

Faculty Senate Meeting

March 4, 1998

### **I. Call to Order. 3:10 p.m.**

**CHAIRMAN WEDLOCK** - I call the meeting to order. This is an open meeting according to the Freedom of Information Act. Are there any members of the press here? Is Mr. Snyder here?

Any members of the press? We welcome you. You can come in later if you like. Could we have people from the regional campuses check in please. People from Beaufort, Lancaster, Salkehatchie, Sumter, Union. Okay. Anybody from Aiken or Spartanburg?

You were handed a survey from the Safety Committee. If you will fill that out then and return it to the Division of Law Enforcement and Safety. This is something that Richard Conant asked that you do, please.

### **II. Correction and Approval of Minutes.**

**CHAIRMAN WEDLOCK** - Are there any amendments or corrections to the minutes? Hearing none, I will order them approved as printed.

### **III. Report of Officers.**

**PRESIDENT PALMS** :

Thank you, Mr. Chairman. Good afternoon, ladies and gentlemen. I am pleased to be with you this afternoon. I'm sorry that I missed the last several meetings. You know that I try to make every Senate meeting that I possibly can and I have not missed many. In fact it is the first three in my seven years here. We have this major campaign. We have 700 volunteers. They are out there cultivating and nurturing and pre-soliciting potential donors. When I get a call that the hook is ready I need to go. And the last meeting was one of those kinds. The hook was placed properly and the fish was landed. You will hear about the announcement by the end of this semester, maybe. We are making great progress. But I apologize for not being here.

A quick update on legislative matters. Thank God, Johnny Gregory is over in the legislature every day. There is something going on everyday related to higher education or related to the University of South Carolina, and he is watching diligently. There are some provisos everyday that seem to not understand how a research

university runs. There are people watching every moment you spend in the classroom and every moment you are not spending in the classroom. In the meantime, we are trying to get the budget through the Ways and Means Committee, which was successful and now through the whole House. Hopefully in the Senate, we will receive more favorable response than what we have received so far. But there is presently a 2% raise in the budget out of the House. Still only 75% of that is funded. The budget also does not include the annualization of last year's raises, which we do not want to absorb. We are trying to get that reinstated as the budget moves along. There have been some changes in the Palmetto Fellows that could affect the rights of students to use the money as they see fit. A student now getting a Palmetto Fellow can choose either a public institution or a private, but we are trying to put a cap on how much money the privates will be able to obtain through these scholarships since already they have access to scholarship funds from the state that specifically

exclude the publics. There is a part of the budget that has to do with fundraising. We have an item in there that matches the yield of new endowments; we can raise about \$800,000 through it. So if we raise a million dollar endowment and get a 6% return - we get \$60,000, what would be matched by the state. Of course, they put a cap for Clemson and USC on that because we are the major ones raising money but nevertheless it is a beginning. It is a sign of good faith that the state wants to participate in partnership with those who are diligent, active and successful in raising money. So we want to be sure that that stays in the budget because it is an important sign particularly for out-of-state donors who are looking to see who they are in partnership with--who has given to the University. If the state does this, it really does help. By the way, speaking of that, there is nothing more effective than for the President to be able to say that the principal initial donors of this campaign were the faculty and staff of the University of South Carolina. Now I want to congratulate you. You are over the \$3 million mark pledged to this campaign. I have tried to write a little personal note to every one of you for initial gifts and pledges for this campaign and we are trying to reach \$4 million. That is just unheard of to have faculty and staff of a university to give that kind of vote of confidence. It has helped a great deal in convincing potential donors that this is a worthy institution and that you have confidence in it.

There is money in the budget for EPSCOR. EPSCOR as you know is very important for us to have those matching funds from the federal program SCAMP. We have a line item in there for the state to support a law library. The state does not have a state law library. We are essentially the state law library and we are trying to get them to put a line item in the budget - \$400,000 that would be recurring every year, not just one time. We did get money last year and the year before, but we need to have this. It is very important for the future of the Law School to have this money. We do have a

commitment from them for a 50,000 square-foot Public Health building, but that is based upon our getting private funds. There is about \$3 ½ million dollars in that and we would have to raise \$6 ½ million to make a \$10,000,000 building possible. But again, increasingly, if we are in partnership with the state, it is more likely that we will get state funds, and that is what we are trying to do here and will seek in the future.

I read the minutes and we have been meeting almost daily on the issue of the Children's Development Center--Child Development Center. I know that Jerry has answered some of your questions. I will tell you that I personally and a good number of people in the administration have been working on this problem for about 18 months. We want to have a first-class Child Development Center. We want to have a first-class academic program, but we are also interested in child care, and that is not inexpensive today to do if you have an accredited facility. We want to be sure that the people who will benefit from this are also sharing in some of the cost, and we hope to offset some of that, of course, by getting research grants and having the overhead help pay for this to make the actual fees reasonable. But it is not an easy problem to solve. I know it looks like we are spending money in many different kinds of places and perhaps you don't understand why we can't just take a million dollars out and benefit a new facility. But the money that is available is usually earmarked for something. You can't use tuition money for this. You can't use Gamecock money for this. You can't use endowment money that is not dedicated to it. We are working on it. We are committed to do this and we are going to find a solution. Please bear with us on this.

I already mentioned the Capital Campaign--at least a couple of gifts. We have gotten twenty \$1 million gifts in the last 18 months and previous to that I think the University had only received one \$1 million gift in its history.

We had a wonderful Board of Trustees retreat in Charleston. We are moving the board meetings around the state. We met at Myrtle Beach two years ago and Greenville last year. This year we met in Charleston and we had members of the Educational Foundation Board, Development Foundation Board, Business Partnership Foundation Board, and the Research Foundation Board. At this meeting, we had presentations from over a dozen individuals. We had panel discussions. We had the President of MUSC and the President of the Citadel for a panel discussion of presidents on where higher education is going in the future. We had members of the legislature there. We had business people there. A panel telling the University what their views are of the university, what kind of graduates we really want to have. The Governor spoke for 45 minutes at this day-and-a-half retreat and then we invited over a thousand people to downtown Charleston's Hibernian Hall, and I made an address to over 450 people there who are potential influential people in Charleston and not just our graduates. We had a reception afterwards. It was a very good meeting.

At the conclusion of my remarks I was able to announce that two members of our Board of Trustees who were present were giving over a million dollars each to the campaign. I think this is the third board member who has given over a million-- amazing for an elected board of a public institution to give this kind of money. Helen and Brantley Harvey--\$1.4 million gift - and Ann and Miles Loadholt, giving a cash gift of \$1.1 million. There were people in the audience who wanted to get up and do it, but they just didn't have enough money. But we are working with them. I want to thank particularly Madeline Fletcher and Steve Mann and Wally Peters and Gordon Baylis and Jim Tour, Doug Williams and Peter Meinick for making presentations-- very , very effective presentations to this distinguished group of supporters of the University. It went very well.

I am looking forward to your discussions this afternoon on post-tenure review. I just want to remind you this is now a requirement in performance funding. Performance funding requires us to have post-tenure review and of course we have been working on this for a number of years. We really had it by our annual reviews of all faculty, and I want to thank the deans and John Montgomery particularly for his leadership in putting together a document that hopefully would be acceptable to the faculty. It is never going to be a perfect document. I think it is a document that is fair, and I hope we can define it further here this afternoon. It is important that we have something that we have initiated. But understand that this is a requirement for us as the state looks for different ways for holding us accountable and having evidence of faculty work. It's good they are by letting us do it and be in charge of it, so let's see how far we go this afternoon. I will be glad to answer any questions if anybody has some accumulated from the last couple of meetings since my not being here. I will be glad to do that.

PROFESSOR CHARLES MACK - ART - I wanted to thank you for your responses to the Governor's expressed interest in dropping the priority on the College of Liberal Arts and Liberal Arts' programs as reported in the newspaper. We appreciate those responses.

PRESIDENT PALMS - Well, I reminded him that physics was part of the liberal arts. It was all done in good nature, you know the mood there. He was trying to make a point there that people with technical skills, that industries need these people, and my response, too, was that technology is everywhere today whether it's in music or whether it is poetry, or whether it is whatever. These are the new skills, but we are going to teach basic thinking skills and habits of the mind that will prepare us for whatever change comes along, and I think he has taken it in good jest. The newspapers had some fun with it. But thank you.

PROFESSOR CHRISTINE MORITZ - FRENCH AND CLASSICS - Given that the latest that we heard about the demolition of the Children's Center was that it would be scheduled for September of this year, which is 6 months from now. Could you tell us what the timetable is for making a decision regarding where the Children's Center would be relocated?

