

Longwood University Faculty Senate
**PROPOSAL/POLICY COVER
SHEET**

This cover sheet is intended to provide information to members of the Faculty Senate about a new proposal/policy or about revisions to an existing proposal/policy. **If you are proposing a new policy, then attach the text of the policy to this form. If you are proposing a change to an existing policy, then attach the text of the current policy with any deleted language marked by a strikethrough and with new language marked by an underline. If you are deleting a policy, then attach the text of the policy to be deleted.**

COMMITTEE(S) that authored or sponsored this proposal:

Faculty Status and Grievances (Please contact Melanie Marks with questions.)

TOPIC:

The FPPM is in need of updating for procedures and policies related to FS&G. The majority of the language dates back to 1980 with some smaller changes made more recently. Language is not consistent with practice and has likely not been for some time.

NOTE: SENATE HAS REVIEWED MOST OF THIS BEFORE.

AT SENATE'S REQUEST, WE ARE REINSTATING LANGUAGE THAT RETAINS THE 2 ROUNDS OF VOTING.

BACKGROUND (Provide a brief statement describing the origins of this proposal, the nature of the problem it addresses, and the work completed to devise the proposal):

After conducting the voting process this year, the committee feels that the FPPM has inaccuracies. For example, the voting process is not technically accurate when terms are staggered because it does not take into account the departments represented by those continuing on the committee. Furthermore, the committee had to use tiebreakers in multiple situations, and there is no language for this in the FPPM.

In addition, comments from Senators suggested that a conflict of interest statement is needed. We have added language to protect the faculty member submitting the grievance.

However, we are not able to address the desire for a more sophisticated voting system. Academic Affairs uses Survey Monkey for voting. There is not a process that allows us to do anything other than count total number of votes per faculty member. Also note, at the suggestion of Senate, we are retaining the two rounds of voting.

This information was distributed in the second version provided to Senate:

UPDATE AFTER SENATE FALL MEETINGS:

It was suggested that we consider a ranking style vote. Our investigation suggests that Survey Monkey cannot give us a sum of the ranks. It can only give an average rank. That is problematic. One person ranked as #1 by only one person (receiving no other votes) will be higher on the list than someone who received 50 votes with ranks 1 and 2. To make a ranking style vote work correctly, we

would have to do our own programming in Excel. But generally, Academic Affairs handles the Survey and gives us a ranked Excel spreadsheet. While it is possible to do our own programming, if we have a case at the time, it would be better to not make the voting process more complicated.

AS NOTED ABOVE, SENATE HAS SEEN JUST ABOUT ALL OF THESE CHANGES IN THE PREVIOUS PROPOSALS. WE ARE RETAINING THE CURRENT LANGUAGE THAT HAS 2 ROUNDS OF VOTING.

SUMMARY OF NEW POLICY OR PROPOSED CHANGES OR DELETIONS TO AN EXISTING POLICY (Provide a brief list or statement describing the content of the policy or the proposed changes or deletions):

Changes are suggested in order to:

- 1. Clarify language about duplication in department representation. We clarify that a department may be represented only once on the committee members. But, another person from the same department may be an alternate.)*
- 2. Better articulate who is ineligible to serve. Current language says that anyone holding an administrative position may not serve, but that includes a lot of people who do not have a conflict of interest.*
- 3. Add that there are staggered terms (and this makes the voting procedure clearer.)*
- 4. Add a RANDOM tie breaker process, because this was needed many times for both this year and last year's voting process.*
- 5. Add language about what happens if a college is not represented after the voting and invitation to serve process.*
- 6. Add language about eliminating conflicts of interests. THIS WAS A SUGGESTION FROM SENATE.*
- 7. Provide more clarity, remove irrelevant language, update language to match practices, and in one place, move existing language into a more appropriate section.*

NOTE THAT EXPLANATIONS ARE OFFERED (HIGHLIGHTED IN YELLOW) IN THE DOCUMENT THAT DETAILS THE REVISIONS.

RATIONALE FOR THE POLICY OR PROPOSED CHANGES (Provide a brief statement as to why the new policy, the changes, or the deletion is needed):

After conducting the elections for 2 years, the committee feels that current FPPM language does not match practice. And in places, it is unclear. Current language for determining the election outcome does not factor in the idea that some people will return to the committee. The language is written as if there are no returning members. Clarifications are needed throughout. It is our understanding that the bulk of the language dates back to 1980.

NOTE: THIS DRAFT HAS BEEN DISCUSSED WITH ASSOCIATED PROVOST SHOENTHAL AFTER A DISCUSSION WITH PROVOST SMITH.

