

UNIVERSITY REVIEW COMMITTEE

Thursday, March 9, 2017
1 p.m., Hovey 302

MINUTES

Members present: Angela Bonnell, Rick Boser, Sam Catanzaro, Diane Dean, Nerida Ellerton, Joe Goodman, Sheryl Jenkins

Members not present: Christopher Horvath, Doris Houston, Sarah Smelser

Others present: Bruce Stoffel (recorder)

Note: In the minutes that follow, “URC” refers to the University Review Committee at Illinois State University; “Caucus” refers to the Faculty Caucus of the Academic Senate at Illinois State University; “ASPT” refers to faculty appointment, salary, promotion, and tenure policies at Illinois State University; “ASPT document” refers to the publication titled *Faculty Appointment, Salary, Promotion, and Tenure Policies* (Illinois State University); “CFSC” refers to college faculty status committee; “DFSC” refers to department faculty status committee; “SFSC” refers to school faculty status committee; and “AAUP” refers to the American Association of University Professors. References in the minutes to “DFSC” are intended to refer to both DFSC and SFSC as defined above.

Chairperson Diane Dean initiated committee discussion at 1:00 p.m. At that time a quorum was not yet present. A quorum was achieved approximately 10 minutes later.

I. Call to order

Upon arrival of a fifth voting member of the committee, at approximately 1:10 p.m., Chairperson Diane Dean called the meeting to order and declared that a quorum was present.

II. ASPT disciplinary articles: continued discussion of parties and processes

Dean referred to the flow chart developed thus far by URC to illustrate disciplinary processes as envisioned by committee members (see the attached *Flow Chart, End of University Review Committee Meeting, February 28, 2017*). Prior to the meeting, Dean had re-created the same flow chart on the south wall of the conference room by adhering handwritten labels to the wall. The flow chart reflects the outcomes of discussions that occurred at the February 23, 2017 URC meeting and the February 28, 2017 URC meeting.

Note: In the narrative that follows, “Line 1 of the flow chart” or simply “Line 1” refers to the sanctioning process drafted by URC for situations in which the Provost is informed of a disciplinary decision by an entity external to the ASPT system. In the attached flow charts, that line is labeled “Origin of Concern: Institutional.”

Referring to Line 1 of the flow chart, Rick Boser asked what role DFSC will play with regard to initiating discussion of sanctions. Dean responded that she asked that question at the prior URC meeting, specifically whether reference to DFSC/SFSC in the “Initiates” column of the flow chart should be changed to “Department Chairperson/School Director.” If it is not, she said, the flow chart might be interpreted as assigning DFSC the role of convening itself to review the case. Bonnell said the term “initiates” is confusing in this context. Boser suggested removing the reference to DFSC/SFSC in the “Initiates” column to eliminate that confusion.

Nerida Ellerton noted that in promotion and tenure requests the first appeal the applicant faculty member can make is to the CFSC, adding that URC likely does not want any suggestion of that on Line 1. Sam Catanzaro clarified that if CFSC makes a negative recommendation in a promotion and tenure case, the faculty member has the right to discuss the recommendation with CFSC, but that discussion is not considered an appeal. Ellerton said the process is not always perceived by faculty members to work that way. She said URC needs to be very transparent with regard to the disciplinary processes. Catanzaro further clarified that in promotion and tenure requests both DFSC and CFSC communicate an initial recommendation to the applicant and provide the applicant the opportunity to meet formally with the respective committee. The committee can decide to change

its recommendation based on additional information gleaned through the formal meeting with the faculty member, Catanzaro said, and the faculty member may also appeal to the Faculty Review Committee. The process for considering promotion and tenure applications is a deliberate process that takes much of an academic year to resolve, Catanzaro said. He added that because disciplinary actions need to happen in a more expeditious manner, he does not suggest providing for both an initial decision and a final decision in disciplinary matters. Ellerton agreed, saying that disciplinary processes should be expedited and should involve an independent body.

