

Bob Morrison

## Report to the Faculty Senate 10-1-02

### **1. Community of Scholars**

The Provost and I have appointed a Commission on Scholarship that will address the issues associated with the Scholarship of Teaching and the Scholarship of Engagement. They are scheduled to have their first meeting on Friday October 11. The members are Linda Allred, Psychology, Patricia Anderson, School of Education, Michael Dorsey, School of Art, Steve Estes, School of Health and Human Performance, Phyllis Horns, School of Nursing, John Moskop, School of Medicine, Rick Niswander, School of Business, Heather Ries, Department of Mathematics and interim assistant Dean of the College of Arts and Sciences, Catherine Rigsby, Geology, Marilyn Sheerer, School of Education, William Swart, Provost, Bob Morrison Chair of the Faculty.

### **2. Non-tenure-track Faculty**

The second issue that is continuing to be addressed is the issue of non-tenure-track faculty. Gary Lowe is the campus coordinator for the implementation of the UNC Non-Tenure-Track Faculty Committee recommendations. He serves as ex officio member of the Faculty Welfare Committee and will keep them informed of progress being made. And I



see that issue is on the agenda of the next FWC meeting.

### **3. IRCC restructuring.**

The Information Resources Coordinating Council (IRCC) is undergoing reorganization. There are a number of slots for faculty members on some of the IRCC committees, and the FITC will be more involved in the review process for information technology initiatives and policies that are related to academics. The Committee on Committees is in the process of revising the charge of the FITC. This new charge will be based on recommendations made by an ad hoc IRCC subcommittee that included members from the C on C and the FITC as well as the Chair of the Faculty. You can expect that charge revision in the near future.

### **4. The fourth issue concerns Faculty Grievance processes.**

We have some problems with our dispute resolution process, and this year we'll be addressing ways that we might fix it. We have developed an increasingly adversarial relationship in our dispute resolution process.

This adversarial relationship goes counter to the BOG intent that's expressed in the UNC Policy manual that states

*Thus, when framing our system of governance, the Board of Governors invested heavily in the idea*



*that persons of intelligence and good-will ought to be able to work out many of their differences through relatively informal University-sponsored procedures.*

We have a multistep process to handle faculty grievances. The first step is for grievants and respondents to try to work through their differences. If agreement can't be reached, then a mediator can be assigned to help work out an agreement. When mediation doesn't work the Faculty Grievance committee will conduct a hearing to hear both sides of the issues. The Faculty Grievance Committee will then make a recommendation to the appropriate administrator. If the grievance is not satisfactorily resolved, the grievant may appeal to the Chancellor and then to the Office of the President.

We have dedicated faculty members serving on grievance committees who carefully evaluate the grievance-related facts in a professional manner. This is hard, intense work. Three of our Faculty Senators serve on the Faculty Grievance Committee.

Quoting again from the UNC manual

*While the conclusions and recommendations of the faculty committee are entitled to great deference, the chancellor is responsible for determining whether the available evidence in fact supports the disposition of the case that has been advised by the faculty committee.*



In a recent response to a Faculty Grievance Committee report to an administrator, the administrator used either the word denies or the word declines a total of 15 times. No deference was given to the committee's recommendation.

Although I have great respect for our attorneys to address legal matters for the institution, I believe their presence in the faculty dispute resolution process creates an adversarial atmosphere. Their responsibilities to the institution are not compatible with the dispute resolution process. Dispute Resolution – this should be a process where we're trying to reach agreement, not one where we're trying to build our cases against each other.

Mediation has not been working in this adversarial atmosphere, and does not work when attorneys become involved in the process.

I've spoken to the Chair of the Faculty Assembly Governance Committee about the continuing need to address grievance issues at UNC institutions. This is especially important for ECU where our grievance processes are failing.

We have faculty members investing their time and efforts in mediating grievances, participating in formal grievance hearings, drafting lengthy reports to administrators detailing problems, and then no deference is given to committee findings. When faculty committee recommendations become irrelevant, the process breaks down and mediation ceases to work.



The Faculty Grievance Committee and I have been discussing the need to revise our procedures. I'll ask them, in a more formal memo, to include language that specifically excludes attorneys from the process.

In discussions I've had with University Attorney Ben Irons, he says that many of the attorneys at UNC campuses would agree that attorneys should not be involved in the dispute resolution process.

A UNC task force report on Faculty Dispute Resolution is available through our Faculty Senate website. They are currently asking for comments on that report. I have sent a couple of comments, and invite you to make suggestions. Please review the report. If you have comments you'd like to send to me I'll forward them to Leslie Winner, UNC counsel, or you could send your comments directly to her. She says she needs these comments soon.