

2017-18 University Committee on Faculty Affairs

MINUTES

Tuesday, March 13, 2018

Members Present: R. Chan, M. Comstock, P. Floyd, S. Kendall, N. Myers, I. Ostrander**, E. Rothwell, J. Rumler**, C. Scales, S. Schiestel, T. Tomlinson, M. Waddell. (Serving 2017 fall semester; **Serving 2018 spring semester)

Others Present: E. Boyles, D. Byelich, T. Curry, W. Donohue, K. Yermak

Members and Others Absent: M. Faner*, R. Fulton, J. Gobel, J. Hess**, S. Minhas*, J. Emerich*, C. Scales, M. Waddell, M. Zakharia* (Serving 2017 fall semester; **Serving 2018 spring semester)

Call to Order

Chairperson Tomlinson called the meeting to order at 1:02 p.m.

Approval of Agenda

S. Schiestel/I. Ostrander moved to approve the agenda. The motion carried.

Approval of Minutes

I. Ostrander/S. Schiestel moved to approve the February 20, 2018 Minutes, The motion carried.

New Business

1. Retirement contributions for summer salary – The full UCFA reviewed the February 20, 2018 correspondence from T. Tomlinson to Provost Youatt, and her March 14, 2018 response regarding *Retirement Contributions for Summer Salary*. The UCFA Budget Subcommittee unanimously passed the following motion during its November 17, 2015 meeting, and submitted it for the full UCFA consideration:

“The University Committee on Faculty Affairs (UCFA) routinely reviews faculty salaries, benefits and related items. This year, a faculty member from the College of Engineering raised the issue of compensation of academic year (AY) faculty being paid during the summer.

We have reviewed data on peer universities and, based on that review, the UCFA Budget Subcommittee recommends that the UCFA request the university provide retirement benefits on summer pay for academic year (AY) faculty and academic staff beginning with summer 2019.”

I. Ostrander/S. Schiestel made a motion to approve the Budget Subcommittee motion. The motion carried.

Old Business – No Old Business noted.

For Information and Discussion

1. Jayne Schuiteman, Acting Director of Office of Institutional Equity – Tom Tomlinson will list some key questions of interest to UCFA and share them with the full UCFA prior to our March 27 meeting. Dr. Schuiteman will attend the April 10 UCFA meeting and respond to questions from Dr. Tomlinson's list.

Announcements

1. Tom Tomlinson – No report.
2. Terry Curry – Dean searches continuing; background check for employees in our hospital partners now in place.
3. William Donohue – He reported a grievance was settled and may be appealed; another grievance may soon be received;
4. David Byelich – He reported that President Engler would be testifying at the March 15 Senate Appropriations Higher Education Subcommittee meeting.

Budget Subcommittee –

Subcommittee chair Nick Myers reported that the subcommittee has completed a draft of the 2018-19 Faculty Merit and Market Pool Increase memo. Just a few numbers required to complete the document.

Personnel Policy Subcommittee –

Subcommittee chair Susan Kendall reported they would be seeing the preliminary FGO survey results.

Adjournment

Ian Ostrander/P. Floyd moved to adjourn the meeting.

MICHIGAN STATE UNIVERSITY

November 13, 2017

MEMORANDUM

TO: Deans, Directors, and Chairpersons

FROM: June Youatt, Provost and Executive Vice President for Academic Affairs

SUBJECT: Appointment, Reappointment, Tenure, and Promotion Recommendations¹

Michigan State University is a research-intensive, land-grant university of international scope. It is a member of the Association of American Universities (AAU), whose members are recognized worldwide for the quality and breadth of their scholarship, research, and undergraduate, graduate and graduate-professional educational programs. MSU is one of only 18 universities that are designated as both land-grant and AAU.

"Bolder by Design," is MSU's strategic planning initiative that will position the university as the nation's leading land-grant research institution. Based upon our core values of quality, inclusiveness, and connectivity,² the University is dedicated to educating tomorrow's leaders and scholars through our undergraduate, graduate, graduate-professional and lifelong education programs. Through its faculty, MSU will create knowledge and find new and innovative ways to extend its applications, to serve Michigan, the nation, and the international community³. The faculty must infuse cutting edge scholarship into the full range of our teaching programs. At MSU, faculty are expected to be both active scholars and student-focused educators, demonstrating substantial scholarship and ability to promote learning through our on-campus and off-campus education and research programs. The essence of scholarship is the thoughtful discovery, transmission, and application of knowledge, including creative activities, that is based in the ideas and methods of recognized disciplines, professions, and interdisciplinary fields. What qualifies an activity as scholarship is that it be deeply informed by the most recent knowledge in the field, that the knowledge is skillfully interpreted and deployed, and that the activity is carried out with intelligent openness to new information, debate, and criticism.



