

**UNIVERSITY OF VIRGINIA****GENERAL FACULTY COUNCIL MINUTES****July 8, 1997****Members Present:**

Ron Berube Donal Day  
Tom Dowd  
Elizabeth Fortune  
Karen Grandage  
Joyce Green-Pastors  
Graham Grove  
Martin Hoard  
Doug Hurd  
Claire Kaplan  
Gail McDaniel  
Mary Smith  
Danny Wilmer

**Members Absent:**

Rob Walker Freer  
Dennis DeSilvey  
Jennie Moody  
Matthew Morris  
Wayne Smith

**Others Attending:**

Susan Lee Foard  
Patricia Foley  
Suzanne Louis  
Peter Low  
Jahan Ramazani  
Cindi Sanborn  
Allison Sleeman  
Lynda White

---

Doug Hurd chaired the meeting.

**1. Topic: Guest Visitor, Peter Low, Provost**

The Chair, Doug Hurd, introduced guests, Peter Low, Vice President and Provost, and Jahan Ramazani, Chair of the Faculty Senate. Provost Low was invited to the meeting to discuss the proposed revisions to the "Policy on the General Faculty" that were circulated from the Office of the Provost on July 22, 1997. Mr. Low said he welcomed the opportunity to hear the Council's reactions to a revision of the Policy on the General Faculty that he and the University's General Counsel, Paul Forch had drafted and sent to the Council in June. He explained that the revision was drafted at the request of President Casteen to avoid ambiguity in the Standards for Notice section of the Policy that recently led to litigation over notice for non-renewal of a general faculty member. As Mr. Low stated in his cover letter to the Council, "The genesis of the effort is a legal fuss in which the University was involved over notice for non-renewal of a general faculty member earlier this year. ... In the course of preparing the draft, it occurred to us that there were 'while you are at it' changes - mostly cosmetic - that we might as well think about as we revisited the policy."

Mr. Low said that in the course of preparing the draft he and Mr. Forch made changes, described as "mostly cosmetic", in other sections of the Policy that they believed were appropriate because of changes at the University since the original Policy was promulgated in 1987. He said that all changes to the Policy would have to be approved by the President's Cabinet and that the General Faculty Council and the Faculty Senate Executive Council could take six months or more to review and provide input about the proposed revision.

However, Mr. Low encouraged the Council to consider approving the proposed changes in the "Standards for Notice" as soon as possible so that the University could avoid further expensive litigation. He emphasized that the proposed changes to the Standards for Notice state what he understands has been the University's practice in cases of non-renewal of appointment for many years.

Council members indicated that they would like some time to fully review the Policy and make recommendation for changes to the entire document later in the year. Mr Low responded that adopting the proposed change to the "Standards of Notice" would not preclude the ability to address these and other issues. But he did want the Council's approval of the "Standards of Notice" as soon as possible.

A discussion ensued in which several councillors said that they were not comfortable giving the "Standards for Notice" changes early approval because they were not convinced that general faculty members' appointments would not be less secure under the proposed changes and that the Council should take more time to study the changes and seek input from constituents. Other Councillors said that they were comfortable giving early approval to the Standards for Notice changes especially if by doing so it would help the University avoid expensive litigation.

A motion was made and seconded to approve just the changes in the Standards for Notice - pages 3-4, up to Footnote 12. During discussion Mr. Low said that even if the Council approved the Notice changes now, it could continue to study them and submit further recommendations for changes along with its recommendations on other sections of the Policy. When discussion of the motion ended, the changes to the Standards for Notice proposed by Mr. Low and Mr. Forch were approved by a vote of seven to five.

Mr. Low said that the Notice changes would now be considered by the Faculty Senate Executive Council and the Cabinet. He also said that the University would also have to change the standards of notice for tenure-track teaching faculty in a manner consistent with the changes just approved by the Council.

He then engaged in a general discussion of other sections of the Policy. He responded to questions from the Council including:

- Why are the two functional categories of general faculty (academic and administrative) in the Policy different than the State's functional categories of general faculty (administrative and professional) especially when the State requires that Administrative faculty be within three reporting levels of the President and the vast majority of administrative general faculty at the University do not meet this criterion?
- Could a section on orientation of new general faculty members be included in the Policy because orientation for new general faculty members is inconsistent at best?
- Why is it better from a legal perspective to use the terminology "A good practice" rather than "A mandatory" in the section on annual evaluations when the Council is aware of general faculty members who are not receiving annual evaluations?
- Is it true that the University is seeking to decrease the number of general faculty?

Mr. Low said that his staff would work with the Council in answering the first two questions. He said that general faculty members should be receiving annual evaluations and that he would look into this matter. For instance, Council members pointed out that many of them have never had a performance evaluation in the entire time they have worked for UVa. Mr. Low mentioned that he had looked at the grievance procedures and felt they were "terrible," and expressed his desire for the Council to make suggestions.

He said that there is no systematic effort to decrease the number of general faculty at the University. He said, if anything, the number of general faculty members would continue to grow as the concept of tenure is evaluated by the higher education community.

Mr. Low encouraged the Council to move ahead with their review of general faculty policies, and indicated that Cathy Reed from his office was available as a resource person for changes concerning functional categories.

Claire Kaplan suggested that a GFC member should be attending the Faculty Senate meetings and vice versa to promote better understanding of common issues.

The meeting was then adjourned by the Chair at approximately 3:00 PM.

Submitted by Doug Hurd, GFC Chair and Karen Grandage, GFC Secretary.