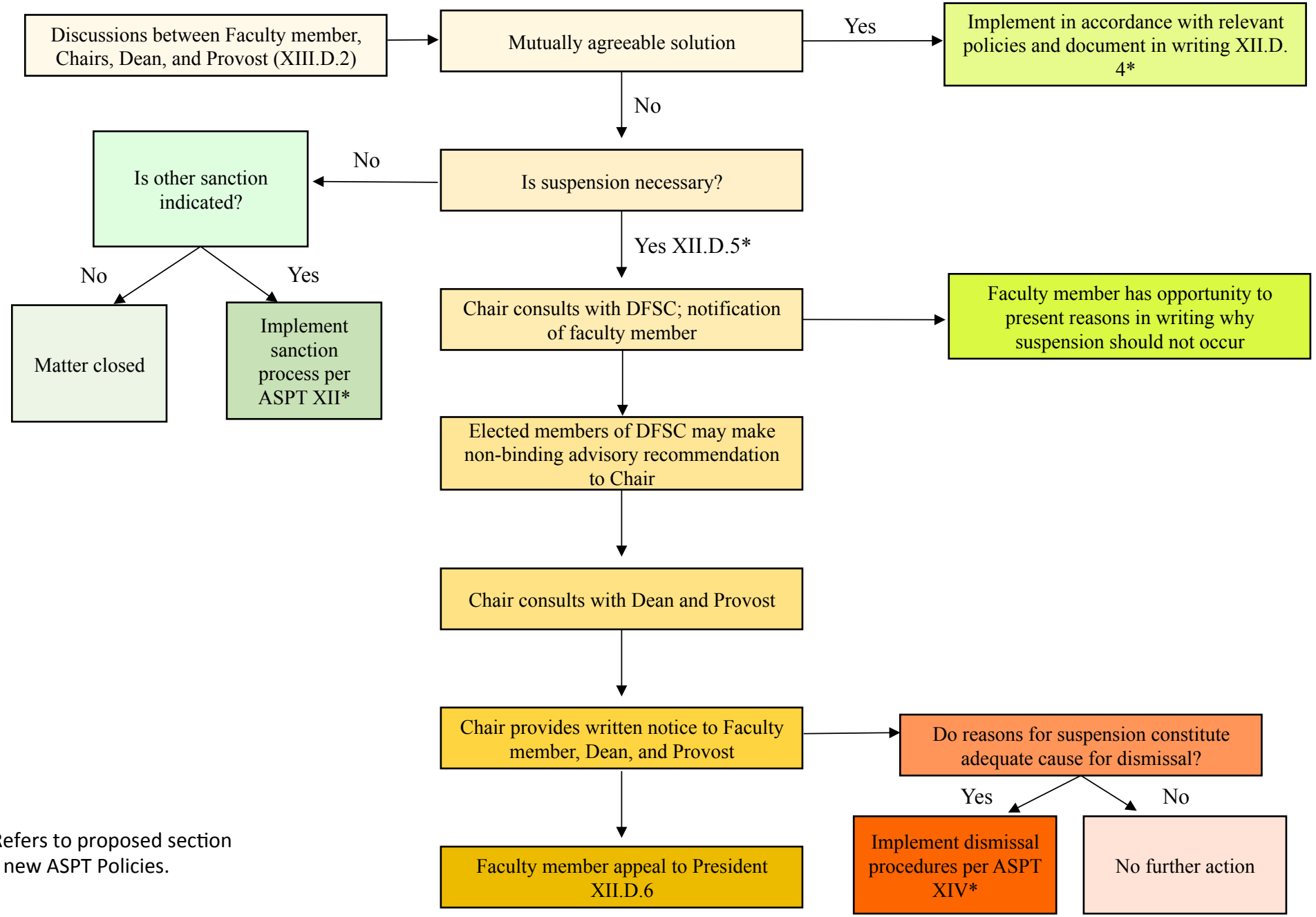
URC:
Add a deadline for this action.

Sanctions – XII*

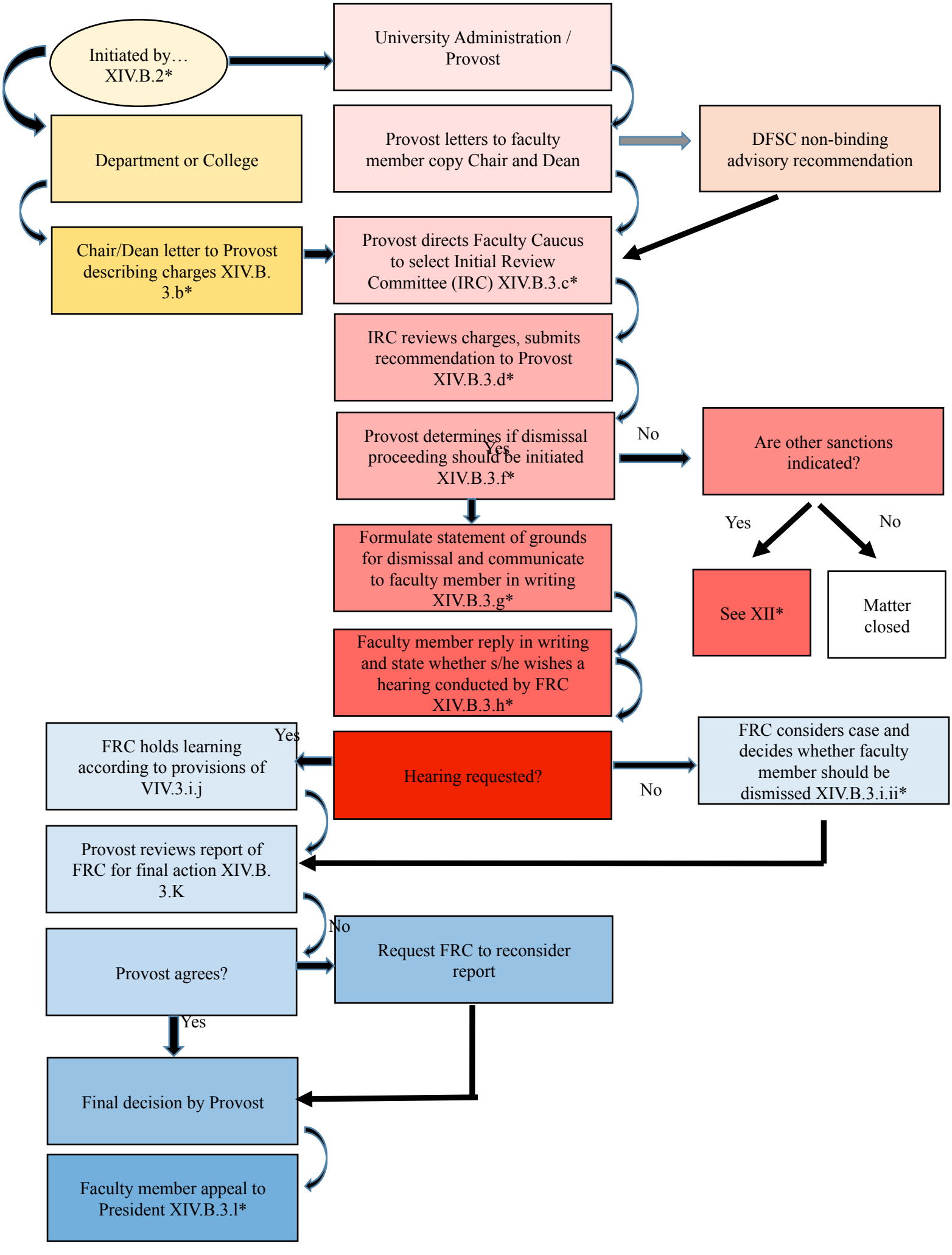


*Refers to proposed section of new ASPT Policies.

