

Committee: Faculty Manual Committee (FMC)		
Chair: Myrna Wooders		
EC Liaison: Geoffrey Fleming		
<p>To be concerned with all changes and proposed changes to the Faculty Manual and changes in other University policies that have a direct bearing on the Faculty Manual. To be concerned with compliance and regulatory changes from federal/state agencies and other regulatory bodies that require revisions to the Manual. To be concerned with policy issues arising within the Colleges and Schools at Vanderbilt that require clarification of the Manual, especially where congruence between the Schools and University is concerned. To ensure that any changes to the Manual are clearly identified, communicated, and archived annually. [2015]</p>		
<p>Faculty Manual Committee Members</p> <p>Myrna Wooders, A&S, Chair Geoffrey Fleming, School of Medicine (Executive Liaison) Senta V. Greene, A&S Benigno Trigo, A&S Tony Weil, School of Medicine Duco Jansen, Engineering (Ex-officio) Becky Keck, Nursing (Ex-officio) Richard Willis, Owen Graduate School of Management (Ex-Officio)</p>		
Item	Charges	Due Dates
1.	<p>New:</p> <p>Update compliance standards in Faculty Manual with new reporting process.</p> <p>FMC: Some progress was made on this but it is held up primarily because revision of Part II, Chapter 3 is being further delayed and some related issues there need to be resolved. We have corresponded with the OGC and there is a draft revision, now in the hands of the OGC. Thus, when this is completed depends on the cooperation of the OGC.</p>	April 2017

2.	<p>Continue:</p> <p>Adopting changes based on VU and VUMC split, review and revise wording and update for VUMC changes. Update and correct all errors.</p> <p>FMC: We have corrected number of errors and continue to watch for them.</p> <p>Recommendation: The FMC continue to watch for further changes that may be required due to the reorganization. Ask the OGC to go through the entire Manual and look for inconsistencies.</p>	December 2016
3.	<p>Continue:</p> <p>Readdress and modify Part IV following discussions from the May 2016 Faculty Senate meeting. Part IV did not get through the meeting of May 9. It was remanded to committee. Involve the deans directly in soliciting feedback on Part IV as that is a big part of the manual for them in handling issues related to grievance and discipline. Laurie Benton, volunteered to help review Part IV for us. In particular, she thought each step should have a time limit placed on it.)</p> <p>FMC: At the April 2016 Senate Meeting there was a suggestion to add more time limits and an objection to the concluding “Final Reports” so the motion was sent back to the FMC. The 2016 proposed revision was sent to Dean Benton. Her proposed revisions, concerning time limits on several actions, were incorporated in the current draft of Part IV. We also modified the “Final Reports” of Chapter 2 to make the process simpler than in our April version.</p> <p>For presentation at the April 2017 meeting, the motion was split into two parts, Part IV, Chapter 1 and Part IV, Chapter 2. The main differences of the April 2017 proposed revision was the addition of suspension <i>with pay</i> and revisions in the Final Reports section of Chapter 2 to make the process easier than in the 2016 version.</p> <p>At the April meeting the Provost noted an incorrectly worded sentence in a footnote in Chapter 1 (from the current version of the Faculty Manual); that was sent back to the FMC. The Chair of Grievances requested that the Chapter 2 motion be tabled so that the FMC had more time to review the document.</p>	December 2016

3.	<p>Note that General Counsel was heavily involved in the revision of Part IV. There were discussions with the GC, Drs. McNamara and Raiford in the 2014-2015 term and this year, attorneys from the OGC were involved and had the opportunity to review all changes. Indeed, the final wording of the sentence we introduced making “suspension with pay” was proposed by an attorney from the OGC.</p> <p>We anticipate that we will be able to bring Part IV, Chapter 2 to the Senate in September or October of 2017 providing we receive comments sufficiently in advance of that time to incorporate them in a further revision.</p> <p>Recommendation: It would be helpful if the OGC reviewed the entire Manual to see if they can find anything that needs to be changed. And if so, they report this to the FMC. My impression is that, with a recent exception, the OGC focuses one places where the FMC is proposing changes. But there are many interrelationships between parts of the Manual and some of these concern primarily the administration (such as who reports to the Provost and who reports to the Dean of SOM).</p>	December 2016
4.	<p>Continue:</p> <p>Email Privacy: Develop motions as necessary for recommendation to the Provost and to the Faculty Senate, to communicate results and procedures campus-wide, and to work with Faculty Manual committee as needed.</p> <p>FMC: We had no time to work on this.</p>	December 2016

