

Faculty Senate Meeting Minutes – September 1, 2020

Senators Present: Hisham Al-Bataineh, Matthew Alexander, Rudolf Bohm, Lucy Camacho, Jieming Chen, Maribel Gonzalez-Garcia, Jeff Glick, James Glusing, Kelly Hall, Michael Houf, 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. Sciallo, Hui Shen, Ari Sherris, Amber Shipherd, Ramiro Torres, Alinna Umphreys, Maria Velez-Hernandez, Subbarao Yelisetti, Teresa Young

Senators Absent: Simona Hodis, Kendra Huff, Velda Soydas

Call to Order and Quorum Call.

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](#).

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

I. Approval of Minutes from August 2020 Special Faculty Senate Meeting.

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

II. Presentations

a) President Mark Hussey

President Hussey welcomed us back to Fall 2020 semester, and reminded us that a more formal State of the University message will be given in January. He wanted to make sure that everyone knows how much he appreciates everything that has been done over the summer to prepare for this semester. President Hussey asked us to remember that our primary goal is to deliver a high quality education to the students we serve, while providing a safe and healthy environment for everyone. The reopening team has and continues to work tireless hours to minimize many unforeseen issues for the Fall, but we all know that challenges can and will arise during the semester. When they do he asks that you take a deep breath, take a step backward, let the administration know what your challenge or problem happens to be and continue to exercise some patience as we work to resolve them. He then wished everyone a safe and productive semester. The President emphasized that only by working together will we be able to put this virus behind us and move our University forward.

b) Provost Lou Reinisch

Provost Reinisch thanked President Sherris for the opportunity to speak to the Faculty Senate at our first meeting of this academic year. We all realize that the pandemic is

changing the way we do business, changes are happening left and right and if we don't keep up with these changes we won't exist any longer. To be successful we have to work together, get along and support one another. We also need to remain flexible as an institution and be willing to pivot as quickly as possible for any changes that are necessary. He is doing his best to keep everyone informed as changes are implemented. He recommends that when we hear something new that we were not told directly to ask if you could be put on that person's distribution list, instead of asking, "why was I not told". We won't get through this alone, we will only get through this as a team, and that is what he wants to emphasize.

It's going to be a tough semester with the pandemic over our heads, a new Provost (starting 2 weeks before the semester started, but who is trying to learn as fast as he can), a slip in enrollment numbers, and changes in student attitudes on how/if they want to attend classes.

The Provost pointed out that he has already implemented some changes to try and make things better this semester. One of the first was the petition from the Faculty Senate ([motion 08.14.2020.01](#)) that he has approved. He trusts that faculty know what needs to be done, where it needs to be done, and as long as you inform your department chair/dean and teach your course professionally you can teach from wherever. Internet/computers are provided for each faculty office, at home you rely on your own personal internet/computer.

Another change is the approval of approx. 140 requests (approx. 50/50 faculty/staff) to work from home 100%. At this point they would prefer not to have any more faculty/staff apply for remote work. The semester has started and the Provost does not want faculty/staff to dwindle away from campus over the course of the semester. He wants the students to see a stable campus. He acknowledges that there are always extenuating circumstances, and those will always be considered.

Admissions were also extended for 2 additional weeks (closing Friday September 4th). He asks that faculty work with these students to get caught up and help them be successful.

The Provost then announced the online portfolios for the tenure, promotion and continuance process. This decision was made before his arrival, but he is the one who announced it to the campus. This change is being implemented to meet the State's requirement of not having face to face tenure and promotion and reappointment meetings, while also allowing faculty to work 100% from home, still be able to submit their tenure and promotion portfolio, and still be able to go up for reappointment, tenure and promotion. He has had requests for additional time to submit materials. They are due September 25, and that date cannot be delayed without missing the deadline to have the information to the TAMU Board of Regents. The second year reappointment due date was September 18, and that can be pushed back two weeks to October 2 to turn in their portfolios.

Provost Reinisch has also had many queries about when the campus would switch back to a remote campus. He will be watching the increases in the number of cases and treat them like spot fires. The university will try and take groupings online/remote teaching for a short period of time (3-4 weeks possibly) to attempt to bring the numbers down. If successful, we can go back to the ways we have been teaching. If we have to make any spot fire changes, they will have to be approved by President Hussey who will have to receive approval from the System before they can be implemented. They will be made very deliberately, very carefully before he does them. At this point cases are going up linearly (being brought to campus, not spreading on campus). The community seems to be trending downward, which is positive.

35% of student credit hours are being taught with some sort of face to face interaction. This is going to work well for us. We have 1/3 of students being taught remotely, and the remaining 1/3 being taught with asynchronous online courses. We have a good mix of ways for teaching the students, and he commends the faculty for accomplishing this.

Lastly, Provost Reinisch wanted to mention he is putting together a strategic planning committee. One of the big goals for this academic year is to create the new 5-year strategic plan. He plans to have lots of information sessions where the committee can listen and understand what makes the institution great, how do we move forward, and how do we make ourselves an institution of choice.

He looks forward to having a chance to meet everyone face to face. He feels he really has missed that here on campus, with his remote interviews. After COVID he looks forward to seeing faces, smiles and shaking hands.

Provost Reinisch then opened the floor for questions.

Q: What is the proper pronunciation of your last name?

A: Reinisch, the German adjective meaning from the Rhine Valley. Like if it is 7ish, as in near 7 o'clock. Reinisch is near the Rhine (Rhine-ish).

Q: Is there a way for faculty to submit questions/concerns to the Strategic Planning committee?

A: Yes. The committee will get together and then be holding focus group meetings (faculty, staff, students, alumni, community). There will definitely be meetings with faculty, and allowing them to bring concerns and give input on what they would like to see happen. He is looking to see what faculty think are the strengths, challenges, and direction for the University.

III. Report of Officers

a) Senate President Sherris

I report on two meetings in this report: August 7 and 27, 2020. On August 7, 2020, President Hussey, Provost Rasmussen, Incoming Provost Reinisch, Faculty Senate President-Elect Chen and I met for a

little over an hour. I welcomed Dr. Reinisch and extended best wishes on behalf of the Senate for his success. In turn, Dr. Reinisch expressed that he was happy to be among us at a “great school”. We then discussed the need to update the Faculty Handbook. One example I shared with Dr. Reinisch was the need to reach an agreement on the form for annual review. I indicated that this would probably be on the agenda in September, and that I was unable to predict the outcome because it was, and remains, an important and sensitive issue across the faculty for very good reasons, albeit often different ones.

Dr. Rasmussen asked if I would be bring to the floor of the Senate Associate Provost Goswami’s suggested track changes and if that was what I was talking about. I responded no, it was not what I was talking about. I clarified that Dr. Goswami’s suggested changes were directly related to a specific Academic Operating Procedures paper (also known as an AOP paper), developed at TAMUK in past years to further clarify and further specify system policy in this case on grievance procedures. Unfortunately many of these policy papers are created **for** faculty and not **with** faculty. This is a weak model of shared governance in much of the literature and has been correlated with more general forms of apathy, together with poor salaries and one shot merit raises. I added our report on the AOP paper in question would be presented in September. This is related to Senator Rees’ presentation of a report today from our Senate Policy Revision Committee.

I also expressed the hope that we would be able to move forward on an **Office of Faculty Ombuds** to provide services of professional, accredited mediation and resolution of conflicts across faculty, across faculty and administrators and across faculty and students. Accredited professional mediation of conflicts and their resolution where possible is an informal way to improve our quality of life on campus.

Next, Dr. Reinisch had an opportunity to hear me express my personal support for a policy Dr. Hussey would like the Faculty Senate to consider which is on the topic of tenure and promotion. Specifically that opportunities be provided to candidates for tenure and promotion to address critiques of their portfolio (also known as a dossier in A&M policy) after it has been submitted for review at different stages of the review process.

Here’s the thing, the pros and cons of this would need to be carefully discussed and certainly guidelines established so as not to keep a candidate in—for want of a better phrase—a state of unknowing or limbo, which could be seen as forcing their resignation or holding on to faculty that have been demoralized by such a process. Apathy and demoralization—I submit—is not needed in our community, we have enough of it, sadly. It’s cause are clearly our low salaries.

I then presented for Dr. Reinisch’s sake my appreciation for Dr. Hussey allowing the President-Elect to attend our monthly meetings as this increases continuity across a 2-year period of Senate leadership and provides us opportunities to situate changes in policy on a two-year timetable, rather than have policy changes thrown at us and feeling there is no time for exploratory practice, study and deep change across our community to take place.

At this point, Dr. Hussey entered our meeting from his previous meeting and said he appreciates the Senate's concern for order and more time to enter the process of sharing governance. Nevertheless, the Board of Regents gives its 11 universities often only 30 days and sometimes even just 7 days to address changes Dr. Hussey reported. Hence, Dr. Hussey suggested that the Faculty Senate Executive Committee will sometimes have to address these changes in a less than perfect process. As an aside, here, I want to renew my commitment to this body and its motion taken on April 7 and I quote,

“TAMUK FACULTY SENATE MOTION 04.07.2020.1. Moved: Whereas a number of decisions have been made in the past where administrators have asked executives or the executive committee to speak on behalf of the Faculty Senate to adverse effect, the Senate President is called on to clarify to administrators that decisions can no longer be made by Senate Presidents or administrators on behalf of the Faculty Senate and in the Faculty Senate's name and that all decisions put before the university must be first brought before the Faculty Senate before any decision is made (in emergencies an email to all Faculty Senators suffices).”

Such an email, I would argue, could include a survey of issues brought before the entire Faculty Senate without calling a special meeting on the topic that requires more or less immediate resolution because of pressure from the Board of Regents, from the rush to save lives due to a pandemic, a hurricane, or—god forbid we never see this here—police brutality . It could also include a survey of interest in attending a special meeting to deliberate on the rushed policy changes. **Here's the thing: I repeatedly asked to see minutes from Board of Regents meetings or an email trail from the board of regents that require us to make decisions in a rushed manner and I have never received this. The most recent example is with respect to changes in the form for annual evaluation.**

I also expressed my interest in bringing this issue before the Faculty Senate Chairs and Presidents in the A&M system, a cohort of Faculty Senate leaders with enormous experience standing up and being heard for all faculty, to which I belong in order to find out if this happens in their universities and how they handle it and if it does, what we might agree to do by way of possibly petitioning the board of regents to generate the conditions for a higher quality of decision making sensitive to shared governance, one that draws from the strengths of many voices and regional interests.

President Hussey suggested I arrange a meeting with James Hallmark, Vice Chancellor for academic affairs on this important issue and that I might consider inviting our Executive Committee to such a meeting too. I am certainly pondering this possibility. Meanwhile, in hindsight, Dr. Reinisch is making important strides in setting what I hope will be a shared governing agenda or model to move forward that is inclusive of the Senate and action oriented on policy. President Hussey also said he is often in the same situation; that is, rushed.

The President went on to say, most of system policy changes are business related; all policy changes, of course, directly or indirectly influence faculty he added. A few are major for faculty. Dr. Hussey's examples of major issues for faculty where intellectual property, annual reviews, and post tenure

reviews. I is quite right to emphasize those are major faculty issues; however, to my thinking low salaries is the most major issue—pandemic or no pandemic.

