Annual Report of the Faculty Senate Policy Committee
2009/2010 Academic Year

Committee Members: Senators Denise Anderson (HEHD), Claudio Cantalupo (BBS), Scott Dutkiewicz (Libraries), Jeremy King (Chair; CoES), Jane Lindle (HEHD), Hong Luo (CAFLS), Kelly Smith (AAH), Pradip Srimani (CoES)

The 2009/2010 academic year was a busy one for the Policy Committee. Significant activities/products of the committee are summarized below. The Committee gratefully acknowledges that it was privileged to benefit from collegial working relationships and constructive feedback, suggestions, and guidance from a large number of concerned and helpful faculty, staff, and administrators across campus. It is a pleasure to single out Fran McGuire (Faculty Manual Editorial Consultant), Pat Smart (Interim Assistant Provost for Faculty Relations), and Cathy Sturkie (Faculty Senate Program coordinator) for their sage and regular counsel to the committee in the course of its work throughout the year.

- The committee recommended significant multiple changes to the first 2 paragraphs of Section IV, Part D of the Faculty Manual related to Renewal of Appointment, Tenure, and Promotion. The changes: a) limiting membership on tenure, promotion and reappointment (TPR) committees to regular faculty b) limit voting privileges on TPR committees to those members of equivalent or higher rank and tenure status than that sought by the candidate, c) prohibit the use of TPR committees with secretive membership, d) mandate that departments/units have a separate TPR document describing the TPR process, procedures, and committee membership, e) establish guidelines concerning a minimum TPR committee size and procedures to ensure a minimum size. Changes to the Faculty Manual were ultimately approved by the Senate.

- In collaboration with Tracy Arwood (Research Compliance) and Bill Marcotte (the Institutional Biosafety Committee Chair), the committee proposed changes to Part VII, Section E and Part X,Section C of the Faculty Manual concerning the Institutional Biosafety Committee and the use of recombinant DNA, and biological/chemical hazards. These changes stemmed from a change in scope of the IBC mission beginning in January 2009. Changes to the Faculty Manual were ultimately approved by the Senate.

- The committee proposed changes to the Part VII, Sections C and D of the Faculty Manual splitting the Honorary Degree and Naming Committee into 2 distinct committees—a structure consistent with that used by the Board of Trustees. Changes to the Faculty Manual were ultimately approved by the Senate.
Acting upon the recommendations of the Grievance Board, the committee recommended changes to Part V, Section 6.I, numbers 5 and 9 of the Faculty Manual related to grievance hearings. The changes: a) require the hearing panel to provide respondents with copies of documentation included or referred to in a petition, and b) provide the Hearing Panel with additional time (10 weekdays) to deliberate about, summarize, and forward recommendations and findings to the Provost. Changes to the Faculty Manual were ultimately approved by the full Senate.

At the urging of David Grigsby, Vice Provost of International Affairs, the committee recommended changes to Part VII, Section B, #3 of the Faculty Manual that: a) consolidated the International Studies and Curriculum Committee and International Program Coordination Committee (abolishing the former), and b) mandate faculty and student representation on the committees reporting to the VPIA. Changes to the Faculty Manual were ultimately approved by the full Senate.

Benefitting from the coordinating efforts of Senator Meredith Futral, the committee recommended a minor change to Part VI, Section J of the Faculty Manual allowing the faculty evaluation of the Library Chair and Dean to be made using a form contained in the Libraries bylaws and newly contained in Appendix D of the Faculty Manual. Changes to the Faculty Manual were ultimately approved by the full Senate.

The committee recommended changes to Section IV, Part H, Number 4 of the Faculty Manual concerning post-tenure review (PTR). The changes restrict membership on PTR committees to regular faculty and clarify that the PTR committee should be distinct from the promotion-tenure-(re)appointment committee. Changes to the Faculty Manual were ultimately approved by the full Senate.

