Faculty Personnel Policy Committee

Memorandum

TO:	Figen Mekik, Chair, UAS/ECS Tonya Parker, Vice-Chair, UAS/ECS
FROM:	Kurt Ellenberger, Chair, FPPC
DATE:	March 28, 2013
SUBJECT:	FPPC Charge #12: *Three-Year Rule for Faculty in Administration v7*
CC:	Tom Butcher, University Counsel Jon Jellema, Associate Vice President for Academic Affairs FPPC

During the last two years, FPPC has carefully reviewed the policies regarding Executive, Administrative, and Professional positions of various kinds. Please find attached our recommendations (new text from previous version is highlighted) along with accompanying rationale .

Sincerely,

Kurt

2.11 Applicability to Executive, Administrative, and Professional Positions.
Faculty having positions covered by these regulations (Section 2) who accept an Executive, Administrative and Professional position are subject to the following conditions:

1. Executive, Administrative and Professional positions which do not carry faculty rank:

A. Faculty accepting an Executive, Administrative and Professional position shall be subject to the personnel policies governing executive, administrative and professional appointments (Section 4) while serving in their administrative capacity.

B. The faculty member shall request in writing a leave of absence from the faculty position to accept an Executive, Administrative and Professional appointment. The leave is subject to approval by the faculty member's Dean and the Provost/Vice President for Academic Affairs. A leave of absence, for the purpose referred to in this section, may be granted for an academic year. The leave may be renewed on an annual basis not to exceed three (3) consecutive years.

C. If a faculty member chooses to remain in an Executive, Administrative and Professional position beyond a three (3) year leave period, or, after a lesser time period, the faculty member must notify~~ies~~ his/her Dean and the Provost/Vice President for Academic Affairs of intent to remain in the Executive, Administrative or Professional position.~~, the faculty member shall relinquish faculty status including tenure rights and faculty rank.~~

If the Executive, Administrative or Professional position is within the Division of Academic and Student Affairs , tenure rights and faculty rank will be retained for as long as the faculty member holds that Executive, Administrative or Professional position or returns to their faculty position. In the event the position is outside of the Division of Academic and Student Affairs, the faculty member shall relinquish faculty status including tenure rights and faculty rank, unless the Provost/Vice President for Academic Affairs waives the relinquishing of faculty status, tenure rights, and faculty rank. This waiver must be in the form of a written agreement between the Provost/Vice President for Academic Affairs and the faculty member, and should specify the terms of the waiver, including its duration and renewability.

D. The time served by a faculty member in an Executive, Administrative and Professional position shall not be counted towards tenure, rank promotion nor in determining sabbatical eligibility.

Rationale:

In studying current practice, FPPC found that the policy in 1C ("faculty member shall relinquish faculty status including tenure rights and faculty rank") is not being followed. If the policy as stated were strictly followed, FPPC was of the opinion that it would lead to a decline in the number of faculty willing to serve in these important positions, and also create instability as faculty left these positions every three years. In consultation with ECS and the Provost, this section was therefore deleted, and text was added to allow for these positions to continue after the initial three-year period (with appropriate approvals from all parties involved).

2. Executive, Administrative and Professional positions with faculty rank: (Academic Administrators)

A. Persons in the following positions shall have faculty rank and faculty tenure rights: Provost/Vice President for Academic Affairs, Associate Vice President for Academic Affairs, Assistant Vice President for Academic Affairs, the dean of an instructional division, ~~and the Dean of the Academic Resources and Special Programs~~ and the Dean of University Libraries. Each will be listed among the faculty of an appropriate ~~department~~ unit or school. As appropriate, other EAP Academic Administrator positions may also retain faculty rank and faculty tenure rights at the discretion of the Provost/ Vice President for Academic Affairs.[1]

B. The academic administrators listed above are subject to the provisions in Section 2 regarding faculty promotion, tenure, and periodic performance review.

C. Recommendations regarding promotion or tenure of academic administrators shall be made by the appropriate College Personnel Committee as follows:

1) Recommendations regarding ~~the~~ an Associate Vice President for Academic Affairs~~, or the Director of the Academic Resource Center~~ shall go to the Dean of the College.

2) Recommendations regarding a Dean shall go to the Provost/Vice President for Academic Affairs.

3) Recommendations regarding the Provost/Vice President for Academic Affairs shall go to the President.

D. If a grievance arises regarding the faculty status of an academic administrator or the performance of faculty duties by an administrator, the administrator shall follow the faculty grievance procedure. If it should happen that the grievant is also the administrator with whom a conference should be arranged at one step of the procedure, that step shall be omitted.

E. Academic administrators are subject to the personnel policies in Chapter 4, Section 4 [2] governing Executive, Administrative and Professional appointments except as provided above.

~~**F.** Persons in these positions will be expected to teach a minimum of one course per year.~~ [3]

Rationale:

1. As we studied this section, we noticed that some of the positions and Centers listed are no longer in existence. FPPC added text to allow other positions of this type, at the discretion of the Provost, in order to provide flexibility and to avoid future anachronisms of the type that are currently in the Administrative Manual.

2. This provides a reference for these policies are located.

3. In general, faculty in these positions are not teaching a class every year. FPPC also noted that these positions are very demanding and require the full-time focus and attention of the faculty members. However, if desired, the requirement for teaching a course could be written into the agreement with the consent of both parties.

