

Rules Committee

2014-2015 Annual Report to the University Senate

Introduction:

The Rules Committee is one of the two organizing committees (along with the Steering Committee) of the senate. Per Rule 3335-5-47.3, the committee is responsible for monitoring the Rules of the University Faculty and all statutes and bylaws pertaining to the senate. In addition, the committee ensures that all published rules and bylaws within the senate's purview are up-to-date, makes recommendations for revision of the procedural rules of the senate, reviews all proposed new rules and changes in existing rules before senate action, and initiates new rules or changes in existing rules, recommending them to the steering committee to schedule for senate action.

The Rules Committee consists of 10 members, all of whom must be senators. There are: (1) six faculty appointed by the executive committee of the faculty council; (2) three students, appointed by their respective organizations: (a) one graduate student, (b) one professional student and (c) one undergraduate student; and (3) one administrator: the secretary of the university senate. During the past year, the faculty members were William Brantley (chair), Prosper Boyaka, Jose Diaz, Jeffrey Ford, Robin Judd, and Patricia Van Zandt; the student members were Noel Fisher (USG), Ankita Majumder (CGS), and Jeremy DePugh (IPC). Timothy Gerber was secretary of the senate. The Committee maintains close relationships with the university office of academic affairs and with the university office of legal affairs. The vice-provost for academic policy and faculty resources (Susan Williams in the fall semester and Kay Wolf in the spring semester), and a representative from university legal affairs (Jan Neiger), attended committee meetings and provided valuable insight and comments. Meetings were generally held two times each month during the fall and spring semesters (three times in October; once in November and December). The following sections provide highlights of the committee activities.

Custodial Actions on Three Existing Rules:

In Rule 3335-19-02 for meetings of the university senate, the obsolete "program committee" was replaced by "steering committee."

In Rule 3335-5-45.2 (A), which states that the secretary of the university senate shall be a tenured faculty member, the obsolete "regular faculty" was replaced by "faculty".

In Rule 3335-5-47.1 (C) (2), which states that the steering committee shall annually elect a chair from its faculty membership, the obsolete "regular" before "faculty" was removed.

These custodial changes, representing new wording that is consistent with current approved Rules of the University Faculty, did not require senate action and were sent directly to the Board of Trustees.

Eight Rules Changes Adopted by University Senate

Amendment of rule 3335-5-33 Membership, which clarifies membership of the graduate council. The revised rule states that a faculty chair of the graduate council shall be elected annually by members of

the graduate council and that the chair will sit on the senate's faculty cabinet, as defined in the bylaws of the faculty council. The ending phrase of the preceding sentence was added to the rule. Approved by the senate 11.20.2014

Creation of new rule 3335-5-45.4 on University Senate Faculty Leadership, which defined the membership of this group (chair of faculty council, chair-elect of faculty council, chair of the steering committee, and secretary of the senate) and its responsibilities. Approved by the senate 11.20.2014

Amendment of rule 3335-19-03 (C) Agenda, in the bylaws of the senate. The revised rule specifies that the secretary of the senate shall send and make available electronically copies of the agenda for all senate meetings to all members and alternate members at least five days prior to the meeting (formerly seven days). Approved by the senate 11.20.2014

Amendment of rule 3335-5-04 regarding hearing procedures for complaints against faculty members. The revisions provide a uniform style of "executive vice president and provost" throughout, and in section (H) (6) clarify that the electronic recording kept of all proceedings at a hearing panel shall be conveyed by the chair of the faculty hearing committee to the office of the executive vice president and provost. Approved by the senate 4.23.2015

Amendment of rule 3335-5-05 regarding hearing procedures for faculty complaints about promotion, tenure and renewal decisions. Revisions are in section (C): subsections (2), (4) (6) and (8). Procedural details for the hearing panel selection, the time length for the hearing, and the structure and submission timeframe for the written report by the hearing committee chair to the executive vice-president and provost, along with other procedural details have been clarified. New language directing conveyance of audio recordings made at hearing panels by the chair of the faculty hearing committee to the office of the executive vice president and provost is also included. Approved by the senate 4.23.2015

