

Academic Freedom, Tenure, Professional Relations and Standards Committee
Minutes
September 16, 2005
3:00-5:00 P.M.
346 Reitz Union

Attendees:

Kenneth Anusavice
Henry Baker
Elizabeth Bolton
Douglas Cenzer
Gary Cornwell
Curt Hannah
Marc Heft
Anthony Ladd

Lisa McElwee-White
Sharon Rush
Richard Segal

Absent:

Pradeep Kumar
Winston Nagen
Gregory Schultz
Eric Triplett

Curt Hannah called the meeting to order at 3:10 P.M.

The committee members introduced themselves.

Curt Hannah reviewed basic Sunshine law procedures for the committee to follow. The meeting agenda must be noticed 7-10 days prior to a meeting. Minutes must be posted following the meeting and must contain attendees and action taken. Committee members can not discuss committee business with other committee members outside of meetings.

Barbara Wingo, General Counsel, reviewed specific considerations for the committee regarding Sunshine Laws and Public Record Laws.

The committee has special considerations regarding exceptions to public records. They are primarily faculty evaluations and student records. Dr. Wingo will advise the committee on specific considerations pertaining to each individual case as they arrive. The public can request records. These records will be maintained in the Faculty Senate office.

Barbara Wingo will e-mail the committee a public records information sheet and regulations and by-laws that pertain to the committee.

Topics under this committee's jurisdiction are: tenure, academic freedom, professional ethics, professional relations and standards.

If a grievance is filed the chair will look first at the jurisdiction and timeliness and will then try to work out a resolution. If no resolution can be made the inquiry committee will look at the case and if there is enough information the case will go to a full hearing.

A person can be represented by him/herself, by a colleague or by legal counsel. If the faculty member has legal representation the administration will also have legal representation.

The inquiry panel consists of three people that will create a report that shows the decision. The decision will either be (1) to move forward with a hearing or (2) that there was not enough probable cause and there will not be a hearing.

The hearing panel is made up of three members and an alternate. The members of the hearing panel are different than the members of the inquiry committee.

Once the hearing is complete the decision goes to the President. The President can not change factual findings of the committee but can make changes to the conclusions, the conclusions of the law and recommendations.

The President is obligated to discuss any substantive changes in the report with the hearing panel.

The report then goes back to the hearing panel who will discuss the reasons for change and write a report that explains why the changes were made.

The committee members can not discuss ongoing cases.

- Old business

- a) Web site- the Web site will be made more transparent. Tim Taylor has a Web site with helpful information. This information will be added to the Faculty Senate Web site.

- b) Case histories- Case histories will be posted on the Web site. The information will be anonymous. It will provide an abstract of past cases.

- c) Duties and responsibilities of the committee – The committee will look at the constitutional language to clarify responsibilities. Sharon Rush graciously agreed to head this effort.

- New business- Two possible disputes have been discussed informally with Curt Hannah.