

4-23-2010

## 2010-04-23 Minutes of the Academic Senate

University of Dayton. Academic Senate

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Approved  
Minutes of the Academic Senate Meeting  
April 23, 2010  
Kennedy Union West Ballroom, 3:00 p.m.

**Opening Prayer:** Paul Benson opened the meeting with a prayer.

**Senators Present:** David Darrow, Pat Donnelly, Judith Huacuja, Brad Duncan, Steve Richard, George Doyle, Matt Shank, Heidi McGrew, Jon Hess, Joe Saliba, Tony Saliba, Ruihua Liu, Vinod Jain, Tom Lasley, John McComb, Heidi Gauder, Linda Snyder, Art Jipson, Paul Benson, Shawn Swavey, Ralph Frasca, Rebecca Wells, Monalisa Mullins, Pedro Del Nero, Antonio Mari, Kathryn Sunday, Jim Saywell, Margaret Deady, Shea Tolson, Tom Brady, Lloyd Laubach, David Biers, Tom Eggemeier, Bob Kearns, Andrea Seielstad, Lisa Kloppenberg, John White

**Guests:** Joe Untener, Jim Farrelly, David Wright, Paul Vanderburgh, Marilyn Fischer, Danielle Poe, John Inglis, Jason Pierce, Nancy Miller, Katie Kinnucan-Welsch, Carolyn Roecker Phelps, Brenda Donnelly, Frances Pestello, Rebecca Whisnant, Jm Dunne

**Minutes:** The minutes of the Friday, March 26, 2010 Academic Senate Meeting were approved as submitted.

**Announcements:** None.

**New Business:**

1. Judith Huacuja led the discussion pertaining to the history of the Common Academic Program (CAP). The Academic Policies Committee (APC) recommends moving the proposal DOC—10-04 to the floor of the Academic Senate for approval. (Senate Website (<http://academic.udayton.edu/senate/>))
2. Pat Donnelly noted the changes in the current proposal from the proposal submitted to the Academic Senate on March 26, 2010. Those changes are listed at the bottom of these minutes.
3. Jon Hess, reporting for the Oral Communication Working Group, noted the proposal that the interviewing component of the oral communications course be eliminated. The Oral Communications Working Group believes that this skill can be delivered by existing sources on campus.
4. George Doyle of The School of Engineering asked to propose an amendment to the current CAP proposal. Brad Duncan seconded the motion. The amendment is attached. After a spirited and lengthy discussion pertaining to the amendment, a motion was proposed to close the discussion. The vote was 33 to close the discussion. A vote was then taken pertaining to the SOE Amendment to the CAP. The vote was **11 Yes, 19 No, 3 abstentions**. The proposed SOE Amendment to the CAP proposal was defeated.
5. A vote was called for Approval of Senate Document 10-04 The Common Academic Program. The vote for approval was **25 Yes, 10 No, 1 abstention**. Senate Document 10-04 was approved.

6. Provost Joe Saliba gave thanks to various faculty and members of the APC and CAP Committees who worked on this proposal for countless hours.
7. David Darrow also expressed his appreciation to members of the Academic Senate for their diligent work on the CAP proposal.
8. David Biers reported for the Faculty Affairs Committee regarding Senate Document 06-11 entitled "Review of Tenured Faculty by Peers and Administrators." (Senate Website <http://academic.udayton.edu/senate/>) Biers noted that FAC has been working on this document with several versions and modifications for the past four to five years. A motion was on the floor for approval. The vote was **34 approve, 0 against**. Senate document 06-11 was approved.
9. Antonio Mari reported for the Student Academic Policies Committee (SAPC). Mari expressed concerns about Senate Document 10-03 entitled "Amendment to Class Attendance Policy in the Faculty Handbook" submitted by the Student Government Association (SGA) to the APC. The APC made a friendly amendment to the following phrase: (see attachment).  
A motion was placed on the Senate floor for a vote to approve the amendment with the modified changes proposed by the APC. The vote was **32 yes, 1 no, 1 abstention**. The changes will be noted in the Faculty Handbook.

The meeting was adjourned at 5:00 p.m.

The next meeting of the Academic Senate will be Monday, April 26, 2010, 7:30 a.m. in the Kennedy Union West Ballroom.