PRESIDENT PALMS - Well, I can't tell you where it is going to be located. There are three sites that we are going to be looking at right now, and we are trying to see what the costs are for renting those sites. I think the best cost estimate with the least amount of cost is about a million dollars. We have to initiate construction of the dormitory by September - early September in order to make it. I think it is a two-year time frame. We have to make that decision quick and I hope to make it within the next couple of weeks.

PROFESSOR MARGIT RESCH - GERMANIC, SLAVIC, AND ORIENTAL LANGUAGES - President Palms, we do have a master plan, and in the course of that master plan it showed the Children's Development Center will be demolished. There apparently was no plan to replace that Children's Development Center. There is also, as far as I can see, no plan for expansion of departments in the College of Liberal Arts. There are 4 or 5 departments in one building where instructors even professors share very small offices, a building which carries some 400 residents up 9 floors on 2 elevators, which are often broken. Our master plan doesn't seem to have any plan to relieve that situation, and so I'm wondering what other areas are left out of the master plan? And I am encouraging the administration to look into our needs and make sure that they are covered by our master plan.

PRESIDENT PALMS - Let me first just comment on the master plan. The master plan as I said is a living entity. On the day it is completed it is out-of-date. But it is a framework within which we prioritize the most important needs of the institution. Then we go along and we make adjustments. Right now, we are working on the revision of the master plan because of a number of things--one of these is opportunities that have come about, whether it is major grants or major appointments to departments that are really dynamically changing their nature. There are fundamental things that we obviously do need. I can't imagine hiring a dean of Liberal Arts without assurances that we are going to provide adequate space for the evolution of those departments. That is going to happen. Today, Jerry and I are trying to cultivate a leading candidate for the dean of the School of Public Health. Having \$3 ½ million in the budget of the state at this time to be matched by a possible Kellogg grant come about--that put that building at a different priority. The Public Health Building was not in the master plan, but that program is moving along rapidly. There is a tremendous need in the state. We have the only School of Public Health. There have been new opportunities that have shown up and so it is going to fit into the

master plan. We have to be aggressive. We expect you to be aggressive with us. You know the program in Liberal Arts is essential to our ambitions to be members of the AAU. You cannot be a member without having a first-class College of Liberal Arts and Sciences, etc. The Provost and I are working on this and I can't make any promises exactly what is going to happen but it is constantly being reviewed.

PROFESSOR MORGAN MACHLACHLAN - ANTHROPOLOGY - Just for clarification on an earlier point you said that several sites are under consideration for the Children's Center. Does that mean that the University administration is committed to maintaining that center operating continuously?

PRESIDENT PALMS - We are committed to having a Child Development Center - academic program and we are trying to find more opportunities than just for child care.

PROFESSOR CHRISTINE MORITZ - FRENCH AND CLASSICS - I believe the issue of priorities is important one, and the fact that the master plan changes over time is also important. It seems to me that the Child Development Center, which has been established at the University for 20 years, should be considered a priority for increasing what it does for the University in terms of research, and the University should recognize its potential for getting research grants. It did get a \$16.9 million research grant. If the U.S. Congress had decided not to fund that grant, I imagine there wouldn't be any question about the priority of keeping the Children's Center. On the other hand, there was an article in the State newspaper on January 23rd that indicated there seems to be a priority to allocate \$1 million for changing the parking spaces in front of the library to grassy spaces with benches, which I for one don't believe contribute to the research interests of the University.

PRESIDENT PALMS - I appreciate your perspective on this. Let me say first of all that the road to the University of South Carolina's success is laden with proposals that got approved and not funded, and we just have to weigh what we are willing to invest in various programs. This program academically is being assessed as carefully as any program can be academically assessed. What is the potential for getting additional funds for research? What is the potential for getting gifts? We have a person who has pledged a million dollars for this program, and that is very important to us. What has been the initiative, the aggressiveness of the faculty involved in even submitting proposals? Now I heard a lot about the \$16 million proposal. Now we didn't get the \$16 million proposal. How many proposals have we put in, and what is happening with them, and how good are these proposals etc.? What are the publications, what are the journals? That is almost a separate issue from this child care. But we are undergoing that evaluation also. It is even open as to where this particular program belongs. Is it in the right college? Do we have the right kind of faculty involved, and

that is certainly going to influence this decision as well. We will be as fair as we can. We are going to look at it like we have done all the other programs that we are assessing. We are looking for leverage. We are looking for opportunities.

PROFESSOR LAWERENCE RHU - ENGLISH - I think that the question --

PRESIDENT PALMS - I saw your nice piece in the paper.

PROFESSOR RHU - Thank you. I think the question that the professor of Anthropology

asked was not really answered. It was a question about the continuous maintenance of care.

Whether you call it child care or child development, whether you locate it in the Booker T. Washington facility or elsewhere, there is a question about whether there is going to be an interruption in care for our children. Do the parents of 93 children have to look elsewhere? The last information we were given about that question was that we should make other plans. The Provost said that right from the podium at the last Senate meeting, and then he was quoted in the USC Times. So I think that was the question that this gentleman asked and it needs an answer. I don't think you have given us one.

PRESIDENT PALMS - We are going to try to avoid the disruption of any kind. Continuation is the most preferred action to take. I can't guarantee that. We are trying our best to maintain a continuous program even if it is a temporary quarters and then we could move it. We will do the best we can.

CHAIRMAN WEDLOCK - Thank you, Mr. President.

PROVOST ODOM:

I have just a couple of announcements that I would like to make. First of all just to bring you up-to-date on deans' searches. The President did say that we have a candidate for Public Health who is arriving this afternoon. As I told you last time I think we're over the hard negotiating in terms of what the University can do for this individual but he and his wife will be spending the next several days in the community looking at housing, looking at schools, assessing whether or not they would like to move their family here. We are very hopeful that he will choose to do so and that we will have some good news there. In terms of the College of Science and Mathematics dean search, the candidates have been narrowed down to 8. We have mailed packets about the college, the University, and the city and area to those 8.

Reference letters have been received for those 8. For the College of Education, the committee has identified 8 finalists, hopefully reducing this number for campus interviews very shortly.

References have been received and we have sent them information as well. Liberal Arts' dean, the candidates have been narrowed to 12. We are mailing today information packets to those individuals and we requested letters of reference for those individuals.

I wanted to just follow up the President's remarks for a moment about the retreat and particularly tell you of what an outstanding job seven faculty members did that represented you at the Board retreat in Charleston. They had only 15 minutes to talk about their research interests. It had to be very quick and a very broad stroke. Every single one of those individuals did an outstanding job. The Chairman of the Board, William Hubbard, told me that he really wanted to have more of these kinds of opportunities for the faculty to talk to the board. The retreat consisted of the Board of Trustees, the Educational Foundation Board, the Development Foundation Board, and the Business Partnership Board. We had a number of outstanding people at this retreat. They felt that it was just so exciting to hear what our faculty are doing. In fact I attended an Educational Foundation meeting today at lunch, Mike Mungo came up to me and said "You know I don't like these retreats. I don't like to go somewhere and sit for two or three days and listen to people talk." But he said "I want you to know how much I enjoyed hearing the faculty members that talked to us and thinking to myself how lucky the students are in their classes." I assured him that we could have seven more faculty any time he wanted and I would love to do that. I would love to have all of the Board members understand what we are about. The kind of work we are doing and the kind of passion we have for our life in the University, both teaching and research.

A couple of pieces of good news. I would like to let you know that Megan Hoffman who is a junior Spanish major from Palmer, Alaska has been named a Truman Scholar finalist. She was interviewing for that today. That is a major award and we all have our fingers crossed that Megan will win one of these Truman Scholar Awards. Also you probably have seen that our MIBS Program was ranked no. 2 again in U.S. News and World Report. This is the ninth consecutive year the program has been in the top five. We are very proud of that.

Margit, you asked about the master plan. I would just like to take one minute to talk about that. As you know last year the state authorized a bond bill of \$14.4 million for renovation in the Gibbs Green area. It is my understanding that Blease Graham has talked to the chairs about their space needs. Charlie Jeffcoat, Blease Graham, Gordon Smith and I took a whole afternoon to look at the space needs of a number of

departments in the College of Liberal Arts. As you know McMaster is being currently renovated and Art and Media Arts will move to that building soon. That will free up Sloan College. We are certainly trying to evaluate the needs in the College and that space certainly will go to departments in Liberal Arts. We are looking at other possibilities. I can tell you for example, Petigru--there are a lot of other dominoes that have to fall, Margit, in any kind of moves and renovations etc. that we do right now. If what we hope comes to fruition with respect to a gift of a fairly large building then we will be able to move some administrative offices off-campus or to other locations on campus--Petigru is slated to become home for the College of Journalism and that has been slated for some time. We are continually evaluating the space needs. I know that the College of Liberal Arts is very pressed and we have talked with Blease and Gordon about this. We are looking at a number of possibilities. We visited Davis Baird in the Department of Philosophy and clearly Philosophy needs more space. I know that their needs are repeated over and over again. So as the President said the master plan is a living plan. It is changing all the time depending upon the opportunities that are available to us. I am hopeful that renovation of Sloan will initiate the whole process. That afternoon we visited the Psychology Department. We visited Anthropology--some of their space needs in terms of the facilities they have are enormous. They don't need space so much as they need better space. They need renovated space. We are looking at all of that. We are talking all the time and I assume that when Blease told me that the chairs are forming a College of Liberal Arts space committee, you are communicating within that as well.