~~3. Administrative and Professional positions in Academic and Student Affairs with faculty rank:~~

~~**A.** Faculty members whose workload is at least 50% administrative duties, excluding unit heads, must have tenure and it is strongly recommended that he/she should have already attained the rank of Full Professor. Each will be listed among the faculty of an appropriate unit or school.~~

~~**B.** The academic administrators listed above will retain their faculty status in their home units and may resume regular faculty activities in their home units upon completion of their terms in these administrative and professional positions. These academic administrators are eligible to apply for internal grants but they are ineligible to receive professional development funds from their home units. While faculty status is retained, these academic administrators will relinquish their voting privileges in their home units and at the college level in all matters for the length of time that they are in these positions. These academic administrators may serve on governance committees in an ex-officio capacity (as per committee membership criteria) only. Sabbatical privileges are relinquished and time towards sabbatical, promotion, and tenure will not accrue while serving in these positions. Time served at the University towards sabbatical, promotion, and tenure *prior* to the administrative position is not affected and remains part of the faculty member's record of service for sabbatical, promotion, and tenure. The administrative and professional workloads of these academic administrators must, according to the description of regular faculty in Chapter 4.2.1, be at least 50% of the entire workload.~~

~~**C.** A faculty member in one of these positions will not be eligible for promotion until he/she has resigned from the Administrative and Professional position and has resumed regular faculty responsibilities in his/her home unit at which time he/she will be evaluated by the same unit and college criteria and procedures as all other faculty.~~

~~**D.** Recommendations regarding annual salary adjustment program (pursuant to Chapter 4, Section 6 of the Administrative Manual) shall be made as follows:~~

~~1) Associate Deans will be reviewed by their Dean.~~
~~2) Academic Program/Center Directors will be reviewed by the head of the office in which they are housed.~~

~~**E.** If a grievance arises regarding the faculty status of an academic administrator or the performance of faculty duties by an administrator, the administrator shall follow the faculty grievance procedure. If it should happen that the grievant is also the administrator with whom a conference should be arranged at one step of the procedure, that step shall be omitted.~~

~~**F.** Academic administrators are subject to the personnel policies in Chapter 4, Section 4 governing Executive, Administrative and Professional appointments except as provided above.~~

Rationale:

FPPC found that there are some positions (i.e. Associate Deans, Assistant Deans, and others) that do not "fit" either of the previous categories very well. The rights and responsibilities of faculty* in these types of positions (and those considering them) are thus not currently well defined. FPPC decided that a separate category was needed for faculty in "Administrative and Professional Positions in Academic and Student Affairs." (Note that this category is differentiated from the previous two in that it does not pertain to "Executive" positions, and it is limited to "Associate Deans and Academic Program Directors.") This new category provides clarity on various issues including:

- Voting rights in the home unit
- Accrual of time towards sabbatical, promotion, and tenure
- Promotion to Full Professor
- Evaluations
- Grievance Procedures

**Note that the language in this version does not prevent the appointment of non-tenure-track persons to these positions.*

Admin Manual 2.30

4. Sabbatical Leave. Sabbatical leaves are intended primarily to encourage and promote the professional growth of those with faculty status and to enhance their teaching and scholarly effectiveness. Sabbaticals are a part of the university's responsibility in relation to faculty growth and development. Such leaves contribute to the accomplishment of these ends by enabling the faculty to undertake specific, planned activities involving study, research, or creative work of mutual benefit to the applicant and to Grand Valley State University. The providing of resources necessary for sabbatical leaves is a high priority for the University.

A. Eligibility. By April 1 each year the Human Resources Office will provide the academic deans wit the names of the faculty members eligible to apply during the Fall semester. The deans then send a notice to each eligible person as a reminder, offering assistance in refining plans and indicating sources of relevant information.

Subject to the provisions listed below (Section H), sabbatical leave may be granted after six consecutive years of full-time service. Such leave may not be awarded to the same person more than once in seven years and leave time shall not be cumulative. Up to two years of full-time service, on a regular appointment with full faculty status, at the rank of instructor or above, or its equivalent, at other accredited institutions of higher education shall count toward fulfillment of the eligibility period. Upon receiving tenure, credit similar to that granted to full-time, regular faculty who are entering from other institutions may be granted to those who served as full-time visiting Grand Valley faculty at the rank of instructor or above and who moved into a tenure track-faculty position without a break in Grand Valley service. Only tenured Grand Valley faculty members are eligible to receive a sabbatical.

In computing consecutive years of service for the purpose of establishing eligibility, periods of vacation leave and periods of sick leave with salary shall be included; periods of leaves of absence other than vacation leave and sick leave will not ordinarily be included but shall not be deemed an interruption of otherwise consecutive service.

In the case of the faculty member on leave from a faculty position to hold an administrative position at Grand Valley, time on leave from the faculty position in the administrative position will not be counted toward sabbatical eligibility.~~, 1) if a faculty member returns to the faculty position, 2) if the faculty member's unit and Dean so recommend, and 3) if the Provost approves.~~

Rationale:

FPPC was strongly of the opinion that sabbaticals are an important benefit for regular faculty to pursue the scholarship and creative work that they are engaged in as part of their work as teachers and scholars. EAP faculty, who are working full-time in administration, are not responsible (as part of their workload) for scholarship and creative activity and should thus not be eligible for sabbaticals, nor should time in those positions be counted towards sabbaticals.