COMMITTEE: Faculty Governance

MEETING DATE: December 7, 2005

PERSON PRESIDING: Puri Martinez, Chair

REGULAR MEMBERS IN ATTENDANCE: Patricia Anderson, John Cope, Edson Justiniano, Nanyoung Kim, Puri Martinez, Bob Morrison, and Tinsley Yarborough

EX-OFFICIO MEMBERS IN ATTENDANCE: Mary Gilliland, Lisa Sutton, and Paul Zigas

OTHERS IN ATTENDANCE: Lori Lee

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ACTIONS OF MEETING

Agenda Item: Approval of Minutes from November 30, 2005

Discussion: Minutes were distributed electronically and at the meeting. There were no amendments or discussion.

Action Taken: The minutes were approved.

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Agenda Item: Announcements

Discussion: Chair Martinez announced that the Vice Chancellor for Health Sciences has appointed Mary Gilliland as his ex-officio representative. Mrs. Lisa Sutton from Health Sciences will continue to meet with the committee to serve as a liaison to that office's work. The chair also reminded the group that a marathon meeting was scheduled for next Wednesday, December 14, 2005, from noon to 4:30 p.m. in Rawl Annex 142. The Provost has agreed to pay for lunch for this lengthy committee meeting. The chair intends to guide the committee through the remainder of Appendix D revisions that have been discussed for this fall semester.

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Agenda Item: Appendix D, Section IV. Procedures for Initiation, Review, and Approval of Appointments, Reappointments, Promotions, and the Conferral of Permanent Tenure, E. Initiation of Recommendations.

Discussion: The group continued discussion on this important section of the Appendix, focusing on the roles of the committees, the unit administrator, and others in this process. Several changes were proposed and discussed. Discussion focused on the requirement for an absence from a promotion or tenure committee meeting to be counted as a negative vote. While the group appeared to agree that this process is somewhat cumbersome, it is clear that allowing a majority of the committee present to cast a majority vote could allow recommendations or non-recommendations to be decided by a small percentage of faculty eligible to vote. Another alternative discussed was the possibility of using electronic voting,
provided that such voting could be conducted in a secure fashion. Chair Martinez agreed to follow-up with Chair of the Faculty Rigsby regarding her questions to ITCS about this topic. Chair Martinez will report back to the Faculty Governance Committee when she has a more definitive response to the request for information on the potential use of electronic voting for personnel decisions.

Further discussion continued about Section E, as follows. Morrison made the motion to approve the following items (seconded by Justiniano):

E. Initiation of Recommendations
   [Please refer to interpretation #199-11.]

1. Procedural Rules for conducting committee business
   The unit administrator shall give timely notice to the chair of the unit Personnel Committee when personnel actions are to be initiated, and of the date by which the committee's recommendation must be communicated to the unit administrator. After being notified by the unit administrator that a personnel action is required, the chair of the unit Personnel Committee shall make at least three attempts at intervals of no less than five working days each to hold a committee meeting of the appropriate committee for the pending personnel action. In order to conduct business a committee shall not meet without a quorum (a majority of the members of a committee must be in attendance for the committee to have a quorum). The purpose of this meeting is to hold a vote by secret ballot on the pending personnel action. All materials pertaining to the pending personnel action (see Section IV.D) must be available for inspection at least five business days prior to the meeting. Members of the committee(s) having authority over the pending personnel action shall review the materials individually in preparation for discussion at the meeting. A faculty member on leave and not in attendance at a meeting shall not be counted for the purposes of determining a quorum for that meeting. A faculty member on leave but in attendance at a meeting shall be counted for the purposes of determining a quorum for that meeting. If the committee fails to meet the unit administrator's deadline for receipt of the committee's recommendation, this outcome shall count as a recommendation by the committee against appointment, reappointment, promotion, or tenure. In such a case, the chair of the unit Personnel Committee shall report in writing to the unit administrator that after at least three attempts the committee has failed to meet due to a lack of a quorum, and that this outcome constitutes a recommendation against appointment, reappointment, promotion, or tenure.
   The unit administrator shall forward the committee's recommendation and the unit administrator's recommendation to the candidate and to the next higher administrator.

