

**FACULTY GRIEVANCE COMMITTEE
ANNUAL REPORT
2006-2007**

For 2006-2007, the Faculty Grievance Committee (FGC) comprised eight individuals: Jerry Hackett (Philosophy), Edsel Pena (Statistics), Ruth Riley (Medicine), Arlene Andrews (Social Work), McKinley Blackburn (Economics), Judith Rink (Physical Education), Steven Lynn (English), and Larry Wyatt (Music). Frank Avignone (Physics) was elected by the Faculty Senate to serve on the committee, but it was determined that he was ineligible given that he was not a full-time faculty member. No replacement was elected for this academic year. McKinley Blackburn served as chair of the committee.

The FGC is to include one ex-officio member of the Provost's Salary Equity Committee. The only eligible member of that committee also eligible to serve on the FGC was Edsel Pena, so he served the committee in both capacities. No salary issues came before the FGC this year.

Five petitions were received by the FGC concerning denial of promotion and/or tenure of tenure-track faculty members. One of those petitions was withdrawn before a hearing, while the other four faculty members presented their cases at hearings before the committee. A brief summary of these four cases follows:

(1) One of the four cases concerned an associate professor who was denied promotion to professor. The decision appealed by the candidate was the outcome of a remanded consideration of his file as directed by the President. After the original consideration of the file, it was determined by the President that the process was flawed by the failure to allow the candidate to choose unit criteria under which the candidate would be considered. The case was remanded to the unit, and the file was considered anew. The candidate claims that the remanded consideration occurred again without a choice of criteria having been made. As the committee could find no evidence counter to this claim, we recommended to the President that the candidate be allowed to have the file considered again, this time being careful that a clearly stated choice of criteria be made by the candidate. The President agreed to this recommendation.

The candidate also argued that the consideration of the file suffered from an inappropriate consideration of unit criteria and a use of impermissible criteria (given the criteria being used). The committee found that there was no evidence to support these grounds.

(2) A second case involved the promotion and tenure of an assistant professor. The candidate was supported by the unit, but was not supported at later stages in the review process. The claim was that unit criteria were not appropriately applied in the negative decisions on the file, partly because the candidate's research suffered from an excessive teaching/service burden placed on the candidate by the unit. FGC members agreed that this burden was excessive, but did not find that this poor mentoring by the unit

represented the basis for a valid grievance. The President agreed with this recommendation.

(3) A third case also involved the promotion and tenure of an assistant professor. The candidate's file had been supported by the unit and the dean, but was not supported at later stages in the decision process. The candidate's petition was based on an inappropriate consideration of unit criteria and use of impermissible criteria at these later stages. A key part of the candidate's argument was that negative evaluations of the candidate's research output were due to a perceived lack of funded research, although the unit criteria do not state funded research as necessary for promotion and tenure. The FGC determined that a negative overall evaluation of the file at these later stages did not rely on evaluations of the candidate's funded research, and so there was not evidence that impermissible criteria were used. The FGC did not find a valid grievance, and the President concurred.

(4) A fourth case also involved the promotion and tenure of an assistant professor. The candidate had been considered for promotion and tenure in the previous year, but the case had been remanded to the unit for a due process issue associated with the unit criteria. The candidate's file had been considered under criteria adopted after the candidate had been hired, although the faculty manual dictates that the criteria in place at the time of hire be used. The remanded case was considered as a mid-year case, and the candidate was again denied promotion and tenure. Before the candidate's hearing with the FGC, it was determined that this remanded consideration of the candidate's file was based on criteria that had never been approved by the UCTP. The FGC was also set to determine that there was use of impermissible criteria in the evaluation of the file, and to suggest that the candidate be promoted and awarded tenure. This finding was never explicitly communicated to the President, as he decided to suggest promotion and tenure before hearing from the FGC. The candidate was promoted and awarded tenure by the Board of Trustees in the summer of 2007.

There were no nonacademic grievances presented before the committee this academic year.

McKinley Blackburn will continue as Chair of the FGC for the 2007-2008 academic year. Jerry Hackett, Edsel Pena, and Ruth Riley will be rotating off the committee, while Arlene Andrews's sabbatical will prevent her serving her third year. Steven Lynn was appointed associate dean in the College of Arts and Sciences, and so will not serve the final two years of his term. Ruth Riley (who had served only one year) has been elected to finish the two-year term of Steven Lynn, while replacements for Frank Avignone and Arlene Andrews have yet to be determined. New members of the committee for next year are Sadye Logan (Social Work), Alan Decho (Public Health), and Lowndes Stephens (Journalism).