

Volume XI, Number 6
Minutes of the Faculty Senate Meeting
February 8, 2018

I. Call to Order and Roll Call

The meeting was called to order by President Sahra Sedigh Sarvestani. Roll was called by Secretary Steven Corns. Those whose names are **grayed** out below were absent.

Brent Unger, Audra Merfeld-Langston, **Mark Mullin**, David Westenberg, Craig Claybaugh, (Richard Hall for) Fui-Hoon Nah, Parthasakha Neogi, Jee Ching Wang, **Jeffrey Winiarz**, Klaus Woelk, Mark Fitch, Jianmin Wang; Wei Jiang, Chaman Sabharwal, Michael Davis, **Levent Acar**, (Ali Hurson for) James Drewniak, Kurt Kosbar, **Maciej Zawodniok**, Steven Corns, (Ivan Guardiola for) Steve Raper, **Trent Brown**, K. C. Dolan, Norbert Maerz, David Wronkiewicz, (John McManus for) Kathleen Sheppard, Wayne Huebner, (Jeff Smith for) David Van Aken, Akim Adekpedjou, Martin Bohner, S.N. Balakrishnan, Umit Koylu, (K. Krishnamurthy for) Ashok Midha, Gearoid MacSithigh, **Otis Register**, Shoaib Usman, **Paul Worsey**, **Barbara Hale**, Ulrich Jentschura, Amber Henslee

II. Discussion of Proposed Changes suggested by the Tenure Policy Committee

After distributing handouts, including an overview of the issues to be discussed at this special meeting and a summary of the Tenure Policy Committee minutes from October 2017, Dr. Jerry Cohen gave a brief recap of discussions and recommendations from the Tenure Policy Committee. He reminded the Senate that two proposals were presented and approved in previous Faculty Senate meetings last fall:

1. The area subcommittees of the Campus Promotion & Tenure Committee will be replaced by College committees. The Engineering committee remains unaffected by the change but CASB will now have a unified college committee rather than several small committees.
2. The opportunities of a candidate to appeal a negative recommendation will be reduced from six to three (upon receiving notice in writing from the chair, dean or provost). The reduction will create more time for deliberation by the committees and administrators involved in the p/t process.

He went on to explain that the remaining two recommendations of the committee to be discussed at this meeting involve the size of the campus promotion and tenure committee and limiting an individual faculty member to serving on a single promotion and tenure committee in a single year.

Professor Cohen stated that the issue of limiting a faculty member's participation on promotion and tenure committees was the more controversial of the two, so he would prefer to address it first. He read directly from the October 18, 2017 Tenure Policy Committee Minutes to illustrate the range of the pros and cons that came up during the committee discussion,

concluding by saying that the committee vote was split. He then opened the floor for discussion.

Professor Michael Bruening commented that he sees three potential motions being discussed: faculty *participation* on more than one promotion and tenure committee, faculty *voting* on more than one committee, and thirdly, the *department representative's* eligibility to vote. He asked for clarification of the motion from the committee, at which point Professor Cohen responded that he had not yet presented the motion, but merely wanted the Senate to discuss the various aspects of the issue of faculty serving on multiple levels of committee review during a single promotion and tenure cycle.

Professor Ulrich Jentschura commented that the current process provides diverse opinions and adequate representation; therefore, he favors keeping things as they are.

The question was raised as to whether it is possible for a faculty member to serve on more than a single promotion and tenure committee in any context other than starting as a department representative.

Professor Cohen replied that he understood that the faculty member could choose on which of the three promotion and tenure committees (department, area or campus) he or she would serve but that during committee discussion, a member voiced the strong opinion that limiting service would mean that the department committee representative would not have the choice of serving beyond the department committee.

Professor Richard Hall stated he was still unclear about the committee vote. He asked if they voted on allowing the department representative to participate in discussions concerning the candidate from their department or did they vote on limiting an individual faculty member to serving on a single promotion and tenure case in a single year, as displayed on the projection screen. Professor Sedigh Sarvestani explained that the statement on the screen was simply the topic being discussed but that the motion the Tenure Policy Committee voted on is included in the handout (the October 18 Minutes of the Tenure Policy Committee). Professor Hall then stated that with respect to the topic displayed on the screen, many departments do not have three full tenured professors and would not have representation on each level of committee review if this limitation is imposed. He added that a faculty member who had not served on the department committee would not be educated about the specific case to address any questions surfacing in area or campus committee discussions. He went on to say that with respect to the motion voted on by the committee, not only would it be difficult to enforce, but it would limit the person who knows the specific case best to speaking the least. He concluded his comments by saying he would argue against either situation.

