

JOURNAL OF THE FACULTY SENATE

The University of Oklahoma (Norman Campus)

Regular session – February 12, 2024 – 3:30 p.m.

Thurman J White Forum Building – Conference Room B

Office: Chemistry Building, Room 207 | Phone: 405-325-6789

Email: FacSen@ou.edu | Website <https://www.ou.edu/facultysenate>*Note: The remarks of the Senators and others are summarized and not verbatim*

The meeting was called to order at 3:31 pm by Chair Heyck. Senators were asked to read the [Land Acknowledgement](#) on the screen.

PRESENT: Abramson (1), Beaulieu (1), Benjamin (1), Bolino (0), Burns (0), Busselle (1), Cuccia (0), Cytacki (0), Davis (0), Deacon (1), Demir (0), Fithian (0), Fuenzalida (1), Gibson (1), Grigo (0), Hill (0), Hougen (0), Jones (1), Kang (1), Kibbey (0), Kraus Steffensen (1), Lamothe, M. (0), Lamothe, S. (0), Larson (1), Leseney (1), Lifset (0), Livingood (0), Litov, (0) Lu (0), Lungmus (0), Malestein (0), McLeod (0), Muraleetharan (0), Neeson (0), Nicholson (1), Nollert (1), Rai (1), Scrivener (0), Sharma (0), Silva (0), Tracy (0), Warnken (0), Weaver (0), Young (0), Zumpe (0)
 FS Chair: Hunter Heyck
 FS Chair-elect: Lori Jervis
 FS Secretary: Sarah Robbins
 FS Executive Committee Members (Non-senators): Darren Purcell
 FS Administrative Manager: Ann Seely
 FS Student Worker: Taylor Fleming

Guests: Caroline Smolkin, Christine Taylor, Sarah Ellis

ABSENT: Cavazos (1), Furtado (1), Pepper (2), Saho (2)

Note: During the period from June 2023 to May 2024, the Senate holds eight regular sessions. The figures in parentheses above indicate the number of absences.

TABLE OF CONTENTS

Announcements.....	2
Senate Chairs Report.....	2
Item for Vote: Proposed Revisions to the Faculty Appeals Board, Abrogation of Tenure, Termination of Employment, and Severe Sanctions Policies for the University of Oklahoma, Norman Campus.....	2
Background Check Policy.....	3
Remarks by Christine Taylor, Institutional Equity Officer & Title IX Coordinator.....	3
Post Tenure Review Policy with remarks from Sarah Ellis, Vice Provost for Faculty	3

APPROVAL OF THE JOURNAL

The Faculty Senate Journal for the regular meeting of December 11, 2023 was approved without revisions.

ANNOUNCEMENTS

The Faculty Senate is sad to report the death of Professor Robert (Bob) Broyles, School of Business.

The Faculty Senate will be sponsoring a Shared Governance Reception on Monday, February 26th from 4 pm - 6 pm in Bizzell Memorial Library, LL2, Scholars Lounge. This is rescheduled from January when campus closed for inclement weather.

SENATE CHAIR'S REPORT, by Chair Heyck

The report was distributed via email. Chair Heyck opened the floor to questions. Sen. Lu asked about the report about the post tenure review process. Chair Heyck indicated the numbers provided were based on a conversation with the Provost. For context, the OU Regents want to know we have a substantive post-tenure review process.

PROPOSED REVISIONS TO THE FACULTY APPEALS BOARD, ABROGATION OF TENURE, TERMINATION OF EMPLOYMENT, AND SEVERE SANCTIONS POLICIES FOR THE UNIVERSITY OF OKLAHOMA, NORMAN CAMPUS

The proposed policies were distributed via email. Chair Heyck opened the floor for points of clarification.

Faculty Appeals Board Policy: Sen. Fithian moved to move the policy forward; Sen. Muraleetharan seconded. Sen. Muraleetharan reminded the senators that we were asked to vote about this beginning in October and there has already been considerable discussion on the policy. He indicated it was a good example of shared governance. The motion carried. (Vote: Approve: 37 | Do not approve: 0 | Abstain: 3)

Minor & Severe Sanctions Policy: Sen. Muraleetharan moved to move the policy forward; Sen. Rai seconded. Sen. Busselle asked for language to be added in section 2.5 regarding changes in work site. Current language, "This provision is not intended to alter agreements made prior to January 12, 2024 that are satisfactory to all parties or to prohibit short-term travel for field work, sabbatical leave, and the like. Sen. Bussell proposed adding "professional development, recruitment, and the like." Smolkin indicated that the language regarding short-term travel should cover the concerns addressed by the recommended additional language.

Sen. Brusselle also asked to strike the language regarding unable to perform essential functions. Smolkin indicated the language was pulled from Federal law and applies regardless of the policy. It is meant to protect faculty and obligate the university to provide reasonable accommodations to provide the job functions. Chair Heyck indicated the inclusion of the language was to help delineate the severity of the issue required to meet the terms of the policy.

Sen. Bolino asked about the wording in 2.5 regarding remote work agreements being approved by deans and the relevant vice president. She questioned who had final authority on approving remote work agreements. Sen. Bolino asked for clarity. Smolkin indicated that the language about the provost approval was added as the request of faculty to protect faculty from a dean that may be against remote work. Mutual agreement between the employee and supervisor is the key issue. Sen. Bolino is concerned that the way it is written is open to a lot of interpretation.

