

## Memorandum

To: Executive Committee

From: David Shipley, Chair, Statutes & Bylaws Committee

Date: February 20, 2018

Re: Proposal to Amend Bylaws on Council Committee Membership

The attached proposal is to amend provisions in the Bylaws regarding faculty who are eligible to serve as members of several University Council Committees; in particular, the Educational Affairs, Faculty Admissions, Faculty Grievance, and Program Review and Assessment Committees.

**Background:** I received an inquiry last spring from Dr. Leslie Gordon, Institute of Higher Education, about the authority of the Statutes & Bylaws Committee to consider a proposal for changing several Bylaw provisions on committee membership. I responded that such a proposal would fall within the committee's jurisdiction, and I also suggested that she contact me again in August after the Statutes & Bylaws Committee's membership for 2017-18 was in place.

On August 22 the Statutes & Bylaws Committee met at the Law School with Dr. Gordon, Dr. Paul Matthews from the Office of Instruction and Dr. Sarah Covert, Associate Vice President for Faculty Affairs. We discussed the ambiguity in the current Bylaws about when Non-Tenure-Track (NTT) faculty are eligible to serve on several Council committees, and we discussed amendments proposed by Drs. Gordon and Matthews to clarify eligibility requirements. Incidentally, Dr. Gordon has served on Council and Dr. Matthews currently serves on Council.

**The Proposed Amendments:** In a nutshell, the proposed amendments, which are set forth and discussed in detail in the attached memorandum, will make it clear that the University's NTT faculty are eligible to serve on all University Council Committees but for the Post-Tenure Review Appeals Committee and the Promotion & Tenure Appeals Committee. The attached memorandum was prepared by Drs. Gordon and Matthews at the request of the Statute's & Bylaws Committee at the conclusion of the August 22 meeting mentioned above. The memo explains the rationale for the proposed changes and then, section by section, addresses the language in the current version of the Bylaws which needs to be amended, and proposes new language making it clear that NTT faculty are eligible to serve on each of the committees in question.

# Proposal to Amend University Council Bylaws

February 2018

## Overview:

We request changes in University Council Bylaws to expand and clarify the eligibility of non-tenure-track (NTT) faculty for service on certain UC committees.

## Background:

Currently, NTT faculty serve on a number of UC committees, but eligibility is somewhat idiosyncratic; additionally, there have been instances in which NTT faculty members' eligibility to serve has been misunderstood or (incorrectly) challenged. Given the range of roles and responsibilities of full-time NTT faculty at UGA, and the fact that they comprise over 41% of the full-time faculty on our campus, we believe that their perspective and service would be of value on almost all UC committees.

- UGA recognizes nine faculty career tracks, one of which is the “academic rank” (tenure track, plus instructors). Other non-tenure-track faculty roles include academic professionals, clinical faculty, lecturers, public service faculty, instructors, and research scientists, as well as librarians, administrative faculty, and university physicians. These NTT faculty are in all 17 of UGA’s academic schools/colleges, as well as in non-departmental units reporting to the Provost and to several Vice Presidents.
- As of last academic year (UGA Office of Institutional Research data), 41.7% of the full-time faculty at UGA (1,255 of 3,009) were in non-tenure-track roles.
- As specified in the University Council Bylaws (Part V-General Procedures, section 1-Eligibility of Faculty for Election to the University Council and Standing Committees), “Any member of the faculty is eligible for election to the University Council.” As of Fall 2017, 41 current members (20.4%) of UC are in non-tenure-track faculty roles.
- Surveys of UGA’s full-time, NTT faculty found that these faculty reported an average of over 7 years in their faculty role at UGA, and that they are actively involved in faculty work, including teaching, research and publication, supervision of research and internships, grant-writing, etc. Fully 59.8% of the NTT faculty respondents (spring 2017 survey) indicated they “need more” representation on University Council. These colleagues represent a very important part of our campus faculty, and are also interested in helping represent their schools/colleges on University Council and helping shoulder the substantial service load of these sorts of assignments.
- Nationally, the research literature on faculty productivity and policies explicitly recommends that universities ensure that non-tenure-track faculty are fully and intentionally included in faculty governance (e.g., Baldwin & Chronister, 2001; Bataille & Brown, 2006; Gappa, Austin, & Trice, 2007; Kezar, 2012). “As professionals, non-tenure track faculty should be full participants in the governance process, both in departments and at the broader school or university level... Non-tenure track faculty members need to be given the right to an equal vote, to have a proportional number of members on committees and the faculty senate, and should be included in all matters... with the exception of tenure decisions” (Kezar, 2012, pp. 8-9).

