FPPC Minutes
Meeting #3
October 7, 2022

Present: Al Colburn, Richard Marcus, Leslie Andersen, Erlyana Erlyana, Don Haviland, Tianjiao Qiu, Gary Hytrek, Tracey Mayfield, Rboin Richesson, Malcolm Finney, Jalal Torbzadeh, Barbara Le Master.

1. Approval of minutes
2. Announcements
   - Al to share with Senate and include the members of the FPPC in presenting. Will also include consultations, survey, etc.
   - Faculty Equity Advocates. Discussion beyond FPPC about the role in RTP. Al has shared with the provost, AS chair, Margie Merryfield, Ana Ortiz, and others. Pei-Fang was an FEA and is now AS chair. Ana Ortiz was an FEA and is now College of Education dean. Some like the idea some don't. Others have discussed the importance of training of RTP committee members. Discussion of Full Professors because it is RTP. Mindful of workload. Use of FEA on a committee would be decided by the college Faculty Council. Use is not up to the dean.

3. Revision of University RTP Policy 09-10 - sections 6,7, 8
   - Discussion of 6.54 – candidates prepare materials for review. Should it specify "electronic system?"
     - All agree it will stay on line.
     - Robin: Since it is the future it is ok.
     - Richard: Agree it is the future, but concern with policy vs procedure. Why specify the procedural tool?
     - Jalal: Administrator of the college will direct.
     - Robin: We could eliminate electronic, and just say univesity approved system.
     - Gary: take out electronic.
     - Final: submit them via the university-approved process by the deadline.
   - Who gathers the letters from Open Period? Chair of RTP, Chair of Dept, or ASC?
     - Tracie: The procedural document currently says Committee Chair.
     - Malcolm: RTP Committee Chair. They prepare the index in Interfolio. In case they need to add late materials.
     - Don: for us in practice those letters go to our dept coordinator, who organizes it for the committee chair - who then uploads
     - Malcolm: If the department chair has this responsibility, what happens if the department chair is up for review?

- o Barbara: The department coordinator collects, prepares an index of the material submitted during the open period to be included in the candidate's file, and submits the open period materials to the candidate's file.
- o Richard: the right to submit material more generally? It seems we are applying access differently across the university right now, and that inconsistency is concerning. We can correct that.
- o Tracie: Everything a committee does is important, there is no busy work for an RTP document. When it comes to the workload, This is not news to the faculty who signed up to these committees. I am for keeping it within the committee because the committee signed up for the work.
- o Barbara: Now, The department coordinator collects, prepares an index of the material submitted during the open period to be included in the candidate's file, and submits the open period materials to the candidate's file. Then the department chair is responsible for the open period and creating the index
- o Barbara: if not coordinators then the dept chair. As Richard said, the way that it is being done is very different in different parts of the university. Making a list of materials should not be left up to the RTP committee either. It should be left up to the candidate. The open material is then the only thing submitted later.
- o Malcolm: Current policy states: Then the department chair is responsible for the open period and creating the index.
- o Leslie: How is it ok for the dept chair to see those letters before they see the whole packet? They have to judge the whole packet.
- o Tracey: The job of the Dept chair is not to read them but to put them in the file.
- o Robin: the Dept Chair letter is optional. They are not required to submit a review. It isn't hierarchical.
- o Malcolm: I don't mind dept or RTP chair, but what if the dept chair is up for review?
- o Jalal: Not all department chair participate in RTP. As Richard mentioned, this is about just Open Letters which comes before the candidate file.
- o Vote: A majority voted that it goes to the RTP Committee Chair (not a unanimous vote)
- The President has the power to make the final decision or the president makes the decision?
  - o Richard: Concern that "president makes final decision" obligates the president to read all files. Do we need "or designee? It is currently the provost that makes the decision, so "provost"?
  - o Malcolm and Tracey: Yes, currently the provost. The guidelines violate the policy. Tracey: Perhaps the CBA says "president" but it is designated to the provost on our campus.

