Memorandum

From: Academic Senate Leadership: President Allyson Mower, Past-President Robert Fujinami, President-elect Stephen Alder (and Bob Flores, Senate Policy Liaison as Reporter/Draftsperson)
To: Academic Senate members, and Senior Vice Presidents for Academic Affairs and Health Sciences.
Re: Proposed Revisions of Policies 6-002, 6-305, and new Policies 6-010, 6-011 to integrate Career-line faculty representatives into standing committees of the Academic Senate, and for other updating, reorganizing, and clarifying of Senate and Senate committee structures and procedures.

1. Introduction.
This proposal is for the second set in a series of sets of changes of University Regulations comprising an overall project which was begun in spring 2013 and will continue through spring 2014, with two primary purposes of (i) changing the nomenclature for categories of faculty (including a renamed category of “Career-line”), and (ii) integrating the Career-line faculty into the University’s system of shared governance structures, including the Academic Senate as the central such shared-governance structure. The overall project also several secondary purposes of accomplishing long-needed updating, reorganizing, and clarifying of various University Regulations regarding the Senate and other shared-governance structures, or which make use of the old nomenclature of categories of faculty.

The first set of changes in the series (approved spring 2013, effective July 2013) established new faculty categories and nomenclature through partial revision of Policy 6-300. As a reminder about the new nomenclature, the category of faculty who are “tenure-track” or “tenured” is now named “tenure-line” rather than the former “regular.” The term “auxiliary” formerly used for all other faculty categories is being eliminated, and the existing subcategories of Clinical, Lecturer and Research are continued but now being grouped under a new overall category of “Career-line,” a name intended to reflect underlying principles that faculty in such positions are to be full-time rather than part-time, and typically anticipated to have longer rather than shorter-term roles with the University (many devoting the majority of their professional lives to their faculty work at our institution). Two other existing categories of Adjunct and Visiting are continued, and are described as the appropriate categories of appointment for persons whose faculty responsibilities for the University are of a part-time/and or shorter-term nature. See the full descriptions of categories in the partially revised Policy 6-300 at http://regulations.utah.edu/academics/6-300.php

And as a further reminder, the spring 2013 set included partially revising Policy 6-002 to begin integrating Career-line faculty representatives into the Academic Senate system, starting with the main body of the Senate (newly elected members joining at the January 6 meeting), leaving further revisions to be dealt with through a second phase of the project. See the partially revised Policy 6-002 at http://regulations.utah.edu/academics/6-002.php.

This second set in the series focuses on the shared-governance integration, and specifically on integration of Career-line faculty into the standing committees of the Senate. This will be accomplished by changes for a set of three University Policies which directly govern the Senate and its standing committees.

There are important circumstances dictating a particular schedule for approving and implementing these second-set changes: to complete the final approvals within the single monthly cycle of January 2014, and have the changes take effect May 2014, and meanwhile have work underway to prepare and present for approval later in spring 2014 other sets of changes to Regulations as part of the overall project. This second set in the series has been separated from other pieces of the project to allow it to be processed on a faster schedule, as well as allowing the large number of overall project parts to be divided into stages with proposals of manageable size to allow thoughtful attention to each. This current set of changes restructuring the Senate committees will require making adjustments to the processes for annual elections of committee members. Those adjustments and the initial steps in the election processes, which include the Personnel and Elections Committee and Senate Office communicating with the entire eligible faculty of the University and with department and college administrators to seek nominations for the changed committees, will need to be underway during February and March. That will allow having the final steps of the elections within the Senate to be conducted on their normal schedule at the end of the spring semester, to coincide with these Policy changes being designated to take effect in May, the normal transition date for terms of committee membership. The Executive Committee concluded that this second set of changes should be scheduled to
reach the Debate Calendar of the Senate at its January 6, 2014 meeting, rather than any earlier in the academic year, because that will be the first meeting in the history of the Senate at which a set of Career-line representatives will be seated and empowered to participate in the discussion and voting. It is important that the Career-line Senate members have those “seats at the table” to represent the constituencies which elected them, and be able to contribute added perspectives for the benefit of the entire Senate membership as these changes are made regarding the Senate committees, and the operations of the Senate itself.

