

Faculty Senate Meeting Minutes – November 10, 2020

Senators Present: Hisham Al-Bataineh, Matthew Alexander, Rudolf Bohm, Lucy Camacho, Jieming Chen, Maribel Gonzalez-Garcia, Jeff Glick, James Glusing, Kelly Hall, Simona Hodis, Kendra Huff, Patricia Huskin, Robert Kowalsky, Ya-Wen Liang, Steven Lukefahr, Tanner Machado, Lifford McLauchlan, Craig A. Meyer, Kyle Milsap, Richard Miller, Patrick Mills, Mais Najim, Ryan Paul, Larry Peel, Humberto Perotto, William Procasky, Christine Radcliff, Kathleen Rees, Chika Rosenbaum, Alex Sanchez-Behar, Nick J. Sciuillo, Hui Shen, Ari Sherris, Amber Shipherd, Velda Soydas Ramiro Torres, Alinna Umphreys, Maria Velez-Hernandez, Subbarao Yelisetti, Teresa Young

Senators Absent: Michael Houf

This meeting of the Faculty Senate was held and recorded online through Blackboard Collaborate due to COVID-19 social distancing requirements. A recording of this meeting and a PDF version of the slideshow can be found on the [Faculty Senate Website](#) under the heading [Digital Faculty Senate Meetings](#).

I. Call to Order and Quorum Call.

At 3:30 p.m. President Sherris asked the secretary, Christine Radcliff, if enough members were present for a quorum. Senator Radcliff replied in the affirmative.

II. Presentations

a) Provost Lou Reinisch

Provost Reinisch was unable to attend today due to a meeting conflict.

III. Approval of Minutes from October 6, 2020 Faculty Senate Meeting.

President Sherris asked for approval of the previous meeting minutes. Senator Miller motioned; Senator Meyer seconded. Minutes were approved.

IV. Report of Officers

a) Emergency Management Committee

Senator Radcliff reported that it has been decided that TAMUK will not have a Spring Break this year. With the cancellation of Spring Break, the Spring 2021 semester will end one week earlier. The days off we were supposed to get have been moved to one extra day for Christmas and one extra day for Memorial Day. Follow the link to view the updated [holiday schedule](#).

December commencement is scheduled for December 11th at the stadium. There will be two ceremonies with a five hour break in-between to make sure the area is sanitized before the second ceremony. If weather or COVID cases prevent having the ceremony in the stadium, the University will hold a digital ceremony.

515 flu shot vaccines have been received. Student flu shots are going to be given in a curbside service manner. If students do not have a vehicle, Wellness Center staff will be going around in a golf cart.

As of October 15th Javelina Dining/MSUB is at 25% seating capacity. That limit is not being reached yet, but if the need arises the University will raise the capacity.

Everyone will have to re-certify that they are COVID free before returning to campus at the start of the Spring semester. The training module will not have to be repeated, just the certification.

If anyone notices that there are not wipes or sanitizer in places where you think they should be (classrooms, etc.) Please let FS President Sherris or Senator Radcliff know and we can inform the Facilities Planning & Construction department.

b) Senate President Sherris' Report

President Hussey and Provost Reinisch met with Faculty Senate President-Elect Chen and me at 11:30 am on October 8, 2020. Dr. Hussey announced that he had to leave early to be in Houston for development. He reported that he is trying to do more travel and interact with friends of the University and alumni. The President then discussed budget updates related to enrollment and formula funding. He said unless something out of the ordinary happens, there would be nothing to report till Spring 2021 and that any initial information on formula funding typically we would know by March 1st. What enrollment is going to look like in the Spring will be important to follow. I asked President Hussey if there are faculty or program cuts, would the Budget Council be reinstated? President Hussey responded by saying the President's Executive Committee is the Budget council. He went on to say that if we have to cut programs or faculty, the A&M system has a whole series of policies, those do involve faculty, and there is a very detailed set of processes for cutting programs and faculty. If it comes to cutting faculty or programs, the President went on to say, he will have both the Faculty Senate President and President-Elect involved; Faculty Chairs and Deans will also be involved.

I raised the issue of electronic signatures on theses and dissertations for ProQuest. Provost Reinisch went on to say this decision has to wait till we select a chief information officer as Director of ITS. He added that there is a position on the street for this director; the University has received over 50 applications in less than 2 weeks; Terry Tatum is interim Director of ITS from the A&M System. It should be a system move to electronic signatures across the board. The CIO will be looking at that in a number of these interviews.

Dr. Reinisch said we don't have the funding to hire somebody as an Ombuds.

Dr. Chen asked if the task of informal conflict mediation could be assign to the compliance office. Dr. Hussey said we are searching for a new compliance officer; Tony Alvarez, VP of Student Affairs, chairs the search. In addition to the investigative focus of compliance, it will be focused on professional development, workshops and doing more common sense tasks.

On the topic of annual review of administration the President said that he has never been at an institution that does not have a regular review of administrators until he came here. The President went on to say that many universities have Deans that have set terms, they get a midterm review just like a faculty member does, and at end of term they have to be reappointed by the Provost and there is an opportunity for faculty to provide feedback to the Provost, relative to Deans. This may apply to Department Chairs too, the President went on to say. Faculty have concerns and they do not have a vehicle to raise those concerns. Faculty input for Dean reappointment at different stages has to be discussed if Provost Reinisch agrees, the President said. There has to be something in place for faculty to provide feedback on their view of the Dean. The Provost said he will think about it and get back to me. Provost Reinisch said he will work with President Hussey to work on a faculty review of the deans. I will follow up on this with the President and Provost in my December meeting.

One final point: The Interim VP of Enrollment Management, Dr. Darin Hoskisson, reports to the Provost.

c) Executive Committee Lunch with President Hussey & Provost Reinisch

President Hussey reported that 900 students were accepted and agreed to attend TAMUK for Fall 2020, but ended up deferring and have not enrolled elsewhere. We are hoping to capture as many of these students for the Spring semester as possible.

He then gave us an overview of his legislative requests for this session. He requested that formula and non-formula funds be maintained; for the restoration of the 5% we gave back this year; a Student Success initiative; an increase of funding to the Citrus Center; and a building that would be used as an agriculture/stem lab building. He explained that the increase in funds for the Citrus Center is not really an increase; it is actually a request to return to the original funding amount. He also explained that the reason he chose to propose the building as an agriculture/stem building is that he could get more buy-in supporting agriculture than any other area.

d) Ad Hoc Committee on Tenure & Promotion Processes

Senator Mills thanked all of the committee members for the feedback they are providing on this committee to the Office of Academic Affairs; it is top notch he said.

The primary mission of this committee is to work on proposed tenure and promotion policy changes that will be brought to Faculty Senate's Policy Revision Committee and eventually to the floor of the Faculty Senate.

Examples of processes that are under consideration include: timing of faculty reviews during the journey towards tenure and promotion; creation of an opportunity for face-to-face meetings of faculty with college deans and provost; make-up of the committees for tenure and promotion decisions and for the appeals process; and review and potential modification of the processes used for appeal of tenure and/or promotion.

Senator Mills then opened the floor for questions.

Q: Senator Young asked if this committee received the results from the surveys that went out the faculty that completed the online portfolios this semester.

A: Senator Mills said that he has not seen anything, and asked when they were sent out?

A: Senator Young said she received her survey about the experience with it around October 20th.

A: President Sherris said he has sent an email to Dr. Goswami asking to receive the data from this survey so it might be discussed in the Senate. He also went on to say that he reported to the Texas Council of Faculty Senates that we are unusual in that there was no shared governance in any of the policy making including the portfolio, by any faculty much less senators; he also reported that anecdotal evidence indicates that most faculty were satisfied with most of the COVID-19 policy changes despite those changes being made *for* us rather than *with* us.

A: Senator Mills said he did receive a survey as the P&T committee chair, but he has not received any feedback.

Senator Radcliff pointed out that the library was left out of this survey despite having two librarians prepare portfolios for promotion, and that she was the committee chair and none of them received anything.

V. Old Business

a) Faculty retirees can access the online Jernigan databases if they are emeriti

Senator Miller wanted to take issue with this. As President Hussey noted, TAMUK is very stingy with emeriti status. We usually limit this to 3. He asked if President Sherris could go back and see if there is another way for active scholars to have access.

- b) **Decisions on changing faculty retiree email addresses can be reevaluated by the incoming Chief Information Officer, TAMUK ITS, when hired.**

VI. Standing Committee Reports

- a) **Committee on Committees – No Report**

- b) **Election Committee**

Senator Radcliff reported that the committee has completed verifying lists of faculty members in each department, and apportionment will be reported at the December meeting.

- c) **Resolutions and By-Laws Committee – No Report**

VII. Reports from Committees Reporting to the Senate

- a) **Administrator Evaluation Committee – No report**
- b) **Annual Faculty Lecture Committee – No Report**
- c) **Piper Award Committee – No Report**
- d) **Faculty Evaluation Committee – No Report**
- e) **Faculty Benefits Committee – No Report**
- f) **Policy Revision Committee – No Report**
- g) **Task-Force on Faculty Handbook Changes – No Report**

VIII. New Business

- a) **Motion: That the Faculty Handbook be changed to reflect the changes submitted to the Faculty Senate on 27 October 2020 (see handout)**

President Sherris moved to discuss this motion and Senator Meyer seconded it. Senator Meyer asked if there were any questions or need for clarification from the Senate, and if not, he thinks we could motion to approve the changes.

Senator Meyer moved to approve the changes as submitted. Senator Hall seconded.

The motion passed. The vote count was 32 yes, 0 no and 2 abstentions.

- b) **Motion: That TAMUS policy “Expressive Activity on Campus (08.99.99.K1) be added as an additional subsection of H1 (Student Academic Rights and Responsibilities) to be listed as “H.1.1 Expressive Activity on Campus.” (see handout)**

This policy is in response to Senate Bill 18, which added Section 51.9315, *Protected Expression on Campus*, to the Texas Education Code in June 2019. This new law requires public institutions of higher education to adopt a new policy detailing students’ rights and responsibilities regarding expressive activity on campus. The legislation also requires that the institution’s policy must be available in the student and personnel handbooks, be distributed to students during orientation, and posted on its internal website.

Senator Meyer moved to open discussion, and Senator Peel seconded. There was discussion that this might not discuss faulty engagement of expressive activity. Senator Glick brought up the point that section 2.2.3 says “a student, student organization, or employee.” Faculty are employees. Senator Hall commented that the AAUP says that

the essence is to protect free speech, not destroy it. She also provided a link from the AAUP to their publication entitled [Campus Free-Speech Legislation: History, Progress and Problems.](#)

Senator Meyer moved to vote on the motion and Senator Peel seconded. The motion passed. The vote count was 24 yes, 1 no and 4 abstentions.

- c) Motion: That Article II, Section 3 of the Constitution of the General Faculty of Texas A&M University-Kingsville be updated using the proposed language below, which would allow electronic ballots to be the new method used for Faculty Senate elections. (see handout)**

Senator Radcliff commented that there has been a concern that a few parts of the amendment were procedural and might be better off placed in a handbook; such a handbook does not exist at this time. She also said that the possibility of this information being lost in the future is less likely with it being in the constitution.

Q: Senator Hall asked if there is a difference in the way an amendment to the constitution is handled compare to an amendment to the handbook.

A: Senator Radcliff answered that at constitutional amendment needs to have two consecutive passing votes in the Senate and then a passing vote from the general faculty before it is official, whereas a handbook amendment only requires one Senate vote.

The motion passed. The vote count was 27 yes, 0 no and 4 abstaining.

- d) Motion: (a) To remove the SRI question “Cannot be reached during posted office hours” from the current TAMUK SRI instrument. (see handout)**

Senator Procasky presented the motion, and stated that the rationale for removing this question is that it is just a reverse of another question included in the SRI instrument. No one on the committee could come up with any rationale as to why this reverse question had been added to the SRI instrument and they were of the opinion that this question causes confusion among students and causes burden on faculty who choose to remove the data from calculations.