Responding to questions raised in an internal audit of practices in Financial Aid, the committee recommended minor changes to Part VII, Section B, number 1 of the Faculty Manual concerning the Scholarship and Awards Committee. The changes restrict membership to regular faculty members and allows non-voting members to appoint designees to serve in their stead. Changes to the Faculty Manual were ultimately approved by the full Senate.
Acting upon the suggestions of the college deans as communicated to the committee by the Provost, the committee recommended changes to Part III, Section E, number 8 of the Faculty Manual related to Senior Lecturers. The changes: a) require a department chair to have the concurrence of the tenure-promotion-(re)appointment committee in making recommendations for Senior Lecturer appointments to a Dean, b) provide a date for one-year’s notice of non-renewal, and c) stipulate that senior lecturers cannot have administrative duties beyond those of regular faculty. Changes to the Faculty Manual were ultimately approved by the full Senate.

Based on a draft approved by the university Administrative Council and provided by the General Counsel, the committee recommended two separate changes to the Part III, Section F of the Faculty Manual related to Endowed Chairs and Titled Professorships. The changes establish a policy regarding participation of sponsoring parties in the selection and review of endowed chairs/titled professors. As of the date of this report, the recommended changes had not gone before the full Senate, but were approved by the Senate Executive/Advisory Committee.

The committee recommended changes to Part IV, Section G of the Faculty Manual related to tenure policies to remedy a conflict between this section and the first paragraph of Part III, Section E regarding credit of time towards the tenure probationary period. The changes now clarify that probationary credit for time spent in positions/roles that are not tenure-track positions at Clemson or other institutions of higher education shall in general not be awarded. However, in order to allow such credit in meritorious cases, credit can be awarded if approved by a department TPR committee, the Department chair, the dean, and the Provost. Such credit and approval is subject to written agreement. As of the date of this report, the recommended changes had not gone before the full Senate, but were approved by the Senate Executive/Advisory Committee.

The committee received and revised suggested changes to Part IX, Section D, number 11 of the Faculty Manual regarding the evaluation of teaching by students that were kindly provided by the Scholastic Policies Committee. The recommended changes: update the Manual in line with current modern online evaluation practice; provide three important needed clarifications concerning the difference in chair access to University/department question statistical summaries versus instructor question statistical summaries, the right of a course instructor to make his/her evaluation question summaries and all comments available
to his/her chair, and the role of the University in maintaining the evaluation database; establish that student comments are optional possible criteria for evaluation of teaching if the instructor elects to make them available. The recommended changes were approved by the Executive/Advisory Committee, but postponed by the Senate for consideration at its final meeting of the 2009/2010 academic year.

- The committee crafted and endorsed changes to the first paragraph of Part III Section E of the Faculty Manual describing special faculty ranks. The recommended changes: establish that appointment offers can be made by the Department Chair/School Director (with faculty approval if required by department or college bylaws); Deans and the Provost maintain fiduciary oversight by having to verify the availability of adequate funding for appointments; stipulate that a letter of appointment must name the department to which the academic appointment applies; requires that the letter of appointment supplies critical information to the appointee; demands that hiring individuals from special faculty ranks into regular faculty positions must be carried out in accord with canonical hiring mechanisms in Part IV of the Faculty Manual; prohibits special faculty rank voting membership on several committees named in Part VII, Section K. As of the date of this report, the proposed changes were approved by the Executive/Advisory Committee, but their consideration was postponed by the Senate.

- The committee crafted and recommended changes to Part III, Section E, number 6 of the Faculty Manual related to Lecturers. The proposed changes: stipulate that the lecturer designation is intended for those not in administrative positions; mandate that lecturer appointments may only be made for academic year periods (Aug-May), which greatly simplifies the enumeration of service years; provide explicit calendar dates of appointments; clarify when 1-year notice of non-renewal must be given. The changes were approved by the Executive/Advisory Committee, but (as of the date of this report) their consideration has been postponed by the Senate.

