

**MINUTES**  
**University Faculty Council**  
**University of Mary Washington**

**April 5, 2011**

**Members Present:** Ernest Ackermann (Chairperson), Andrew Dolby, Leigh Frackelton, Kimberley Kinsley, Marie McAllister, George Meadows, Angela Pitts, Suzanne Sumner, Jo Tyler (Secretary); Provost Jay Harper, College of Business Acting Dean Larry Penwell, College of Education Dean Mary Gendernalik-Cooper

**Members Absent:** Mary Beth Mathews, President Richard Hurley, College of Arts and Sciences Dean Richard Finkelstein

**Guests:** Associate Provost John Morello, Vice President for Student Affairs Douglas Searcy, Students Sarah Spangler and Aaron McPherson

1. Call to Order. The meeting was called to order by the Chair at 4:05 p.m. in the Red Room of the Woodard Campus Center.

2. Reading and Approval of Minutes. Members had received the minutes of the previous meeting of March 15, 2011, so a formal reading of the minutes was dispensed with. Ernest Ackermann called for additions or corrections. Leigh Frackelton moved that the minutes be approved, Suzanne Sumner seconded, and the motion was approved unanimously by voice vote.

3. Provost's Report. Jay Harper reported that the search for the Dean of the College of Business is nearing a conclusion and the pool is strong. He complimented the search committee and was optimistic about the quality of the candidate who will ultimately be chosen.

4. College of Business Dean's Report. Larry Penwell reported that the in COB Faculty Senate meeting on April 6, they will be voting on the COB bylaws appendix for the University Faculty Handbook and will also be considering a motion to revise a provision of their promotion and tenure policies, which were previously approved. Leigh Frackelton explained that the revision is related to AACSB accreditation and expressed his view that faculty who are going up for promotion or tenure this year should not have the policy changed at this late date. Jay Harper noted that he will support whichever decision the COB faculty reach. In response to a question, Ernest Ackermann explained that if a revision is received from COB, it will be forwarded to the University Oversight Committee on Faculty Evaluation Matters.

5. College of Education Dean's Report. Mary Gendernalik-Cooper reported that COE is moving forward with elections and appointments for representatives on University-level committees and has elected officers and Promotion and Tenure Committee members for next year.

6. Report from the Honor Council. Doug Searcy introduced the current and incoming presidents of the Fredericksburg Campus Honor Council, Sarah Spangler and Aaron McPherson, who discussed some ways that they are planning to strengthen the Honor System. One proposal is to

institute an educational sanction so that community service is not the only sanction other than loss of credit, suspension or expulsion. Doug Searcy explained that if the change is approved, it would be in effect on both campuses. In response to a question, Sarah Spangler estimated that on the Fredericksburg Campus, there have been about 16 honor cases this semester, and about 35 over the past 12 months; this is lower than the previous year.

7. Procedures for Approval of University Faculty Handbook. Ernest Ackermann explained the procedures for approval of the Handbook: Immediately after today's action by the UFC (item 9 below), he will send a broadcast email to all faculty explaining that challenges must be received by noon on Thursday in order to call a special general faculty meeting for April 8, the last date before an issue could be added to the agenda of the Board of Visitors' next meeting; this date has been on the Faculty Handbook website since the draft was posted in February, so people have already been made aware of the short deadline; if a special meeting is called, a quorum will be required in order for a challenge to be considered; the UFC chair will work with the Provost's office to organize and conduct the meeting.

8. Update on Committee Elections and Appointments. George Meadows reported that about 130 faculty have voted so far in the at-large elections for University-level committee members. He also reported that he had circulated a draft of the appointments for at-large committee members. He explained that appointments for the Honors Program Committee and the Teaching Center Committee will be suggested by the chairs of those committees. As for the college representatives on the committees, these are still coming in from the colleges. Mary Gendernalik-Cooper announced that the COE representatives will be announced on April 15. Ernest Ackermann explained that the CAS selections will be after the next UFC meeting, but on an earlier schedule than last year. George Meadows pointed out that we still have to appoint UFC representatives on the Student Affairs and Curriculum committees. The discussion then turned to procedures for newly elected UFC members for next year to serve on committees (see item 10 below). Ernest Ackermann praised George Meadows for all of his hard work in organizing the committees and elections, followed by a round of applause.

