

University Faculty Affairs Committee

Minutes: January 21, 2016

Woodard 226: 10am

Committee members in attendance: Courtney Clayton (EDU); Eric Gable (Chair; CAS); Louis Martinette (COB); Hilary Stebbins (Secretary; CAS)

1. John Morello requested that UFAC consider a motion (See below: Motion A) regarding establishing a procedure for addressing student complaints against a faculty member that do not fall under the categories of harassment or grade concerns. In the section that reads “To initiate the complaint procedure, the student must submit to the academic unit head...” we choose to remove the sentence “Supporting documentation must be included.” The rationale for this change is that if a student lodges a complaint in writing and explains the complaint, then that can count as documentation. After making this change the committee voted to pass the motion forward to the UFC.
2. Due to upcoming promotion and tenure appeals we were asked to choose one member of UFAC who is a full professor to serve on the Promotion Appeal Advisory Committee (as stated in the Faculty Handbook in Appendix I: I.2.11). We chose Eric Gable to serve on the committee.
3. At the end of the fall 2015 semester UFAC received a request from the head of the UMW coaching staff to put forward a motion regarding the length of coaching contracts (see below: Motion B). The UFAC members decided to defer acting on the motion and will ask the head of the coaching staff to provide some data or evidence to support the assertion that the NCAA considers this policy best practice. After reviewing evidence that this is considered best practice among the CAC schools we voted to approve the motion and forward it to the UFC.
4. Discussion of the motion regarding coaching contracts raised the possibility that there may be a desire to restructure the coaching positions from faculty positions to staff positions, which may have benefits of clarifying promotion standards. Eric asked us to try to get a sense of how this would be viewed by the faculty of our respective colleges if that were to come to pass.
5. Eric raised an issue he would like to pursue this semester regarding allowing colleges and departments more flexibility in the student evaluation instruments they use. All members present were in favor of pursuing an exploration of this and we decided to a) canvas chairs of departments to assess whether there is University-wide interest and b) contact former members of Promotion and Tenure committees to evaluate what implications it might have for the P&T process.

The meeting was adjourned at 10:52 am.

Submitted by: Hilary E. Stebbins

Motion A: Approval of a General Student Complaint Policy

Background and Rationale

From time to time, students raise complaints about the actions and decisions of faculty and staff members. Federal policy and the accreditation requirements of the Southern Association of Colleges and Schools Commission on Colleges require that there must be a written response provided to any written student complaint. (See SACSCOC principle of accreditation 4.5.) While UMW has a procedure for students to file a written grade appeal, procedures for addressing non-grade related disputes/complaints are not clearly outlined. The proposed policy addresses that gap in our current policies and procedures. Once approved, the proposed policy would take effect immediately.

On an ad-hoc basis, general student complaints have been addressed through the steps outlined in the proposed policy. But we do not have any documentation for that procedure. Rather than relying on institutional memory, it would be better for us to have a specific listing of the steps that need to be taken when such complaints arise. If the proposed policy (next page) is adopted, the following implementation steps will be taken:

1. The policy would be added to the UMW online Policy Manual, formatted into the required policy template.
2. The policy would be placed in the Faculty Handbook as Appendix D (replacing what is in that appendix). The appendix would be re-titled as “Procedure for a Student Complaint Against a Faculty Member.” The HTML online version of the Faculty Handbook would link to the UMW Policy Manual document. The PDF version of the Faculty Handbook would include a copy of the policy as it appears on the next page.
3. The policy would also be added to the Student Handbook. A reference to the UMW Policy Manual location for this policy would be added to the UMW Employee Manual (the “handbook” covering administrative/professional faculty, classified, and wage employees).
4. The current Grade Appeal policy (contained in the Academic Catalogs) would have this direction added: “Complaints that do not involve grade disputes are handled through the General Complaint procedure, which is outlined in the Student Handbook and in the UMW Online Policy Manual.”

Proposed General Complaint Procedure for Students

This policy applies to written student complaints that do not concern grade appeals or claims of discrimination or harassment. Policies concerning those matters are outlined elsewhere. A student complaint concerns a decision, action, or lack of action by a faculty or staff member acting in an official capacity that has adversely affected the student and may be corrected by the University.

A. To initiate the complaint procedure, the student must submit to the academic unit head (e.g. department chair or program director) a written statement explaining the complaint. ~~Supporting documentation must be included.~~ The complaint must indicate how the faculty or staff member’s decision or action directly and adversely affected the well being of the student.

B. If the academic unit head is the party against whom the complaint is filed, the College Dean will receive the complaint and stand in the place of the academic unit head for the purpose of making a decision on the matter. If the College Dean is the party against whom the complaint is filed, the Provost will receive the complaint and stand in the place of the academic unit head.

C. The academic unit head will meet with the student, confer with the relevant faculty or staff member, contact the faculty or staff member’s direct supervisor, and gather any other additional information needed to thoroughly investigate the matter and render a decision. The academic unit head will write a summary of her/his decision about the complaint, outlining any steps that have been or will be taken to remedy the issue, or explaining why further action was unnecessary. Copies of the written summary are provided to the student (complainant), to the faculty and or staff members named in the complaint, to the faculty/staff member’s immediate supervisor, and to the academic unit head’s immediate supervisor.

D. If either the student or the faculty/staff member named in the complaint is dissatisfied with the action taken by the academic unit head, the decision may be appealed to the College Dean. The Dean’s decision is final.