Suspensions XIII*



*Refers to proposed section of new ASPT Policies.


Initiated by… XIV.B.2*
University Administration / Provost
Department or College
Provost letters to faculty member copy Chair and Dean
DFSC non-binding advisory recommendation
Chair/Dean letter to Provost describing charges XIV.B. 3.b*
Provost directs Faculty Caucus to select Initial Review Committee (IRC) XIV.B.3.c*
IRC reviews charges, submits recommendation to Provost XIV.B.3.d*
Provost determines if dismissal proceeding should be initiated XIV.B.3.f*
Yes
No
Are other sanctions indicated?
Yes
No
See XII*
Matter closed
Formulate statement of grounds for dismissal and communicate to faculty member in writing XIV.B.3.g*
Faculty member reply in writing and state whether s/he wishes a hearing conducted by FRC XIV.B.3.h*
Hearing requested?
Yes
FRC holds learning according to provisions of VIV.3.i.j
No
FRC considers case and decides whether faculty member should be dismissed XIV.B.3.i.ii*
Provost reviews report of FRC for final action XIV.B. 3.K
Provost agrees?
No
Request FRC to reconsider report
Yes
Final decision by Provost
Faculty member appeal to President XIV.B.3.l*

URC Equity Review Policy subgroup

URC equity review language recommendations:

Current language (ASPT policy II.D.)

"The URC may conduct a University-wide equity review. In this case, the URC shall develop an appropriate equity distribution plan. This plan must be approved by the faculty members of the Academic Senate prior to its implementation. The Office for Diversity and Affirmative Action shall determine the criteria for affirmative action equity review in consultation with the URC."

Suggested Language (ASPT policy II.D.)

"The URC shall conduct a university-wide equity review every 6-8 years and develop an appropriate equity distribution plan. The Office of Equal Opportunity, Equity and Access shall be responsible for the affirmative action portion of these equity reviews.

Prior to implementation of a university wide equity review, the URC shall develop and distribute written policies, procedures and guidelines. These guidelines will serve as a framework for the implementation of the equity review and subsequent equity distribution plans. The Academic Senate shall convene a work group which will serve in an advisory capacity to the URC as it develops and/or amends policies, procedures and guidelines for the equity review process. All equity review policies, procedures and distribution plans shall be approved by the Faculty Caucus of the Academic Senate prior to implementation.

Comment [HD1]: This timeline is consistent with current program review timelines

Comment [HD2]: Potential cross campus units to be included:

-OEOEA (hiring reviews)
-Planning, Research and Policy Analysis (PRPA)
-Academic Senate
-Payroll (salary information)
-Program Review
-University curriculum committee (curricular audits)

Department:

UID	Gender	Race - Ethnicity Categories	Employment Dat	Rank	Years in Rank	Salary	Performance Over Time Year at ISU	Raise %

UNIVERSITY REVIEW COMMITTEE
Thursday, April 9, 2015
3 p.m., Hovey 209

MINUTES

Members present: Angela Bonnell, Rick Boser, Phil Chidester, Diane Dean (via telephone), Joe Goodman, Doris Houston, Sheryl Jenkins, Sam Catanzaro (non-voting)

Members not present: Bill O'Donnell, David Rubin

Others present: Bruce Stoffel (recorder)

I. Call to order

Chairperson Sheryl Jenkins called the meeting to order at 3:10 p.m.

II. Approval of minutes from the March 26, 2015 meeting

Rick Boser moved, Joe Goodman seconded approval of minutes from the March 26, 2015 meeting as distributed prior to the meeting. The motion carried on voice vote, with six ayes, zero nays, and one abstention.

III. ASPT sub-group reports

A. Sub-group 4

Diane Dean reviewed URC discussions to date regarding sections of the ASPT document reviewed by Sub-Group 4 (Diane Dean and Rick Boser). Dean said it was her impression from prior committee discussions that the only action that needs to be taken with regard to the sections reviewed by Sub-group 4 is to review all dates in the document for accuracy and consistency and to incorporate earlier amendments into the text. Committee members agreed with Dean.

Sam Catanzaro said he will create a master file of changes recommended by the committee and will check dates as he compiles that file.

B. Sub-group 2

Doris Houston asked to defer the Sub-group 2 discussion until the next URC meeting.

IV. New business

Catanzaro informed committee members that he has been contacted by John Baur, Interim Associate Vice President for Research and Graduate Studies, regarding input the University Research Council would like to submit to the University Review Committee regarding ASPT policies. The University Research Council has formed a sub-group to prepare a memorandum describing changes the University Research Council recommends to the University Review Committee. Catanzaro said the University Research Council is apparently concerned that some departments might not be regularly reviewing its ASPT standards for consistency with

university ASPT policies and for currency with the disciplines taught by the department. Some University Research Council members have expressed concern that, as a result, quality scholarship might not be recognized in faculty evaluations, which may, in turn, affect promotion and tenure decisions. The University Research Council may also suggest adding to ASPT policies a requirement that departments/ schools regularly review its ASPT standards, including standards related to research. The University Research Council might also suggest revising the list in the appendices of acceptable scholarship activities. Catanzaro said University Research Council recommendations might be received in time for discussion at the next University Review Committee meeting.

Catanzaro updated the committee regarding the disciplinary policy that has been reviewed by the committee at recent meetings. Catanzaro had asked deans, chairpersons, and directors to provide him input regarding the draft policy. He received edits from one person. Catanzaro is reviewing the edits and plans to bring the revised policy back to the committee for a final review.

Catanzaro said he has talked with legal counsel about the change proposed by the committee to in Section XIII.C, a change from passive to active voice, to read "Individuals suspended without pay and subsequently exonerated may seek compensation." Catanzaro reported that counsel finds the change acceptable from a legal perspective.

Catanzaro reported having also spoken with staff in the Office of Human Resources about whether to retain reference in ASPT policies to the rank of Instructor. Catanzaro's contact at Human Resources has indicated that the Instructor rank was last used in 2003. It appears that the rank was meant for persons who had completed doctoral study but had not yet completed a dissertation. Such use of the Instructor rank has since ceased. Catanzaro recommended deleting reference to Instructor from the ASPT document. He said he will add that change to his master file.

Boser asked if anyone on campus currently holds the rank of Instructor. Catanzaro responded that no tenure-line faculty member currently holds that rank. He added that there are non-tenure track faculty members with the title Instructional Assistant Professor. Dropping the Instructor rank from the ASPT system should eliminate any confusion between Instructional Assistant Professor and Instructor.

Angela Bonnell asked if deleting references in ASPT policies to the Instructor rank would impact Milner Library faculty hiring. She explained that the library sometimes hires faculty members with a two-year contingency clause, allowing the faculty member two years to complete the second advanced degree required for faculty status in the library. Catanzaro responded that deleting reference to the Instructor rank would not impact such hiring by the library.

Bonnell asked if it is accurate that a faculty member needs four years in a faculty rank before the faculty member may be promoted. Catanzaro responded in the affirmative. He explained that a faculty member must have served at least four years as an associate professor at Illinois State and at least ten years as a college or university faculty member to qualify for promotion to full professor.

Jenkins noted that the committee is scheduled to continue its discussion of ASPT policies at the April 23, 2015, committee meeting. Sub-group 2 is scheduled to discuss findings from its

review. If it has been received by then, the memorandum from the University Research Council regarding its ASPT recommendations will be included on the April 23 agenda as well.

Stoffel reminded committee members that annual CFSC reports and the annual report from the Faculty Review Committee will be available for committee review at its May 7 meeting. The committee also is scheduled to complete its five-year review of CFSC standards from the College of Applied Science and Technology. Houston asked if the committee will be able to complete all those tasks at a one-hour committee meeting. Catanzaro responded that it is possible.

V. Adjournment

Chidester moved, Bonnell seconded that the meeting be adjourned. Jenkins adjourned the meeting at 3:25 p.m.