Synthesizing the committee discussion thus far, Dean said she perceives a preference among URC members for removing the reference to DFSC/SFSC in the “Initiates” column of the flow chart (Line 1). Boser and Sheryl Jenkins concurred. Ellerton urged the committee to carefully select its terminology, stating that the term “initiates” is unclear and the term “reviews” can mean different things. Dean agreed, suggesting that URC address clarity of its terminology when drafting the articles. She added that wording may differ from one disciplinary process to another.

Referring again to Line 1 of the flow chart, Boser suggested that the DFSC make its recommendation to the Provost through the dean; he explained that a dean would likely be upset if the dean had not been notified of the DFSC recommendation before it is communicated to the Provost.

Ellerton suggested that URC consider assigning a group the role of recommending the party to which each disciplinary case should be referred, suggesting further that an independent party might be needed to serve as such a conduit. Jenkins asked Ellerton if she is suggesting a central clearinghouse for disciplinary cases. Ellerton said she is, clarifying that the clearinghouse would not decide disciplinary cases but would only establish the process for making those decisions in each case. Dean asked if Ellerton was suggesting such a clearinghouse only for the process set forth on Line 1 of the flow chart. Ellerton responded that such a clearinghouse could be used in all disciplinary cases, although it might not be needed at every level (i.e., sanctions, suspensions, and discipline and their variations).

Dean asked if sanctioning issues involving decisions by parties external to the ASPT system (Line 1) should be reviewed by the CFSC rather than by the DFSC. Catanzaro asked if the label “Reviews and Recommends” in the flow chart means the designated body recommends if a sanction should be applied or if it means that the designated body recommends whether a sanction should be applied and recommends the nature of the sanction. He said he has interpreted the process set forth in Line 1 as having DFSC recommend if a sanction should be imposed but then having the Provost decide if a sanction should be imposed and what that sanction should be. Catanzaro said he recalled Christopher Horvath making the point at a prior URC meeting that it would be valuable to have different bodies decide the two issues. Dean said her interpretation of Line 1 is that the same party would decide whether a sanction should be recommended and, if so, what that sanction should be. Bonnell said that makes sense since the faculty member would not know whether to appeal a recommendation if the faculty member does not know what sanctions are being recommended. Dean noted, as an aside, that URC has not yet decided what would happen if the Provost does not accept the recommendations made to her; Dean said URC will need to discuss that possibility in subsequent meetings.

Boser suggested that the term “Initiates” as used in the flow chart be interpreted to mean a determination by a body that a problem exists that needs to be discussed. He suggested separating “Reviews and Recommends” into separate actions involving different parties, adding that doing so could help address the problem he earlier cited (i.e., the dean not being briefed regarding the DFSC recommendations to the Provost). Jenkins asked why URC has designated DSFC/SFSC as the body to review and recommend (on Line 1) rather than CFSC. Goodman said the rationale for designating DFSC/SFSC rather than CFSC was to keep such reviews at the local level if possible. Catanzaro concurred. He said that while the Provost and chief of staff would likely be the first parties informed of a disciplinary issue, they would quickly thereafter consult with the dean and department chairperson to decide how the matter should be handled.

Boser suggested modifying Line 1 by having the disciplinary issue referred to the DFSC for review and having the DFSC make a recommendation to the CFSC. Ellerton said it is fine to refer the matter to DFSC but the charge to DSFC in the matter needs to be clear. She said it important that disciplinary issues not be sent to

groups whose members are unclear or uncomfortable with their charge. Dean agreed, noting that training and briefing of parties in the disciplinary processes will be needed.

