

----- Original Message -----

**Subject:**Re: FW: inquiry about "voting faculty" in Department of Fashion and Apparel Studies

**Date:**Sat, 26 Oct 2013 09:57:57 -0400

**From:**Hye-Shin Kim <[hskim@UDel.Edu](mailto:hskim@UDel.Edu)>

**To:**Deni S. Galileo <[dgalileo@UDel.Edu](mailto:dgalileo@UDel.Edu)>

**CC:**Pollack, Sheldon D <[pollack@UDel.Edu](mailto:pollack@UDel.Edu)>, Prasad Dhurjati <[dhurjati@gmail.com](mailto:dhurjati@gmail.com)>, Calvin Keeler <[ckeeler@UDel.Edu](mailto:ckeeler@UDel.Edu)>, [dgh@UDel.Edu](mailto:dgh@UDel.Edu), Jung, Jaehee <[jajung@UDel.Edu](mailto:jajung@UDel.Edu)>, Orzada, Belinda T <[orzada@UDel.Edu](mailto:orzada@UDel.Edu)>, Karren Helsel-Spry <[Karren@UDel.Edu](mailto:Karren@UDel.Edu)>

Thanks Professor Galileo.

My understanding of the CBA's intent is that every faculty member must be evaluated and rewarded accordingly based on their assigned work.

My department chair has told me that it is impossible to assign a meaningful scholarship workload to a CNTT faculty given budget reasons, etc. Thus, "by default" we need to come up with another set of promotion standards appropriate and fair to any faculty who has a two part (teaching and service) workload.

Also of issue is the fairness process related to when and how many times CNTT faculty can apply for promotion (as described in my previous e-mail).

At this point "leaving it as a matter of interpretation" is not good enough. I need documentation that is commonly understood by all.

As a long time supporter of AAUP, I would like to encourage AAUP to think about the logical implementation behind all these "good ideas".

I look forward to your response. Hye-Shin

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On 10/26/13 8:45 AM, Deni S. Galileo wrote:

Dear Professor Kim,

Thank you for your message below.

I think the best thing would be for the Senate Executive Committee to take this up at our next meeting, which will be on November 6, and get back to you.

One comment that I will make now, however, is that the CBA does not mandate that departments promote faculty based (strictly) on their workload. This notion was one

interpretation in the previous CBA, but the relevant sentence that stated this has been removed from the current CBA. The relevant sentence now in Section 11.4 is:

"An individual's assigned workload shall be considered in the promotion and tenure and peer review process in a manner consistent with the promotion and tenure and peer review criteria written by each department to fit its particular circumstances and needs."

So, you can see that workload "shall be considered" by a department, but it is left up to the department as to what that means, consistent with their departmental P&T document. In other words, promotion and workload are not strictly linked as they potentially were in the last CBA. I am somewhat familiar with this topic because I have been on the AAUP/UD Steering Committee for several years and took part in the discussions of this during the most recent contract negotiations, as did several others copied on this email.

As I said above, I will get back to you after discussing this and determining the best way to provide you with guidance. This may be through the Senate P&T Committee.

Sincerely,

Deni S. Galileo

President, Faculty Senate

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On 10/24/13 Hye-Shin Kim wrote:

Dear Drs. Pollack, Galileo, and Hoover,

Thank you for the clarification. I have an important issue I would like to bring to the attention of the Faculty Senate.

Issue #1. In the past 2 years, we've had 3 tenured faculty retirements. Currently, we have 5 tenured/tenure track faculty members, two CNNT, and 3 temporary. Of the three temporary lines, 2 temporary faculty members just started this year and it is our understanding that they are 75%. However, our Chair tells us they are full-time faculty and thus should be considered as voting members.

Issue #2. We are currently charged with revising our very outdated P&T document to conform to the CBA which mandates departments to promote faculty based on their workload. Although it may be possible to develop promotion guidelines for a 2 part (teaching-service) versus 3 part (scholarship-teaching-service) workloads, we are a bit stumped on the fairness of the process.

When we have a situation of tenure-track and CNNT faculty both aspiring for the **same** rank of associate professor, tenure-track faculty have 5 years to apply for promotion with an unsuccessful promotion resulting in termination of employment whereas there are no guidelines for when and how many times CNNT faculty should/can apply for promotion.

Yesterday, the committee spoke with Calvin Keeler and appears there is no documented guidance on how we are to achieve promotion of CNTT faculty in which the process is fair to both faculty tracks (tenure track and CNTT) that aspire to the same rank.

My chair is strongly pushing the FASH P&T committee to put forth a P&T document that incorporates the new CBA mandate. She borrowed UD's "Dare to be First" and asked us to put forth a document that promotes faculty based on their excellent performance. We agree faculty should be promoted and rewarded on their excellence but are not sure of the fairness of the process.

Now going back to Issue #1, given the growing number of CNTT and temporary faculty hires, it does seem this could possibly become an issue that divides the department.

I would like to ask the faculty senate to give us guidance, in particular the fairness of process issue.

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On 10/24/13 9:03 AM, Pollack, Sheldon D wrote:

Dr. Kim,

I am responding to your inquiry about who is a voting member of your department. This issue recently arose in my college and department, and so I did an analysis in a memo, which is attached.

There is a very clear reason why your department is having trouble figuring this out. There is supposed to be a provision in your department's bylaws that defines who is a voting member of the faculty in your department. That provision is missing from your department's bylaws.

The provision in the Faculty Handbook that you quote is not relevant here. That defines who is a voting member of "the Faculty of the University." Oddly, that definition includes all the top administrators. But this is for purposes of determining who can vote at a meeting of the University Faculty, which almost never happens anymore since the University Faculty created the Faculty Senate and adopted the University Constitution.

Your college bylaws defines who is a member of the faculty for your college – but I do not find a copy on the Provost's website. But that document also is not relevant for purposes of determining who is a voting member of your department's faculty.

I suggest that you and your colleagues follow the procedure provided in your department's bylaws for amending such bylaws. (Fortunately, that provision is there, although it is not clear who would vote on an amendment to your bylaws adding a definition of who can vote in your department.) Look at some other department bylaws for guidance. The usual rule is that voting

is restricted to those who hold a “full-time faculty appointment” in the department. Some departments include anyone with a 51% or more faculty appointment in your department. I guess that is to allow those with a joint appointment or split appointment to be included – although any individual can only be a voting member of one single department.

Anyway, I quote from some department bylaws in my memo. You and your colleagues department should decide which provision makes the most sense in your department. In the meantime, you should simply allow all full-time faculty (other than visiting faculty) to vote. Adjuncts and part-time faculty are not allowed to vote in any department that I am aware of. Almost all departments also exclude chairs from voting. Even in those few departments, chairs cannot vote on P&T decisions since they write their own letters.

If you have any questions, feel free to contact me.

Regards,

Sheldon Pollack

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