Respectfully submitted,
Diane Dean, Secretary
Bruce Stoffel, Recorder

UNIVERSITY REVIEW COMMITTEE
Thursday, April 23, 2015
3 p.m., Hovey 209

MINUTES

Members present: Angela Bonnell, Rick Boser, Phil Chidester, Joe Goodman, Sheryl Jenkins, David Rubin, Sam Catanzaro (non-voting)

Members not present: Diane Dean, Doris Houston, Bill O'Donnell

Others present: John Baur (Interim Associate Vice President for Research and Graduate Studies), Bruce Stoffel (recorder)

I. Call to order

Chairperson Sheryl Jenkins called the meeting to order at 3:00 p.m.

II. Approval of minutes from the April 9, 2015 meeting

Sam Catanzaro asked that the following changes be made to the minutes as distributed prior to the meeting:

From: Boser asked if anyone on campus currently holds the rank of Instructor. Catanzaro responded that no tenure-line faculty member currently holds that rank. He added that there are non-tenure track faculty members with the title Instructional Assistant. Dropping the Instructor rank from the ASPT system should eliminate any confusion between Instructional Assistant and Instructor.

To: Boser asked if anyone on campus currently holds the rank of Instructor. Catanzaro responded that no tenure-line faculty member currently holds that rank. He added that there are non-tenure track faculty members with the title Instructional Assistant Professor. Dropping the Instructor rank from the ASPT system should eliminate any confusion between Instructional Assistant Professor and Instructor.

Joe Goodman moved, Rick Boser seconded approval of minutes from the April 9, 2015 meeting as distributed prior to the meeting but with the changes requested by Catanzaro. The motion carried on voice vote.

III. Memorandum from the University Research Council regarding ASPT policies revisions

Catanzaro introduced John Baur, Interim Associate Vice President for Research and Graduate Studies and chairperson of the University Research Council. Baur has joined the meeting to answer questions committee members may have regarding a memorandum from the University Research Council to the University Review Committee setting forth council recommendations for ASPT revisions (see attached).

Baur described how the memorandum came to be. Over a year ago there was discussion at University Research Council meetings regarding perceived lack of recognition of grant writing and grant procurement activities by faculty members across the University. That discussion continued this spring. The council first considered seeking an Academic Senate resolution

regarding the matter but has since decided to address the concern by recommending changes to ASPT policies during the five-year ASPT policies review process. The council found that, in some units, DFSC/SFSC standards are reviewed and revised often but in other units they are not. Accordingly, the council has recommended that ASPT policies be revised to require departments and schools to review their standards at some regular frequency. The council has decided to let URC decide the frequency if it believes the recommendation has merit.

Regarding recommended changes to Appendix 2 of ASPT policies, Baur noted that the council recognizes editorship as a creative or scholarly endeavor while realizing that some units recognize editorship as a service contribution. He noted that the council recommends removing reference to writing grants, because it feels that recognition should be given to grant-related activity only if a grant proposal has actually been submitted. The council has also recommended adding language regarding recognition of faculty members for leading scholarship involving others when the effort contributes to others' successes.

Phil Chidester asked if Appendix 2 is intended to list what units might recognize as creative or scholarly contributions or to list what units must recognize. Catanzaro responded that the list is intended to be illustrative rather than exhaustive, with each unit deciding what to recognize as creative or scholarly contributions and how based on their unique circumstances.

Catanzaro clarified that the University Research Council is suggesting in its recommendation that changes to Appendix 2 with respect to scholarly and creative productivity are to be paralleled by similar changes to sections of the appendix regarding teaching and service. David Rubin asked how often work on grants cuts across teaching, service, and research. Baur responded that, in about one-third to one-half of the instances he has encountered, at least two of the three evaluation components have been involved.

Chidester asked if it would be appropriate to have CFSCs be responsible for making sure review of DFSC/SFSC standards happens, since DFSC/SFSC standards are subject to CFSC review. Catanzaro replied that URC could recommend adding wording to the ASPT document to provide for such CFSC oversight.

Goodman asked if departments in the College of Business can just submit to the CFSC what they have submitted in connection with specialized accreditation. Catanzaro responded that departments may do so if what the department has submitted to the accreditor is consistent with ASPT policies.

Boser asked Baur about the magnitude of the problem of units not regularly reviewing their ASPT standards. Baur responded that the five-member committee charged by the council to study the issue found wide variation across units. Chidester posited that review of department/school standards may be motivated in many units by the unit having a faculty member close to submitting a tenure application. Chidester added that it would be better to establish a regular process of reviewing standards than to be reactive. Baur noted that the intent of the council recommendation is not necessarily to have units change their standards but to review them regularly, even if the result is an agreement among faculty members that no changes are needed.

Boser asked why the council has recommended removing reference to writing grant applications and instead has focused on submitting grant applications. As a University Research Council member having been involved in council discussions of ASPT policies, Rubin reported that there was agreement among council members that submitting the application is the more

important and relevant action. Angela Bonnell said she would have thought the opposite, that someone could be recognized for submitting a grant application she/he did not write. Catanzaro noted that such an instance should raise questions regarding ethical conduct.

Baur then left the meeting.

Jenkins stated that recommendations from the council regarding changes to Appendix 2 could be helpful. Regarding the recommendation for mandated review of DFSC/SFSC standards, Jenkins expressed concern about timing of such review. Aligning review of DFSC/SFSC standards with review of ASPT policies and CFSC standards would be more efficient, she suggested.

Bonnell reported that Milner Library DFSC guidelines mandate an annual meeting of faculty to talk about potential changes to the guidelines. The discussion is held at the conclusion of each faculty evaluation cycle. She noted that having such discussions so often can be confusing, but they provide all faculty members opportunities to express their concerns. Boser noted that his unit has a similar discussion each year, but the discussion does not always result in guideline changes.

Jenkins asked committee members if they support the recommendation for regular review of DFSC/SFSC standards by faculty. The consensus of those present was to incorporate the recommendation into the ASPT revisions.

Discussion then ensued regarding the frequency with which units might be asked to review their ASPT standards. Suggestions offered by committee members included at least every five years, every two or three years, at least every three years, and at least every three years or at the fifth-year review of DFSC/SFSC standards to comply with ASPT changes, whichever comes first. Boser recommended combining the additional passage recommended by the council with wording already in the document, then wordsmithing the combined passage to read as follows.

> Following appropriate faculty input, each DFSC/SFSC shall develop Department/School policies and procedures for appointment, reappointment, performance evaluation, promotion, tenure, and post-tenure reviews. These policies and procedures shall be approved by the majority vote of the eligible Department/School faculty prior to January 1 of the year in which the policies and procedures take effect. Department/School ASPT policies and procedures shall be reviewed at least every three years and approved by the majority vote of the eligible Department/School faculty. Copies of these policies and procedures shall be distributed to each Department/School faculty member. These policies and procedures are left to the discretion of each Department/School but they shall be submitted to the appropriate CFSC, which will approve them for conformity to College standards and University policies and procedures (see IV.B.1).

Jenkins asked members to review this proposed passage when the minutes are released and to come to the next meeting prepared to discuss it.

Committee members then discussed changes to Appendix 2 recommended by the University Research Council.

Goodman asked about categorizing patents and licenses as scholarly work. Rubin responded that doing so is appropriate because patents and licenses are types of publications. Catanzaro noted that, similarly, a textbook that generates income counts toward teaching, service, and/or research. In such matters, each DFSC/SFSC is to exercise discretion as to the quality of the contribution and the circumstances.

