

Tuesday, January 11, 2005

MEMORANDUM

To: Pierre Ramond, Chair, Faculty Senate Steering Committee

From: Timothy G. Taylor, Chair, Academic Freedom, Tenure, Professional Relations and Standards (AFTPRS) Committee

RE: AFTPRS Recommendations

As you may recall, I was supposed to present four constitutional changes proposed by the AFTPRS committee as information items at the 18 November 2004 Faculty Senate meeting. The meeting adjourned before these could be presented. Following a meeting with President Machen on 16 December 2004, the committee revised some of the proposed constitutional changes. On behalf of the committee I respectfully request these recommendations be placed on the 20 January 2005 Faculty Senate meeting agenda as information items.

The revised changes being proposed are as follows:

- 1) The number of faculty required for a full AFTPRS panel hearing should be reduced from the current number of five to three.
- 2) Upon the request of the petitioner or committee the University shall supply the petitioner and committee all relevant information pertinent to the petition.
- 3) Within 25 days of receipt of both the records and report, or as soon thereafter as possible, the President shall: 1) adopt the conclusions of law and recommendations in the panel's report and implement as deemed appropriate; or 2) modify the conclusions of law and recommendations in the Hearing Panel's report and implement as deemed appropriate; or 3) reject the report in its entirety. In taking action the President may not rely on ex parte communications and may not reject or modify findings of fact if they are supported by competent substantial evidence in the record. The President will meet with the Hearing Panel to discuss the decision. The decision by the President will be provided in writing to the parties. If the report is modified or rejected, the president shall furnish the parties specific reasons therefor.

- 4) No faculty member shall have tenure removed, be dismissed, or suspended without pay and benefits until the University administrative process has been exhausted

Thank you for your attention to this request, I would be happy to provide any additional information you may require.