University Policies

Key HOP Policies, Guidelines, Legal Requirements

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Gail Jensen
Department Chair Training
August 30, 2016
Key HOP Policies
HOP 2.11 Annual Faculty Performance Evaluation

• Describes chair’s role in the evaluation process as related to:
  o Department guidelines
  o Department Review Committee*
  o Faculty appraisal*
  o Faculty developmental improvement or realignment of workload distribution

• Addresses how to handle leave issues
HOP 2.24 Third Year Review

• Describes chair’s role in Third Year Review process:
  o With the Third Year Review Committee chair provides a copy of review and meets with faculty member
  o Writes a summary report to submit to the Dean along with all related materials

• Discusses follow-up reviews
HOP 2.10 Faculty Reappointment, Promotion & Tenure

- Describes chair’s role:
  - Writes detailed review of the candidate’s performance in light of department’s needs
  - Considers the DFRAC’s report, amplifies points of agreement, fully explains differences
  - Notifies candidate in writing of DFRAC and chair’s recommendations
- Also, addresses appointments at other institutions
HOP 2.22 Comprehensive Periodic Evaluation of Tenured Faculty

• Describes chair’s role in the CPE process:
  o Initiates election of Department CPE Committee
  o Reviews the Department CPE Committee’s report and writes his/her own report*
  o Submits reports and materials to the Dean
  o Assists the Dean if there is a need for adjustment in workload agreement or for a FDP
HOP 2.34 Faculty Grievance Procedure

- Contains Informal and Formal Components
- Most grievances concern annual performance evaluations; annual performance grievances begin at Formal Stage
- Chairs required to participate in the process*
- A number of deadlines and timelines are included
- Ombudsperson is involved in the process*
HOP 2.04 Faculty Recruitment

- Faculty Recruitment Manual provides detail regarding faculty recruitment process
- Describes chair’s role:
  - Prioritizes department needs with faculty input
  - Submits recommended committee member names to Dean and appoints chair
  - Reviews names submitted by committee and ensures consistency with recruitment goals
  - Submits Hiring Package
Online Recruitment

- Use of STARS required for all faculty positions
- Department Chairs (or his/her designee) will serve as the hiring manager for STARS postings
- STARS job requisition will be created by hiring manager or designee and will route as follows:
  - Hiring manager will submit job requisition in STARS to Dean’s Office
HOP 2.04 Faculty Recruitment (continued)

- Dean or his/her designee will review, approve, and then submit the job requisition in STARS to HR
- HR will review, approve, and post the job requisition in STARS
• Extending job offers
  o Only the Dean or his/her designee can extend an offer
  o Chair and Dean must determine that the salary offer is fully justified given other salaries for similar faculty in the department*
<table>
<thead>
<tr>
<th>Month</th>
<th>Events</th>
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<tbody>
<tr>
<td>July</td>
<td>Form Search Committee &amp; appoint chair; finalize advertisement</td>
</tr>
<tr>
<td>Aug. – Sept. 30</td>
<td>Training by VPAFS/EOS; complete Hiring Plan; send letters soliciting nominations; complete job posting in STARS</td>
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<tr>
<td>Oct. 1 – 15</td>
<td>Soft closing date; review applicants; develop short list</td>
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<tr>
<td>Oct. 15 – 31</td>
<td>Phone/video interviews (optional); extend soft deadline (if needed)</td>
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<tr>
<td>Nov. – Dec.</td>
<td>On-campus interviews with candidates on short list*</td>
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<td>January</td>
<td>Select top candidate; submit CBC; work with Dean to develop startup package; negotiate offer</td>
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<tr>
<td>Mar. 1</td>
<td>Offer letter given to and signed by candidate*</td>
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<tr>
<td>Mar. – July</td>
<td>Prepare office and/or research space for new faculty member</td>
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<tr>
<td>Jun. – Aug.</td>
<td>Assist new faculty member with transition to UTSA</td>
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<tr>
<td>Aug.</td>
<td>New Faculty Orientation</td>
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• All NTT faculty titles are listed and defined
• NTT titles accommodate the need for a professional and stable pool of NTT faculty at UTSA
• Most common titles: Lecturer (I-Distinguished), Professors in Practice, Research Professors
• Titles vary by emphasis on part-time/full-time status and terminal/non-terminal degrees
HOP 2.50 NTT Faculty Recruitment, Evaluation, and Promotion

- Contains guidelines that cover NTT faculty at UTSA
- Recruitment process is required to fill all NTT position; online recruitment through STARS has been required since 2015
- NTT faculty can be promoted through process described in HOP 2.50; work has begun on detailed guidelines
HOP 2.28 Appointing Former TT Faculty to NTT Faculty Positions

• Describes process by which TT faculty members can become NTT faculty members
• Key issues:
  o TT faculty member must resign position prior to notification by the president of the results of their tenure evaluation
  o Faculty member may apply for a multi-year position through recruitment process or for part-time positions as per department guidelines*
Assistant Professors observed once prior to Third Year Review and an additional time before Tenure review; Associate Professors observed once during each CPE cycle
• NTT faculty at or above Lecturer III and Assistant Professor of Practice are observed once during each appointment cycle
• Other NTT faculty are observed at discretion of Chair unless they hold recurring appointments
HOP 2.20 Peer Observation (continued)

• Details of the peer observation rest within departments/colleges
• Peer Observer and Faculty report submitted to Chair
• Chair assists faculty member in identifying observers but makes final selection
Faculty members cannot drop students from courses; currently students must drop themselves.

