

Committee on Faculty Rights, Privileges, and Responsibilities (FRPR)

FY 18 FINAL REPORT

FRPR was charged with the following tasks and produced the following results during the 2017-18 Academic Year and makes the following recommendations for the 2018-19 AY:

1. Analyze, and, if warranted, recommend language to strengthen, FSRRs relating to the Faculty Rights Board, as well as FRB procedures.

FRPR recommended a series of amendments to FSRR article VII that would widen the grounds of and lower the standard of proof for appeals of administrative decisions. These passed the Faculty Senate as amended on April 12 by voice vote.

However, we were surprised to discover how few appeals of any type were successful. Of 42 appeals from 2000-2017, only 3 (or 7.1%) resulted in a majority of FRB members finding in favor of the appellant. The breakdown of types of cases is as follows:

<u>Type of Appeal</u>		<u>Number Successful</u>
Appeal of tenure decision	18	3
Appeal of dismissal	2	0
Appeal of dismissal or non-reappointment, NTTF	10	0
Appeal of sanction	8	0
Other	4	0

This success rate may be standard for adjudicating bodies at universities of KU's size. Or it may be that those with more legitimate grievances move on to new jobs, rather than appeal. Many failed due to findings that procedures were followed properly, therefore any resulting violations of faculty rights are moot, under the current FSRR. But many were dismissed due to missing the deadline, not properly constructing the appeal, or not understanding the grounds for appeal.

Recommendations: Charge FY 19 FRPR to work with SenEx and the Administration to implement or alter the FSRR Article VII amendments, as appropriate. Recommend any additional changes to FSRRs or FRB procedures to make the appeals process fairer. Develop materials to inform faculty of their rights under the current FSRRs.

2. Analyze, and, if warranted, strengthen, language in policies designed to protect non-tenure track faculty.

FRPR's response to Charge 1 was largely informed by Charge 2, insofar as appeals of administrative decisions are the only type available to non-tenured faculty.

However, we did begin preliminary research into NTTF demographics at KU; we found a proliferation of titles, FTE %'s, and reporting lines in recent years. This fragmentation and flexibilization of the non-tenure-track faculty makes it very difficult to imagine a one-size-fits-all policy. By the same token, this ad hoc approach is a situation that may be ripe for abuse.

Recommendations: Charge FY 19 FRPR to work with VP for Faculty Development Chris Brown, KU AAUP, and others to compile a “census” of non-tenure track faculty, including units that employ them, job titles, FTE percentages, and the number of contracts that are “contingent upon funding.” Make recommendations, if appropriate, based on this data.

3. Explore the advisability of a University-wide Conflict of Interest Committee that would investigate &/or adjudicate all types of conflict of interest, and, if such a committee is deemed advisable, draft an addition to the University Code to create it.

FRPR decided that “all types of conflict of interest” was a bit too ambitious to tackle in one semester, so we focused on COI in gifts to the University. We presented FacEx with a proposal for an amendment to the USRRs that would prohibit the University from accepting gifts that entail infringement of academic independence (e.g., by donor’s stipulating a particular person for a new faculty chair or specific materials to be taught in an endowed program). FacEx moved this proposal to SenEx, which moved it to the floor. It passed on a voice vote, in slightly amended form.

FRPR also drafted a USRR amendment for a “Gift-Acceptance Committee” to oversee compliance with the policy described above. This amendment was also moved to the floor, but ran into substantial opposition (particularly from Senators in the STEM fields), and was withdrawn by SenEx.

Recommendations: Charge FY 19 FRPR to work with SenEx and the Administration to implement or alter the USRR Article X amendment, as appropriate. Consult with STEM faculty, Endowment, and Administration on advisability, and possible purview and structure, of a Gift-Acceptance Committee.

FacEx and SenEx might also wish to delineate other specific types of official conflicts of interest and charge FRPR or other committees to develop proposals to discourage or prohibit same.

4. Make recommendations to the Faculty Senate regarding administration and implementation of the Core Curriculum, including draft language delineating faculty control of the curriculum and amendments to the FSRRs that articulates how faculty can change the Core curriculum (e.g., with regard to goals).

FRPR completed the part of the charge to “draft language delineating faculty control of the curriculum,” in the form of a short addition to Article V of the FSRRs. The amendment passed the Faculty Senate on April 12 and soon will go to the Interim Provost and Chancellor.

Recommendations: Charge FY 19 FRPR to work with the Administration to implement or alter the FSRR Article V amendment, as appropriate. Consult with UCCC regarding their ongoing revision of the Core goals. Examine Core recertification process and make recommendations, as appropriate. Draft language that articulates governance's relationship to the Core and the UCCC.

5. Monitor the implementation of the KU Core Curriculum by administering FRPR's survey again in FY18. Report issues to FacEx.

Response rate to the survey has declined each of the three years it has been administered, so using the same survey instrument and methods a fourth year seemed inadvisable. Moreover, the survey questions have been limited to the certification process and did not solicit faculty's opinions about how the Core and its administration is structured. We discussed the advisability of altering the nature of the survey – for instance, conducting focus groups of Directors of Undergraduate Study – but that is as far as we got.

Recommendations: Charge FY 19 FRPR with designing and conducting a new survey instrument or series of focus groups on the Core *in the fall semester*. This new survey or groups should include a solicitation for suggestions for revising the (re)certification process; the structure of the Core; or the way it is administered. This charge should perhaps be higher on the list of priorities, and the results should inform FRPR recommendations to FacEx on the Core.

6. Review implementation of new Article IX.

It was the consensus of the group that this charge might better be pursued next year, when the Office of Research has had an opportunity to assess a full year under the new research guidelines in the new Article IX. In addition, now that an Interim VPR is in place, there will be (one hopes) some stability in the leadership at the Office of Research next year.

Recommendation: Charge FY 19 FRPR in the fall semester to consult with the Office of Research regarding their assessment of the implementation of the new policies over the 2017-18 AY.

Additional Recommendation: Charge FY 19 FRPR to examine the Faculty Handbook, determine its status as policy, and highlight any inconsistencies with the Faculty Code or FSRRs.