Routing information and signature lines:

Date submitted to Senate Executive Committee for Consideration:

Action(s) Taken:

Date first read at Faculty Senate:

Action(s) Taken:

Date final action taken by Faculty Senate:

Action(s) Taken:

Senate Chair: _____

Date submitted to the PVPAA (within 5 working days of Senate approval):

Action(s) Taken:

PVPAA: _____

Date: _____

Date submitted to other administration:

Action(s) Taken:

Administrator: _____

Date (within 15 working days of PVPAA's signature): _____

Date submitted to the Board of Visitors:

Coversheet updated 9/2017

YELLOW = New language

GRAY = language that exists in current version but has been moved

BLUE = explanations of changes

Q. COMMITTEE ON FACULTY STATUS AND GRIEVANCES

1. **Purpose:** The purpose of the Faculty Status and Grievances Committee shall be to act as a liaison and hearing committee between faculty members or between the faculty and administration, at the request of either, in matters affecting faculty status. The Committee shall report on the number of cases it has heard to the Senate and to a meeting of the general faculty at least once a year. This Committee shall conform to procedures as approved by the Senate and published in the *Faculty Policies and Procedures Manual*.

2. **Membership:** 5 members; 4 alternates.

3. **Ex-officio Members:** None

4. **Tenure Restrictions:** Members must be tenured.

5. **Departmental Restrictions:** ~~Only one person from a department may serve at a time.~~ The entire committee (regular members plus alternates) may have no more than two members from the same department. Only one person from a department may serve as a regular member.

(Explanation: The language above offers a clarification. Only one person from a department can serve on the committee. But alternates can duplicate committees, as long as they only replace the committee member from their own committee. This is not really a chance to the intent of the language or what is being done in practice.)

6. **College Restrictions:** The Cook-Cole College of Arts and Sciences, the College of Business and Economics, and the College of Education and Human Services will all be represented on the committee.

7. **Other Restrictions:** Any faculty member with tenure may be elected to membership on the committee with the exception, made to avoid conflicts of interest, of the following persons:

- a. Department chairs ~~or any faculty member who also holds an administrative position~~, Assistant Deans, Associate Deans, Deans, Vice Presidents, Assistant Provosts, Associate Provosts, and Provosts.
- b. Members of the Faculty Senate Executive Committee.
- c. Faculty Representative to the Board of Visitors.

(Explanation: There are many faculty members who hold administrative positions that do not generate a conflict of interest. We are excluding only those people who are in positions

that could have significant conflicts of interests, for example, those involved in the chain of decisions for P&T. Excluding the representative to the BOV is being added so that language is consistent with current practice. Apparently, this is what has been done in the past and this recommendation was given to us.)

8. **Term of Office:** The term of office for committee members shall be 2 calendar years beginning immediately after the first April Senate meeting when the results of the election are announced. In the event that a case is still in progress, the current members would end their term when the case is concluded. An alternate shall serve for one calendar year. Regular members may not serve consecutive terms. ~~succeed themselves but may thereafter be elected to the committee.~~ An alternate may be reelected as an alternate or elected as a member. Terms are staggered so that either 2 or 3 committee members will rotate off each year.

(Explanation: Language is cleaned up and it is made clear that terms are staggered. This makes the voting process clearer, since it must take into account the colleges and departments of those committee members who are returning for their second year.)

9. **Method of Selection:**

- a. Elections shall be held annually.
- b. Those members listed in the official faculty roster and librarians who hold faculty rank shall be eligible to vote. The official faculty roster is provided by Academic Affairs.
- c. Academic Affairs will provide the list of eligible faculty members, after removing those holding administrative positions (see above) and those regular members rotating off the committee.
- ed. Election of members.
 - (1) During the month of February, the Committee on Faculty Status and Grievances shall provide each member of the faculty with a nominating ballot for selecting new members and alternates of the committee and at the same time shall inform the faculty as to the number of vacancies to be filled.
 - (2) Each faculty member shall check the number of names equal to twice the number of vacancies to be filled (new members plus four alternates) and the checked list shall be returned to the faculty status chair who, with the assistance of the committee members, shall tabulate the results and prepare a list of nominees.
 - (3) There shall be twice the number of nominees as there are vacancies to be filled, including alternates. The list of nominees will include at least two faculty members from each college. There may be no more than one nominee from a single department. The nominees will be contacted to confirm their willingness to serve.
 - (4) The election ballots shall be distributed on behalf of by the Committee on Faculty Status and Grievances to the members of the faculty eligible to vote and shall be returned to the faculty status chair within five class days. If using electronic voting, the process will be open for 5 business days, with a similar period used for paper ballots. Faculty will be instructed to vote for up to

