





MEMORANDUM

TO: President Edward T. Foote II

FROM:  Kamal Yacoub
Chair, Faculty Senate 


DATE: January 25, 1994

SUBJECT: Faculty Senate Legislation #93002(B) - Amendment to
Bylaw 4.11 (Committee on Rank, Salary and Conditions of Employment)

The Faculty Senate, at its meeting of January 24, 1994, voted to approve Faculty Senate Legislation #93002(B) - Amendment to Bylaw 4.11 (Committee on Rank, Salary and Conditions of Employment). The text of the amended legislation is attached.

This legislation is now forwarded to you for your action.

*1/27
Kamal,
Done!*



KY/b

cc: Provost Luis Glaser

Attachment

Faculty Senate Legislation #93002(B)

Amendment to Bylaw 4.11 (Committee on Rank,
Salary and Conditions of Employment)

- 4.11 Rank, Salary & Conditions of Employment Committee. This committee shall: (a) upon appeal by a member of the faculty from an unfavorable decision on promotion or salary, certify to the President whether or not, in its opinion, an unjust decision has been made; (b) report to the **Committee on General Welfare** any evidence of gross injustice or favoritism; (c) recommend to the Senate legislation in these matters. The committee will not participate in the annual decisions on promotions or merit salary increases. The committee will report to the Senate each year.

The committee shall, upon the request of a faculty member or the President, hear faculty-administrative problems relating to a faculty member's rights and duties under his employment contract. The committee's jurisdiction shall include the powers to hear and to recommend to the Senate and to advise the President. The committee shall have the power after argument on a request to assume jurisdiction, or to refuse jurisdiction when the petition's resolution is not significant to the general welfare of the University or to the professional career of the affected professor.

The procedure that the committee follows, which shall be written and public, shall include the following requirements:

- (a) the committee's jurisdiction may only be invoked upon a written, factual request;
- (b) any petitioner may be represented by academic counsel;
- (c) the committee, or a member, shall take the responsibility of developing the facts of the situation;
- (d) any person affected by the situation may be given an opportunity, orally or in writing, to make a statement to the entire committee;
- (e) the committee shall receive relevant oral or written statements upon the request of any petitioner; and
- (f) ~~with the exception of a tenure denial~~ the basis of an adverse administrative decision shall be made known to the petitioner so that he/she can fairly present his/her position to the committee.

The Committee shall forward to the Faculty Senate Chair a copy of its recommendation to the President. The President shall communicate his decision on each recommendation to the concerned faculty member, to the committee chair and to the Faculty Senate Chair.

~~The appointing authority~~ **Faculty Senate Chair** shall insure that, over a period of time, the membership of the committee reflects the social and professional spectrum of our faculty. ~~The chairmanship of the committee shall change annually upon election by the committee.~~

CAPSULE: Faculty Senate Legislation #93002(B) -
Amendment to Bylaw 4.11 (Committee on Rank, Salary and Conditions
of Employment)

RESPONSE BY THE PRESIDENT:

DATE: 1/27/94

APPROVED: [Signature] [Signature]

OFFICE OR INDIVIDUAL TO IMPLEMENT OR PUBLISH: Provost

EFFECTIVE DATE OF LEGISLATION: _____

NOT APPROVED AND REFERRED TO: _____

REMARKS (IF NOT APPROVED): _____

Approval of Minutes and Announcements

The minutes of November 22, 1993 were approved as submitted. An excused absence was approved for Professor Dreyer. The Chair introduced Professor James Schultz who replaced Professor Mies of the Medical School.

Recommendation of the Ad Hoc Committee on Undergraduate Student Admissions

Professor Carrier, Chair of the Academic Standards Committee, explained the summary of the ad hoc committee's recommendations. He pointed out that by 1998, based on the recommendations, there will be a decrease of 21% or 359 fewer F5 and F6 students. It was *moved* and seconded to approve the summary. The *motion carried*.

Proposed Amendments to Bylaw 4.11 and 4.14

93002 (B)

The Chair summarized the procedures used by the Committee on Rank, Salary and Conditions of Employment and the Tenure Review Board in making their recommendations to the President. The amended legislation would require that each appeal would have on file the nature of the complaint, the recommendations of the appropriate committee, and the action taken by the President. It was *moved* and seconded to approve the amendment to Bylaw 4.11., including striking the following in section (f): "with the exception of a tenure denial" and instead starting with "The basis of an adverse administrative decision ...". The *motion* as amended *carried*. It was *moved* and seconded to approve the amendment to Bylaw 4.14. The *motion carried*.

Resolution Congratulating the Medical School Administration, Faculty and Staff

Professor Yacoub presented a resolution congratulating the Medical School on receiving the first award given by the American Association of Medical Colleges for outstanding community service. It was *moved* and seconded to approve the resolution. The resolution was amended to read "...but already in the vanguard of the nation's finest medical institutions." The *amended motion* was *unanimously approved*.

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