Amendment of rule 3335-5-37 (B), which states the non-voting membership of the university senate. The revised rule removes the reference to the "president of the freshman senate", since this body no longer exists. Approved by the senate 4.23.2015

Amendment of rule 3335-5-47.1 for membership of the steering committee, which also clarifies voting privileges. There are 17 members (formerly 14). The 15 voting members are: (a) 6 faculty elected by faculty council, (b) the chair of faculty council, (c) 4 student representatives (presidents of CGS, IPC and UGS, and another undergraduate student member of the senate who is appointed by the UGS president), (d) 3 administrators (executive vice president and provost, senior vice president for business and finance, and a dean appointed by the president of the university), and (e) the chair of the university advisory staff committee. There are 2 non-voting members: the secretary of the senate and the chair-elect of faculty council. Approved by the senate 4.23.2015

Amendment of rule 3335-8-27.1, formerly the Freshman Forgiveness Rule. The revised rule is entitled Grade Forgiveness Rule and permits all undergraduate students to petition their dean or unit director to repeat a course and, after completing the course the second time, have the original course credit and grade excluded from the calculation of cumulative point-hour ratio; the original course grade will remain on the student's official permanent record. Deadlines are given for the permission to apply this rule; the same course can be repeated only once under this rule; and this rule can be applied for 3 courses

maximum. The graduate school and graduate professional colleges may formulate appropriate modifications of this rule, subject to approval of the council on academic affairs, and publish the rule in their bulletins. The revised rule is more in line with peer institutions. Approved by the senate 4.23.2015

The Rules Committee acknowledges helpful discussions with T.K. Daniel, chair of the faculty hearing committee, about revisions in rules 3335-5-04 and 3335-5-05, along with helpful comments on the proposed changes in these rules from CAFR (committee on academic freedom and responsibility).

Other Rules Changes Discussed by Committee and Perspective for Coming Year

The Rules Committee had extensive discussions about the revised policy drafts prepared by the senate committee on intellectual property, patents and copyrights (IPPC), and about implications of the eventual new policy on revision of rules 3335-13-06 and 3335-13-07. Rule 3335-13-06 concerns “Rights to and interests in patentable discoveries and inventions, copyrights, and related materials”. Rule 3335-13-07, which presents “Rules governing faculty and staff participation in companies commercializing university research”, is largely a policy statement. The Rules Committee consensus was that (a) an abridged version of rule 3335-13-07 would be developed from the final IPPC policy, with the detailed new IPPC policy located outside of the Rules of the University Faculty, and (b) revision of rule 3335-13-06 must await the final IPPC policy. Committee members will be prepared to act rapidly in 2015-2016 on both revised rules, once the IPPC policy, which is still undergoing university-wide review and revision, is finalized. The Rules Committee acknowledges helpful discussions about these matters with Yael Vodovotz, chair of the IPPC committee, and with Eunice Hornsby, policy and training director in the university office of compliance and integrity.

Another activity for the Rules Committee in the coming year is revision of rule 3335-5-19 (C) for emeritus faculty, which will include distinguishing between active and inactive emeriti. Jeffrey Ford and Kay Wolf have prepared a starting document that lists major question areas for consideration: emeritus faculty selection, emeritus faculty rights, and emeritus faculty designation. Continuing discussions about this rule change are expected with the university office of academic affairs and with representatives of the newly formed Emeritus Academy. The Rules Committee acknowledges helpful discussions with Terry Miller (Emeritus Academy) and Jennifer Evans Cowley (OAA).

The Committee is expected to address revised rules (with proposed new titles) for Student Assessment (3335-8-19) and Schedules for Examinations Administered during Finals Week (3335-8-20). Preliminary proposed changes in these rules have been prepared by Patricia Van Zandt, who has been elected chair for 2015-2016. Discussions with OAA and the University Registrar will be needed.

Respectfully submitted,

William A. Brantley
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