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1987 March 9 - Faculty Senate Agenda and Minutes

Faculty Senate, East Tennessee State University

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East Tennessee State University
Box 23534A • Johnson City, Tennessee 37614-0002

AGENDA

FACULTY SENATE MEETING

March 9, 1987

Room 334, Business School, 3:30 p.m.

- I. CALL TO ORDER
- II. SUBJECT: ETSU PROMOTION AND TENURE POLICY **
 1. Student Evaluation Proposed Statement - David Logan
 2. Tenure Criteria - Carol Norris
Tenn Tech - Gordon Ludolf
Middle Tenn - Bill Fisher
 3. Promotion Criteria - Elizabeth Williams
Tenn Tech - Gordon Ludolf
Middle Tenn - Bill Fisher
 4. Appeals - Anne LeCroy
Tenn Tech - Gordon Ludolf
Middle Tenn - Bill Fisher
 5. Promotion and Tenure Procedures - Al Lucero
- III. ADJOURNMENT

** Please bring your 30 page draft copy of proposed changes in tenure and promotion (Logan document) to the meeting for information and review purposes.

Carol Norris
P. O. Box 22450A

MAR 5 - 1981



East Tennessee State University
Box 23534A • Johnson City, Tennessee 37614-0002

MINUTES OF THE MARCH 9, 1987 FACULTY SENATE MEETING

ANNOUNCEMENTS

President Fisher read a list of those going to the Regents' Conference on Higher Education, April 5 - 7, 1987. Several from the Senate are going.

A hand-out on the Bookstore was distributed to Senators. It included due dates for ordering textbooks, statistics on the processes, and an illustration of personnel reduction. The consensus of the Senate was that there is a great need for computerization. (Attachment 1)

Fisher announced that there would most likely be a postponement of the School of Nursing agenda for March 16 in order for the Senate to continue the discussion on tenure and promotion.

ETSU PROMOTION AND TENURE POLICY

1. Dave Logan presented a hand-out with suggestions for new wording for the statement H.1 on page 9 (revised) of the draft proposal. One suggestion was that student evaluation be used as part of peer evaluation to document "teaching effectiveness". Another suggestion was that "evidence of this criteria (must or shall) include, but not be restricted to, a university sponsored standardized assessment form ..." Both suggestions included the factor of "two classes each semester throughout the probationary period".

Logan's hand-out also gave three suggestions for statements regarding the student advisory role in defining the uses of student evaluations in the tenure processes. (Attachment 2)

Logan stated that this hand-out had been distributed at Academic Council and received no response (probably because members had not really had time to review it).

President Fisher announced that as President of the Higher Education Assembly he has constructed the agenda for the April 4th meeting to include a discussion among the SBR schools about this student evaluation role in tenure. He also announced that the Deans' Council (ETSU) was to discuss the "Logan draft" March 9. The Faculty Advisory committee of the College of Business is to discuss it March 18.

John Stone expressed concern with the terminology "standardized assessments". He suggested that the Faculty Senate Development and Evaluation Committee meet this week and review these new revisions (today's hand-outs). It was agreed that by Monday, March 16 at the next Senate meeting this committee would have its report.

Gordon Ludolf asked for clarification on the statement about the "Student advisory role". Margaret Hougland stated that once the student government association established a policy on its role that yearly reviews would not be necessary. Jim Pleasant suggested that when ETSU makes further revisions, SGA could then also respond. Ludolf suggested having the SGA look at the proposal and express an opinion. John Stone recommended that we make a proposal to the SGA and noted that we still have until May before the document must actually leave campus.

Paul Monaco reminded the Senate that the College of Medicine functions differently. Evaluations are done in one class per semester. Hougland noted that University School would also be an exception. The probability that the document should somehow address university exceptions was generally agreed upon.

Logan suggested that the statement be universal with a note that each college or division may determine the frequency of evaluations and the role of student advisement.

Betsy Williams stated that there should be one universal statement and list exceptions.