We then turned to a discussion of Graduate Studies, Dr. Rasmussen will look into how the Faculty Senate might be better informed and updated on Graduate Council decisions as they update policies there. I expressed the hope for a joint task force; it was not received by vice president of Graduate Studies Rasmussen; however, Dr. Rasmussen did say he would ask the Graduate Council if one of its members would be a liaison to the Faculty Senate. The Graduate Council wants to streamline the process of adding and reviewing faculty every three years as Graduate Faculty. They would tap into the promotion and tenure cycle to review faculty. They would also use the annual and post-tenure review process to evaluate the maintenance of faculty scholarship for Graduate Faculty Status—this is on the table for discussion in Graduate Council. They will be deliberating on **how to remove** faculty from Graduate Faculty Status. This would happen in two situations. The first group of faculty it is the wishes of Dr. Rasmussen to remove from Graduate Faculty Status are faculty who Dr. Rasmussen alleges signed off on manuscripts and never read them.

The second group of faculty it is Dr. Rasmussen’s wishes to remove from Graduate Faculty Status are faculty who do not maintain their scholarship—the publish or perish rule. In an honest attempt to lighten up the conversation, I asked about Graduate Studies bring speakers from NSF, the Smithsonian, NIH, etc. or should we try to bring them on our own? Dr. Rasmussen said we could certainly bring such speakers on our own, that is, as a Faculty Senate initiative and that his office does organize trainings a few times a year and that they publish and send that out such as how to use the funding search engine adopted by Graduate Studies. Dr. Rasmussen went on to say that he was working with the Smithsonian.

You may recall that a lecture with one of the Smithsonian’s researchers on folklore was organized but canceled because of COVID-19. Dr. Rasmussen said he would work with the Senate in the Fall to get lectures rolling again; they have not given up on the Smithsonian folklorist who would like to work with interested researchers at our university on funding possibilities. Dr. Hussey met with the Board of Regents *Committee on Finance* and *Committee on buildings and Physical Plant*. Here are the members:

COMMITTEE ON FINANCE

Bob Albritton, Chairman

Jay Graham

Tim Leach

Cliff Thomas

Elaine Mendoza (ex-officio)

COMMITTEE ON BUILDINGS AND PHYSICAL PLANT

Bill Mahomes, Chairman

Phil Adams

Tim Leach

Mike Plank

Elaine Mendoza (ex-officio)

The Board of Regents will vote on our budget on August 20, 2020. Included in the budget request was merit increases. Our university is one of very few that proposed a budget for merit increases. Dr. Hussey would like us to realize that he was “an outlier” in proposing a budget for merit increases. On the topic of CARES Act funding, we are on track. We have awarded some of our student aid, we are waiting for students to arrive and be enrolled to continue to award funding. We also plan to have applications for aid in late fall and spring, again contingent on enrollment in the following semester or graduation. We will have awarded the approx. 3.5 million dollars to students.

On the institutional support side, we have used approx. 1.8 million dollars for room and board refunds for spring 2020 and we are laying out another approx. 1.7 million dollars to deal with the purchase of IT equipment, upgrades, and bandwidth. Hence the approx. 3.5 million dollars of the institutional support side will be spent by the fall semester. We also received funding for minority institutions support and right now those dollars are tentatively going to the Office of Graduate Studies and Vice President of Research, Dr. Rasmussen, for renovations of labs and additional research related items. The President has agreed to explore where funding might be drawn for F-1 visa graduate assistants at the dissertation level who had been working 20 hours for the university and receiving healthcare benefits as all university employees do who work 20 hours, but who now have been ordered as of 31 August 2020 by the university to dropped to 19 hours, which results in a loss of healthcare benefits, which puts them in a situation of having, by Federal law, to pay for their own healthcare.

These students are often among our best, they are soon to graduate and could become our strongest recruiters. I asked the president: what are we doing? How could a decision like this be made? I understand, of course, the cycle of formula funding cuts passed on to deans in the shared budgeting approach that decentralizes these sorts of decisions that I have reported in previous senate minutes. We have no answers right now. But I did want to go on record standing up for our students, not just our own poorly salaried positions that you know I discuss often.

With respect to the metric for future adjustment with respect to the covidian phenomenon in our lives, President Hussey reported that we have to jump though several steps. The first is to work with the A&M Health Science Center and their epidemiologists to look at the number of cases of covid and covid trends we have in the region and then a discussion between the university President and James Hallmark, Vice Chancellor for Academic Affairs. There are not quantitative metrics laid down because of the differences across the 11 campus communities, the maintains. At the local level, our faculty, staff, and the families of our students live in different state counties that require monitoring. The President monitors daily the Texas State Health Department’s dashboard data. A bank of contact tracers at the A&M Health Science Center will be used for our purposes.

Let me turn now to a report on my meeting on August 27, 2020 with President Hussey, Provost Reinisch, and Faculty Senate President-Elect Chen. We met for a little over an hour. In this meeting, President Hussey reported that enrollment numbers from Monday, August 24, 2020, the first day of Fall classes, was down for every college when compared to Fall 2019, which you may have already heard from your specific deans. Moreover, we lost a number of students over the August 22-23, 2020 weekend such that were the President to report to us enrollment on Friday, August 21, 2020, he would

have reported that it was essentially the same as Fall 2019. Hence, the only point here is that enrollment numbers are unstable until census day which falls this year on September 9, 2020. The President also reported that admissions is working hard contacting students who left us to encourage them to re-enroll.

Our discussion was rather freewheeling, but we did begin with a discussion of our communal responsibility to climate, diversity and inclusion. The President suggested that in the interest of continuity, which he knows I have stressed would improve shared governance, the senate might consider bringing topics and ideas to his newly formed Council on Climate, Diversity, and Inclusion via Dr. Chen who is a full voting member of both the Senate and the Council. This makes complete sense to me, personally in the way I conceptualize my role as non-voting member of this Senate and Chair of both the Executive Committee and the Faculty Senate. Later in our discussion, but certainly related and appropriate as we begin to better understand one another, the Provost brought in the perspective that a university is a community comprised, in part, of faculty who are at the forefronts of their respective fields, publishing scholarship and research as well as generating performances while engaging in the important work of teaching, instructing and mentoring their students in their respective fields. Moreover, he went on to say, were we to have a typical top-down organizational structure from the corporate world, it just would not work because we have our experts in our base. Hence we must have information moving up from the faculty base and information moving down to the base in his view of university-wide inclusiveness. Provost Reinisch concluded by saying shared governance is therefore essential. There must be respect in both directions.

President Hussey turned the conversation to the importance of having a discussion of aspirational peers for our institution. As we start moving forward on almost anything (e.g., with respect to athletics, the dorms, human resources, policies of many kinds) the question, the President said, he asks is how do others do this? What President Hussey finds is that our university is sometimes doing things differently than almost anywhere else. The President does not mind that we do things differently if we are doing them better. Some of these things are better; others are artifacts of the past and may need to be updated. We have to ask ourselves, how can we look forward to a shared vision for this institution? We might be at a crossroads as an institution. We are an institution that prides itself on its residence-based education where we pride ourselves on teaching and on mentoring our students. We also have faculty who strives for more time to engage in research, scholarship and performance. These are, perhaps, stronger aspirations in the area of research than have occurred historically for this institution. How do we work our way through to achieve a shared vision across our university? Should we do things that align more with other system universities or our aspirational peer universities, which may or may not be from the A&M system?

Finally, through the changes that we make to achieve a shared vision, how do we begin to be viewed as a leader in teaching, scholarship, research, and performance in Texas and across the world? These discussions will need to take place in the Strategic Planning work that President Hussey has asked Provost Reinisch to lead. Which institutions do we want to be benchmarks for us? Which institutions do we want to emulate and then move beyond? Provost Reinisch agreed and added that if the Faculty Senate wants to put forward a list of aspirational institutions, he would be very happy to consider that.

We concluded our meeting with a brief discussion of the form used in our 2019 annual review. Dr. Hussey said he was “not married” to the form. He added that if we keep the current form, we might just add a sentence stating that the comments section has to include “meets expectations or not”, or whatever the terms are. They might be “satisfactory or unsatisfactory”.

President Hussey encourages us to monitor the numbers on our Covid website and the Texas Health Dashboard. The President raised concerns that a lot of the data we get is confounded by the fact that some students are reported in data from counties and some from our university and this is also true of faculty and staff. The President monitors the active cases on our campus. We have to do some deep dives into the data. Students as well as faculty need to look at that data and do a deep dive. Then Dr. Hussey reported on what he called a Surveillance test—but it really isn’t what you may be thinking. President Hussey said that the recent surveillance test included about 200 students tested for Covid-19. Results indicate 2 positive students—one symptomatic, the other asymptomatic. The President remains cautiously optimistic about the health and safety of our community.

IV. Old Business

a) Remote Work Location (update) (see handout)

[TAMUK FACULTY SENATE MOTION 08.14.2020.01](#). Provost Reinisch informed Senate President Sherris that the motion was accepted August 18, 2020. Senate President Sherris sent an email to all Senators the same day informing them of the motion’s acceptance. It was brought to the Senate’s attention that this information was not shared with all department chairs. Senate President Sherris asked all members to please share the email that he sent to any department chairs as necessary.

V. Standing Committee Reports

a) Committee on Committees

No Report

b) Election Committee

No Report

c) Resolution and By-laws/Handbook Committee

No Report

VI. Reports from Committees Reporting to the Senate

a) Administrator Evaluation Committee – No Report

b) Annual Faculty Lecture Committee – No Report

c) Faculty Benefits Committee – No Report

d) Faculty Evaluation Committee – No Report

e) Piper Award Committee

Congratulations to Dr. Richard Miller for being this year's Piper Award Recipient. Senator Miller mentioned that our campus has had 6 recipients since the award started in 1958. He knows that there are fabulous teachers on this campus, and as Chair of this committee he is going to be very active to ensure that it will not be another 7 years before this campus has another Piper Award recipient.

f) Policy Revision Committee (see handout)

Senator Rees encouraged everyone to review the committee report, the table of changes and the original document sent to the committee by the Provost's office. It is a lot of information, but to fully understand the rationale behind the committee's recommendations, it should be reviewed.

She also thanked the committee members for all of their work. The committee is very diverse in terms of where people are relative to the topic. Seasoned faculty who have gone through the process, and faculty who are in various stages of the process. This diversity was very important to the task. Their charge, given to them in April, was to review the proposed changes to Academic Operating Procedure 1: Academic Freedom, Responsibility and Tenure that came from the Provost's office. The committee met April 30, 2020 and submitted a report to Senate President Sherris May 19, 2020.

