

**Approved version**

**April, 2010**

**DEPARTMENT OF COMMUNICATION WORKLOAD POLICY**

This policy describes the workload responsibilities for the faculty in the Department of Communication at Wayne State University (WSU) within the areas of research/creative/professional activity, teaching, service, and advising. This policy is designed to complement the AAUP contract (see Article 24 on Professional Duties attached), Departmental Factors for Tenure and Promotion, the by-laws for the Department of Communication, and Departmental and college norms, traditions, practices and processes regarding evaluation of faculty productivity (including tenured and tenure-track faculty and lecturers).

WSU and the Department of Communication at WSU expect tenured and tenure track faculty and lecturers to contribute in substantial ways to the overall mission of the university, the department, the field, and the community. Although there are numerous ways to contribute, well-established and accepted avenues include: 1) research and creative/professional activity, 2) teaching, 3) service at the departmental, college, university, field of inquiry, and community levels, and 4) advising of students.

Research/creative/professional activity and teaching are the most important duties of faculty and should constitute the bulk of a faculty member's time. Workloads are determined in part by one's ability to conduct research/creative/professional activity, to teach, to participate in service and professional activities, and to advise undergrad and graduate students. Specific workload levels are set, in part, by departmental and college need, and are subject to negotiation with and the approval by the Department Chair, the Dean of the College, and specific tenured

and tenure track faculty, and lecturers. Workloads may also be adjusted within the four areas described below. However, as outlined in the following sections, there are established and accepted minimums that all faculty are expected to meet.

## **1.0 Scholarly/Creative/Professional Achievement**

1.1 Pursuant to the mission of WSU and the Department of Communication, scholarly/creative/professional activities in recognized, peer-reviewed venues and the publication and presentation of scholarly/creative/professional activity are important determinants of scholarly and creative engagement and productivity within academic disciplines (see Departmental Factors document for more specifics about types of scholarly/creative/professional publications and presentations).

1.2 As a research extensive institution (“R1”; “RU/VH”), WSU expects tenure and tenure track faculty to conduct an ongoing program research/creative/professional activity reflective of a research intensive institution to gain tenure and to remain productive. Although the specific type of research/creative/professional activity is to be determined by each individual faculty member, activity should be consistent with one’s professional field of work, reflect a coherent research/creative/professional agenda, meet the recognized norms of one’s field, should be presented at academic/professional conferences or presented at juried competitions/showings, published or presented in peer reviewed, juried and/or professional outlets, and/or published or presented via known outlets such as established and recognized publishing houses and/or presentation outlets. Lecturers are encouraged but not required to demonstrate research, creative and/or professional productivity. The department does expect that lecturers will support and value research, creative, and professional activities.

1.3 The amount of research and/or creative/professional activity that an individual faculty member produces and disseminates often varies with the complexities of the research/creative/professional program or project and may depend on one's career trajectory. Not all research or creative/professional activity fits easily into established, quantifiable categories and this complexity is reflected in departmental expectations for productivity (see also the Department's Factors document for additional information). In general, departmental expectations for research and creative/professional activity are based on the broad scholarly achievement standards for productivity established by the Graduate School at WSU, which include:

1. Publication of research in peer-reviewed journals;
2. Publication of books, book chapters, edited books, and research monographs (peer-reviewed or invited);
3. Receipt of external research grants, fellowships or other honors awarded through a peer review process;
4. Evidence of leadership or innovation in professional practice as indicated by publication of technical reports or receipt of patents;
5. For candidates in the applied creative arts, evidence of professional accomplishment in the arts as demonstrated by invited or juried/reviewed performances or exhibitions.

Departmental norms and common practices help to clarify the criteria established by the Graduate School and suggest that publishing on average one research article or equivalent per year and presenting at regional or national conferences (or similar levels of creative/professional productivity) on a regular basis meets the generally understood standard for research and creative/professional activity in the Department of Communication.

