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## 2007-02-09 Minutes of the Academic Senate

University of Dayton. Academic Senate

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[Approved March 2, 2007]

UNIVERSITY OF DAYTON  
DAYTON, OHIO  
MINUTES OF THE ACADEMIC SENATE  
February 9, 2007  
KU West Ballroom, 3:00 P. M.

Senators Present: J. Biddle, D. Biers (presiding), L. Brislin, C. Chen, D. Courte, D. Darrow, G. DeMarco, G. Doyle, C. Duncan, T. Eggemeier, E. Elam, J. Farrelly, B. John, P. Johnson, T. Lasley, M. Lofton, W. Luckett, P. Meyers, I. Morgan, J. O'Gorman, R. Penno, F. Pestello, C. Phelps, D. Poe, J. Saliba, A. Seielstad, L. Simmons, R. Wells

Senators Excused: A. Abueida, M. Brill, A. Crow, A. Fist, E. Gustafson, R. Hardie, L. Kloppenberg, C. Letavec, M. Morton, B. Turk

Guests: D. Bickford, P. Donnelly, K. Hibner, E. Hicks, F. Jenkins, L. Leming, J. Olive, M. Patterson, M. Skelton, T. Skill, P. Sweeney, J. Untener, K. Webb

1. Opening Prayer: Senator DeMarco opened the meeting with a prayer of St. Francis.

2. Roll Call: Twenty-eight of thirty-nine Senators were present.

3. Minutes:

December 1, 2006: Moved and seconded, minutes were approved as written.

4. Announcements:

D. Biers announced that the first item of business would be conducted in the Ballroom. The Academic Senate will then move to the Barrett Dining Room in order to provide KU staff with sufficient time to set the ballroom for the Lackner dinner.

5. Discussion of the Working Document on Tenure and Promotion Processes:

D. Biers introduced the discussion. He explained that the impetus for this issue comes from the Board of Trustees. He read the following statement:

Email dated February 8, 2007

From: Allen M. Hill, Chair, Academic Affairs Committee of the Board of Trustees

After extensive discussion and review of the practices of other universities, the Academic Affairs Committee of the Board of Trustees is prepared to delegate responsibility for the approval of individuals being recommended for tenure and promotion to the President of the University. The Board will continue to be the final court of appeal for procedural violations. The Board will also continue to monitor overall trends regarding tenure and promotion.

The Academic Affairs Committee of the Board of Trustees is prepared to make this recommendation to the full Board contingent on two matters:

First, the University will create a committee of faculty with representatives from all of the units that will serve to conduct University-wide review of the tenure and promotion policies and practices of each of the units. This body should ensure that the tenure and promotion practices of each academic unit are clearly communicated to each faculty member, appropriate, reasonably consistent across units, and applied fairly to all. The Board would expect this committee to issue a brief annual statement to be delivered through the Provost to the chair of the Academic Affairs Committee indicating the committee's findings on how each person who applied was treated in terms of stated practice.

Second, the Board of Trustees is aware that our actual practices with Post-Tenure Review vary significantly with what is stated in the actual policy found in the Faculty Handbook. The primary goal of such reviews should be to support and encourage excellence in teaching, scholarship, and service among our tenured faculty and to allow faculty members to reflect upon and receive peer assessment of their career development over a significant period of time. The Board is looking for assurance that this will happen within the recommended general University guidelines.

Biers emphasized that in developing this document, the focus has been on consistency of process and clarity of substantive requirements in individual units. He suggested that, in addition to the request from the Board, there are a number of reasons why this document and the proposed committee can be understood as desirable. These include: improving the promotion and tenure process, protecting faculty from arbitrary decisions during the process, making the process more transparent, protecting the rights of those in the process, increasing the faculty voice on these issues, and addressing potential legal issues by clearly articulating processes and procedures. He also reviewed the process by which the issue was brought to the Academic Senate, the process that the Senate has used to this point, and the process that will need to be followed if this issue is to result in an approved policy about tenure and promotion. The issue was first worked on by a Provost Council committee chaired by T. Lasley. After it was brought to the Academic Senate, open hearings were held and the Faculty Affairs Committee of the Academic Senate was charged with reworking the document. The current draft is a result of this work. After the discussion at this meeting, further revisions will be made. If the document comes to the Academic Senate for a vote it will probably be before the end of this academic year. If a document is approved, open hearings will have to be held, and a vote of the tenure and tenure-track faculty will be required. If 50% of the faculty vote, and 50% of those voting are in favor, the proposal would then go the President and Board of Trustees for final approval.

C. Phelps, Chairperson of the Faculty Affairs Committee reviewed the resolutions contained in the current draft and opened the floor for questions and discussion. The following issues were raised:

- If this goes to a faculty vote, should the recommendations be voted on individually or taken as a whole? No decision has been made. It was suggested that voting on the whole would be preferred. It was also suggested that resolutions 1-3 could be bundled and voted on independently from the rest of the issues.

