

Faculty Handbook Committee
Meeting Minutes
February 17, 2022

Voting Members Present: Shelley Gipson, Annette Hux, Amanda Lambertus, Suzanne Melescue, Jim Washam

Non-voting Members/Support Present: Donna Caldwell, President of Faculty Senate; Jill Simons, AAR; Mary Elizabeth Spence

Guests Present: Tom Risch, AAR

Meeting called to order at 2:05 pm

February 3rd Meeting Minutes, Lambertus made motion to approve with last voted item amended, Hux seconded, all approved.

Update on SGOC Proposal

Tabled Business

Section II Substantive Changes

High Priority

I. Intellectual Property Policy

Grammatical changes approved, but reaffirmation of substantive/policy edits

- **II.P Update from Risch**

- Specifically, regarding sentence “including those engaging...” Faculty are not aware that policy about IP applies

Notes from Risch’s email:

Regarding II.P – Intellectual Policy.

1st edit in red strikethrough – approve the red strike through and blue replacement with the word ‘These’

2nd edit in red strikethrough – I **strongly** suggest the original language is kept, ~~including those engaging in outside work for pay~~, rather than removed, as this is one of the most significant points of confusion regarding IP ownership for faculty members, and is **the root cause for most employee-employer conflict regarding IP**. Their employment contract specifically includes coverage for any IP developed related to their field of research or work, and so the ASU System Policy for IP applies no matter where it is developed; for example, if a researcher is a consultant to a pharmaceutical company and is paid (i.e. has a 2nd job), and IP is developed where the researcher is an inventor, the ASU System Policy for IP still applies.

3rd edit in red strikethrough – I prefer the original language because if inventors knew to contact our office with questions rather than try to interpret the policy themselves and contact us after the fact, 99% of IP issues could be avoided. However, if the committee feels strongly regarding this, I would accept the deletion of this language: ~~, and this office welcomes questions and is glad to provide any helpful guidance.~~ Remove Page Break

- II.Q Update from Risch

- In progress

Notes from Risch's email:

11.Q accept edits:

Link: <https://www.astate.edu/a/orZ/research-compliance/conduct-misconduct-and-conflicts-of-interest/>

- II.R Update from Risch

- “In progress” per Risch’s email

- II.S Update from Risch

- “OK” per Risch’s email

- II.T Update from Risch

- Ok, but:

Notes from Risch's email:

Reasoning: The committee did not find the word “letter in cost sharing documents (of <https://www.astate.edu/a/spa/files/cost-share-form-instructions.pdf>), and a chair on the committee indicated his experience was signing forms. The committee feels the “letter” is significant enough to be a new policy, and should go through SGOC to change it; Move sentence “Any research ...subject to state regs...” to IIU so that it applies to all

Strongly disagree on the deletion of the letter. Chair’s need to understand the nature of the cost share being provided and most chairs on campus do not. Once the university pledges a match it is binding. Why would this have to go through SGOC? I could attend a chair council meeting and explain it – that should cover it.

- II.U Update from Risch

- Ok

II. Section IIF: Where are the documents from an unacceptable performance conference stored? HR?

From: SU 2021 Faculty Handbook Working Group

- II.F Update from Simons

Notes from Simons's email:

Legal: The faculty handbook currently says these documents will be kept in the “employment file” whether that refers to the HR file, department file, or college file is unspecified. We will want to figure out how these documents are now in fact kept and whether that is the way the working group wants to continue. Once that decision is made, we should add some specificity here.

Jill: Prior practices have been to hold in department and with HR. However, sometimes these are kept in Dean’s & Provost Office depending upon circumstances.

- Everyone has an HR file and a personnel file that is housed in AAR.

- Lambertus adds that results of evaluation is housed at the college level, but where does merit information go after evaluation is completed. Simons says that AAR houses merit information, and possibly HR if there are personnel issues.
- Committee discusses leaving section as is until HR confirms

Medium Priority

III. Section II: Ask HR about "banked" re-assignment time beyond current budget year

From: SU 2021 Faculty Handbook Working Group

- [II. Update from Simons](#)

Notes from Simons's email:

Jill: Chairs have historically kept up with this. It is not tracked centrally or on a formal level.