5.	<p>New:</p> <p>Identify and review information related to diversity, equity and inclusion within the Faculty Manual.</p> <p>FMC: We had no time to deal with this. Given the other matters in progress, we anticipate that December 2017, will be the earliest that we can turn to the issue. In our work on the Manual, however, we have not noted any place more could be done on including DEI issues.</p> <p>We recommend that the FMC continues to be aware of this issue.</p>	April 2017
6.	<p>New:</p> <p>Clarify the appeal process if you are turned down at the fourth year review. Why not?</p> <p>FMC: We had no time to deal with this. Given the other matters in progress and the relative importance of this issue we anticipate that February 2018 will be the earliest that we can turn to this issue.</p>	April 2017

7.	<p>New:</p> <p>Need to include reference to CTP (comprehensive transition programs) being included in the tuition reduction benefit for Vanderbilt faculty (which is all faculty, regardless of employer) and Vanderbilt staff. VUMC is a separate issue not covered by the Faculty Manual.</p> <p>FMC: Since Part VII is not a part of our contract HR was asked to revise the document. (The ad hoc FMC committee spent a great deal of time on this and it progresses extremely slowly, if it progresses at all.) HR agreed and said that they would send us a revision, Nevertheless, a new version of Part VIII has appeared in the Manual. This was not brought to the Senate.</p>	April 2017
8.	<p>Continue:</p> <p>Faculty Manual, Part III, Chapter 3: 2012 changes to Faculty Manual that were not brought to the Senate. The goal was to consider the changes made to Part III, Chapter 3 that, as far as all records available to us show, were not brought to the Senate. The FMC brought some changes to the UCC for their feedback in September 2015. At this point, General Counsel and Vice Chancellor Audrey Anderson, as Chair of the UCC, has agreed to meetings between a subcommittee of the FMC consisting of four members of the FMC and four of the UCC (including VC Anderson). We have had two meetings and agreed that more clarity is needed. Hopefully, Part III, Chapter 3 will be revised and clarified during the coming academic year.</p> <p>FMC: Note that the most important part of the spring 2012 changes was first, the movement of COC into COI, thus bringing COC under the UCC. Also, the 2012 changes removed the Senate from the section of the Manual dealing with revisions to the policy. <i>Thus, the Senate was supposedly removed from even any discussion about activities that might be a COC.</i> (Reviewing policies of other universities, VU may be unique in that the administration attempted to take all rights to be involved <i>in what constitutes the work of a faculty member.</i> The FMC, beginning with the ad hoc FMC, has been trying to deal with this issue. In December of 2015 we sent a proposed revision to the GC for comment. In January 2016 we had a new version, presenting the changes in a way she preferred. In February 2017 the GC told us that she would not comment on our revision.</p> <p>[BTW, as I have often been told, there <i>are</i> faculty on the UCC. They are appointed by the Chancellor. The Chair of the UCC is the GC. It is argued because there are such faculty, there is faculty representation on the UCC. I believe that most faculty would not view the few faculty on the UCC as adequate to represent the faculty in discussions of their contracts with VU. (And voting on the UCC is non-anonymous.)]</p>	December 2016

8.

In response to the successful motion by the FMC to reinsert the Faculty Senate back into the UCC revision process as described in the Manual, the Vice Chair (VC) of the Executive Committee of the Senate and the GC proposing that we schedule (again) another meeting of a group, part from the UCC and part from the FMC with the purpose of moving towards an acceptable revision.

This meeting was held on February 15th, 2017. The meeting began with the VC of the announcing that we would not deal with any history; we would take the current version of Part III, Chapter 3 as given and thus limited conversation. (I believe that this violates academic freedom.) The meeting included much discussion of what constitutes an “external activity.” A member of the UCC asked, perhaps with tongue in cheek, in effect, whether an external activity was an activity outside of Davidson County. The most important conclusion of the meeting was that some examples were needed.

Minutes of the meeting were to be provided within 2 weeks. As of May 4th, we still do not have minutes. The VC also offered to revise the current Part III, Chapter 3 and said that it would take about a month. We have not received any proposed revision.

Thus, for yet another academic year, we have made no progress of Part III, Chapter 3.

To give you an idea of the views of some members of the administration about COC, following is an FMC proposed revision of the Compliance section from 2015.