Three motions were presented and approved by the committee:

- Motion to change AOP1: As per AOP1 Section 4: REVIEW BY FACULTY PEERS IN APPEALS OF ADMINISTRATIVE DECISIONS: As part of the regular committee appointment cycle, the Faculty Senate will designate a pool of thirty (30) tenured faculty members with representatives from each of the colleges. This is to replace the current pool number of 24.
- Motion: Hearing committee letter go to the President with a courtesy copy to the Provost.
- Motion: It is currently not recommended to make any other additional proposed revisions to AOP1.

g) Task-Force on Faculty Handbook Changes – No Report

h) Annual Review Benchmarking Task Force (see handout)

i) Ad-Hoc Committee to Study Administrator Size (see handout)

Senator Rosenbaum reported that the committee was created in response to [Faculty Senate Motion 05.05.2020.02](#). They compared our numbers of faculty, staff, administrators to a group of 29 similar institutions chosen from the 2018 IPEDS data.

They also used a one-sample t-test to compare a known value (TAMUK's) to the mean of a distribution for a continuous level measure of a comparison group. An alpha of $p \leq .05$ was used for statistical decision-making about significant differences.

Their key finding is that Compared to its peers, TAMUK employs and pays management staff at a higher ratio than instructional staff compared to its peers.

j) Ad-Hoc Committee to Study Faculty Workload – No Report

k) Dining Services Committee

Senator Velez-Hernandez is the Faculty Senate representative on this committee. The committee was tasked to search for a new University food services vendor. The committee cannot share much of the information they received from the prospective vendors. They received 3 proposals. The evaluation criteria included the company profile (experience, financial strength, insurance, references...), financial consideration (commissions, contingency fund, capital improvement...), organizational structure and leadership (personnel, training program, administration, customer service...), food product and programming for dining halls, catering, retail and concessions (flexible meal plan, healthy food option, price, events...). Aramark was selected and they were awarded a 5-year contract (2020-2025).

l) Media Services Committee

Senator McLaughlan is the Faculty Senate representative on this committee. Just like the previous committee, not much can be shared about the companies. Criteria similar to the ones used for dining services were used to evaluate the the media companies. A vendor has been chosen. This company is responsible for all of the media surrounding the promotion of the University (print, television, radio, etc.).

m) Task-Force on Guidebook for Chairs

This committee is chaired by Senator Glick and has been tasked to create a guidebook for chairs across the university. Committee membership is composed of a faculty member from each College. They aim to have a draft ready to present to the Faculty Senate in February.

VII. New Business

a) Creation of a Handbook Committee

Senator Meyer is the chair of this committee, and we are now asking others to volunteer to serve on this committee. If you are interested in serving, please send an email to President Sherris.

b) Vote on Annual Review Form for Faculty Handbook (see handout)

Senator Machado moved that the pictured form replace the current form in the Faculty Handbook. The motion was seconded by Senator Glick. There was discussion whether or not the numerical scores should be tied to the satisfaction level boxes. Senator

Machado commented that sometimes the number can be skewed and a person can still not be meeting expectations. The example was given for research that if he were to bring in a one million dollar grant his rating system as far as points would be very high, but if he is not publishing then his expectations are not only to get/write grants but to also be publishing.

Senator Huskin also reported that the Executive Committee did review numerous versions of the proposed form including some with the suggested ratings tied to the boxes, but those were not selected as options to bring to the full Senate.

President Sherris commented that there could be an opportunity to bring forward other versions of the form, but that in order to do this a vote be taken on the form being discussed. He also mentioned that neither the new Provost nor President Hussey are set on having the boxes. They just want to make sure that the wording “meets expectations”, or “does not meet expectations” and reasons why is included in the comments sections of the annual reviews.

The motion was defeated with the vote count as follows: yes 10, no 14, abstain 7. This issue is returned to the Executive Committee.

The comment was made that the boxes have everything to do with professional review plans, which can affect tenure. It is important to have some kind of mechanism at the University level, to represent whether a given faculty member is meeting expectations or not. If they get does not meet expectations in any category for three consecutive periods of evaluation, they are subject to a professional review plan, which can if it's not followed lead to revocation of tenure.

It was also commented that the numbers on the side, when Chairs are asked to rank or group faculty when merit raises come around, that is historically one means that are employed for that. If we remove the numbers, then there is not a similar basis for those types of decisions.

c) Online promotion and tenure portfolios announcement (see handout)

Senator McLauchlan brought up concern he received from numerous faculty that the email announcing that the faculty tenure/promotion/continuation review process will now be done electronically was vetted and approved by the deans and associate deans of all the colleges does not mention anything about it being passed through the Faculty Senate.

Senate President Sherris responded that it was not mentioned in any of the meetings that he and President Elect Chen had attended with Provost Reinisch.

It was mentioned that the other concern is that the votes on the committees are supposed to be anonymous, and we don't know how the votes are going to be handled by the system that has been demoed but not even shown to at least the Senate.

Senator Radcliff mentioned that an online process has been discussed over the past year. During the Spring semester there were demonstrations of products by Interfolio and Workday given by the TAMU System (all faculty were invited), but Blackboard was never mentioned.

VIII. Announcements

President Sherris shared the following reminders:

- Please email all motions and resolutions to FacultySenateOfficers@tamuk.edu no later than Tuesday, September 22, 2020, 5:00 pm CDT if you would like the Executive Committee to add them to the Tuesday, September 29, 2020 Faculty Senate Agenda.
- Our next Faculty Senate meeting is scheduled for Tuesday, October 6, 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.

IX. Adjournment

At 5:35pm a motion to adjourn was made by Senator Meyer and seconded by Senator Bohm, motion was passed.

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

LR**Lou Reinisch**

Tue 8/18/2020 12:51 PM

To: Ari Sherris

Cc: Mark A Hussey

Dear Ari,

We have received the motion 08.14.2020.1 Remote Work Locations from the faculty senate. We accept that faculty who are teaching 400 and 600 section courses may teach these courses from an off campus location. We trust that faculty will project professional images and not have classes interrupted with background noise or other interruptions.

This motion does not abrogate the faculty members from their scholarship and service obligations, which may require the faculty members to be on campus. Faculty should submit a request to work remotely through their department chair, dean and provost if they intend to perform additional duties remotely this fall.

This motion also assumes that faculty members who chose to teach off campus have the necessary computer, microphone, speakers, web cam and a sufficiently fast and reliable internet connection. The University is not expected to provide additional equipment and is not responsible for internet charges or fees for exceeding monthly data quotas.

We would also request that any faculty member who instructs from an off campus location to please inform their department chair and dean before they start teaching.

Please let me know if you have any questions or concerns.

Lou

Lou Reinisch, Ph.D.

Provost and VP Academic Affairs

Faculty Senate Policy Revision Committee Report

Committee Charge:

To work with the Office of the Vice President for Academic Affairs on University Rules and Policies that require writing, revising or updating. The committee is charged with reviewing these documents, making recommendations to the Office of the Vice President of Academic Affairs, and reporting concerns and recommendations to the Faculty Senate in a timely manner. (Council and Committee Handbook, revised January 27, 2020, p. 54)

2020-2021 Committee Membership:

Kathleen Rees, Chair
Michelle Garcia, Member
Maria Hernandez-Velez, Member
Hans Schumann, Member
Nestor Sherman, Member
Amit Verma, Member
Bailey Smith, Member
Rudolf Bohm, Ex-Officio, non-voting

Timeline:

4/16/2020 – Request for review of Academic Operating Procedure 1 Academic Freedom, Responsibility and Tenure sent by AVPAA Jaya S. Goswami to Faculty Senate President Ari Sherris.

4/16/2020 - 4/20/2020 – Faculty Senate Policy Revision Committee named and charge to review proposed changes to AOP1 forwarded to Policy Revision Committee.

4/24/2020 – Determined initial meeting of Policy Revision Committee to be held on 4/30/20.

4/30/2020 – Policy Revision Committee met, discussed proposed changes to AOP1 and provided three recommendations regarding proposed changes.

5/19/2020 – Committee report submitted to Faculty Senate President Sherris.

Policy Revision Committee Actions, Rationale, and Recommendations:

Motion 1:

As per AOP1 section 4: REVIEW BY FACULTY PEERS IN APPEALS OF ADMINISTRATIVE DECISIONS: as part of the regular committee appointment cycle, the Faculty Senate will designate a pool of thirty (30) tenured faculty members with representatives from each of the colleges. (Passed unanimously)

Background:

Currently, per AOP1, the pool of faculty from which Advisory and Appeal Hearing Committee membership is drawn consists of 24 names of faculty who serve three-year staggered terms. The Advisory Committee currently consists of five members and four alternates; the Appeals Hearing Committee currently consists of eight members and six alternates.

Proposed changes to AOP1 include reducing the number of faculty elected from the colleges to 16 total, with the number of members serving on the Appeal Advisory Committee (which would review all appeals submitted in a given year) reduced to three members and two alternates and the Appeals Hearing Committee (which would hear all appeals forwarded from the Advisory Committee in a given year) reduced to seven members and four alternates. This would require the entire elected pool of 16 faculty to serve in a given year. Rationale cited for the proposed change: “When there are multiple appeals in one semester, it is usually the case that the same members from the pool are needed to serve on more than one committee, causing a burden on them. This is because of i) the current number currently needed in each committee and ii) each appeal having distinct advisory and hearing committees.”

Rationale for Motion 1:

In order to mitigate potential fatigue of members that are serving on more than one committee, it is recommended that the pool of faculty from which committees are drawn be increased from 24 to 30. This increase in the number of faculty in the pool also will potentially increase requisite diversity of the pool.

Motion 2:

Hearing committee letter goes to the President with a courtesy copy to the Provost. (Passed unanimously)

Background:

AOP1 5.11 currently states: “The committee’s findings and recommendation shall be conveyed in writing to the Provost and to the faculty member, pursuant to System Policy 12.01, subparagraph 7.5.”

AOP1 5.13 currently states: The Provost will review the recommendations of the Hearing Committee and will make a decision. The Provost’s decision is final.

Proposed revisions: AOP1 5.8 The Faculty Appeals Hearing Committee’s findings and recommendation shall be conveyed in writing to the President, Provost, the Dean, and the faculty member within 15 calendar days of the completion of the hearing, pursuant to System Policy 12.01, subparagraph 7.5.

AOP1 5.9 The President will review the recommendations of the Faculty Appeals Hearing Committee and will make a decision. The President’s decision is final.

Rationale for Motion 2:

While the proposed change is acceptable, the Policy Review Committee agrees that the Faculty Appeals Hearing Committee’ findings should be forwarded to both the President and the Provost.

Motion 3:

It is currently recommended to not make any other proposed revisions to AOP1. (Passed unanimously)

Rationale:

AOP1 has been in effect for a number of years, and while not perfect in all respects, the current policy has worked well. A number of changes proposed could place undue burden on both faculty selected to serve on the Advisory and Appeals Hearing Committees and the Faculty Senate. Shifting select responsibilities from the Office of the Provost in order to “ease the administrative load in the Provost’s Office” to the Faculty Senate which currently lacks access significant administrative assistance support could undue strain on the Senate. If these proposed changes to AOP1 are to become policy, the Policy Revision Committee believes more time is needed to evaluate the substantial number of changes contained within.