(b) To amend, consistent with Motion (a), the Texas A&M University-Kingsville Faculty Handbook (Revised 2019), Appendix A, page 2 – Teaching Performance – as follows:

Original	Amended as follows
5. Individual rapport (questions 1,6,10,14)	5. Individual rapport (questions 1,6,10)
6. Breadth of coverage (question 15)	6. Breadth of coverage (question 14)
9. Workload/difficulty (questions 16,17)	9. Workload/difficulty (questions 15,16)

Senator Miller commented that this question has existed for years and previous committees have recommended removing this question. Senator Hall asked if there was a reason the question was not removed? Senator Miller thinks that it was just not implemented.

Senator Hall moved to call the question and Senator Miller seconded. The motion passed. The vote count was 28 yes, 0 no and 0 abstaining.

- e) **Motion: To replace the SRI question, “Textbook support the course objectives”, with, “Assigned and suggested course materials support the course objectives” in the current TAMUK SRI instrument. (see handout)**

Senator Procasky then explained the rationale that the committee feels that the word “textbook” is very restrictive. There are courses that do not have textbooks and this would reflect the new reality.

President Sherris motioned to open discussion. Senator Miller seconded. President Sherris called the motion to question. The motion passed. The vote count was 28 yes, 0 no and 1 abstention.

- f) **Motion: Waive full tuition for each TAMUK employee’s spouse and dependents up to X hours per semester.**

Senator Glick expressed his concern for this motion due to what the unknown total cost would be.

Senator Sanchez-Behar asked for some background reasoning for this motion.

Senator Miller responded that this is commonly done at universities across the country. They did not invent this idea, just borrowed it.

President Sherris also mentioned that President Hussey said that we should identify universities that we aspire to, and if one of these universities is doing this already this could be seen as an aspirational goal. President Sherris also said that he could ask if a survey could be done to attempt to determine this cost.

Senator Machado commented that he would be more in favor of something that would benefit all faculty, as there are some faculty who don’t have spouses or dependents. He would be more in favor of something that benefited all faculty rather than just a few. He further clarified his point by stating that he would rather the faculty senate leverage, in a time of fiscal responsibility, something that would benefit all faculty instead of just a few.

Senator Glusing commented that the amount of money that the university would be responsible for is considerably less because it is only a fraction of what the State funding pays for. We would actually receive more money from the State for the rise in enrollment. A second point, we are losing a lot of good faculty (in the college of

engineering) to schools who offer this benefit. It is a draw to get them to leave TAMUK to go teach elsewhere so their kids won't have to pay for tuition. He feels that in the long run with training and providing hiring packages, this could actually be a balanced cost.

Senator Hall also commented that they lost a potential faculty member for this reason, which is typical.

Senator Rees commented that Senator Sciuillo made a good comment in the chat that faculty are currently only given a 4 credit waiver and we are proposing a much better deal for spouses and dependents than we are for faculty. She thinks that this is something that should be taken into consideration that faculty could be included in this too.

Senator Miller said he would be willing to accept a friendly amendment to the motion. The new motion reads as follows:

MOTION: Waive full tuition for each TAMUK faculty/staff member's spouse and dependents up to x hours per semester

It was then recommended to use the word employees' to replace faculty/staff. The corrected motion reads as follows:

MOTION: Waive full tuition for each TAMUK employees' spouse and dependents up to x hours per semester

President Sherris called the question and Senator Bohm seconded it. The motion passed. The vote count was 19 yes, 6 no and 3 abstaining.

- g) Motion: Implement the rank of "Distinguished Professor" that would be a promotion available to Professors with X years of experience in that position, based on performance. (see handout)**

President Sherris moved to table this motion and Senator Radcliff seconded it. The motion was tabled.

- h) Motion: Request that HR and MarComm create an in-service video that outlines the range of benefits provided to retirees so that it can be accessed well prior to retirement and also after retirement as a refresher and includes frequently asked questions.**

Senator Huskin moved to table this motion and Senator Perotto seconded it. The motion was tabled.

- i) Motion: Set aside a section of the bleachers near the stage for retired faculty and staff to sit. This section could also be used for distinguished guests like the Mayor or State Senator. Also, invite Emeriti faculty to walk at Commencement with the regular faculty, if they wish.**

President Sherris motioned to discuss this, and Senator Hall seconded it.

Senator Perotto moved to table this motion and Senator Meyer seconded it. The motion was tabled.

j) Motion: Create a linkage from the retiree e-mail accounts to retirees' personal accounts because many retirees seldom check their retiree accounts.

Senator Meyer moved to table this motion and Senator Radcliff seconded it. The motion was tabled.

k) Motion: That absence from today's meeting (Nov. 10, 2020) will not be used for the purpose of counting "three successive absences" which require removal and replacement from the Faculty Senate.

Senator motioned to discuss this, and Senator Huskin seconded it. President Sherris called the question. The motion passed and the decision was unanimous.

IX. Announcements

President Sherris shared the following reminders:

- Please email all motions and resolutions to FacultySenateOfficers@tamuk.edu no later than Tuesday, November 17, 2020, 5:00 pm CDT if you would like the Executive Committee to add them to the Tuesday, Faculty Senate Agenda.
- Our next Faculty Senate meeting is scheduled for Tuesday, December 1, 2020 from 3:30 pm – 5:00 pm and it will be online.
- Senators may raise motions and resolutions from the floor rather than submit them to the EC, but should have them ready in writing as in the format on earlier slides for this meeting to save time.

X. Adjournment

At 5:10pm a motion to adjourn was made by Senator Meyer and seconded by Senator McLauchlan, motion was passed.

Respectfully Submitted,
Christine Radcliff
Faculty Senate Secretary, 2020-2021

Proposed Revisions/Edits to April 2019 Version of TAMUK Faculty Handbook

<p>A.4.6 College Deans The deans are responsible for the overall development, promotion and general operation of their respective colleges. Deans are responsible for coordinating, supervising, and developing current and long-range planning in areas of teaching, curricula, research programs, space, equipment, and budgets. Deans supervise, counsel, and evaluate department chairs/program directors and make recommendations on all personnel actions within their respective colleges. Deans supervise degree plan preparation, maintain records of student progress, and determine qualifications for graduation. The deans are responsible for interpreting and applying degree requirements to the individual student. Deans report to and advise the Provost and Vice President for Academic Affairs on the instructional programs of the University. Deans are evaluated annually by the Provost and Vice President for Academic Affairs.</p>	<p>A.4.6 College Deans The deans are responsible for the overall development, promotion and general operation of their respective colleges. Deans are responsible for coordinating supervising, and developing, and implementing current and long-range planning plans in areas of teaching, curricula, research programs, space, equipment, and budgets. Deans will be financially transparent and equitable in their dealings with departments and faculty. Deans supervise, counsel, and evaluate department chairs/program directors and make recommendations on all personnel actions within their respective colleges. Deans supervise degree plan preparation, maintain records of student progress, and determine qualifications for graduation. The deans are responsible for interpreting and applying degree requirements to the individual student. Deans report to and advise the Provost and Vice President for Academic Affairs on the instructional programs of the University. Deans are evaluated annually by the Provost and Vice President for Academic Affairs.</p>	<p>Provides for emphasis on implementing plans, makes “plans” consistent with department chair roles. (you develop plans, not develop planning) Provides for financial transparency and equitability in colleges.</p>
<p>A.4.7 Department Chair The department chairs are responsible for the overall development, promotion, and operation of their departments. In consultation with department faculty, chairs coordinate, supervise, and develop plans for hiring, instruction, curricula, research, office use, equipment, and the budget. Chairs supervise, counsel, and evaluate their department faculty members and office staff, and make recommendations to the appropriate dean</p>	<p>A.4.7 Department Chairs The department chairs are responsible for the overall development, promotion, and operation of their departments and faculty. In consultation with department faculty, chairs coordinate, supervise, and develop plans for hiring, instruction, curricula, research, office use, equipment, and the budget. Chairs supervise, counsel, and objectively evaluate their department faculty members and office staff, and make recommendations to the appropriate dean. Chairs will be financially transparent and equitable in their dealings with faculty and staff.</p>	<p>Provides for objective and fair treatment of all faculty and staff, including financial transparency.</p>

<p>A.4.7 Department Chairs [cont] Chairs are eligible to receive a six-hour load reduction during the fall and spring semesters. In addition, the chair receives a stipend of \$400.00 per month. Department chairs continuing to perform administrative duties during the summer sessions are eligible for half-time salary plus a \$400.00 per month stipend for the summer months.</p>	<p>A.4.7 Department Chairs [cont] Chairs are eligible to receive a six-hour load reduction during the fall and spring semesters. In addition, the chair receives a stipend of \$400.00 per month. Department chairs continuing to perform administrative duties during the summer sessions are eligible for half to full time salary plus a \$400.00 per month stipend for the summer months.</p>	<p>Mirrors current practice.</p>
<p>B.3 Annual Evaluation of Faculty Each college and department is responsible for implementing established university procedures for evaluation including student evaluation of instruction. The major purpose of evaluating faculty by peers and students is to improve faculty performance. The results of such evaluation may be used along with other information in decisions regarding retention, promotion, and discretionary salary increases.</p>	<p>B.3 Annual Evaluation of Faculty Each college and department is responsible for implementing established university procedures for evaluation including student evaluation of instruction. Evaluation methodology and/or metrics shall be clear and transparent to and for faculty across the college and each specific department. The major purpose of evaluating faculty by peers and students is to improve faculty performance. The results of such evaluation may be used along with other information in decisions regarding retention, promotion, and discretionary salary increases. Decisions of discretionary salary increases shall include the evaluation results average from the last 3 years, average since most recent measurement, or since date of hire.</p>	<p>Provides for more objective evaluation criteria and salary/merit bonuses or increases.</p>
<p>B.4.1.11 (Promotion Rank Guidelines/Principles) All reports in the area of “scholarship and creativity” such as publications, recitals, exhibits, creative achievements, artistic performances, and papers read at professional meetings should be limited to those that have been completed or for which written evidence of completion of the scholarly work is demonstrated. Scholarly or creative work in progress should not be included for promotion purposes. University forms used in preparation of promotion or tenure files can be found at [link]</p>	<p>B.4.1.11(Promotion Rank Guidelines/Principles) All reports in the area of “scholarship and creativity” such as publications, recitals, exhibits, creative achievements, artistic performances, and papers read at professional meetings should be limited to those that have been completed or for which written evidence of completion of the scholarly work is demonstrated (e.g. acceptance of publication in the case of yet unpublished material). Scholarly or creative work in progress should not be included for promotion purposes. University forms used in preparation of promotion or tenure files can be found</p>	<p>Simple clarification</p>

<p>B.4 Promotion in Rank – Guidelines These guidelines for promotion in rank are the results of the cooperative efforts of the administration and the Faculty Senate. They represent an implementation of the general principle that peer judgment should be an important element in determining who will be promoted to a higher rank. The guidelines are divided into five headings: (1) principles, (2) minimum qualifications, (3) procedures, (4) composition of promotion committees, and (5) deadlines.</p>	<p>B.4 Promotion in Rank – Guidelines These guidelines for promotion in rank are the results of the cooperative efforts of the administration and the Faculty Senate. They represent an implementation of the general principle that peer judgment should be an important element in determining who will be promoted to a higher rank. The guidelines are divided into five headings: (1) principles, (2) minimum qualifications, (3) procedures, (4) composition of promotion committees, and (5) deadlines, and (6) Appeals.</p>	<p>Corrects the oversight (see next item)</p>
<p>B.4.5 Appeals – Promotion Appeals Process [no change, just moved to B.4.6]</p>	<p>B.4.5 Deadlines Deadlines for submitting promotional materials are set by the Provost and Vice President for Academic Affairs every year. Refer to http://www.tamuk.edu/academicaffairs/promotion-tenure.html for annual schedule and related information.</p>	<p>In B.4, Promotion in Rank – Guidelines, the opening paragraph states five areas, which are covered in B.4.1-4, but 5 is not provided. This revision corrects this oversight and includes the “deadlines” as noted earlier in the opening of B.4.</p>
<p>[N/A]</p>	<p>B.4.6 Appeals – Promotions Appeals Process [same wording just new letter/number designation]</p>	<p>This simply creates a sixth area to work with the above two items.</p>
<p>B.5.4.4.1 The Professional Development Plan shall indicate how specific deficiencies in a faculty member’s performance (as measured against stated college and departmental criteria developed under the provision of this process) will be remedied. The plan will grow out of collaboration between the faculty member, the review committee, the department head and the dean, and should reflect the mutual aspirations of the faculty member, the department, and the college.</p>	<p>B.5.4.4.1 The Professional Development Plan shall indicate how specific deficiencies in a faculty member’s performance (as measured against stated college and departmental criteria developed under the provision of this process) will be remedied. The plan will grow out of collaboration between the faculty member, the review committee, the department head chair and the dean, and should reflect the mutual aspirations of the faculty member, the department, and the college</p>	<p>We do not have department heads, so this is simply a correction.</p>