Sen. Malestein indicated concern about the language about criminal convictions; asked to have "serious violations of law" included as the current policy states. The language has been discussed with the Provost and/or general counsel. Smolkin indicated that the university does not want to relitigate guilty pleas; faculty

would still have the opportunity to appeal a decision through the faculty appeals process. Faculty can appeal that the plea does not impact their ability to do their job. Could consider “dishonesty, such as fraud.” Sen. Malestein expressed concern about the unpaid leave while the appeals process is underway. Chair Heyck indicated that when there is a move to abrogation of tenure the University has sufficient evidence to move forward to the hearing. Smolkin indicated that this is the compromised version; the unpaid leave is a point of frustration for the regents and others in administration.

Sen. Burns asked if the background check policy would be used in the abrogation of tenure decisions. He strenuously advised against credit checks being used. Sen. Lu asked if leave of absence implied paid leave. Smolkin indicated it could be paid or unpaid. Sen. Hougen asked about a faculty member who might write a bad check which could be dishonest and potentially create a negative situation for a faculty member. Smolkin indicated that she was unsure how the University would not know that and that faculty would still have an appeals process.

The motion carried. (Vote: Approve: 30 | Do not approve: 3 | Abstain: 5)

BACKGROUND CHECK POLICY

The policy was distributed via email. OU HR agreed to centralize as much of the costs as possible; this will be expressed in a memo rather than in the policy itself. Chair Heyck opened the floor to discussion. Sen. Muraleetharan asked how this would be used for current employees. Sen. Burns suggested we strike the language about financial background checks.

REMARKS BY CHRISTINE TAYLOR, INSTITUTIONAL EQUITY OFFICER & TITLE IX COORDINATOR

Taylor provided an overview of the Title IX and the institutional equity office. Many of the complaints they receive are unrelated to their areas of oversight, so they make referrals to other offices on campus. They receive reports of discrimination; for each report they receive, they invite the parties to engage in a conversation. It is up to individuals to decide if they would like to meet with the office and pursue any action. There are due processes that must be followed.

Chair Heyck opened the floor to questions. Sen. M. Lamothe indicated some of her students have been involved with Title IX. She asked about what the due process is and how it relates to investigations done by law enforcement. When an impacted party files with a formal complaint, this initiates due process and an investigation. The office does not report to the police. This is an administrative process and is a preponderance of evidence, not beyond a reasonable doubt. The appeals process is narrow; evidence not available at the time of the hearing, bias by someone involved in the process, and a violation of the process that impacted the outcome.

POST TENURE REVIEW POLICY WITH REMARKS FROM SARAH ELLIS, VICE PROVOST FOR FACULTY

The policy was distributed via email. VP Ellis discussed PACPEM and its role to review post-tenure review, endowments, and merit pay. The proposed revisions are designed to increase the efficiency and effectiveness of the PTR process. The proposed revisions create a streamlined review process for the majority of faculty, those consistently meeting expectations. If a faculty member twice fails to meet expectations, it prompts a review that will address issues in a more timely fashion. It also proposed a more meaningful threshold for requiring professional development plans. Comprehensive reviews are for faculty not meeting expectations during the 5-year period. The Professional Development Plan will be instigated if a faculty member is consistently found to not be meeting expectations, is underachieving across multiple areas of their distribution of effort, or the PTR committee determines that a professional development plan is the appropriate means to address the issues that prompted the comprehensive review.

Chair Heyck opened the floor to questions. Sen. Muraleetharan thanked PACPEM for their work; he asked about including the percentage of effort for what triggers a professional development plan. He also asked about the streamlined process from the perspective of Committee A. Committees A will still need to review the documentation and write letters; it would be nice if it could be streamlined for the PTR Committee as well. VP Ellis indicated this was discussed among the committee, and the committee felt it was important for faculty members to receive meaningful feedback from their peers to support their growth and direction. Sen. Burns questioned how soon this might go into effect; VP Ellis indicated this would not be implemented for this year. It needs to be approved and integrated into the faculty handbook. VP Ellis thinks this is a procedural change and could be implemented as soon as next year. Sen. Kraus Steffensen asked why the associate level is so stalled out. VP Ellis indicated it is something she has been investigating and does not currently have an answer for. Several senators asked questions and offered comments about the stalling of faculty at the associate professor level. Sen. Muraleetharan indicated that we have new evaluation guidelines from the provost; VP Ellis indicated that they deliberately removed the numbers from this document so that it will go with the wording rather than the assigned scores. The unit's criteria determines if a faculty member is meeting expectations. Sen. Kibbey asked if this policy was linked to annual evaluations; VP Ellis confirmed that it is. Sen. Bolino asked about the streamlined review for tenured faculty and how that would assist with the promotion to full professor.

Please send any changes to facsen@ou.edu, so we can address concerns with the Provost.

NEW BUSINESS

Chair Heyck opened the floor for new business. There was none.

ADJOURNMENT

The meeting adjourned at 4:54 pm. The next regularly scheduled Faculty Senate Meeting will be held on March 11, 2024 at 3:30 pm.



Sarah Robbins
2023-24 Faculty Senate Secretary