Dr. Balakrishnan commented that while there were quite a few discussions, he did not feel that comments from the department representative received the scrutiny this discussion would seem to indicate. He added that the promotion and tenure committee is a full committee, it is not a committee of one.

Professor Mariesa Crow was recognized to speak. She commented that since she is not a Senator, she cannot vote on this issue but she compared the promotion and tenure committee process to what happens during professional association reviews of fellows, in which each level of review involves a separate committee with no members in common.

Professor David Westenberg commented that if the person who has the only dissenting vote at the department committee level goes on to participate in the next level, they have the opportunity to ruin that individual's chance for promotion or tenure, even if they do not actually vote.

Professor John McManus commented that this motion is predicated on two notions, one of which has some validity, in his opinion, and one which does not. He said that he understands the concern in giving one person too much influence at three levels, but that the presumption that there will be someone on the committee who is not professional enough to hold their own views in abeyance regardless of how they voted and not present the case in a fair way. He added that having served on the promotion and tenure committee for many years, he has rarely seen anything like that happen. He said that while this is a well-intentioned motion, he feels it creates more problems than it solves.

Professor Jentschura said we have already read this and we should move forward. Professor Sedigh Sarvestani asked if he wanted to call the question, at which Professor Mark Fitch called for point of order, since no motion has been presented. Professor Jentschura said he did not intend to call the question. Professor Cohen clarified that he presented the motion that the committee voted on so that members of the Senate could consider the issue. Professor Sedigh Sarvestani added that this is a discussion of the report from the Tenure Policy Committee and that no motion has yet been presented.

Professor Crow and other offered suggestions for additional consideration to more clearly convey the intention of the committee's recommendations in regards to limiting the size of the committee and limiting individual faculty participation. Professor Audra Merfeld-Langston asked if an exception should be built into the statement to apply to smaller departments that may only have one full professor. Professor Crow responded that there is an exception now for those departments.

Professor Gearoid MacSithigh suggested that one of the ways to address the issue of small units having few full professors is to reduce the size of the committee. Professor Michael Davis commented that the issue is that in order to get enough associate professors to form a department committee, some small departments have to go outside the department. If you reduce the size of the committee and limit the department representative's participation, you no longer have representation at the higher levels of review.

Dr. Westenberg responded that associate professors can serve as department representatives and can participate in discussions at subsequent levels of review, but not vote. He said that provides representation but avoids the risk of those rare instances in which a faculty member abuses their position and does not vote fairly.

Professor Davis stated that the motion voted on by the Tenure Policy Committee as written would seem to prevent the department representative from voting at all. Professor Sedigh Sarvestani asked Dr. Cohen whether the statement approved by the committee was meant to imply that the department representative would not vote at the area or campus committee levels. He confirmed that was the way it was understood.

Professor Richard Brow was recognized and commented that there is new information presented at every level of review and that the committees evaluate that information along with the information that was previously included in the dossier. He said it seems to him that if there is a different representative at each of the three levels, less information will be known as the case moves forward. He went on to say that he knows that while we are worried about a bad apple, there are lots of instances in which the new information changes a committee member's mind. He said that by limiting representative participation to one level, you lose the historical record of the discussions that have taken place along the way.

Professor Sedigh Sarvestani quickly recapped the discussion thus far for some late arrivers to the meeting. She further asked whether the discussions and justifications of rulings from the department level are well articulated, so the essence of what went on at the previous level is clearly understood at the next level of review. Professor McManus responded that the department level letter should contain information to clearly articulate the essence of the discussion and justification for the final vote. He added that if there is a split vote, the reasons for the dissenting views are included.

Dr. Balakrishnan shared an example from a recent promotion and tenure committee situation in which an alternate attended one of the review meetings, but the committee member attended the other. He pointed out that as the questions came out during each level of discussion, the department reps contributions were the best and in every case we do what is the most fair to the candidate. He said that he also has served on the promotion and tenure committee for many years, both in the old college/school structure and in the current structure. He added that if members change at every level of review, there is no resource (or recourse?) . . .