Catanzaro suggested that all recommendations in disciplinary actions be sent to the Provost, with the caveat that there could be multiple recommendations related to the same disciplinary action, as is the case in promotion and tenure deliberations. Catanzaro added that the process could provide for an appeal by the faculty member to the President, as URC had proposed in its August 2015 version of the disciplinary articles. A related decision in disciplinary cases, Catanzaro said, is whether a faculty member may be placed on administrative leave before a final decision regarding the case is made. Then, as details of the case become clearer, a final decision can be rendered. In such instances, he said, there might not be a need to engage DFSC in the matter or even inform DFSC of the situation.

Dean asked committee members if they feel comfortable with the sanctions and suspensions sections of the flow chart as they have thus far been drafted by the committee or if committee members prefer to reopen the discussion regarding those sections. Jenkins asked if the unresolved issue regarding Line 1 is whether the dean should be included in the process. Bonnell said she is not sure that is the case. She noted that at the start of the process set forth on Line 1, the dean knows there is a problem to be discussed because the Provost and dean are the parties who refer the matter to the DFSC. Boser said he believes the issue is whether the DFSC reports its recommendation directly to the Provost or if the DFSC first sends its recommendation to the dean. Catanzaro asked if the concern would be resolved if the DFSC were to be asked to inform the dean of its recommendation at the time the DFSC sends its recommendation to the Provost.

Ellerton asked if it would be appropriate for the DFSC and the Provost to consult with each other about disciplinary issues to help DFSC members understand what they are being asked to decide and to better understand the circumstances involved in the case. Catanzaro said such a consultation could play out in different ways. He said such a consultation could prevent a well-intentioned DFSC from recommending an action a Provost believes is too heavy handed. He also expressed concern that a Provost might inappropriately use the consultation as an opportunity to guide the DFSC toward the outcome the Provost prefers.

Dean brought the discussion to its conclusion by stating that she believes the committee has reviewed, elucidated, and reaffirmed the disciplinary processes set forth by the committee at its two prior meetings. Boser agreed, saying he thinks the committee can commit to what has been done and move on from there. Goodman concurred, noting that the committee is not going to remove all ambiguities in the processes no matter its efforts to do so.

III. ASPT disciplinary articles: next steps

Dean said she believes it is important for URC to send its recommendations regarding the disciplinary articles to the Caucus this spring. She expressed concern that if URC does not do so, a URC with new members will have to engage in these same discussions next academic year. Dean said she hopes the committee can divide into working groups to re-draft the disciplinary articles but said that the committee must first finalize the processes of considering sanctions, suspensions, and dismissal.

Dean asked committee members if they feel the committee needs to meet more often or hold longer meetings to finalize those processes. The consensus was to limit meetings to one hour. Boser said committee progress might be expedited if someone were to propose dismissal processes for discussion at the beginning of the next URC meeting. Dean said if she were to do that now she would essentially duplicate the processes the committee has set forth for suspensions. She said she is unsure how to approach the dismissal process for probationary faculty members, adding that she is uncertain whether there is a need for such a process.

Dean announced that the next URC meeting is scheduled for Tuesday, March 21. She said the committee will first discuss dismissal processes and then will attempt to complete the General Considerations article (Article XI) that was almost completed by the committee last fall.

IV. Other business

There was none.

V. Adjournment

Goodman moved to adjourn the meeting. Jenkins seconded the motion. The motion passed on voice vote, all voting in the affirmative. Dean adjourned the meeting at 2 p.m.