Commenting on item six of council recommendation two, Bonnell noted that Milner Library faculty likes the term "invited" when referring to presentations and papers. Jenkins noted that, for Mennonite College of Nursing faculty, "invited" presentations are not considered as high quality as "peer-reviewed" presentations. Bonnell asked about implications of adding the term "invited" to item six. Catanzaro responded that each department/school would still have to decide how it would value "invited" presentations. The DFSC/SFSC would need to review circumstances of each case to determine if the invitation was based primarily on merits of the work or on personal circumstances, he added.

Rubin asked if the council intends a difference between the terms "peer-reviewed" and "peer-refereed" as used in item six. Catanzaro responded that some disciplines distinguish between the two, with "peer-reviewed" implying anonymity and "peer-refereed" not. Chidester noted that in reviewing proposals for conference presentations and papers, some conferences review abstracts while others review complete papers. Rubin noted that the DFSC/SFSC is responsible for considering such factors.

Chidester suggested adding the term "invited" to item 6 since the list in Appendix 2 is considered illustrative only, with the understanding that each unit would be responsible for deciding how to value each invited presentation based on its unique circumstances.

IV. Discussion of ASPT Subgroup 2 findings and recommendations

Subgroup member Rubin asked that the discussion be deferred until the next URC meeting, since Doris Houston (the other member of the subgroup) is not able to attend this meeting. Committee members agreed.

V. New business

There was none.

VI. Adjournment

Jenkins asked committee members to review documents for the May 7 committee meeting in advance of the meeting, since there will be numerous items on the agenda and only an hour to transact all business.

Boser moved, Chidester seconded that the meeting be adjourned. Jenkins adjourned the meeting at 4:05 p.m.

Respectfully submitted,
Diane Dean, Secretary
Bruce Stoffel, Recorder

Attachments:

Memorandum dated April 16, 2015, from the University Research Council to the University Review Committee regarding Recommendations for Revisions to Illinois State University Appointment, Salary and Tenure Policies

URC equity review policy considerations, URC Equity Review Policy Workgroup (n.d.)

ILLINOIS STATE UNIVERSITY
Illinois' first public university

April 16, 2015

To: University Review Committee

From: University Research Council

Re: Recommendations for Revisions to Illinois State University Appointment, Salary, Promotion and Tenure Policies

The University Research Council respectfully asks that you consider the following recommendations in your deliberations on revisions to the ISU ASPT Policies (2011), particularly in relation to

- ASPT policy V.B.1 DFSC/SFSC Development of Departmental/School Policies and Procedures - a recommendation to ensure departments and schools review and vote on their ASPT guidelines annually; and
- Appendix 2, University Guidelines and Criteria for Faculty Evaluation

Recommendation 1:
That ASPT policy V.B.1. be revised as follows

DFSC/SFSC Development of Departmental/School Policies and Procedures:

Following appropriate faculty input, each DFSC/SFSC shall develop Department/School policies and procedures for appointment, reappointment, performance-evaluation, promotion, tenure, and post-tenure reviews. These policies and procedures shall be approved by the majority vote of the eligible Department/School faculty prior to January 1 of the year in which the policies and procedures take effect. Copies of these policies and procedures shall be distributed to each Department/School faculty member. These policies and procedures are left to the discretion of each Department/School but they shall be submitted to the appropriate CFSC, which will approve them for their conformity to College standards and University policies and procedures (see IV.B.1).

Recommended Addition:
Department/School ASPT policies and procedures shall be reviewed regularly* and approved by the majority vote of the eligible Department/School faculty. Copies of these policies and procedures shall be distributed to each Department/School faculty member prior to the vote and a reasonable opportunity made available for revision as needed. Any resulting revisions shall undergo a vote by the faculty members in accordance with Department/School procedures. Revised ASPT policy and procedures shall be submitted to the appropriate CFSC,

which will review them for their conformity to College standards and University policies and procedures (see IV.B.1).

*The University Research Council recommends annually or biannually.

Recommendation 2:
That the language used in Appendix 2 to describe factors to evaluate scholarly and creative productivity shall be broadened to encompass the greater range of efforts on our campus that contribute to scholarship and creative productivity. We have made some specific suggestions for your consideration

1. Authorship or co-authorship of ~~peer-reviewed~~ published materials that undergo peer review, refereeing, or jurying as appropriate for the discipline. Examples of such ~~as~~materials include journal articles, abstracts, monographs, books, book chapters, ~~cases~~case studies, artistic works, software, or other professional and technical documents;

2. Authorship or co-authorship of published materials such as editorially reviewed books, articles, abstracts, translations, software, ~~cases~~case studies, artistic works or other professional and technical documents;

3. Development or co-development of software applications or intellectual property that is licensed or patented;

~~3.~~4. Production and presentation of radio and television works, films and videos related to the scholarly or creative discipline;

~~4.~~5. Serving as a journal editor or editorial board member; refereeing or editing journal articles, grant proposals, and book manuscripts;

~~5.~~6. Peer-reviewed/refereed presentations and papers delivered at local, regional, national and international meetings;

~~6.~~7. Performances, exhibitions, and other creative activities locally, regionally, nationally and internationally;

~~7.~~8. Managing or serving as a consultant for exhibitions ~~and,~~ performances and other scholarly creative activities;

~~8.~~9. Obtaining competitive external or internal grants related to scholarly and creative productivity;

~~9.~~10. ~~Writing and~~ Submitting proposals for competitive grants, internal or external, or other resource development activities related to scholarly and creative productivity;

~~10.~~11. ~~Writing and~~ Submitting required grant and contract reports;

~~11.~~12. Receiving internal or external awards obtained for scholarly or creative productivity;

~~12.~~13. Providing evidence that scholarly or creative works have been submitted for review;

14. Documenting scholarly or creative works in progress;

15. Demonstrating leadership of teams conducting scholarly or creative work, especially where that leadership contributes to the success of other faculty, students or staff.

Recommendation 3:
That the factors to evaluate teaching and service productivity should include greater range of grant and other resource development activity to reflect the broad range of efforts on our campus that contribute to teaching and service productivity. We recommend that the University Review Committee adopt language, similar to that in Recommendation 2, for the evaluation of teaching and the evaluation of service.

URC Equity Review Policy Workgroup (Houston,D)

URC equity review policy considerations:

Current language (ASPT policy II.D.)

"The URC may conduct a University-wide equity review. In this case, the URC shall develop an appropriate equity distribution plan. This plan must be approved by the faculty members of the Academic Senate prior to its implementation. The Office for Diversity and Affirmative Action shall determine the criteria for affirmative action equity review in consultation with the URC."

Suggested Language (ASPT policy II.D.)

"The URC shall conduct a university-wide equity review every 6-8 years and develop an appropriate equity distribution plan. The Office of Equal Opportunity, Equity and Access shall be responsible for the affirmative action portion of these equity reviews.

Prior to implementation of a university wide equity review, the URC shall develop and distribute written policies, procedures and guidelines. These guidelines will serve as a framework for the implementation of the equity review and subsequent equity distribution plans. The Academic Senate shall convene an ad hoc committee which will serve in an advisory capacity to the Senate and URC as it develops and/or amends policies, procedures and guidelines for the equity review process. All equity review policies, procedures and distribution plans shall be approved by the Faculty Caucus of the Academic Senate prior to implementation.

Suggested internal units to include in the Senate ad hoc committee:

-URC (ASPT policies)

-OEOEA (hiring reviews)

-Planning, Research and Policy Analysis (PRPA) (stats /data related to: salary increases; faculty/staff/student retention; tenure-granting and -denial, promotion, etc.

-University Senate (parameters of the policy; development of metrics for equity review)

-Payroll (salary information)

-Program Review (Departmental programs that impact hiring, tenure, promotion, faculty support, student learning outcomes, distribution of resources, etc.)

-University curriculum committee (curricular audits)

-CTLT (teaching support for diverse TT faculty from underrepresented groups; inclusiveness of curriculum; review/assessment of teaching evaluations

- Graduate Programs

Questions for Consideration

1) How will a URC equity audit differ from and/or complement the current OEOEA affirmative action requirements?

