



FACULTY PERSONNEL COMMITTEE AGENDA

Friday, December 14, 2018

Room 630, Haaren Hall

11:00 am-2:00 pm

Meeting Open to the Public 11:00 am – 12:45 pm

- I. Approval of Minutes, 9/21/18 meeting**
- II. Faculty Personnel Review – PSC Discussion**
- III. Service Committee proposal for guideline revision**
- IV. Faculty Personnel Appeals process, subcommittee report**
- V. New Business and Announcements**

Executive Session – Full Faculty Personnel Committee 1:00– 2:00 pm

- I. Fellowship Leaves (slate vote)**
 - Ratification vote on 2019-2020 Fellowship Leaves
- II. End of Semester Wrap-up**

Spring 2019 PFC/ FPAC Meetings:

Full FPC/Faculty Personnel Appeals Committee	Friday, February 8, 2019
Faculty Personnel Appeals Committee	Friday, March 1, 2019
Faculty Personnel Appeals Committee	Friday, March 8, 2019
Full FPC	Friday, April 5, 2019
Full FPC	Friday, May 03, 2019

Notes:

***All times are approximate**

12/03/2018

FACULTY PERSONNEL COMMITTEE AGENDA

Friday, September 21, 2019
Room L.61, New Building
9:30 am-1:00 pm

NOT YET APPROVED – will be voted on at the 9/2018 FPC Meeting

Meeting convened: 9:38 am

I. Welcome

- Round table introduction of each committee member and guest present
- President Mason discussed the purpose of the committee
- All were reminded by Jennifer D. that they will receive a Memo of Guidance regarding their roles in the committee
- President Mason discussed her order for reviewing documents related to actions so as to familiarize the committee with the process
- Allison P. took the floor to briefly discuss the Faculty Personnel Guidelines. She reminded all present to become familiar with the guidelines before making votes on personnel actions

II. Approval of Minutes, 5/04/18 meeting

First Order of Business:

- Vote on minutes of last meeting - Jay G. moved for motion to accept and Warren E. seconded the motion. All were in favor.

III. Service Committee proposal for guideline revision

Allison P. took the floor to discuss the proposal of revising the Faculty Personnel Guidelines and the Form C. This was proposed in order to clarify and simplify what is expected from candidates in terms of service.

Purpose for changes in wording of Form C:

Line 21 of Form C states “list service activities” – it was suggested that it may be more helpful for candidates to go into more detail about the types of services they’ve accomplished, as opposed to only providing a list. It was explained that a list may not provide enough information as to what the service specifically entailed. It should be more descriptive in the types of services the candidate was or is involved in (such as department, college, or university level).

Purpose for changes in wording of Guidelines:

There should be a question added to find out how many people are in any given department or program. This would help assess the balance in size of department and the amount of

service a candidate should be involved in. For example, small departments often have faculty doing an enormous amount of work (one example would be serving in multiple committees). There is also a desire to increase levels of service for those in senior positions (such as those in the roles of Full Professor).

Discussion opened for the floor. Topics broached upon:

- How different departments interpret some sections of the Form C and how much of a candidate's promotion is based on their level of research or publications.
- How the culture of the college and its guidelines seem rigid in terms of what it counts as scholarship.
- How the guidelines could be more quantitative and making it into a 33 point system covering scholarship, service, and teaching.
- How service needs to be redefined to showcase what we value the most in higher education from our faculty.
- How does one account for those that don't have enough faculty, doing enough of the work in the college, yet their faculty are huge in their particular field. Does their work still count for service, if it isn't exactly related to the campus, but rather to the field as a whole? It was debated that the answer to this would depend on the department and its specific needs which can range for various reasons. Each department also has different expectations.
- There is concern on extending the questions of the Form C into long narratives when there is already a long narrative in the end as the 'Self-Reflection' portion. The questions should give way to short sentence answers as appose to paragraph answers.
- Provost Li cautioned on the need to increase transparency.
- There was discussion about adding new language and tables to help with transparency, such as lines detailing the need for providing service in the field at the college level.
- Questions arose when deciding which service is actually considered 'service', when you are being compensated?
- The need for clarity in what to do when there is one piece of writing listed in multiple sections of someone's Form C (such as services and publications) also arose.

Outcome:

-Ned B., Benjamin L., and Warren E., Angela C. and Bob D. will work with Allison P., Carmen S., and Demi to review this further and bring back revised proposal to the committee.