I will be happy to answer any questions.

PROFESSOR INA HARK - ENGLISH - I know, working in Student Academic Affairs, we sent students trooping over to Petigru with form after form. Are we going to go all electronic with that if Petigru moves off campus because I don't see practically how. . . . .

PROVOST ODOM - Well, it is not actually a given that Petigru (the Registrar's office) will move off campus. In fact one of the things that we are looking in terms of planning space needs and so forth, Ina Rae, is some units perhaps either in the Plaza or in Byrnes could move off campus and we actually have talked about trying to create a real student centered office in Byrnes that would have many of the services that the students need. However, at the same time I would hasten to add that I hope we will continue to go more and more electronic.

CHARLES MACK - ART - At the last Senate meeting, you were asked about a response to Representative Stille's comments about the faculty. You said a letter was going to be prepared to be an op ed piece in the newspaper. Where does that stand at the moment?

PROVOST ODOM - The op ed piece was prepared. It had 1,952 words. We checked with the State newspaper. That was too many. We pared it down to about 1,500 which we felt still had the essence of what we wanted to say. We were finally told that we could only have about 900 words. We have done that. That is at the State newspaper now and I am hopeful that it will be published but it is in their hands. So they determine that.

This brings up something I want to mention. Representative Stille, in my opinion, is very sincere in his own beliefs about higher education and about different institutions in the state. At the same time I think that we need to make sure that we provide him with the truth. To give you an example, a couple of days ago we were handed a list that Representative Stille was passing out with 88 names of faculty who taught no courses during one of two semesters in 95-96 and we were asked to respond to that. John Olsgaard in the Provost's office spent the entire afternoon trying to research this list. There were no names on this list. There were only salaries and units and John got out the data and tried to match salaries with units with teaching loads and so forth. To give you an idea what we are dealing with, John went through about half the list. Most of the salaries did match not in 95-96. Was that correct, John?

JOHN OLSGAARD - ASSOCIATE PROVOST - It was the wrong year.

PROVOST ODOM - That threw us off as you might imagine. But as I said John went through about half the list and we discovered several things. First of all, if you taught less than a three-hour course you weren't counted. No research courses were counted either at the graduate level or independent study courses at the undergraduate level. We found one correct entry out of about half of the list. This is what we are trying to deal with. I want you to know that the University has a number of champions in the Legislature--people who do appreciate us and who are willing to work with us. I would ask any of you if you get an opportunity--one person who has worked very, very hard for us and for higher education in general is Billy Boan, chair of the House Ways and Means Committee. He is an enlightened individual. He is a delight to work with and I would urge you to if you have a chance to thank him for what he does.

PROFESSOR CHARLES MACK - ART - As you know I am concerned about the Legislature. I am always concerned about the Legislature but I was also concerned about the perception of the 3 ½ million citizens and that's where I think it is a real problem.

PROVOST ODOM - I agree. You might be interested to know that there was an amendment offered yesterday to do away with tenure within the universities in South Carolina. As the President mentioned Johnny Gregory is there all the time and he

keeps us up-to-date about what is happening. Most of these amendments are being voted down but I think we need to be very diligent.

PRESIDENT PALMS - Representative Stille made a presentation yesterday and somebody made a motion to table his presentation and that carried overwhelmingly. There were 89 votes for tabling and 14 votes not to table. If you want to know the 14 votes we will be glad to tell you who they are. He has been doing this year after year and he doesn't have much credibility. It does get depressed now and then and it is very, very annoying. We don't want to battle this out in the press. He has a different perspective as what people in colleges or universities ought to be doing.

CHAIRMAN WEDLOCK - Thanks, Provost Odom, I might say, if you are not doing anything, you might go down to the Legislature and lobby them. If you find yourself not teaching any classes or not doing any research--it's just a couple of blocks so go up there and give Johnny Gregory some help.

#### **IV. Reports of Committees.**

##### **A. Faculty Senate Steering Committee, Professor Sarah Wise, Secretary:**

SARAH WISE - I would like to report that the Faculty Senate meeting for the summer will be June 30th at 3 o'clock. Also the attendance sheets have been passed. If you have not received that please indicate that to me and I will see that you get that. The Faculty Senate Steering Committee's nominees are listed on page 25 and 26.

CHAIRMAN WEDLOCK - Nominees from the floor may be made until the end of this meeting. If there are nominations give them to the secretary of the Senate, Sarah Wise and we will check with the individuals to see if they want to serve and if so they will be on the ballot.

##### **B. Grade Change Committee, Professor Richard Clodfelter, Chair:**

RICHARD CLODFELTER - I present for your approval the grade changes that appear on pages 27 through 31 of the attachments.

CHAIRMAN WEDLOCK - You heard the motion. It does not need a second. Any questions, comments? Ready for the question? All those in favor please say aye. Opposed - no. Motion carries.

##### **C. Curricula and New Courses, Professor John Winberry, Chair:**

PROFESSOR WINBERRY - The report of the Curricula and Courses Committee can be found on pages 32 through 41. I would like to request the approval of Sections I, II, and III, pages 32 through 41.

CHAIRMAN WEDLOCK - You have heard the motion. Are there any corrections, suggestions or amendments? Are you ready for the question? All those in favor say aye. Opposed - no.

Motion carries.

D. Faculty Advisory Committee, Professor Caroline Strobel:

PROFESSOR STROBEL - I would like to move that we go into a Quasi-committee of the Whole.

CHAIRMAN WEDLOCK - Is there a second to the motion?

PROFESSOR GREGORY ADAMS - Seconded.

CHAIRMAN WEDLOCK - Discussion? Those in favor signify by saying aye. Opposed - no.

Motion carries.

We will now bring out the quasi-committee of the whole mace (displaying decorated wooden mace). This was loaned to the Faculty Senate by the Dean of the Law School. He tells me it is a Ukrainian parliamentary device.

We are going to be discussing the proposal on post-tenure review. Let me just give you some context of post-tenure review and how we got here. This is not strictly an administrative initiative. This did not come out of the President's office or the Provost's office or the Board. This came out of the Legislature, and from the brain of the Senate. Act 359 mandates 37 performance indicators upon which the funding for higher education will henceforth be based-- all funding for higher education supposedly will be based. These indicators include indicators for performance review and post-tenure review. Those documents are in the attachment. The Commission on Higher Education has established Best Practices for performance review and post-tenure review, and those are in the attachment as well. Every publicly supported school in the state must have in place this calendar year a performance review and a post-tenure review system or get a zero on these performance indicators, will count in our grade as to how well we do in getting a slice of the pie. The closer the performance review and post-tenure review are to the Best Practices of the CHE the

better the score will be and so the proposal was drafted to reflect the standards in the best practices.

The Council of Deans came forward with a proposal last fall, but the Faculty Advisory Committee has substantially and subsequently reworked their draft into what you see before you. Nevertheless this is still a work in progress as those of you know who might have noticed that there is a discrepancy between what is posted on the Web as being the proposal and what is actually in the handout. This thing is by no means final. Although it is pretty close to that.

The proposal includes annual reviews, third year reviews, and post-tenure reviews. Annual reviews and third-year reviews have been going on for a long time at this University-- third year reviews since 1995. The document really just reflects codifications of those procedures, tweaked to more resemble the Best Practices of the Performance Indicator. The issues really remain--well, let me just say that what the proposal basically envisions is a unit driven process--a faculty driven process at the unit level where the units would come up with their own post-tenure review standards and procedures. There is some debate within the Advisory Committee and outside the Advisory Committee about how much work this imposes on faculty and whether or not it ought to be done by administrators, whether it should be more at the unit level, or at the collegial level, and how you go about monitoring a development plan in cases of a faculty member who receives an unsatisfactory performance review. Those are the major issues that are presented and still for resolution. The Faculty Advisory Committee proposal, as again I said is a faculty unit driven proposal that should leave the questions of post-tenure review in the hands of the tenured faculty within the local units to a very large extent, and that's what we have done. Are there any questions?