2. Project preparation.

The needs for the changes included in the series of proposals making up the overall project were discussed with the Executive Committee and the Senate in multiple meetings throughout 2012-2013, through cooperative efforts of Senate leadership, offices of the Senior Vice Presidents, and a broadly representative Ad Hoc Committee on Auxiliary Faculty which was charged with developing and presenting for approval the first set of changes, accomplished in spring 2013. That first proposal, approved by the Senate and Trustees in April and May 2013, included explanation that the changes included then should be viewed as a first “phase” and there would be a “second phase” of further revisions to occur during 2013-2014. (See http://regulations.utah.edu/academics/appendices_6/Legis_History_Policies_6-002Rev29_6-300Rev16_Vol_1.docx).

The specific issue of integrating Career-line faculty into the Senate system of shared governance was of particular concern for the Executive Committee, and accordingly it has been the Senate Leadership and Executive Committee (rather than the Ad Hoc Committee) taking primary responsibility for researching, formulating, and presenting for approval this second set of changes which focus on the Senate and its committees. Senate Leadership and the Executive Committee developed this current proposal through a series of meetings and consultations with standing committee representatives throughout fall 2013, with Bob Flores, Professor of Law and the Senate’s Policy Liaison, providing technical assistance of background research and acting as primary draftsperson.


These changes for January approval include completing the comprehensive revision of Policy 6-002 (lengthy detailed primary Policy on the Senate and its committees), revising Policy 6-305 (moving its contents about the Faculty Review Standards Committee into 6-002), and enacting two new Policies to house contents being moved out of 6-002, with lengthy descriptions of detailed procedures for dispute investigations and hearings, which are moved but not significantly changed (6-010 Academic Freedom and Faculty Rights, 6-011 Consolidated Hearing Committee).

The primary effects are integrating Career-line faculty members into the Senate’s existing system of 10 standing committees. Secondly, the changes are updating, reorganizing, and otherwise clarifying policy descriptions of the Senate and its committees. For example, one updating-clarifying type of changes is revising the names of all of the standing committees to include “Senate” within the names, to solve a long-observed problem of confusion and misunderstanding among University personnel about the stature of the Senate committees as distinct from other types of University committees.

Highlights of the changes:

A. Changes for the Senate’s 10 standing committees. The most significant changes, to integrate Career-line faculty members into the standing committees which are elected by the Senate, have in substance been researched and discussed in various settings ongoing since spring 2013, including discussion with representatives of the existing committees, thorough discussions by the Executive Committee, and previews shown to the full Senate, all leading to the final versions of committee membership descriptions now proposed. In addition to membership restructuring (and committee renaming), there is some needed updating, reorganizing and other clarifying of descriptions of the committee functions and procedures. And for just one of the 10—the formerly named RPT Standards Committee, there are fundamental changes expanding its functions meshed with expansion of its membership.

- Descriptions of membership and leadership of all Senate standing committees in Policy 6-002 revised to integrate career-line faculty in a specific formula identified through research and consultation as being appropriate for each committee based on its particular functions. In summary, the new structures will be:
Executive Committee: Career-line newly made eligible, no reserved spots for either category (so ratio is decided annually through the nominations and elections process), and overall faculty membership is increased from 10 to 12 to accommodate anticipated election of a small number of Career-line. Chair (Senate President) must be tenure-line.

Personnel & Elections: Career-line newly made eligible, with explicit requirement that number of Career-line shall not exceed number of Tenure-line.

Academic Freedom and Faculty Rights: Make clear that Career-line continue to be eligible.

Consolidated Hearing: Make clear that Career-line continue to be eligible.

Advisory Committee on Academic Policy: Make clear that Career-line continue to be eligible, increase membership from 8 to 9, and increase term length from 2 to 3 years.

Advisory Committee on Salaries & Benefits: Career-line made newly eligible, with no reserved spots for either category.

