FAM/By-Laws Meeting Minutes, May 3, 2017, 12:00 pm

Attending: Jason Vance, Carl Wise, Laura Penny, Todd McNerny, Jannette Finch, Megan Gould, Deanna Caveny-Noecker, George Pothering, Richard Nunen, Mike Lee

Minutes recorded by Laura Penny and Jason Vance.

- The minutes from the Mar. 29, 2017 FAM/By-Laws Meeting were approved.

- The draft of the 2016-17 By-Laws/FAM Committee Annual Report was summarized and approved. The minutes from the present meeting (May 3) would be added to the Report before submitting to Megan Gould.

- The incoming FAM/By-Laws Committee determined that Richard Nunen would serve as Chair, and Mike Lee would serve as Secretary.

- Several items of business carrying over from 2016-17 to the 2017-18 Committee were discussed:

  Regarding the Report from Ad-hoc Committee on Grievance - recommendation for mediation training could be written into ByLaws. It was not clear whether the recommendation to form a Faculty Resource Pool required a formal definition and changes to the FAM. Tim Carmichael, from the Grievance Committee, has further recommendations that may carry over to the 2017-18 business.

  Regarding the Report from Ad-hoc Committee on Hearing - some recommendations would be changes to the By-Laws, and should be presented to the Senate for discussion and vote; other recommendations would be changes to the Administrative section of the FAM. FAM/By-Laws should still consider and make recommendations on these changes, but ultimately Academic Affairs would determine whether to implement those changes. The 2 pages of post-Hearing procedures which previously "fell out" of the FAM need to be reinserted ASAP.

  Regarding the recommended language on determining Conflicts of Interest, there were concerns about the ambiguity of the definition, and the sole determination by, and appeals to, the Hearing Committee. Because these recommended changes would impact the Administrative side of the FAM, it was questioned whether the College would accept this recommendation and grant the Hearing Committee the authority to determine conflicts of interest -thereby ceding their authority to appoint a "College Representative" to the discretion of the Hearing Committee.

  Other concerns regarding the Hearing Committee, not included in the Ad-hoc Committee's report, were discussed, including: training for Hearing Committee members and chairperson, as well as legal assistance to the Hearing Committee during the course of a hearing, would be beneficial; a faculty resource pool, similar to that recommended by the Ad-hoc Committee on Grievance, could also be helpful; the language in the FAM regarding the rights of the grievant to request a public hearing could be more robust, but there are conflicting privacy issues regarding how this right for a public hearing is constrained by requiring consent from parties of interest.
Regarding the Report from the Post-Tenure Review Committee – the recommendations for clarifying the language in the FAM regarding the timing of the reviews affects the Administrative side of the FAM. Deanna noted that there is a draft of these changes to the FAM that can be reviewed (early next fiscal year?), and FAM/By-Laws can report these changes to the Senate through a Notice of Intent from Academic Affairs.

- Megan Gould presented two issues she discovered in her review of the FAM: 1) there is inconsistency with how Committees are named outside of the FAM, particularly on the College website some Committee's have "Faculty" added to the Committee name (e.g. "Faculty" Educational Technology Committee); and, 2) the FAM requires Committees to present a report every semester, and she suggests we consider clarifying the language to reflect the current practices of presenting reports annually.