President Fisher at this point called attention to the letter from attorney Bruce Shine who had reviewed SBR, present ETSU and proposed ETSU policies. He states that he has "no significant problem with the proposed changes" but does mention in particular two areas for concern: the need for departmental "mission statements" and the "mandatory requirement of achieving tenure in seven (7) years". He also mentions in the beginning of the letter a concern about the appeals process to the SBR. (See Attachment 3)

2. In further discussion, Carol Norris reviewed the Tenure Criteria section on pages 9-11. One problem mentioned was that the criterion of teaching is not applicable to all faculty. In removing the phrase "teaching or other academic assignments" from section I, non-teaching faculty have no appropriate terminology for their academic functions. It was agreed upon that statement H.1. - Effectiveness in teaching or academic assignments - be some sort of definitive statement and repeating academic assignment in each case where teaching is mentioned is not necessary.

John Taylor stated that numbers 5,6, and 7 under H are redundant. They would be presumed in statement number 2. Logan suggested omitting 5, 6, and 7.

Al Lucero questioned the wording "teaching ability" in I.1. Logan agreed and suggested "teaching effectiveness" as being more subject to evidence.

Regarding Tennessee Tech's tenure criteria statements, Gordon Ludolf stated that they are almost verbatim to SBR statements. Fisher noted that Middle Tennessee has a university-wide promotion and tenure committee. A discussion about the possibility of ETSU having such a committee followed. Logan stated that he thought Dr. Beller favored the idea. Arne LeCroy said that the argument "pro" would be that the committee would help the President and Vice President make decisions. Paul Monaco suggested that such a committee might be more relevant for a school not as diverse as ours (having no medical school, not

as many schools and colleges, etc.). The consensus of opinion was that ETSU has no real need for such a committee.

Carol Norris suggested the need for stating "scholarly and creative activity" in all places where the word "research" occurs. It was agreed that on page 11, 4 a. and b., "scholarly and creative activity" should replace "research".

Gordon Ludolf mentioned that Tennessee Tech did mention a different procedure - that each tenured member of a department writes a letter which goes directly to the President. There is no mention of a departmental tenure committee. It was suggested that the advantage of this would be more freedom by faculty to express honest opinions. Logan suggested that we do have a written rationale from the tenured faculty forwarded to the department Chair. (See page 28, Logan draft). This statement does not specify whether the tenured faculty are meeting as a committee. John Stone suggested that written statements be permitted but not necessarily required. Hougland stated that this is peer evaluation. Logan said that this peer evaluation and a yearly peer evaluation have not really been combined. Logan said that he would work on a proposal for the next meeting. Mark Airhart asked that if in the overall process it matters whether tenured faculty provide written documents. Logan said this option was an attempt to get away from unilateral decisions by department chairmen.

Another point for discussion was brought up by Betsy Williams. She questioned having all tenured faculty (regardless of rank) decide on all tenure and promotion decisions. John Stone stated that this procedure might be contrary to AAUP policy and longstanding tradition. One of the feelings was that assistant professors should not have a say on promotion decisions for those applying for associate or full professor. Logan stated that this new procedure would be a help for small departments who would need all tenured faculty to vote in order to have enough participants. Greg Bishop noted that the college or school level of this procedure had not been addressed. Logan suggested that he have two proposals ready for the next meeting.

John Stone expressed concern that more people should be looking at this draft proposal, that big changes are being discussed. Dave Logan stated that decisions must be made soon and that this document would always be an evolving one.

3. Betsy Williams reviewed the Promotion Criteria of the draft document (pages 21 - 26). She expressed the desire for as much detail as possible and that omitting the paragraphs on page 22 was deleting necessary detail which could be well used by promotion committees. Also, page 23, the last sentence in the first paragraph, was considered essential and not to be omitted. ("...therefore, it is not necessary that all faculty members will have outstanding performance in all three areas.") She stated the need for a standard but questioned the categories of the document (exceptional, superior, appropriate, acceptable, unacceptable). Logan stated that these categories were an attempt at improvement over and reduction in the FAP/FAR categories. Margaret Hougland reminded the Senate that these categories have been under fire and a discussion of having only three categories had been previously

suggested. Do we want to consider only three for this document?

Dave Logan suggested setting aside this item for further discussion, especially until he can review previous Senate proposals. A decision on this is not necessary at this time.

ADJOURNMENT

The meeting was adjourned at 4:50 p.m. The Senate will convene March 16 for further discussion.