**Future Work and Initiatives**

During the course of the year, several items of business could not be completed by the Policy Committee given its full agenda. In addition, an educated glance into the near future reveals several items that will likely need attention by next year’s Policy Committee:
Special Faculty Ranks: The Select Committee on Academic Lecturers (Prof. W. Pennington, Chair) has made several recommendations concerning the role, rights, and responsibilities of contingent faculty at Clemson. The 2010/2011 Policy Committee should closely review these recommendations and consider whether they merit policy changes concerning a host of issues: e.g., department/college/university committee membership/voting rights; faculty senate participation; promotion and reappointment.

Appointment of Administrators: Part IV, Section I of the Faculty Manual on the Selection of Other Academic Administrators is out of date and deficient in several respects (e.g., apparently providing no defined mechanism to select the Vice President of Research or College Deans). In addition, the definition and meaning of Academic Administrators in the Faculty Manual is unclear. The Manual also lacks a parallel structure describing administrative positions and the procedure to fill them. This portion of the Faculty Manual deserves urgent attention by the 2010/2011 Policy Committee.

Reduction in Force Policy for Tenured/Tenure-Track Faculty: Given the current uncertainty in the fiscal future of the University arising from declining state budget support, it is especially noteworthy that Clemson lacks a RIF policy for tenured tenure-track faculty. The 2010/2011 Policy Committee should, in some form and via some means, become and remain vested in the creation, review, and approval of such a policy.

Graduate Council Representation for Interdisciplinary Graduate Programs: There are several interdisciplinary graduate programs whose virtual academic domicile is the Graduate School itself. While the faculty involved with these programs belong to Departments and Colleges from which representation on the Graduate Council is (or can be) drawn, the interdisciplinary programs themselves lack representation on the Graduate Council. The PC has endorsed the idea of these programs having direct representation on the Graduate Council via a representative elected by the faculty of these interdisciplinary programs as identified by the Graduate Dean, who has confirmed that such an identification is a simple matter. Before enacting such a change, the PC desired an explicit endorsement of this idea by the Graduate Council itself. It is hoped that such an endorsement could come at the April or May 2010 meeting of the Graduate Council. With such an endorsement, the draft Faculty Manual change could be brought to the EAC and full Senate for consideration in a speedy fashion.

Post-Tenure Review: During the 2009/2010 academic year, the Policy Committee Chair received a host of passing complaints concerning the Post-Tenure Review process. Many of these complaints were not specific in nature or concerned operations of PTR at the Department level. At the end of the 2009/2010 term, however, a small collection of general complaints
about the general process outlined in the Faculty Manual had been acquired. These should be reviewed by the 2010/2011 Policy Committee for possible action.

- **Department/College Bylaw Violations:** In conducting its business during the 2009/2010 academic year, the policy committee was presented with interesting questions related to Department/College bylaw violations: are such violations de facto violations of the Faculty Manual itself? If not, should they be declared such (by amending the Faculty Manual)? Or are current provisions in the Faculty Manual sufficient to allow the Senate President and/or his/her appointee(s) to decide—on a case-by-case basis—whether bylaw violations are Faculty Manual Violations? These questions are worth exploration by the 2010/2011 Policy Committee.

- **New Mediation/Arbitration Mechanisms:** The questions above as well as an informal discussion with University General Counsel suggests that it is worthwhile for the 2010/2011 Policy Committee to explore whether additional mediation and/or arbitration mechanisms (binding or non-binding; operating within the University or outsourced to a third party) might be helpful in resolving disputes or settling issues before they culminate in a grievances and/or Faculty Manual violation filing. This suggestion is not intended to reflect on the importance and effectiveness of the Grievance or Faculty Manual violation processes or the efforts of the Ombudsman office. Rather, the question is whether additional complementary options/mechanisms in resolving difficult issues would be of value in avoiding more serious actions that can consume productive time of numerous faculty and administrators across the University.