
FAC'S SHEET

Newsletter of the University of Scranton Faculty Affairs Council
April 2007

Reminder!

April 10th FAC Meeting Scheduled for Eagan

The third FAC meeting for the Spring Semester 2007 is scheduled for Tuesday, April 10 in Eagan Auditorium of the Gunster Student Center.

The meeting is set for the day classes resume following Easter Break.

Lunch will be served beginning at 11:15 a.m. with the business meeting starting at 11:30 a.m.

The Executive Committee urges all members to attend. Check in the right hand column for the agenda.

FAC Meetings For Spring 2007

The FAC Executive Committee has scheduled monthly membership meetings for the 2006-2007 academic year on the following dates and at the places indicated. All regular meetings are set for Tuesdays, beginning at 11:30 a.m. Additional meetings may be called to address special issues or concerns.

April 10, 2007 - Eagan Auditorium
May 8, 2007 - Eagan Auditorium

Check Page 2 for a list of meeting dates for the 2007-2008 academic year. Plan ahead!

FAC'S SHEET

is published periodically by the Faculty Affairs Council at the University of Scranton. The editor is Willis Conover. Comments and suggestions from the membership are welcomed. Members may also check FAC's Web site at www.scranton.edu/fac for further information on the Faculty Affairs Council, an affiliate of the American Association of University Professors (AAUP). Copies of the Faculty Contract and Handbook are found on the site. Members may also link to the national AAUP home page.

A G E N D A For April 10th Meeting

1. Chair's Report (Michael Friedman)
 - a. Gender Equity
 - b. Reappointment meeting MOU
 - c. Handbook Committee Issues
 - 1). Sabbatical Revision
 - 2). Standards of Notice for Faculty Specialists
 2. Contract Administrator's Report (Kevin Nordberg)
 3. Grievance Officer's Report (Ned Warner)
 4. Treasurer's Report (Dan West)
 5. Old Business (Michael Friedman)
 - a. Evaluation of Lecturers
 6. New Business (Michael Friedman)
 - a. Disciplinary Policy
[See the article below]
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Why We Need A Disciplinary Procedure

by Michael Friedman
FAC Chair

Article 34 of the 2006-2009 Faculty Contract reads: "FAC and FPC agree to begin work no later than the first Faculty Handbook Committee meeting of the 2006-2007 academic year on developing language for the collective bargaining agreement concerning disciplinary action. The parties agree that the development of such a procedure shall become a priority task for the Handbook Committee during the Fall 2006 semester. The Handbook Committee shall make every reasonable effort to have language (Please Turn to Page 3)

FAC OFFICERS 2006-2007

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FACULTY AFFAIRS COUNCIL MEETING DATES AY 2007 – 2008

September 11, 2007
October 9, 2007
November 13, 2007
December 11, 2007
February 12, 2008
March 11, 2008
April 8, 2008
May 13, 2008

MINUTES

from the March 6th FAC Meeting

Michael Friedman called the meeting to order at 11:35 a.m.

Chair's Report: Friedman, recalling his statement at the February meeting that all incoming faculty had joined the union, assured the membership that no new faculty had been coerced into joining the union.

Friedman then moved to the Gender Equity situation. At this time, FAC is still not in possession of the salary study or the non-financial part of the administration's Gender Equity report, despite being promised the material in November.

Handbook Committee issues: Friedman reported that the administration is still working on its version of a disciplinary proposal. Friedman told the membership that if the March 30th deadline for a proposal was not met, FAC would consider the matter closed.

On the evaluation of lecturers, Friedman said that the Handbook Committee had approved changes to the language of the proposal and that the new language would be transmitted to the faculty shortly.

Friedman also noted that the Parking Oversight Committee had met and discussed the parking in S-Lot. The committee had agreed to meet again in the fall, after the summer term experiment with expanded staff parking in the lot had finished. A question was raised from the floor about plowed snow taking up spaces in the faculty lots. Friedman stated that the parking agreement between faculty and the administration mandated that no faculty parking spaces be lost to snow.

Friedman then reported on a possible grievance with the administration. A department chairperson scheduled a reappointment meeting at a time when a
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DISCIPLINARY PROCEDURE

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ready for faculty approval no later than March 30, 2007.”

As a result of extraordinary efforts on the part of the Handbook Committee over the past six months, a Disciplinary Procedure is now ready for the faculty’s examination and discussion. By this time, everyone should have received a copy of this document by electronic mail. We will begin addressing its particulars at the April FAC meeting, but here, I would like to speak about why the faculty ought to support the concept of a disciplinary procedure in the first place.

As university professors, most of us enjoy (or will enjoy) the protections of tenure, which provides a level of job security absent from most other professions. However, in a small but significant number of cases, tenured faculty begin to feel so secure in their positions that they disregard various aspects of their contractual responsibilities, among them the basic duty to maintain collegial relationships with other faculty, students, staff members, and administrators. In fact, over the past few years, the majority of the disputes into which the FAC officers have been drawn have resulted, not primarily from actions by administrators, but from actions committed by faculty members against their own colleagues or other members of the university community.