PROFESSOR BRUCE MEGLINO - BADM - Before we get into the specifics. My understanding is that tenure is an agreement between the University and an individual. I am wondering to what extent a set of procedures, even if voted on by the faculty, for removing that tenure is appropriate given that tenure is an agreement between the University and a specific person.

PROFESSOR CAROLINE STROBEL - The post-tenure review process that we have here, if you read it carefully, says that an unsatisfactory review followed by unsatisfactory progress on the development plan after a one-year period, and the one-year period is mandated in the guidelines that we had to follow may subject a faculty member to revocation of tenure. So what we are talking about here is not even having to do that. The current procedures which are in the Faculty Manual regarding revocation of tenure have not been changed by any of this.

PROFESSOR MEGLINO - My understanding then is that these procedures, carried to the ultimate conclusion, will not necessarily result in anybody losing tenure by any process other than the one that we have come to use over the years.

PROFESSOR STROBEL - That is correct.

PROFESSOR CHARLES MACK - ART - But it may. Now to me whether Representative Stille's motions made on March 3 are tabled or not is, in this sense, kind of irrelevant. I want to clarify that what this is really about is the abolition of tenure as a system, and a substitution for it by a system term contract.

PROFESSOR STROBEL - No, that's not it at all.

PROFESSOR MACK - I don't see how it can be read otherwise.

CHAIRMAN WEDLOCK - A lot of people think that's what it is. A lot of people might have voted for it on that basis but I think we have managed to avoid that with this proposal.

You will notice that in the proposal there is absolutely no mention of tenure revocation. Absolutely none. At the very end there is another provision that would go within the section of the Faculty Manual that deals with termination for cause. What that says is that failure to successfully complete a development plan may expose the faculty member to these procedures-- not the procedures in the proposal but the procedures for revocation of tenure. That means that the Tenure Review Board, the President and the other faculty that traditionally have been involved in these decisions have to come to the same kind of conclusions that always had to come to.

Now you are correct in the following: Post-tenure review may bring to the attention of decision-makers the fact of an unsatisfactory performance that may warrant revocation of tenure under our current standards. But our current standards for revocation of tenure will not change. The most that this is an information gathering device but it is more, in that it proposes that when someone has been found to be deficient in some manner, that that person would be worked with somehow to be brought back up to the standard satisfactory performance and not immediately shunted into the tenure revocation process. So while it is tied to tenure revocation and the performance review, Best Practices, 10c, I think, requires it be so tied in, somehow, the manner in which this proposal does it does not disturb our traditional tenure revocation protections. Does that clarify it?

PROFESSOR MACK - I fail to be able to accept that interpretation reading the document as I have and those people to whom I've shown the document unfortunately

have come to the same unfortunate conclusion. Now whether or not we make this very fine distinction you're making on it or not that's very nice. We make this very fine distinction. I am worried about down the pike, what happens when someone else who looks at it says "Oh, but we can look at it this way".

I'm worried about safeguards. I am not worried about our present administration. I am worried about what happens in the future. I mean, tenure means something. We have changed the definition of tenure;--I looked it up--what tenure means is a permanent safeguard of academic freedom and what this means, as I see it, is a way of corrupting that academic freedom.

CHAIRMAN STROBEL - I think that in looking at this I would be very surprised if any unit developed a set of criteria that would somehow get academic freedom mixed up with the criteria of the post-tenure review. The safeguard that is in here is that each academic unit--each tenuring unit will in fact develop their criteria and their procedures for post-tenure review. So the criteria and procedures for example the School of Music might adopt might be very different than what my department in accounting might adopt. But I would hope the procedures and the criteria developed would reflect the kind of activity that an active faculty member should be performing in that department. Now these procedures and criteria for post-tenure review may be different than the ones that you have for the tenure and promotion process, because, hopefully, they will reflect the fact that a faculty member's performance and place that they serve in the department changes throughout their career. I am a very different person today than I was as an assistant professor or an associate professor. Most of us are. Some of us may continue doing very, very active research. Others may do more teaching than they use to do as a young faculty member, and others may be performing a great deal of service within the department. We are trying to provide a great deal of flexibility in this document so that the different units can reflect what is happening with the faculty in their department. It has nothing to do with academic freedom.

PROFESSOR JOHN SAFKO - PHYSICS AND ASTRONOMY - I would like to point out that when we looked at this we considered the list of reasons in the Faculty Manual for revocation of tenure. There is nothing in this proposal that changes that. The only reason we need to add that final phrase is the CHE report that there be a direct link in the post-tenure review and tenure. But in all cases if you look at the things that someone can get in trouble for--they are things that can get a bad annual review. Problems leading to the development plan are things that are already included in our current list of reasons for revocation. It is simply a failure to perform their duties, which is a very current reason.

PROFESSOR CARL EVANS - RELIGIOUS STUDIES - I think the clarification that might be needed is the clarification of the last three words of the proposed new no. 7 for the Faculty Manual. Those three words "under this chapter" would better read "under the provisions of the Faculty Manual."

CHAIRMAN WEDLOCK - LAW - Well the reference to the chapter is the chapter of the Faculty Manual which deals with revocation of tenure.

PROFESSOR EVANS - Under this chapter of the Faculty Manual.

PROFESSOR STROBEL - Well, no this would be inserted in that part of the Faculty Manual

that you are looking at. In other words, this no. 7 is not part of a proposed tenure review portion.

PROFESSOR EVANS - But it is not clear in as much as the word "chapter" never appears in this part of either document. What "chapter" refers to, if we could have the clarification, is that it would point us back to the previous six causes for termination.

PROFESSOR MORGAN MACLACHLAN - ANTHROPOLOGY - Further clarification on this item 7, on page 46. When our faculty looked at this yesterday there was a question about whether "may" means "will" expose faculty members to the proceedings. It seems that if upper administration officials look at a case of failure to meet the requirements of a development plan for somebody who got an unsatisfactory review, the minute they do that they in fact institute proceedings for the consideration of revocation of tenure. Is that inaccurate?

CHAIRMAN WEDLOCK - Say that again.

PROFESSOR MACLACHLAN - If a faculty member receives an unsatisfactory report, they have failed to successfully complete that development plan.

PROFESSOR STROBEL - No, not complete - make progress.

PROFESSOR MACLACHLAN - Make progress, okay. In other words, a year later it is deemed

that they have been unsuccessful in adequately meeting that plan, at this point it says "expose that faculty to proceedings for the termination of tenure." As I understood your remark, if in fact it is forwarded to appropriate administration officials for

consideration, isn't that tantamount to instituting proceedings for termination of tenure, even if they don't go forward with it.

PROFESSOR STROBEL - What this means is that it would depend upon why the faculty member is unsatisfactory. You know, what is causing this unsatisfactory? What the problem is? What the progress has been? It is very hard. It means we could manufacture a case and discuss that case but that doesn't make much sense either. What we mean by "may" and why we want to use that word is that even though they may not have met their development plan at the end of the first year it was felt they should keep trying. They might be making substantial progress towards it. It may be felt that this person is really even though they haven't met these development plan goals, are really making some good progress and they are trying. We don't want to revoke their tenure, and that's why we put in the word "may". Now if somebody is not trying, not making progress at all, just are saying, "I am not going to do this thing," and being uncooperative, we certainly do think that probably you would consider starting the procedures of revocation of tenure.

CHAIRMAN WEDLOCK - That is the traditional decision? Where does that start? Who has the Faculty Manual?

PROFESSOR STROBEL - Where does revocation start? What is the first step? Who has their Faculty Manual?

PROFESSOR KEITH DAVIS - It is not one person in the whole process.

PROFESSOR STROBEL - It is not just one person. There is a whole string of steps that you get to go through. Including a faculty committee that intercedes in the process.

CHAIRMAN WEDLOCK - There is a faculty committee. The President has to make a decision then there is the process before the Tenure Review Board. So it is a long process in and of itself.

PROFESSOR STROBEL - We have worked very hard on this document to try to put safeguards against a malicious person in the process causing trouble for faculty. We have done the best we could by not giving too much power to any one person.

PROFESSOR MACK - You are talking about units - the units establish the process for themselves. Will no one look at those standards and say those standards are appropriate, those standards are not appropriate--there is no controlling authority?

PROFESSOR STROBEL - There are controls on that. In the document the units' standards and procedures will be forwarded to the dean for approval and then forwarded to the provost. We were talking at the Steering Committee, the Provost was saying we need to think about this some more. Should we insert in this process a faculty committee? That is something we haven't talked about. We tried to make this as faculty driven as possible rather than administratively driven. You know we could have a committee, not the tenure and promotion committee, but some other committee as sort of an arbiter in discussions on whether or not the procedures and standards were adequate.

