



**FACULTY PERSONNEL COMMITTEE  
AGENDA**

**Friday, September 13, 2019**

Room L.61, New Building

**9:30 am-1:00 pm**

***Meeting Open to the Public 9:30 am – 11:30 am\****

- I. Welcome**
- II. Charge to the Committee (2019-2020 Personnel Action Process)**
- III. Approval of Minutes, 5/03/19 meeting**
- IV. Faculty Personnel Appeals Process, Taskforce Report**
- V. New Business and Announcements**

***Executive Session – Full Faculty Personnel Committee 11:40 am\* – 1:00 pm***

- I. Initial Appointments (Fall 2019)**
  - Slate vote on initial appointments

**Fall 2019-Spring 2020 PFC/ FPAC Meetings:**

Full FPC	Friday, December 13, 2019
Faculty Personnel Appeals Committee	Friday, February 14, 2020
Faculty Personnel Appeals Committee	Friday, February 28, 2020
Faculty Personnel Appeals Committee	Friday, March 13, 2020
Faculty Personnel Appeals Committee	Friday, March 20, 2020
Full FPC	Friday, April 3, 2020
Full FPC	Friday, May 1, 2020

**Notes:**

**\*All times are approximate**

**09/05/2019**

**FACULTY PERSONNEL COMMITTEE  
MINUTES**

**Friday, May 3, 2019**  
Room L.61, New Building  
**9:30am – 1:00 pm**

**NOT YET APPROVED – will be voted on at the 9/2019 FPC Meeting**

***Meeting Open to the Public 9:30 am – 11:30 am***

*Meeting convened: 9:40am*

**I. Approval of Minutes, 4/5/19 meeting**

Discussion of previous meeting required a motion for approval with amendment to the following:

- David M. requested to change his section on page 1 from “...process does not need to change...” to “...process should be kept in its current way, because all of the effort and personnel required to make any changes at all, will not produce a significant outcome.”
- It was also requested the last sentence on page 4 be clarified (add “been” before “outline”)?
- Warren motioned and Geert D. seconded the motion. All were in favor.

**II. Faculty Personnel Appeals – Discussion for Policy and Process Change**

- Jim C. gave a short explanation of his proposal on how to establish an appeals committee separate from the FPC. He also described his concern about pulling any faculty members from a department or review committee that is already short on members.
- Kyeanna B. explained the process of the At-Large/Alternate elections regarding how the office identifies where there are seats to be filled and how to handle filling them.
- Ned B. broke down the chart he submitted for today’s meeting. He explained that it is a first draft based on what Jim developed for his statement. He outlined two options: (a) have a separate appeals committee independent of the review committee (so as not to have eligibility issues) or (b) have members who serve on both review committees and appeals committees.
- Allison P. was concerned about possible changes to the guidelines to match the new appeals process and was also concerned with quorum if members are pulled from one committee to now only be on the appeals committee.

Some concerns/suggestions:

- Some faculty were concerned over which members should be on the appeals committee, as they would want to have a diverse panel that would be qualified enough to understand the

materials from various disciplines. They do not want to end up with a committee of people that won't know anything about the candidate's field.

- Jim explained that in his research he has found that an appeal committee with a broad disciplinary span is beneficial to the candidate). Thus at the very least, we could minimize the number of members on our appeals panel/committee.
- Warren suggested that the appeals committee could be outside members, such as senior faculty, instead of the same FPC members just rearranged to a new appeals configuration. Similarly, Geert D. suggested that the Provost's Office could gather eight faculty members that had previously served as Chair's to now serve under the appeals committee.
- Some faculty members shared that regardless of the process chosen, they would like to see members give weight to the department P&B votes as the departmental P&B would know the members and the discipline the best. However, there were others that felt that P&B votes could sometimes be influenced by personality issues within the department and actually the votes of every committee should hold equal weight to provide a more rounded review.
- Provost Li expressed his support for trying to compose a new appeals committee. He believed that having a smaller body of members would be beneficial to the decision making process, so long as there is a way to properly and fairly represent each discipline in the committee. He expressed that having proper representation will aid to properly evaluate candidates' actions.
- Some faculty shared their concerns about changing the process every year. They wanted to be clear that while the current process is a draft, it should still be looked at as a permanent change. If the FPC moves to have a new appeals process next year, faculty must be made aware of how their actions will be reviewed if they go through the appeals process.
- Kyeanna B. described the logistics of what goes on behind the scenes of the FPC meeting. She expressed support of a separate and smaller appeals committee because it would mean appeals meetings could be scheduled during the Fall semester. It would also allow quicker notification to faculty members regarding their personnel action decisions, decreasing anxiety for those awaiting results.
- President M. made it clear that if we proceed with this draft, it would not be a pilot as we would need to change the guidelines. She asked for a focus group to change this draft into a narrative form so that the FPC could have a more in-depth discussion. The group will consist of Monica S., Ned B., Jonathan J., Jim C., Bob T., and Katie G.