<p>C.1 Duties and Responsibilities of Teaching Personnel</p> <p>Teaching responsibilities are delineated in the initial letter of hire. Such responsibilities may be altered by Administration after consultation with the faculty member.</p> <p>It is assumed that all persons accepting the responsibility of teaching a course at the University will recognize their implied obligations</p>	<p>C.1 Duties and Responsibilities of Teaching Personnel</p> <p>Teaching responsibilities are delineated in the initial letter of hire. Such responsibilities may be altered by Administration after consultation with the faculty member, which must then be memorialized in writing for both parties and dated appropriately.</p> <p>It is assumed expected that all persons accepting the responsibility of teaching a course at the University will recognize their implied and reasonably fulfill these obligations</p>	<p>The inclusion of memorizing the altering of responsibilities simply clarifies the adjustments for all parties, which, if needed, can be referred to at a later time.</p>
<p>C.2 Faculty Workload</p> <p><u>General Statement of Faculty Teaching Load</u></p> <p>Each full-time tenured, tenure-track faculty member, a person employed for instructional purposes, will teach classes and assume a reasonable workload of related activities to constitute a full-time instructional load normally construed to be twelve semester credit hours per semester, but this may vary at the discretion of Administration. Persons employed on a part-time basis from instructional funds are expected to assume a workload proportional to the percentage of employment from these funds. For purposes of workload calculation one semester credit hour is ordinarily the equivalent of one lecture hour per week. In some cases the contact hour equivalent may vary due to the nature of the required instructional activity.</p> <p>Faculty members are expected to engage in those commonly accepted activities and duties which serve to enhance the teaching/learning process and the quality of the program with which they are involved. These activities and duties include classroom teaching; remaining current in their discipline through scholarly study; basic and/or applied research and/or performance; student advising and counseling; course and curriculum development; serving on department, college and</p>	<p>C.1 Faculty Workload</p> <p><u>General Statement of Faculty Teaching Load</u></p> <p>Each full-time tenured, tenure-track faculty member, a person employed for instructional purposes, will teach classes and assume a reasonable workload of related activities to constitute a full-time instructional load normally construed to be twelve semester credit hours per semester, but this may vary at the discretion of Administration.</p> <p>The standard maximum teaching effort is 12 credit hours per semester and is considered 80% of the faculty workload. The remaining 20% of faculty workload is from service, professional development, and other activities such as academic advising, supervision of undergraduate and graduate students, direction of individual studies, curriculum development, participation in college and university governance, scholarship, and participation in professional activities (reviewer for peer reviewed journals, holding officer position in professional academic societies or organizations, and other related activities) community activities, and special projects of the university.</p> <p>Persons employed on a part-time basis from instructional funds are expected to assume a workload proportional to the percentage of employment from these funds. For purposes of workload calculation one semester credit hour is ordinarily the equivalent of one lecture hour per week. In some cases the contact hour equivalent may vary due to the nature of the required instructional activity.</p>	<p>This addition clarifies faculty workload based on the “Time and Effort” memo signed by President Tallant, 5 Nov. 2009. (The “Time and Effort” memo is also appended to this document). The other edits are for clarity and include non-instructional workload assignments must be memorialized in writing.</p>

<p>university level committees; and assisting in the administration of the academic programs and other similar activities that are operated in the interest of the University.</p>	<p>Assignments of non-instructional workload credit are made by the dean of each college on the basis of recommendations made by the appropriate department chair in consultation with the department faculty member(s) and are agreed to in writing. Non-instructional workload assignments require the approval of the Provost and Vice President of Academic Affairs.</p> <p>Faculty members are expected to engage in those commonly accepted activities and duties which serve to enhance the teaching/learning process and the quality of the program with which they are involved. These activities and duties could include classroom teaching; remaining current in their discipline through scholarly study; basic and/or applied research and/or performance; student advising and counseling; course and curriculum development; serving on department, college and university level committees; outreach and recruitment, and assisting in the administration of the academic programs and other similar service and activities that are operated in the interest of the University.</p>	
<p>C.2.3.1.1 Supervision of Graduate Students Chair, Master's Thesis Committee (Supervising Professor) or Chair, Doctoral Committee. For completion of five theses or five dissertations 3 hours of release time can be considered. That is, after a faculty member has supervised five theses, or five dissertations, the faculty member may receive a teaching load reduction of three-semester-hours for one semester, at a time deemed feasible by the chair.</p>	<p>C.2.3.1.1 Supervision of Graduate Students Chair, Master's Thesis Committee (Supervising Professor) or Chair, Doctoral Committee. ForAfter completion of any combination of five theses and/or five dissertations, 3 hours of release time can be considered obtained. That is, after a faculty member has supervised a combined five theses, and/or five dissertations, the faculty member may receive a three-credit teaching load reduction of three semester hours for one long semester, at a time deemed feasible by the chair and in consultation with the faculty member. The faculty member is responsible for keeping track and providing evidence of completed theses or dissertations and presenting them to the appropriate chair and dean upon completion so arrangements can be made for the next long semester or other agreed upon semester, which will be memorialized in writing and signed by both parties.</p>	<p>This revision clarifies the policy so that any combination of five theses or dissertations receives a 3 TLC course waiver for one semester. And the faculty member must keep record of this work to earn the relief.</p>

[N/A]	<p>C.2.3.1.2 Supervision of Graduate Projects Faculty supervising a thesis, dissertation, or project, with a graduate student, have a right and responsibility to meet regularly with that student, provide feedback on the student's efforts, and help determine the direction of efforts.</p>	This addition helps clarify the faculty responsibility in regards to graduate projects, such as a thesis.
<p>C.2.3.1.2.1 Teaching Overloads (a) A faculty member who is assigned a teaching overload will be compensated via supplemental pay at a minimum of \$2,800 per 3 TLC course. Departments or Colleges may compensate at higher rates if a reasonable business basis is articulated.</p> <p>(b) It is discouraged, but if the faculty member and department chair agree to an overload as “banked hours” they must arrange it to be used in the next three long semesters. Banked hours cannot be redeemed later than three long semesters following the semester in which the overload occurred.</p>	<p>C.2.3.1.2.1 Teaching Overloads (a) A faculty member who is assigned a teaching overload will be compensated via supplemental pay at a minimum of \$933.34 2,800 per 1 3 TLC. Specific details and compensation amount will be agreed upon in a signed contract between the faculty member, department chair, and college dean. Departments or Colleges may compensate at higher rates if a reasonable business basis is articulated.</p> <p>(b) It is discouraged, but if the faculty member and department chair agree to an overload as “banked hours” they must arrange agree and sign a contract detailing how and when it to will be used in the next three long semesters. Banked hours cannot be redeemed later than three long semesters following the semester in which the overload occurred.</p>	This clarifies that a one-credit course should be compensated and at 1/3 of the three-credit amount. Further, any overload should be in writing/contract for all parties to understand and refer to as needed.
<p>C.2.3.1.3 Teaching Program Development Involvement in development of the teaching program by preparation of new course material, new teaching methods, and classroom or laboratory material or major curriculum development may be considered for release time as determined by the chair, academic dean and Provost and Vice President for Academic Affairs, but will not exceed 3 semester credit hours.</p>	<p>C.2.3.1.3 Teaching Program Development Involvement in development of the teaching program by preparation of new course material, new teaching methods, and classroom or laboratory material or major curriculum development may be considered for release time as determined by the chair, academic dean and Provost and Vice President for Academic Affairs, but will not exceed 3 semester credit hours and must be understood through a written contract.</p>	This addition simply puts the understanding in writing for all parties.

<p>C.2.3.2 Administrative Assignments and Other Professional Assignments</p> <p>Department Administration. Department chairs receive 6 hours of release time during long semesters and are eligible for 1.5 months administrator pay during the summer.</p>	<p>C.2.3.2 Administrative Assignments and Other Professional Assignments</p> <p>Department Administration. Department chairs receive 6 hours of release time during long semesters and are eligible for 1.5 to 3 months administrator pay during the summer.</p>	<p>Mirrors current practice.</p>
<p>C.3 Overload – Temporary Teaching</p> <p>Teaching overloads are discouraged, however, situations arise in which faculty members agree or volunteer for programmatic reasons to teach more than standard full loads for their appointment. These should be limited to no more than one course (< 4 TLCs) per semester. Faculty members cannot be required to teach an overload. A department chair and the faculty member will decide how the overload will be compensated.</p> <p>(a) A faculty member who is assigned a teaching overload will be compensated via supplemental pay at a minimum of \$2,800 per 3 TLC course. Departments or Colleges may compensate at higher rates if a reasonable business basis is articulated.</p> <p>(b) It is discouraged, but if the faculty member and department chair agree to an overload as “banked hours” they must arrange it to be used in the next three long semesters. Banked hours cannot be redeemed later than three long semesters following the semester in which the overload occurred.</p>	<p>[N/A]</p>	<p>This section is proposed to be cut because it is explained in C.2.3.1.2.1 Teaching Overloads, noted above. It is not needed twice.</p>

<p>C.4.3 For Reasons Other Than Illness There are times when it is necessary for an instructor to miss a class either for compelling personal reasons other than illness or because of a need to attend a professional meeting or to serve the University in some other capacity. A “Travel Leave Request Form” should be submitted at least a week in advance in every such case, so that the responsibility for meeting classes can be transferred to an equally qualified faculty replacement. All absences must be approved by the department chair and college dean.</p>	<p>C.4.3 For Reasons Other Than Illness There are times when it is necessary for an instructor to miss a class either for compelling personal reasons other than illness or because of a need to attend a professional meeting or to serve the University in some other capacity. A “Travel Leave Request Form” should be submitted at least a week in advance in every such case, so that the responsibility for meeting classes can be transferred to an equally qualified faculty replacement. All absences must be approved by the department chair and college dean. The instructor should find a suitable temporary replacement or make appropriate arrangements for the classes missed, which are communicated to the appropriate class or classes and department chair.</p>	<p>This addition clarifies the responsibility of the faculty member.</p>
<p>C.5.2 Guidelines for Distance Learning and Off-Campus Faculty Compensation - Teaching distance learning or off-campus classes may be a part of a faculty member’s regular teaching load. Nine-month faculty can teach overload off-campus courses. Faculty who have been granted “release time” from the normal 12 semester hour teaching assignment do not qualify for an overload. Twelve-month employees generally can accept extra pay responsibilities if they are temporary, unrelated to their normal duties, and outside their regular work hours. However, 12-month nonclassified staff (administrative, professional) such as directors, deans, vice-presidents, etc. cannot receive extra compensation for extra assignments such as teaching, etc.</p>	<p>C.5.2 Guidelines for Distance Learning and Off-Campus Faculty Compensation - Teaching distance learning or off-campus classes may be a part of a faculty member’s regular teaching load. Nine-month faculty can teach overload off-campus courses. Faculty who have been granted “release time” from the normal 12 semester hour teaching assignment do not qualify for an overload compensation unless a significant additional burden can be documented. Twelve-month employees generally can accept extra pay responsibilities if they are temporary, unrelated to their normal duties, and outside their regular work hours. However, 12-month nonclassified staff (administrative, professional) such as directors, deans, vice-presidents, etc. cannot receive extra compensation for extra assignments such as teaching, etc.</p>	<p>This clarifies the need to demonstrate just cause for an overload (and the compensation derived from it).</p>
<p>C.8 Grading Students The instructor in a course bears the full responsibility for grading his or her students. The final grade assigned a student should not be changed unless the instructor finds that he or</p>	<p>C.8 Grading Students Grades should be assigned using professional standards with the basis for establishing grades provided to students at the beginning of the semester or term. The instructor in a course bears the full responsibility for grading his or her</p>	<p>Phrasing is revised and clarified for faculty. C.8 is revised for clarity, but nothing is new. C.8.1 is unchanged. C.8.2 is unchanged</p>