Supporting Documents

Recommendations for revisions to tenure & promotion appeal process
AOP1-Proposed revisions Mar 16 2020_Original

RECOMMENDATIONS FOR REVISIONS TO TENURE & PROMOTION APPEAL PROCESS

Item	Current	Proposed	Rationale
# in Advisory and Hearing Committees	Advisory: 5 members plus 4 alternates Hearing: 8 members plus 6 alternates Separate committees formed for individual grievances	3 in Advisory Committee with 2 alternates 7 in Hearing Committee with 4 alternates	When there are multiple appeals in one semester, it is usually the case that the same members from the pool are needed to serve on more than one committee, causing a burden on them. This is because of i) the current number currently needed in each committee and ii) each appeal having distinct advisory and hearing committees.
Appointment and term of committee member	In the fall, Faculty Senate submits to the Provost's Office a list of 24 faculty from the different Colleges to form the pool from which the committees are formed. The term for which these faculty remain in the pool is three years.	By September 1 st each year, the Colleges will submit to the Faculty Senate the names of faculty who will be in the pool for appeals committees. (Refer to the document for the number per College; total from all colleges is 16.) Faculty Senate will place these faculty into the Advisory Committee or the Hearing Committee or as alternates in either committee. The names on these committees will be forwarded to the Provost's Office. Term that these faculty remain in the pool is one year.	These appointments early in the fall allow departments and colleges adequate time to name their respective P&T committees after the pool has been named. There have been occasions when a faculty member serves on a department or College T&P committee and also serve on the Appeals committee, thereby having to request to be recused. If a faculty member remains in the Appeals pool for three years, he/she should not be serving on the Department or College T&P committees during the same time. That proves to be a burden on some of the smaller departments/colleges. Also, serving in the appeals committee pool for three years keeps the faculty from participating in their department and college processes for that time.
Scope of committees	Distinct Advisory and Hearing Committees are	The same Advisory Committee and Hearing committee (as	This will remove the occurrence of a faculty member having to serve on

	named for individual appeals	described above) will consider all appeals.	multiple committees and ease the administrative load in the Provost's Office. Also, it will bring equity in consideration of appeals since the same committee will review all the appeals.
Challenges/Recusals allowed regarding committee members	In the Advisory Committee each party is allowed two challenges; in the Hearing Committee, each side is allowed 3 challenges.	Advisory Committee: 1 challenge allowed Hearing Committee: 2 challenges allowed	Given the smaller number in each committee than currently, the number of challenges are also adjusted.
Committee chair selection and vote	Committee elects its Chair. Chair votes only in case of a tie.	Committee elects its Chair (no change). Chair of both the Advisory Committee and Hearing Committee votes	Given the time investment in the process and responsibility given to the committee chair, he/she should be given the privilege of a vote. With the proposed numbers in each committee, there will not be a tie if all members vote.
Committee report	Sent to the Provost	Sent to the President	The Provost has already notified his/her decision. The President makes the final decision.
Promotion & Tenure decisions are appealed concurrently	Currently there are separate processes and committees for promotion appeals and tenure appeals (University Appeals Committee and Faculty Grievance Committee respectively).	Tenure and Promotion appeals are submitted as one appeal, heard by the Advisory Committee and if recommended, the Hearing Committee. (Appeals concerning promotion to Full Professor are submitted to University Appeals Committee, as done now. Consider renaming it Promotion Appeals Committee.)	This will be a likely consequence if, henceforth, Tenure and Promotion applications are evaluated concurrently and one is not awarded without the other.

In System Policy 12.01 *Academic Freedom, Responsibility and Tenure*, the following are stated:

- Need for an Advisory Committee
- Need for a Hearing Committee
- Timeline for the process
- No mention of number of members in each committee
- No mention of number of challenges allowed or alternates needed
- No mention of separate committees for individual grievances

Academic Operating Procedure 1



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Academic Freedom, Responsibility and Tenure

December 14, 2017

Statement

This document supplements information in System Policy 12.01, Academic Freedom Responsibility and Tenure, on topics such as written terms of employment, administrative leave, faculty dismissals for cause, non-renewal of non-tenured track faculty at the end of a term contract, financial exigency, and the phasing out of programs.

Procedures and Responsibilities

1. WRITTEN TERMS OF EMPLOYMENT Paragraph 3 of System Policy 12.01 addresses written terms of employment.
2. ADMINISTRATIVE LEAVE Paragraph 5 of System Policy 12.01 addresses administrative leave. A faculty member placed on administrative leave with pay may appeal the decision to the Provost by submitting an appeal in writing within five (5) business days of being notified of the leave. Appeals presented after the fifth business day shall be denied as untimely.
3. NOTICE OF NON-REAPPOINTMENT OR OF INTENTION NOT TO REAPPOINT
 - 3.1 Notice of non-reappointment, or of intention not to reappoint a non-tenured tenure-track faculty member, will be given in writing in accord with the following standards:
 - 3.1.1 Not later than March 1 of the first academic year of probationary service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination;
 - 3.1.2 Not later than December 15 of the second year of probationary service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination; or
 - 3.1.3 At least twelve months before the expiration of a probationary appointment after two or more years in the institution.
 - 3.2 Section 5 below discusses the process by which a full-time faculty member, including a professional librarian, ~~may present~~ may present a grievance to an administrator related to the non-~~renewal or~~ renewal or termination of the faculty member's employment. (See subparagraph 5.2.) Section 5 also discusses the process by which a non-tenured tenure-track faculty member may appeal a decision not to reappoint. (See subparagraphs 5.3 through 5.14).

4. REVIEW BY FACULTY PEERS IN APPEALS OF ~~ADMINISTRATIVE~~ ADMINISTRATIVE DECISIONS

At the beginning of each Fall semester, every College will conduct elections for tenured faculty members to be appointed to the Faculty Appeals Advisory Committee and Faculty Appeals Hearing Committee referenced in this Procedure. Each College will ~~and~~ forward the names to the Faculty Senate by September 1. The number of tenured faculty members to be elected from each College are as follows: Arts & Sciences: 5; Engineering: 4; Education & Human Performance: 3; Agriculture: 3; Business: 2. The Faculty Senate will place the elected faculty members in the Advisory Committee, Hearing Committee, or as alternates. The committee members will serve ~~staggered terms so that eight (8) members rotate off every year~~ one-year terms and cannot serve on their department and college tenure and promotion committees during the same term. The Faculty Appeals Advisory Committee will consist of three faculty members, plus two alternates in designated order. The Faculty Appeals Hearing Committee will consist of 7 faculty members, plus four alternates in designated order.

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Commented [JSG1]: Necessary deadline so that departments and Colleges can form their P&T committees thereafter.

Commented [JSG2]: This is a new proposal. Colleges now will elect members to the two committees; the number elected from each college is specified based on number of faculty. Colleges will provide the list of elected faculty to the Faculty Senate; the Senate will place them in either the Advisory or Formal Hearing Committee or as alternates in each committee.

Commented [JSG3]: This is a new proposal. (Previously the term was 3 years.) Also, someone who has voted on the dept or college committee should not be on an advisory or hearing committee. As it is currently, it is possible to do so.

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4.5. NON-RENEWAL OF NON-TENURED TENURE TRACK FACULTY AT END OF TERM CONTRACT

Paragraph 7 of System Policy 12.01 addresses Non-renewal of Non-tenured Tenure Track Faculty at the End of a Term Contract.

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4.2 All full-time non-tenured faculty members have the right to present a grievance, in person, to the Provost and Vice President for Academic Affairs over non-renewal or termination of the faculty member's employment at the institution. Such grievances are heard by the Provost and not a faculty committee. The grievance process may be used to address a faculty appeal that is untimely filed. ~~If a faculty member desires to present a grievance, the faculty member shall notify the Provost in writing not later than the 10th business day after the faculty member receives notice of the non-renewal or termination. Grievances presented after the 10th business day shall be denied as untimely.~~

Commented [JSG5]: The terminology here (grievance vs. appeal) and time frame (10th vs 20th business day) may be confusing. However, that's how System Policy 12.01 states it.

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Commented [JSG7]: Clarification provided by OGC.

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4.3 A non-tenured faculty member may appeal a decision ~~not to reappoint~~ of nonrenewal or termination of the faculty member's employment at the institution. The appeal is authorized only if 1) it is filed in a timely manner, within 20 business days of the date on which the faculty member was given written notice of nonrenewal or termination decision, after which time it will be deemed untimely and 2) it alleges, but only on the basis of an allegation that the decision was made: (1) in violation of the academic freedom of the individual; (2) for an illegal reason; or (3) for inadequate consideration of the record of professional achievement. Such as ~~The~~ appeal must be presented to the Provost in writing, pursuant to subparagraph 7.3 of System Policy 12.01. ~~At least one of these allegations must be made by the faculty member in order to initiate the appeal process. If a faculty member desires to appeal, the faculty member shall notify the Provost in writing not later than the 20th business day after the faculty member receives written notice of the decision not to reappoint. Appeals presented after the 20th business day shall be denied as untimely.~~

Commented [JSG8]: This needed to be removed since System Policy 12.01, in accordance with state law, does not impose a deadline. A faculty member who does not file an appeal in a timely manner still has the statutorily required grievance process available. (Per OGC)

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4.45.4 Upon receipt of an appeal from the faculty member, the Provost will ~~select five faculty members to serve on an Advisory Committee, plus four (4) alternate members designated in rank order (first alternate, second alternate, etc.) from the faculty pool (Section 4) inform the Faculty Appeals Advisory Committee of the appeal.~~ Each member of the ~~Advisory Committee~~ shall be subject to challenge for cause by the faculty member and the administration. Each side shall be allowed ~~one a maximum of two challenges.~~ The President of the Faculty Senate will determine the validity of the challenge(s). ~~If a faculty member believes that he or she is unable to serve on the Advisory Committee, a written request to be recused must be submitted to the President of the Faculty Senate and Provost. The request must specify the reason(s) for the recusal. The President of the Faculty Senate will determine the validity of the request.~~ Members removed due to challenge ~~or recusal~~ will be replaced by the alternates in designated order.

Commented [JSG9]: Note – this is a new proposal. In the past, each side was allowed two challenges. The size of the committee is smaller, with this proposal.