Advisory Committee on Budget & Planning: Career-line made newly eligible, with no reserved spots for either category.

Advisory Committee on Library Policy: Make clear that Career-line continue to be eligible, without reserving set number of spots for either category (and this will largely be determined at the time of elections by the colleges from which representatives are drawn).

Advisory Committee on Diversity: Career-line made newly eligible, faculty membership increased from 10 to 12, with six spots reserved for each category.

Faculty Review Standards Committee: (see description below—6 Career-line spots added along with major expansion of functions).

Renaming of all committees, to consistently include “Senate” as part of the name given in 6-002. It has been observed over many years that committee members (and sometimes even chairs), members of the Senate, and various University personnel who interact with the committees have often failed to understand that the committees are ‘creatures of the Senate’—which are to report to the Senate and whose membership and functions are determined by the Senate. This has resulted in confusion and delay on various matters—for example confusion about how a committee should proceed to seek authorization for changes to its functions or membership. Adding “Senate” within the name of each committee should help avoid future misunderstanding and confusion. Other mostly minor clarifying revisions are made in the names of some committees, e.g., those which are primarily advisory in nature include “Advisory” in the name (such as Senate Advisory Committee on Budget and Planning).

Approval of 6-002 specifically includes authorizing the Senate Policy Liaison to editorially update all other Regulations in which any Senate committee is mentioned by name, or there are any cross-references to the Policies now being changed. (E.g. in Policy 6-307, change mention by name of Senate Committee on Academic Freedom and Faculty Rights and correct cross-references to contents of 6-002 now moved to 6-010).

Flexibility added for various configurations of committee officers, to be determined annually according to circumstances, either a single chair, a chair and vice-chair, or co-chairs. This has successfully been experimented with, and now will be explicitly permitted.

For the Senate Executive Committee, adding a list of various specific responsibilities that are assigned to the Committee by various other Regulations, which will help leadership keep track of all of the responsibilities arising through the year.

For the two Senate committees which conduct investigations and case hearings for disputes, the existing very lengthy detailed descriptions of procedures are moved out of 6-002 and into two new Policies (6-010 for Senate Committee on Academic Freedom and Faculty Rights, and 6-011 for Senate Consolidated Hearing Committee), but without making any substantial changes. This reorganizing solves a problem that 6-002 is extremely lengthy and will be shortened considerably by this move, and having the procedures detailed in separate stand-alone policies will make it easier to guide committee members and parties to the disputes through the investigation and hearing steps. (And approval of the 6-002, 6-010 and 6-001 changes includes specifically authorizing the Policy Liaison to make conforming
updating corrections in all other Regulations which cross-reference the procedures or mention the committees by name.

- **Major changes for the Senate Faculty Standards Review Committee (formerly University RPT Standards Committee).** In addition to the renaming and a minor change of reorganizing policy contents by moving into Policy 6-002 an existing description of this committee’s functions which currently for obscure historical reasons oddly appears in a separate stand-alone Policy 6-305, the important changes are:
  
  o **Expanding functions** to include not only the existing role of acting on behalf of the Senate to review and approve departmental RPT Statements (especially describing standards and procedures for tenure reviews), but also two new roles, on behalf of the Senate reviewing and approving Statements of Standards and Procedures developed by departments/colleges for **reviews of Career-line faculty** and any non-faculty instructional personnel who teach courses, and Statements for **reviews of Tenured Faculty**. In the discussions for this second set of changes, the two Senior Vice Presidents, the Standards Committee, and the Executive Committee have worked out basic aspects of an arrangement for this committee and the Vice Presidents to jointly share responsibility for reviewing and approving the contents of the Statements which govern reviews of Career-line and Tenured faculty (responsibilities which under Policies 2-005 and 6-310 currently rest only with the VP—without any role for a committee representing the Senate). Revising the 6-002 description of the Committee’s functions is the first step in codifying the new shared-joint approval arrangement (and approval of this proposal for 6-002 specifically includes a charge to proceed with a second step, preparing a proposal to revise Policies 6-303, 6-310, and 2-005 to fully codify that sharing arrangement).
  