<p>she has made an error. To change a student's grade, the appropriate form must be picked up at the Office of the Registrar, completed, and approved by the instructor, chair, and college dean before it is returned to the Registrar's Office. Grades should be assigned using professional standards with the basis for establishing grades provided to students at the beginning of the semester or term. The grade of I is assigned whenever the instructor and the student mutually agree to delay the completion of coursework (and thus a final grade) beyond the end of the semester or session. The instructor is required to complete the standard university contract form for each course in which the temporary grade of I has been assigned. This contract must be sent to the Office of the Registrar.</p> <p>C.8.1 Grade Reporting Policy Each faculty member is responsible for reporting his or her grades as soon as possible and by no later than the hour and day designated as the deadline at the end of each semester.</p> <p>C.8.2 Grade Posting Policy Texas A&M University-Kingsville's grade posting policy conforms to the Family Educational Rights and Privacy Act (FERPA). As a general guideline, students must provide written consent (following the format specified in FERPA) before any institutional records may be released to anyone other than the student. Grades may be posted publicly only by assigning students unique, confidential numbers or codes, and ensuring that such codes or numbers are not alphabetic. Mailing grades via postcards violates Federal law.</p>	<p>students. The final grade assigned a student should not be changed unless the instructor finds that he or she has made an error.</p> <p>C.8.1 Grade Reporting Policy Each faculty member is responsible for reporting his or her grades as soon as possible and by no later than the hour and day designated as the deadline at the end of each semester.</p> <p>C.8.2 Grade Posting Policy Texas A&M University-Kingsville's grade posting policy conforms to the Family Educational Rights and Privacy Act (FERPA). As a general guideline, students must provide written consent (following the format specified in FERPA) before any institutional records may be released to anyone other than the student. Grades may be posted publicly only by assigning students unique, confidential numbers or codes, and ensuring that such codes or numbers are not alphabetic. Mailing grades via postcards violates Federal law.</p> <p>C.8.3 Grade Change Policy A change to a student's grade can be submitted online via Blue and Gold Main Menu (then under "Faculty and Advisors"), and then selecting the "Grade Change Request" option at the Main Menu. (Note: A paper Grade Change Request will need to be submitted if teaching a UNIV or NCB course, or if the instructor is no longer teaching at the University. Once completed, the paper form will require approval signatures from the instructor (or chair), chair, and college dean before submitting to the Registrar's Office for processing. The paper form can be picked up at the Javelina Enrollment Services Center, MSUB room 132.)</p> <p>C.8.4 Incomplete or "T" Grades The grade of "T" is assigned whenever the instructor and the student mutually agree to delay the completion of coursework (and thus a final grade) beyond the end of the semester or session. The instructor is required to complete the standard university contract form for each course in which the temporary grade of "T" has been</p>	<p>C.8.3 is new, but taken from the removed material from C.8, and updated with current information.</p> <p>C.8.4 is new, but taken from parts of C.8 and updated with current information.</p> <p>This revision was approved by Millie. (<i>Do you need more rationale?</i>)</p>
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	<p>assigned. This contract must be sent to the Office of the Registrar who will post the “T” grade. Contact the Office of the Registrar for further information.</p>	
<p>H.1 Student Academic Rights and Responsibilities Please refer to the current Student Handbook for all student-related topics at Student Handbook Webpage.</p>	<p>H.1 Student Academic Rights and Responsibilities Faculty are expected to be familiar with Student Academic Rights and Privileges. Please refer to the current <i>Student Handbook</i> for all student-related topics at Student Handbook Webpage.</p>	<p>This points to the importance of faculty being aware of Students’ rights and privileges, which enhances student interaction and engagement.</p>
<p>H.2 Class Attendance Policy The University defines certain types of absences as "official" or "excused" absences. These are absences due to confining illness, serious illness or death in the family, and participation in sanctioned intercollegiate competition or officially approved class activity. A student wishing to be excused for any other reason must obtain the approval of each instructor concerned. Faculty members or sponsors who request an official student absence for the purpose of an intercollegiate competition or class activity should obtain advance written approval from the appropriate authority.</p>	<p>H.2 Class Attendance Policy The University defines certain types of absences as "official" or "excused" absences. These are absences due to confining illness, serious illness or death in the family, and participation in sanctioned intercollegiate competition or officially approved class activity. A student wishing to be excused for any other reason must obtain the approval of each instructor concerned. Faculty members or sponsors who request an official student absence for the purpose of an intercollegiate competition or class activity should obtain advance written approval from the appropriate authority at least three business days in advance.</p>	<p>This update allows faculty to prepare for absent students, improves communication with students, and creates a record of an absence.</p>
<p>H.5 Dead Week and Study Day To support the learning environment, the University will adhere to a four school-day period of student study before the first scheduled final examinations each long semester. <u>During this time, no required quizzes, tests or examinations (except make-up tests and/or final examinations for graduating seniors) shall be administered.</u> The latter does not preclude the introduction of new material in classes or the administering of laboratory final examinations, nor does it create an implication that class attendance is not expected during this period. The day before final examinations are</p>	<p>H.5 Study Day and Study Week Study Day To support the learning environment, the University will adhere to a one school-day period of student study before the first scheduled final examinations each long semester. During this time, no required quizzes, tests or examinations (except make-up tests and/or final examinations for graduating seniors) shall be administered. The day before final examinations are scheduled to begin will be designated as Study Day. No classes will be held on this day to allow preparation time</p>	<p>This revision is from the Task Force that was created to revise this language. This was voted on and approved by Faculty Senate last year. This simply updates the Faculty Handbook. (This was also approved, coordinated, and revised based on input from the Provost’s office.)</p>

<p>scheduled to begin will be designated as a study day. No classes will be held on this day to allow preparation time for students and faculty. Scheduling of other University events or functions <u>that involve students</u> is discouraged and should be limited during this period.</p>	<p>for students and faculty. Scheduling of other University events or functions that involve students is discouraged and should be limited during this period.</p> <p>Study Week: Partial Week of Classes before Study Day During the partial week of classes leading up to Study Day, no comprehensive tests (known as a “Final”) will be administered to students, except under special circumstances (e.g. graduating seniors). Faculty should refrain from administering required tests, quizzes, or examinations during this time, and instead, consider including any such material part of the Final Exam given during Finals Week. Presentations, projects, and papers may be turned in during the partial week of classes.</p>	
<p>H.6 Grade Average The minimum grade point requirement for students who are considered to be making satisfactory academic progress is a 2.0 overall grade point average and is the GPA required for graduation. All transfer students must have a cumulative 2.0 GPA to transfer into A&M-Kingsville. For further information, please refer to the current <i>Undergraduate Catalog</i></p>	<p>H.6 Grade Point Average The minimum grade point requirement for students who are considered to be making satisfactory academic progress is a 2.0 overall grade point average and is the GPA required for graduation, <u>unless a specific program requires a higher GPA</u>. All transfer students must have a cumulative 2.0 GPA to transfer into A&M-Kingsville. For further information, please refer to the current <i>Undergraduate or Graduate Catalog</i>.</p>	<p>Updated to reflect current practice and includes Graduate catalog.</p>
<p>H.3.1 Student Absences on Religious Holy Days A student who is absent from classes to observe a religious holy day will be allowed to take an examination or complete an assignment scheduled for that day within a reasonable time before or after the absence.</p>	<p>H.3.1 Student Absences on Religious Holy Days <u>Under Texas Education Code, §51.911, all institutions of higher education shall excuse a student from attending classes or other required activities, including examinations, for the observance of a religious holy day, including travel</u></p>	<p>This revision was approved last year.</p>

<p>The student should notify each faculty member of this proposed absence as early in the semester as possible.</p> <p>The instructor may appropriately respond if the student fails to satisfactorily complete the assignment or examination within a reasonable time after the absence.</p>	<p>for that purpose. A student whose absence is excused under this subsection may not be penalized for that absence and shall be allowed to take an examination or complete an assignment from which the student is excused within a reasonable time after the absences.</p> <p><u>Texas Administrative Code</u> <link></p> <p>A student who is absent from classes to observe a religious holy day will be allowed to take an examination or complete an assignment scheduled for that day within a reasonable time before or after the absence.</p> <p>The student should notify each faculty member of this proposed absence as early in the semester as possible. The instructor may appropriately respond if the student fails to satisfactorily complete the assignment or examination within a reasonable time after the absence.</p>	

This entire section was rewritten to be more clear as to procedure and purpose. Dr. Meyer worked with Dr. J. Goswami to make this more useable (and user friendly) for faculty and administrators. The previous version lacked procedure and process. The revised version is much clearer.

Because of the amount of revision, we ask for leniency in the highlighting aspects of revisions and we provide both versions below. The right side would fully replace the entirety of B.9 (which is in the left column) in the Current Handbook.

Current on Left <--

--> **Proposed Revision on Right.**

B.9 Grievances

The grievance procedure to be followed is to be determined by the status (faculty, staff, student) of the complainant. There are both formal and informal grievance procedures.

Faculty Grievance Procedures for Matters Other Than Sexual Harassment, Discrimination, EEO Complaints, Faculty Dismissals, Non-Reappointments and Terminal Appointments

B.9.1.1 Faculty Grievance Committee

Preamble:

The objective of these grievance procedures is to reconcile disagreements in a prompt and just manner in order to leave the least amount of enduring rancor. This should be accomplished by facilitating voluntary resolutions whenever possible. If a mutually acceptable resolution is not possible, it shall then be the duty of the Faculty Grievance Committee to collect and record all pertinent evidence swiftly and impartially and to submit its own recommendation for a resolution to the President. Although committed to the impartial discharge of its duties, the Committee should strive to avoid a courtroom atmosphere and to maintain a collegial environment in its proceedings.

B.9.1.1.1 Purpose and Functions

1. The purpose of the Faculty Grievance Committee shall be to insure swift and impartial consideration of grievances between faculty members, and faculty members against department chairs, university administrators, and supervisors. The Committee shall investigate all faculty grievances which are brought to its attention through written petition, with the exception of sexual harassment, discrimination, faculty dismissals, non-reappointments, and terminal appointments.

B.9 Grievances

The grievance procedure to be followed is to be determined by the status (faculty, staff, student) of the complainant. There are both Informal and Formal Grievance procedures.

(Note: The following Faculty Grievance Procedures are for matters other than Sexual Harassment, Discrimination, EEO Complaints, Faculty Dismissals, Non-Reappointments and Terminal Appointments. Refer to [Texas A&M System Regulation 08.01.01–Civil Rights Compliance.](#))

B.9.1 General Information

According to System Policy, 32.01.01, *Complaint and Appeal Process for Faculty Members:*

Each system employee has the right under the statutes of Texas to present complaints concerning wages, hours of work or conditions of work. A complaint may be presented individually or through a representative provided such representative does not claim the right to strike. Any retaliatory action taken against an employee for filing a complaint or otherwise participating in the processes established by this regulation or established by an academic institution pursuant to this regulation is prohibited. Such retaliatory action will be regarded as a separate and distinct cause for complaint. The filing of a complaint, however, will not constrain an academic institution from taking appropriate employment action. An employee may be disciplined for the bad faith filing of a complaint. A faculty member believing that there is cause for complaint or appeal concerning a matter covered by this regulation should discuss the matter in a personal conference with the department head. If the matter cannot be resolved by mutual consent at this point, the issue should be discussed with the dean or equivalent administrator.

