

Minutes
Kansas State University
Faculty Senate
Faculty Affairs Committee

April 18, 2006

Members: Frank Spikes (chair), Ashley Boldt, Betsy Cauble, Gary Clark, Mark Haub, Dick Hoag, Beth Turtle, and Fred Guzek

Guests: Tom Herald, Lyman Baker, Christina Hauck, and Jim Sherow

Meeting called to order at 2:35 pm

University Grievance Process – Guests Baker, Hauck, and Sherow appeared in order to provide input based upon their experience as faculty advocates. The initial discussion revolved around issues of fairness.

Christina. The Provost holds that only issues introduced in the initial letter of appeal can be raised during the hearing. Following the denial of tenure, a denied candidate has only two weeks to pull together their case and submit a letter of appeal. Since the appellant may therefore not be aware of all issues which could be important, it seems unfair to bar issues which arise later from inclusion in the hearing. Perhaps the point after which no new issues can be raised should be sometime between the appeal and the release of the grievance panel's report.

Lyman. There ought to be a way for issues that arise along the way to be added to the process.

General discussion followed regarding the timeline and the process at various points. An appellant does not have access to the same documents as a grievant has. Therefore, the appeal is filed without access to all of the pertinent facts, and if a grievance is filed, the facts subsequently made available are, in the view of the Provost, inadmissible. People need time and access to see all relevant documents prior to filing an appeal, but this raises privacy issues.

Beth. What kind of training did you receive? All three of the visitors indicated that they had learned by experience.

Christina. There may be a number of people, particularly in the humanities, willing to serve as faculty advocates.

General discussion indicated that there are still a number of unresolved issues: There is an imbalance of personal power during the hearings, with the Provost and his staff, the college Dean, the Department Head, and university attorneys on one side, but only the grievant and one faculty advocate on the other. There appears to have been an evolution of the process from one of dispute resolution to one of pre-litigation. There is (per Christina) massive non-compliance in departmental documents. It is unclear how much the members of a grievance panel know about the faculty handbook and the departmental documents of importance in a case - perhaps just-in-time training should be developed to address both of these areas.

Lyman. Just-in-time training could be focused on the department of concern.

Betsy. Only Jane Rowlett has all of the knowledge of the process and she is not in a neutral position.

Christina. I would like to have earlier discovery and a faster grievance process. The panel must be able to consider information that comes out during the hearing.

Minutes of March 28, 2006 were reviewed and approved.

2006/07 FSFA Leadership – Betsy Cauble was elected to the chair by acclamation.

New Business:

- Ancillary Faculty Appointments – Memo from Provost was discussed briefly. This will be a carry-over item for the next year.
- Compliance with the Kansas Open Meetings Act – there is ongoing debate regarding whether this act applies to the proceedings of the University Honor Council and/or grievance panels.

Announcements:

There are two public meetings scheduled regarding the parking garage – April 20th at 3:30 in room 21 of Bluemont Hall, hosted by FSCOUP, and April 27th at 3:00 in the Big 12 Room, hosted by the University Parking Council.

Meeting was adjourned at 3:50 pm

Minutes were submitted by Fred Guzek