2. a. In the case of initial appointment recommendations, each member of the unit Personnel Committee will indicate by secret ballot his or her choice for the appointment. A candidate who receives a majority vote of the membership of the committee shall be recommended for appointment. See Section IV.A.4. above.

   b. Faculty recommendations for reappointment, promotion, and conferral of permanent tenure shall come from the appropriate committee (see Section IV.A). If the appropriate committee consists of ten or more eligible voting members, The committee members may choose to vote by mail according to the latest edition of Robert's Rules of Order, Newly Revised. Within ten fifteen working days of notification by the unit administrator of the need to initiate a personnel action, the chair of the unit Personnel Committee shall convene a meeting of the appropriate committee (see Section IV.E.1). At this meeting, the chair of the unit Personnel Committee shall ascertain whether or not the committee will vote by mail. If a motion to vote by mail is approved by a majority of the committee members present and voting, voting shall be by mail. If a committee chooses to vote by mail, all members must vote by mail.
c. In the case of re-employment recommendations for faculty members holding fixed-term appointments, each member of the unit Personnel Committee will indicate by secret ballot his or her choice for or against recommending re-employment. This vote may be taken at a committee meeting or by mail ballot as described in Section IV.G E.2b. A vote for the recommendation by a majority of the membership of the committee, which includes those voting faculty members on leave but in attendance at the meeting at the time of the committee’s vote, shall constitute a recommendation for reemployment. A member of a committee who is not present when a vote is taken and who is not on leave at the time of the vote or who is present when a vote is taken but who does not vote counts as part of the membership of the committee for the purposes of determining what constitutes a majority vote of the membership of the committee. Failure to obtain a majority vote of the entire membership of the appropriate committee shall constitute a recommendation against re-employment. (Faculty Senate Resolution #03-30, April 2003)

d. If a committee votes by mail, the ballots shall be sent by certified mail a method that provides delivery verification or distributed by the committee chair. The refusal by a committee member to receive the correspondence containing the ballot within five business days of the first delivery attempt shall count as a vote against appointment, reappointment, promotion, or tenure. If ballots are distributed, the committee chair shall assure that recipients acknowledge receipt in writing. The acknowledgment must include the date of receipt. A ballot either shall be returned by certified mail a method that provides delivery verification or shall be personally returned by hand to the committee chair, at the discretion of the individual committee member. Committee members returning ballots by hand shall sign a confirmation form that is retained by the committee chair. Ballots not returned within twenty working days of verified receipt shall count as a vote against recommending appointment, reappointment, promotion, or tenure. If a committee votes by mail, a faculty member on leave may choose either to vote or not to vote, at his or her discretion. The unit administrator shall ascertain and shall inform the chair of the unit Personnel Committee in writing as to whether or not a faculty member on leave will participate in a mail ballot. If a faculty member on leave chooses to participate in a mail ballot, the faculty member shall count in determining what is required for a majority vote in favor of the recommendation. If the faculty member on leave chooses not to participate in a mail ballot, the faculty member shall not count in determining what is required for a majority vote in favor of the recommendation. (Faculty Senate Resolution #03-30, April 2003)

3. In the case of reappointment, promotion, and conferral of permanent tenure, each member of the appropriate committee will indicate by secret ballot his or her vote for or against recommending that the candidate be reappointed, promoted, and/or granted permanent tenure. This vote may be taken at a committee meeting or by mail ballot as described in Section IV.G E.2d. A vote for the recommendation by a majority of the membership of the committee (see IV.A.1.b., IV.A.2.b. and IV.A.3.b.), which includes those voting faculty members on leave but in attendance at the meeting at the time of the committee’s vote, shall constitute a recommendation for reappointment, promotion, and/or conferral of permanent tenure. A member of a committee who is not present when a vote is taken and who is not on leave at the time of the vote or who is present when a vote is taken but who does not vote counts as part of the membership of the committee for the purposes of determining what constitutes a majority vote of the membership of the committee. Failure to obtain a majority vote of the entire membership of the appropriate committee shall constitute a recommendation against reappointment, promotion, and/or the conferral of permanent tenure. (Faculty Senate Resolution #03-30, April 2003)

4. The recommendation of the appropriate committee shall be communicated by the chair of the unit Personnel Committee to the candidate and the unit administrator (see IV.A.1.d.).
Action Taken: The motion was approved.
The meeting adjourned at 4:20 p.m.