5.5 The Faculty Appeals Advisory Committee will conduct a preliminary review of the allegations, pursuant to subparagraph 7.4 of System Policy 12.01 to determine whether the faculty member has established that a violation as defined in subparagraph 5.3 of this rule may ~~have occurred~~ have occurred. ~~The Faculty Appeals Advisory Committee's determination shall be conveyed in writing to the Provost and to the faculty member within ten business days of the notification to the committee. The Advisory Committee's proceedings may be informal and flexible.~~

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4.5 ~~Representatives of the administration, including an attorney from the Office of the General Counsel, may attend the proceedings as observers.~~

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5.6 If the Faculty Appeals Advisory Committee determines that the allegations do establish a *prima facie* case and recommends a formal hearing, the Provost will proceed with arrangements for the formal hearing by the deadlines provided in subparagraph 7.5 of System Policy 12.01. ~~The hearing must be scheduled within 60 calendar days from the date the Faculty Appeals Hearing Committee is notified of the appeal, and inform the Hearing Committee.~~ The University will provide staff support to schedule and hold a hearing. ~~The Provost will select eight (8) faculty members to serve on a Hearing Committee and six (6) alternates in rank order (i.e., first alternate, second alternate, etc.) from the faculty pool (Section 4.0). The Hearing Committee will be a separate and distinct body from the Advisory Committee described above.~~ Each member of the Faculty Appeals Hearing Committee shall be subject to challenge for cause by the faculty member and the administration. Each side shall be allowed a maximum of ~~three~~ two challenges. ~~The President of the Faculty Senate will determine the validity of the challenges. If a faculty member believes that he or she is unable to serve on the Hearing Committee, a written request to be recused must be submitted to the President of the Faculty Senate and Provost. The request must specify the reason(s) for the recusal. The President of the Faculty Senate will determine the validity of the request.~~ Members removed due to challenge ~~or recusal~~ will be replaced by the alternates in designated order, and those replacements will be subject to challenge so long as challenges remain. The committee will select its own chairperson and other such officers as it deems necessary. The chair shall retain the right of discussion at all times and ~~will vote only in case of a tie.~~ Control of the committee proceedings shall be retained by the chair. ~~Both the faculty member and the administration have the right of representation at the hearing, as well as the right to question witnesses, and if a witness cannot appear, the right to the name of the witness and any written statements made by the witness. In deliberating, the Faculty Appeals Hearing Committee should allow oral arguments and/or written briefs by the dean or his or her administration or designated representatives and by the faculty member or his or her designated representatives. The hearing shall be closed unless the affected faculty member~~

Commented [JSG11]: This is not required by System Policy and may be removed.

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requests that it be open. A transcribed record of the proceedings shall be prepared.

4.6

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5.7 In the formal hearing, the burden of proving that the decision was made in violation of the faculty member's academic freedom; or for an illegal reason; or without adequate consideration of the faculty member's record of professional achievement, rests with the faculty member. The burden of proof must be met with a preponderance of the evidence, i.e., that which is more convincing, more credible, and of greater weight than contrary evidence. The faculty member shall present: (1) a brief of the specific basis for the allegations; (2) exhibits (documents) supporting the allegations; and (3) a list of witnesses, including a short statement of the anticipated testimony of each witness, to the Chair of the Faculty Appeals Hearing Committee and to the administration's representative at least fifteen business days before the date of the formal hearing. The administration may also present their documents and a list of witnesses, including a short statement of the anticipated testimony of each witness, to the Chair of the Faculty Appeals Hearing Committee at least fifteen business days before the date of the formal hearing.

Commented [JSG16]: This is a new proposal, giving the committee three weeks to review materials.

4.7 Both the faculty member and the administration have the right of representation at the hearing, as well as the right to confront and question witnesses, and if a witness cannot appear, the right to the name of the witness and any written statements made by the witness. A record of the proceedings shall be prepared.

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4.8 ~~The hearing will be scheduled pursuant to System Policy 12.01, subparagraph 7.5.~~

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4.9 ~~The faculty member shall present: (1) a brief of the specific basis for the allegations; (2) exhibits (documents) supporting the allegations; and (3) a list of witnesses, including a short statement of the anticipated testimony of each witness, to the Chair of the Hearing Committee and to the administration's representative at least thirty (30) days before the date of the formal hearing.~~

Commented [JSG17]: This is already stated in Section 5.6

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4.10 The findings of the Faculty Appeals Hearing Committee shall be limited to determining whether the decision ~~not to renew the appointment of nonrenewal or termination~~ was made on the basis of the faculty member's appeal, namely: in violation of the faculty member's academic freedom; or for an illegal reason, as defined in subparagraph 7.3 of System Policy 12.01; or without adequate consideration of the faculty member's record of professional achievement, depending on the basis of the faculty member's appeal. ~~The Hearing Committee may make recommendations to the President regarding possible solutions.~~

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4.11.9 ~~In deliberating, the Hearing Committee should allow oral arguments and/or written briefs by the dean or his or her representatives and by the faculty member or his or her designated representatives. The Faculty Appeals Hearing Committee's findings and recommendation shall be conveyed in writing to the President, Provost, the Dean, and the faculty member within 15 calendar days of the completion of the hearing, pursuant to System Policy 12.01, subparagraph 7.5.~~

Commented [JSG18]: The President has been added to the list since now he/she will be the final decision maker.

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Commented [JSG19]: Moved to 5.6 for better organization of information.

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4.12 ~~The hearing shall be closed unless the affected faculty member requests that it be open.~~

Commented [JSG20]: This is a proposed change. It used to be Provost, but now the Hearing Committee makes a recommendation to the President, who makes the final decision.

4.13.10 The President will review the recommendations of the Faculty Appeals Hearing Committee and will make a decision. The President's decision is final.

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5.6 DISMISSAL FOR CAUSE OF FACULTY WITH TENURE OR WITH UNEXPIRED TERM APPOINTMENTS

5.6.1 This rule should be read in conjunction with System Policy 12.01, Academic Freedom, Responsibility and Tenure. Good cause for dismissal is defined and addressed in subparagraphs 4.3 and 4.4 of System Policy 12.01.

~~5.26.2~~ A bona fide effort by appropriate administrative officers and/or committees should be made to achieve a satisfactory resolution of difficulties through preliminary inquiry, discussion, or confidential mediation.

~~5.36.3~~ Should these efforts fail to achieve a satisfactory resolution and should the difficulties be considered by the administration to be serious enough to warrant dismissal, the faculty member will be afforded the opportunity for a hearing that meets the requirements set forth in Section 7 below.

~~5.46.4~~ As provided in Section 51.942 of the Texas Education Code, ~~a~~ tenured faculty member subject to termination on the basis of a post-tenure review must be given the opportunity for referral of the matter to a non-binding alternative dispute resolution process as described in Chapter 154, Civil Practice and Remedies Code. The Code describes various processes, including mediation facilitated by an impartial third party. The opportunity for referral of the matter to nonbinding alternative dispute resolution must be provided prior to referral of the charges to a hearing committee under Section 7 of this rule.

~~5.56.5~~ In any dismissal proceedings the faculty member and the administration shall have the right to representation.

~~6.7~~ DISMISSAL FOR CAUSE HEARINGS

~~6.17.1~~ In hearings regarding the dismissal of a tenured faculty member or the dismissal of a probationary faculty member whose term appointment has not expired at the time of dismissal, the burden of proof is on the institution to establish by a preponderance of the evidence the existence of good cause for dismissal. The President has delegated authority for oversight of the logistics of pre-termination hearings to the Provost. The following procedures apply to cases involving such faculty members.

~~6.27.2~~ The Provost shall notify the faculty member in writing of the charges constituting good cause for dismissal and the opportunity for a fair and impartial hearing by a faculty hearing committee. A tenured faculty member subject to termination on the basis of a post-tenure review shall also be notified of the opportunity for referral of the matter to a non-binding alternative dispute resolution process, pursuant to subparagraph 6.4, above. If the faculty member desires to appeal the termination, the faculty member shall notify the Provost in writing not later than the 10th business day after the date the faculty member receives the notice of termination. A faculty member who notifies the Provost in writing within the time prescribed is entitled to a hearing as provided in this section. Appeals presented after the 10th business day shall be denied as untimely. If the faculty member does not present an appeal within the time prescribed time the administration shall take the appropriate action and notify the faculty member in writing.

~~6.37.3~~ At the hearing, the faculty member shall have the right to: (1) be represented by a representative of the faculty member's choice; (2) hear the evidence on which the charges are based; (3) present evidence; and (4) cross-examine each adverse witness and if a witness cannot appear, the right to the name of the witness and any written statements made by the witness. The administration shall also have the right to representation. A certified shorthand reporter shall record the hearing; [audio and written accounts of the hearing will be prepared](#).

~~6.47.4~~ The Provost will ~~select eight (8) faculty members to serve on a~~ [Faculty Appeal Hearing Committee](#) ~~of the faculty member's appeal~~. Each member of the [Faculty Appeal Hearing Committee](#) shall be subject to challenge for cause by the faculty member and the administration. Each side shall be allowed a maximum of ~~three~~ [two](#) challenges. The President of the Faculty Senate will determine the validity of the challenges. Members removed due to challenge or recusal will be replaced by the alternates in designated order. The committee shall elect its own chairperson ~~and other such officers as it deems necessary, and. The~~ [chairperson](#) shall retain the right of discussion at all times. Control of committee proceedings shall be retained by the chair.

~~6.57.5~~ The [Faculty Appeal Hearing Committee](#) shall schedule a hearing pursuant to subparagraph 8.2.2~~4~~ of System Policy 12.01.

~~6.67.6~~ Subject to subparagraph 8.2.1 of System Policy 12.01, the [Faculty Appeal Hearing Committee](#) shall set a time for the hearing that will allow the faculty member a reasonable time to prepare a defense to the charges made and shall notify the faculty member and the administration of the time and place of the hearing. The administration's witness list, including a short statement of the anticipated testimony of each witness, and a copy of the administration's exhibits shall be provided by the administration to the [Faculty Appeal Hearing Committee](#) and the faculty member at least fifteen (15) business days before the hearing. The faculty member's witness list, including a short statement of the anticipated testimony of each witness, and a copy of the faculty member's exhibits shall be provided by the faculty member to the [Faculty Appeal Hearing Committee](#) and the administration at least ten (10) business days before the hearing. Witnesses may be added at a later date for good cause as determined by the [Faculty Appeal Hearing Committee](#). [Audio and written accounts of the hearing shall be prepared](#). The [Faculty Appeal Hearing Committee](#) shall formulate explicit convey its findings and recommendations pursuant to subparagraph 8.2.1 and convey its findings and recommendations to the President and the faculty member within 10 business days of the completion of the hearing, pursuant to subparagraph 8.2.42 of System Policy 12.01.

Commented [JSG21]: Note: The same Faculty Appeal Hearing Committee now hears appeals for P&T denials, dismissal for cause, dismissals for financial exigency, etc. – sections 5, 7, and 8.

~~6.7~~ A faculty member may be reassigned or suspended during the pendency of termination proceedings pursuant to subparagraph 6.3 of System Policy 12.01.

~~6.8~~ 7.7 The hearing shall be closed unless the faculty member requests that it be open.

~~6.9~~ 7.8 A faculty member may be reassigned or suspended during the pendency of termination proceedings pursuant to subparagraph 6.3 of System Policy 12.01.

~~6.10~~

~~6.11~~ 7.9 If the President proposes termination of the faculty member's appointment, the process outlined in subparagraphs 8.2.53 through 8.2.57 of System Policy 12.01 shall be followed.

7.8. TENURE, FINANCIAL EXIGENCY AND PHASING OUT OF PROGRAMS

~~7.18~~ 8.1 Cases of bona fide financial exigency or reduction or discontinuance of institutional programs based on educational considerations shall follow the definitions and procedures outlined in subparagraphs 9.1 through 9.3 of System Policy 12.01. When faculty dismissals are contemplated on grounds of financial exigency or program termination or reduction, the Provost and appropriate college dean should facilitate early, careful, and meaningful sharing of information and views with appropriate faculty representatives on the reasons indicating the need to terminate programs for dismissals. Recommendations from such faculty representatives shall be sought on alternatives available to the institution to ensure continuation of a strong academic program and to minimize the losses sustained by affected students and faculty members.