2. The functions of the Faculty Grievance Committee shall be to gather and substantiate evidence, consider arguments, and receive testimony relating to faculty grievances; to mediate disagreements when possible; and to report its findings and recommendations to the President.

B.9.1.1.2. Designation of Parties to a Conflict

The faculty member bringing the grievance shall be called the Petitioner. The faculty member, chair, administrator, or supervisor against whom the grievance is made shall be called the Respondent.

B.9.1.1.3 General Principles Governing Faculty Grievances

1. Grievances may refer to a specific act or incident or to a series of acts or incidents but must be filed in a timely and reasonable manner.
2. Faculty members with the same grievance may jointly initiate formal grievance procedures.
3. The initiation of formal grievance proceedings is not in itself an indication of the validity of the grievance.
4. The Faculty Grievance Committee is not intended to substitute for a court of law; therefore, formal rules of evidence shall not be enforced in its proceedings.
5. The Petitioner or Respondent may exercise the right to be accompanied by any person of his or her own choosing, including legal counsel. Such representative or counsel may participate as an advocate during the grievance process.
6. If the Respondent agrees, the Petitioner may terminate the formal grievance process at any time by providing the Committee with a written request to withdraw the petition.

B.9.1.1.4 Relationship Between Formal and Informal Grievance Procedures

(Note: The terms “complaint” and “grievance” may be used interchangeably in this section.)

The objective of these grievance procedures is to reconcile disagreements in a prompt and just manner. This should be accomplished by facilitating informal, mutually acceptable resolutions whenever possible through the Informal Grievance process. If a mutually acceptable resolution is not possible, and if the faculty member proceeds to file a formal grievance, it shall then be the duty of the Faculty Grievance Committee to collect and record all pertinent evidence swiftly and impartially and to submit its own recommendation of a resolution to the President. Although committed to the impartial discharge of its duties, the Committee should strive to avoid a courtroom atmosphere and to maintain a collegial environment in its proceedings.

B.9.2 Designation of Parties to a Conflict

The faculty member bringing the grievance shall be called the Petitioner. The faculty member, chair, administrator, or supervisor against whom the grievance is made shall be called the Respondent. Any third party brought in to serve as an objective and dispassionate mediator shall be called the Mediator.

B.9.3 General Principles Governing Faculty Grievances

- 3.1 Grievances may refer to a specific act or incident or to a series of acts or incidents but must be filed within six months of alleged grievance occurrence.
- 3.2 Faculty members with the same grievance may jointly initiate grievance procedures.
- 3.3 The initiation of informal or formal grievance proceedings is not in itself an indication of the validity of the grievance.
- 3.4 The Petitioner or Respondent may exercise the right to be accompanied by any person of his or her own choosing, including legal counsel. Such representative or counsel may participate as an advocate during the grievance process.

1. The Faculty Grievance Procedure does not replace, but is an alternative to, informal grievance procedures, which normally include discussing the appeals with department chairs and college deans. Without determining the merits of the grievance, the Provost and Vice President for Academic Affairs may seek a resolution. If a resolution cannot be effected, the Grievant Petitioner will be so advised and his/her options outlined. (Informal channels will vary in the case of a grievance against a nonacademic administrator.)

2. The faculty member with a grievance shall be the sole judge as to whether formal grievance procedures are necessary and when such procedures should be initiated. However, the parties involved should first make a reasonable effort to resolve a grievance through direct discussion.

3. In unresolved cases using informal grievance procedures, the appropriate vice president shall notify the President in writing of the results of the proceedings, with copies delivered to the parties to the grievance. The Petitioner shall then have ten working days in which to initiate formal grievance proceedings should he/she so desire. The President shall withhold any final judgment until after the ten-working-day period has elapsed.

4. Upon notification that formal grievance procedures have been initiated, the President shall then delay a decision until those proceedings have been completed.

B.9.1.1.5 Procedures for Grievance Process

If the informal grievance procedures do not result in resolving the petitioner's grievance, the following procedures will apply.

1. The formal grievance procedure is initiated when the Chair of the Faculty Grievance Committee receives a written petition from a faculty member requesting Committee consideration of his or her grievance. The Petition of Grievance shall set forth in detail the nature of the grievance and shall also contain any factual or other data which the Petitioner deems pertinent to the case.

3.5 If the Respondent agrees, the Petitioner may terminate the informal or formal grievance process at any time by providing the Committee with a written request to withdraw the petition.

B.9.4 Relationship Between Informal and Formal Grievance Procedures

4.1 The Informal Grievance procedure is recommended as being the initial step to resolve a faculty member's grievance.

4.2 In unresolved cases using Informal Grievance procedures a Formal Grievance may be initiated by the Petitioner. The faculty member with a grievance shall be the sole judge as to whether formal grievance procedures should be initiated in accordance with this section.

4.3 At the conclusion of an Informal Grievance process and receipt of the written summary and outcome of the Informal Grievance process, the Petitioner shall then have ten working days in which to file a Formal Grievance, proceedings should he/she so desire with the Provost and VP for Academic Affairs.

4.4 Without determining the merits of the grievance, the Provost and Vice President for Academic Affairs may seek a resolution, as outlined below in 6.1.1. If a Formal Grievance is initiated by the Petitioner, the Provost and Vice President for Academic Affairs shall notify the President in writing of the initiation of a Formal Grievance, with that communication copied to the Petitioner and Respondent.

4.5 The President shall withhold any final judgment until he or she has been informed of the recommendation of the Formal Grievance Committee.

B.9.5 Informal Grievance Process

The informal grievance process between parties aims at resolving a petitioner's grievance in an informal, collegial, professional, and fair manner.

5.1 Procedure for Informal Grievance Process

A grievance petition should contain at least the following information:

- a. Description of allegations and claims.
- b. List of witnesses and copies of documents that support claims.
- c. Explanation of how the Petitioner has been injured by the action of the Respondent.
- d. Indication of whether the respondent has been informed of the Petitioner's grievance and a description of Respondent's response.
- e. Indication of what the Petitioner would regard as a satisfactory solution.

2. Within three working days of receiving the Petition, the Chair of the Faculty Grievance Committee shall notify the President in writing that grievance proceedings have been initiated.

3. Within seven working days of receiving a written petition to initiate formal grievance proceedings, the Chair of the Faculty Grievance Committee shall acknowledge this fact to the Petitioner; notify all committee members, the Respondent, and pertinent members of the Administration; and provide a copy of the Faculty Grievance Procedure and any other relevant information to both the Petitioner and Respondent.

4. The Committee shall have twenty-five working days in which to complete its investigation.

5. Within seven working days after the Committee agrees on a recommendation, the Committee Chair shall relay its recommendation, any minority opinions, a summary of the Committee's findings, and a complete record of the proceedings to the President. The Chair shall simultaneously provide the same information, with the exception of the complete record of the proceedings, to the Petitioner and Respondent. The complete

The informal grievance procedure is initiated by the Petitioner in writing to the Respondent's immediate supervisor or, in case of grievance with an immediate supervisor, that person's supervisor.

5.1.1 An informal grievance should at least contain the following information:

- a. Details of the complaint, including dates and alleged acts pertaining to the grievance.
- b. Name(s) of the person(s) against whom the grievance is filed.
- c. Indication of what the Petitioner would regard as a satisfactory solution.

5.2 The Supervisor will acknowledge the Petitioner's grievance in writing within five working days. The Supervisor will communicate with the Respondent informing them of the Informal Grievance and request a written response to the grievance by the Respondent within five business days. The Supervisor then coordinates with the Petitioner and Respondent, as needed, toward a resolution of the grievance.

5.2.1 At any time, if the Supervisor, Respondent, or Petitioner requests, a mediator can be chosen that the Petitioner and Respondent agree to.

5.3 If the informal grievance procedure results in resolving the Petitioner's grievance, the agreed upon resolution is memorialized in writing. The written resolution to the informal grievance must include a summation of the process, outcome, and resolution, including detail of the resolution and a timeline, if needed, for the resolution, and any other pertinent information. The resolution should be provided in writing to the Petitioner, Respondent, Supervisor of Respondent and, if utilized, the mediator. The resolution should be implemented based on the agreement. The Supervisor will maintain a copy.

5.4 If the Informal Grievance process does not result in resolving the Petitioner's grievance, the Petitioner has the option to file a Formal Grievance.

5.4.1 The supervisor and/or mediator will inform the Petitioner of the procedure to move to a Formal Grievance as noted in policy B.9.6.

record shall be made available to either Petitioner or Respondent on request.

6. Upon receiving the Committee's recommendation, the President shall have ten working days to make a decision or to request further evidence on points which are not fully developed in the record.

a. Should the President request additional evidence, the Committee shall have ten working days in which to provide it.

b. Upon receiving the Committee's response to a request for additional evidence, the President shall have an additional ten working days in which to render a decision.

7. The President's decision shall be conveyed in writing; and copies shall be sent to the Petitioner, the Respondent, and the Committee.

B.9.1.1.6 Selection and Composition of Faculty Grievance Committee

1. The Grievance Committee shall be formed on an ad hoc basis as needed for individual grievances. The pool in place according to [Texas A&M University-Kingsville Rule 12.01.99.K1-Academic Freedom, Responsibility and Tenure](#) will constitute the pool for grievances and complaints as defined in this section. The only difference (vis-à-vis hearing committees as described in the Rule) will be that the President of the University (instead of the Provost) or his/her designee will appoint the Grievance Committee (in order to comply with [Texas A&M System Regulation 32.01.01-Complaint and Appeal Procedures for Faculty Members](#)).

2. Challenges to committee membership are described in [Texas A&M University-Kingsville Rule 12.01.99.K1-Academic Freedom, Responsibility and Tenure](#).

B.9.1.1.7 Operational Guidelines of the Faculty Grievance Committee

1. The Committee shall elect its own chair.

5.4.2 The Supervisor must memorialize in writing the process and outcome of the Informal Grievance process so it can be referred to, as needed, in a Formal Grievance process, should one be initiated by the Petitioner. This report should be provided to the Petitioner and Respondent within ten working days of the conclusion of the Informal Grievance process.

5.4.3 Within thirty working days of receipt of the Informal Grievance report from the Supervisor, the Petitioner has the option to file a Formal Grievance as outlined in B.9.6, or any future Formal Grievance will be considered untimely.

B.9.6. Formal Grievance Process

The Formal Grievance Process between parties aims at resolving a Petitioner's grievance in a formal, collegial, professional, and fair manner.

B.9.6.1. Procedure for Formal Grievance

If the Petitioner wishes to initiate a formal grievance, the following procedures will apply.

The petitioner files a Formal Grievance in writing with the Provost and VP for Academic Affairs that contains the following items:

- a. Description of allegations and claims with documentation, and if applicable, a copy of the Informal Grievance report;
- b. List of witnesses, including a brief statement about anticipated testimony;
- c. Explanation of how the Petitioner has been injured by the action or inaction of the Respondent;
- d. Indication of whether the respondent has been informed of the Petitioner's grievance;
- e. Indication of what the Petitioner would regard as a satisfactory solution.

6.1.1 From receipt of the Formal Grievance materials, the Provost and VP for Academic Affairs will have ten working days to attempt a resolution regarding the grievance or submit it to the President's office.

6.1.2 If the Provost and VP for Academic Affairs cannot resolve the grievance within ten working days, he or she must inform the President of the Formal Grievance and deliver grievance documents by the end of the tenth business day.