- Has the Academic Senate skipped some important steps in the development of the current document? Have the best procedures really been used for coming up with the current resolutions? Have we had sufficient input from faculty in all units and have we gathered all of the data needed for a good document? Don't we need a university-wide study of practices and policies? If there is such a study, it should be made part of this process. Is consistency across units really a good thing, or do units differ significantly, such that this might not be the best practice? What kind of consistency do we mean? The document does not define consistency and seems to use the term to talk about different types of consistency. If the problem is with the written documents on promotion and tenure, does this require the constitution of a committee?
- This may be an opportunity to insert a stronger faculty voice into the tenure and promotion process.
- Once such a committee has reconciled procedures, why should it continue? Would such a committee actually place more liability on the faculty while also requiring more faculty time?
- How much work is envisioned for members of this committee? It was suggested that the initial work would require significant time commitment, but that after that the workload would diminish.
- There is already a grievance process. Variance between written and actual practice can be addressed through the current appeals process. Having a committee to certify procedures may actually work against fairness for new and distinctive faculty members experiencing discrimination within their departments. Such a committee may give the appearance of legitimacy and thus serve to cover discrimination. Setting out uniform standards does not require a standing committee.
- A question was raised about the proposed representation. It was noted that the proposal is for representation of all units and for rotating terms.
- A question was raised about the proposed sign-off sheet. It was noted that the proposal is that candidates would sign-off that documents had been received. This would not constitute an agreement that procedures had been followed.
- It was noted that in Resolution 4, the statement of purpose and the resolution need to be better aligned to make clear the role of the departmental chairperson, the departmental committee, and the dean.
- It was requested that Resolution 6. B. iii be written so as to allow for requiring earlier submission of materials.
- It was suggested that Resolution 5 A. iii may be too complicated. Some changes to unit documents may not be substantive. Perhaps a review every three years of unit documents. On the other hand, it was suggested that such infrequent review would work against the faculty on the committee reviewing documents with the advantage of experience, since committee members will serve three year terms.
- It was suggested that Resolution 6 C. iii should delete the requirement to "reveal the evidence."
- It was noted that the title of the document is no longer correct. Before any vote by the Academic Senate, this will need to be changed.
- It was suggested that this is becoming a University promotion and tenure policy and so may need to be clearly written in an appropriate format.

- A question was raised about Resolution 4 and the election of unit committees. It was suggested that units should decide whether to elect or appoint. It was suggested that in some units, for example the College, faculty may not know other faculty well enough to make choices in elections. It was also suggested that a dean could appoint a more diverse committee. In opposition to this, it was suggested that the voice of the faculty is better served by elections. IT was noted that the Library uses a committee of the whole of tenured faculty.
- It was suggested that the verbs used in the document be reviewed. They set a tone and identify the goals of the document. For example, care should be taken when using “must” and “will.”
- It was suggested that for junior faculty, it would be reassuring to have an elected body.
- There are really two issues, or two parallel processes, being considered in this document. One is the process of the work of a committee; the other is the process that the candidate moves through. It was noted that now, the candidate moves through the President to the Board. This document gives the President final decision authority for all positive decisions. The Board still retains the responsibility of the court of last resort.

Members of the University community are asked to send further comments to Carolyn Phelps, Chairperson of the Faculty Affairs Committee.

At 4:00 PM, the Academic Senate moved to the Barrett dining Room and reconvened.

#### 6. University of Dayton Higher Learning Commission Draft Report:

Associate Provost, Joe Untener, introduced the draft document. The Steering Committee of J. Farrelly, P. Sweeney, and K. Trick was appointed in 2005 and began work on the self-study process. They worked with the University Assessment Committee and developed a Resource Center. They developed five working groups, one for each criterion. Each group had about 13 members. The Steering Committee received drafts from these groups and then edited the self-stud into the current form. After comments have been received from the University community, a final draft will be completed and submitted to the Board of Trustees at the May 2007 meeting. The Visiting Team will conduct a site visit September 17-19, 2007. The role of the Academic Senate is to help in the review of the document and to be prepared for the site visit. It was noted that the 1997 site visit resulted in some questions about the Academic Senate. R. Wells has written a report on the activities of the Academic Senate since 1997 and its relationship to the Faculty Board. That report has been part of the self-study process. The floor was opened for comments and suggestions. The following points were made:

- There is a tendency towards hyperbole such that the document seems to try to sell the University rather than be a discerning self-study. IT was suggested that the tone of the document be developed so that it addresses this concern.
- It was suggested that individual’s names, with the exception of the President’s, should not be used in the document. Titles of positions should be used.
- It was noted that the document still need a conclusion. Challenges will be noted at the end of each chapter and a final chapter will address broader challenges. It was suggested that it would be helpful to have that list of challenges and that this list should be shared broadly.
- The issue of diversity is an important challenge for the University. What have we instituted and what are the effects of what we have done. Our shortcomings in this area

need to be acknowledged. There are studies of equity and institutional satisfaction. We should be sure that these are made available to the visiting team. It was noted that while ACWI is referenced for its importance in bringing about many advances in the climate for women, it has also been disbanded with many of its recommendations not having been addressed or put in place. This should be noted in the self-study.

- It was suggested that modifiers are often needed. Page 136 was given as an example. Not all units give reduced loads to new faculty.
- It was suggested that the use of examples should be carefully considered. In some instances (p. 88) a list of examples tends to imply that others are not doing something which they are doing. Page 149 is another instance of this. Research is going on in many places in addition to UDRI.
- It was asked how long the final self-study will be. It should be about 200 pages. However, the links to resources should allow the visiting team to drill deeply into certain areas. Members of the team will have both paper and electronic copies.
- It was noted that the Steering Committee is now working to incorporate the Strategic Plan into the document.

Members of the Academic Senate were encouraged to submit specific suggestions and concerns through the website or by e-mail.

7. Committee Reports: Because of time constraints, no committee reports were received.

8. Adjournment: Moved and seconded, the meeting adjourned at 4:45 PM.

Respectfully submitted,

Patricia A. Johnson