OEOEA Role: Implementation of equal employment opportunity and the Affirmative Action Program:

A. Directing or conducting in-depth analyses of the establishment's total employment process to determine whether and where impediments to equal employment opportunity exist.

B. Developing and implementing action oriented programs designed to correct problem areas identified.

C. Designing and executing auditing systems to ensure implementation of the Affirmative Action Program as follows:

a. Measure the effectiveness of the University's program

b. Indicate need for remedial action

c. Determine the degree to which the University's goals and objectives have been attained.

OEOEA Reporting: 2014 Executive summary reports that data is available related to:

- ANNUAL PLACEMENT (minority and female) GOALS by Job groups for departments with 10 or more employees
- Candidate selection rates for minorities and females
- Job movement rates of minorities and females as compared with non-minorities and males
- Compensation analysis is performed and includes an appropriate review of all compensation components

Recommendation:

-Invite OEOEA representative to a URC meeting to discuss the frequency and scope of current affirmation reporting as it relates to a "university wide equity review"

2) How do other universities define and implement a "university wide equity review"?

Based on a *preliminary review* of "equity plans and reports" from other institutions, the definition, scope and targeted populations included in equity reviews vary widely. More narrowly defined reviews focus on *salary and gender equity* (see Washington University). Some institutions appear to incorporate elements of an "equity review" into an assessment of salary differences/inequities related to: 1) rank, 2) gender; 3) years of service; 4) years as a professional; 5) years in rank; 6) ethnicity; 7) job census group; 8) labor market comparisons (Indiana University). At Penn State, "best practice guidelines" and assessment metrics were first researched and developed with input from University faculty and staff. Based on these guidelines, comprehensive equity "self-assessments" were conducted in the areas of hiring, retention, support, mentoring, administration, advancement; admissions – targeting faculty/staff/students.

Notably, UIUC appears to assess equity in hiring and salary separately for APs and Faculty. AP equity and hiring differences were assessed in 2008 through a "Task force on the status of Academic Professionals". Among faculty, UIUC implemented a " Faculty Equity Regression Study" in two parts, assessing the following: 1) Whether there is a systematic, campus-wide bias based on gender or race / ethnicity, and 2) the extent to which individual faculty members have suppressed salaries which are lower than would be expected given their rank, discipline, time in the workforce. While this review does appear to address potential internal "within group" differences in based on gender and race, it does not address other equity variables such as lgbtq status, ability status, national origin, etc. Further, it is not clear from this preliminary review how often this kind of assessment is conducted.

Western Illinois University (WIU) has a policy in place to conduct "faculty equity reviews" based on salary data compared to peer institutions and based on the market. This model does not appear to address potential internal "within group" differences in based on gender, race, lgbtq status, ability status, national origin, etc. Further, it is not clear from this preliminary review how often this kind of assessment is conducted.

3) Do universal best practice guidelines currently exist for defining and conducting a university wide equity review?

Pending: I have submitted a request with the AAUP to determine if such policies and guidelines exist. A request will also be made to the Illinois Department of Higher Education .

4) Which populations/variables should be considered in developing an equity review policy?

-An equity review may include one, several, or ALL of the following variables:

- Ability status
- national origin

- lgbtq status
- race/ethnicity
- gender/gender identity
- TT/NTT/AP staff ranking
- Religion

5) What is the appropriate scope of a URC equity review policy?

-An equity review may be conducted in relation to the following:

-tenure/promotion

-salary

-teaching assignments-course load

-teaching evaluation

-faculty development/distribution of college/departmental resources

-recruitment rates (faculty/staff/students)

-retention rates

-awards (e.g. URG, teaching awards, travel awards, etc)

-administrative and service expectations and evaluation

6) Once our research is completed and policies are developed, what is the policy review and approval process?

- New policy should be reviewed and discussed with cross campus collaborators.
- The Office of Equal Opportunity, Equity and Access to assist the URC in determining criteria for the affirmative action portion of these equity reviews.
- Office of Program Review to determine extent to which a new policy interfaces with departmental/college level practices and policies.
- Plan to be approved by the Faculty Caucus of the Academic Senate prior to its implementation.

Department:

			Race - Ethnicity					Performance Over Time	
	UID	Gender	Categories	Employment Date	Rank	Years in Rank	Salary	Year at ISU	Raise %

UNIVERSITY REVIEW COMMITTEE
Thursday, May 7, 2015
3 p.m., Hovey 209

MINUTES

Members present: Angela Bonnell, Rick Boser, Phil Chidester, Diane Dean, Joe Goodman, Doris Houston, David Rubin, Sheryl Jenkins, Sam Catanzaro (non-voting)

Members not present: Bill O'Donnell

Others present: Bruce Stoffel (recorder)

I. Call to order

Chairperson Sheryl Jenkins called the meeting to order at 3:00 p.m.

II. Approval of minutes from the April 23, 2015 meeting

Joe Goodman moved, Doris Houston seconded approval of minutes from the April 23, 2015 meeting as distributed prior to the meeting. The motion carried on voice vote.

III. ASPT Policies review

A. Discussion of ASPT Subgroup 2 recommendations

Houston and David Rubin reviewed Subgroup 2 recommendations regarding university-wide equity review (see attached). Rubin explained that it became clear in conversations with Shane McCreery (Director of Equal Opportunity, Ethics, and Access) and Jim Jawahar (Associate Provost) that equity review needs broader campus input by involving groups other than the URC. He stressed the importance of establishing a timeframe within which equity review should be conducted. Houston said she and Rubin suggest conducting an equity review every six to eight years based on the length of other review cycles at the University. If a timeframe is not set, equity review might never be done, she added.

Rubin discussed the phenomenon of compression and the importance of equity review in addressing it. He stated that increase of salaries for new positions is 5 percent annually at the University and nationally, while the salaries of continuing faculty have been increasing 2½ percent annually. As a result, the gap between salaries of recently-hired assistant professors and faculty at higher ranks fails to reflect the differences in years of service and professional accomplishments that would be expected; this structural problem continues to worsen. Jenkins noted that compression is a big problem in nursing. There is a need to address it but there is also a cost associated with doing so, she added.

Catanzaro observed that compression is a complicated issue, the nature of which differs within and across units. Catanzaro explained that many department chairpersons and school directors study compression in their units and make recommendations to their dean for addressing it. While reference to equity review has been included in ASPT policies

since at least 1979, to his knowledge a university-wide equity review has never been conducted by URC, he added.

Goodman asked if the Provost's office tracks faculty turnover due to compression. Catanzaro responded that the Provost's office does not do so systematically. Boser suggested that counter offers might be an indirect measure of turnover due to compression. Goodman asked if the Provost has funds to address salary equity. Catanzaro explained that ASPT policies mandate that the Provost holds 10 percent of funds allocated by the President for faculty salary increases; the resulting "Provost Allocation" is used to address issues such as compression when merited. Each department and school may also reserve some of its share of salary increment funds to address equity concerns.

Houston reported that another group with which she is involved, Minorities in the Academic Workplace, has been advocating for equity review as well. She said that the group has existed for four or five years and is facilitated by the Center for Teaching, Learning, and Technology.

Goodman noted that age is not included among the populations identified in the subgroup recommendation for consideration in developing an equity review policy. Rubin acknowledged the omission, stating that age should have been included.

Jenkins asked how the URC can move the issue of equity review forward. Catanzaro suggested that the URC ask the Provost to consider creating a task force to review the issue further. He said it would be appropriate for the URC chairperson make the request to the Provost in writing on behalf of the committee. Houston suggested sending a copy of the letter to the Academic Senate chairperson, who has indicated to Houston that equity review could be discussed by the Academic Senate. Catanzaro expressed concern that if the Academic Senate were to receive a copy of the request, the Academic Senate might initiate review of the issue before the administration has identified funds to conduct such an analysis. Bonnell expressed concern that if the Academic Senate is sent a copy of the letter, all other groups identified by the subgroup as potentially involved in equity review should also receive a copy. Houston asked that all URC members be copied on the letter. Jenkins said she would do so.