~~7.28~~ 8.2 A faculty member selected for ~~termination-dismissal~~ shall be given an opportunity to respond in a hearing before a Faculty- Appeal Hearing Committee. In this hearing, the burden of proof rests with the institution to demonstrate that a bona fide financial emergency exists or that educational considerations led to the reduction or discontinuance of a program. If the faculty member desires to request a hearing, the faculty member shall notify the Provost in writing within fifteen (15) business days of the date on which the faculty member was given a written notice of the decision to terminate on the basis of a bona fide financial exigency or the phasing out of an institutional program necessitating a reduction in staff. A faculty member who notifies the Provost in writing within the time prescribed is entitled to a hearing as provided in this section. Requests presented after the 15th business day shall be denied as untimely. If the faculty member does not request a hearing within the time prescribed, the administration shall take the appropriate action and notify the faculty member in writing.

~~7.38~~ 8.3 If the faculty member requests a hearing, the Provost will inform the Faculty Appeal Hearing Committee referenced in Section 4, within fifteen (15) business days after the receipt of the request for a hearing. Each member of the Faculty- Appeal Hearing Committee shall be subject to challenge for cause by the faculty member and the administration. Each side shall be allowed a maximum of two challenges. The President of the Faculty Senate will determine the validity of the challenges. ~~If a faculty member believes that they are unable to serve on the Faculty Hearing Committee, a written request to be recused must be submitted to the President of the Faculty Senate and Provost. The request must specify the reason(s) for the recusal. The President of the Faculty Senate will determine the validity of the request.~~ Members removed due to challenge ~~or recusal~~ will be replaced by the alternates in designated order. The committee shall elect its own chairperson. The chairperson shall retain the right of discussion at all times. The Faculty- Appeal Hearing Committee should schedule a hearing within twenty (20) business days after their being informed by the Provost. The Committee's

findings and recommendation(s) must be conveyed in writing to the President and the faculty member within ten business days of the completion of the hearing.

7.48.4 After reviewing the Faculty- [Appeal](#) Hearing Committee's findings, the President will make a decision about the dismissal.

TASK-FORCE: Guidelines for benchmarking faculty evaluation aligned to system policy

The function of this task force is to analyze system policy on faculty evaluation and develop guidelines for benchmarking. The guidelines will be added to the Faculty Handbook if voted on by the regularly scheduled Faculty Senate meeting on Tuesday, September 5, 2020.

The task force will focus on faculty evaluation pertaining to tenured faculty.

There are two broad considerations:

1. Post-tenure review
2. Annual Evaluation of faculty

Both of them have an overlap and a potential source of confusion unless explicitly differentiated and clarified. Similarly, 'post-tenure review' and 'professional review' are used and may result in being conflated.

TAMUK Faculty Handbook (April 2019) , Section B.5.4, point (2) has a heading titled, 'Post-Tenure Annual Review'. This particular section refers to System Policy 12.06, 'Post-Tenure Review' ('Annual' missing).

A reading of Section B.5.4 TAMUK Faculty Handbook shows TAMUK post-tenure policy in broad compliance with System Policy 12.06.

The task force recommends a revision of Section B.5.4 in the TAMUK Faculty Handbook (April 2019) to ensure elimination of any misinterpretation between the TAMUK Faculty Handbook and relevant System Policy. The below table outlines the suggestions.

1. Post-tenure review

Current read	Suggested Changes	Reading with changes incorporated
<p>1. GENERAL Post-tenure review at Texas A&M University-Kingsville applies to tenured faculty members and is comprised of annual performance reviews benchmarked to faculty and administrator generated standards for satisfactory performance. Post-tenure review is intended to promote continued academic professional development and enable a faculty member who has fallen below performance norms to pursue a peer-coordinated professional development plan and return to expected productivity.</p>	<p>1. GENERAL Post-tenure review at Texas A&M University-Kingsville applies to tenured faculty members and is comprised of annual performance reviews benchmarked to faculty and administrator generated standards for satisfactory performance. Post-tenure review is intended to promote continued academic professional development and enable a faculty member who has fallen below performance norms to pursue a peer-coordinated professional development plan and return to expected productivity.</p> <p><u>Rationale: The deleted part creates confusion. Role of annual review in PTR is already extensively discussed. Annual reviews are also already benchmarked.</u></p>	<p>1. GENERAL Post-tenure review at Texas A&M University-Kingsville applies to tenured faculty members Post-tenure review is intended to promote continued academic professional development and enable a faculty member who has fallen below performance norms to pursue a peer-coordinated professional development plan and return to expected productivity.</p>
<p>2. POST-TENURE ANNUAL REVIEW Annual reviews of performance are to be conducted for all faculty members and must result in a written document stating the department chair's evaluations of performance in scholarship, teaching, service, and other assigned responsibilities. In addition, the expectations for the ensuing evaluation period</p>	<p>2. POST-TENURE ANNUAL-REVIEW Annual reviews of performance are to be conducted for all faculty members and must result in a written document stating the department chair's evaluations of performance in scholarship, teaching, service, and other assigned responsibilities. In addition, the expectations for the ensuing evaluation period</p>	<p>2. POST-TENURE REVIEW TAMUK Post-Tenure Review process is based on System Policy 12.06 Post-Tenure Review of Faculty and Teaching Effectiveness. Faculty Annual Reviews will be an integral part of the Post-Tenure Review process. These</p>

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for each faculty member, commensurate with his or her rank and seniority, must also be in the document. In order for the annual review to be an integral part of post-tenure review, it will have the additional characteristics:

2.1 In each college and the library, stated criteria for applicable categories of performance (at least three categories from the following: Teaching, Professional Effectiveness, Scholarly Endeavor, Professional Development, and Service to the University and the Community) are assessed under general guidelines as explicated in the Faculty Handbook and relevant System and University Rules, as well as college specific documents and requirements. Each tenured faculty member will receive a score on a 7-point scale for each category; any score lower than 4 (1-3.999) may indicate faculty performance problems and three consecutive such scores in any single broad area will trigger a professional review. For further information refer to System Policy 12.06 Post-Tenure Review of Faculty and Teaching Effectiveness.

2.2 An annual review in which a less-than-good performance in any broad category is determined shall state in writing the basis for the ranking in accordance with the criteria.

2.3 Every tenured faculty member must undergo a professional review every six years unless (a) the faculty member undergoes a

~~for each faculty member, commensurate with his or her rank and seniority, must also be in the document. In order for the annual review to be an integral part of post-tenure review, it will have the additional characteristics: TAMUK Post-Tenure Review process is based on System Policy 12.06 Post-Tenure Review of Faculty and Teaching Effectiveness. Faculty Annual Reviews will be an integral part of the Post Tenure Review process. These annual reviews will be conducted as outlined in TAMUK Faculty Handbook section B.3.~~

2.1 2.1 Faculty Annual Reviews will be an integral part of the Post-Tenure Review process. These annual reviews will be conducted as outlined in TAMUK Faculty Handbook section B.3. In each college and the library, stated criteria for applicable categories of performance (at least three categories from the following: Teaching, Professional Effectiveness, Scholarly Endeavor, Professional Development, and Service to the University and the Community) are assessed under general guidelines as explicated in the Faculty Handbook and relevant System and University Rules, as well as college specific documents and requirements. Each tenured faculty member will receive a score on a 7-point scale for each category; any score lower than 4 (1-3.999) may indicate faculty performance problems and three consecutive such scores in any single

annual reviews will be conducted as outlined in TAMUK Faculty Handbook section B.3.

Every tenured faculty member must undergo a post-tenure review every six years unless

- (a) the faculty member undergoes a successful review for promotion within the six-year period, or
- (b) the faculty receives 3 consecutive scores below 4 (1-3.99) **or 3 consecutive ratings of deficient or unacceptable** in the faculty annual review in any single broad area within a six-year period, or
- (c) faculty undergoes a voluntary post-tenure review as outlined in point(6) section B.5.4 of the TAMUK Faculty Handbook

If a faculty member applies for promotion in a year in which a post-tenure review is scheduled, the application for promotion will also be the dossier for post-tenure review (though the department chair may request additional information). If the faculty member is denied promotion, section 3.1.5 in the TAMUK Faculty Handbook shall be followed. In either case, the six-year clock starts over at that point.

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successful review for promotion within the six year period, or (b) the professional review is mandated by three consecutive years of scores below 4 as explained in paragraph 2.1. If a faculty member applies for promotion in a year in which a PTR is scheduled, the application for promotion will also be the dossier for PTR (though the department chair may request additional information). If the faculty member is denied promotion, section 3.1.5 shall be followed. In either case, the six year clock starts over at that point.

~~broad area will trigger a professional review. For further information refer to System Policy 12.06 Post Tenure Review of Faculty and Teaching Effectiveness.~~

~~2.2 An annual review in which a less than good performance in any broad category is determined shall state in writing the basis for the ranking in accordance with the criteria.~~

~~2.3 Every tenured faculty member must undergo a post-tenure review every six years unless
 (a) the faculty member undergoes a successful review for promotion within the six year period, or
 (b) the faculty receives 3 consecutive scores below 4 (1-3.99) in the faculty annual review in any single broad area within a six-year period.~~

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3. PROFESSIONAL REVIEW PLAN

3. PROFESSIONAL REVIEW PLAN

3. Post-tenure REVIEW PLAN

3.1 Professional Review. A professional review will be initiated when a tenured faculty member receives three consecutive less than 4.0 scores on the annual review in any single broad category as described in 2.1. The department chair will inform the faculty member that he or she is subject to professional review, and of the nature and procedures of the review. A faculty member can be exempted from review upon recommendation of the department chair and approval of the dean when substantive mitigating circumstances (e.g. serious illness) exist. The faculty member may be aided by private legal counsel or another representative at any stage during the professional review process.

[This section pertains specifically to the act and procedure for reviewing a tenured faculty's professional review dossier as outlined in point \(2\) Section B.5.4. in the TAMUK Faculty Handbook.](#)

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[3.1 The Professional post-tenure review will be conducted by an ad hoc review committee \(hereafter referred to as the review committee\), unless the faculty member requests that it be conducted by the department chair. The three-member ad hoc faculty review committee will be appointed by the dean, in consultation with the department chair and faculty member to be](#)

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reviewed. When appropriate, the committee membership may include faculty from other departments, colleges, or universities.

3.2 The faculty member to be reviewed will prepare a review dossier by providing all documents, materials, and statements he or she deems relevant and necessary for the review within one month of notification of professional review. All materials submitted by the faculty member are to be included in the dossier.

Although review dossiers will differ, the dossier will include at minimum:

1. current curriculum vitae,

2. a teaching portfolio (for faculty with teaching responsibilities),

3. and a statement on current research, scholarship, or creative work,

4. Service

The department chair will add to the dossier any further materials he or she deems necessary or relevant. The faculty member has the right to review and respond in writing to any materials added by the department chair with the written response included in the dossier. In addition, the faculty member has the right to add any materials at any time during the review process.

Additions of any kind made to the dossier after the faculty member has submitted the dossier to the department chair will be added to a section at the end of the dossier, entitled "Materials Added." All such additions shall have the date of addition clearly posted on the initial page of the addition.