Respectfully submitted,

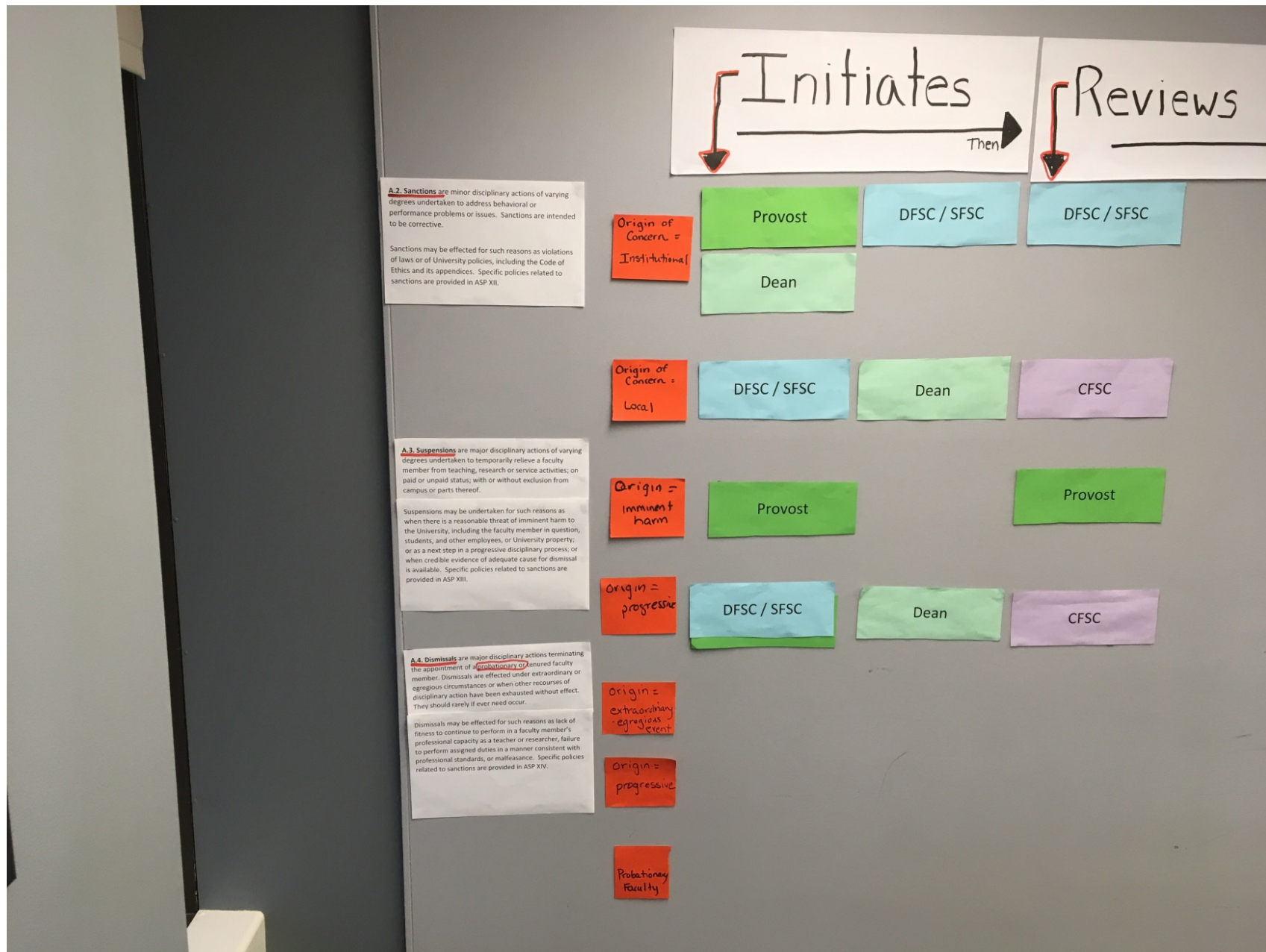
Bruce Stoffel, Recorder

ATTACHMENTS:

Flow Chart, End of University Review Committee, Meeting, February 28, 2017 (2 parts)

Flow Chart, End of University Review Committee Meeting, March 9, 2017 (2 parts)

Flow Chart, End of University Review Committee Meeting, February 28, 2017, Part 1 of 2



Flow Chart, End of University Review Committee Meeting, February 28, 2017, Part 2 of 2



Flow Chart, End of University Review Committee Meeting, March 9, 2017, Part 1 of 2



Flow Chart, End of University Review Committee Meeting, March 9, 2017, Part 2 of 2