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¹ The Office of the Provost sends this policy bi-annually to deans, directors, and chairpersons to assist them in reappointment, promotion and tenure decisions. During its annual review, the University Committee on Faculty Affairs and the University Committee on Faculty Tenure can suggest changes.

² See President's Statement on Core Values:

<http://president.msu.edu/communications/statements/core-values.html>

³ See Faculty Rights and Responsibilities policy in the *Faculty Handbook*:
https://www.hr.msu.edu/policies-procedures/faculty-academic-staff/faculty-handbook/faculty_rights.html

MSU is committed to improve continuously. To do so requires that academic personnel decisions must result in a progressively stronger faculty — a faculty who meets continuously higher standards that assure enhanced quality within a national and international context. This process begins with vigorous, effective recruitment and selection of new faculty who are encouraged and helped to grow professionally, through mentoring⁴ and development. These new faculty members are evaluated by demanding standards and required procedures for reappointment, tenure and promotion recommendations. Our policies, procedures, criteria, and decisions on recruitment, reappointment, award of tenure, promotions, and salary changes must be guided by the goal of enhancing academic excellence. These decisions, in large measure, will determine MSU's reputation and prominence for many years to come.

Initially, a review of the mission and goals of the University, college, and unit and their related personnel needs, fiscal constraints, and any other relevant factors must occur to determine if the applicable position(s) should be retained even if the performance of the probationary period is acceptable. (See statement on Non-Tenured Faculty in the Tenure System, *Faculty Handbook*). If so, the unit initiates recommendations for appointment, reappointment, promotion, and tenure, following rigorous evaluation at the unit level, including peer review. All involved in these deliberations must apply high standards of performance consistent with appropriate expectations of faculty at leading research-intensive, land-grant universities. Faculty must be both active scholars and student-focused educators and must meet academic standards that assure enhanced quality of the unit for years to come. Individual personnel actions recommending tenure should result in the improvement of academic unit quality. For example, anyone considered for tenure should meet or exceed the requirements of the unit for tenure and be in the top echelon of peers at a similar career stage nationally or internationally in the field or discipline. Chairpersons and directors make the unit-level recommendations. Unit-level recommendations are subject to review and approval or disapproval at the college and university levels. Recommendations are to be based on explicit unit criteria and quality evaluations that are consistent with college and university policies and goals.

As provided in the *Bylaws for Academic Governance*, the faculty, operating in the advisory mode, is to provide advice to the chairperson/director as described in unit bylaws. Each department, school, and comparable unit is required to have procedures and criteria that are clearly formulated and relevant to evaluating the performance of faculty members (see Statement on Non-Tenured Faculty in the Tenure System, *Faculty Handbook*). The *Bylaws for Academic Governance* includes the following statement that is of fundamental importance:

A department chairperson or school director serves as the chief representative of his or her department or school within the University. He or she is responsible for the unit's educational, research, and service programs-including the outreach components of all three; budgetary matters, academic facilities, and personnel matters, taking into account the advisory procedures of the unit. The chairperson or director has special obligation to build a department or school strong in scholarship, teaching capacity, and service.
(2.1.2.1.)

⁴ See Mentoring Policy in the *Faculty Handbook*:
https://hr.msu.edu/policies-procedures/faculty-academic-staff/faculty-handbook/mentoring_policy.html

Chairpersons or directors make judgments taking into consideration peer evaluations and other supporting information, yet unit administrators are responsible as individuals for the recommendations made.

Unit standards and criteria for appointment, reappointment, tenure, promotion, and salary changes must serve the objective of continuously improving the academic strength and quality of the faculty, taking into account the mission and goals of the department, school, college, and University, including the MSU commitment to diversity and inclusion. Departments/schools and colleges are required to review regularly their standards, criteria, and procedures to this end.

Assessment of faculty performance should recognize the importance of both teaching and research and their extension beyond the borders of the campus as part of the outreach dimension. Assessment should take into account the quality of outcomes as well as their quantity; it should also acknowledge the creativity of faculty effort and its impact on students, on others the University serves, and on the field(s) in which the faculty member works. In many cases, faculty demonstrate excellence through individual scholarly activities. Collaborative scholarly efforts, cross-disciplinary activities, and the integration of scholarship into the creation, application, and dissemination of knowledge are also recognized as relevant dimensions of faculty performance.

Deans independently review each recommendation for appointment, reappointment, promotion, and tenure and in each case will focus primarily on how effectively the individual performs academic duties. They approve or disapprove recommendations, taking into account unit, college, and university criteria and other factors such as quality, progress, resources, program needs, percent of tenured faculty in the unit, and any other relevant university policies and goals (see below).