Respectfully submitted by Lloyd L. Laubach

1. CAP document Lines 305-311            Total hours and commitment

*CAP is designed to provide all University of Dayton students with an excellent and distinctive education yet ~~insure~~ **ensure** sufficient flexibility for students ~~to allow~~ students to complete their degree requirements in an appropriate time frame. To achieve that end, the College and the Schools will make a collective commitment to cooperate in the design, development, and delivery of the curricular components to ensure that the new CAP structure does not result in students taking more credit hours outside their major than they are currently required to take.*

2. In cases where unusual circumstances combine to cause a student to miss any class time for reasons beyond the student's control (viz., personal illness, death in the immediate family, religious holidays, University-sanctioned activity, emergency limitations on commuter travel in severe weather-related conditions), faculty members should give due diligence to **reviewing** the student's particular case. ~~and the student should confer with the faculty member and advisor and/or dean about make-up work and/or ascertain if it is actually feasible after an extended absence to complete the work of the course.~~

Date: April 23, 2010

To: Academic Senate

From: George Doyle, Brad Duncan, Vinod Jain, Tony Saliba.

Re: Amendment to CAP

We propose that the following sentence be inserted after line 310 of the CAP proposal of April 13, 2010.

"Moreover, it is recognized that conflicts will inevitably arise as faculty seek to integrate the CAP curriculum into the various degree programs. When **good faith** efforts aimed at resolving these conflicts fail, the requirements of individual degree programs (as determined by faculty responsible for that program) and/or their associated accreditation agencies will in all cases take precedence."

Rationale: There is concern that, for example, a Physics course would be modified to satisfy the Inquiry requirement in such a way that it would not contain the necessary content to satisfy as a prerequisite to a course taken in the major. Or the course would be "watered down" to the extent that it did not contain what the accreditation board would consider an acceptable course.

**PROPOSAL TO THE ACADEMIC SENATE**

TITLE: Review of Tenured Faculty

SUBMITTED BY: Provost Council Foundational Issues Committee; Reviewed and revised by the Faculty Affairs Committee of the Academic Senate.

DATE: [submitted October 16, 2006](#); [October 26, 2007](#) version for Senate discussion; March 8, 2008

ACTION: Legislative authority

REFERENCE: II. B.1.c.

RATIONALE: IV. M.C. 2. b. Each tenured faculty member must be evaluated by peers, using a method acceptable to the department, at least once during each six-year interval.

**University of Dayton**

**Review of Tenured Faculty by Peers and Administrators**

**April 19, 2010**

**Section 1: Background**

The faculty of the University of Dayton acknowledges that they must be accountable for the quality of both the undergraduate and graduate academic experience of its students. The members of the faculty also acknowledge that they must be accountable for the quality of their work as scholars, as members of a profession, and as members of both the academic community and of society.

As articulated in the *University of Dayton Faculty Policy and Governance Handbook*, Section IV.4.C.2.a and b, the current policy on the review of tenured faculty is:

- a. **The Departmental Chairperson or program director has the responsibility to see that results of the faculty evaluations for tenured faculty members are submitted to the Dean at least biennially. Included in these results will be the following:**
  - Evaluation of teaching ability
  - Scholarly and professional activities
  - Service to the University
  - Public service
  - A summary of consultation with the faculty member on the above items.
- b. **Each tenured faculty member must be evaluated by peers, using a method acceptable to the department, at least once during each six-year interval.<sup>1</sup>**

Departmental post tenure review plans generally need not involve evaluation processes in addition to those by which faculty members are commonly evaluated in each six year period, as long as a peer evaluation component is included. Specifically, the six-year peer review requirement can in most cases be achieved at the University of Dayton through the use of processes by which faculty are currently reviewed. These processes also ensure that members of the faculty who participate are provided written performance feedback in a fair and equitable manner.

Current evaluation processes include annual/biennial administrative reviews of all faculty members, promotion policies that require both administrative and peer reviews, sabbatical procedures that involve administrative and peer review of sabbatical plans and subsequent accomplishments, editorial peer review processes associated with scholarly work intended for publication, presentation, and/or performance, and peer and/or professional review of research and grant proposals intended to secure research funding. The specific policies and procedures are discussed in Section 2.