Phil Chidester moved, Bonnell seconded that the University Review Committee send a written request to the Provost asking her to consider creating a task force to study the issue of equity review. The motion passed on voice vote.

Committee members then discussed whether to incorporate ASPT document changes suggested by subgroup 2 into ASPT changes recommended by the committee to the Faculty Caucus.

Boser suggested that it would be better to modify the existing passage regarding equity review to include a timeframe if committee members feel that equity review should be done, but waiting six to eight years between reviews might be too long. Rubin agreed that some number of years between reviews should be cited in the passage. Goodman suggested that Bureau of Labor Statistics data might be used to trigger equity review.

Chidester asked whether the role of the URC with respect to equity review should be to conduct the review or to monitor work on equity review conducted by others. Perhaps the URC role should be to make sure whatever equity plan is approved by the University is

then implemented, he said. Catanzaro offered that the URC role might involve reviewing any equity distribution plan approved by the University to make sure the plan is consistent with ASPT policies.

Houston suggested that the equity review task force could decide who should develop the plan, if such a task force is created. Bonnell asked whether employee classes other than faculty should also be explicitly referenced in the ASPT passage regarding equity review. Catanzaro suggested not doing so, because ASPT policies apply only to faculty.

Houston moved, Chidester seconded that the committee recommend replacing Section II.D of the ASPT policies document with the following text.

> Every six to eight years the URC shall review any equity distribution plans and implementation of the plans to ensure conformity to University policies and procedures.

The motion passed on voice vote.

B. University Research Council recommendations

Jenkins reminded committee members that at its April 23, 2015 meeting the committee discussed changes to Section V.B.1 and Appendix 2 of ASPT policies recommended by the University Research Council (see attached). She asked if committee members were ready to move to accept council recommendations.

Boser moved, Bonnell seconded to recommend replacing Section V.B.1 of the APST policies document with the following text.

> Following appropriate faculty input, each DFSC/SFSC shall develop Department/School policies and procedures for appointment, reappointment, performance evaluation, promotion, tenure, and post-tenure reviews. These policies and procedures shall be approved by the majority vote of the eligible Department/School faculty prior to January 1 of the year in which the policies and procedures take effect. Department/School ASPT policies and procedures shall be reviewed at least every three years and approved by the majority vote of the eligible Department/School faculty. Copies of these policies and procedures shall be distributed to each Department/School faculty member. These policies and procedures are left to the discretion of each Department/School but they shall be submitted to the appropriate CFSC, which will approve them for conformity to College standards and University policies and procedures (see IV.B.1).

The motion carried on voice vote.

Regarding University Research Council recommendations for changes to Appendix 2, Chidester suggested combining items 9-12 into a single item about seeking and managing grants. Rubin said that combing items 9-12 in that manner could send the wrong message regarding the value placed by the University on faculty efforts to seek external funding, efforts that often involve submitting and resubmitting grant applications multiple times.

Committee members discussed the suggestion made at the April 23, 2015 URC meeting to add the word “invited” to item 6 regarding presentations and papers delivered at local, regional, national, and international meetings. Rubin explained that someone from the College of Fine Arts had asked the University Research Council to add the word “invited” to the passage, but the University Research Council decided not to do so. Rubin suggested

that, instead, each unit should decide how to value invited presentations and papers. Catanzaro concurred.

Boser moved, Rubin seconded to recommend replacing the list of factors under the heading "Evaluation Guidelines and Criteria for Scholarly and Creative Productivity" in Appendix 2 of the ASPT policies document with the list recommended by the University Research Council in its April 16, 2015, memorandum to the URC. The motion passed on voice vote.

C. Summary of URC recommendations to Faculty Caucus

Catanzaro informed the committee that he would complete the summary of committee recommendations regarding ASPT changes, a draft of which he sent to committee members prior to the meeting. He asked committee members to send him comments and suggestions they may have regarding the summary.

IV. Five-year review of CFSC standards: College of Applied Science and Technology

Diane Dean moved, Goodman seconded approving CFSC standards of the College of Applied Science and Technology as submitted by the college to URC for its five-year review (see attached). The motion carried on voice vote.

V. Review of annual reports

A. Annual reports from college faculty status committees (see attached)

Catanzaro explained that one role of the URC with respect to the CFSC annual reports is to identify trends the committee feels merit further attention. Chidester asked if the reports ever get reviewed across years to look for patterns. Catanzaro responded that such a review is not performed in a formal sense. It was noted that archived reports are occasionally reviewed by appellants preparing their case for review by the Faculty Review Committee.

Dean moved, Bonnell seconded approval of all CFSC annual reports submitted to URC for the 2014-2015 ASPT cycle. The motion carried on voice vote.

B. Annual report from the Faculty Review Committee (see attached)

Dean moved, Chidester seconded acceptance of the annual report from the Faculty Review Committee dated April 27, 2015, submitted by FRC Chairperson Mike Sublett. The motion carried on voice vote.

VI. Other business

Catanzaro thanked committee members for their work this academic year. He thanked Jenkins and Chidester, whose terms on the committee are expiring, for their contributions to the committee during their years of service.

VII. Adjournment

Jenkins adjourned the meeting at 4:10 p.m.

Respectfully submitted,
Diane Dean, Secretary
Bruce Stoffel, Recorder

Attachments:

Recommendations for Revisions to Illinois State University Appointment, Salary and Tenure Policies, URC equity review policy considerations, URC Equity Review Policy Workgroup (n.d.)

Memorandum dated April 16, 2015, from the University Research Council to the University Review Committee regarding recommendations for revisions to Illinois State University Appointment, Salary, Promotion, and Tenure Policies

Illinois State University College of Applied Science and Technology College Faculty Status Committee Standards for Appointment, Salary, Promotion, and Tenure, Effective January 1, 2015 (last approved by the CAST CFSC December 15, 2014)

CFSC Annual Report 2014-2015, College of Applied Science and Technology, April 9, 2015

CFSC Annual Report 2014-2015, College of Arts and Sciences, April 10, 2015

CFSC Annual Report 2014-2015, College of Business, April 30, 2015

CFSC Annual Report 2014-2015, College of Education, May 5, 2015

CFSC Annual Report 2014-2015, College of Fine Arts, April 30, 2015

CFSC Annual Report 2014-2015, Mennonite College of Nursing, April 17, 2015

CFSC Annual Report 2014-2015, Milner Library, April 25, 2015

Annual report dated April 27, 2015, from Mike Sublett, Chairperson, Faculty Review Committee, to Sheryl Jenkins, Chairperson, University Review Committee

URC Equity Review Policy Workgroup (Houston,D)

URC equity review policy considerations:

Current language (ASPT policy II.D.)

"The URC may conduct a University-wide equity review. In this case, the URC shall develop an appropriate equity distribution plan. This plan must be approved by the faculty members of the Academic Senate prior to its implementation. The Office for Diversity and Affirmative Action shall determine the criteria for affirmative action equity review in consultation with the URC."

Suggested Language (ASPT policy II.D.)

"The URC shall conduct a university-wide equity review every 6-8 years and develop an appropriate equity distribution plan. The Office of Equal Opportunity, Equity and Access shall be responsible for the affirmative action portion of these equity reviews.

Prior to implementation of a university wide equity review, the URC shall develop and distribute written policies, procedures and guidelines. These guidelines will serve as a framework for the implementation of the equity review and subsequent equity distribution plans. The Academic Senate shall convene an ad hoc committee which will serve in an advisory capacity to the Senate and URC as it develops and/or amends policies, procedures and guidelines for the equity review process. All equity review policies, procedures and distribution plans shall be approved by the Faculty Caucus of the Academic Senate prior to implementation.