  o **Expanding membership** to include six Career-line faculty members for the added responsibilities regarding review processes for Career-line faculty, which brings total membership to 23 faculty. Also authorizing flexible structuring into **sub-committees when appropriate** for workload circumstances.
  
  o **Lengthening terms of members**, so each will serve a **four-year term** and can be eligible for nomination and election to a **second consecutive term**, whereas current Policy restricts each member to a single three-year term (consecutive terms -prohibited). Current members have agreed these changes are needed because this committee’s responsibilities require in-depth knowledge and skills that come only with the experience gained through longer service.

**B. Other updating and clarification of Senate structure and procedures.**

- A summary of general areas/ matters for which the Senate has authority to act on behalf of the faculty and students is added, based on the more specific authorizations that appear in various other Regulations. This is a first round of better organizing the descriptions of Senate authority, and will be followed by a second round of reorganizing and revising several other Policies to eliminate redundancies and contradictions. Most importantly the changes now made in 6-002 will result in there being several directly conflicting points within Policy 6-001, and those will be resolved in the next round of work. Some content which currently appears only in 6-001 is being now copied in 6-002, and then will be deleted from 6-001. The final product of revised 6-002 now and then revised 6-001 and several other Policies (6-003, 6-300, 2-004) in the next round will provide a clear overview of how the Senate fits into the context of the overall shared-governance structure of the University (including the faculties, faculty committees, college councils, and graduate and undergraduate councils).

- Senate officer descriptions are updated and clarified, adding to the leadership list the Senate Policy Liaison position which was established by Policy 1-001 in 2008, and listing the immediate-Past-President in the line of succession to chair meetings if others are not available.

- Electronic communications (email and web-posting) are explicitly authorized as means of disseminating agendas and post-meeting summaries, and elections within the Senate, other than election of the President may be conducted through such electronic means. The existing requirements for such
dissemination of materials and for Senate elections were enacted long before the rise of the internet and email.

- Meeting Calendar section formerly named “Information” is renamed as “Information and Recommendations” to emphasize that members are allowed and encouraged to not only ask questions but also offer specific recommendations about items which the Executive Committee has assigned to this section of the Calendar (although such items are not subject to formal approval by the Senate).

4. Preview of upcoming further sets of Regulations revisions included within the overall project.

A. As a reminder, approval of the first-set proposal in spring 2013 included the plan for a subsequent phase proposal to make mostly minor conforming updates to numerous Regulations to complete the transition from old to new nomenclature for faculty categories. See a preliminary list of those Regulations presented at the September and October 2013 Senate meetings. See http://admin.utah.edu/wp-content/uploads/2013/09/20131007Agenda.pdf.

B. This current proposal includes authorization for the Policy Liaison to make conforming editorial corrections to all other University Regulations in which the now-changed names of the Senate standing committees and updating all cross-referenced citations to the four changed Policies (6-002, 6-305, 6-010, 6-011).

C. Approval of this current proposal includes plans to prepare and present for approval proposals of additional sets of Policy changes:
   - Revising Policies regarding the Senate and related shared-governance structures, reorganizing for consolidation, eliminating redundancies and contradictions with revised 6-002 in descriptions currently scattered among multiple Policies for odd historical reasons (primarily Policies 6-001, 6-003, 6-300).
   - Completing codification of expanded functions of the Senate Faculty Review Standards Committee through changes to Regulations governing faculty reviews (Policies 6-310, 6-303, 2-005).

5. For further information.

These proposed Policy changes were developed by the Senate Executive Committee after consultation with representatives of the current senate standing committees, the office of General Counsel, and the Institutional Policy Committee, and upon approval by the Senior Vice Presidents and Academic Senate will be forwarded to the Board of Trustees for final approval.

Questions about the proposal may be directed to the Senate leadership through the Senate Office, http://admin.utah.edu/academic senate, or to the principal draftsperson, Senate Policy Liaison Bob Flores, robert.flores@law.utah.edu.