

Annual Report of the  
COMMITTEE ON UNIVERSITY GOVERNMENT  
**For Presentation to the Faculty Council on**  
January 14, 2005

**Current Members:**

William Andrews, English (2007)  
Joseph S. Ferrell, Secretary of the Faculty (ex officio)  
Elizabeth Gibson, School of Law (2006), Chair  
Don Higginbotham, History (2005)  
Carol Jenkins, Health Sciences Library (2007)  
Michael Lienesch, Political Science (2005)  
Mary Lynn, School of Nursing (2005)  
Janet Mason, School of Government (2006)  
William Smith, Mathematics (2007)  
Vincas Steponaitis, Anthropology (2006)

**Members leaving the committee this year:** Thomas Warburton, Music (2004)

**Meeting Dates:** January 14, 2004; February 11, 2004; March 17, 2004; September 15, 2004;  
October 6, 2004; November 3, 2004; December 1, 2004.

**Annual Report prepared by:** Elizabeth Gibson, chair. This report covers the period from  
January 2004 through December 2004.

**Committee Charge.** Section 4-19 of *The Faculty Code of University Government* reads as  
follows:

**4-19. Faculty Committee on University Government.** (a) The Faculty  
Committee on University Government consists of seven members appointed by the  
chancellor. The secretary of the faculty serves as an ex officio member.

(b) The committee is concerned with the continuing development, adaptation, and  
interpretation of *The Faculty Code of University Government*. Subject to the powers of  
the University's Board of Governors and president, and of the Board of Trustees and the  
chancellor of the University of North Carolina at Chapel Hill, the *Code* represents  
legislation enacted by the faculty regarding forms of internal organization and procedures  
at this institution which are deemed necessary for its fair and effective operation.

(c) The committee periodically reviews the existing *Code* and solicits suggestions  
for its improvement; based on its review the committee recommends appropriate  
amendments in the *Code* for consideration and vote of the General Faculty. As provided  
under Article I of the *Code*, the committee considers and reports on other proposals to  
amend the *Code* and also periodically makes appropriate adjustments of the elective  
representatives in the Faculty Council. The committee considers and reports on special  
questions of University governance which are referred to it by the chancellor or members

of the faculty. The committee is especially concerned with maintaining internal forms and procedures of academic administration which reflect principles of democracy and equity, vision and adaptability, and quality and responsibility, toward achieving the intellectual aims of the University.

**Report of Activities. Resolutions Presented and Adopted.** The committee presented the following resolutions, which were approved by the General Faculty on the dates indicated:

**Resolution 2003-11. Amending *The Faculty Code of University Government* as it Relates to The General Faculty, The Faculty Council, Officers of the Faculty, and Standing Committees** (approved on first reading on December 12, 2003, and adopted on second reading on January 16, 2004).

**Resolution 2004-07. Amending *The Faculty Code of University Government* as it Relates to Various Representatives of the Faculty** (approved on first reading on March 26, 2004, and adopted on second reading on April 23, 2004).

*Resolutions Presented.* The committee presents today the following resolutions, which it recommends for approval on first reading at today's meeting (with a vote on second reading to follow in February):

**Resolution 2005-1. Amending *The Faculty Code of University Government* as it Relates to the Duties of the Faculty Grievance Committee.**

**Resolution 2005-2. Amending *The Faculty Code of University Government* to Abolish the Committee on Instructional Personnel and to Delete References to It, to Provide for Faculty Review of Tenure and Promotion Recommendations, to Provide for Faculty Consultation with Respect to Appointments and Promotions Conferring Permanent Tenure and Appointments to Full-Time Fixed-Term Faculty Positions, and to Establish a Standing Committee on Fixed-Term Faculty.**

*Ongoing.* The Committee on University Government has several matters before it that it will be considering in the upcoming year. These issues include review of Faculty Code provisions regarding appointment and removal of deans and department chairs and review of Articles 6-13 of the Faculty Code.

## **Appendix I**

### **Report of the Committee on University Government on Resolution 2005-1.**

The Committee on University Government proposes this Resolution at the request of the Faculty Grievance Committee and the Office of the University Counsel. The Office of the President implemented changes that eliminate mediation as a specified role of campus grievance

committees. The Faculty Grievance Committee has revised its procedures to reflect this change, and the proposed Resolution would amend the Faculty Code's description of the committee accordingly.

Respectfully submitted,

Committee on University Government

William Andrews Michael Lienesch

Joseph S. Ferrell Mary Lynn

Elizabeth Gibson, chair Janet Mason

Don Higginbotham William Smith

Carol Jenkins Vincas Steponaitis

## **Appendix II**

### **Report of the Committee on University Government on Resolution 2005-2.**

Resolution 2003-7, adopted by the Faculty Council on March 28, 2003, requested the Committee on University Government to prepare for consideration by the General Faculty amendments to the Faculty Code addressing the following topics: (1) the establishment of a University-wide system of review of appointments and promotions conferring permanent tenure and promotions to higher rank of persons holding permanent tenure; (2) consultation with faculty with respect to appointments and promotions conferring permanent tenure; (3) consultation with faculty with respect to appointments to non-tenure track positions; and (4) the establishment of an elected standing committee on non-tenure track faculty. The Faculty Council took this action in response to recommendations of the Task Force on Appointment, Promotion, and Tenure, which was co-chaired by Professors Paul Farel and Barbara Harris. Acting on the Faculty Council's request, the Committee on University Government now presents Resolution 2005-2 for consideration by the General Faculty.