### **III. New Business**

#### Tracking Action Outcomes

- President M. requested that data sheets be presented to the FPC in two formats one as a 10-year analysis and another as a breakdown of the latest year.
- The committee discussed that this information can be shared and posted online on our "Inside Portal" page.

**Open session adjourned: 11:10 am**

## 1. Introduction

The following was prepared by the volunteer group (Ned Benton, Jim Cauthen, Katie Gentile, Jonathan Jacobs Monika Son, and Robert Till) formed at the last Spring 2019 FPC meeting and tasked with developing proposals modifying the appeals process consistent with the discussions at that meeting. The group did not come up with a single proposal that all endorsed; rather, it developed a number of proposals for consideration by the FPC. The proposals are similar in that each would reduce the size of the Faculty Personnel Appeals Committee (FPAC) considerably. They differ with regard to the make-up of the FPAC.

## 2. Current process

The faculty personnel appeals process is outlined in Section II.E of the Faculty Personnel Process Guidelines (with revisions effective August 27, 2019). That section describes the composition of the Faculty Personnel Appeals Committee (FPAC), the committee that hears personnel appeals. For each appeal, the FPAC is made up of:

- A) members of the FPC less
  - 1) the appealing candidate's department chair;
  - 2) FPC members from the candidate's department;
  - 3) FPC members from the candidate's Departmental Personnel and Budget Committee;
  - 4) FPC at-large or alternate members who are affiliated with the candidate's department;  
and
  - 5) members of the Review Committee that decided a candidate's action.
- B) plus members of the faculty "Appeals Panel" in an equivalent number selected by the President to replace the number excluded in A) above.

The faculty "Appeals Panel" from which FPAC members are selected by the President is comprised of twelve (12) faculty members who are not current members of the FPC and who are elected by the faculty to staggered three-year terms. Under the current Faculty Personnel Process Guidelines, there is no requirement that faculty elected to the Appeals Panel have prior service on either a Departmental Personnel and Budget Committee or the FPC.

Applying these composition requirements, the FPACs for the eight appeals heard during the 2018-2019 academic year averaged 30.5 members, ranging from a low of 27 to a high of 32. The number of Appeals Panel members serving on the FPACs averaged 8.25, with a low of seven and a high of nine.<sup>1</sup>

## 3. Can the current FPAC structure be improved?

Some members of the FPC have suggested changes to the current structure of the FPAC based on their experiences serving as members of the FPAC. These suggestions arise from a belief that 1) the FPAC is too large; and 2) all members serving on the FPAC should have experience serving on a Department Personnel and Budget Committee or the FPC before serving as a member of the FPAC. Neither of these

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<sup>1</sup> There were 34 members assigned to the FPAC for seven appeals and 33 assigned for one appeal, with between seven and nine members coming from faculty Appeals Panel appointments. Due to scheduling conflicts or other reasons, each FPAC had a range of two to six planned absences: therefore, the total FPAC membership on the day of the appeals meeting in Spring 2019 ranged from 27 to 32.

suggestions are the result of experiences in specific appeals before the FPAC; rather, they are based on experience serving on the FPAC over a number of years under the current appeals process.

The Faculty Senate has also taken the official position that adding the Appeals panel members to the FPC required an amendment of the Charter Bylaws and could not be done by the FPC alone, and that excluding members of the FPC from deliberations of the FPC (even when it is called something else) violates the Open Meeting Law.

- A) Size of the FPAC: With an average of 30.5 members, the FPAC is, by far, the largest body making recommendations to the President on personnel actions. On average, it is 6X the size of Department Personnel and Budget Committees and approximately 4X size of FPC Review Committees. While the increased size allows greater representation of faculty in the appeals process in terms of numbers involved, the size of the FPAC has the effect of making it the least deliberative body in the personnel process. As a result, it sometimes becomes difficult to discuss personnel cases in a way that allows a full and robust discussion among and between FPAC members regarding a candidate's file or effectively question department chairs and Review Committee representatives who appear before the FPAC. In a non-scientific review of appeals processes at other universities and colleges prepared for the FPC, no appeals body came close to 30 members; most were in the 7-9 member range.
  