- o Gary: "or designee" is standard for the CBA
- o Don: "or designee" is a friendly amendment to the proposed language.
- o Jalal: The CBA says "president."
- o Gary: A lot of the letters don't have why there is a denial though it is in Article 15 of the CBA.
- o Gary: *The President shall issue a decision regarding retention, award of tenure, or promotion. Such a decision shall be in writing and shall include the reasons for the decision. A copy of the decision shall be provided to the affected faculty unit employee and all levels of review. A copy of the decision shall be placed in the faculty unit employee's Personnel Action File.* It uses in Article 14 and 15 the President shall issue the decision. The contract doesn't use designee. It should be coming from the president.
- o Leslie: We should ask about this. I have never received a letter from the President either.
- o Richard: The CBA supercedes our policy, so we need to follow that. I am surprised this has not come up in challenges.
- o Decision: Gary will take back to the CBA team to double check that we are interpreting CBA correctly and return to the Council on definitive language.
- 7.1 – prior to the final decision add: "regarding reappointment, tenure and/or promotion"? Question: If you want to withdraw from the process (to resign without prejudice)?
  - o Gary: Promotion, 14.7. *Prior to the final decision, candidates for promotion may withdraw without prejudice from consideration at any level of review.*
  - o Barbara: What happens to someone who doesn't withdraw but doesn't submit a file? Are they let go at the end of that semester?
  - o Robin: the pipeline takes a year. (not a semester)
  - o Don: Gary's language suggests it's just promotion, yes?
  - o Don: The language in CBA is *candidates for promotion may withdraw*. So, I am fine striking my proposed amendment to stay with CBA.
- 7.2 Who is providing the materials? (Don)
  - o Don: proposal : "by the candidate"?
  - o Jalal: Forgot to include something required? Committee requests.
  - o Richard: Same question. Is there a process to submit additional material.
  - o Malcolm: "RTP Guidelines: Missing Material: At any point in the review, if materials that are required for the evaluation are discovered to be missing, evaluators at that level of review may request the missing materials be added. However, when the missing materials have been provided, the RTP file must be returned to the level at which the requisite documentation should have been provided. Such material shall be provided in a timely manner."
  - o Richard: Like the language in the RTP Guidelines but would like it moved to policy to help ensure consistent application.

- o Al: Added in 7.2.
- o Erly: "return to candidates" seems like it pertains to binders. Interfolio doesn't require "return."
- o Gary from CBA: CBA language 15.12b: *If, during the review process, the absence of required evaluation documents is discovered, the Working Personnel Action File shall be returned to the level at which the requisite documentation should have been provided*
- o Barbara: The only missing thing in the CBA language is that the material must be submitted to the file.
- o Leslie: Could we change "package" to "file?" "the absence of required evaluation documents is discovered, the RTP *file* (not package); …"Candidate's rebuttal/responses shall accompany the RTP *file*" (not package) . Yes.
- o Erly (proposed language in place of the longer language in the current RTP Guidelines): *If, at any time during the review process, the absence of required evaluation documents is discovered, the RTP committee chair should add the missing or new required documentation to the candidate RTP file.*
- o Robin: There are too things going on. Missing materials vs added materials.
- o Tian (from CBA) : *insertion of material after the date of this declaration other than faculty and administrative evaluations generated during the evaluation cycle and responses or rebuttals by the faculty unit employee being evaluated must have the approval of a peer review committee designated by the campus and shall be limited to items that became accessible after this declaration. Copies of the added material shall be provided to the faculty unit employee. Material inserted in this fashion shall be returned to the initial evaluation committee for review, evaluation and comment before consideration at subsequent levels of review.*
- o Al: Do all agree we need clarifying language on late material? (Unanimous yes.) Proposing the following in compliance with CBA (to make a new 7.3): *Either the candidate or evaluators may ask to have new materials placed in the file after the Open Period. Such requests shall be limited to items that become available after the file was submitted. In all such cases, the College RTP Committee must approve the request. When material has been added to the file in this manner, the file shall be returned to the initial evaluation committee (the Department RTP Committee) for review, evaluation, and comment before consideration at subsequent levels of review.*
  - ▪ Discussion : College vs Department RTP adds new material?
  - ▪ Approved. But, Richard and Leslie proposed to amend to department level when under department review and college level under college review. We can amend if desired next session.
- For next time: Do you think the policy should include language about delaying reviews (such as Covid-19 impacts) as a permanent part of the document? (It would go in Section 4).

Future Meetings This Semester
October 21
November 4
November 18
December 2

FPPC's charge is online at https://www.csulb.edu/academic-senate/faculty-personnel-policies-council-fppc