#### **I. Review and Consultation With Respect to Tenure and Promotion**

Resolution 2003-7 included the following request to the Committee on University Government:

The Faculty Council requests the Committee on University Government to prepare for consideration by the General Faculty an amendment to the Faculty Code establishing a University-wide system for review of all appointments and promotions that have the effect of conferring permanent tenure and all promotions to a higher rank of persons holding permanent

tenure at the rank of associate professor or assistant professor. The system should culminate with the Committee on Appointments, Promotions, and Tenure. For the College of Arts and Sciences, the School of Medicine, the School of Public Health, and any other professional school that may hereafter be organized in departments that initiate faculty appointments and promotions, the dean should seek the advice of an elected committee of the College or School faculty before acting on a department chair's recommendation. For professional schools that are not organized in departments, the dean should seek the advice of the entire assembled faculty who are qualified to consult on the action in question or an elected committee of the unit's faculty, as may be appropriate to the size and complexity of the school.

Sections 1 through 5 of the proposed Resolution contain the Committee's response to this request.

Our committee understood the Faculty Council resolution to express a desire for a tenure review process that is as uniform as possible throughout the University. Complete uniformity is not possible, however, so long as some candidates for tenure undergo review at both the department and the school or college level and other candidates, because they are in schools that are not organized into departments, undergo only one review leading to the dean's recommendation. As requested by the Faculty Council, the committee drafted proposed § 5-2 of the Faculty Code to reflect these differences.

Once a recommendation moves beyond the school or college level, it is possible to have a uniform system of review. Currently, however, there is a lack of uniformity. A recommendation for tenure by the Dean of the College of Arts and Sciences goes directly to the Committee on Appointments, Promotion, and Tenure. A similar recommendation from the dean of a professional school in Academic Affairs goes to the Subcommittee on Professional Schools (SCOPS) of the Committee on Instructional Personnel. SCOPS is composed of the deans of the professional schools in Academic Affairs. A tenure recommendation from SCOPS then goes to the APT Committee. In Health Affairs, a tenure recommendation from a dean goes to the Health Sciences Advisory Committee (HSAC), a faculty committee appointed by the Health Affairs deans. From HSAC a recommendation goes to the APT Committee.

The Committee engaged in lengthy deliberations concerning the best structure for review beyond the college or school level, as did the Task Force before us. Concerns were expressed about the absence of elected faculty representation on SCOPS and HSAC and about the role these committees currently play. On the other hand, the existence of an elected faculty review committee at the University level (the APT Committee) raised questions about the desirability of creating yet another faculty committee. In the end our Committee was persuaded by the Task Force's conclusion that tenure review should occur at the department level (to provide an evaluation from the perspective of the candidate's discipline), the school or college level (to uphold the standards and mission of that unit), and at the University level (to ensure that all units

maintain the standards of the University). We concluded that an intermediate level of review between a school or college and the University was unnecessary.

To accomplish this recommendation, the proposed resolution (sections 1 through 4) would amend the Faculty Code to eliminate the Committee on Instructional Personnel and to delete all references in the Faculty Code to that committee. The Committee on University Government was informed that the only current function of that committee is the tenure and appointment review work of its subcommittee, SCOPS. Under proposed § 5-2 of the Faculty Code, review by SCOPS of recommendations for tenure and promotion would be eliminated. Also eliminated would be review by HSAC, but as there is currently no provision for that committee in the Faculty Code, no amendment is necessary to eliminate it.

Proposed § 5-2 also responds to the Faculty Council's request for a Code provision stating the need for faculty consultation concerning tenure recommendations. Proposed § 5-3 specifies the faculty members that are qualified to consult on such decisions.

## **II. Fixed-Term Faculty**

Resolution 2003-7 also addressed several issues regarding fixed-term (or non-tenure track) faculty. It included the following requests:

The Faculty Council requests the Committee on University Government to prepare for consideration by the General Faculty an amendment to the *Faculty Code of University Government* establishing an elected standing committee on Non-Tenure Track Faculty.

The Faculty Council requests the Committee on University Government to prepare for consideration by the General Faculty an amendment to the Faculty Code stating the expectation that all appointments and reappointments to fixed-term faculty positions, whether full-time or part-time, will be made with the same consultations within the appointing unit as is the case for appointments to tenure-track positions.

Section 6 of the proposed resolution -- which would add § 4-12 to the Faculty Code to create a new committee on fixed-term faculty -- responds to the first request.

In considering the second request, the Committee on University Government was concerned about the burden that would be imposed on faculty if consultation on all appointments of part-time fixed-term faculty members were to be required. In some departments these positions are numerous and are often filled just before the start of classes when teaching needs are determined. Our committee concluded that faculty consultation should be mandated only with respect to full-time fixed term positions, and we have drafted proposed § 5-4 to reflect that

decision. If the Faculty Council, however, disagrees with our judgment and wishes to adhere to its original position, the following language could be substituted:

**§ 5-4. Consultation with respect to appointments to fixed-term faculty positions.**

Chairs or deans making appointments or reappointments of persons to fixed-term faculty positions, whether those positions are full-time or part-time, engage in the same consultations with faculty in the appointing unit as they do for appointments to tenure-track positions.

Respectfully submitted,

Committee on University Government

William Andrews Michael Lienesch

Joseph S. Ferrell Mary Lynn

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