2. All decisions shall be made by majority vote.
3. Three members shall constitute a quorum.
4. The Chair shall rule on all procedural matters, subject to appeal by any member, with a majority vote deciding the issue.
5. The Petitioner and the Respondent shall each have the right to a formal hearing, though this right may be waived without prejudicing the outcome of the case.
6. The grievance hearing(s) shall be held at a time and place mutually convenient to the Petitioner, the Respondent, and the Committee. Adequate notice shall be provided to all interested parties at least ten working days prior to the hearing.
7. Committee proceedings to collect evidence and hear testimony shall be private and confidential and only in the presence of members of the Committee, the Petitioner, the Respondent, and the witness who is giving testimony. (Either party may have counsel present.)
8. Committee deliberations shall occur with only Committee members present. However, the Committee, at its discretion, may call before it any person with relevant knowledge of the case.
9. At least seven working days before the date of the hearing both parties shall exchange names of witnesses and copies of documents to be introduced at the hearing.
10. The Petitioner and Respondent shall be given an opportunity to obtain and present necessary witnesses and documentary or other evidence. The Administration shall cooperate with the committee in securing witnesses and making available documentary and other evidence.

6.1.3 Within an additional five days, the President will form a Formal Grievance Committee and a chair will be elected by the committee membership.

6.1.3.1 The Grievance Committee shall be formed on an ad hoc basis as needed for individual grievances. The pool in place according to Texas A&M University-Kingsville, [Academic Operating Procedure 1](https://www.tamuk.edu/academicaffairs/_files_AA/AOP1.pdf) (https://www.tamuk.edu/academicaffairs/_files_AA/AOP1.pdf) will constitute the pool for the Formal Grievance Committee.

6.1.3.2 Challenges to Formal Grievance Committee membership are described in [TAMUK Academic Operating Procedure 1: Academic Freedom, Responsibility and Tenure](#) and will be followed in accordance with that policy.

B.9.6.2 Purpose and Functions of the Formal Grievance Committee

6.2.1 Purpose of Formal Grievance Committee

The purpose of the Formal Grievance Committee shall be to ensure swift and impartial consideration of grievances between faculty members, and faculty members against department chairs, university administrators, and supervisors. The Committee shall investigate all faculty grievances which are brought to its attention through written petition, with the exception of sexual harassment, discrimination, faculty dismissals, non-reappointments, and terminal appointments.

6.2.2 Function of Formal Grievance Committee

The functions of the Formal Grievance Committee shall be to gather and substantiate evidence, consider arguments, and receive testimony relating to faculty grievances; to mediate disagreements when possible; and to report its findings and recommendations to the President.

B.9.6.3 Operational Guidelines for Formal Grievance Committee

1. The Committee shall consist of five members.
2. The Committee shall elect its own chair.
3. All decisions shall be made by majority vote.
4. Three members shall constitute a quorum.

11. The Petitioner and Respondent shall each have the right to confront and cross-examine all witnesses. However, when a witness cannot or will not appear, and the Committee determines that the witness's statement is valuable, the Committee shall identify the witness, disclose his or her statement, and if possible provide for interrogatories.

12. If any party, including an invited witness, chooses to present no evidence, the Chair shall so note in the record, and the proceedings shall continue on the basis of the evidence introduced by other parties.

13. The Committee shall grant adjournments to enable either party to investigate evidence for which a valid claim of surprise is made.

14. All evidence shall be made available to each Committee member individually in a convenient and secure place designated by the Chair.

15. The University shall arrange for a verbatim record (either typewritten or electronically recorded) of all testimony presented at any hearing conducted during the course of formal grievance proceedings.

16. The Committee shall recommend to the Faculty Senate any changes in these procedures which seem desirable on the basis of actual experience. Such recommendations should be considered by the Senate at its earliest regular meeting. Any changes in procedure shall not apply to any case already under consideration.

17. Extensions of various deadlines, not to exceed twelve working days, may be decided upon by a simple majority vote of the Committee and require no further approval.

B.9.2 Sexual Harrassment

Refer to [*Texas A&M System Regulation 08.01.01–Civil Rights Compliance*](#).

5. The Chair shall rule on all procedural matters, subject to appeal by any member, with a majority vote deciding the issue.

6. The Chair will have voting privileges.

B.9.6.4 Finalizing Formal Grievance Committee Members

The President's Office informs the Petitioner and Respondent of the Grievance Committee members and Chair of the Grievance Committee, once the Committee has elected a chair. The Petitioner and Respondent will have five working days to challenge any Committee member, as outlined in Section 9.6.1.3.2 above.

B.9.6.5 Informing Petitioner and Respondent of Committee Members and Chair

After committee membership is finalized, the Chair of the Formal Grievance Committee shall acknowledge the members of the committee to the President's Office, the Petitioner, and the Respondent. Upon receipt, the President's Office will forward the Formal Grievance documents to the Committee Chair, who will acknowledge receipt of the grievance materials.

B.9.6.6 Informing Petitioner, Respondent, and Committee of Formal Grievance Procedure

Within five working days of receiving the grievance documents, the Chair of the Formal Grievance Committee shall acknowledge this fact to the Petitioner; notify all committee members, the Respondent, and pertinent members of the Administration; and provide a copy of the Formal Grievance Procedure and any other relevant information to both the Petitioner and Respondent.

- a. The Respondent will then have ten working days to provide documents, list of witnesses, or other evidence to the Committee Chair.
- b. Upon receipt of the Respondent's evidence, the Committee Chair will provide it to the Petitioner, who will have five working days to ask for a summary judgement by the Committee or request a formal hearing.
- c. If a summary judgement is requested by the Petitioner, the Committee shall have twenty-five working days in which to complete its investigation and make a recommendation to the President, and inform the Petitioner and the Respondent of their recommendation.

B.9.6.7 Formal Grievance Hearing

The Petitioner and the Respondent shall each have the right to a formal hearing, though this right may be waived by the Petitioner without prejudicing the outcome of the case. If a formal hearing is requested, both the Petitioner and the Respondent will be provided with any evidence, list of witnesses or other documentation provided by the other. The Committee Chair will coordinate the availability of materials for each.

- a. Once a Formal Hearing is requested, the Committee will have thirty days for inspection of submitted evidence and, if necessary, their own investigation of the grievance, which may include additional witnesses, sources, or other information not provided by the Petitioner or Respondent. After that thirty-day period, the Formal Grievance Hearing should be scheduled within fifteen business days. Notice and any additional documentation shall be provided to all parties at least ten working days prior to the hearing.
- b. The Formal Grievance hearing shall be held at a time and place mutually convenient to the Petitioner, the Respondent, and the Committee
- c. Committee proceedings to hear testimony shall be private and confidential and only in the presence of members of the Committee, the Petitioner, the Respondent, and the witness who is giving testimony. (Either party may have counsel present.)
- d. Committee deliberations shall occur with only Committee members present. However, the Committee, at its discretion, may call before it any person with relevant knowledge of the grievance.
- e. The Petitioner and Respondent shall each have the right to confront and cross-examine all witnesses. However, when a witness cannot or will not appear at the hearing, and if the Committee determines that the witness's statement is valuable, the Committee may obtain and disclose his or her statement, and if possible, provide for interrogatories.
- f. If any party, including an invited witness, chooses to present no evidence, the Chair shall so note in the record, and the proceedings shall continue on the basis of the evidence introduced by other parties.
- g. The Committee shall grant adjournments to enable either party to investigate evidence for which a valid claim of surprise is made. The Committee will decide on a reasonable amount of time for this investigation and inform the parties.
- h. All evidence shall be made available to each Committee member individually in a convenient and secure place designated by the Chair, including electronic or online formats. (Note: The admissibility of any

evidence may be challenged by either party and will be decided by Committee majority vote.)

- i. The Administration shall cooperate with the committee in securing witnesses, technology needs, staffing needs, and any other logistical requests by the committee. The University shall arrange for a verbatim record (either typewritten or electronically recorded) of all testimony and evidence presented at any hearing conducted during the course of formal grievance proceedings.
- j. Extensions of various deadlines, not to exceed ten working days, may be decided upon by a simple majority vote of the Committee and require no further approval. The Committee Chair will notify all parties of any extensions.

B.9.6.8 Committee Recommendation

Within seven working days after the Committee agrees on a recommendation by majority vote, the Committee Chair shall relay in writing to the President, Petitioner, and Respondent its recommendation, any minority opinions, and a summary of the Committee's findings. A complete verbatim recording of the proceedings and any evidence presented at the hearing will be made available to them upon request. The complete record shall be filed at the President's Office.

B.9.6.9 President's Response

Upon receiving the Committee's recommendation, the President shall have ten working days to make a decision or to request further evidence on points which are not fully developed in the record.

- a. Should the President request additional evidence, the Committee shall have ten working days in which to provide it.
- b. Upon receiving the Committee's response to a request for additional evidence, the President shall have an additional ten working days in which to render a decision.

9.1 The President's decision shall be conveyed in writing and copies shall be sent to the Petitioner, the Respondent, and the Committee.

9.2 The President's decision is final.

Constitutional Amendment for Electronic Ballots

Current Constitution Article II, Section 3	Proposed
<p>Senators will be elected by plurality by secret ballot. Procedures for electing Senators shall be: The Department Chair, Unit Dean or Director, or College Dean shall have their respective ballots prepared and distributed to all eligible voters. Ballots shall be signed in a manner that provides for the removal of signatures without damage to the ballot. The ballots shall be sent to the Faculty Senate Election Committee. In the presence of at least three witnesses, the Faculty Senate Election Committee shall check the ballots for eligibility of voters, remove signatures, and count the ballots. The time and place of the vote count shall be publicized so any General Faculty member can witness the count. If a tie occurs, the position shall be determined from among those tied candidates by lot.</p>	<p>Senators will be elected by plurality by secret ballot. Procedures for electing Senators shall be:</p> <ul style="list-style-type: none"> (a) The Election Committee will develop an electronic eligibility form and ballot. The form will collect the following information from voters: name, email, department, and faculty rank. Upon submission of the eligibility form, voters will be directed to a ballot. The ballot will have settings established to assure anonymity. (b) For departmental/unit elections the Election Committee Chair shall announce by email to the Department Chair/Unit Director the number of positions on the Senate to be elected by that faculty for the upcoming term and the names of the faculty not eligible for election. The Election Committee Chair shall request of each Department Chair/Unit Director a list of nominees be returned to him or her. Upon receipt of the lists, nominees become candidates.
	<ul style="list-style-type: none"> (c) For Senators-at-large, the Election Committee Chair shall announce by email to the College Dean the number of positions on the Senate to be elected by that faculty for the upcoming term and the names of the faculty not eligible for election. The Election Committee Chair shall request of each College Dean a list of nominees be returned to him or her. Upon receipt of the lists, nominees become candidates. (d) An email shall be sent to all eligible faculty voters with instructions for accessing, filling out, and submitting their electronic ballots. Faculty members may vote only once.
	<ul style="list-style-type: none"> (e) At no time during the election process shall faculty names or identifiable information be collected other than to verify voting eligibility. Information collected will be limited to whom the candidate voted for and the time of the vote. In the event that an eligible faculty member will not have access to internet resources, the Election Committee Chair shall make provisions for casting absentee ballots.

	(f) In the event of a tie, the Election Committee Chair will seek to mediate an outcome with the candidates in question. If no clear winner can be determined, a special run-off election will be held to determine the winner.
The Election Committee shall record votes. The tally of votes for each candidate shall be forwarded to the Faculty Senate office and remain on file. The voting record shall become the basis for eligibility to fill Senate vacancies.	No change, just becomes (g)

08.99.99.K1 Expressive Activity on Campus



Approved: May 14, 2020

Next Scheduled Review: May 14, 2025

Rule Summary

In 2019, the 86th Texas Legislature passed Senate Bill 18, addressing the protection of campus expressive activities. This new law adds Texas Education Code Section 51.9315, which requires that each public institution of higher education “adopt a policy detailing student’s rights and responsibilities regarding expressive activities” on its campus.

As stated in the Preamble to the bill: Freedom of expression is of critical importance and requires each public institution of higher education to ensure free, robust, and uninhibited debate and deliberations by students enrolled at the institution, regardless of whether the students are on or off campus. It is a matter of statewide concern that all public institutions of higher education officially recognize freedom of speech as a fundamental right. Freedom of speech and assembly is central to the mission of institutions of higher education and persons should be permitted to assemble peaceably on the campuses of institutions of higher education for expressive activities, including to listen to or observe the expressive activities of others.

