

**FACULTY GRIEVANCE COMMITTEE  
ANNUAL REPORT  
2007-2008**

For 2007-2008, the Faculty Grievance Committee (FGC) comprised eight individuals: Pamela Melton (Law School), Judith Rink (Physical Education), McKinley Blackburn (Economics), Larry Wyatt (Music), Ruth Riley (Medical School), Alan Decho (Environmental Health Sciences), Lowndes Stephens (Journalism), and Sadye Logan (Social Work). A vacancy was created on the committee by Steven Lynn's appointment to an associate dean position. No replacement was selected for this academic year, but there will be a replacement for the 2008-2009 year. The FGC is to include one ex-officio member of the Provost's Salary Equity Committee. Edsel Pena (Statistics) served the committee in this capacity. McKinley Blackburn served as chair of the committee.

The FGC received five petitions from USC faculty members. Three of those petitions concerned denial of tenure and promotion for assistant professors in their decision year. Two of the petitions were from faculty members who had received a notice of non-reappointment while in their probationary period as tenure-track assistant professors. A brief summary of these five cases follows.

(1) The first case involves an assistant professor who was denied tenure and promotion. The candidate was supported by the unit and the dean, but was not supported by the Provost. The majority of the votes by the University Committee on Tenure and Promotions (UCTP) were against tenure and promotion. The candidate appealed to the committee on the basis of claims of several errors made in a negative ballot from the candidate's unit, as well as an inappropriate assessment (by the Provost and several UCTP ballots) that the candidate's research quantity was lower than required by the unit criteria. The FGC did not see errors in the consideration of the candidate's file that materially affected the consideration of the file at later stages, and found the assessment of the candidate's research output by the Provost and UCTP to be reasonably argued. The FGC found no evidence of a valid grievance. The President agreed with this recommendation.

(2) A second case also involved an assistant professor denied tenure and promotion. The candidate was supported by the unit, but not by the Dean, Vice President for Research and Health Sciences (VPRHS), or the Provost. The majority of the votes by the UCTP were against tenure and promotion. The candidate appealed to the FGC on the basis of errors made by the Dean in the evaluation of the file, and on an inadequate consideration of the unit criteria in the evaluation of the candidate's research in the later stages of the review. The FGC did not see evidence that the Dean, Vice President, Provost, or UCTP were not applying the unit criteria in their evaluation of the candidate's research, and so found no evidence of a valid grievance. The President agreed with this recommendation.

(3) A third case also involved an assistant professor denied tenure and promotion. The candidate was supported by the department chair, but was not supported by a majority vote of the unit. As well, the Dean, VPRHS, and Provost recommended against tenure and promotion, as did a majority of the UCTP ballots. The candidate raised claims of the use of impermissible

criteria in the evaluation of both the research and teaching record. The FGC did not find a valid grievance in terms of the evaluation of the candidate's research, as a consideration of the level and quality of research funding generated by the candidate was seen as consistent with the unit criteria. The FGC did find a valid grievance with respect to teaching. By contractual agreement, the candidate was given a reduced teaching load. Many ballots at the unit level used this reduced teaching load as a justification for an evaluation of the candidate's teaching performance as less than excellent, but the FGC determined that this justification was inconsistent with the unit criteria. The unit also failed to provide comparative teaching evaluation statistics for the candidate, though a comparison of teaching evaluations is part of the unit criteria. The FGC recommended that the candidate's file be remanded to the unit for reconsideration. The President agreed with this recommendation.

(4) One case involved an assistant professor who received a notice of non-reappointment in the third year of a tenure-track appointment. The non-reappointment was "without cause," and by the Faculty Manual can only be grieved under grounds of denial of academic freedom or denial of due process. The faculty member raised claims that annual reviews by the unit were not performed at regular intervals, with 17 months separating two of the annual reviews. The FGC did not see a requirement in the Faculty Manual that annual reviews be conducted at regular intervals, and noted that the faculty member had received three annual reviews in a two-and-a-half year period. The FGC did not find a valid grievance in this case. The President agreed with this recommendation.

(5) A final case also involved a non-reappointment without cause for an assistant professor in the third year. The faculty member raised claims that the third-year review was carried out improperly, because health problems prevented the faculty member from fully submitting necessary materials for a proper review. The faculty member also raised claims that the Dean did not provide a sufficient description of the reasons for why the non-reappointment occurred. The FGC noted that the nature of the non-reappointment process implies that the Dean is required to provide only very limited information as part of the grievance process. The FGC also saw the unit as providing adequate opportunity for the faculty member to submit information for the third-year review, and so did not find a valid grievance with respect to the non-reappointment decision. The faculty member also raised a salary inequity issue with the FGC, noting that the faculty member's starting salary was lower than the starting salary of another faculty member who started at the same time in the same School. The FGC noted that while the two faculty members were in the same School, there were in different areas within that School, and that a salary differential between those two areas was reasonable. The FGC did not find a valid grievance related to salary inequity. The President agreed with both recommendations.

Alan Decho will serve as Chair of the FGC for the 2008-2009 academic year. McKinley Blackburn, Pamela Melton, and Judith Rink will be rotating off the committee. Vladimir Temlyakov (Math) was appointed by the Faculty Senate Steering Committee to finish the final year of the open term on the committee. New members elected to the committee to begin three-year terms next year are Michael Huhns (Computer Science and Engineering), Patrick Nolan (Psychology), and Francisco Sanchez (Languages, Literatures, and Cultures).