CHAIRMAN WEDLOCK - To answer the previous question--what the procedures are? There is a discussion with the President and if the President and the faculty member are unable to reach a resolution, the President should inform the Faculty Advisory Committee that if it is their desire to terminate a tenured member of the faculty. They give a statement of charges to the Advisory Committee and then the Advisory Committee would look into it. The committee shall inform the President and the faculty member of the recommendations should the President wish to pursue termination proceedings then that it goes to the Tenure Review Board.

PROFESSOR ANNIE-PAULE QUINSAC - ART - I am concerned by this on two levels. The first one would be a level of practicality. As a faculty member in a large department we are already extremely involved and I would say in some cases burdened, by all the procedures of yearly review which are part of our duties and the procedure of promotion and tenure decision. This would add a constant problem and extra workload, not just to establish the by-laws by which each division or each department would choose the new set of review rules, but also by the number of cases to be assessed. So that it seems to add more time consuming duties and, therefore, leave the faculty with less time for productivity as teachers and scholars. That would be my first concern.

My second concern would have to do with a certain level of credibility. It seems that the tradition of tenure has to do with something that one has achieved. One has been recognized by ones peers as somebody promising as a teacher and as a scholar, and in most cases not just promising but somebody already recognized in one's field. This trust is now broken. We are now demanding other measures to reassess. It is perfectly fine that what was once recognized as a system of protection for the institution be in existence but we already have one in place -- The Faculty Manual has measures that could be extended and made a bit more stringent in cases of abuse. The only fact of reviewing and reconsidering something that had been based on trust to me will diminish the importance and the value of the institution who claimed the trust in the first place. I think academe is under a great deal of accusation in the contemporary world and if we give more in, if we allow other people to see that we do not recognize

the basis we have established we no longer will have credibility as a trust-based and trustworthy institution. If we don't have much trust in our own institution how is the outside world going to look at us? To me this is a very serious problem. I would like to have your input on those two questions. Thank you.

(Clapping)

PROFESSOR STROBEL - One of the reasons we have left it up to the units is that we are hoping that the units themselves will have some sanity about the procedures and make them as easy--yes, less onerous--than they might be otherwise. We certainly do not intend that this take up a lot of faculty time nor do we intend that there be a lot of paperwork. You are imagining terrible things. I would like you to go back to your unit and imagine how you can do this thing in a simple manner. The second thing is that it is not a question of whether do this. We must do this. It is mandated, or our campus will lose funding next year.

CHAIRMAN WEDLOCK - I just wanted to say why I applauded your comments was because you are absolutely right in everything you say. It's just the wrong forum to say it. We have lost that battle. This has been imposed not by the administration--they still trust us. It has been imposed by the Legislature. Maybe if we had been more strident about this when the bill was going through the House we might have been able to do something but we can't do anything about that now. The most we can do is to limit the damage to the institution which you cherish and I cherish, and we think this document gives us a chance to do that by giving it to the units. For example, a perfectly acceptable to my way of thinking would be to take the annual reviews, and every six years do an external peer review of a faculty's members work, write it up in a summary, staple it to the annual reviews and pass it on. That would be administratively convenient, but some units might not want to do it that way. I mean it depends on how much you are interested in doing.

PROFESSOR STROBEL - Incidentally before we get excited about external peer review. Don was not in on all of our discussions but we put into this document that external peer review would be considered, to be for example - articles or books that are already published and have been reviewed. That is an external peer review so don't get excited thinking about the same process that we go through for tenure and promotion because we don't intend for that to happen.

PROFESSOR ROY SCHWARTZMAN - THEATRE, SPEECH AND DANCE - If we are going to employ military metaphors perhaps we can either declare victory or at least salvage peace with honor, but by clarifying a little bit of what the idea of tenure revocation is designed to do. As I understand it, a major concern of the Legislature is in the area of what they deem as accountability and that there is a difference between

trust that is placed in a faculty member once a faculty member has been granted tenure and blind faith: just assuming that everything is going to be okay without any adequate monitoring. That seems to be what they are concerned about. What seems to be necessary is some greater assurance and clarification of the fact that procedures such as tenure revocation would be reserved for failure to meet minimum standards, which I believe is already specified in the Faculty Manual. These are designed as measures that are redressed when you find someone failing to meet minimum standards--not showing up for their class, not ever doing any research, failing to administer course evaluations, not ever showing up to departmental faculty meetings. All these sorts of things I think are something qualitatively different than the sorts of things that would be goals for improvement in annual reviews because I think it is a very different matter to say something like, "You should start showing up for work" as opposed to "Gee, you haven't published an article in a year and a half. It's time you got on the stick and did that." Now is that a proper way to look at it, that what we are more concerned with here is maintaining a minimum level of standards, and that is where this sort of penalty aspect kicks in, or are we searching for something else?

PROFESSOR STROBEL - You are exactly right. We feel that an unsatisfactory post-tenure review result would affect very few people, and they would be the ones not attending class when they should be. It is not so much a question of not publishing. We are recognizing the fact that faculty at the end of their careers may not be as active in the publication area but they may be

doing other things. They may do extra teaching. They may be very innovative classroom teachers. They may do more service for the department. Your role changes as you go through your career, and we are recognizing that and that's why we have in here that each unit will do their own criteria. But we are not assuming that these criteria are the same criteria when you went through the tenure and promotion process.

? - You gave a good answer to Professor Quinsac and it seemed that annual reviews would be okay. On page 51 of the document, the best practices for post-tenure review no. 2, it states explicitly that post-tenure review should be as rigorous and as comprehensive in scope as an initial tenure review. That seems to say a lot. That says outside letters and outside reviewers.

CHAIRMAN WEDLOCK - Comprehensive means it consists of the same qualitative criteria teaching, research, creativity, scholarship and service. That is comprehensive. Rigorous doesn't mean exactly the same procedures. It means that you look as closely, but you don't have to do the exactly the same thing.

PROFESSOR CARL EVANS - RELIGIOUS STUDIES - Did the committee consider some outcome between superior performance and unsatisfactory? The way superior is defined at the beginning of the document means performance at the highest level. I would assume from that that there would be very few in the University who would receive superior performance. Does that mean that most people then would be unsatisfactory?

PROFESSOR STROBEL - No, most people would be satisfactory, and satisfactory is such a broad term.

PROFESSOR EVANS - There is not a satisfactory outcome in my document.

PROFESSOR STROBEL - No we decided we would not try to define satisfactory, because that begins to narrow it.

PROFESSOR EVANS - So the options are superior or unsatisfactory?

PROFESSOR STROBEL - No, another option is satisfactory. Most people will receive a satisfactory result. Okay. There are also two other options that we defined. There is superior performance which is at the very highest level as you indicated we also said unit chairs will find some of these people in their units because the Provost promised that there will be some salary adjustment for these people so we would like to have every unit have that possibility.

PROVOST ODOM - Caroline, may I just say that the Provost said if funds are available.

PROFESSOR STROBEL - Yes, if funds were available. I'm sorry--if funds were available.

I should have put that qualifier in, and we also feel that there will be very few unsatisfactory because unsatisfactory means you are going to have to be 'just not doing what you are supposed to be doing as a faculty member'.

CHAIRMAN WEDLOCK - I might say we could, if that causes a problem, we can explicitly define satisfactory as neither superior or unsatisfactory.

PROFESSOR STROBEL - Yes. But we didn't want to try and define it because that begins to narrow the definition of it.

PROFESSOR KEITH DAVIS - PSYCHOLOGY - I am going to speak on the other side of this issue having sat and heard a considerable amount of carping about this

document. Those of us in this room who have had to do faculty evaluation at the departmental level know that one does encounter faculty who need counseling. Sometimes one is successful with the resources one has and you achieve a turnaround, for which both you and that faculty member are very grateful. Occasionally, one doesn't. Those cases are noticed by the Legislature. Our chickens have come home to roost. This Legislature is made up primarily of people with Carolina degrees. They have interns from Carolina all over the place. You should remember that. This movement is also a national movement. We are not the only state with people eager to impose post-tenure review. What you have before you is a proposal which, as far as I can tell, largely keeps this within the bounds of our traditions and our procedures and brings it to a point at, which in the worst case, one has to initiate tenure revocation process but that is not even a requirement. If someone fails to make progress there is still a judgement factor here by the President and by two faculty committees. So I think we are blowing this out of proportion to act like we've abandoned tenure? Bunk, Randy. That's an outrageous exaggeration of the Faculty Advisory Committee's work.

PROFESSOR MACK - I don't think so.

PROFESSOR ANNIE-PAULE QUINSAC - I don't think so.