Per the current bylaws (<https://apps.reg.uga.edu/UniversityCouncil/bylaws>), NTT faculty are presently eligible to serve on the following University Council committees: the UC Executive Committee; Committee on Facilities; Committee on Intercollegiate Athletics; Committee on Statutes, Bylaws, and Committees; Committee on Student Life; Curriculum Committee; Faculty/Staff Parking Appeals Committee; Human Resources Committee; and Program Review & Assessment Committee; Strategic Planning Committee; and the University Libraries Committee.

Presently, even if a school/college would like them to, NTT faculty are *not eligible* to serve on the following committees, which deal with issues salient to all faculty: Educational Affairs; Faculty Admissions Committee; Faculty Affairs Committee; and Faculty Grievance Committee. NTT faculty are also *not eligible* for the following two committees, for which a reasonable argument exists for continuing to include only tenured faculty: Faculty Post-Tenure Review Committee, and University Promotion and Tenure Appeals Committee.

### **Proposal:**

This proposal is to modify existing language related to eligibility for service on five University Council standing committees (Educational Affairs Committee; Faculty Admissions Committee; Faculty Grievance Committee; and Program Review and Assessment Committee), as follows below (current language is presented first, followed by proposed language, with deletions struck through in red text and additions in red text; a brief explanation for each proposed change is also provided.

*Current:*

## **VII. Educational Affairs Committee**

### **A. Membership**

**Faculty:** Faculty shall serve three-year terms, even if their term of office on the University Council expires prior to their term of service on this committee.

**Students:** One undergraduate student and one graduate/professional student shall be elected as Committee members from and by the student members of the University Council. These students shall serve a one-year term as voting members.

**Administration:** The Senior Vice President for Academic Affairs and Provost, or an appointed representative, shall be a voting member.

**Educational Affairs Committee Chair:** The Chair of the Educational Affairs Committee shall be elected at the last meeting of each year from among the faculty members on the Committee.

**Faculty with academic rank:** Eleven voting members shall be elected from and by the elected faculty members with academic rank on the University Council. The distribution of representation among the schools and colleges shall be reexamined every three years, taking into consideration the proportion of undergraduate enrollment. Currently, the representation shall be as follows:

- Franklin College of Arts and Sciences - 3 members
- Terry College of Business - 1 member
- College of Education - 1 member
- College of Family and Consumer Sciences - 1 member
- Grady College of Journalism and Mass Communication - 1 member
- School of Public and International Affairs - 1 member
- College of Agricultural and Environmental Sciences and Warnell School of Forestry and Natural Resources - 1 member
- College of Environment and Design, College of Public Health, School of Social Work, and Odum School of Ecology - 1 member
- College of Pharmacy, College of Veterinary Medicine, School of Law, and College of Engineering - 1 member

#### B. Duties

1. To consider and recommend to the Council educational policies dealing with registration procedures, class times and periods, the academic calendar, academic advising, and the like.
2. To hear academic student petitions, including grade appeals.
3. To hear from the Division of Academic Enhancement Student Issues Committee.

#### **Proposed:**

### VII. Educational Affairs Committee

#### A. Membership

**Faculty:** Faculty shall serve three-year terms, even if their term of office on the University Council expires prior to their term of service on this committee.

**Students:** One undergraduate student and one graduate/professional student shall be elected as Committee members from and by the student members of the University Council. These students shall serve a one-year term as voting members.

**Administration:** The Senior Vice President for Academic Affairs and Provost, or an appointed representative, shall be a voting member.

**Educational Affairs Committee Chair:** The Chair of the Educational Affairs Committee shall be elected at the last meeting of each year from among the faculty members on the Committee.

