

October 8, 1999
Faculty Hearings Committee
Annual Report

Members: Stephen Allred (Institute of Government, 2002); S. Elizabeth Gibson (Law, 2000), Chair; Barbara J. Harris (Women's Studies, History, 2003); Lawrence Rosenfeld (Communication Studies, 2004); Beverly W. Taylor (English, 2001).

Members leaving committee during past year: Genna Rae McNeil (History, 1999) (expiration of term).

Report prepared by: S. Elizabeth Gibson (Chair) with review by full committee

Committee charge:

According to *The Faculty Code of University Government*, the Faculty Hearings Committee is composed of five faculty members with permanent tenure, serving five-year terms. The committee performs functions assigned to it in the *Trustee Policies and Regulations Governing Academic Tenure*. Those duties include conducting hearings (a) on the request of a faculty member who has been notified before the end of his or her tenure or term of appointment that the University intends to discharge him or her, and (b) on the request of a faculty member for review of a decision not to reappoint him or her upon expiration of a probationary term of appointment. In the case of a discharge hearing, the committee's duty is to determine whether one of the following permissible grounds for discharge has been established: A misconduct of such a nature as to indicate that the faculty member is unfit to continue as a member of the faculty, incompetence, and neglect of duty. (*Trustee Policies* section 3.a.). With respect to review of nonreappointment decisions, the committee is limited to determining whether the grounds for such action are impermissible under section 4.a. of the *Trustee Policies* or whether the decision was affected by material procedural irregularities. (*Trustee Policies* section 4.c.).

Previous Faculty Council questions or charges: None.

Report of activities:

During the 1998-99 academic year, three faculty members requested review by the committee, pursuant to section 4.c. of the *Trustee Policies and Regulations Governing Academic Tenure*, of departmental/school decisions not to reappoint them upon expiration of their probationary terms of appointment. In the case of one of the faculty members, the committee denied the request for a hearing, having determined after preliminary review and follow-up inquiry that the request failed to contain facts that if established would support the contention that the decision was impermissibly based or affected by material procedural irregularities. The committee granted the requests for hearing of the other two faculty members; one of those faculty members, however, chose to withdraw the request for committee review prior to the hearing.

The committee conducted a hearing extending for more than 12 hours concerning the third faculty member's challenge to his/her denial of tenure. Following the conclusion of the hearing, the panel issued an opinion finding that the faculty member's denial of tenure had been affected by procedural irregularities and recommending corrective actions that should be taken by the faculty member's academic unit. The committee was later informed by the administrator officer (chair or dean) of the unit in question that the committee's recommendations were accepted and would be carried out.

Recommendations for action by Faculty Council: None.

Respectfully submitted,

S. Elizabeth Gibson, chair
Stephen Allred
Barbara J. Harris
Lawrence Rosenfeld
Beverly W. Taylor