

**REPORT OF THE FACULTY STATUS & WELFARE COMMITTEE**  
**University Faculty Senate Meeting**  
**February 2019**

**1. Acquiescence to Revisions.** The Committee sends to President Barenberg the revisions to the following OPs for acquiescence.

10.16 President's Excellence in Academic Advising Award. This OP has several Appendices that consist of the nominating forms and scoring rubrics for the various awards. The proposed revisions make some changes in the nomination and consideration processes, eligibility requirements, prize amounts, and limits on the number of awards made each year.

70.12 Performance Management. This OP makes minor adjustments to the performance review process, but it also changes "he/she" to "they" (e.g., "Develop position descriptions for each employee ~~he/she supervises~~ **they supervise**"). The Committee is divided on this issue. Some members would prefer the current approach, while others support the change.

70.42 Holidays. This OP makes some revisions to the wording of the holiday policy to clarify, in accordance to state law, that holidays that fall on a Saturday or Sunday are not celebrated. That is, they cannot be celebrated on the Friday before or the Monday after.

74.17 Disclosure of Significant Business or Financial Interests that may Represent Conflicts of Interest. The revisions add definitions for "Key Personnel" and "IFDC." The former includes Principal Investigators and others essential to work performance. The IFDC is the "Investigator Financial Disclosure Committee." The revisions also require persons holding external funding to report annually to the IFDC and Associate Vice Provost for Research financial and businesses interests relevant to the funding sponsor.

**2. OP 70.31 Employee Conduct, Discipline, and Terminations.** The Committee found several objections to this OP. While it appears to apply "to classified, professional, administrative, and executive employee conduct, discipline, and terminations," the former version included a specific exception for tenured and tenure-track faculty. These revisions would eliminate that exception, and the Committee found that troubling. Further, other provisions would appear to stifle critical discussions of System and University policy. Under this proposed draft, for example, an employee would be required "to support and adhere to" System and University policy, and failure to do so could be grounds for corrective action, including dismissal. Certainly, employees can be required to follow System and University policies, but requiring "support" for policies, under threat of dismissal, seems antithetical to the purpose of a university, where robust debate that includes differing viewpoints is often necessary in the search for truth.

The Committee recommends that the Senate endorse changes to the proposed revisions. First, in Section 2.c., strike the words "or faculty members" in the first sentence and add the last sentence. This would restore the exception found for tenured and tenure-track faculty members in the current version of the OP.

Second, strike the words "and supporting" in the proposed Section 4.b.(1) for the reasons given above. The System and University should not (and legally probably cannot) dictate an employee's "support of policies." For the same reasons, the last part of proposed Section 4.c.(12) should be stricken.

**3. Revision Process Concerns.** In voicing concerns about the proposed revisions to OP 70.31, the Committee discovered that this OP has been under revision for some time. This raises concerns about the revision process and at what point the Faculty Senate is consulted. In many cases, it appears that the Senate is involved on the back end of the revision process, when much earlier involvement would likely serve the Senate's and the University's interests better. The Committee will work with President Barenberg and the Provost in exploring changes to the revision process, particularly for OPs that clearly involve faculty interests.

#### **4. OPs Waiting for Additional Information.**

32.02 Faculty Non-reappointment, Dismissal, and Tenure Revocation. Additional university offices need to review this.

32.03 Academic Deans, Associate or Assistant Deans, and Department Chairpersons. The deans rejected the concept of an advisory vote on department chairs. President Barenberg will have further conversation with the Provost on this issue.

66.01 Texas Tech University Libraries. The Committee is waiting for additional information from University Library personnel.

Please contact Senator Wes Cochran if you have any questions or would like more detail on the revisions to any of these OPs.