- B) Experience of FPAC members: Under the current process, service on a FPAC for some members of the faculty Appeals Panel may be their first experience serving on a committee involved in the College's personnel process. There is no requirement in the FPC guidelines that elected members of the Appeals Panel have prior experience serving on a committee involved in the personnel process at the College. Thus, for some, there will be a learning curve during their first year on the Appeals Panel and possibly beyond. While the members of the faculty Appeals Panel have provided valuable contributions to the FPAC discussions, some on the FPC have suggested that faculty members hearing appeals have prior committee experience in the personnel process before serving. Because appeals are heard in the spring, even new members of the FPC bring their fall Review Committee experience discussing personnel actions to the appeals process. New members of the Faculty Appeals Panel may come to a spring appeal without any experience in the personnel process beyond their own personnel actions.

4. Proposals for changes to the composition of the FPAC (there was greater support among the group for a FPAC that included members from a Faculty Appeals panel – i.e., Options 1 and 2).

- A) Option 1: The FPAC be reduced in size to ten members (all faculty), eight of whom shall be elected by each Review Committee of the FPC (two faculty elected by each Review Committee) at their organizational meetings in the Fall and two of whom shall be appointed by the President from the Faculty Appeals panel. The faculty elected from the Review Committees shall serve on the Review Committees in the fall and on the FPAC in the spring. The Faculty Appeals panel shall continue to be elected by the faculty for three year terms, but its size shall be reduced to six from 12 and a faculty member must be tenured and must have served at least one full year on a Department Personnel and Budget Committee or the FPC to be eligible to serve on the faculty Appeals Panel. The same restrictions on hearing appeals that exist currently (see (1) (A) above) will apply, making the size of the FPAC that hears each appeal at seven to eight members

(up to six from the Review Committees and two from the faculty Appeals Panel). So as to be able to hear the discussions of the FPAC, the President and Provost shall be members of each FPAC and be permitted to participate in all discussions regarding a candidate but shall not have a vote. The chair of each FPAC shall be a faculty member appointed by the President from among its members (**Note:** Under this option, the Faculty Appeals Panel remains in existence but smaller and with eligibility requirements that include prior experience serving on committees in the personnel process).

- B) Option 2: The FPAC be reduced in size to ten members (all faculty), eight of whom shall be elected by each Review Committee of the FPC (two faculty elected by each Review Committee) at their organizational meetings in the Fall and two of whom shall be appointed by the President from the Faculty Appeals panel. The faculty elected from the Review Committees shall serve on the Review Committees in the fall and on the FPAC in the spring. The Faculty Appeals panel shall continue to be elected by the faculty for three years terms, but its size shall be reduced to six from 12 and a faculty member must be tenured to be eligible to serve on the faculty Appeals Panel. The same restrictions on hearing appeals that exist currently (see (1) (A) above) will apply, making the size of the FPAC that hears each appeal at seven to eight members (up to six from the Review Committees and two from the faculty Appeals Panel). So as to be able to hear the discussions of the FPAC, the President and Provost shall be members of each FPAC and be permitted to participate in all discussions regarding a candidate but shall not have a vote. The chair of each FPAC shall be a faculty member appointed by the President from among its members (**Note:** Under this option, the Faculty Appeals Panel remains in existence but smaller and with the sole eligibility requirement being tenure, i.e., there is no requirement of prior experience serving on committees in the personnel process).
- C) Option 3: The FPAC be reduced in size to eight members (all faculty) who shall be elected by each Review Committee of the FPC (two faculty elected by each Review Committee) at their organizational meetings in the fall. The faculty elected shall serve on the Review Committees in the fall and on the FPAC in the spring. The same restrictions on hearing appeals that exist currently (see (1) (A) above) will apply, so the size of the FPAC that hears each appeal will be five to six members. So as to be able to hear the discussions of the FPAC, the President and Provost shall be members of each FPAC and be permitted to participate in all discussions regarding a candidate but shall not have a vote. The chair of each FPAC shall be a faculty member appointed by the President from among its members. (**Note:** Under this option, the Faculty Appeals Panel would be eliminated).