Suggested internal units to include in the Senate ad hoc committee:

-URC (ASPT policies)

-OEOEA (hiring reviews)

-Planning, Research and Policy Analysis (PRPA) (stats /data related to: salary increases; faculty/staff/student retention; tenure-granting and -denial, promotion, etc.

-University Senate (parameters of the policy; development of metrics for equity review)

-Payroll (salary information)

-Program Review (Departmental programs that impact hiring, tenure, promotion, faculty support, student learning outcomes, distribution of resources, etc.)

-University curriculum committee (curricular audits)

-CTLT (teaching support for diverse TT faculty from underrepresented groups; inclusiveness of curriculum; review/assessment of teaching evaluations

- Graduate Programs

Questions for Consideration

1) How will a URC equity audit differ from and/or complement the current OEOEA affirmative action requirements?

OEOEA Role: Implementation of equal employment opportunity and the Affirmative Action Program:

A. Directing or conducting in-depth analyses of the establishment's total employment process to determine whether and where impediments to equal employment opportunity exist.

B. Developing and implementing action oriented programs designed to correct problem areas identified.

C. Designing and executing auditing systems to ensure implementation of the Affirmative Action Program as follows:

a. Measure the effectiveness of the University's program

b. Indicate need for remedial action

c. Determine the degree to which the University's goals and objectives have been attained.

OEOEA Reporting: 2014 Executive summary reports that data is available related to:

- ANNUAL PLACEMENT (minority and female) GOALS by Job groups for departments with 10 or more employees
- Candidate selection rates for minorities and females
- Job movement rates of minorities and females as compared with non-minorities and males
- Compensation analysis is performed and includes an appropriate review of all compensation components

Recommendation:

-Invite OEOEA representative to a URC meeting to discuss the frequency and scope of current affirmation reporting as it relates to a "university wide equity review"

2) How do other universities define and implement a "university wide equity review"?

Based on a *preliminary review* of "equity plans and reports" from other institutions, the definition, scope and targeted populations included in equity reviews vary widely. More narrowly defined reviews focus on *salary and gender equity* (see Washington University). Some institutions appear to incorporate elements of an "equity review" into an assessment of salary differences/inequities related to: 1) rank, 2) gender; 3) years of service; 4) years as a professional; 5) years in rank; 6) ethnicity; 7) job census group; 8) labor market comparisons (Indiana University). At Penn State, "best practice guidelines" and assessment metrics were first researched and developed with input from University faculty and staff. Based on these guidelines, comprehensive equity "self-assessments" were conducted in the areas of hiring, retention, support, mentoring, administration, advancement; admissions – targeting faculty/staff/students.

Notably, UIUC appears to assess equity in hiring and salary separately for APs and Faculty. AP equity and hiring differences were assessed in 2008 through a "Task force on the status of Academic Professionals". Among faculty, UIUC implemented a " Faculty Equity Regression Study" in two parts, assessing the following: 1) Whether there is a systematic, campus-wide bias based on gender or race / ethnicity, and 2) the extent to which individual faculty members have suppressed salaries which are lower than would be expected given their rank, discipline, time in the workforce. While this review does appear to address potential internal "within group" differences in based on gender and race, it does not address other equity variables such as lgbtq status, ability status, national origin, etc. Further, it is not clear from this preliminary review how often this kind of assessment is conducted.

Western Illinois University (WIU) has a policy in place to conduct "faculty equity reviews" based on salary data compared to peer institutions and based on the market. This model does not appear to address potential internal "within group" differences in based on gender, race, lgbtq status, ability status, national origin, etc. Further, it is not clear from this preliminary review how often this kind of assessment is conducted.

3) Do universal best practice guidelines currently exist for defining and conducting a university wide equity review?

Pending: I have submitted a request with the AAUP to determine if such policies and guidelines exist. A request will also be made to the Illinois Department of Higher Education .

4) Which populations/variables should be considered in developing an equity review policy?

-An equity review may include one, several, or ALL of the following variables:

- Ability status
- national origin

- lgbtq status
- race/ethnicity
- gender/gender identity
- TT/NTT/AP staff ranking
- Religion

5) What is the appropriate scope of a URC equity review policy?

-An equity review may be conducted in relation to the following:

-tenure/promotion

-salary

-teaching assignments-course load

-teaching evaluation

-faculty development/distribution of college/departmental resources

-recruitment rates (faculty/staff/students)

-retention rates

-awards (e.g. URG, teaching awards, travel awards, etc)

-administrative and service expectations and evaluation

6) Once our research is completed and policies are developed, what is the policy review and approval process?

- New policy should be reviewed and discussed with cross campus collaborators.
- The Office of Equal Opportunity, Equity and Access to assist the URC in determining criteria for the affirmative action portion of these equity reviews.
- Office of Program Review to determine extent to which a new policy interfaces with departmental/college level practices and policies.
- Plan to be approved by the Faculty Caucus of the Academic Senate prior to its implementation.

Department:

			Race - Ethnicity					Performance Over Time	
	UID	Gender	Categories	Employment Date	Rank	Years in Rank	Salary	Year at ISU	Raise %

ILLINOIS STATE UNIVERSITY
Illinois' first public university

April 16, 2015

To: University Review Committee

From: University Research Council

Re: Recommendations for Revisions to Illinois State University Appointment, Salary, Promotion and Tenure Policies

The University Research Council respectfully asks that you consider the following recommendations in your deliberations on revisions to the ISU ASPT Policies (2011), particularly in relation to

- ASPT policy V.B.1 DFSC/SFSC Development of Departmental/School Policies and Procedures - a recommendation to ensure departments and schools review and vote on their ASPT guidelines annually; and
- Appendix 2, University Guidelines and Criteria for Faculty Evaluation

Recommendation 1:
That ASPT policy V.B.1. be revised as follows

DFSC/SFSC Development of Departmental/School Policies and Procedures:

Following appropriate faculty input, each DFSC/SFSC shall develop Department/School policies and procedures for appointment, reappointment, performance-evaluation, promotion, tenure, and post-tenure reviews. These policies and procedures shall be approved by the majority vote of the eligible Department/School faculty prior to January 1 of the year in which the policies and procedures take effect. Copies of these policies and procedures shall be distributed to each Department/School faculty member. These policies and procedures are left to the discretion of each Department/School but they shall be submitted to the appropriate CFSC, which will approve them for their conformity to College standards and University policies and procedures (see IV.B.1).

Recommended Addition:
Department/School ASPT policies and procedures shall be reviewed regularly* and approved by the majority vote of the eligible Department/School faculty. Copies of these policies and procedures shall be distributed to each Department/School faculty member prior to the vote and a reasonable opportunity made available for revision as needed. Any resulting revisions shall undergo a vote by the faculty members in accordance with Department/School procedures. Revised ASPT policy and procedures shall be submitted to the appropriate CFSC,

which will review them for their conformity to College standards and University policies and procedures (see IV.B.1).

*The University Research Council recommends annually or biannually.

