



## Faculty Hearing Committee of the University Senate

Steven Lopez, Chair, 2015-2017  
Caroline T. Clark, Chair, 2018-Present  
Annual Report 2017-2018 Academic Year

During the 2017-2018 academic year, the Faculty Hearing Committee received two allegations of improper evaluation from CAFR. In addition, the group met as a committee of the whole to discuss the creation of by-laws, a process being undertaken by all of the OSU Senate Faculty Committees. Summaries of concluded cases and notes from the meeting of the committee of the whole follow.

### **Allegation of Improper Evaluation 2017-2018: Case #1**

*Background:* An Associate Professor-Clinical sent an email on April 30, 2017 to Dr. Harald Vaessin, then chair of the Committee on Academic Freedom and Responsibility (CAFR), alleging an improper evaluation that resulted in a negative decision on his promotion case to full professor. CAFR reviewed this complaint in accordance with University Rule 3335-5-05, part (A)(1) and found the following:

*Pursuant to University rule 3335-5-05, section (B)(5), CAFR finds that reasonable and adequate grounds exist for asserting improper evaluation. The primary concern is the disparity between the external reviews, the department vote, and the college vote. A secondary concern is failure to consider pertinent facts and important evidence material to a fair determination. We therefore forward this case to the faculty hearing committee.*

Although the complaining faculty member planned to leave OSU for a new faculty position at another university, he decided to pursue this complaint in hopes of receiving a fair and proper evaluation of his record.

A Hearing Panel was appointed, consisting of Benjamin Acosta-Hughes (chair), Caroline Clark, and Stratos Constantinidis as voting members, and Terry Reese as non-voting alternate. The Panel interviewed all relevant parties and reviewed all the evidence put forward by the department, college, and candidate. By unanimous vote, the Panel determined that improper evaluation had occurred based on the following findings:

**Finding 1:** There were significant differences in how each review level (the Department, the College, and the Dean) interpreted and applied the Department's criteria for promotion from associate to full professor on the clinical scholar path such that each level essentially applied a different set of criteria leading to an improper evaluation of the candidate.

**Finding 2:** The college-level review of the complainant did not comply with OAA Policies and Procedures and/or University Faculty Rules, and in some cases, with its own APT document, leading to an improper evaluation of the case.

**Finding 3:** There is an overwhelming culture of fear and a sense of non-support among clinical faculty in the candidate's Department and, arguable, the College as a whole.

The Panel's findings and recommended remedies were transmitted to Provost Bruce McPherson on

September 20, 2017. On November 8, 2017 Provost McPheron responded to these findings and recommendations and requested that the College conduct a new impartial and thorough review of the case by January 31, 2018.

### **Allegation of Improper Evaluation 2017-2018: Case #2**

*Background:* Associate Professor-Clinical in the same Department and College as the complainant in Case #1 sent an email on May 10, 2017 to Dr. Harald Vaessin, then chair of the Committee on Academic Freedom and Responsibility (CAFR), alleging an improper evaluation that resulted in a negative decision on his promotion case to full professor. CAFR reviewed this complaint in accordance with University Rule 3335-5-05, part (A)(1) and found the following:

*Pursuant to University rule 3335-5-05, section (B)(5), CAFR finds that reasonable and adequate grounds exist for asserting improper evaluation. The primary concern is the disparity between the external reviews, the department vote, and the college vote. A secondary concern is failure to consider pertinent facts and important evidence material to a fair determination. We therefore forward this case to the faculty hearing committee.*

A Hearing Panel was appointed, consisting of Jose Diaz (Chair), Alan Hirvela, and Jessica Page as voting members, and Gregory Labarge as non-voting alternate. The Panel interviewed all relevant parties and reviewed all the evidence put forward by the department, college, and candidate. By unanimous vote, the Panel determined that improper evaluation had occurred based on the following findings:

**Finding 1:** The disparity between the external reviews, the department vote, and the college vote was not a result of improper evaluation.

**Finding 2:** The annual reviews that were completed by the department were consistent with the criteria used at the college-level evaluation during the final promotion review.

**Finding 3:** There was no failure to consider pertinent facts and important evidence material to a fair determination.

### **Meetings:**

*Friday, October 23, 2017*

At this meeting, the chair welcomed new members and gave an overview of the purview of the Committee. He also shared information on the two cases under review (outlined above). Caroline Clarks was unanimously elected to serve as Chair of the Faculty Hearing Committee beginning in January 2018, when current chair, Dr. Steven Lopez, would begin his faculty professional leave. Directly following this meeting, the chair and the Hearing Panel for Case #1 (above) met with Vice Provost Kay Wolf to discuss the outcome of that case and next steps.

*Friday, April 13, 2018*

At this meeting, the committee discussed the need for Bylaws to be developed in order to better manage

leadership succession on the committee. These are being drafted and will be voted on at the first meeting of the committee in Autumn 2018. The chair thanked departing members for their service.

**Faculty Hearing Committee members and service:**

<b>Name</b>	<b>Term expires</b>
Jessica Page	2019
Scott Harper	2019
Prabir Dutta	2019
Alan Hirvela	2019
Stratos Constantinidis	2019
Suzanne Bartle-Haring	2019
Benjamin Acosta-Hughes	2019
Bala Balasubramaniam	2019
Kenneth Loper	2019
Steve Lopez	2020
Erdal Ozkan	2020
Greg Labarge	2020
Prosper Boyaka	2021
Caroline Clark	2021
Kent Harrison	2021
Noelle Arnold	2022
Enrico Bonello	2022
Tatiana Oberyszyn	2022
Colette Dollarhide	2022
Christopher Highley	2022
Ningchuan Xiao	2022
John Blackburn	2022
Loren Wold	2022

**Outgoing members:**

Much thanks to the outgoing members for their service: Molly Farrell, Maurice Stevens, Terry Reese, James Belknap, Joel Diaz, and Daniel Mendelsohn.