Undergraduate students typically do not drop themselves, leading to high D, F, W rates that negatively impact faculty and institutional assessment.

Last year, request received to amend policy to allow for “instructor-initiated drop.”
Revised policy to allow drops for attendance and missed assignments passed all stakeholders and was signed by Provost and President.

Legal has reviewed and suggested modest revisions. Decision on next steps pending at Provost level.

Implementation by Fall 2017 is anticipated.
This policy establishes guidelines and procedures for the implementation of Texas Senate Bill No. 11, known as “Campus Carry.”
Policy became effective Aug. 1, 2016 at all Texas public universities.
Allows people with a license (LTC) to carry concealed handguns in permitted areas on campus.
Details of the UTSA policy and designated exclusion zones can be found at www.utsa.edu/campuscarry.
The UTSA policy allows “faculty and staff who are the sole occupant of an office that is not generally open to the public” to designate their office as an exclusion zone.

- MUST give verbal/oral notification to office visitors
- Written notice can also be provided to visitor (website provides options) both in English and Spanish
- Signs posted outside office door are not allowed
Mentoring Guidelines

• Departments should have a mentoring program in place now
• New faculty have been encouraged to make use of departmental mentoring programs
• Departments are free to design their own mentoring programs
• A mentoring resource manual is available online at http://provost.utsa.edu/VPAFS/documents/Faculty-Mentoring-Resource-Manual.pdf
Mentoring Guidelines

• Consider offering mentoring to 2\textsuperscript{nd} and 3\textsuperscript{rd} year faculty under the department’s program
• A number of departments have not established mentoring programs: Architecture, Construction Science, Art & Art History, Modern Languages & Literatures
• A few departments have submitted very sketchy plans for their mentoring programs
Legal Guidelines
TOPICS

- Discrimination
- ADA/504 Accommodations
- FMLA/Leave Issues
- General Guidelines
DISCRIMINATION ISSUES - TRENDS

no means

LGBTQ

Office of the Senior Vice Provost
for Academic and Faculty Support
DISCRIMINATION ISSUES - TIPS

• Be sensitive
• “Magic Words”
• EOS
In the classroom

• Cannot exclude student from participation or deny student benefits of service, programs or activities because of disability.

• Access to and Participation in
  o Physical Access
  o Access to Learning

• Academic Accommodations – NO informal process
  o Student Disability Services
In the workplace

- Must provide reasonable accommodation unless it creates "undue hardship"
- Must be REASONABLE
  - Do not have to change/remove "essential function"
- Leave is considered a reasonable accommodation
- NO informal process
  - Human Resources – Annette Rabago
FMLA

• “Eligible employees” – 12 weeks
  o Serious health condition (self/immediate family)
  o Birth/adoPTION of child

• Military service members – 26 weeks

• Job protection
GENERAL GUIDELINES

• Know policies
• Know what should be referred and where
• Know resources
• Emails

Email – the cockroaches of litigation:

“They’re out there; they’re multiplying; they’re hard to get rid of; and they always come out when company’s around.”

- Texas Trial Attorney
EXAMPLES

• Sony Hack – Part I


“LOS ANGELES – Salaries of its top executives. Unpublished scripts. Sensitive contracts. Aliases that stars use to check into hotels…"
MORE EXAMPLES

• Fen-Phen Litigation

Internal email among company employees:

“I don’t want to spend the rest of my career paying off fat people who are a little afraid of some silly lung problem.”

Litigation settled for $3.75 Billion
• Employment Case

Email from supervisor upon learning that an employee had filed an EEOC charge:

“Let’s exit her ASAP before she is entitled to a bonus.”

Jury verdict of $29 million ($20 million punitives)
TIPS

• Do NOT assume emails are private
• Pick up the phone!
• Draft, step away, revise, reread, ask yourself, then send.
• Limit recipients – who REALLY needs to be included?
• Be careful of “Reply All”
Case Study
DISCUSSION

Please consider the following questions in small groups and be prepared to report your conclusion:

• Do you have to respond?
• What information do you need to gather in order to respond to Dr. Chandler?
• What are the core issues in this case?
• Should you respond to all of Dr. Chandler’s concerns?
• Should you provide a lengthy or brief response? What are the advantages/disadvantages of both?
• It appears that you and Dr. Chandler have a long history of interaction. How might this impact your response?
• Who can you consult with about Dr. Chandler’s memo?
• You believe that Dr. Chandler’s grant as for an amount so small as to be insignificant and that he has a long history of being a secondary author on articles and needs to take more initiative in his research.

• You also believe Dr. Chandler should pay more attention to his research and focus less on his consulting activities.

• You are not particularly interested in participating in further dialogue (written or verbal) with Dr. Chandler as you believe that he complains too much (he does have a history of filing grievances), and you have told him that.