

Minutes of the Professional Standards Committee  
October 19, 2005

Present: Kris Bartanen, Bill Breitenbach, Karl Fields, Grace Kirchner, Sarah Moore, John Riegsecker, Don Share, Carolyn Weisz

PSC Chair Weisz called the meeting to order at 3:02 p.m.

The minutes of October 12, 2005, were approved as revised.

NON-FORMAL CODE INTERPRETATION OF CHAPTER III, SECTION 4. a (3) (e). Dean Bartanen brought an inquiry to the PSC seeking further explanation of a non-formal Code interpretation of Chapter III, Section 4.a, and Chapter I, Part C, Section 3, made by last year's PSC concerning participation in evaluations by colleagues with inveterate hostility for one another. (See the PSC minutes for September 23, 2004, and the PSC's 2004-2005 Final Report, both of which are posted in the web archive of committee minutes.) The inquiry involves a situation in which an evaluatee objects to a departmental colleague's participation in his or her evaluation. The relevant Code provision in Chapter III, Section 4. a (3) (e), permits variations in a department, school, or program's evaluation process when mutually agreed to by the evaluatee, head officer, the dean, and the advancement committee. Bartanen inquired whether this provision could be used to compel the recusal of a departmental colleague who desires to participate in the evaluation. **Action: The PSC concluded that the Code provision could be so used to exclude the departmental colleague from the department, school, or program's evaluation process, if all four named parties agreed that the circumstances merited such a grave remedy. However, the PSC further concluded that neither the Code nor the non-formal interpretation of the Code would bar the departmental colleague from participating in the evaluation outside the departmental process by reading the evaluatee's file, attending the evaluatee's classes, and/or sending an evaluation letter directly to the dean (as permitted in Chapter III, Section 4. a (1) (c)).** PSC members also noted that when no agreement can be reached through the formal process described in Chapter III, Section 4. a (3) (e), a faculty member who feels harmed by a colleague's participation in an evaluation can file a formal grievance. A grievance, as defined in Chapter VI, Section 1. b, must allege a violation by act or omission of the obligations accorded the faculty member by contract of employment or by the Code. The PSC believes this to mean the allegation of an actual violation and not merely the suspicion or apprehension that such a violation might occur in the future. This same section also restricts faculty members from grieving violations of obligations conferred by Chapter I, Part F, and Chapters III, IV, and V, of the Code.

PROPOSED AMENDMENT TO CHAPTER III, SECTIONS 6 & 7, OF THE CODE. Weisz reported that some Senators were concerned that the PSC had put the proposed amendment of Chapter III, Sections 6 and 7, on the faculty meeting agenda without further consulting the Faculty Senate and securing its approval. Because the process of amending the Code is long and involved, with ample opportunity for faculty deliberation and revision, PSC members had thought it sensible to move the amendment to the faculty

early in the year. PSC members also noted that some of the proposed revisions corrected problems that need urgent attention. The PSC finished by discussing ways to keep the Senate better informed of committee actions and intentions, perhaps by showing the Senate's liaison the minutes of PSC meetings before those minutes are posted to the web.

The PSC discussed and approved a document summarizing the most important changes to the current Code that would occur if the proposed revisions of Chapter III, Sections 6 and 7, were to be adopted as an amendment. This document will be sent by email to the faculty, along with an attachment containing the proposed amendment. As a courtesy to the Faculty Senate, the document will be given to the Senate chair and the Senate's liaison to the PSC prior to its distribution to the faculty as a whole.

The meeting was adjourned at 4:00 p.m.

Respectfully submitted,

William Breitenbach