1.4 Tenured faculty members may at certain periods reduce their research and/or creative/professional productivity below the levels established in the department and/or school/college as defined in this document and as outlined in the Department's factor statement for persons holding their academic rank. In circumstances when a tenured faculty member has

failed to meet the standards for research/creative/professional productivity for three or more years (as stipulated in Article 24 of the AAUP contract), the faculty member **may** be assigned by the chair to teach one or more courses beyond the normal course load in the academic unit. Such assignments will only occur after the chair consults with the Dean of the College and the Departmental merit/salary review committee (as specified in Article 24 of the AAUP contract). In some situations, the faculty member **may** make his/her compensatory contribution through additional responsibilities that are generally defined as part of the teaching or instructional program but do not involve teaching additional courses, such as unit-wide advising responsibilities (e.g., as undergraduate or graduate advisor). However, preference should be given to additional teaching. Any faculty member experiencing low research and/or creative/professional productivity is expected to return to acceptable levels of productivity within a reasonable period of time.

## **2.0 Teaching**

2.1 The standard teaching load for tenure and tenure track faculty is a 2/2 teaching load or four courses per year (the typical teaching load is two three credit courses per semester, although in some cases, the 2/2 load may include a four credit courses). Both tenure and non-tenure track faculty may receive course reductions for administrative duties. Lecturers have a standard 3/3 teaching load or six courses per year.

2.2 The chair, in consultation with faculty and the Dean of the College, sets enrollment limits for courses. Among the factors that should be considered for enrollment caps are the nature of the course and the level of the course. In rare cases, when a course has an atypically large enrollment for its level and nature, additional instructional resources (such as a reader) may be provided to assist in the administration of the course. Additionally, when a course has an

atypically large enrollment for its level and nature, this increase in teaching responsibility may be factored into a faculty member's overall teaching load.

### **3.0 Service**

3.1 Administration: In some circumstances, tenure and non-tenure track faculty may receive course reductions with the approval of the Department Chair and Dean of the College for fulfilling administrative duties or other special assignments. These course reductions are typically a reduction of one course per year. Positions that might qualify for a course reduction include: Departmental Area Heads, Director of Graduate Studies, Director of MADR, Director of the COM1010 basic course, business communication (COM3300) Course Director, Directors of Debate and Forensics, Public Relations Student Society of America (PRSSA) Advisor, and the Director of the Journalism Institute for Media Diversity.

3.2 Service to the Department, College, & University: Faculty are expected to provide substantial service, primarily but not exclusively, through departmental, college, and university committees. Faculty in coordination with the Department Chair will take into consideration the particular mix of committees when determining assignments given the differing degrees of time commitments and responsibilities among committees. Efforts to limit committee work outside of the department will be made for tenure-track faculty within the first two to three years of service and full-time lecturers.

3.3 Service to the Discipline or Profession: Faculty are expected to contribute to and promote advancement of their discipline/profession through various roles and activities. These activities might include reviewing manuscripts for scholarly journals, organizing panels for conferences, and holding office in an academic organization or professional association. Faculty might also participate in the local community by holding workshops in their area of expertise,

coordinating events such as film festivals or fundraising efforts for nonprofit organizations and serving on advisory boards. On campus this service might take the form of advising student groups such as PRSSA, directing programs such as the Journalism Institute for Media Diversity, planning alumni events associated with specific curriculums, and coordinating outside professional development opportunities for students.

3.4 Service to the Community: Faculty are encouraged to serve as members of community boards and/or initiatives which bring expert knowledge to bear on behalf of the community. “Community” here encompasses groups, agencies, and institutions in both the public and private sectors and is not limited to the Detroit area.

#### **4.0 Advising**

4.1 Pursuant to the mission of WSU and the Department of Communication, advising and mentoring of undergraduate and graduate students is an important and expected professional responsibility. As such, tenure and tenure track faculty and lecturers are expected to advise undergraduate students and assist them in their degree progress. Undergraduate advising assignments are made in accordance with departmental needs and normally occur by assigning undergraduates to relevant faculty via a process that spreads the workload as fairly as possible across all relevant faculty. Specific activities and programs such as learning communities are also important advising functions

4.2 Tenure and tenure track faculty and lecturer are also expected to advise master’s students and assist them in their degree progress. Masters level advising assignments are made in accordance with departmental needs and normally occurs by assigning master’s students to relevant faculty via a process that spreads the workload as fairly as possible across all relevant

faculty and lecturers. Lecturers may advise M.A. students; however, this type of advising is limited.