**Faculty ~~with academic rank~~:** Eleven voting members shall be elected from and by the elected faculty members ~~with academic rank~~ on the University Council. The distribution of representation among the schools and colleges shall be reexamined every three years, taking into consideration the proportion of undergraduate enrollment. Currently, the representation shall be as follows:

- Franklin College of Arts and Sciences - 3 members
- Terry College of Business - 1 member
- College of Education - 1 member
- College of Family and Consumer Sciences - 1 member
- Grady College of Journalism and Mass Communication - 1 member

- School of Public and International Affairs - 1 member
- College of Agricultural and Environmental Sciences and Warnell School of Forestry and Natural Resources - 1 member
- College of Environment and Design, College of Public Health, School of Social Work, and Odum School of Ecology - 1 member
- College of Pharmacy, College of Veterinary Medicine, School of Law, and College of Engineering - 1 member

B. Duties

1. To consider and recommend to the Council educational policies dealing with registration procedures, class times and periods, the academic calendar, academic advising, and the like.
2. To hear academic student petitions, including grade appeals.
3. To hear from the Division of Academic Enhancement Student Issues Committee.

**Rationale:**

To allow schools and colleges to select their committee representation from faculty in any career track.

*Current:*

## VIII. Faculty Admissions Committee

A. Membership

**Faculty with academic rank:** One voting member of the Faculty Admissions Committee shall be elected from the faculty with academic rank of each School or College which enrolls undergraduate students, except for the Franklin College of Arts and Sciences, which shall have three members. Faculty may be elected from within or outside the University Council and shall serve three-year terms.

**Students:** One student shall be elected as a Committee member from and by the student members of the University Council. This student shall serve a one-year term as a voting member.

**Administration:** The Senior Vice President for Academic Affairs and Provost, the Vice President for Instruction, the Vice President for Student Affairs, the Director of Undergraduate Admissions, the Director of the Honors Program, the Director of Institutional Research, and one representative each from Counseling and Psychological Services, University Testing Services, and the Academic Enhancement program shall serve as non-voting members.

**Faculty Admissions Committee Chair:** The Chair of the Faculty Admissions Committee shall be elected each year from among the elected faculty members on the Committee by those with voting privileges.

B. Duties

1. To establish policies for undergraduate admissions, with the advice and consent of the President.

2. To provide recommendations concerning the admission to the University of any student not meeting minimum admission requirements, and in the case of approval to justify each such admission in writing to the Executive Committee.
3. With the assistance of a committee of Academic Enhancement faculty, to monitor and enforce policies and procedures for the admission of students to Developmental Studies, a component of Academic Enhancement. Authority for admissions to Developmental Studies shall rest with the Faculty Admissions Committee.
4. To monitor policies and procedures by which students exit Developmental Studies and gain admission to standard University programs.
5. To require the President to inform in writing the Faculty Admissions Committee and the Executive Committee the reasons for not accepting a recommendation from the Faculty Admissions Committee.

**Proposed:**

## VIII. Faculty Admissions Committee

### A. Membership

**Faculty ~~with academic rank~~:** One voting member of the Faculty Admissions Committee shall be elected from the faculty ~~with academic rank~~ of each School or College which enrolls undergraduate students, except for the Franklin College of Arts and Sciences, which shall have three members. Faculty may be elected from within or outside the University Council and shall serve three-year terms.

**Students:** One student shall be elected as a Committee member from and by the student members of the University Council. This student shall serve a one-year term as a voting member.

**Administration:** The Senior Vice President for Academic Affairs and Provost, the Vice President for Instruction, the Vice President for Student Affairs, the Director of Undergraduate Admissions, the Director of the Honors Program, the Director of Institutional Research, and one representative each from Counseling and Psychological Services, University Testing Services, and the Academic Enhancement program shall serve as non-voting members.

**Faculty Admissions Committee Chair:** The Chair of the Faculty Admissions Committee shall be elected each year from among the elected faculty members on the Committee by those with voting privileges.

### B. Duties

1. To establish policies for undergraduate admissions, with the advice and consent of the President.
2. To provide recommendations concerning the admission to the University of any student not meeting minimum admission requirements, and in the case of approval to justify each such admission in writing to the Executive Committee.

3. With the assistance of a committee of Academic Enhancement faculty, to monitor and enforce policies and procedures for the admission of students to Developmental Studies, a component of Academic Enhancement. Authority for admissions to Developmental Studies shall rest with the Faculty Admissions Committee.
4. To monitor policies and procedures by which students exit Developmental Studies and gain admission to standard University programs.
5. To require the President to inform in writing the Faculty Admissions Committee and the Executive Committee the reasons for not accepting a recommendation from the Faculty Admissions Committee.