9. Approval of University Faculty Handbook. Ernest Ackermann discussed an amendment that he had recommended to provide a clearer definition of academic freedom in section 5.1 (attachment 1). He pointed out that the AAUP recommends that universities have this language in their handbooks, and that this additional language is not duplicated in Appendix C, "Policy Statements on Academic Freedom." John Morello added that similar wording appears in the JMU Handbook and in the SACS Manual.

Several questions were raised about inconsistencies and oversights in the sections of the handbook that had already been approved by the three colleges (sections 2.3, 2.6, and 2.8). Suzanne Sumner pointed out that the Handbook is silent on the procedure for election of UFC members from each college (section 2.3.4). Jo Tyler pointed out that there was an inconsistency in the description of members for the Academic Resources Committee (section 2.8.6) and the omission of the Athletic Department representative on the Budget Committee (section 2.6.2). John Morello mentioned that the language about appointment members for the Academic Affairs committee (section 2.6.1) is inconsistent with the language about appointment of members for the other standing committees. In discussion it was agreed that changes to sections 2.3.4, 2.6.2, and 2.8.6 would require approval by the colleges, and so those items were postponed for future

discussion. Regarding section 2.6.1, it was agreed that the needed change in wording was for clarification and not a substantive revision, and so could be made without approval by each college. Andrew Dolby suggested that the first paragraph of section 2.6.1 be revised as follows to clarify that only the at-large members are appointed by the UFOC:

**University Academic Affairs Committee** The committee consists of five faculty members: one appointed by each college, and two at-large members appointed by the UFOC. Faculty members shall serve staggered 3-year terms. The committee also includes two students appointed by the President of the University; and the University Registrar, the Dean of Academic Services, and the Provost (or their respective representatives) as non-voting, *ex officio* members.

Marie McAllister made a motion that the proposed University Faculty Handbook be approved with the above changes as recommended for sections 5.1 and 2.6.1. Angela Pitts seconded the motion. In discussion, Jo Tyler raised a question about the course designations on the FAAR (section 6.5.1.1); the draft still included designations for graduate required and elective courses that the UFC voted not to include in its meeting on February 7, 2011. Marie McAllister accepted deletion of those designations as a friendly amendment to her motion. The motion passed unanimously by a voice vote. Ernest Ackermann and Jo Tyler praised John Morello for all of his hard work in directing the revision of the Handbook, followed by a round of applause.

10. Transition to Newly Elected UFC. Ernest Ackermann pointed out that the Handbook does not specify when the chair of the next UFC would take over the duties. He believes that the new chair should begin duties by May 16, after the end of this academic year. John Morello confirmed that the academic year ends on May 15 and begins on May 16. It was agreed that a special transitional meeting for the new UFC would be called by the current chair in order elect UFC officers for the 2011-2012 academic year.

The meeting was adjourned at 5:25 p.m.

Respectfully submitted,

Jo Tyler, Secretary

**5.1 ACADEMIC FREEDOM AND RESPONSIBILITY** Academic freedom is the freedom to discuss all relevant matters in the classroom, to explore all avenues of scholarship, research, and creative expression, and to speak or write without institutional discipline or restraint on matters of public concern as well as on matters related to professional duties and the functioning of the University. Academic responsibility implies the faithful performance of professional duties and obligations, the recognition of the demands of the scholarly enterprise, and the candor to make it clear that when one is speaking on matters of public interest, one is not speaking for the institution.

**5.1.1 AAUP Statements of Faculty Rights** The University subscribes to the Statement on Academic Freedom adopted by the Association of American Colleges in 1941, and to the American Association of University Professors (AAUP) November 1970 statement on Freedom and Responsibility. Both of these statements are included in Appendix C of this *Faculty Handbook*.

**5.1.2 Political Activities of Faculty** Involvement in political activity is considered an individual matter, with the understanding that the faculty member in such cases does not represent the University. The statement by the AAUP Sub-Committee on Political Activity of Professors is contained in Appendix C.

**5.1.3 First Amendment Rights** The Policy on Academic Freedom, contained in Appendix C, defines rights under the policy, specifies who is covered by the policy, and notes that the process for hearings in cases of alleged violation of free expression or inquiry rights is under the jurisdiction of the University Faculty Appeals and Grievance Committee (see §2.6.5).