IV. Faculty Personnel Appeals process, subcommittee report – Tabled for discussion at the next meeting

V. New Business and Announcements

- Shelly E. was introduced as President Mason's mentee from the CUNY Diversity Leadership Program, to learn how the President's Office and John Jay College function on day to day operations.
- President Mason shared news of a lecture addressing the ethics of social mobility posted on the College's YouTube channel, discussing the narrative of the college experience for those who are the first in their families to attend college.
- President Mason discussed her attendance at the Tao Foundation event, celebrating their 30 years of philanthropy

Open session adjourned: 11:25 am

Second Proposal to Revise the Faculty Personnel Process Guidelines and Form C Regarding Service

Updated Background: At the September 2018 open meeting of the FPC an earlier version of this proposal was forwarded to the body for consideration. While most of the proposal was received favorably with a few agreed-upon alterations, there was disagreement about revisions to section III.A. General Guidelines for Candidates. President Mason assigned members Ben Lapidus, Ned Benton, Warren Eller, Demi Cheng, Carmen Solis, Bob DeLucia and Angela Crossman to come to consensus on this section and bring a revised proposal back to the FPC in December. This is that proposal.

Original Background: In October 2016 the “Report on Mandated Committees” revealed that faculty and staff at John Jay devoted 10,544.5 person hours participating in meetings on 197 committees for the college and university. This report noted that the 2015 COACHE survey at John Jay had revealed that faculty rated “Nature of Work: Service” amongst the lowest in CUNY and peer group institutions. The COACHE working group report (June 2016) reported that faculty were frustrated with redundancy of some committees, difficulty of balancing service commitments with research and teaching expectations, lack of clarity of the value of committee work in the personnel process, and the large burden committee work places on small departments. In response to those issues President Mason and interim Provost Lopes tasked a working group of FPC and Faculty Senate members to study ideas and make recommendations on service expectations in the reappointment, tenure and promotion process for faculty in fall 2017. That working group shared their “Report of the Joint Working Group of the Faculty Personnel Committee and the Faculty Senate” (November 2017) in which they outlined four key recommendations:

- Increase the number of professors so that more faculty are available to engage in the key activities.
- Revise instructional workload expectations so that faculty members have time to engage in the key activities.
- Revise the Faculty Personnel Process Guidelines (FPPG) to encourage reasonable levels of engagement in the key activities by all faculty members at all stages of the personnel process.
- Revise the FPPG to encourage leadership, engagement and service at all stages of the faculty

In response to those recommendations, interim Provost Lopes held four open-session faculty focus groups to elicit faculty responses to the working group report. From these sessions interim Provost Lopes identified further considerations which she outlined in a document she shared with the Faculty Personnel Committee at their May 4, 2018 meeting. President Mason then charged the Associate to the Provost for Faculty, Allison Pease, and two academic department chairs, Shu-Yuan “Demi” Cheng (Sciences) and Carmen Solis (SEEK) to solicit further feedback on the reports and other issues with service, and then to propose how the FPC might address faculty concern with service.

Recognizing the limits of what is within the purview of the Faculty Personnel Committee to effect with regard to service expectations for faculty, we propose to change the wording of the guidelines and Form C in an attempt to make the value and expectations of faculty service more clear, and to guide those who produce and evaluate Form Cs as to what they should consider, both in individual cases and across the college.

Proposal 1: Revise the Wording of the Form C Regarding Service

Explanation: First, we propose to change the wording on the Form C, line 21, which asks candidates to describe their service. The new wording is more clear as to how to list and contextualize one's service work by asking them to list all activities since appointment to current rank, and to provide evidence of effective service by explaining the nature and time allotted for those commitments.

Current FORM C:

21. List Service Activities (Indicate whether departmental, college, and/or university service; note where student-focused)

Proposed FORM C Wording:

21. ~~First, indicate the number of faculty in your department or program available to do service.~~ ~~Then,~~ Referring to the guidelines in section III.E "Service" in the Faculty Personnel Process Guidelines, list your service commitments since appointment to your current rank. Provide evidence of effective service to students, department, college, and/or university and, if applicable, to your scholarly or professional community of practice. ~~noting the nature and time of those commitments.~~

Proposal 2: Revise Language in Section III.E Service of the Faculty Personnel Process Guidelines

Explanation: The revisions to this language attempt to simplify expectations for what service is, as well as the expectation that one's service commitment increases as one moves up the ranks. The language attempts to be capacious, allowing for individual and unique contributions, but clear that the onus is on the candidate to explain how such contributions support students, departments, the college and/or university, or a scholarly or professional community of practice.