The Office of the Provost will review each recommendation. In each case the Office of the Provost also will concentrate primarily on the evidence of the individual's effectiveness in the performance of academic duties. Within this context, faculty must demonstrate substantive and sustainable achievement in both teaching and research, and the infusion of this scholarship into outreach programs, where applicable.

In addition, the Office of the Provost will consider, as applicable, the following elements, relating to quality and either individual performance or institutional, contextual factors:

The factors that relate most closely to individual performance include, but are not limited to:

- Sufficient evidence of consistent and persistent professional improvement and effectiveness at MSU to predict continued professional achievement and growth for the remainder of the individual's academic career.
- Evidence of having met the standards of the college and department/school for recommendation of appointment, reappointment, award of tenure, and promotion as documented in annual review letters.

The factors that relate most closely to institutional, contextual factors include, but are not limited to:

- Standards of the college and department/school for recommendation of appointment, reappointment, award of tenure, and promotion, including the unit's progress toward achieving and maintaining diversity and recognizing it in its definition of quality.
- Fiscal constraints.

- **Extent to which program commitments require the continuation of faculty (relevant primarily for decisions on reappointments and awards of tenure).**
- **Advancement of the shared university agenda, including scholarship across the mission.**

Deans and directors are to assure that unit administrators in their college make clear to the concerned faculty, in a timely fashion, the procedures and criteria that they will use in making tenure system reappointment and promotion recommendations. Forms for "Recommendation for Reappointment, Promotion or Tenure Action" outline many of the activities that are relevant to decisions on promotion, tenure and reappointment. As stated above, "the chairperson or director has a special obligation to build academic units strong in scholarship, teaching capacity, and outreach." To discharge this responsibility, academic administrators must apply rigorous standards in making reappointment, tenure, and promotion recommendations. The achievement and performance level required must be competitive with faculties of leading research-intensive, land-grant universities of international scope (hereafter referred to as peer universities):

1. **Reappointment with award of tenure: Each tenure recommendation should be based on a clear record of sustained, outstanding achievements in education and scholarship across the mission, consistent with performance levels expected at peer universities.**
 - **For the faculty member appointed initially as associate professor on a probationary basis in the tenure system who has established such a record, the tenure recommendation is effective upon reappointment after one probationary appointment period.**
2. **A recommendation for promotion from assistant professor to associate professor in the tenure system should be based on several years of sustained, outstanding achievements in education and scholarship across the mission, consistent with performance levels expected for promotion to associate professor at peer universities. A reasonably long period in rank before promotion is usually necessary to provide a basis in actual performance for predicting capacity to become an expert of national and/or international stature and long-term, high-quality professional achievement.**

A recommendation for promotion from associate professor to professor in the tenure system should be based on several years of sustained, outstanding achievements in education and scholarship across the mission, consistent with performance levels expected at peer universities. A reasonably long period in rank before promotion is usually necessary to provide a basis in actual performance to permit endorsement of the individual as an expert of national and/or international stature and to predict continuous, long-term, high-quality professional achievement.

Bearing in mind the University's continuing objective to improve its faculty, the unit and college must refrain from doubtful recommendations of reappointment, tenure, or promotion. The dean must evaluate carefully each recommendation to ensure that it is well grounded and fully justified.

Questions for discussion with Jayne Schuiteman

Following a quick overview of the OIE

1. Are allegations vetted prior to a full OIE investigation being launched? If so, how are allegations typically evaluated? Do all accusations result in a full investigation?
2. When someone brings allegations to OIE when and how is the accused informed? What rights do the accused retain and how are they made aware of these rights? E.g.,
 - a. Are the accused required to meet with OIE? Can they abstain?
 - b. Since OIE investigators are trained attorneys, can an accused bring legal representation with them?
 - c. Does the accused retain their 5th amendment rights to not expose themselves to an accusation or charge of wrongdoing?
3. In the course of an investigation do both the accuser and accused get to submit lists of all relevant parties to be interviewed? How are decisions made as to who is interviewed?
4. Is there a difference in how allegations are treated depending on whether the accuser is a minority or part of a protected class?
5. What resources are available to the OIE, and are they sufficient for the need?
6. What is the relationship with DPS?
 - a. What triggers reports to the police?
 - b. Under what conditions are reports delayed, or not made?
 - c. Under what conditions are reports made to the police shared with OIE?
7. How are failures to report sexual harassment or relationship violence prioritized and handled?
 - a. E.g., Are some failures prioritized because they are regarded as more serious?
8. The OIE is charged with protecting faculty or students, with the authority to recommend disciplinary action against them. But it does not report to faculty or students, but instead to the President, who has responsibilities to institutional interests. Have there been, or could there be, circumstances when this creates a conflict of interest that would work to the disadvantage of faculty or students (whether accusers or accused)?

Commented [TT1]: Adapted from suggestions by Bill and Sam