E. If the Dean was acting in the place of the academic unit head, any appeal would be made to the Provost, whose decision is final. If the complaint was against the College Dean, and the decision was made by the Provost, any appeal would be made to the President (and the President’s decision is final).

F. Following exhaustion of campus-based procedures, students may direct complaints to the State Council of Higher Education for Virginia. Additional information is available from their website at <http://www.schev.edu/students/studentcomplaint.asp>.

Action Requested: that the University Faculty Affairs Committee review, amend (if desired), and approve the proposed policy. Following that, the UFC would review and hopefully approve. Once approved, the policy would go into effect immediately. The Academic Catalogs and the Handbooks referenced in page one of this memo will be revised the next time they are updated.

Motion B: to change wording in faculty handbook on fixed term hires (Section 3.3 p.36) to allow the coaching staff to become one-year appointments (see attached revisions) rather than having fixed contracts of 3 years.

Rationale:

UMW is the only institution in the state of Virginia and one of the very few nationwide that is operating with a pure faculty-coach model, including 3- and 5-year contract renewals plus 12-month notice of nonrenewal. Such contracts are rarely seen at the Division III level, and put the University of Mary Washington outside the scope of NCAA best practices. The intent is not to dismiss anyone, but rather to provide some flexibility if and when it is needed and to put us more in line with other NCAA athletic departments.

This proposed policy was brought to the committee of the UFAC via the head of the coaching staff at UMW. It was drafted via input by the Provost, in conjunction with the Associate Provost, the Dean of the College of Arts and Sciences, the Director of Athletics and University Counsel. It has been endorsed by the President, as well as the Intercollegiate Athletic Advisory Committee, which is comprised of faculty from all three Colleges. The coaching staff has been informed that this policy is being proposed as a Faculty Handbook change.

The proposed changes would entail that:

1. All head coaches on faculty Renewable Term Appointments would be converted to one-year RTA positions at the end of their current contracts. All head coaches would remain faculty; no existing faculty lines would be lost or converted to administrative.
2. Promotion from Lecturer to Senior Lecturer would remain as per current policy. However, the length of the contract would be one year.
3. Coaches beyond their second year would receive one year's (12 months) notice of nonrenewal. Currently, this would include all but one member of the Athletic Department.
4. Coaches in their first or second years would be notified of nonrenewal by March 1 or December 15, respectively, in accordance with AAUP and/or University guidelines.
5. This policy would only affect Athletic Department personnel and would not be applicable to RTA personnel in any other department.
6. This policy would not affect the three current members of the Athletic Department who are tenured.

Potential changes to RTA appointments language in section 3.3 page 36 of the *Faculty Handbook*

New language in red

3.3 RENEWABLE TERM (RTA) FACULTY RANKS

3.3.1 Lecturer Renewable term appointments of individuals with little or no prior teaching or coaching experience at the college or university level are made at this rank. **For all athletic coach appointments at this rank in the Department of Athletics, Health, and Physical Education, initial appointments and reappointments (if justified on the basis of performance to date) are for one year. For all other lecturer positions outside of the Department of Athletics, Health, and Physical Education, initial appointments are for a two-year period and reappointments (if justified on the basis of performance to date) are for three years. Lecturers are appointed to**

carry out full-time instructional (or coaching), professional, and service responsibilities. There is no limit upon the number of reappointments possible. Tenure cannot be awarded at this rank.

3.3.2 Senior Lecturer Renewable term appointments of individuals with substantial prior teaching or coaching experience (at least five full-time years) may be made at this rank. **For all athletic coach appointments at this rank in the Department of Athletics, Health, and Physical Education, initial appointments and reappointments (if justified on the basis of performance to date) are for one year. Appointments following promotion to this rank are also for one year. For all other Senior Lecturer positions outside of the Department of Athletics, Health, and Physical Education, initial appointments at this rank are made for a two-year period. Reappointments or appointments following promotion to this rank are for five years. Senior Lecturers are appointed to carry out full-time instructional (or coaching), professional, and service responsibilities, There is no limit upon the number of reappointments possible. Tenure cannot be awarded at this rank.**

3.3.3 Policies and Procedures Applying Specifically to Faculty with Renewable Term Appointments (RTA)

3.3.3.1 General Policies and Procedures Full-time RTA faculty are full fledged members of the *general faculty* and the *instructional faculty* (as defined in §2.1.1.1) and of their respective academic departments. They are eligible to serve on any faculty committees except those that specifically require tenure and/or senior academic rank for membership (e.g., the Promotion and Tenure Committee). They may request and qualify for faculty leaves as provided for in §3.12, with the exception of sabbatical leaves which require tenure. They are also eligible for any of the various forms of institutional faculty development support that are available to tenure-track faculty. They are entitled to the same notice of non-reappointment as tenure-track faculty §3.17, and if being dismissed for cause they are entitled to the due-process provisions of §4.3. They also are entitled to the due process afforded by §5.8 on Faculty Grievances.

3.3.3.2 Performance and Performance Evaluation RTA faculty, like tenured and tenure-track faculty, are expected to contribute in the areas of teaching, professional activity and service, following the guidelines set forth in §§6.1 – 6.5, and they are expected to participate in their department's peer evaluation process if the department completes peer evaluations. Performance criteria applied are the same as for tenure-track faculty.