III. GUIDANCE FOR CANDIDATES AND PERSONNEL COMMITTEES

[bolded, underlined language indicates additions to the revised September 2018 draft, per FPC discussion or the President-appointed revision group]

III.A. General Guidance for Candidates

..... [all text remains same save final paragraph]

In considering individual cases extraordinary performance in one or more areas can sometimes **be judiciously balanced to** compensate for lesser or perceived lesser contributions in another area. **Candidates and their chairs should identify in the Form C and in the Annual Evaluation how judicious balance is being achieved and may consider developmental circumstances of the candidate's discipline or department, such as department size and or newness and growth rates of programs.**

III.E. Service

III.E.1. Department, college, and university service, as well as service to students outside of teaching and mentoring, is recognized as important in considering a candidate for reappointment, tenure, C.C.E. or promotion to either Associate or full Professor, ~~as well as in reappointment and the granting of tenure~~. The expectation for service increases as one moves up the ranks. While candidates for C.C.E., tenure, and Associate Professor are expected to ~~demonstrate a commitment to~~ in their first year and in subsequent years to provide effective service that supports students, departments, the college, and/or university, candidates for Associate full Professor should have an established record of ~~service of~~ continuing and increasingly significant service and leadership and service to the college community and/or university as well as the candidate's scholarly or professional community of practice. Candidates for full Professor should have established records of ~~continuing and increasingly significant service to the college and to the outside community~~.

III.E.2. Service that supports students may include, but is not limited to, advising of student clubs, student advising or other activities outside of teaching and mentoring that support student engagement and success. Service that supports departments may include, but is not limited to, serving on department committees such as program assessment or personnel & budget committees, development of curriculum, or other activities necessary for the governance and continued development of a department. Service that supports the college may include, but is not limited to, serving as a member of the faculty senate, the UCASC, or other chartered committees, development of an academic program, or any other activity that supports the governance and development of the college. Service that supports the university may include, but is not limited to, representing the college on a university-wide committee, or supporting other university-wide projects or any activity that supports the governance or development of the university. Service leadership may include chairing committees or departments, coordinating majors or academic programs, representing the PSC-CUNY at any level or any other activity in which one takes on responsibility for the running of a college or university entity. It is recognized throughout the college that certain activities and committees take a significant amount of time and energy and have a significant impact on the college community. These may include, but are not limited to:

- ~~participation on the Faculty Senate and College Council (as department representative or at-large)~~
- ~~at large member of the FPC;~~
- ~~participation on the College Curriculum and Academic Standards Committee (UCASC) and its subcommittees;~~
- ~~advising of student clubs;~~
- ~~Chairing of, and participation in, various ad hoc committees (such as Middle States)~~
- ~~college representation on the PSC-CUNY Research Foundation;~~
- ~~service as chair or college administrator;~~
- ~~leadership and participation in conferences, colloquia, and symposia held at the college or the university; and~~
- ~~participation on the University Faculty Senate~~

III.E.3. Candidates should clearly document the nature and time commitment of their service on the Form C, and include it also in the self-evaluation narrative. Any published materials resulting from such service, for which the candidate is responsible, may be included in the file.

~~III.E.4. The name of the chairperson of the committees on which the candidate has served should be noted next to the name of the committee on the Form C. The department chair will be responsible for contacting the chairs of those committees for comments on the candidate's contribution. It is appropriate that this information be shared with the personnel committees at each level of the process. Candidates are also encouraged to document their file with letters that describe their service when extraordinary, such as letters of thanks from committee chairs or program managers.~~

III.E.4. Service ~~thus consists of not merely being a formal member of a committee, but will be~~ is evaluated in terms of level of work involved, attendance, participation, and contribution.

III.E.5. A candidate may offer evidence of pertinent and significant **uncompensated** community and public service in support of reappointment, tenure or promotion. Evidence of such service may include, but not be limited to:

- Service provided to community organizations with purposes broadly related to the mission of the college and the areas of focus of the college's academic programs;
- Service to professional organizations related to the candidate's discipline or area of professional expertise;
- Providing public information and education through the news media;
- Providing public education by appearing in public events, documentaries, and other means of public information;
- Service to the federal, state, and local government in special roles such as an advisor, expert, mediator, or compliance monitor; and
- Service as an elected or appointed public official or as a governance board member for an independent organization, provided that the service can be rendered in a manner that complies with applicable CUNY regulations.