- 6 individuals. Members of the committee will assist the committee chair in counting the ballots determining the winners of the elections.
- (5) The faculty member from each college receiving the most votes will be on the committee followed by the next two faculty members with the highest number of votes regardless of college. The individuals receiving the highest number of votes will become regular members (two or three) except that no department may have more than one member serving as a regular member. Those departments which do have a regular member may have another member of that department serve as an alternate, as long as both individuals do not serve at the same time. The alternate members will be selected in the order to be called by the number of votes they receive after regular members have been selected. Alternate members shall serve for only one year but may be reelected. In the case that all colleges are represented by returning members, the faculty members receiving the highest votes, assuming that there is not more than one person on the committee representing a department, will be invited to serve as a regular member of the committee. When at least one college is not being represented by returning members, the faculty member(s) in the college(s) receiving the highest number of votes will be invited to serve. After that, the remaining vacancies will be filled by inviting those with the highest number of votes to serve, observing the departmental restrictions noted above.
 - (6) Committee members will break ties that impacts the composition of the list of nominees or the committee using a random, lottery-style process (draw names, etc.).
 - (7) ~~If it is necessary for the committee to function, and if~~ If for any reason, a member is unable to serve or complete their term, his the position place shall be filled by alternates in order of precedence original vote tallies, while observing the college and departmental restrictions.
 - (8) If there are not two faculty members from a specific college who receive votes, or if they all decline the invitation to serve, the committee will conduct a revote with nominees housed only in that college in the same manner as that described above. Voters will cast 3 votes.
 - (9) The committee chair or designee will invite elected faculty members to serve. The communication should inform recipients that they will be unable to serve should they accept a position as department chair, dean, or provost or should they be elected to Faculty Senate Executive Committee or as Representative to the Board of Visitors.
 - (10) The results of the election will be announced at the next Senate meeting.

(Explanation: There are a number of changes here. In addition, we have broken up language to make it easier to follow.)

A) If all tenured faculty (excluding administrators) are on the list, we do not need a rule that says there needs to be 2 from each college on the ballot.

B) Some of the existing language is inconsistent with there being staggered terms. Perhaps staggered terms were added at some point and language was not changed.

Current language assumes that there are no returning members. So, this language is made clearer.

C) A tie breaker process is desperately needed. There are large numbers of ties that must be dealt with in the voting process.

D) Some of the language is redundant since similar language appears in other places.

E) Some of the language should be in other numbered items.

F) Given that the committee will always be adding either 6 or 7 members (some as alternates), we streamlined the process to always have faculty casting 6 votes.)

G) We need a process in the event that a college is not represented.

H) Invitations to serve are generally sent before Senate Exec is determined and before a new representative to the BOV is elected. And sometimes department chairs change due to departure from the university, health reasons, etc. So this should be explained to the invitee and the invitee should communicate with the committee if their situation changes.)

10. Chair and Notification Requirements:

- a. The continuing and new members of the Committee on Faculty Status and Grievances shall meet to elect a chair for the following year before the final Senate meeting.
- b. The new members, the alternates, and the new chair shall be announced by the current chair at the final meeting. This information shall be recorded in the Senate minutes.

11. ~~Filling unexpired terms:~~

A **Moved to 9d(5).**—(NOTE: this is the language about filling vacancies with alternates.)

- ~~b. If at any time the committee determines that it will not be able to function because of a lack of alternates, the committee will notify the faculty of the nature of this situation and will submit for faculty confirmation the name of an individual selected by the committee to serve the unexpired term.~~

(Explanation: Slightly revised language for 11a has been moved above to 9d5. And, with the ballot containing names of all tenured faculty members, 11b is not needed.)

11. Conflicts of interest:

- a. When a case is referred to the committee, the chair will provide the individual making the submission with the names of the committee members assigned to the case.
- b. If the individual making the submission feels that a member of the committee has a conflict of interest or cannot fairly judge the case, he or she may exercise their right to ask that the member be replaced.
- c. The individual(s) who is/are the subject of the grievance, if attending the hearing, may also request that an individual with a conflict of interest be removed.
- d. Committee members will disqualify themselves if the appeal involves a faculty member from their departments, or if it is felt that there is a conflict of interest.

- e. The committee member being removed will be replaced with an alternate. The chair will confirm with the individual submitting the case that the conflict of interest has been resolved.

(Explanation: There is nowhere in the process that allows people who submit cases or are named in the grievance to be certain their case will not be heard by someone who has a conflict of interest with respect to them personally. Even in honor board hearings at LU, the respondent has the right to ask that people be excused from hearing the case. We are adding this process in based on a very valid comment from a Senator. Also, we are moving the language from 12D into this section. The gray highlights indicate movement of current language from the later section.)