Respectfully submitted,

Carol B. Norris

Carol B. Norris, Secretary

CBN/kja

Faculty Senate Meeting
March 9, 1987
Attendance Record

Senators Present

Mark Airhart
Greg Bishop
David Chi
Carole Connolly
William Fisher
F. Steb Hipple
Margaret Hougland
Linda Kerley
Anne LeCroy
Al Lucero
Gordon Ludolf
Paul Monaco
Carol Norris
James Pleasant
Mitch Robinson
John Stone
John Taylor
Betsy Williams

Senators Absent

Peggy Cantrell
David Close
Glenda DeJarnette
Katherine Dibble
Betty Edwards
Don Ferguson
James Fields
Pat Flaherty
Lester Hartsell
Don Jones
Ruth Ketron (excused)
Joseph Mattson
Carol Pullen
Karen Renzaglia
Etta Saltos
Bob Samuels
Bob Stout
Gwen Thomas
Richard Verhegge
Frederick Waage
Paul Walwick
Eduardo Zayas-Bazan

Guests

David Logan
Wilsie Bishop



East Tennessee State University
Box 23534 ETSU Johnson City, Tenn. 37614-0002 (615)929-4112

February 23, 1987

Dear Colleagues:

Course textbook ordering deadlines are incorporated in the published academic year calendar which is available in each department office. It is my purpose here to mention it in a specific and concise manner so that all faculty are aware of these deadlines because of the large number of orders which must be placed and the manner in which they are presently processed.

William J. Fisher
Faculty Senate President

1987 Summer Session

1. Summer Class Textbook changes
due date -- Thursday, February 12, 1987
2. Summer Class Textbook orders
due date -- Wednesday, February 25, 1987

Fall Semester 1987

1. Fall Semester Textbook changes
due date -- Monday, March 16, 1987
2. Fall Semester Textbook orders
due date -- Monday, April 13, 1987

STATISTICS TEXTBOOK DEPARTMENT

ORDERS

ORDER APPROXIMATELY 2800 REQUIRED TEXTBOOKS TWICE EACH YEAR
ORDER APPROXIMATELY 500 REQUIRED TEXTBOOKS IN SUMMER
ORDER APPROXIMATELY 75 REQUIRED MEDICAL TEXTBOOKS PER YEAR
TYPE OVER 1600 PURCHASE ORDERS EACH YEAR
ORDER OVER 575 SPECIAL ORDERS EACH YEAR

BOOK RETURNS

MAKE APPROXIMATELY 1100 BOOK RETURNS EACH YEAR -- EACH OF THESE RETURNS
CONSIST OF FROM ONE TO HUNDREDS OF BOOKS PER RETURN
IN ADDITION WE TYPE HUNDREDS OF LETTERS FOR EXTENSIONS AND PERMISSION TO RETURN.

BUY BACKS

WRITE APPROXIMATELY 10,000 BUY BACK AND REFUND RECEIPTS EACH YEAR. THIS IN
ADDITION TO THE \$200,000.00 IN USED BOOKS PURCHASED DURING OUR NEBRASKA BOOK
BUY TWICE A YEAR.

All books through buy backs must be processed and returned to shelf.

ATHLETIC SCHOLARSHIPS

PROCESS OVER 340 ATHLETIC SCHOLARSHIPS PER YEAR (CHARGE BOOKS OUT,
EXTEND CHARGE CARDS FOR BILLING, TAKE UP BOOKS AT END OF EACH SEMESTER
AND NOTE THIS ON CHARGE CARD, EXTEND AGAIN FOR CREDIT, PROCESS VOUCHERS -
AND DO FOLLOW UPS FOR BOOKS NOT RETURNED.)

CENTER BOOKS AND CHARGES

SHIP APPROXIMATELY 275 CARTONS OF BOOKS TO ETSU CENTERS EACH YEAR.
(PULL FROM SHELF, LIST ON CHARGE CARD, BALANCE CHARGE, CHECK OVERSTOCK BACK-
IN , PROCESS AND RETURN TO SHELF. CHARGE CARDS ARE THEN BALANCED.)

FREIGHT

BETWEEN JULY 1, 1986 & FEBRUARY 18, 1987 WE HAD 5297 FREIGHT SHIPMENTS
FOR THE BOOK DEPARTMENT.

