**Minutes, General Faculty Council Meeting 12-13-17**

**Present:**

Posy Marzani, Health Professionals

Ed Murphy, Astronomy, at large

John Gaskins, Mechanical Engineering, at large

Yuri Urbanocivh, School of Continuing and Professional Studies, at large

Kim Bullock, School of Medicine

Luther Tychonievich, Computer Science, Arts and Sciences

\_\_\_\_ [Didn’t catch his name], Applied Mathematics, Arts and Sciences

Diane Whaley, Curry School

Amy Roberts, Music, Arts and Sciences

Derek Williams, Curry

Keith Weimer, Library, Chair-Elect

Sarah Ware, Law School, Chair

Ana Abad-Jorge, Health Professionals, Secretary

Ron?

Laura Hawthorne, Provost’s Office (Guest)

Kerry Abrams, Provost’s Office, Law (Guest)

Esther Poveda, Spanish, Arts and Sciences

**Agenda:** Discussion with Kerry and Laura about Provost’s Office Response to GFC recommendations concerning Non-Tenure Track Faculty, the new policies and their implementation.

Kerry Abrams began by acknowledging the long process for developing this policy. The Provost’s Office had it in development for several years because of significant input from the Faculty Senate, the General Faculty Council, and school Deans. She noted, for example, that the original policy called for an “evergreen” contract that replaced ECE with basic two-year notice for non-renewal. In consultation with faculty across grounds, the policy was changed to reinstitute ECE-like protections tied to promotion. Although deans disliked that change because it decreased their flexibility in hiring and firing, the change was instituted in response to feedback from the Faculty Senate and GFC.

Kerry emphasized three main issues that the Provost’s Policy for Non-Tenure Track Faculty tried to resolve:

1. Create a real career path for general faculty with meaningful promotion criteria, which hadn’t existed in some schools.
2. Establish greater consistency across the university, while still recognizing the need for flexibility within each school.
3. Distinguish general faculty roles from tenure and tenure-track roles. General faculty are typically hired to fulfil a particular role in the department and therefore do not have the same mix of teaching, scholarship, and service responsibilities as tenure-track faculty members. But, these distinctions had become fuzzy and were creating equity and competitiveness problems. The policy was designed to push departments to think more carefully about why a particular position is tenure-track or general faculty. One positive change Kerry noted is that Deans are now including general faculty jobs in their hiring plans--before some departments’ plans focused exclusively on tenure-track faculty. Deans are thinking more about the value of general faculty positions.

The Provost’s Office planned to conduct a review of the policy and its implementation one year later. They realized that they needed time for the schools to come up with their own implementation policies. They anticipated that problems would arise in practice and that some adjustments to the policy would be necessary.

Kerry then turned to the GFC’s March 2017 report on the policy, which identified several major issues:

* the track system
* the requirement that contracts be for three years after the first three one-year contracts
* specifics about promotion policies in schools
* the ability to move from the general faculty track
* raises

Kerry and Laura responded to several of these issues:

**Tracks** – Kerry acknowledged that they expected some struggle during the phase-in because not all existing positions fit the tracks well. She addressed one example: a program director role that is academically focused but does not include the teaching load or research load of those tracks. Those positions may be categorized as faculty when they are similar to a department chair position. A paragraph was added to the policy making exceptions for such roles. This is working, but Provost’s Office has been counseling deans about particular positions. The task is to ask what primary role a person is going to play in this position and categorize accordingly. How much is teaching and research part of the position? For example, a position focused on supporting research but with no requirement that the person conduct research should be a staff position. There is a mistaken perception that the university staff designation is for lower status positions. The Provost’s office would like to change that perception.

