



## FACULTY SENATE MINUTES

Thursday, April 21, 2011 Warren, Transitions Room

In Attendance: Castle, DePaolis, DeVore, DuVall, Enyeart Smith, Fordham, Gallagher, Garren, Gibson, Hamilton, Harris, Herron, Jerome, Jones, Larsen, Lewis, Lubert, McGraw, Meixsel, Moghtader, Niculescu, Nye, Rubenstein, Simmons, Slade, Tkac, Veltman, Walker, Wasta, (Guests: Ben Brewer)

3:45 PM: Call to Order

- Approval of the Minutes
- Provost's Report:
  - The University is considering ways to increase communication between the University Policy Committee and the faculty. One proposal is that a representative from Academic Affairs will consult with the Faculty Concerns Committee of the Faculty Senate. Ultimately, this will be the President's decision.
- Speaker's Report, Dr. Robert Jerome, Speaker
  - The Speaker thanked the Senate for a productive year.
- Treasurer's Report, Dr. Steve Garren
  - The balance on the flower fund is \$5,776.77 on April 21, 2011.
  - The balance on the flower fund was \$6,301.03 on May 6, 2010 (almost one year ago), for a net decrease of \$524.26.
  - The faculty senate sent a donation on 4/19/2011 in the amount of \$75 to Trinity Presbyterian Church in Harrisonburg, in memory of Laura Jaynes, who was the wife of C. David Jaynes, Department of Biology.
  - The faculty senate sent a donation on 4/12/2011 in the amount of \$75 to Rockingham Memorial Hospital Hospice, in memory of Charlotte Harris, who was the mother-in-law of Charles Harris, Department of Psychology.
  - The faculty senate sent a donation on 4/12/2011 in the amount of \$75 to St. Jude Children's Research Hospital in memory of Dr. John Dominic Pera, who was the father of Claire Bolfig, COB - Marketing.
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- Report of the Faculty Concerns Committee, Dr. Mary Slade (Chair)
  - No Report
- Report of the Academic Policies Committee, Dr. Val Larsen (Chair)
  - No Report
- Report of the Student Relations Committee, Dr. Kevin "Wolf" Sherrill (Chair)

- Report of the Faculty Appeals Committee, Dr. Arch Harris (Chair)
  - Dr. Harris , who is retiring, made a number of recommendations to be considered by next year's Senate, including:
    - Changing the Senate Constitution to exclude administrators from the Hearing Committee Pool
      - Proposed Section VI-IV-7-3 (first two sentences):
 

By June 1, the Faculty Appeals Committee will select names at random from all tenured full-time teaching and research faculty, excluding faculty in ineligible administrative positions, to form the Hearing Committee pool. Ineligible administrative positions include academic unit heads, assistant deans, associate deans, deans, and any other administrative position determined to be ineligible by the Faculty Appeals Committee.
  - Rationale:
    - (1) The Faculty Appeals Committee is elected at a senate meeting and it is not practical to obtain the information required to populate the Hearing Committee at that time. A specific deadline of June 1 provides guidance to the committee and provides ample time.
    - (2) Twenty-four names were only needed for initial selection. The number of selections is defined later as eight plus the number of needed replacements.
    - (3) Most importantly, some full-time teaching and research faculty are in administrative positions that makes it inappropriate for them to serve on a Hearing Committee. The Faculty Appeals committee needs to be able to exclude such faculty. The wording names some positions explicitly but also provides needed flexibility for excluding administrative roles that might arise in the future.
- Recommended changes for the Faculty Handbook. The changes concern section III.L but since some information in section III.L is repeated elsewhere, may impact other areas of the handbook as well.
  - a. There is a requirement that an appeal request be "written". This should be changed to indicate a signed paper copy of a cover letter must be submitted. The statement of appeal "containing a description of the appealed action, a statement of the grounds for the appeal, and a summary of the arguments and evidence he or she intends to present at a hearing" should be supplied electronically (excepting any evidence that cannot be captured electronically).
  - b. Since there is no explicit quorum size for the Faculty Appeals committee stated, an appellant's case could be heard by just a majority of the committee. Since a "majority vote of the membership" is required to determine that a hearing is warranted, this could require a unanimous vote by those considering the appeal. The senate should consider specifying a quorum size (75%?) and/or specifying a hearing is warranted by a majority vote of those voting.
  - c. The Faculty Appeals committee is charged with determining that the personnel matter presented is appealable, the appeal is timely, the grounds stated are appropriate for the type of personnel matter, and the appellant presented substantiation with the appeal sufficient to warrant a hearing. It has been the experience of this year's Faculty Appeal Committee that appellants will assert multiple grounds for appeal. The handbook should be changed to

specify that if it is found that a hearing is warranted, the Faculty Appeals Committee specify which grounds are to be considered by the Hearing Committee.

- d. For appeals received during summer break or in situations where a Faculty Appeals Committee member(s) recuses themselves from consideration of an appeal, the chair of FAC shall have the option of substituting a tenured non-administrative member of the
- a. Senate
  - b. Steering Committee
- for any member of the Faculty Appeals Committee
- a. if that is necessary to achieve a quorum.
  - b. that is unable to participate in the consideration of an appeal.

- Report of the Budget Committee, Dr. Nancy Poe (Chair)
  - No Report
- Report of the Nominations and Elections Committee, Dr. Scott Gallagher (Chair)
  - No Report
- OLD Business
  - At the March Senate meeting a motion was presented that read:
    - The Faculty Senate resolves that tuition bills to students include the breakout of tuition and fee expenses in a manner similar to what is reported to SCHEV.
    - The motion was passed unanimously, with one abstention.
  - At the March Senate meeting a motion was presented that read:
    - "Resolved: The Faculty Senate requests that no Academic Unit Head be permitted to restrict legal, voluntary contact of faculty with students."
    - A motion to table this motion passed by a vote of 16 to 9.
- NEW Business
  - None
- Meeting adjourned at 4:44 p.m.