PROFESSOR INA HARK - ENGLISH - Two points. The practical point is assuming that this actually passes and we are going to do it--leaping ahead--everybody that hasn't had a review in six years, that is six years from your being tenured or your last promotion needs to be reviewed.

It is going to be a big backlog.

PROFESSOR STROBEL - No. We will stagger that.

PROFESSOR HARK - Are there procedures on how that is going to be staggered--longest unreviewed first or what?

PROFESSOR STROBEL - I would think the Provost's office will probably get out some procedures on that. What has happened at other universities is they have taken those with the longest time since the tenure and promotion process and reviewed those people first.

PROFESSOR HARK - Is there a time period in which all those people would have to be reviewed?

PROFESSOR STROBEL - Over a six year period to get everyone into this rotation. So even the large departments are not talking about that many faculty in one year.

PROFESSOR HARK - Secondly, I like the answer that Eldon gave Roy which is that first of all in most cases your annual review plus an indication that you had external reviews together really only triggers unsatisfactory who don't show up for class. I love that conception of post-tenure review I think that would work. On the other hand, how can you tell that someone is so superior that they can get this raise without doing a heck of a lot more than that, and it seems to be in contradiction.

PROFESSOR STROBEL - Well, I think that that again is something that should be fairly easy. We said in each of the three areas. So if you have somebody who is really doing outstanding in research in your unit, they would obviously be superior in their performance in research. On the other hand if you had somebody who is doing just a tremendous amount of service they would be superior as far as service was concerned. I think teaching is a little bit harder to measure but there it is. I don't know how--I think clearly as you look at faculty within a unit you can say that somebody is doing really well compared to the others.

PROFESSOR HARK - That would take a lot of investigation and seeking of all kinds of external views besides the fact that they got published at least in my unit because we have these fights on tenure about whether someone's scholarship which is of a certain quantity is worthy. I just think you would have to do a much more stringent review.

CHAIRMAN WEDLOCK - That is another question that is also left to the unit is how they would determine superior performance.

PROFESSOR CAROLINE EASTMAN - COMPUTER SCIENCE - I would like to revisit the question of the ratings--the ones that are spelled out are superior and unsatisfactory. Comments made seem to imply that, of course, there are three ratings, and the other one is satisfactory. Is it possible for a unit to perhaps have more ratings than that or different ratings than that? Some term other than satisfactory? Or more than three? At a previous institution the performance evaluation form had a rating of official concern between satisfactory and unsatisfactory. What this meant was that there is a red flag that the person is not doing as well as they might be. It is not yet bad enough to be unsatisfactory, but we want to let the person know that if they don't get their act together it will become unsatisfactory. Would this be allowed?

PROFESSOR STROBEL - Well we tried to be as simple as possible with this and, if your unit wanted to do that, Caroline, they could.

PROFESSOR WOLFGANG ELFE - GERMANIC, SLAVIC AND ORIENTAL LANGUAGES - I would like to address the issue for the approval of the unit criteria for post-tenure review again. I very much welcome the idea of establishing a faculty

committee that is involved in the approval process; maybe it can parallel what we are doing in the tenure and promotion process because the faculty have a central role in approving unit criteria for tenure and promotion. I very much prefer this kind of system to the approval process as outlined in your document.

CHAIRMAN WEDLOCK - I think we ought to.

PROFESSOR STROBEL - And so that is probably going to be a change that we insert into the document.

PROFESSOR BRUCE MEGLINO - I am concerned that maybe the paperwork that's developed in the process might follow a person through the promotion process if we are talking about an associate professor. Is there any reason that these post-tenure review processes might accompany somebody's file or would be in somebody's file. Even though the person has a satisfactory rating there may be something in the external review that may be shouldn't go forward. Is there any necessary connection between the two and should there be some wording in this proposal that it be excluded from the tenure and promotion process?

CHAIRMAN WEDLOCK - I would say there is nothing that says it shall or shall not. I think again we should leave that up to the unit whether or not they wanted to make that part

of an interim report of progress for promotion to full professor. Rather than put it in the post-tenure review process. But there is nothing to forbid it. There is nothing to require it.

PROFESSOR STROBEL - We are trying to leave as much up to the individual units as possible so if the unit wanted it or didn't want it, it would be up to the unit.

PROFESSOR KIRK FIEDLER - BUSINESS ADMINISTRATION - I was requested by a couple of people to ask this question. How do we avoid sort of a violation of fairness in the sense that since we are going to be bringing this evaluation system on-line to evaluate people for six prior years, when in many cases the system was not in place when they did the work that they are being evaluated for? Does that make sense? In other words, if we evaluate someone today for prior six years work using a system to evaluate their prior six years work which they did not know was going to be in existence when they did their work?

PROFESSOR STROBEL - Kirk, the only thing that I can comment on to respond to that is, of course, I think that is very true the first time through this cycle but we do

have to start this process. This is not something we can put off for six years or we are going to lose funding.

That's just where it is. This process I believe can also be less stringent than the annual reviews are and the annual reviews should be specifically saying "hey, you haven't published, you need to get on the stick and publish" or "hey, you've been missing classes a little bit too frequently -

you need to shape up - you are not preparing for your classes." Your annual review should have been doing that all along. So this is not going to be something that is going to be any harder than that.

CHAIRMAN WEDLOCK - There is no good answer to that question. I guess you just have some belief in the humanity of the people who are doing this that they will understand this to the extent that it generates rigor it will do so over time and not come down all at once.

The people will have at least awhile to adjust to it.

PROFESSOR ELWOOD CARLSON - SOCIOLOGY - I can see that I am rotating off the Tenure Review Board just in time! It seems to be a hot seat to be in. But I was given my tenure by my colleagues and peers and I feel no qualms about putting continuance of that tenure in the hands of my colleagues and my peers. If they think that I am not doing my job, they were the people who gave me tenure in the first place, and I respect their right to tell me collectively that I am no longer doing this. I hope they never will, and I believe they never will, but if they do as a group tell me that, I think they have the right to tell me that. Tenure is a collective right and responsibility not the right of one person in the way that it is given.

But to maintain the separation of professional performance that is teaching and research from administrative activities, a clear boundary, in my opinion, should be maintained between performance evaluations of faculty which should be done collegially by peers and administrators which could be done by administrators. And the confusion of this separation has serious consequences for both performance and administration in our public school system as everybody knows around the world. Therefore I think that the word "administrative" should be deleted from item 2. on page 44. This is a detailed change and to my way of reading this, this does not violate the best practice items that were mandated by the CHE because the chairman, the administrative people in the department would be part of the collegial group of the faculty who are doing the evaluation therefore administering input could be part of that collegial situation.

CHAIRMAN WEDLOCK - Now we are talking about IV., A., 2, page 44. An administrative assessment.

PROFESSOR CARLSON - Just drop out the word "administrative" and say "assessment" because I think we are confusing peer review and administration. If you really want to be evaluated by your peers, you should be evaluated by your peers not an administrative official

within your department who has the ability to veto what your peers are saying or provide some sort of conflicting information to what your peers say.

CHAIRMAN WEDLOCK - Now that is the section that has to do with annual performance review not post-tenure review. Minimum unit standards procedure for annual performance review.

PROFESSOR STROBEL - What we have done is we have codified all these procedures on the annual review and third year reviews that have already been in place but to get them into the Faculty Manual for purposes of meeting the CHE requirements. So what we basically have done is put in those procedures that typically have been done at least by the unit chair. It may that there are also be peer reviews. It just depends on the procedures followed in the different departments again and we have not attempted to legislate or to impose anything that is not already in place.

PROFESSOR ROBERT YOUNG - SCHOOL OF MEDICINE - I got my tenure about a dozen years ago and so it is a little bit foggy in how it went through. I sort of feel like an agreement between myself and the University and the state may be in conflict here. I remember getting the letters that said that I passed my unit, I passed the University and then it was going to the--I think all the way to the governor that had to agree on it or maybe the Legislature. But didn't it say

on the condition of the passage of the . . . .

PROFESSOR STROBEL - No, just the Board of Trustees.

PROFESSOR YOUNG - I just sort of felt like the University--that the state legislature had agreed that this be done.

PROFESSOR LALA STEELMAN - SOCIOLOGY - The thing that I object to in this proposal are the exemptions for deans and department chairs. I don't think it is fair. I think we are all

going to be put through the process and even people who are now chairs should be subject to the same kind in good faith.

PROFESSOR STROBEL - We left the endowed chairs out because I understand and Jerry you may need to correct me, they are reviewed for their chairs rigorously every three years rather than every six years.

PROFESSOR STEELMAN - Are they reviewed by their peers? I mean I am not knocking them.

I just think that in order to be fair we all need to go through this. Is it an administrative review or a peer review.

