Committee Name: University Committee on Faculty Tenure

Committee Chairperson: Laura McCabe

Summary of Committee Activities and Actions for Fall Semester 2014:

The major accomplishments/activities of the committee for Fall 2014 include:

1) Reviewed the Annual Appointment, Reappointment, Tenure and Promotion memorandum that is sent by the Provost to Deans, Directors and Chairpersons. The committee provided feedback to the Provost to clarify the letter.

2) The committee worked on updating MSU’s Faculty Handbook document: Interpretation of the Term “Incompetence” Previous changes by UCFT in the Spring 2014 went to General Counsel for review, who made suggestions in Fall 2014 that were further reviewed by UCFT. UCFT made additional clarification changes to the document in discussion with Kristine Zayko, Deputy General Counsel.

3) The committee worked on updating MSU’s policy: Dismissal of Tenured Faculty for Cause Policy. Document changes have been reviewed by Kristine Zayko, Deputy General Counsel A draft is planned to be submitted to the UCFA for further review and endorsement.

4) UCFT plans to obtain feedback on the above changes to the two documents from MSU faculty and has developed a memo to send out to gather input (see next page).

5) The committee reviewed the Office of the Provost’s proposal to include University Distinguished Professors in the Provost level review on reappointment, promotion and tenure cases. The committee provided feedback to the Provost.

6) The committee reviewed 5 personnel matters.

Projected Activities and Items:

1) UCFT will discuss potential tenure issues associated with the development of the new Computational Mathematic, Science and Engineering Department that has been developed by the College of Natural Science and College of Engineering.

2) Discuss the idea of a university-level committee for RPT recommendations at a future meeting.

3) Obtain MSU faculty input on UCFTs proposed changes to “Dismissal of Tenured Faculty for Cause Policy” and “Interpretation of Incompetence.”
The University Committee on Faculty Tenure (UCFT) began discussions during the 2013-2014 academic year regarding the Dismissal of Tenured Faculty for Cause Policy, as well as the Interpretation of the Term “Incompetence” in the faculty handbook. The motivation for such discussions was to (1) update policy terminology to more appropriately capture the intent of the policy provisions and (2) address delays in the faculty dismissal process in the rare circumstances when that process is invoked.1

When the UCFT re-convened this academic year, it continued discussions regarding both policies and reached consensus on proposed revisions. Copies of the proposed revisions are being shared with you before committee action in order to solicit additional feedback. If you would like to provide feedback to UCFT, please do so through your faculty representative no later than Wednesday, January 7, 2015.

The following bullet points summarize the substantive revisions to both documents:

Interpretation of the Term “Failure to Perform”

- Changes terminology from “incompetence” to “failure to perform”
- Clarifies that, absent extraordinary circumstances, the faculty discipline process should generally be utilized before the dismissal process
- Clarifies the expectation that a review by the unit’s faculty advisory committee will be performed before a recommendation to initiate dismissal proceedings can be made.
- Clarifies the expectation that faculty will be notified of the potential consequences if performance remediation efforts are not successful
- Clarifies the expectation that faculty members shall be given an opportunity to provide input on developmental opportunities and a performance improvement plan before it is implemented.

Dismissal of Tenured Faculty for Cause Policy

- Changes terminology from “incompetence” to “failure to perform”
- Limits paid suspension during proceedings up to a maximum of six months; leaves will be unpaid if proceedings extend beyond six months
- Requires the Provost to determine whether a faculty member will be paid retroactively for all or a portion of the time the faculty member was suspended without pay if the process does not result in dismissal; Provost will take into account recommendation of the hearing panel.
- Streamlines the meeting scheduling process to minimize delays and clarify the expectation of participation in dismissal meetings.

1 Over the last fifteen years, the dismissal process has been formally initiated on two occasions: once for egregious sexual misconduct involving multiple students and once for longstanding refusal to perform job duties. Both faculty retired prior to the hearing. Two requests to initiate the dismissal process were also filed with the Provost for serious financial misconduct. Both faculty left the University (one retirement, one resignation).