**Contracts** – The new policy is meant to balance the schools’ need for flexibility with the needs of faculty for long-term stability by requiring schools to make greater commitments over time. It ties the job protection that ECE granted/still grants to a promotion. People were afraid to go up for ECE because it was and still is an up-or-out system. ECE was creating the same jeopardy found in the tenure track, without the same level of security after success. The new system of tying job security to p

The ECE language in the policy was also modified for clarity. First, the old language merged two reasons why someone might not be renewed (performance and need for position) into one sentence. The Provost’s Office wanted to provide clear reasons why someone might be non-renewed. The need-based language for non-renewal was changed because it was misleading. The old language suggested a person could be non-renewed if the “University” no longer needed the position. This made sense for A&P faculty who could in fact be reassigned across the University. But, academic faculty are more tied by expertise to the school that hired them. The language thus ties non-renewal for academic faculty to the school’s needs. The Provost’s Office was trying to clean up language without changing the job security involved.

A GFC member asked about people who don’t have a path to promotion because they have a title like Director of Admissions. Laura explained that these positions will be staff, referencing her own position as an example of the kind that would be staff under the new policy.

A GFC member asked about the fiscal reality of one-year contracts. A department may not be able to predict whether it will need a particular job. This uncertainty creates tremendous difficulty for faculty with visas; they need advance notice.

Kerry explained that in the short-term there can be three one-year contracts. In the middle term, after three years of hiring, schools should be thinking carefully about whether there is a long term need for these positions or not. A discussion followed about the Spanish Department. There is an enormous need for introductory language courses. The department had been relying heavily on one-year contracts. But enrollment should be stable enough for them to place these contracts on a three-year basis. With many instructors coming from outside the United States, faculty must receive plenty of notice of renewal/non-renewal because it affects visas. This sounds like a long-term budgeting issue, and Kerry said that the Provost’s Office can help advocate for increased budget for salaries. Provost’s office did reach out to the school after the GFC flagged the problem. But the Provost’s Office doesn’t want an exception “that swallows the rule.” Posy suggested that this conversation continue elsewhere because it is complex, and all agreed.

It was also agreed that people should have formal notice of non-renewal for a one-year contracts. There is a notice provision for three-year contracts but not for one-year contracts.

Kerry explained that the old notice framework was removed from the new policy because it was never being used. One-year contracts were issued with a notice of non-renewal written into the contract. Kerry also explained that the old notice requirements were creating perverse incentives: Departments were reluctant to re-hire someone on a one-year contract because the notice requirement would get longer when the department might still not be able to predict the long-term need for the position.

A GFC member raised questions about ECE. Should she encourage faculty to pursue ECE if they don’t have it? “It seems to me that there’s no benefit for going up for ECE?” Laura agreed. ECE under the old policy is up-or-out, whereas promotion under the new policy provides the same security but without the up-or-out risk. The member further asked about “grandparenting” of ECE. Kerry distinguished between grandparenting of status and grandparenting into tracks: “We would not take away ECE or ECE eligibility under a policy change.” But there is no grandparenting related to tracks. All academic general faculty have been under some kind of contract, and that contract can change.

**Implementation in Individual Schools--**

A GFC member asked whether the Provost’s Office is confirming that general faculty participate in the development of school policies. She mentioned an unnamed school that has a policy, but no general faculty have been asked to participate. Kerry confirmed that the Provost’s Office has been asking schools about this, but there may be some reason or other why general faculty haven’t been included. The Provost’s Office needs to know these cases.

A meeting guest noted that Applied Mathematics has no tenure track faculty, just 12 lecturers. They are in the process of being reclassified. “We have people who have been here for 12 years without possibility of promotion; we also don’t have job descriptions.” The Chair of Engineering and Society, of which applied Mathematics is a part, said that there would be reclassification, then new job descriptions. Faculty are worried that this will render previous work ineligible to be counted for promotion, and/or that they will need to wait 6 years before going up for promotion. Conference attendance, grant writing, and other activities engaged in for years are not included in the new job descriptions, or in the reclassification. Maternity leave has also not been taken by women in the department who believe either that this is not an option for them or who fear some sort of retaliation because of ambiguities in their status.