4.3 Ph.D. holding tenure and tenure track faculty are expected to maintain graduate faculty status to advise Ph.D. students in their degree progress and to direct Ph.D. students through comprehensive exams and dissertations. As such, the Graduate School at WSU outlines general criteria that help establish continuous involvement with graduate advising at the Ph.D. level, including:

1. Teaching graduate level courses;
2. Direction of graduate student theses and dissertations and service on thesis and dissertation committees;
3. Graduate administrative service, such as Graduate Examiner, Graduate Council member or Departmental Graduate Committee Chair.

Establishment, reinstatement, and loss of graduate faculty status are the administrative responsibilities of the department's Graduate Director and the Graduate School Dean.

4.4 Given the complexities of the Ph.D. advising process, departmental norms and common practice suggest that tenure and tenure track faculty are expected to advise between three and five Ph.D. students simultaneously. Non-tenured faculty are encouraged to advise less than the departmental norm for the first two to three years of service. As a general practice, lecturers do not advise Ph.D. students.

## **5.0 Workload and Graduate Status Monitoring, Review/Evaluation, & Reinstatement Procedures**

### **5.1 Monitoring**

5.1a Workload: The Departmental Chair monitors the workload of tenured faculty, tenure-track faculty, and lecturers in the department. In addition, the merit/salary committee (as stipulated in the AAUP contract) annually reviews faculty for productivity

and accomplishments. Meeting of workload responsibilities is normally assessed over a three year period.

5.1b Graduate status: The Director of Graduate Studies monitors the graduate status of tenured and tenure-track faculty in the department. As outlined in the Graduate school documents on graduate status, the graduate status of tenured faculty and tenure-track faculty is evaluated on a four year basis by the Director of Graduate Studies , who may also consult the Graduate Committee.

## 5.2 Evaluation

5.2a Workload: Consistent with the AAUP contract (see Article 24 attached), the committee designated to make a recommendation to the Departmental Chair regarding workload responsibility issues is the salary/merit committee. Given the fact that the salary/merit committee is often composed of representative faculty across the department who may not be tenured, those faculty who do not hold tenure at the time that an evaluation is being conducted may decide to abstain from voting on the evaluation or they may decide to reclude themselves from the evaluation process. Additionally, Article 24 of the AAUP contract describes a detailed process of evaluation that should be consulted.

5.2b Graduate status: Consistent with the Graduate School's documents regarding graduate status, the Director of Graduate Studies, who may consult with the graduate committee, and the Graduate School Dean evaluate tenured and tenure track faculty for graduate status.

## 5.3 Reinstatement

5.3a Workload: Consistent with Article 24 of the AAUP contract, after the workload of a faculty member has been altered, that faculty member can be reinstated to regular workload responsibilities. In line with the time period stipulated in the AAUP contract, consideration of reinstatement can occur after three years of documentable productivity that is consistent with the departmental factors as outlined in the Departmental Factors Statement. The Department Chair, Dean of the College, and the specific faculty member involved should consult on the reinstatement process and procedure.

5.3b Graduate status: Consistent the Graduate School's documents regarding graduate status, after a tenured or tenure track faculty member has lost graduate status, s/he can be reinstated. Reinstatement can occur immediate or shortly after documentable productivity has occurred. The Director of Graduate Studies, the Dean of the Graduate School, and the specific faculty member involved should consult on the reinstatement process and procedure.

## AAUP contract section on professional duties and procedures

### **Article XXIV Professional Duties**

#### **I. Faculty Professional Duties**

##### **A. Principles**

1. The duties of faculty shall be reasonable and fair and shall reflect teaching duties, research activity, creative professional activity, and service to Wayne State University.
2. The workload of faculty shall be consistent with the University's mission and may consist of a combination of teaching and teaching-related activities, scholarship, and University service. Greater proportions of time, energy, and creativity will be manifested in one or another of the faculty member's areas of responsibility at different stages in an individual's career trajectory.

##### **B. Initial Determination of Responsibilities**

1. Each faculty member's teaching and research load shall be based on department norms, existing school/college/division policies, and the information contained in the faculty member's annual selective-salary report. Each faculty member's annual report should consist of (a) an updated professional record; (b) a summary of the teaching evaluations for the previous year; (c) a summary of the last three years of the faculty member's activities, a presentation of current activities, and what results are expected from these activities. All faculty members are expected to submit an annual selective salary report and to participate in this process. The salary committee's recommendation may form a basis for an adjustment in workload.
2. Recognizing the University's commitment to scholarship, research, University and public service, and the professional growth of the faculty, the chair (dean/director in non-departmentalized units), in consultation with the unit's policy and/or personnel committee, or other committee designated by the unit's bylaws, and faculty member, and with the approval of the dean, may substitute authorized University activity for all or a portion of the teaching workload. Authorized University activity may include, but is not limited to, scholarly research, publication, or equivalent creative activity, and/or organized University or public service.