Recommendation 2:
That the language used in Appendix 2 to describe factors to evaluate scholarly and creative productivity shall be broadened to encompass the greater range of efforts on our campus that contribute to scholarship and creative productivity. We have made some specific suggestions for your consideration

1. Authorship or co-authorship of ~~peer-reviewed~~ published materials that undergo peer review, refereeing, or jurying as appropriate for the discipline. Examples of such ~~as~~materials include journal articles, abstracts, monographs, books, book chapters, ~~cases~~case studies, artistic works, software, or other professional and technical documents;

2. Authorship or co-authorship of published materials such as editorially reviewed books, articles, abstracts, translations, software, ~~cases~~case studies, artistic works or other professional and technical documents;

3. Development or co-development of software applications or intellectual property that is licensed or patented;

~~3.~~4. Production and presentation of radio and television works, films and videos related to the scholarly or creative discipline;

~~4.~~5. Serving as a journal editor or editorial board member; refereeing or editing journal articles, grant proposals, and book manuscripts;

~~5.~~6. Peer-reviewed/refereed presentations and papers delivered at local, regional, national and international meetings;

~~6.~~7. Performances, exhibitions, and other creative activities locally, regionally, nationally and internationally;

~~7.~~8. Managing or serving as a consultant for exhibitions ~~and,~~ performances and other scholarly creative activities;

~~8.~~9. Obtaining competitive external or internal grants related to scholarly and creative productivity;

~~9.~~10. ~~Writing and~~ Submitting proposals for competitive grants, internal or external, or other resource development activities related to scholarly and creative productivity;

~~10.~~11. ~~Writing and~~ Submitting required grant and contract reports;

~~11.~~12. Receiving internal or external awards obtained for scholarly or creative productivity;

~~12.~~13. Providing evidence that scholarly or creative works have been submitted for review;

14. Documenting scholarly or creative works in progress;

15. Demonstrating leadership of teams conducting scholarly or creative work, especially where that leadership contributes to the success of other faculty, students or staff.

Recommendation 3:
That the factors to evaluate teaching and service productivity should include greater range of grant and other resource development activity to reflect the broad range of efforts on our campus that contribute to teaching and service productivity. We recommend that the University Review Committee adopt language, similar to that in Recommendation 2, for the evaluation of teaching and the evaluation of service.

ILLINOIS STATE UNIVERSITY
COLLEGE OF APPLIED SCIENCE AND TECHNOLOGY
COLLEGE FACULTY STATUS COMMITTEE STANDARDS
FOR APPOINTMENT, SALARY, PROMOTION, TENURE
Effective January 1, 2015

Overview

The CFSC for the College of Applied Science and Technology (the College) provides herein a statement of standards that further interpret University ASPT Policies. The Department Faculty Status Committees (DFSCs) and School Faculty Status Committees (SFSCs) in the College have, by majority vote, accepted these standards. The standards are subject to on-going revision and interpretation by the CFSC as inquiries and cases come before the Committee.

Composition of CFSC

The six elected members of the CFSC must be tenured and hold the minimum rank of Associate Professor. At least three elected members of the CFSC must hold the rank of Professor.

General Statement on Teaching

Teaching is central to the mission of the College. Documentation submitted for evaluation should provide multiple indicators of teaching quality; one of these must be student reactions to teaching performance. For illustrative examples of teaching activities and evaluation factors that may be used, see pages 46--48 of the *Faculty ASPT Policies, 2012*.

General Statement on Scholarship

Scholarship is a fundamental responsibility for tenure and promotion considerations. Reviews of scholarly and creative productivity by the CFSC, DFSCs, and SFSCs are broadly defined to recognize scholarship that includes discovery, integration, application and outreach. Evaluation materials should document a scholarly approach to the development, performance and communication of these activities. For illustrative examples of scholarly activities that may be recognized see pages 48 & 49 of the *Faculty ASPT Policies, 2012*.

General Statement on Service

Faculty are expected to provide service to their departments, the College, and the University as well as to their professional organizations and practitioners. The applied nature of programs in the College provides multiple opportunities for faculty members to engage in service activities. Service in which faculty members apply their unique expertise to improve professional practice or to enrich community life is highly valued. For illustrative examples of service activities that may be pursued see page 49 & 50 of the *Faculty ASPT Policies, 2012*.

Granting of Tenure

Probationary tenure-track faculty members are responsible for demonstrating that the granting of tenure is warranted through their performance during the probationary period. An annual Performance Review and Department Chair/School Director oversight, through ongoing supervision and communication, will guide probationary faculty members.

To be granted tenure, faculty must document high-quality professional contributions, throughout the probationary period, in all three areas of performance review. Their work should demonstrate a positive impact on teaching, scholarship, and service in their department and discipline. Faculty must show evidence of developing a focused area of scholarly expertise and demonstrate the ability to function as a contributing colleague within the culture of their Department or School, College, and

University. An individual who cannot qualify for promotion to Associate Professor at the time of tenure shall ordinarily not be recommended for tenure.

Promotion in Rank

Associate Professor

Except in unusual circumstances, promotion to this rank will not be granted prior to recommendation for tenure. Earning this rank requires a level of accomplishment that is expected to take most entry-level faculty members six years to achieve.

Specifically, promotion to the rank of Associate Professor requires a high level of competence as a teacher. Successful candidates for promotion to Associate Professor will document an ability to teach courses important to the department's mission. They will have a record of high quality teaching. They will have contributed to curriculum development in their department, demonstrated good mentoring of students in and out of the classroom, and/or demonstrated an ability to help students apply theory to practice. Successful candidates for Associate Professor must document scholarly accomplishments that include, among other scholarly and creative activities, peer reviewed publications and a developing, focused area of scholarship. These accomplishments must establish a level of expertise recognized at least at the regional level by their colleagues in higher education and/or industry. Successful candidates for Associate Professor must document significant departmental service and active involvement in College, University and discipline based service activities. Documentation of high quality teaching and scholarly productivity is more critical to being promoted to Associate Professor than service.

Professor

This is the highest rank faculty may earn and it is not attained solely by time as an Associate Professor. Successful candidates for this rank will provide evidence of continuing high quality teaching and significant participation in their department's teaching mission, which may include involving students in their area of scholarship, influencing curriculum development in their department, and/or mentoring junior faculty. Successful candidates for Professor will document that their expertise and scholarship is important to society or to the work of other scholars and/or the practices and policies of their professional area. Successful candidates for Professor will document that their provision of service is meaningful and has had a demonstrable impact to their Department or School, College, University, professional organizations and/or society. Promotion to this rank requires sustained accomplishments across all three areas of performance review over a significant period of time. Successful candidates for Professor must be truly outstanding in at least one area of performance review.

Candidates submitting materials for promotion to Professor are encouraged to include written evaluations from peer evaluators external to ISU who are qualified to comment on contributions to the discipline. The strongest evidence of performance in the area of scholarship and creative activity comes from one's peers within the discipline. Generally, those who can best judge the quality of such work are those who have similar academic interests and work outside of this University. On the other hand, the best evaluations of the quality of a faculty member's teaching and service are peers within the academic department.

Salary Incrementation

Department/School policies must maintain the ability to make significantly different awards for differential performance.

Departments/Schools may not develop policies that circumvent the need to make salary incrementation awards to faculty members based on performance in the three areas of performance review.

Procedures

Faculty members are responsible for submitting their documentation for performance, promotion or tenure evaluation. They must submit their documentation in the CFSC required formats and must

include all files requested and all teaching performance data that is required by the College. DFSC/SFSC reports on each candidate for tenure and promotion are to be submitted on the form provided by the CFSC and should be accompanied by the files requested.

The CFSC, DFSCs, and SFSCs will, in all other matters before them, follow the procedures as described in the *Faculty ASPT Policies, 2005.*

Review of DFSC/SFSC Policies and Procedures

The CFSC is responsible for reviewing and approving the criteria developed by each DFSC/SFSC. At a minimum, these criteria must implement the ASPT Policies as well as the CFSC Standards.

Approved by the CFSC April 4, 2005
Approved by the College DFSCs and SFSCs April 14, 2005
Approved by the URC August 30, 2005
Approved by the CFSC December 15, 2014

The following attachments have been redacted from the version of this document posted on the University Review Committee Minutes website.

CFSC Annual Report 2014-2015, College of Applied Science and Technology, April 9, 2015
CFSC Annual Report 2014-2015, College of Arts and Sciences, April 10, 2015
CFSC Annual Report 2014-2015, College of Business, April 30, 2015
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