Laura emphasized that the University offers unpaid parental leave for men or women on birth of a child.

This is a protected category. If someone took unpaid leave upon birth of a child, then felt discriminated against, they could file a complaint. Even faculty who have appointment for nine months are covered because the contract is treated as a one-year contract. Laura also recommended the faculty guides for Arts and Sciences, John O’Brien and Bethany Teachman, who are available to confidentially field questions about policies and procedures.

A GFC member stressed that the University needs to work on supports for general faculty. The new policy is about hiring and firing and promotion, but not about protections and supports. If you need to become an exceptional teacher, there need to be supports for achieving that goal. There was general agreement with this idea.

A GFC member noted that some faculty are being evaluated under Lead@. In that system, a 3 is considered the measure of good work. But, there is a seeming contradiction between the way they’re being evaluated and the terms used for renewal and promotion under new policy. Laura agreed that there was a misperception in Arts and Sciences that 3 was remedial.

A GFC Member pointed out that it had seemed like current faculty could opt into the new policy, but people got a letter from their chair saying “This is your new title.” There is confusion about how people are placed into the new policy. Kerry offered to follow up with Dean of Arts and Sciences. She explained that the process wasn’t always transparent to individuals. The Provost’s office worked with departments to examine positions and classifications during the transition. A Ph.D. doesn’t necessarily dictate the reclassification, but it represented the “first cut,” followed by exceptions for someone without a Ph.D., but doing the work of a Ph.D..—for example, someone with commensurate experience (top oboe player in national symphony) or someone teaching grad students.

The GFC member referenced a colleague in the music department who is ABD, who followed through with the faculty guides, and is a Senior Lecturer, but has the same job as those with Ph.d. who are professors. Laura said they would ask the Music dept. for criteria used to determine reclassification. She pointed out: “We didn’t leave it an option whether to be reclassified; the part that is optional is if you were not reviewed under the old system, you can opt to go through ECE review or be reviewed for promotion under new system. The same protections apply for Senior and Distinguished Lecturers as for professors under the new system.”

Kerry noted that she needs to talk with Spanish, Music, Applied Math, and possibly Slavic and Architecture (based on additional suggestions offered by various individuals).

Kerry –“The last thing I wanted to say is that we knew there’d be issues like this, and it’s our job to sort them out. We have heard a lot of enthusiasm for this policy from new faculty. Some came here because it was better in terms of pathway and protections than other universities. We need to be vigilant and avoid sliding into the bad habits of the past.”

Laura—“Eventually I want you to be able to go the main policy and click on each school’s policy. Some schools have placed their policies on a secure server/password protected. Trying to figure out how to have open access to these.”

Laura and Kerry then departed.

**Next Steps**

* Sarah Ware will revise the feedback about the new policies that she shared with the GFC before the meeting. Revisions will include changes to the section on lecturer ranks and cross-references to the Task Force report.
* GFC members will approach faculty who asked for confidentiality to see if compelling points raised in their stories can be shared with the Provost’s Office because these stories have impact.
* The policy should include a preamble that expresses the Provost’s concern for general faculty and the university’s commitment to providing support. The preamble should make clear that general faculty are covered by all protections pertaining to tenure track faculty. Posy Marzani agreed to draft a preamble.
* The GFC should compile a list of supports—for example, FMLA, sabbaticals—as well as draft the preamble. Drafting it will help us think through what we want. Attendees were asked to contact constituents for types of support necessary, and have responses compiled by Jan 5. (Laura and Kerry had stated that we can get feedback to them as late as February.)
* Amy Roberts noted that we should still register our concerns about certain issues even if the Kerry and Laura addressed them during this meeting. General agreement on this point.
* Diane Whaley noted that “grandparenting” should be clear in the Provost’s policy. She also asked whether we especially need to query faculty on the research track to make sure their needs are being met. She agreed to follow up on these issues through experience at Curry.