## **Section 2: Processes for Review of Tenured Faculty**

The University of Dayton has established policies and processes for evaluating faculty performance both pre- and post-tenure. Prior to the awarding of tenure, members of the faculty are evaluated annually by

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<sup>1</sup> *University of Dayton Faculty Policy and Governance Handbook, August 2009*, Section IV.4.C.2, <http://provost.udayton.edu/facresources/FacHandbook/FacultyHandbook.html>

administrators and regularly by peers in accord with the University, unit, and department promotion and tenure policies. Once tenure is granted, administrators and peers evaluate faculty members by means of one or more of the following processes:

1. Annual/biennial reviews - conducted by administrators as specified by the unit. At least biennially, every tenured faculty member is expected to submit a summary of his or her professional activities to his or her Chairperson and, in consultation with the Chairperson, set individual professional goals and review work toward previously set goals<sup>2</sup>. Consistent with University policy, the review includes the following:
  - a. Evaluation of teaching ability based upon multiple measures, including peer review<sup>3</sup>
  - b. Scholarly and professional activities
  - c. Service to the University
  - d. Public service
2. Promotion reviews – conducted by peers and administrators in accord with University and department/unit promotion policies and processes at the time the faculty member chooses, for example, to pursue promotion in academic rank, to seek an endowed chair, to apply for an administrative position, or to pursue any other academic position.<sup>4</sup>
3. Sabbatical plan and post-sabbatical report reviews – conducted by peers and administrators on an approximate seven year cycle in accord with University policy as initiated by the eligible faculty member.<sup>5</sup>
4. Critical reviews of: performances; public presentations; and/or, scholarly works submitted for publication in academic or professional society journals or conference proceedings – conducted by academic and professional peers based upon the specific policies and requirements of each discipline’s scholarship outlets.
5. Research and grant proposal reviews – conducted by academic and/or professional peers on behalf of funding institutions based upon the specifications required to secure funding for research or other forms of scholarly pursuit.

Through all of these processes, even though the specific content, format, or procedures may vary by department/unit, faculty and administrators fulfill their responsibility to formally review every faculty member’s professional performance. This set of post-tenure evaluations, when consistently and fairly conducted by academic units, affords tenured members of the faculty the opportunity for reflection, as well as for peer and administrative review.

If in any six year period a faculty member does not meaningfully participate in the review processes identified in items 1 through 5, above, then he or she must be reviewed by a separate peer review process developed and approved by the department. This process must be conducted by peers (who need not be limited to other departmental colleagues) and should include, at a minimum, all components of the current annual/biennial review.

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<sup>2</sup> *University of Dayton Faculty Policies and Governance Handbook*, August 2009, Section IV.4.C.4 and 5.

<sup>3</sup> Senate Document I-04-08, *Use of Student Evaluations in Judging Teaching Effectiveness*, and *University of Dayton Faculty Policy and Governance Handbook*, August 2009, Section IV.4.I.

<sup>4</sup> Senate Document I-06-10, *University Promotion and Tenure Policy*, and the *University of Dayton Faculty Policy and Governance Handbook*, August 2009, Section IV.3, 4, and 5.

<sup>5</sup> *University of Dayton Faculty Policy and Governance Handbook*, August 2009, Section XI.4.

### **Section 3: Rationale and Philosophy**<sup>6</sup>

#### **A. Rationale**

In recent years, the issue of accountability has garnered significant attention in higher education. Although reservations have been raised regarding this trend, a significant number of educational and political leaders now recognize the importance of enhanced accountability.<sup>7</sup>

The types of questions being asked by policymakers at the state and federal level are not unlike concerns expressed by the Board of Trustees and members of the faculty at the University of Dayton. In particular, there is a clear awareness that the University must have procedures that enable faculty members to document their individual and collective excellence and to do so within a professional context that allows for appropriate and timely peer assessments and reviews.