CUSTOMER SERVICE

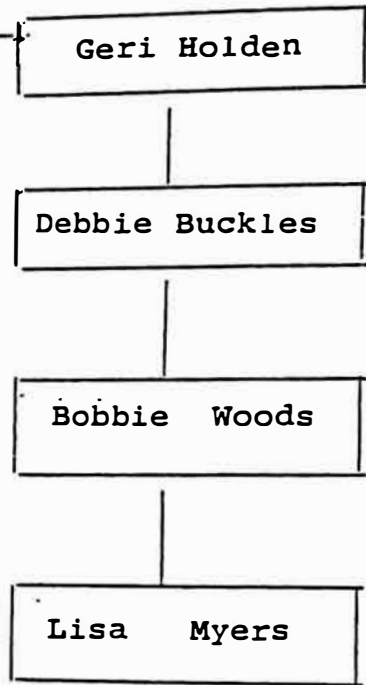
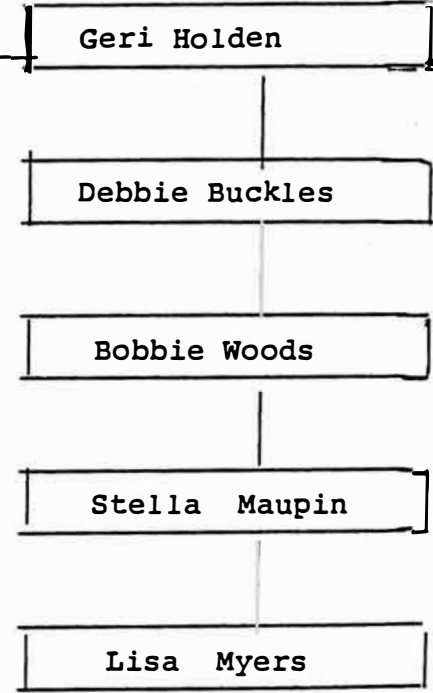
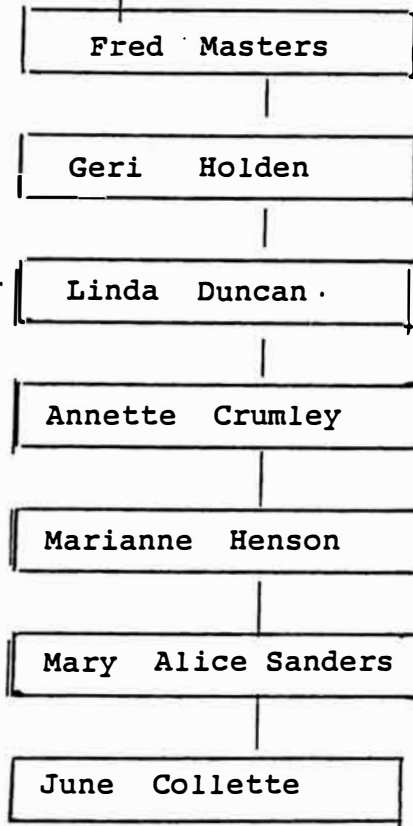
WE MUST GIVE CUSTOMER SERVICE TO A LARGE NUMBER OF CUSTOMERS EACH DAY. THE
MAJORITY OF PHONE CALLS COMING INTO THE STORE ARE FOR BOOKS. THIS MUST BE DONE
IN ADDITION TO OUR REGULAR JOB DUTIES.

University
Bookstore Manager

POSITIONS WE HAD BEFORE ANY POSITIONS
WERE LOST (Approximately 1977)

POSITIONS WE HAVE AS OF 1/87

POSITIONS WE WILL HAVE AFTER NEXT
CHANGE IS MADE



(OB@H

VERSION I

PROPOSED NEW WORDING - Page 9 (revised), H., 1.

1. Teaching effectiveness; EVIDENCE OF WHICH SHALL INCLUDE, BUT NOT BE RESTRICTED TO, PEER EVALUATION OF STANDARDIZED ASSESSMENTS RENDERED BY ALL STUDENTS IN TWO CLASSES EACH SEMESTER THROUGHOUT THE PROBATIONARY PERIOD.