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3.3 The professional review will be made in a timely fashion (normally less than three months

	<p><u>3.3 The professional review will be made in a timely fashion (normally less than three months after the faculty member under review submits the initial dossier). The professional review will result in one of three possible outcomes:</u></p> <p><u>a. No deficiencies are identified by the ad hoc review committee in any one of the following areas: Teaching Effectiveness; Research, Creative Activities and other Scholarly Endeavors; or Service. The faculty is deemed meeting post-tenure expectations satisfactorily within the program she or he is tenured in. The ad hoc review committee will provide in writing the rationale for the conclusion to the faculty, department chair, and dean.</u></p> <p><u>b. Some deficiencies are identified in one or more of the following areas: Teaching Effectiveness; Research, Creative Activities and other Scholarly Endeavors; or Service, but are determined not to be substantial or chronic. The review committee specifically elaborates the deficiencies in writing and a copy is provided to the faculty member, the department chair, and the dean.</u></p> <p><u>c. Substantial or chronic deficiencies are identified in one or more of these areas: Teaching Effectiveness; Research, Creative Activities and other Scholarly</u></p>	<p>after the faculty member under review submits the initial dossier). The professional review will result in one of three possible outcomes:</p> <p>a. No deficiencies are identified by the ad hoc review committee in any one of the following areas: Teaching Effectiveness; Research, Creative Activities and other Scholarly Endeavors; or Service. The faculty is deemed meeting post-tenure expectations satisfactorily within the program she or he is tenured in. The ad hoc review committee will provide in writing the rationale for the conclusion to the faculty, department chair, and dean.</p> <p>b. Some deficiencies are identified in one or more of the following areas: Teaching Effectiveness; Research, Creative Activities and other Scholarly Endeavors; or Service, but are determined not to be substantial or chronic. The review committee specifically elaborates the deficiencies in writing and a copy is provided to the faculty member, the department chair, and the dean.</p> <p>c. Substantial or chronic deficiencies are identified in one or more of these areas: Teaching Effectiveness; Research, Creative Activities and other Scholarly Endeavors; or Service. The faculty member's performance is deemed unsatisfactory in meeting post-tenure</p>
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	<u>Endeavors; or Service. The faculty member's performance is deemed unsatisfactory in meeting post-tenure expectations within the program she or he is tenured in. The review committee specifically elaborates the deficiencies in writing and a copy is provided to the faculty member, department chair, and dean. The faculty member, review committee, and department chair shall then work together to draw up a short-term professional development plan (see section 4) acceptable all parties concerned.</u>	expectations within the program she or he is tenured in. The review committee specifically elaborates the deficiencies in writing and a copy is provided to the faculty member, department chair, and dean. The faculty member, review committee, and department chair shall then work together to draw up a short-term professional development plan (see section 4) acceptable all parties concerned
4. THE PROFESSIONAL DEVELOPMENT PLAN	4. THE PROFESSIONAL DEVELOPMENT PLAN	4. PROFESSIONAL DEVELOPMENT PLAN
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. The plan will be formulated with the assistance of and in consultation with the faculty member. It is the faculty member's obligation to assist in the development of a meaningful and effective plan and to make a good faith effort to implement the plan adopted. Although each professional development plan is	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. The plan will be formulated with the assistance of and in consultation with the faculty member. It is the faculty member's obligation to assist in the development of a meaningful and effective plan and to make a good faith effort to implement the plan adopted. Although each professional development plan is	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. The plan will be formulated with the assistance of and in consultation with the faculty member. It is the faculty member's obligation to assist in the development of a meaningful and effective plan and to make a good faith effort to implement the plan adopted. Although each professional development plan is

<p>tailored to individual circumstances, the plan will:</p> <p>4.1.1 identify specific deficiencies to be addressed;</p> <p>4.1.2 define specific goals or outcomes necessary to remedy the deficiencies;</p> <p>4.1.3 outline the activities to be undertaken to achieve the necessary outcomes;</p> <p>4.1.4 set timelines for accomplishing the activities and achieving intermediate and ultimate outcomes;</p> <p>4.1.5 indicate the criteria for assessment in annual reviews of progress in the plan;</p> <p>4.1.6 identify institutional resources to be committed in support of the plan.</p> <p>4.2 Assessment. The faculty member and department head will meet annually to review the faculty member's progress toward remedying deficiencies. A progress report will be forwarded to the dean. Further evaluation of the faculty member's performance within the regular faculty performance evaluation process (e.g. annual reviews) may draw upon the faculty member's progress in achieving the goals set out in the professional development plan.</p>	<p>tailored to individual circumstances, the plan will:</p> <p>4.1.1 identify specific deficiencies to be addressed;</p> <p>4.1.2 define specific goals or outcomes necessary to remedy the deficiencies;</p> <p>4.1.3 outline the activities to be undertaken to achieve the necessary outcomes;</p> <p>4.1.4 set timelines for accomplishing the activities and achieving intermediate and ultimate outcomes;</p> <p>4.1.5 indicate the criteria for assessment in annual reviews of progress in the plan;</p> <p>4.1.6 identify institutional resources to be committed in support of the plan.</p> <p>4.2 Assessment. The faculty member and department head will meet annually to review the faculty member's progress toward remedying deficiencies. A progress report will be forwarded to the dean. Further evaluation of the faculty member's performance within the regular faculty performance evaluation process (e.g. annual reviews) may draw upon the faculty member's progress in achieving the goals set out in the professional development plan.</p>	<p>tailored to individual circumstances, the plan will:</p> <p>4.1.1 identify specific deficiencies to be addressed;</p> <p>4.1.2 define specific goals or outcomes necessary to remedy the deficiencies;</p> <p>4.1.3 outline the activities to be undertaken to achieve the necessary outcomes;</p> <p>4.1.4 set timelines for accomplishing the activities and achieving intermediate and ultimate outcomes;</p> <p>4.1.5 indicate the criteria for assessment in annual reviews of progress in the plan;</p> <p>4.1.6 identify institutional resources to be committed in support of the plan.</p> <p>4.2 Assessment. The faculty member and department head will meet annually to review the faculty member's progress toward remedying deficiencies. A progress report will be forwarded to the dean. Further evaluation of the faculty member's performance within the regular faculty performance evaluation process (e.g. annual reviews) may draw upon the faculty member's progress in achieving the goals set out in the professional development plan.</p>
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<p>4.3 Completion of the Plan. When the objectives of the plan have been met or the agreed timeline exceeded, or in any case, no later than three years after the start of the development plan, the department head shall make a final report to the faculty member and dean. The successful completion of the development plan is the positive outcome to which all faculty and administrators involved in the process must be committed. The re-engagement of faculty talents and energies reflects a success for the entire University community. If, after consulting with the review committee, the department head and dean agree that the faculty member has failed to meet the goals of the professional development plan and that the deficiencies in the completion of the plan separately constitute good cause for dismissal under applicable tenure policies, dismissal proceedings may be initiated under applicable policies governing tenure, academic freedom, and academic responsibility.</p>	<p>4.3 Completion of the Professional Development Plan. When the objectives of the plan have been met or the agreed timeline exceeded, or in any case, no later than three years after the start of the development plan, the department head shall make a final report to the faculty member and dean. The successful completion of the development plan is the positive outcome to which all faculty and administrators involved in the process must be committed. The re-engagement of faculty talents and energies reflects a success for the entire University community. If, after consulting with the review committee, the department head and dean agree that the faculty member has failed to meet the goals of the professional development plan and that the deficiencies in the completion of the plan separately constitute good cause for dismissal under applicable tenure policies, dismissal proceedings may be initiated under applicable policies governing tenure, academic freedom, and academic responsibility.</p>	<p>4.3 Completion of the Professional Development Plan. When the objectives of the plan have been met or the agreed timeline exceeded, or in any case, no later than three years after the start of the development plan, the department head shall make a final report to the faculty member and dean. The successful completion of the development plan is the positive outcome to which all faculty and administrators involved in the process must be committed. The re-engagement of faculty talents and energies reflects a success for the entire University community. If, after consulting with the review committee, the department head and dean agree that the faculty member has failed to meet the goals of the development plan and that the deficiencies in the completion of the plan separately constitute good cause for dismissal under applicable tenure policies, dismissal proceedings may be initiated under applicable policies governing tenure, academic freedom, and academic responsibility.</p>
<p>5. APPEAL If at any point during the procedure the faculty member believes the provisions of this process are being unfairly applied, a grievance can be filed under the provisions of appropriate university standard operating procedures located at <u>(website)</u>. If the faculty member wishes to contest the professional review committee’s finding of substantial or chronic deficiencies, the faculty member may appeal the finding to the dean, whose decision on such an appeal is final. If the</p>	<p>5. APPEAL If at any point during the procedure the faculty member believes the provisions of this process are being unfairly applied, a grievance can be filed under the provisions of appropriate university standard operating procedures located at <u>(website)</u>. If the faculty member wishes to contest the professional review committee’s finding of substantial or chronic deficiencies, the faculty member may appeal the finding to the dean, whose decision on such an appeal is final. If the</p>	<p>5. APPEAL If at any point during the procedure the faculty member believes the provisions of this process are being unfairly applied, a grievance can be filed under the provisions of appropriate university standard operating procedures located at <u>(website)</u>. If the faculty member wishes to contest the review committee’s finding of substantial or chronic deficiencies, the faculty member may appeal the finding to the dean, whose decision on such an appeal is final. If the faculty</p>

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faculty member, department head, and review committee fail to agree on a professional development plan acceptable to the dean, the plan will be determined through mediation by the Compliance Officer	faculty member, department head, and review committee fail to agree on a professional development plan acceptable to the dean, the plan will be determined through mediation by the Compliance Officer	member, department head, and review committee fail to agree on a professional development plan acceptable to the dean, the plan will be determined through mediation by the Compliance Officer
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2. Annual Evaluation

Annual Evaluation process and procedure is described in section B.3 – Annual Evaluation of Faculty

Each faculty member, whether tenured, tenure-track, or full-time lecturer, is evaluated yearly. The faculty member is individually evaluated, according to a procedure developed by the faculty, by the appropriate department chair and reviewed by the college dean. Factors considered in the total evaluation procedure include (1) Teaching Performance, (2) Research and Scholarly Activities, (3) Professional Growth and Activities, and (4) Service. A College may choose to combine evaluation areas 3 and 4 into a single evaluation item (Professional Growth and Service) and so have only three evaluation areas. Specific weightings for the various performance factors for individual faculty members will be established in consensus between the faculty member and his or her department chair and/or dean. Ranges of obligation for each evaluation area may range between 0100 percent. Written narratives are part of the evaluation process and are used when advising faculty of the outcomes of their yearly performance evaluations. The definition of research and appropriate scholarly activities at this institution can be found in Appendix II.

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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.

Early in each spring semester department chairs will hold an evaluation conference with individual faculty members. Each spring semester department chairs and deans will review and complete the annual evaluation for individual faculty members.

When advising faculty of the outcomes of yearly performance evaluations, department chairs do so in a written narrative explicitly communicating the rationales underlying the assessment outcome. These written narratives clearly describe the faculty member's positive contributions as well as any areas of professional performance that should be more fully developed.