Definitions

Definitions of terms used in this rule. The definition includes both the singular and plural version of the term:

Benefit – recognition by or registration with the university, the use of the university’s facilities for meetings or speaking purposes, the use of channels of communication controlled by the university, and funding sources made generally available to student organizations at the university.

Campus – all land and buildings owned or leased by the university.

Common outdoor areas – places located outside a building or facility that are accessible to the public, such as streets, sidewalks, plazas, lawns, and parks, unless closed by the university for special circumstances. This term does not include areas immediately adjacent to a private residence.

Employee – an individual employed by the university.

Expressive activity – any speech or expressive conduct protected by the First Amendment to the United States Constitution or by Section 8, Article I, Texas Constitution, and includes

assemblies, protests, speeches, the distribution of written material, the carrying of signs, and the circulation of petitions. The term does not include commercial speech.

Faculty – any full or part-time employee of the university holding an academic appointment.

Materially and substantially disrupt – interrupting a program or activity in a significant and consequential manner.

Person – students, faculty, staff, student organizations, and third-parties.

Reasonable time, place, and manner restrictions – limitations that: (1) are narrowly tailored to serve a significant institutional interest; (2) employ clear, published, content-neutral, and viewpoint-neutral criteria; (3) provide for ample alternative means of expression.

Staff – an employee of the university that is not a faculty member.

Student – an individual currently enrolled at the university, full or part-time, pursuing undergraduate, graduate, or professional studies, including students who were enrolled the previous semester and registered for a future semester.

Student Organization – any organization that is composed mostly of students enrolled at an institution of higher education and that receives a benefit from the institution.

Third-party (External Client) – an individual or entity that is not a student, student organization, or employee of the university.

Traditional public forum – a place, widely recognized in law, which has been intended for the use of the public, and has been used for purposes of assembly, communicating thoughts between citizens, and discussing public questions when the principal function of the location would not be disrupted by expressive activity. Examples of traditional public forums include public streets, sidewalks, plazas, lawns, and parks.

Rule

1. EXPRESSIVE ACTIVITY RIGHTS

- 1.1. Any person is allowed, subject to reasonable time, place, and manner restrictions, to engage in expressive activities on campus, including by responding to the expressive activities of others.
- 1.2. Student organizations and employees are allowed to invite speakers to speak on campus. In determining the amount of a fee to be charged for use of the university's facilities for purposes of engaging in expressive activities, the university may consider only content-neutral and viewpoint-neutral criteria related to the requirements of the event, such as the proposed venue and the expected size of the audience, any anticipated need for campus security, any necessary accommodations, and any relevant history of compliance

or noncompliance by the requesting student organization or employee with this rule and other relevant rules. The university may not consider any anticipated controversy related to the event.

1.3. The university may not take action against a student organization or deny the organization any benefit generally available to other student organizations at the university on the basis of a political, religious, philosophical, ideological, or academic viewpoint expressed by the organization or of any expressive activities of the organization.

1.4. The common outdoor areas of the university's campus are deemed traditional public forums. Any person is permitted to engage in expressive activities in these areas freely, as long as the person's conduct: (a) is not unlawful; and (b) does not materially and substantially disrupt the functioning of the institution. Members of the university community are allowed to assemble or distribute written material in common outdoor areas without a permit or other permission from the institution.

1.4.1 In an effort to ensure safety and to promote an environment conducive to study, advanced reservation for expressive activity is required for events or activities that are promoted in advance, and/or sponsored by student organizations, and/or expected to draw a crowd of more than 25 people. Advance reservation is also required for activities near intersections, and/or in close proximity to academic buildings anytime classes, and/or study activities, and/or research are taking place. Requests for reservations should be made through Event Planning's [reservation page](#).

1.4.2 The Pavilion on the north side of the Memorial Student Union Building is the primary area to reserve for expressive activity (designated public forum) and will be reserved at the request of students and non-students for expressive activity. Other locations are available upon request. The act of confirming a reservation will ensure the availability of space. A reservation is not required, except as described in the reservation procedures.

1.5. Nothing in this rule should be interpreted as prohibiting faculty members from maintaining order in the classroom.

2. GRIEVANCE PROCEDURE

2.1. Any person who believes that their campus expressive activity rights, as recognized by this rule, have been unduly interfered with by a student, student organization, or employee has the right to file a grievance.

2.2. Grievances should be filed with the Office of Compliance.

2.3. A student, student organization, or employee who is found to have unduly interfered with another person's expressive activity rights, as recognized by this rule, is subject to disciplinary action in accordance with the university's applicable rules and procedures. The Office of Compliance will investigate the grievance and draft a report summarizing

its findings. If a violation of this rule was found to occur the report will be referred to the appropriate office for further action. The referral office will be determined by the status of the offending individual. Complaints concerning (a) faculty will be referred to the Office of the Provost; (b) student will be referred to the Office of the Dean of Students; and (c) complaints concerning staff and third-parties will be referred to Human Resources.

3. IMPLEMENTATION

- 3.1. A copy of this rule shall be included in any university published student handbook and faculty handbook.
- 3.2. A copy of this rule shall be provided to students during the university's new student orientation program.
- 3.3. A copy of this rule shall be posted to the university's website.

4. EXTERNAL CLIENT EVENTS

Events organized by an external party and held on campus must be sponsored by a recognized student organization, university academic or administrative unit, or an A&M System member.

Related Statutes, Policies, or Requirements

[Texas Education Code § 51.9315](#)

Appendix

Appendix A: Prohibited Locations
Appendix B: Reservation Procedure

Contact Office

Office of Compliance
(361) 593-4758

Appendix A:
PROHIBITED LOCATIONS

Texas A&M University-Kingsville designates the following locations as prohibited for expressive activity, as they are non-public forums:

- 1) Mark Cisneros Center for Young Children, and the surrounding property
- 2) Academy High School/Poteet Building, and the surrounding property.

Appendix B: RESERVATION PROCEDURES

Individuals or groups who wish or that are required (08.99.99.K1, 1.4.1) to make advance reservation shall request use of the space through the Event Planning Office on the second floor of the Memorial Student Union Building. If advance reservation is required, requests must be made at least three days in advance of the event. Additional collaboration and coordination may be required from a building/space manager/proctor. Usually use of the space will be assigned to the person or organization that requests the area first. University sponsored events have first priority on the use of campus facilities. **The university reserves the right to locate any assembly so as to ensure that the activity does not interfere with the normal operation of the university or interfere with the rights of others.**

The decision to confirm a request for space will be based on proper and timely completion of the Event Planning reservation process, compliance with applicable sound and sign requirements, and availability of space. The decision to confirm will be based on the foregoing criteria, and in no circumstance will any decision be based on the content or viewpoint of the expressive activity or upon the expected reaction of others. If a request is denied, the rationale for the decision will be provided in writing. The denial of a reservation request can be appealed to the Senior Student Affairs Officer, or their designee.

At the time of the request the following information will be required:

- Name and contact information of the person or organization sponsoring the event.
- Contact information for one individual who will be present during the course of the event.
- Location, date and time requested for the event.
- General purpose of the event.
- List of planned activities (i.e. speech or rally, march with signs, distribution of literature, sit-in).
- Special equipment requested.
- Anticipated attendance.

For recognized student organizations, an officer of the sponsoring organization must be present at the event, and during the entire course of the event.

Guidelines for Expression

1. Disruptive Activity–Obstruction, disruption or interference with classes, research, administrative functions or other university activities is not permitted. Likewise, infringement on the rights of others is prohibited.
2. Reasonable Access–It is important to provide reasonable access to, and exit from, any office, classroom, laboratory or building. Likewise, vehicular and pedestrian traffic should not be obstructed.
3. Noise–Making sustained or repeated noise in a manner that substantially interferes with a speaker’s ability to communicate his/her message is not permitted. Noise levels should not interfere with classes, meetings or activities in progress or the privacy of residence hall students.
4. Force or Violence–Any attempt to prevent a university activity or other lawful assembly by the threat or use of force or violence is not permissible.
5. Presenting Identification–In accordance with the Texas Education Code it is unlawful for any person on any property either owned or controlled by the university to refuse to identify him/herself to a university official in response to a request. For the purpose of these rules a person identifies him/herself by presenting student or faculty/staff ID card or state or government issued ID card.

6. **Damage to Property**—Any damage to university or personal property in the course of, or as a result of, an expressive activity is prohibited. Care should be taken to ensure that university and personal property is not damaged or destroyed. This includes the campus lawns, shrubs and trees.
7. **Other University Rules**—All applicable university rules should be followed whenever engaging in activities on campus. Consult the Student Handbook and/or the University website for further information.

All individuals participating in expressive activity are expected to comply with state and federal law, municipal ordinances, university rules and the above guidelines. Failure to do so may result in immediate removal from the campus and any other appropriate action by university officials and/or University Police.

MOTION: That Article II, Section 3 of the *Constitution of the General Faculty of Texas A&M University-Kingsville* be updated using the proposed language below, which would allow electronic ballots to be the new method used for Faculty Senate elections.

CONSTITUTION OF THE GENERAL FACULTY OF TEXAS A&M UNIVERSITY-KINGSVILLE

Article II, Section 3

Senators will be elected by plurality by secret ballot. Procedures for electing Senators shall be: The Department Chair, Unit Dean or Director, or College Dean shall have their respective ballots prepared and distributed to all eligible voters. Ballots shall be signed in a manner that provides for the removal of signatures without damage to the ballot. The ballots shall be sent to the Faculty Senate Election Committee. In the presence of at least three witnesses, the Faculty Senate Election Committee shall check the ballots for eligibility of voters, remove signatures, and count the ballots. The time and place of the vote count shall be publicized so any General Faculty member can witness the count. If a tie occurs, the position shall be determined from among those tied candidates by lot.

The Election Committee shall record votes. The tally of votes for each candidate shall be forwarded to the Faculty Senate office and remain on file. The voting record shall become the basis for eligibility to fill Senate vacancies.

Proposed:

Article II. THE FACULTY SENATE MEMBERSHIP, ELECTIONS AND MEETINGS

Section 3. ELECTIONS

- (a) The Election Committee will develop an electronic eligibility form and ballot. The form will collect the following information from voters: name, email, department, and faculty rank. Upon submission of the eligibility form, voters will be directed to a ballot. The ballot will have settings established to assure anonymity.
- (b) For departmental/unit elections the Election Committee Chair shall announce by email to the Department Chair/Unit Director the number of positions on the Senate to be elected by that faculty for the upcoming term and the names of the faculty not eligible for election. The Election Committee Chair shall request of each Department Chair/Unit Director a list of nominees be returned to him or her. Upon receipt of the lists, nominees become candidates.
- (c) For Senators-at-large, the Election Committee Chair shall announce by email to the College Dean the number of positions on the Senate to be elected by that faculty for the upcoming term and the names of the faculty not eligible for election. The Election Committee Chair shall request of

each College Dean a list of nominees be returned to him or her. Upon receipt of the lists, nominees become candidates.

- (d) An email shall be sent to all eligible faculty voters with instructions for accessing, filling out, and submitting their electronic ballots. Faculty members may vote only once.
- (e) At no time during the election process shall faculty names or identifiable information be collected other than to verify voting eligibility. Information collected will be limited to whom the candidate voted for and the time of the vote. In the event that an eligible faculty member will not have access to internet resources, the Election Committee Chair shall make provisions for casting absentee ballots.
- (f) In the event of a tie, the Election Committee Chair will seek to mediate an outcome with the candidates in question. If no clear winner can be determined, a special run-off election will be held to determine the winner.
- (g) The Election Committee shall record votes. The tally of votes for each candidate shall be forwarded to the Faculty Senate office and remain on file. The voting record shall become the basis for eligibility to fill Senate vacancies.

Departmental Elections

Voter Eligibility

Accounting & Finance Department

Filling out this form will allow the Faculty Senate Elections committee to verify that all ballots cast were done so by eligible voters. The Elections Committee Chair agrees to remove all time stamps from the responses to this Form before presenting the list of responders to the Elections Committee.

