

**Faculty Senate Ethics and Advisory Committee
Meeting Notes
April 15, 2015**

Members Present: Gail Houston, Teddy Warner, Luis Campos, and Wayne Thorpe

Members Absent: Martha Faulkner, Ann Murphy, and David Cavazos

Staff Present: Brianne Santos, Administrative Assistant 3.

The meeting was called to order at 3:23 p.m.

Approval of Agenda and Minutes

The agenda was approved by unanimous vote by those present.

The minutes of the March 18, 2015 were unanimously approved as amended by those present.

New Faculty Peer Hearing—Appointment of Panel

A new case has been sent from the University Provost. Chair Gail Houston suggested for the new cases that arise, a new panel member should be teamed up with an Ethics and Advisory Committee (Committee) member who has participated in the panel previously. Gail will send an email to those members that are not at this meeting to provide an opportunity to volunteer for the panel.

The upcoming hearing will most likely be held in Roberts Room. Friday, May 29th and Wednesday, June 3rd are currently being held for this purpose. Prior to the hearing, there needs to be 10 days from when the evidentiary documents are submitted to when the hearing takes place. As this is getting close to the end of the semester it may be difficult to get everyone available on the same day. This process can take some time.

The previous panel members stated that the other Committee members should take into consideration that the hearing process is time consuming. The hearing lasted from 8am to 5:00pm, it could have taken longer depending on if the panel wanted to request more information/witnesses or allowed parties to take more time. The deliberations immediately followed the hearing. The previous panel hoped they would retain the appointed University Counsel, Kim Bell, for the upcoming hearing.

Chair Gail Houston has also received an email with very little information about another possible case/hearing that may be coming. The Academic Freedom and Tenure Committee (AF&T) and the Committee should not be leading potential complainants through the process as the assistance may be interpreting as advocating for the faculty member. There should be an entity or person to assist faculty with this; a webpage may be helpful with a flowchart.

Debrief of meeting with Faculty Senate President Pamela Pyle and Vice Provost Virginia Scharff

This was discussed when the Committee reviewed the minutes from the previous meeting.

Discussion/Action on Charge and Committee Roles

The University is undergoing an accreditation in 2018. Committees have been created to prepare for this endeavor. The Ethics Committee is a requirement of accreditation by the American Association of University Professors (AAUP) and the University appointed committees will review the FS Ethics and Advisory Committee charge. It was suggested by Chair Houston that the Ethics Committee read through the 1987 AAUP Statement of Ethics to determine if any of the information should be included in the charge.

The Office of the University Secretary (OUS) is more substantively involved with cases that come before the AF&T Committee. A question arose if OUS should be more involved with the Faculty Peer Hearings. Currently the role of OUS with the peer hearings is to facilitate scheduling and correspondence between the parties. The OUS role as well as a step by step process for the AF&T hearings is defined within

Section B of the Faculty Handbook. A suggestion was made to reread Section B and to determine if it would be necessary to have OUS take a more active role in hearings, or is having University Counsel providing support enough.

The Committee reviewed some steps within the Section B policy on AF&T regarding complaints which brought up questions. For the previous Faculty Peer Hearing, the panel received case information about a week prior to the hearing. It was suggested that may not be sufficient time to review the documentation. A question arose if the Committee could hold discretion over what cases they review or if they were mandated to take every request for peer hearing.

It is key for the Committee to keep confidentiality as well as have a brief understanding of the facts to determine if the case falls within their purview. It was suggested that no names be presented but the Committee should have the right to request a summary of the nature of the complaint. This would let them assess whether or not the case should go to a hearing. For example, "a faculty member was suspended by his/her chairperson for _____ and the faculty member is appealing the suspension." A question arose, if the complaint doesn't fall into a category as an AF&T case and the Ethics Committee doesn't feel like it is a case they should hear, where should the faculty member go? A suggestion was made that the faculty member review the policies to understand their avenues of complaint or recourse.

It was discussed that all members of the Committee be informed of a simple explanation of the case, and if the Committee decides to accept, the panel members would be chosen. Since this Committee handles such important matters, it was suggested that members should sign confidentiality statements.

It needs to be clarified when a faculty member has a complaint/request for a peer hearing, if they should go directly to the Committee Chair or to the Office of the University Secretary? If a faculty member was to seek out the Chair, it was requested by Chair Houston that a script of potential responses would be provided to facilitate appropriate communication.

The Committee discussed a potential process for a faculty complaint:

- When the faculty member contacts the Chair, he/she would request, in writing, the nature of the complaint in general terms, no more than half a page.
- The Chair would then assign a Committee Member to review the case and present to the Committee to determine if it falls under the purview of the Committee.

The current case came through the University Provost to inform the Committee that a faculty member wished to renew their request for a peer hearing per Faculty Handbook C07, Faculty Disciplinary Policy. Since Provost Abdallah had appointed his choice for the panel member, per the policy, that the faculty peer hearing will move forward. The Committee questioned if the Provost tasking the Committee with the peer hearing was an appropriate channel. A Committee member suggested that with this type of communication, Committee would contact the faculty member to have them submit their complaint/request.

A motion was made that that all members of the Faculty Ethics and Advisory Committee receive a generic summary explaining the case in order for the Committee to decide, as a group, if they will take it. This will be followed by an appointment of panel members from the Committee. The motion was passed by unanimous vote by those present.

A motion was made to accept the current case and proceed to a Faculty Peer Hearing. The motion was passed by unanimous vote by those present.

Adjournment

Meeting adjourned at 4:33 p.m.