When inter-faculty disputes or other contractual violations by faculty arise, it becomes the responsibility of the deans to insure that the provisions of the collective bargaining agreement are upheld. However, at the present time, the ability of the deans to compel tenured faculty to live up to their contractual duties is hampered by the fact that we do not have a system for disciplining faculty for mid-range violations. As many of you know, Appendix III of the *Faculty Handbook* provides a mechanism to dismiss a tenured faculty member for serious violations of the law or the collective bargaining agreement, but when the offense is less serious in nature, the deans have been, understandably, reluctant to begin the divisive, time-consuming, and expensive process of invoking Appendix III. Unfortunately, such reluctance

means that the violations often continue unabated, to the detriment of the tenured faculty member’s colleagues, students, and fellow employees.

What is needed is an alternative mechanism by which the deans can use leverage to induce some tenured faculty members to take their contractual responsibilities more seriously. As a means of protecting the concept of tenure through accountability, the AAUP favors the creation of such disciplinary procedures, as long as they are written and put in place with the full participation of the faculty who will be affected by them. Perhaps this is the place to say that the document you have before you was originally composed by me, after research into such policies at other institutions and extensive consultation with both Pat Shaw at the AAUP and our own Attorney Mariani. My original document has been revised in several ways by the Handbook Committee since that time, but certain essential features remain.

The Disciplinary Procedure contains several elements to protect against potential administrative abuse: an explicit guarantee that academic freedom will not be violated; an appeal process involving a faculty panel; a reminder that the entire procedure is subject to the grievance process; and a provision that requires the dean to inform the faculty member of his or her right to bring along a member of the union to any meeting called to discuss discipline. The Disciplinary Procedure may only be invoked to address material (relevant and significant) violations of the contractual duties of faculty members, as specified in Sections 5.4 and 5.10 of the *Faculty Handbook*. The process is progressive, in that it begins with relatively light penalties but moves toward sanctions of increasing severity for multiple instances of the same offense. At each stage of the process, the faculty member has a

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CHECK IT OUT!

Visit the newly designed FAC Web site. We think it is user-friendly. Links take you easily to the information you need. If you have linked directly to a page on the site, you may have to reestablish that link because of the reorganization of some pages. You can reach the site at www.scranton.edu/fac

Luncheon Menu

for April 10th Meeting

- **Mixed Green Salad with Two Dressings**
- **London Broil with Mushroom Sauce**
- **Broiled Filet of Sole
with Lemon & Butter**
- **Pasta Primavera**
- **Bourbon Carrots**
- **Rolls and Butter**
- **Rice Pudding**
- **Usual Beverages (Coffee, Tea, Soda,
and Water)**

Serving will begin at 11:15 a.m. in the Eagen Auditorium.

DISCIPLINARY PROCEDURE

(Continued From Page 3)

chance to remove the sanction simply by ceasing the violation for a reasonable period of time.

If you agree that faculty members have a duty to carry out their contractual responsibilities; if you agree that faculty members should be held accountable for their actions, and if you agree that the faculty has a collective obligation to insure that we all uphold the behavioral standards of our profession, then I hope you will join me in supporting the concept of a disciplinary procedure. Of course, the specific shape that such a procedure should take is open to debate, and therefore I invite you to join us as we begin our deliberations over the Disciplinary Procedure document at the FAC meeting on April 10.

MINUTES

(Continued From Page 2)

tenured member of the department was unable to attend because of a conflict with teaching obligations. The administration argued that no Handbook violation had taken place and that rescheduling the meeting would be an unreasonable burden for the faculty member up for reappointment. Moreover, the administration argued that tenured faculty have additional

opportunities to register approval or disapproval for the reappointment of untenured faculty outside of the reappointment meeting itself. Friedman said that FAC considered the administration's actions to be, not only in violation of the collective bargaining agreement, but also opposed to past practice, and therefore to constitute grounds for a grievance that should be pursued to arbitration, if necessary. Friedman offered the opinion that the burden on the untenured faculty member was outweighed by FAC's legal requirement to enforce the contract. Extensive discussion of this issue ensued.

Friedman also reported on progress with the proposed FAP replacement plans in the various colleges. In CAS and PCPS, the FAP replacement plans are a matter of policy, rather than contractual agreement. In KSOM, on the other hand, the FAP is mandatory, and therefore the plan must pass a faculty vote. The Provost has informed FAC that faculty may assume that if they received released and/or reassigned time in 2006-2007, they will also receive it in 2007-2008. Those faculty who wish to apply for new released or reassigned time should contact their deans for instructions.

Contract Administrator's Report: Kevin Nordberg noted that FAC was in the process of requesting information on professional staff whose primary duties involved teaching.

Treasurer's Report: In Dan West's absence, Michael Friedman reported that the new Financial Advisory Committee had been formed, consisting of Linda Ledford-Miller, Len Tischler, Murli Rajan, Dan Mahoney, Robert Spinelli, and West himself. One more faculty member from CAS would be desirable.

New Business: Friedman led a discussion of a revision of the language in the Faculty Handbook regarding sabbatical leaves (Section 12.0). As a result of this discussion, two minor adjustments to the language will be taken back to the Handbook Committee.

Respectfully Submitted,
Joe Wilson, FAC Secretary