The faculty of the University of Dayton is a community of academic professionals who recognize and accept their responsibility for self-reflection as well as for peer and administrative evaluation and feedback on their scholarship, teaching, and service. Both formative and summative evaluations of their work, conducted in the spirit of the University of Dayton's Catholic Marianist traditions, contribute to the success of every faculty member's academic career.<sup>8</sup>

This statement on the review of tenured faculty by peers and administrators is consistent with the values of the University and its faculty. The subsequent sections of this statement describe the philosophy that guides the use of these processes, AAUP evaluation guidelines, the benefits of a post-tenure review to the faculty, to academic departments and units, and to the University, and finally, the

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<sup>6</sup> Based on Post-Tenure Review Report and Recommendations, submitted by Provost Council Foundation Issues Committee, October 16, 2006

<sup>7</sup> As a result of vigorous national debate and the increased focus on accountability, many higher education institutions are now posting on their websites specific performance-related data to allow constituents the opportunity to make direct institutional comparisons. These comparisons are engendering a variety of interesting research and public policy questions like these: Are appropriate accountability measures in place to ensure that all students receive high quality educational opportunities at an appropriate and affordable price? Are faculty members fulfilling their responsibilities to students and institutional stakeholders to deliver the curriculum effectively to all students attending private or public higher education institutions?

<sup>8</sup> Formative evaluation is designed to improve performance by identifying areas for specific improvement or professional growth. The intention is not to judge success or failure but rather to identify areas where growth is both possible and appropriate and to identify how such growth might be undertaken. Summative evaluation is designed to assist in making an administrative decision about whether someone's employment should be continued.

University administrations' responsibility to identify faculty performance that falls below professional expectations and to take appropriate action.

## **B. Philosophy**

The University of Dayton is dedicated to facilitating the highest level of performance for all members of the faculty. This level of performance requires a supportive, respectful work environment that offers opportunities for professional growth. Current policies and procedures for the review of tenured faculty, when viewed holistically and implemented appropriately, provide a collegial environment to support the career-long learning and professional growth of faculty and sustain, to the highest degree, the caliber of the University's intellectual and academic life.

The faculty is a largely self-regulating community of teachers, scholars, and leaders dedicated to the generation, transmission, and application of knowledge. Along with an administration committed to providing professional opportunities throughout a faculty member's career, the academic community holds at least three expectations of its members in order to carry out its mission:

- They are committed to generating, transmitting, and applying knowledge
- They regularly assess and critically reflect on their effectiveness as teachers, scholars, and members of the university community, and on their effectiveness as members of their profession and society; indeed, reflection is a key component of professional growth.
- They are willing, as colleagues, to provide insights and ideas to each other through involvement in a regular process of discourse and consultation.

The purpose of peer and administrator review is to help enhance each faculty member's effectiveness as a teacher, scholar, and provider of service to the department, unit, university, profession and community. Fulfillment of these expectations is a necessity for the community to thrive and grow.

The review processes described in this statement provide an opportunity for faculty to reflect on their past academic career, assess their current status, and articulate their expectations for the future. The involvement of peers serves as a source of feedback on a faculty member's academic career and a guide for future professional growth. Based on this feedback, each faculty member assumes responsibility for the pursuit of his/her own professional development.<sup>9</sup>

Administrative and peer involvement in the review of tenured faculty promotes systematic formative appraisals for tenured faculty in the spirit of the Marianist traditions of community. It is the responsibility of the faculty in every academic unit to insure that these processes, as appropriate, are in

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<sup>9</sup> *University of Dayton Faculty Policy and Governance Handbook*, August 2009, Section IV.4.E.

place. In their totality, these existing processes emphasize informed reflection, express the culture of the university, and support the University's commitment to excellence.

### **C. AAUP Guidelines<sup>10</sup>**

When viewed in total, the University of Dayton's processes for reviewing tenured faculty members are largely consistent with the guiding principles advanced by the American Association of University Professors (AAUP). The AAUP recognizes that since the mid-1990s, state legislative bodies, boards of trustees and university administrators have called for making post-tenure reviews mandatory. Therefore, the AAUP offers the following guiding principles.

1. Post-tenure review should be aimed at development.
2. Post-tenure review should be under the control of the faculty.
3. Post-tenure review must not be a re-evaluation of tenure.
4. Post-tenure review must not be used to show cause for dismissing a faculty member.
5. Post-tenure review must protect academic freedom.

### **D. Benefits of a Review of Tenured Faculty by Peers and Administrators**

The core value of the review of tenured faculty by peers and administrators is to advance the University in ways consistent with its Marianist traditions, mission, and vision of excellence. Collectively, the existing processes for review, as described in this document, assure peer involvement, appropriate implementation across all academic units, and fairness to all. Together, the current processes, accomplish the following:

- Provide the opportunity for faculty members to reflect critically on their academic career and their contribution to the university and the profession, intentionally articulate future ambitions, and receive formative feedback from academic colleagues.
- Inform colleagues of a faculty member's expertise and body of work and provide them the opportunity to contribute to shaping that work to enhance its contribution to the academic community.