This addition to the tenure section would satisfy the process requirement demanded by the Board of Regents as follows:

a) It spells out the "type" of student evaluation, i.e., "standardized assessments rendered by students..."

b) It spells out the "frequency" of students evaluation, i.e., "in two classes each semester throughout the probationary period..."

c) It describes the "uses" of student evaluations in review processes leading to tenure, i.e., "...peer evaluation of ... assessments..."

d) It does NOT spell out a provision for ensuring a student advisory role in defining the "uses of student evaluations" in the tenure processes. Some possibilities....

e) THE STUDENT GOVERNMENT ASSOCIATION SHALL BE INVITED, DURING THE FALL SEMESTER OF EACH YEAR, TO CONDUCT A REVIEW OF THE PROCEDURES ACCORDING TO WHICH INSTRUCTION IS EVALUATED, AND TO SUBMIT ITS CONCLUSIONS AND RECOMMENDATIONS TO THE UNIVERSITY COUNCIL.

not each year

f) EACH DEPARTMENT OR UNIT OF THE UNIVERSITY, IN ACCORDANCE WITH PROCEDURES TO BE DEVELOPED WITHIN THAT DEPARTMENT OR UNIT, SHALL CONVENE A PANEL OF STUDENTS EACH YEAR FOR THE PURPOSE OF ADVISING THE CHAIR OR DIRECTOR, AND FACULTY MEMBERS, REGARDING THE USES OF STUDENT ASSESSMENTS OF INSTRUCTION IN REACHING TENURE DECISIONS.

g) EACH COLLEGE OR SCHOOL... (same language as in (f)).

VERSION II

H. Criteria to be considered in Tenure Recommendations

1. Teaching effectiveness
Evidence of this criteria (must or shall) include, but not be restricted to, a university sponsored standardized assessment form completed by students in two classes each semester throughout the entire probationary period.

TYPE - A university sponsored uniform assessment form

FREQUENCY - Two classes each semester for the duration of the entire probationary period.

USES - This student evaluative information is to be used in conjunction with any faculty peer evaluation data and any administrative review reports that are available for final tenure decision making purposes.

3

LAW OFFICES OF D. BRUCE SHINE

SUITE 201
THE R&W BUILDING
433 EAST CENTER STREET
KINGSPORT, TENNESSEE 37660
AREA CODE 615
246-8433

WASHINGTON, D. C. OFFICE
SUITE 118
5010 WISCONSIN AVENUE, N. W.
WASHINGTON, D. C. 20016
AREA CODE 202
363-9427

D. BRUCE SHINE*
DONALD F. MASON, JR.
*ALSO ADMITTED IN N. Y., AND D. C.

March 9, 1987

REPLY TO KINGSPORT OFFICE
FILE NO.

Dr. William J. Fisher, President
of the Faculty Senate
East Tennessee University
3417 Amoyee Drive
Johnson City TN 37601

Dear Dr. Fisher:

In keeping with your request I have reviewed the following documents:

- (1) Proposed revision to Board of Regents' Policy on Appeals and Appearances before the Board.
- (2) Draft of proposed changes in tenure and promotion sections of the Faculty Handbook of ETSU.
- (3) Synopsis of substantive changes to proposed changes in the Faculty Handbook.
- (4) The current Statement on Academic Freedom, Responsibility and Tenure of the State Board of Regents.
- (5) The current guidelines for faculty promotion and recommendation at universities, community colleges, and technical institutes of the State Board of Regents.
- (6) The current institutional adoption of the State Board of Regents' Academic Freedom, Responsibility and Tenure statement.

The document with which I have the greatest concern deals with appeals and procedures before the State Board of Regents which embodies a severe limitation on appeals from the Chancellor to

Page 2
Dr. William J. Fisher
March 9, 1987

the State Board of Regents. As a practical matter, the State Board of Regents has placed in the Chancellor the right to serve as "traffic cop" on matters which traditionally have been appealed, by right, to the Board. I am particularly distressed with the utilization of legal terms such as "harmless error" and "abuse of discretion". Although there is little, if anything, anyone in the Faculty Senate can do about the rules and regulations of the State Board of Regents, whether such are arbitrary and capricious and constitute a transfer of powers from the Board to the Chancellor must rest with the courts of the state of Tennessee.