The written narratives serve as guides as faculty members strive toward achievement of their professional goals. In the written narrative, chairs and deans can suggest specific actions that faculty can take to achieve performance objectives.

Faculty members are to have sufficient opportunity for input into the initial, formative, and final process resulting in the written narrative.

Faculty being evaluated and chairs meet together and have verbal discussion concerning the faculty member's performance during the past year and their short and long-term career objectives. Performance objectives ("Proposed Activities") for the coming year are to be collaboratively established.

Finally, faculty and chairs, through open dialogue, attempt to reach consensus that the narrative fairly represents the faculty member's performance during the past year and that suggestions for improving the faculty member's performance during the present evaluation period are both realistic and equitable.

If consensus is reached, the narrative evaluation will be signed by the faculty member and the department chair. If consensus is not reached, faculty members have the opportunity to respond in writing to the chair. If resolution is not reached, the faculty member may present his/her case to the dean. The faculty member's response will be incorporated into the narrative evaluation.

TAMU System policy does not have a specific section/policy pertaining to Annual Evaluation of Faculty. The closest are a set of -broad policies 12.01 – Academic Freedom, Responsibility and Tenure; 12.01.01 – Institutional Rules for Implementing Tenure; and 12.03 – Faculty Academic Workload and Reporting Requirements.

There are no specific areas of confusion identified in TAMUK Faculty Handbook Section B.3.

Comments:

1. Decision to move from a numerical evaluation scale 1-7, to non-numerical categories (“meeting expectations” etc.) as has been discussed, is a faculty senate decision per faculty senate rules and operating procedures.
2. Faculty Senate is advised to consider the following in any discussions on changing Section B.3 – annual review should be holistic and must account for significant contributions in different categories. If a faculty is not evaluated in any one, or more, area(s) in any given year because of significant demands in other areas, such as (but not limited to) significant teaching duties to meet unexpected situations, significant administrative responsibilities within the university on professional societies, deputation, the annual evaluation should clearly reflect it in the annual evaluation report, as well as (numerical or non-numerical) scores in all categories in the annual evaluation form.

COMPARISON BETWEEN FULL-TIME MANAGEMENT AND INSTRUCTIONAL STAFF OF TAMUK
AND IPEDS GROUP, 2018-2019

By Kelly S. Hall

For Faculty Senate

May 31, 2020

Table 1

Results of One-Sample t-Tests Comparing TAMUK to Peers

Indicator	TAMUK		Peers		t(28)	p	Difference TAMUK- Peers
	M	SD	M	SD			
Number: Management Staff	119		132	77	.94	.36	-13
Number: Instructional staff (total)	330		411	128	3.40	.00*	-81
Salary outlay: Management staff	\$10,826,893		\$13,037,847	\$5,875,382	2.03	.05*	-\$2,210,954
Salary outlay: Instructional staff	\$24,574,461		\$34,535,811	\$12,010,887	4.47	.00*	-\$9,961,350
Ratio: Number of management to instructional staff	.36		.32	.15	-1.38	.18	+.04
Ratio: Salary outlay for management to instructional staff	.44		.39	.14	-2.09	.05*	+.05
Cost-of-Living Index	.75		.92	.15	6.06	.00*	-.17

Note: *Statistically significant at .05 alpha level

Interpretation

TAMUK hires fewer management and instructional staff than its peers. The number of instructional staff TAMUK hires is significantly lower than its peers.

TAMUK pays both management and instructional staff significantly lower than its peers. The difference in salary outlay for instructional staff is more significant than the difference for management staff.

TAMUK's ratio of the number of management to instructional staff is not significantly different compared to its peers. At .05 (5%), the ratio of salary outlay for management to instructional staff is significantly higher at TAMUK compared to its peers.

The Cost-of-Living index for Kingsville is .17 below cities in which peer institutions are located. This .17 difference between TAMUK's salary outlay for management staff compared to its peers is at parity with the difference in the Cost-of Living (\$2,210,954/\$13,037,847). The .29 difference between TAMUK's salary outlay for instructional staff and TAMUK's peer institutions is .12 lower than parity would indicate (\$9,961,350/\$34,535,881).

Summary: Compared to its peers, TAMUK employs and pays management staff at a higher ratio than instructional staff compared to its peers. Parity would be reached if management staff were paid 5% less and instructional staff were paid 12% more.

METHOD

DATA: IPEDS, 2018

Data were retrieved from the most recent available data of the Integrated Postsecondary Education Data System, 2018.

From <https://nces.ed.gov/ipeds/about-ipeds>

IPEDS is the Integrated Postsecondary Education Data System. It is a system of interrelated surveys conducted annually by the U.S. Department of Education's National Center for Education Statistics (NCES). IPEDS gathers information from every college, university, and technical and vocational institution that participates in the federal student financial aid programs. The Higher Education Act of 1965, as amended, requires that institutions that participate in federal student aid programs report data on enrollments, program completions, graduation rates, faculty and staff, finances, institutional prices, and student financial aid. These data are made available to students and parents through the [College Navigator](#) college search Web site and to researchers and others through the [IPEDS Data Center](#). To learn more about IPEDS Survey components, visit <https://nces.ed.gov/ipeds/use-the-data/survey-components>.

COMPARISON GROUP (n = 29)

The comparison group was generated using the IPEDS automated feature for selecting a comparison group. The methodology used by IPEDS for selecting a comparison group is below as generated by the Data Feedback Report upon retrieval of data from the system. TAMUK data were retrieved simultaneously with comparison group data.

Variable Description

Data Feedback Report comparison group category. - This indicator was used to create the automatic comparison groups in the IPEDS Data Feedback Report, when institutions did not provide their own comparison group.

All institutions that participated in Title IV federal financial aid programs were first separated into degree-granting and nondegree-granting groups by control of institution (public, private, not-for-profit and private for-profit).

Degree-granting institutions were divided into the following groups using the institution category variable: graduate and 4-year primarily baccalaureate and above; 4-year primarily associate's; and 2-year degree-granting. The Carnegie Classification Basic 2018 was then used further classify degree-granting institutions within the 4 groups. The highest degree offered was used for 4-year degree-granting institutions that did not have a Carnegie classification.

The majority of nondegree-granting institutions were grouped by their largest program. The largest program was based on the largest program identified by the cipcode, that the institution reported on the student cost section of the institutional characteristics component. The programs are business (52), communications and communication technologies(09,10), cosmetology(12.04), engineering and engineering technologies(14,15), manufacturing, construction, repair, and transportation (46,47,48,49) and health (51). All other cipcodes were combined for the other programs category.

When the above methodology yielded small comparison groups (< 4 schools), groups of different controls maybe combined or a 4-year primarily associates maybe combined with a 4-year baccalaureate and above group.

When the above methodology yielded large groups (greater than 40), groups were further subdivided by size, based on 12-month enrollment, (See cosmetology groups above).

Special groups were made for the Tribal colleges, U.S. service institutions, and institutions in other jurisdictions, such as Puerto Rico.

Prior to the 2018 data feedback reports Distance learning "Only" institutions were classified as one group. Beginning with the 2018 report distance learning "Only" were classified based on their Carnegie Classification.

Variable Sources

IPEDS, 2018-19 Data Feedback Report

VARIABLES

Part B1-Number of Full-time Non-instructional Staff by Occupational Category Number of Full-time Non-instructional Staff by Occupational Category As of November 1, 2018: Management Occupations 11-0000

Part G1-Number of Full-time Non-medical School Instructional Staff As of November 1, 2018

Part G2-Salary Outlays for Full-time Non-medical School Instructional Staff, 2018-2019 annual total

Part G4-Salary Outlays for Non-instructional Staff Salary Outlays for Full-time Non-medical School Non-instructional Staff: Management Occupations 11-0000, 2018-2019 annual total

Survey with items available at:

https://nces.ed.gov/ipeds/UseTheData/ArchivedSurveyMaterialPdf?year=2018&fileName=package_1_4_3.pdf

Cost-of-Living-Sperling's BestPlaces Cost-of-Living Calculator available at:

<https://www.bestplaces.net/cost-of-living/>

ANALYSIS

A one-sample *t*-test was used to compare a known value (TAMUK's) to the mean of a distribution of continuous level measures (Comparison Group). An alpha of $p \leq .05$ was used for statistically decision-making about significant differences.

TEXAS A&M UNIVERSITY-KINGSVILLE
SUMMARY OF ANNUAL EVALUATION OF FACULTY

SPRING _____ Through FALL _____

Name:	Dept.:	Chair:
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Specific parameters for each of the evaluation sections II, III, and IV are to be determined at the college level, subject to approval by the Faculty Senate and President, and consistent with TAMU-K Tenured Faculty Development Review Policy, System Policy 12.06.

	Rating (1-7)	Weight (0-100%)	Score
I. <u>TEACHING PERFORMANCE</u> (See Appendix III, Faculty Handbook)	_____ X _____	=	_____

Does Not Meet Expectations	Meets Expectations	Exceeds Expectations

	_____ X _____	=	_____
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Does Not Meet Expectations	Meets Expectations	Exceeds Expectations

	_____ X _____	=	_____
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Does Not Meet Expectations	Meets Expectations	Exceeds Expectations

	_____ X _____	=	_____
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Does Not Meet Expectations	Meets Expectations	Exceeds Expectations

Total of Weights and Scores (weights must total 100%) _____ = _____

Signature of the faculty member indicates that a discussion, between the faculty member and the supervisor, regarding the Annual Evaluation has been conducted.

Chairperson's Signature _____ Date _____

Faculty Member's Signature _____ Date _____

Dean's Signature _____ Date _____

Message from the Provost - Electronic Tenure/Promotion/Continuation Review Process

Martin Brittain <Martin.Brittain@tamuk.edu>

Fri 8/28/2020 5:05 PM

To: Faculty <Faculty@tamuk.edu>



Dear Faculty,

Given the current restrictions on in-person committee meetings, together with the opportunity to make the faculty tenure/promotion/continuation review process efficient and portfolios consistent in format, the Office of Academic Affairs has developed a system whereby all such reviews in AY 2020-2021 will be conducted online, via e-portfolios on Blackboard. This process has been vetted and approved by the deans and associate deans of all the colleges, who were presented a demo of the process.

A detailed guide for creating an e-portfolio for tenure and/or promotion, as well as a guide for creating an e-portfolio for continuation, will be posted by Monday, August 31st, at the Academic Affairs website at <http://www.tamuk.edu/academicaffairs/promotion-tenure.html>. Please follow the directions in these guides to develop and submit your e-portfolio. The schedule for submission of your e-portfolio and the review process is available at the website above.

If you are a member of a reviewing entity (such as a department or college committee, department chair, dean), you will receive instructions regarding the e-review process – these will be available in the Blackboard course being created for the review(s), to which you will be given access during your review period.

I appreciate the work done by the Office of Academic Affairs in developing this e-review process and ask for your cooperation in making it successful. If you have questions about the process, please email Jaya Goswami at jaya.goswami@tamuk.edu. Thank you.

A handwritten signature in black ink that reads "Lou Raines". The signature is written in a cursive, flowing style.

Sincerely,