Personnel Action Appeals

(Prof. James Cauthen (POL), Prof. Jay Gates (ENG), Prof. Jay Hamilton (ECO))

I. Introduction

In the Spring 2018 semester, we were asked by the FPC to review personnel action appeals processes at other colleges and universities. There was no formal written charge to us, and our understanding was that our task was limited to providing a range of examples of appeals processes used at other institutions. We did not approach this as an academic study, nor should the processes discussed below be considered exhaustive. Our selection of schools was largely driven by accessibility of information online, and, with thirteen schools included¹, we found a significant variation in the approaches used for appeals of negative personnel decisions (at most institutions, this is the appeal of a determination denying tenure and/or promotion). Ultimately, if the FPC is interested in formally reviewing the personnel action appeals process at John Jay, we believe that that review should include a broad representation of faculty from across the College who could dig wider and deeper into personnel action appeals at other institutions.

Based on the review, we present information about appeals process at other institutions in four areas: 1) who hears the appeal; 2) appeal committee size; 3) appeal committee membership/terms; 4) grounds for appeal/evidence/decision.

II. Who hears the appeal

- At some of the institutions, appeals of negative personnel decisions are heard by a single individual, usually the president or the provost, who generally has not participated in the personnel process up to that point.

¹ Processes used in personnel appeals at the following institutions were reviewed: Cornell University City College (CUNY), City Tech (CUNY), Drexel University, Elon University, Emory University, Hunter College (CUNY), Lehman College (CUNY), Northwestern University, Purdue University, Texas Christian University, University of Colorado, University of Oregon, Virginia Commonwealth University.

- In most of the personnel processes reviewed, appeals of negative decisions are heard by a committee. Some of these are committees separate from the larger personnel committee with a fixed membership that hears all appeals (e.g., an appeals subcommittee created from the membership of the larger personnel committee or a stand-alone personnel appeals committee separate from the institution's personnel committee). Others are *ad hoc* appeals committees created for each appeal, with assignments made from members of the larger personnel committee or from the entire college community. So, in the first case, all appeals are heard by the same appeals committee, and, in the second case, each appeal is heard by a different set of committee members.

III. Appeals Committee Size

- At the institutions with separate appeals committees, and where membership was clear from the materials reviewed, the committee size generally was 5-9 members.

IV. Appeals Committee Membership/Terms

- The fixed membership appeals committees are sometimes stand-alone appeals committees separate from the institutions' personnel committee and whose members are selected/elected to serve a fixed term of office. Oftentimes, terms of office on these appeals committee are staggered.
- In cases where the appeals committees are created from the membership of a larger personnel committee, whether *ad hoc* or fixed, there usually are steps laid out addressing the creation of the panels that sometimes includes participation in members' selection by the institution's faculty senate and/or an administrator (e.g., a Dean). At least one of the institutions permits the appealing faculty member and the administration to strike members from an appeals committee pool to form the appeals committee for that faculty member's appeal.

- At one institution, only a partial appeals committee is formed and members selected to the committee have the responsibility for selecting the remaining members.
- Some institutions have requirements to make the appeals committee representative of the institution, e.g., members are distributed across schools or divisions at the institution and there are prohibitions of members of the committee being from the same academic department. Because most of the appeals processes reviewed address tenure and/or promotion appeals, some institutions have requirements that all appeals committee members must have a higher rank than the candidate appealing, and some require that all appeals committee members be full professors.
- Some institutions with stand-alone appeals committees (e.g., an appeals committee separate from the institutions' personnel committee, however selected) require that to be eligible for selection/election to the appeals committee, members must have previously served on the institution's personnel committee.

V. Grounds for appeal/evidence/decision

- Many institutions have appeals with a *de novo* review, but some institutions limit appeals to claims of errors in procedure, discrimination, violations of academic freedom, etc. Some institutions set out specific standards for review (e.g., "the decision was so inconsistent with the evidence in the record that it must be judged to be arbitrary and capricious").
- Some institutions, after the faculty member is provided information about the underlying decision, require the appealing faculty member to set out his/her grounds for appeal, and, among those, some allow a rebuttal from the committee that made the decision being appealed.

- Some institutions limit evidence considered in an appeal to a review of the file/record only, but some permit witnesses to appear before the committee, including witnesses the appeals committee chooses to appear.
- At institutions with an appeals committee separate from the personnel committee, some have the appeals committee decision as the final recommendation and others have the appeals committee decision as a recommendation back to the larger personnel committee, which then makes the final recommendation.
- At least one institution allows the appealing faculty member to select a faculty adviser for assistance in the appeals process, who also has the right to attend meetings of the appeals panel but not participate.