This form is equivalent to the envelope in the print election process.

1. Name

2. Email

3. Department

4. Faculty Rank

- Professor
 - Associate Professor
 - Assistant Professor
 - Lecturer
-

SAMPLE

Departmental Elections
Voter Eligibility
Accounting & Finance Department

 Thanks!

TO PROCEED TO THE BALLOT PLEASE CLICK ON THE LINK BELOW.

<https://tinyurl.com/SAMPLE-ACCTFIN> (<https://tinyurl.com/SAMPLE-ACCTFIN>)

SAMPLE

Proposed Changes to Student Rating of Instructor (SRI) Instrument

Dates of meetings: We started our work on 9/18 and worked through email. We had a zoom meeting with the Faculty Senate President on 9/21 at 1:00 PM. Thereafter we carried our discussions over email. These motions were finalized 10/12, and sent to you 10/13. We would like to thank Drs Liang (Chair), Hall, Tu, Kai for their *Task Force on Modify a reverse item to non-reverse scoring in SRI* (see appendix A of this report).

2020-2021 Faculty Evaluation Committee members:

Chair: Amit Verma
Habib Ammari
Yousef Haik
Tyler Farney
Michelle Garcia
Elizabeth Goode
Fernando Hernandez
Clayton Hilton
Amanda Melchor
William Procasky
Brian Robinson
Jack Shorter
Abiola Dipeolu

Motion I:

- (a) To remove the SRI question “Cannot be reached during posted office hours” from the current TAMUK SRI instrument.
- (b) To amend, consistent with Motion I (a), the Texas A&M University-Kingsville Faculty Handbook (Revised 2019), Appendix A, page 2 – Teaching Performance – as follows:

Original	Amended as follows
5. Individual rapport (questions 1,6,10,14)	5. Individual rapport (questions 1,6,10)
6. Breadth of coverage (question 15)	6. Breadth of coverage (question 14)
9. Workload/difficulty (questions 16,17)	9. Workload/difficulty (questions 15,16)

Rationale: The above mentioned question is a reverse of another question on the current TAMUK SRI instrument, “Available during office hours”. Documented rationale for including the reverse question cannot be located. The committee is of the opinion that this reverse question has the potential to cause confusion among students. The aforementioned question also places an onerous

burden on the faculty and those responsible for evaluating the faculty's performance since student response on this needs to be discounted for each course SRI survey.

Motion II:

To replace the SRI question, “Textbook support the course objective”, with, “Assigned and suggested course materials support the course objective” in the current TAMUK SRI instrument.

Rationale: The committee is of the opinion that the word Textbook is very restrictive. Some courses may not have a prescribed textbook, but rather a collection of online or printed materials and books. Some courses may involve the use of prescribed software only, or hands-on laboratory work. The proposed change appropriately reflects this reality.

Appendix A

TASK-FORCE: Modify a reverse item to non-reverse scoring in SRI

The function of this task force is to discuss the replacement of a reverse item with a straight forward (i.e., non-reverse) item in the Student Ratings of Instruction (SRI) and to develop a motion and rationale for this to be emailed to the Faculty Senate Executive Committee by August 18, 2020 for discussion of the motion's placement on the agenda for new business at the regularly scheduled Faculty Senate meeting in September.

Timeline: May 22, 2020 to August 18, 2020

Chair: Ya Wen Melissa Liang, Assistant Professor (Faculty Senate/Department of Educational Leadership and Counseling)

Members:

Kelly Hall, Assistant Professor, College of Education and Human Performance

Catherine Ming Tu, Associate Professor, College of Arts and Sciences

Jin Kai, Professor, College of Engineering

Faculty Benefits Committee Report

The committee met Monday morning and considered several ideas that we would like to forward to the Senate to consider. Here they are:

TUITION BENEFITS FOR DEPENDENTS & SPOUSES: Full tuition for all TAMUK faculty member's spouse and dependents up to 15 hours per semester

Distinguished Professors: Create the rank of "Distinguished Professor" that would be a promotion available to Professors with X years of experience in that position, based on performance. I have attached a full proposal for this benefit.

Retirement Benefits: Have HR create an in-service video that outlines the range of benefits provided to retirees so that it can be accessed well prior to retirement and also after retirement as a refresher. Several retired faculty have told me that they are somewhat in the dark as to what their university benefits are.

Commencement: Set aside a section of the bleachers near the stage for retired faculty and staff to sit. This section could also be used for distinguished guests like the Mayor or State Senator. Also, invite Emeriti faculty to walk at Commencement with the regular faculty, if they wish.

E-mail: Create a linkage from the retiree e-mail accounts to retiree's personal accounts, since many retirees seldom check their retiree accounts.

Distinguished Professorships

Policies and Procedures Governing Appointment

The appointment of a faculty member to a Distinguished Professorship at Texas A&M University - Kingsville constitutes one of the highest honors that can be accorded to a member of the professorate. It is important, therefore, that regularized policies and procedures govern such appointments.

I. General Criteria and Definitions

The Faculty Handbook describes the criteria for each faculty rank. The following are additional criteria, demanding accomplishments and contributions beyond the authoritative knowledge, stature and service expected of a full professor.

A. Distinguished University Professor

This designation recognizes eminence in several areas (teaching, scholarship, service), transcending accomplishments in and contributions to a single area. Further, national and where appropriate, international recognition in at least one area is required. The basic performance criteria and expectations for Distinguished University Professors normally are established by the department chair and the dean of the college in which the professor holds tenure. By nature of their appointment as Distinguished University Professors, these individuals also are expected to make special contributions to the intellectual advancement of their home department and college and to the intellectual advancement of other department or colleges and to the institution as a whole. Distinguished University Professors are appointed by the President on the recommendation of the Provost. The availability of such positions is determined in individual cases, and dependent solely upon the expectations and criteria listed above.

B. Distinguished Research Professor

This designation recognizes extraordinary, nationally/internationally-recognized, scholarly attainment in an individual discipline or field. The basic performance criteria and expectations for Distinguished Professors normally are established by the department chair and the dean of the college in which the professor holds tenure. By nature of their appointment as Distinguished Professors, these individuals are expected to make special contributions to the intellectual advancement of their home department and college, as well as to the institution as a whole. Distinguished Professors are appointed by the President on the recommendation of the Provost. The availability of such positions is determined in individual cases, and dependent solely upon the expectations and criteria listed above.

C. Distinguished Teaching Professor

This designation recognizes those who excel in teaching and positively influence the lives and careers of students. The criteria include the importance and appropriateness of the nominee's teaching activity for his or her particular field; (2) the impact of the nominee's teaching activity; and (3) the outstanding contributions of the nominee to teaching excellence and instructional creativity. By nature of their appointment as Distinguished Professors, these individuals are expected to make special contributions to the intellectual advancement of their home department and college, as well as to the institution as a whole. Distinguished Professors are appointed by the

President on the recommendation of the Provost. The availability of such positions is determined in individual cases, and dependent solely upon the expectations and criteria listed above.

D. Distinguished Service Professor

This designation recognizes distinctive contributions and outstanding service (e.g., department, college, university, professional) to the University community in support of its multi-faceted teaching/research/service mission. Awarded by the President on the recommendation of the Provost. The basic performance criteria and expectations for Distinguished Service Professors are established by the department chair and dean of the college in which the faculty member holds tenure. This designation is normally reserved for senior faculty who have established a record of distinguished service within and for the University.

II. Materials Required for Consideration

The supporting dossier must include (see attachment for additional detail):

1. A cover letter from the relevant dean or campus president making the nomination. This letter should set forth the record of achievement upon which the nomination is based and indicate that there has been appropriate faculty consultation in the nomination process.
2. The nominee's current curriculum vitae.
3. Letters of support from faculty and other colleagues at the University and other institutions assessing the candidate's record of achievement.

III. Appointment

1. Each appointment is limited to the school in which the faculty member holds tenure.
2. All recommendations for appointments as Distinguished University Professors, Distinguished Professors and Distinguished Service Professors will be reviewed by a group of distinguished faculty appointed by the Provost in consultation with the Senior Vice Chancellor for the Health Sciences.
3. Appointments most often have been made for an indefinite term. However, there may be instances where a limited term, with or without the possibility of renewal, may be desirable. The Provost and Senior Vice Chancellor for the Health Sciences, as well as the dean or campus president making the nomination, may identify instances where limited terms are appropriate. All appointments are made with the expectation that professional performance will be maintained at a level appropriate for the distinguished appointment.
4. The advancement to one of these prestigious appointments will not alter the manner in which salaries, teaching assignments and academic matters are determined in the faculty member's department and/or school.

IV. Reward and Recognition

A separate salary adjustment consistent with the appointment to a distinguished professorship is determined by the appropriate dean. This adjustment is over and above what is available to the dean in the annual salary pool. An annual allocation of funds by the appropriate dean should be made to support the faculty member's professional activities, to be expended by the faculty member in accordance with University policies. To mark the occasion of the appointment, the individual is expected to present an inaugural lecture at which time he or she will be presented with a special medallion commemorating the occasion. Where appropriate, the individual also may be asked to represent the University at distinguished academic events.

Recommended for Inclusion in the Portfolio

1. A comprehensive cover letter from the relevant department chair making the nomination. This letter should include, but not be limited to (a) reasons for the nomination; (b) criteria for selection; (c) the process of selection, indicating that there has been appropriate faculty consultation in the evaluation process; (d) the record of achievement upon which the nomination is based; (e) a statement of the candidate's likely (predicted) productivity and directions for the future; (f) a statement describing the professional standing of the external referees, their relationship to the candidate (if any), and why they were chosen; and (g) a list of names and addresses of an additional four or five referees who the distinguished faculty committee might contact if more information is needed.
2. The nominee's current *curriculum vitae*.
3. Personal statements from the candidate on his or her research, teaching and/or service activities.
4. Letters of support from faculty and other colleagues at the University and other institutions, assessing the candidate's record of achievement. Eight to ten letters of reference from internationally, nationally, or regionally recognized experts.
 - a. Letters of external review generally should be solicited from scholars/teachers who are arms-length from the candidate.
 - b. The preponderance of external letters should be from scholars/teachers at distinguished rank, named chairs, or similar titled professorships. When this is not possible or feasible, an explanation should be provided in the portfolio.

Addendum

Suggested Distinguished Service Professor External Referee Template Letter

Dr. _____, Professor of _____, College of _____, has been nominated for recognition as a Distinguished Service Professor. We are writing you to ask you to comment on Dr. _____'s professional service and to provide us with your assessment of [his/her] stature in the field. This designation is normally reserved for senior faculty members who have established a record of distinguished service within and for the University and/or the candidate's field or discipline.

The following statement with respect to the rank of Distinguished Service Professor may be helpful as a framework for your comments; it has been excerpted from our University's policy statement governing appointments to Distinguished Professorships (the complete policy statement is enclosed):

Such a designation recognizes distinctive contributions and outstanding service (e.g. professional, regional, national, international) to the University community in support of its multi-faceted teaching/research/service mission, as well as performance excellence in the faculty member's department or school and national stature in his or her discipline or field. ... This designation is normally reserved for senior faculty who have established a record of distinguished service within and for the University.

For purposes of awarding this distinction, a candidate's "stature" is based on both his or her scholarship and leadership/service contributions. Leadership/service contributions are those that contribute (1) to the academic mission of Texas A&M University-Kingsville, (2) the candidate's field or discipline, or (3) both Texas A&M University-Kingsville and the candidate's field or discipline. In applying these criteria, we place particular emphasis on determining the substantive impact of the candidate's service contribution to advancing the academic mission of the University or to advancing the candidate's field or discipline nationally and internationally.

With this in mind, your specific assessment of these contributions would be greatly appreciated. It would be particularly helpful if you could compare Dr. _____ with outstanding individuals of similar distinguished professorships or named professorships at your own university, and at other universities with which you might be familiar.

A copy of Dr. _____'s curriculum vitae is enclosed to aid in this assessment.