- Melescue discusses that this could no longer happen due to budget year constraints
- Risch explains that you cannot cross years on one assignment and to fix it
- Simons adds that this is currently being handled at the Chair's level and informally. Risch adds that this is an issue because in principle one is being paid for work in a prior year.
- This appears specifically in Sections II.B.3 and II.B.4

Low Priority

IV. Section IIB10: How many months or years should student work (final examinations/projects/grades) be retained in professor's files? How long can student grieve a grade?

From: SU 2021 Faculty Handbook Working Group

- [II.B.10 Update from Simons](#)

Notes from Simons's email:

Legal/Jill: The Student Handbook (pgs. 20-21) says the academic grievance process should be initiated within 10 working days. The A-State records retention policy does provide a minimum retention period for these types of documents, nor does the State of Arkansas records retention schedule (which arguably does not apply higher education anyway).

Tracy: I don't think there is anything in written but have always been told seven (7) years for the grade book. This was based on the rule that indicates a student cannot use a Bulletin that is more than seven years old. As for how long can a student grieve a grade.....I don't know BUT grade changes are limited to the end of the next semester. I have pulled the information from the Bulletin and pasted it below. This refers to grades of A to B, B to D, F to C, etc. Students can appeal for a late drop (W) or late withdrawal (W) any time before a degree is awarded. "Grade Change Report" forms must be completed and submitted at the close of the next semester immediately following the one in which the original grade was recorded"

Jill: The American Association of Collegiate Registrars and Admissions Officers (AACRAO) recommends the following retention schedule: Exams/ graded course work: one (1) year after

course completion (if the work is not returned to the student) Faculty member's grade books: five (5) years after course completion.

- Simons found this from the national association of registrars after campus constituents had varying answers
- The Registrar's office while not formal, suggests the 7 year mark due to bulletin being held for 7 years
- Lambertus suggests keeping language from Simons answer above and to recommend
- Lambertus motions to keep the language from Simons, Washam seconded, all approved
- Student policy on grieving a grade is in the Student Handbook

V. Section IIG1: What is the time limit for rebuttal on merit? Does the merit pay deadline govern rebuttal deadline? Is this official papers or personal notes kept by the chair? Does this go to HR for archiving?

From: SU 2021 Faculty Handbook Working Group

- [II.B.10 Update from Simons](#)

Notes from Simons's email:

From Legal: Concerning the time limit for rebuttal, there is no document outside of the faculty handbook that imposes a particular time limit. The working group might choose to propose one. Per prior Provost and another administrator, this has not come up in the past.

- Committee discusses how long the opportunity to submit a rebuttal
- Lambertus notes that rebuttal must be submitted before process reaches Dean. Washam adds that this is up to chairs in NGCOB.
- Committee agrees to leave language as is.

VI. Section II.N Computing Ethics

- Melescue and Gipson propose editing to just "website" instead of "University's website"
- Gipson asks for a motion to accept, Washam motions, Lambertus seconds and all approve.

New Business

Section III Editorial

Notes from Ohrenberger's email:

Section III: Deleted "Faculty Employment contracts consist solely of their original signed letters or memoranda of employment along with any specific amendments thereto, including letters or notices of contract renewal and do not include this Faculty Handbook."

From: Mark Ohrenberger - With no further comment

Question – should this be replaced with anything?

MARK: I do not think it is necessary to replace the deleted language here because in revising the Foreword to the faculty handbook, we added language to clarify that handbook does not form part of the faculty member's employment contract.

- The sentence deleted appears again in the handbook.
- Melescue is not in favor of deleting it because even though the sentence appears in the foreword, the deleted sentence contains more specific information.
- Washam reports that there was a comment from DeProw and legal that the information should be moved to Foreword so it was up front
- Melescue points out that this is the 3rd time that similar language appears (Foreword, I.F.1 and here). Melescue is not in favor of deleting it because of its importance to tenure and promotion. So, even though this wording appears in I.F.1, Melescue supports keeping the statement in this PRT section of the FH.
- Because it also appears in I.F.1, committee discusses keeping or removing it here

Motion to adjourn at 2:52 pm.