Professor Hall commented that he, too, served on the campus committee in the old structure when it was a much smaller committee. He went on to say that even then, it was not a completely new committee as there were some members who may have voted at the college or department level.

Professor Jentschura made the following motion, which was seconded by Professor Hall:

Motion: An individual faculty member shall be limited to serving on a single promotion and tenure committee in a single year.

Professor McManus stated that if this motion is passed, it is incumbent upon this body to stipulate precisely how departments that do not have enough qualified members to serve at the various levels are to do so. Professor Cohen agreed, adding that his department would be one that would have difficulty meeting this requirement.

A question was raised regarding where this statement, if passed would appear – whether it would be in the bylaws or somewhere else. Professor Sedigh Sarvestani responded that the statement would not appear in our bylaws but would appear in our official promotion and tenure policy and procedures document.

Professor Klaus Woelk pointed out that there is a difference between serving and voting. He asked that the wording be clarified. Professor Gearoid MacSithigh added that the motion as it stands merely articulates the principle of what should happen; it does not indicate how it is to be done.

Professor Daniel Forciniti commented that as a member of the Tenure Policy Committee, the motion currently on the floor was rejected due to concerns about its impact on small departments. A compromise was reached and that was what was voted on by the Tenure Policy Committee.

The discussion continued with various suggestions for changing the wording by friendly amendment, however no acceptable amendment resulted.

Motion to Table: Professor Kurt Kosbar moved to table the motion currently on the floor until the motion voted on at the committee level can be considered. The motion was seconded.

The motion passed.

Professor Wronkiewicz asked if the concern is that a person is serving on more than one committee or is the concern that the department level committee be more fair because they know the candidate well. Professor McManus responded that the concern is that one unprofessional biased individual lead to a difficult situation if the person is allowed to serve at multiple levels of review.

Professor Wayne Huebner commented that having served as chair of the campus committee this year and at other levels in previous years, he agrees that the system we have now works well. He expressed his opinion that members of the campus committee will listen to anyone's arguments, but they objectively consider what's in the dossier and form their own opinion on the case.

Professor Sedigh Sarvestani displayed on the screen the motion voted on by the Tenure Policy Committee.

“When the case of a candidate is being discussed in the college or campus promotion and tenure committee, the department representative should only participate in discussions to provide clarification if asked questions. The department representation should not vote on either committee.”

Discussion continued regarding the wisdom of limiting the department representative from discussing or voting on the case. Examples were given of situations in which members have or might in the future abstain from voting, but it was pointed out that the motion as presented would in essence be forced abstention. The question of whether a policy can legally prevent

someone on a committee from discussing or voting. Professor Corns commented that it could be considered a conflict of interest situation.

The following friendly amendment was suggested:

When the case of a candidate is being discussed in the college or campus promotion and tenure committee, the department representative ~~should~~ shall only participate in discussions ~~to provide clarification if asked questions.~~ The department representative and ~~should~~ shall not vote on either committee.

Professor Umit Koylu commented that the department representative's impact is much higher at the department level than it is at the campus level where there are nineteen members. He added that we are trying to solve a problem at the minimum level, rather than at a higher level. It was pointed out that other concerns had also been voiced. Discussion continued in this manner.

Professor Martin Bohner called the question. *The motion to call the question passed.*

Motion as Amended:

When the case of a candidate is being discussed in the college or campus promotion and tenure committee, the department representative shall only participate in discussions and shall not vote on either committee.

The vote on the Amended Motion was eight "yes", twenty "no" and one abstention. *The motion did not pass.*

Discussion then moved to the size of the campus promotion and tenure committee.

Motion from the Tenure Policy Committee:

The campus committee will maintain the present composition of having one representative from each department on campus.

The question was called by Professor Claybaugh and seconded by Professor Hall. *The motion to call the question passed.*

A vote was then taken on the motion from the Tenure Policy Committee. *The motion passed (twenty-five yes, 2 no and no abstentions).*

Professor Bohner moved to place the tabled motion back on the floor. The motion was seconded by Professor Jentschura. *The motion to un-table passed.*

Professor Bohner called the question on the un-tabled motion. The motion was seconded. *The motion to call the question passed.*

Motion:

An individual faculty member shall be limited to serving on a single promotion and tenure committee in single year.

The vote was eight for, nineteen against, and no abstentions. *The motion did not pass.*

III. Adjourn

The meeting adjourned at 3:00 PM.

Respectfully submitted,
Steven Corns, Secretary