

## Council requests time on changes

### Proposal affects faculty dismissal

By: Katie Loeffler, Staff Writer

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At its Friday meeting, UNC-Chapel Hill's Faculty Council discussed proposed revisions that might change the termination process of tenured faculty.

However, the council found fault with the language of some of the revisions, which are proposed by a General Administration committee, and also wanted more time to consider the changes, pending review by more faculty members.

The faculty-debated amendments to the UNC-system Board of Governors University Code would include the addition of "unsatisfactory performance" as a means of dismissal. The current grounds for dismissal include incompetence, neglect of duty and misconduct.

Faculty members voiced concerns about the implications of vague definitions of these terms and said the General Administration committee never clearly expressed why a change is needed.

Because of these concerns, the Faculty Council passed a resolution, proposed by its executive committee, requesting that the UNC-system General Administration withhold the proposed revisions to the code from the board until after Jan. 1.

"The faculty at large has not had the opportunity to see it," said Ellen Peirce, professor at the Kenan-Flagler Business School and an executive committee member. "They didn't know it existed."

Peirce also said deans and department chairmen should be able to review the revisions and give input that will help the Faculty Council in its role of making recommendations about policy to the General Administration.

The General Administration, which oversees all of the 17 schools in the UNC system, created an initial 12-member committee to revise the code.

Several UNC-CH faculty members expressed concern about the lack of faculty representation on the initial committee.

The committee had three faculty members serving on it, and only two of those three actively participated.

The rest of the committee was made up of provosts and legal staff.

The General Administration committee issued a final report on the revisions June 22.

Joe Templeton, chairman of the faculty, who leads the council, said he supported the Faculty Council's decision to wait to give an official recommendation.

"I think additional faculty input on the proposal to revise the code of the Board of Governors would be a good idea," he said.

The Faculty Assembly, a separate advisory body made up of members from all of the UNC-system schools, will also vote on the revisions at its next meeting Sept. 28.

Judith Wegner, secretary of the Faculty Assembly and a professor in UNC-CH's School of Law, said the Faculty Assembly's executive committee will vote on a similar resolution to postpone action on the revisions.

Wegner, who also sits on UNC-CH's Faculty Council, said the Faculty Assembly resolution will provide a "detailed critique of the proposal and alternative language and a proposed resolution that will ask for more time to review and implement the language that the faculty is suggesting."

Ultimately, the Board of Governors has the final say on the revisions to the code.

The Faculty Council also passed a resolution to support a proposed smoking ban for 100 feet of all campus buildings and heard a report on the UNC Health Care system.

RESOLUTION:

***Resolution 2007-10. On Proposed Revisions to the Code of the Board of Governors Pertaining to Faculty Employment***

*Presented by the Faculty Executive Committee*

Section 1. The Faculty Council of the University of North Carolina at Chapel Hill acknowledges publication of the Final Report of the Code 603/604 Review Committee, dated June 22, 2007, and respectfully requests that implementation of its recommendations not take place before January 1, 2008, to the end that the Council and other appropriate committees of the faculty of the University of North Carolina at Chapel Hill might have adequate time to evaluate the implications of those recommendations for academic tenure and its administration at the school and departmental level in this institution, and to convey to the Executive Vice Chancellor and Provost and through her to the President and Board of Governors such commentary and recommendations as may be deemed appropriate.

Sec. 2. The Secretary of the Faculty is requested to transmit a copy of this resolution to the President of The University of North Carolina.

1 **DRAFT FACULTY ASSEMBLY RESOLUTION: On Proposed Changes in University Code**

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3 WHEREAS, the Faculty Assembly has reviewed proposed changes in the University Code proposed by  
4 the "Code 603/604 Committee" as of July 17, 2007; and

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6 WHEREAS, Faculty Assembly delegates have sought additional review from Faculty Senates and  
7 colleagues on their campuses; and

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9 WHEREAS, the Faculty Assembly believes that there are significant problems with key aspects of the  
10 proposed revisions particularly including those relating to relating to institutional guarantees of tenure and  
11 grounds for discharge and rights of "special faculty"; and

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13 WHEREAS, the Faculty Assembly also believes that there are areas in which language needs to be  
14 clarified in order to avoid possible future confusion; and

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16 WHEREAS, the Faculty Assembly believes that the Code Review committee's work exceeded its charge  
17 insofar as it included recommendations regarding post-tenure review processes that are inconsistent with  
18 policies reviewed and supported by the Assembly in late spring 2007, as reported to the Board of  
19 Governors Committee on Personnel and Tenure in June 2007; and

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21 WHEREAS, the Faculty Assembly understands that the Code Review committee spent considerable time  
22 and effort on its proposals and wishes them to move ahead promptly, but believes that important changes  
23 will lack legitimacy if more widespread consultation with faculty is not allowed; and

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25 WHEREAS, the Faculty Assembly's Executive Committee has developed alternative language to address  
26 its concerns with the original Code 603/604 proposals in an effort to move matters forward but wishes to  
27 allow faculty members to review and understand these recommendations;

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29 NOW THEREFORE BE IT RESOLVED

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31 1. The Faculty Assembly affirms its belief that the Faculty Assembly Executive Committee's proposed  
32 alternative language is strongly preferable to language proposed by the Code 603/604 Committee in  
33 its July 2007 draft;
- 34 2. The Faculty Assembly asks that Faculty Senates and colleagues on the various campuses be given an  
35 adequate opportunity to review this alternative language, relevant background, and up-to-date  
36 proposals from the Code 603/604 Committee before General Administration and the Board of  
37 Governors acts on the Committee's recommendations;
- 38 3. The Faculty Assembly asks its officers to refer this resolution, the alternative language, background  
39 information, and up-to-date proposals from the Code 603/604 Committee with a request that  
40 comments be submitted by the end of October for further consideration at the November Faculty  
41 Assembly meeting;
- 42 4. The Faculty Assembly requests that General Administration defer submitting the Code 603/604  
43 Committee's recommendations to the Board of Governors until at least December 2007 so that  
44 comments can be received and meaningful review completed;
- 45 5. The Faculty Assembly requests that, in the future, changes to the Code or other University policies  
46 directly affecting faculty should be undertaken only with more extensive faculty representation on  
47 relevant committees or task forces, more open involvement in deliberations from the outset, and  
48 adequate opportunities to comment during the academic year except under pressing and unusual  
49 circumstances.
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