**Rationale:**

To allow schools and colleges to select their committee representation from faculty in any career track.

*Current:*

## **X. Faculty Grievance Committee**

### **A. Membership**

**Faculty with academic rank:** The seven voting members on the Faculty Grievance Committee shall be elected by the elected faculty members of the University Council. No more than two members shall be from any one School or College. Faculty may be elected from within or outside the University Council and shall serve three-year terms.

**Faculty Grievance Committee Chair:** The Chair of the Faculty Grievance Committee shall be elected each year from among the members on the Committee.

### **B. Duties**

1. To receive and evaluate requests for grievance resolution and to decide how to act on those requests.
2. To conduct inquiries into faculty grievances and to attempt the resolution of these grievances in consultation with the parties involved, and to issue reports and recommendations to the President regarding the grievances it has considered.
3. To consider appeals of cases heard by grievance committees in the schools and colleges and to issue reports and recommendations to the President regarding the grievance appeals it has heard. In most instances, individuals must first seek resolution of their grievances through grievance procedures available in the schools or colleges, when those procedures are available, before seeking resolution in the Committee.
4. To establish, maintain, and publish procedures by which the above duties are conducted. The procedures are available at the University Council website.

### **C. Excluded Matters**

The following matters are not grievable to the committee:

1. Matters covered under the UGA Non-Discrimination and Anti-Harassment Policy (NDAH). Individuals with potential claims under the NDAH Policy should contact the EOO or a University Ombudsperson.
2. Matters (like NDAH matters) that are assigned by University or Board of Regents rules, policies or procedures to other entities.
3. Pursuant to the Board of Regents policy, a grievance also will not be available to dispute:
  - a. promotion and tenure decisions
  - b. performance evaluations
  - c. hiring decisions
  - d. classification appeals
  - e. challenges to grades or assessments
  - f. challenges to salary decisions
  - g. challenges to transfers or reassignments
  - h. termination or layoff because of lack of work or elimination of position
  - i. investigations or decisions reached under the Institution's Harassment Policy
  - j. normal supervisory counseling

**Proposed:**

## **X. Faculty Grievance Committee**

### **A. Membership**

**Faculty with academic rank:** The seven voting members on the Faculty Grievance Committee shall be elected by the elected faculty members of the University Council. No more than two members shall be from any one School or College. Faculty may be elected from within or outside the University Council and shall serve three-year terms.

**Faculty Grievance Committee Chair:** The Chair of the Faculty Grievance Committee shall be elected each year from among the members on the Committee.

### **B. Duties**

1. To receive and evaluate requests for grievance resolution and to decide how to act on those requests.
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  - d. classification appeals
  - e. challenges to grades or assessments
  - f. challenges to salary decisions
  - g. challenges to transfers or reassignments
  - h. termination or layoff because of lack of work or elimination of position
  - i. investigations or decisions reached under the Institution's Harassment Policy
  - j. normal supervisory counseling

**Rationale:**

To allow schools and colleges to select their committee representation from faculty in any career track.

*Current:*

#### **XIV. Program Review and Assessment Committee**

A. Membership

The Program Review and Assessment Committee will consist of 30 UGA senior faculty confirmed by the University Council Executive Committee to serve two-year terms running from August 1 through July 31. The composition of the committee should be proportional to the number of degree programs, review units, and senior faculty in each school or college. The following distribution of faculty on the Program Review and Assessment Committee takes these values into account:

#Faculty on PRAC	School, College, Administrative Division
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4	College of Agricultural and Environmental Sciences
10	The Franklin College of Arts and Sciences
3	College of Education
2	Terry College of Business
2	College of Veterinary Medicine
1	College of Family and Consumer Sciences
2*	College of Public Health
	School of Public and International Affairs
	Grady College of Journalism and Mass Communication
1**	School of Social Work
	College of Engineering
1**	College of Pharmacy
	School of Law
1**	Warnell School of Forestry and Natural Resources
	College of Environment and Design
2	Public Service Faculty
1	Odum School of Ecology
	Affiliate of a Center or Institute ( may be from any College or School or fully funded through a Center or Institute)

B.