Conflicts of Interest and Commitment

...~~The primary source of~~ Vanderbilt conflict of interest policies and commitment policies are found ~~in Part III, Chapter 3 of this Manual. See also on~~ the Vanderbilt Compliance Web site at www.vanderbilt.edu/compliance/, ~~the Vanderbilt University Medical Center Compliance Web site at www.mc.vanderbilt.edu/compliance/, and~~ the Human Resource Services Web site at www.vanderbilt.edu/HRS/, ~~and in the hospital policy manual~~

In response, the Vice Provost for Faculty wrote: *“This is not true, The policy is authored by the UCC [MW- because the COC was moved into COI, I suppose.]. It has been included in the FM as a courtesy only.”* The VC for Health Affairs agreed, also in writing.

To this date, the Faculty Manual is not included as a reference for COC issues (although an FMC motion to re-insert the Senate into the revision process of the UCC passed.) As a side-note, not including the Faculty Manual as a reference is a big deal. The Faculty Manual is part of our contract. Websites with changes made unilaterally by the administration are not necessarily a part of our contracts, especially if they violate the terms of the Faculty Manual.

“Shared Governance” at VU gives the Senate a representation on high level committees, such as land use, but it appears that the administration wants us to have no voice in what constitutes our commitment to VU.

Recommendation: To continue to try to work with the OGC and the OCM. But since it appears that any motion to change Part III Chapter 3 to strengthen the role of the Faculty Senate in what constitutes our commitment to Vanderbilt, we may need to proceed in small steps, such as the successful motion to re-insert the Faculty Senate into the revision role of the UCC. Note that this motion was unanimously approved by the Senate (with possibly an abstention), and almost all discussion concerned the form of the motion.

December
2016

9.	<p>Continue:</p> <p>Collaborate with SPAF on revision of Chapter 1 of Part III of the Manual. SPAF revised this Chapter. The Faculty Manual Committee reviewed the revised version and proposed only very small changes.</p> <p>FMC: As far as we know, this matter was concluded in the last academic year.</p>	December 2016
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Summary of FMC motions and activities

The FMC made a number of successful motions. Following is a list with brief descriptions of the motions. Most, but not all, motions were successful. Two were sent back to the FMC. I have starred the most important motions.

1. October 6th, 2016: Motion to update titles, required by the re-organization. Passed.
2. October 6th, 2016: Motion to include Master of Marketing in the description of degrees offered by Owen. Passed.
3. *October 6th, 2016: Motion to accept an interim change in the description of the TRC to have 40% of the membership of the *entire* Technology Review Committee (TRC) consist of VUMC employed faculty. As explained by the Chair of the FMC in the presentation of the motion to the Faculty Senate, this interim change appeared to have a mistake; it should have stated that 40% of the *faculty* be VUMC-employed, not 40% if the entire TRC membership. The motion to accept the interim change failed (as was the aim) and new language to correct the description of the TRC was proposed. Thus, the objective of the motion was realized. *This motion is historic since it is the first time an interim change was not approved by the Senate.*
4. October 6th, 2016: Motion to change, in Part III, Chapter 5 the term “Vice Chancellor for Health Affairs” to “the Dean of the School of Medicine”. Passed.
5. October 6th, 2016: Motion to include a new Dean, Dean of the Basic Sciences, within the School of Medicine, who reports to the Provost. Passed.
6. November 3, 2016: The FMC played a small role in getting together a small group of faculty (which became an ad hoc Committee) involved in the Faculty Guiding Principles statement passed at the December meeting.
7. December 8th, 2016: The FMC had three motions ready to present but there was no time.
8. **January 12th, 2017: Motion to re-insert the Faculty Senate into Part III, Chapter 3, Article 5, Item #8, describing review of the Conflict of Interest Policy. Passed. *This is clearly a major motion since it again states that the Faculty Senate is to be involved in what constitutes our work for VU.*
9. January 12th, 2017: Motion to amend Part V, Awards, of the Faculty Manual to update the Awards, how selections are made, and the amounts. Passed.

Concluding Remarks

Each motion brought to the Senate (except those that are simply changes in titles in consequence of the re-organization) takes much time. The use of “Respondent” instead of “accused” for a faculty member in Part IV, Chapter 1 and instead of “the representative of the University” whose actions form the basis for the grievance” took many emails with the GC and even a meeting of the FMC with Drs. Raiford, McNamara and the GC in attendance. The footnote in Part IV, Chapter 1, questioned by the Provost took many emails to resolve.

The motion to change 40% of the entire membership of the TRC to 40% of the faculty on the TRC took much more time than one would expect. But then, maybe not. It was historic, as noted above.

The FMC currently meets every two weeks. The members of the FMC are largely quite devoted to their work for the FMC, the Senate and the faculty. It is a pleasure and an honor to be able to serve of as the Chair of such a committee.

Respectfully submitted,

Myrna Wooders
Chair of the FMC.