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<sup>10</sup> Based on Post-Tenure Review: An AAUP Response, approved by the Association's Committee on Academic Freedom and Tenure, June, 1999

- Inform strategic plans at all levels of the organization, including the allocation of faculty resources by the department and/or unit, the determination of future faculty needs, and the allocation of organizational resources for the professional growth and advancement of faculty.

#### **E. Identification of Performance by a Tenured Faculty Member That Falls Below Expectations**

Understanding that the principal purpose of post-tenure review is formative, members of the faculty of the University of Dayton also recognize that these same processes of review provide summative information by which to identify a faculty member whose professional performance falls below expectations. Faculty and administrators have the responsibility to identify in a timely manner those members of the faculty whose professional performance does not meet the University's expectations and administrators have the authority to take appropriate actions that may lead to the revocation of tenure and dismissal.<sup>11</sup> Conditions for the discontinuation of tenure and/or employment are clearly articulated in the *University of Dayton Faculty Policy and Governance Handbook*, Section IV.3, University Regulations on Academic Freedom and Tenure. These regulations, including a detailed procedure for the termination of an appointment with tenure, were approved by a vote of the faculty and by the Board of Trustees and were effective as of August 15, 1996.<sup>12</sup>

#### **F. Proposal: Clarification and Modification of the Post Tenure Review Policy**

It is proposed that the policy for the review of tenured faculty in Section IV.4.C.(2)b of the *University of Dayton Faculty Policy and Governance Handbook*, August 2009, be amended as follows:

- b. Each tenured faculty member must be evaluated by peers, using a method acceptable to the department, at least once during each six-year interval. **Departmental post tenure review plans generally need not involve evaluation processes in addition to those by which faculty members are commonly evaluated, as long as a peer evaluation component is included. (See also Senate Document I-06-11, approved Month Day, Year.)**

#### **G. Requirements for Implementation**

The following actions are necessary for the full and successful implementation of the University of Dayton's post tenure review policy.

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<sup>11</sup> See the *1958 Statement on Procedural Standards in Faculty Dismissal Proceedings*, prepared by a joint committee of the Association of American Colleges and Universities and the AAUP, for guidelines.

<sup>12</sup> *University of Dayton Faculty Policy and Governance Handbook*, August 2009, Section IV.3, pages 45-50.

1. The Provost and Deans must ensure that the annual/biennial review procedures of each unit are consistent with the policy already contained in the *University of Dayton Faculty Policy and Governance Handbook* as outlined and footnoted in Section 2 above.
2. The Provost and Deans must ensure that each department/unit develops an approved procedure for the peer evaluation of teaching effectiveness for tenured faculty members. Such evaluation must occur at least once in every six year period and be conducted only by peers who hold tenure at this or another university.<sup>13 14</sup>
3. The Provost and Deans must ensure that each department/unit develops an approved peer review process for members of their faculty who fail to participate in existing processes in a manner sufficient to satisfy the six-year peer review requirement.
4. The Provost and Deans must ensure that each department/unit develops an approved post tenure review plan which is agreeable to its members and place a copy on file with a University official designated by the Provost.<sup>14</sup>

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<sup>13</sup> Those identified as peers for this purpose need not be limited to colleagues in the same department or unit. For example, peers may be tenured members of the faculty in a related field, though in a different department or unit, or they may be faculty in the same discipline and employed at another academic institution.

<sup>14</sup> *University of Dayton Faculty Policy and Governance Handbook*, August 2009, Section IV.4.I.

The changed wording for DOC 10-03 (change to Attendance policy) follows:

In cases where unusual circumstances combine to cause a student to miss any class time for reasons beyond the student's control (viz., personal illness, death in the immediate family, religious holidays, University-sanctioned activity, emergency limitations on commuter travel in severe weather-related conditions), faculty members should give due diligence to reviewing the student's particular case. ~~and the student should confer with the faculty member and advisor and/or dean about make-up work and/or ascertain if it is actually feasible after an extended absence to complete the work of the cours~~