\*To be selected in such a way that each member from the group is from a different School or College and that no School or College will be unrepresented on the committee for more than one two-year term.

\*\*To be selected in rotation so that neither School nor College will be unrepresented on the committee for more than one two-year term

All members of the Program Review and Assessment Committee should be senior faculty (i.e. at the rank of Associate Professor, Professor, Public Service Associate, Senior Public Service Associate, Associate Research Scientist, Senior Research Scientist, Clinical Associate Professor, Clinical Professor, or Senior Academic Professional). At least 15 members should be on the Graduate Faculty. The members should be appointed in such a way that 15 rotate off each year. Members are not required also to be members of the University Council. No members should be appointed for more than two consecutive terms without first rotating off the committee for a two-year term.

Program Review and Assessment Committee Chair: A chair from the returning members and chair-elect from the new members will be elected at the beginning of each academic year with the expectation that the chair-elect will accept a nomination for Chair in the second year of appointment.

C. Duties

1. To oversee all matter directly related to the substantive elements of academic program reviews, including establishment of review criteria and guidelines, oversight of review teams, and considering, approving, and forwarding the review team reports and recommendations.
2. To participate in program reviews as members of program review teams.
3. To oversee policies and procedures related to student learning outcomes assessment of undergraduate and graduate academic programs.
4. To evaluate student learning outcomes assessment plans and reports and provide feedback to programs on assessment practice.

**Proposed:**

**XIV. Program Review and Assessment Committee**

A. Membership

The Program Review and Assessment Committee will consist of 30 UGA senior faculty confirmed by the University Council Executive Committee to serve two-year terms running from August 1 through July 31. The composition of the committee should be proportional to the number of degree programs, review units, and senior faculty in each school or college. The following distribution of faculty on the Program Review and Assessment Committee takes these values into account:

#Faculty on PRAC	School, College, Administrative Division
4	College of Agricultural and Environmental Sciences
10	The Franklin College of Arts and Sciences
3	College of Education
2	Terry College of Business
2	College of Veterinary Medicine
1	College of Family and Consumer Sciences
2*	College of Public Health
	School of Public and International Affairs
	Grady College of Journalism and Mass Communication
1**	School of Social Work
	College of Engineering
1**	College of Pharmacy
	School of Law
1**	Warnell School of Forestry and Natural Resources
	College of Environment and Design

2	Public Service Faculty
1	Odum School of Ecology
	Affiliate of a Center or Institute ( may be from any College or School or fully funded through a Center or Institute)

B.

\*To be selected in such a way that each member from the group is from a different School or College and that no School or College will be unrepresented on the committee for more than one two-year term.

\*\*To be selected in rotation so that neither School nor College will be unrepresented on the committee for more than one two-year term

All members of the Program Review and Assessment Committee should be senior faculty (~~i.e.~~ *e.g.*, at the rank of Associate Professor, Professor, Public Service Associate, Senior Public Service Associate, Associate Research Scientist, Senior Research Scientist, Clinical Associate Professor, Clinical Professor, **Academic Professional**, ~~or~~ Senior Academic Professional, **Senior Lecturer**, etc.). At least 15 members should be on the Graduate Faculty. The members should be appointed in such a way that 15 rotate off each year. Members are not required also to be members of the University Council. No members should be appointed for more than two consecutive terms without first rotating off the committee for a two-year term.

Program Review and Assessment Committee Chair: A chair from the returning members and chair-elect from the new members will be elected at the beginning of each academic year with the expectation that the chair-elect will accept a nomination for Chair in the second year of appointment.

C. Duties

1. To oversee all matter directly related to the substantive elements of academic program reviews, including establishment of review criteria and guidelines, oversight of review teams, and considering, approving, and forwarding the review team reports and recommendations.
2. To participate in program reviews as members of program review teams.
3. To oversee policies and procedures related to student learning outcomes assessment of undergraduate and graduate academic programs.
4. To evaluate student learning outcomes assessment plans and reports and provide feedback to programs on assessment practice.

**Rationale:**

To correct the listing of “senior” faculty to be consistent with Office of Faculty Affairs guidelines and the Academic Affairs Policy Manual.

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