PROVOST ODOM - It starts at the departmental level, comes up through the deans.

PROFESSOR STROBEL - Yes, but doesn't the faculty review their performance or is it the unit chair?

PROVOST ODOM - It is probably the chair of those units.

PROFESSOR STEELMAN - What about the deans - are they the same thing?

PROFESSOR STROBEL - Deans are reviewed by the Provost annually.

PROFESSOR STEELMAN - Are we sending the right message if those people will not be willing to go through the same review as the rest of us?

PROFESSOR STROBEL - We debated this and we do have in here that the department chairs will be reviewed both by the faculty and by the dean. But when you get up to the level of the dean, there are dean reviews every five years that are in place as to how they are performing as a dean. It would be hard to take them back into their units and now evaluate them on their teaching, research and service because that's not what their job is any more. So every five years the faculty have the opportunity to review how the dean is doing, and that schedule is set up. It is on the Provost's Website and you can see when your dean is going to be reviewed.

PROFESSOR STEELMAN - But some deans teach or are productive scholars who do productive research. It seems to me that if they fell under the same rules that everybody else did

it would send the right message to the faculty. I don't see a problem with that if they are doing their job and they are doing it well they should have nothing to fear.

PROFESSOR DAVID WAUGH - ENGINEERING - I am a senior member of this University and therefore I believe I have been tenured longer than anyone in this room. Further I shall

retire before I would be subjected to this process. You might therefore reach the conclusion that I am unaffected by it. I show no interest in it. But I have almost 40 years of observation that tells me that I have a great deal of interest in this. I believe our Faculty Advisory Committee and our administration has paid a great compliment to this faculty in letting a document that gives us as much flexibility and freedom in deciding our own destinies as this one does. And I compliment the chair of the Faculty Advisory Committee for bringing it to us. I associate myself with Keith Davis's comment and with that of the chair. This is a law and it will be done one way or the other. The compliment paid to this faculty is that we may make it as quantitative, onerous and as time consuming as we wish. Also it allows us to provide other alternatives. If we fail to take advantage of this opportunity we would deserve what will befall us. To assume that this

somehow eliminates tenure as a concept is to fail to recognize the administrations that have preceded this present one. What would have happened under different circumstances? We would not be here sitting here discussing how we are going to take care of ourselves. We would have something put before us and told to eat it--like it or lump it. I am very pleased that this has gone the way it has, and I am very pleased with the action of the Faculty Advisory Committee. I have been highly critical of that same committee on previous occasions. But I think they have done a job very well on behalf of this faculty and they done what they were appointed to do. Thank you.

(Clapping)

PROFESSOR EVAN PALEOLOGOS -GEOLOGICAL SCIENCES - I just heard a remark not on this document but on the perceptions that we lost the battle with the Legislature. I would like to raise a point here that when we go back to the state, instead of making sure that we tell them not just fulfill the minimal requirements and put more emphasis on the superior performance. The drive for this University from the original departments for superior performance for bringing in money and that they are published are recognized. Instead of telling to the state senator "We fulfill the minimum requirements" maybe we should tell them we are establishing many units with superior performances and are demanding the state to be recognizing that either with raises or with recognition of the University. So my approach is that instead of going with establishing minimums, let's go and tell them in some units we have reached the superior performance.

PROFESSOR ROBERT FELLER - BIOLOGICAL SCIENCES - I agree with your comments entirely but I wonder if there are procedures for amending this document in place and if changes need to be made in this policy?

PROFESSOR STROBEL - This will be voted on at the General Faculty meeting in April and will become part of the Faculty Manual and so the procedures for amending it would be the same as any other Faculty Manual change.

CHAIRMAN WEDLOCK - What we propose doing is taking some of the suggestions that we heard here, tweaking this document a little bit more, getting it in shape, publishing it and then inviting specific amendments in writing to the document, which will then create a framework for adopting a final document at the April 28th faculty meeting.

PROFESSOR FELLER - I have a concern from a colleague about the evaluation procedures in Section V. Several of the sections end with the statement that so on and so forth will be forwarded to the dean for final determination. The question is, if the unit says satisfactory can the dean say unsatisfactory or vice versa? There is a potential for conflict here and if the dean makes the final determination what recourse does the individual have?

PROFESSOR STROBEL - Of course you could have the normal grievance procedure that is in the Faculty Manual. You can grieve a variety of things. What we were doing and we did not want to carry it further was to try to solve the situation where there might be personality differences between a faculty member and a department chair. We are giving the faculty member the option to appeal to the unit's tenure and promotion committee. The T & P Committee should be making the case for the faculty member, and, hopefully, they will. I would hope that there won't be any cases - it's just the escape valve we put into the document to handle that kind of situation. Hopefully, it is going to be satisfactory.

PROFESSOR AMITTAI AVIRAM - ENGLISH - I'd like to return to the question that had to do with the annual performance review and its relation to the six year post-tenure review in particular, because presumably the former becomes part of the latter accumulated every six years. It's built into the annual performance as item IV. A.3. that the review on teaching must incorporate student evaluations and so presumably those student evaluations would become part of the report every six years. I am a little bit concerned about that. I am hoping that our department for instance will start to rethink methods of teaching evaluation and try to broaden it to get away from the assumption that this total quality management survey approach of having students evaluate the teaching really is the best way of evaluating teaching. I'm all for good teaching, of course, but I have my own experiences as a student. In my student days

many of my best teachers were also the most unpopular teachers and they no doubt got bad student evaluations. So I'd like to register some concern about the automatic relation between those two kinds of review and also to question the need to specify that as a basis of review.

PROFESSOR STROBEL - We talked about that a great deal. In fact we changed the wording a couple of times in this regard. We are mandated to use student evaluations. So that is not open to the change. The peer evaluations are part of the process for the annual report for nontenured faculty. If units decide, tenured faculty for purposes of the six-year review could also have peer review or some other form of review that would be up to the individual units.

PROFESSOR AVIRAM - ENGLISH - Must they be part of the six-year review or could they be replaced by some other form of evaluation of teaching?

PROFESSOR STROBEL - They must also put it in the six-year review.

PROFESSOR AVIRAM - And that is simply mandated.

PROFESSOR STROBEL - That is mandated.

PROFESSOR CARL EVANS - RELIGIOUS STUDIES - I am still uneasy about the two outcomes that this document suggests.

PROFESSOR STROBEL - I think there are enough comments on the two outcomes that we will probably define satisfactory--third outcome as being everything else.

PROFESSOR EVANS - The Best Practices document of CHE points out that in the event of an unsatisfactory performance review, the goal of the development plan is to restore the faculty member to satisfactory performance. I think we are going to have to define "satisfactory"--as much as we may not want to.

PROFESSOR STROBEL - We can define it and probably should. Satisfactory performance is performance which is not unsatisfactory.

PROFESSOR BRUCE MEGLINO - BUSINESS ADMINISTRATION - Is this supposed to be implemented by the fall? You mean that the whole process is going to be implemented.

CHAIRMAN WEDLOCK - The University has a process within which, as I understand it, the units will work this out.

PROFESSOR FRANK AVIGNONE - PHYSICS - I like your document the way it is and let the little people pick at it. But I wonder if you agree with the fact that if there is a major change in how the University operates because of this document, because of this system, chairs and deans have not been doing their jobs in the past in evaluating faculty.

CHAIRMAN WEDLOCK - I wouldn't venture to speculate on that.

PROFESSOR CHARLES MACK - A procedural question on this. We have had in the past and have now a number of faculty members who are tenured at the rank of associate professor. And, for one reason or another, they will not achieve the rank of full professor. They are as far, as I know, extremely contributing members to the institution, great teachers and what have you. I see the possibility and, perhaps, I am just cynical but I have been here 27 years and I have learned to be. I see a possibility of the abuse of this in terms of them--in other words using this is an excuse to get rid of tenured associate professors who will not be progressing by simply saying they are not meeting the developmental goals. This whole developmental system sounds awfully like the Viet Vietnamese rehabilitation system.

PROFESSOR STROBEL - The development plan only gets put in place if there is an unsatisfactory review. If an associate professor is performing a valuable function in his department he certainly would not be unsatisfactory. No does not mean he would be promoted to full professor.

PROFESSOR MACK - I realize that but I'm concerned that this seems to be so open to a whole variety of interpretations to such a degree that it could . . . .

CHAIRMAN WEDLOCK - I think the answer to that is to bird-dog your departmental document to make sure that you are satisfied that it won't turn into such a thing. I think a lot of people, when they first look at this, immediately jump to the conclusion that an unsatisfactory performance is a performance which would not gain you tenure in the first place. That is absolutely wrong. There is a wide division between the performance needed to obtain tenure and the performance needed to retain tenure. You would have to perform unsatisfactorily and then you would have to go through the whole revocation process.