I have no significant problem with the proposed changes in tenure and promotion sections of the ETSU Faculty Handbook, noting there appears to be a potential shifting criteria on the departmental and/or college basis. My concern is whether each department at ETSU has devised a "mission statement" which would have relevance in terms of performance by faculty members within that department. It is clear Dr. Logan and his committee have engaged considerable time and effort and I believe their document constitutes a marked improvement over current provisions. In determining the criteria for assessing merit of the candidate for tenure, I have no objection with those items proposed; I am concerned as to what one outside the department should use as a benchmark to determine whether the faculty member has made contributions necessary for the granting of tenure. Arguably, each department could vary in its needs, program, and direction; therefore, that distinctiveness should appear in a department "mission statement" allowing the weighing of the various elements to be individualized to the particular department or discipline. My comments here apply for promotion as well as tenure. In terms of promotion and tenure procedures, what will be the appropriate criteria of the department in keeping with university guidelines? Hopefully, such change will be precise enough to determine the candidate's eligibility for tenure and/or promotion.

Another area not addressed in any of the documents, but which needs attention by the teaching faculty at institutions subject to the State Board of Regents, is the mandatory requirement of achieving tenure in seven (7) years. There are undoubtedly innumerable situations where faculty members for staffing and long range considerations lose their position at ETSU and at

Page 3

Dr. William J. Fisher

March 9, 1987

other institutions because the institution doesn't want to make the long term commitment on tenure. Thus, we have a revolving door procedure unfair both to the individual denied tenure and to the individual replacing him/her in the system and who, like his/her predecessor, may also be denied tenure. The statutes in Tennessee and the policies and procedures for the State Board of Regents should be amended to allow an individual to remain on the faculty after seven (7) years when failing to achieve tenure. As the State Board of Regent Policy indicates, "the non-renewal or non-reappointment of any faculty member on a tenure track appointment does not necessarily carry an implication that his or her work or conduct has been unsatisfactory." Why can't the requirement of the seventh year (in or out) be waived, thereby allowing the faculty member to continue on a year to year basis? At some point in time this question must be answered and discussion should begin among those individuals most affected by the policy, the faculty members.

If there are questions or concerns, please do not hesitate to let me know. Thank you.

Very truly yours,



D. Bruce Shine

DBS:jhs

RESOLUTION

We the faculty of Tennessee Technological University recognize the authority of the State Board of Regents to enact policy for the SBR system and we recognize the necessity to prepare for financial exigency and long-term enrollment shifts that seriously affect the mission of an entire institution of higher education. We object strongly, however, to certain provisions of State Board of Regents Policy No. 5:02:03:00 [Policy on Academic Freedom, Responsibility and Tenure]. Our objections are specified as follows:

- (1). Section ILL1.a. violates long established definitions of academic tenure, as codified in the American Association of University Professors' Statement on Tenure and Academic Freedom, by redefining tenure as "personnel status in an academic organizational unit (e.g., a department or division) or program of a college, university, or institute."
- (2). Section ILL13. further violates long established precedent and AAUP policy through failing to ensure that "the decision to discontinue formally a program or department of instruction will be based essentially on educational considerations, as determined primarily by the faculty as a whole or an appropriate committee thereof."*
- (3). Sections ILL13d. and ILL13.f.2&3. violate long established precedent and AAUP policy which holds that "Educational considerations do not include cyclical or temporary variations in enrollment. They must reflect long range judgments that the mission of the institution as a whole will be enhanced by the discontinuance."*
- (4). The provision in Section ILL13. providing for the termination of tenured faculty "because staff reduction is warranted as a result of courses or curricula within a department or division being reorganized or consolidated" constitutes a particularly serious violation of long established understandings of "curricular reasons" and AAUP policy. This provision would allow "curricular reasons" to be determined course by course rather than by whole departments or programs and would not qualify under the AAUP position that the "curricular reasons" seriously affect the mission of the institution as a whole.

We the faculty of Tennessee Technological University further note that the tenure policy of the system and/or the institution is an integral part of the contractual arrangement between the faculty and the University and is thus subject to contract law, which specifies that changes in the provisions of a contract must be agreed to by both parties.

Because of the objections delineated and because our endorsing SBR Policy No. 5:02:03:00 would constitute our endorsing the policy's revisions in our contract, we the faculty of Tennessee Technological University on this the first day of March 1985 express our disapproval of the contract revisions represented in said policy and respectfully decline at this time to endorse a local policy which complies in principle with the said policy's contract revisions.

*Policy Documents and Reports. American Association of University Professors. 1977.