PROFESSOR MACK - In some way that is going to be checked to make sure that is in place?

CHAIRMAN WEDLOCK - Well again I mean the process is in the hands of the faculty members, and I suppose a rogue department could take this to Armageddon

but I don't see that happening. I think the best protection is to leave it within the units themselves rather than seek some kind of ironclad guarantee.

PROFESSOR STROBEL - Just as we have unit criteria for tenure and promotion because each department differs we need to have unit criteria for retention. So it is going to be up to the department to decide on satisfactory performance

PROFESSOR GEORGE KHUSHF - PHILOSOPHY - This last comment leads to the question that I was wanting to ask. With tenure and promotion you want criteria that will reach high. The goal is to draw faculty upward toward a certain ideal. But in the case we are discussing the concern is with minimum standards. One problem is that there is no specification of a minimum standard. As a result, what such a standard is becomes much more open to interpretation and, further, to abuse. It seems that the determination of unsatisfactory performance could be quite variable. Is there any way to specify minimum standards?

CHAIRMAN WEDLOCK - Not in this document. It is left to the units to determine what the minimum standards. Philosophy may be different on what is a minimum standard in Law or Mathematics. It is according to what you and your peers develop that will develop the minimum standards.

PROFESSOR CAROLINE EASTMAN - COMPUTER SCIENCE - I have a request for clarification as to the number of ratings to be given a specific faculty member. On page 45, it says that in each of the three major categories the process must identify faculty members whose performance is superior, which would imply that you would get a separate rating in each of the three major areas. In other parts of the document, the implication is that you get one overall rating. Could you clarify whether you get three separate ratings, an overall rating, or both?

PROFESSOR STROBEL - You get one overall rating. We had in fact the word "overall" in the document but we took it out. You get one overall rating as far as post-tenure review is concerned. This is in identifying superior performance. We felt that you may have people who are researching, not doing much service because they are spending all their time doing research, and that's very good and meritorious and of course that would be superior. You may have someone else who is doing really creative teaching. You may have somebody else who is doing a lot of service for their department and in fact some units have very heavy service requirements, and we wanted to make sure that people were recognized for their superior performance in all three areas, otherwise you might tend to the idea that a person is superior if they are doing superior research and that is the end of it. We wanted to make sure that other people were recognized as well for the contribution that they are making to the University.

PROFESSOR CAROLINE EASTMAN - What about people rated as superior in one area and unsatisfactory in another area, such individuals have been mentioned earlier as people who are typically permanent associate professors. There would be nothing to prevent the unit from saying, well, this person is not doing any research, but they are doing so well in these other areas that we can rate them superior overall.

PROFESSOR STROBEL - No. But they can be rated as satisfactory.

CHAIRMAN WEDLOCK - You could be superior in one and unsatisfactory in another and come out satisfactory overall. It is only when you come out unsatisfactory overall that you would get into the rest of the process.

PROFESSOR STROBEL - What is happening is so bad, as far as you are concerned, that overall you are unsatisfactory.

CHAIRMAN WEDLOCK - But the three ratings for the superior require that the unit evaluate you if you are and tell you if you are superior somewhere and not just say, "well, you're okay - you're satisfactory, but we are not going to tell you if you are superior.

PROFESSOR MACK - I think in a way you implied the answer but as long as we have a lawyer up there - contractual arrangements? It is my understanding that in a sense when we enter the tenure system the contract in operation is the Faculty Manual on which we have entered. If we change the Faculty Manual how does that then relate to all of us sitting in this room who came in under other faculty manuals contractually and are you guys [lawyers] going to make a mint of money.

CHAIRMAN WEDLOCK - We'll try.

PROFESSOR MACK - Is there evidence that this has been sounded out?

CHAIRMAN WEDLOCK - No, I don't know how deeply it has been sounded out but let me just tell you what I think. The material aspects to a contract and some not so material aspects to a

contract. The material aspect of a contract as regards to tenure is that you won't be dismissed except for cause. We have retained that aspect of it. You will not be --if you have tenure you will not be dismissed unless its for cause according to the procedures in the Faculty Manual.

PROFESSOR MACK - The contract that we entered into. Those are the ones spelled out.

CHAIRMAN WEDLOCK - That's right. Since this document does not relate, except in the very narrowest sense and only a suggestory manner, to termination of tenure and dismissal for cause it is merely an aspect of evaluation of your performance both post-tenure and annual review.

As such it doesn't amount to a change of a material aspect. I would say that one of the implicit aspects of the contract that runs toward the university is that you will perform at a high level. That you will use your best energies to accomplish your tasks and that is an implied contractual arrangement. This is simply a method of measuring whether you are competent--whether you are doing that or not. So I don't think so--it might take a case or two to settle that, but I think that is where we come down to.

PROFESSOR MARGIT RESCH - GERMANIC, SLAVIC AND ORIENTAL LANGUAGES -

and a member of the Faculty Advisory Committee. We banked the document on the principle let's give the department as much freedom as they can have to define their own criteria and procedures and that was praised here. Where the document breaks down in regard to that

principle is when it comes to an unsatisfactory review. I wondered if I could get input on the wording that is in this document. It's I think section V. Let's assume that Professor Mack is being evaluated through the process as the department has defined it as unsatisfactory service.

PROFESSOR STROBEL - No, unsatisfactory overall, Margit.

PROFESSOR RESCH - Unsatisfactory overall. That would then be reported to your department's tenure and promotion committee. The tenure and promotion committee would be

compelled to assign to a point a development committee. That development committee then

helps you devise a plan to get you back on your feet - on your academic feet. If you don't like that then you go back to the tenure and promotion committee and you complain. This is the very committee that is supposed to appoint the development committee. Let's assume everything goes forward to the dean and you are on the development plan, the chair will then evaluate you next year during the annual evaluation and the chair would have to assess the progress that you have made towards the development plan--an evaluation that the chair has to make although the chair had no input on the development plan. I just want to hear what your opinion is

on that whole process and whether perhaps that could be improved according to your view.

PROFESSOR FRANK AVIGNONE - PHYSICS - The chair has been defined in the Faculty Manual. You said you haven't changed anything in the Faculty Manual so that the chair still has certain responsibilities--academic responsibilities for the unit. So it is clear the chair still is involved if the chair wishes to be involved according to the Faculty Manual.

PROFESSOR SHIRLEY KUIPER - BUSINESS ADMINISTRATION - I believe that is addressed in item V. B.3 on page 46. If the chair makes the recommendation to the development committee, the development committee recommendation together with the chair moves forward

so it seems to me to be addressed.

PROFESSOR JOHN SAFKO - That sentence is actually a hold over from when we had the chair working this out. We need to look at that.

CHAIRMAN WEDLOCK - Yes, this is a section that still needs to be looked at. Any more questions or comments? If not I declare we are out of the quasi committee of the whole.

Thank you very much.

E. Faculty Welfare Committee, Professor Robert Wilcox, Chair:

PROFESSOR WILCOX - In the interests of my welfare, I am not going to report at this hour.

CHAIRMAN WEDLOCK - There is no report from Admissions. There is no report Scholastic

Standards and Petition and no report from Academic Responsibility, and no report from the

Board of Governors of Faculty House.

### **V. Report of the Secretary.**

No report.

VI. Unfinished Business.

None.

## **VII. New Business.**

CHAIRMAN WEDLOCK - The chair will entertain a motion to congratulate the men's basketball team for their successes this season and to wish them good fortune in their post season play. Do I hear such a motion? Second. Thank you. All in favor signify by saying aye.

An amendment?

PRESIDENT PALMS - Also the women's basketball team for their good performances.

CHAIRMAN WEDLOCK - I would include the women. I take that as a friendly amendment. All those in favor signify by saying aye. All opposed - no. So ordered.

I would also like to entertain a motion to congratulate Elizabeth Mary Davis-Taylor on the publication in the American Medical Association Journal on the affect that moderate exercise has on diabetes. It comes too late for me, but I am glad somebody is working on this. Do I hear a motion? So moved. Seconded. All those in favor signify by saying aye.

Opposed - no. So ordered.

## **VIII. Remarks for Good of the Order.**

PROFESSOR SARAH WISE - Excuse me, you need to remind them about the nominations.

CHAIRMAN WEDLOCK - Any nominations from the floor? They will be closed when we adjourn. Any other remarks for the Good of the Order?

## **IX. Announcements.**

CHAIRMAN WEDLOCK - One announcement. MarshaTorr will be here at the April meeting to discuss with us opportunities for research grants- outlining research grants, proposals and how to do it, and what's available. And we are out of here in less than two hours.

Adjourned at 5:05 p.m.