##### **3. Professional Development**

Professional development of faculty is important throughout the many stages of a faculty member's career. Accordingly, each year \$50,000 will be allocated to support professional development activities for tenured faculty as described below. The Office of the Provost will administer these funds.

###### **A. Teaching**

If in the course of the annual selective salary review the department chair (dean/director) and unit salary committee find a faculty member's teaching to be substantially below the unit's factors' expectations for a period of three years, the chair (dean/director), on the recommendation of the salary committee, shall notify the policy and/or personnel committee or other committee designated by the unit's bylaws of the concerns. The chair (dean/director) and policy and/or personnel committee or other committee designated by the unit's bylaws shall specify the nature of the concern about the faculty member's teaching and, after consultation with the unit committee, prepare a memorandum suggesting changes that should occur to bring the faculty member's teaching into line with the unit's factors' expectations.

After approval by the unit committee, the memorandum shall be given to the faculty member. The suggestions contained in the memorandum shall in no case make recommendations that impinge on the academic freedom of the faculty member. A timeline for improvement of at

least one year shall be specified. If the plan includes resources in addition to those available from the unit, the faculty member may request, after approval from the chair (dean/director) and the unit committee, financial support for specific activities from the Office of the Provost. Following the implementation of the plan, the chair (dean/director) in consultation with the unit committee shall evaluate the faculty member's performance to determine whether unit factors are being met.

If, in the opinion of the chair and unit committee, a problem continues to exist after the attempted remediation, a faculty peer committee shall be established. Only tenured faculty members in the unit of rank equal to or greater than that of the faculty member shall be considered for committee membership. The chair (dean/director) and the faculty member shall each submit at least three names of faculty peers who would be appropriate to the unit committee, from which the unit committee shall select three. If six peer members cannot be found within the unit, the chair and the faculty member may nominate WSU faculty peers. The chair (dean/director) in consultation with the unit committee shall choose a sufficient number from those lists to yield a total of three.

The peer committee shall select its own chair and follow the procedures outlined in the WSU-AAUP-AFT Agreement. The faculty member shall have 30 calendar days to provide the peer committee sufficient material for review of his/her performance over the previous three years. The peer committee shall, in light of the goals and expectations of the unit, prepare a report on the strengths and weaknesses of the faculty member's performance. It will also identify any supporting service or accommodation that the University could provide the faculty member to improve performance. The peer committee may recommend:

1. that the faculty member's performance is adequate and that the review should end. In the event the committee decides that the performance is adequate, the matter may not be revisited for a period of three years;
2. that the allocation of the faculty member's expected effort among teaching, research/creativity, and service functions be altered so as to maximize the faculty member's contribution to the mission of the University; or
3. that the timeline for improvement be extended for two years with additional specificity for improvement. At the end of two years, if progress is adequate, the review should end.

#### B. Scholarly/Creative Activity

Faculty assigned a differential teaching load and willing to accept it in lieu of scholarly/creative activity are exempt from this review of scholarly/creative activity.

1. If in the course of the annual salary review, the department chair (dean/director) and unit salary committee find a faculty member's scholarly/creative activity to be substantially below the unit's factors' expectations for a period of three years (e.g., decline over time), the chair (dean/director), on recommendation of the salary committee, shall notify the unit committee (policy and/or personnel committee or other committee designated by the unit's bylaws) of the concerns. The chair (dean/director) and the unit committee shall discuss the nature of the concern and, on recommendation of the unit committee, the chair and a representative of the committee shall discuss these concerns with the faculty member.
2. If in the following year the faculty member's scholarly/creative activity remains substantially below the unit's factors' expectations, the chair (dean/director) and policy and/or personnel committee or other committee designated by the unit's bylaws shall specify the nature of the concern about the faculty member's scholarly/creative activity and, after consultation with the unit committee, prepare a memorandum suggesting changes that should occur to bring the faculty member's scholarly/creative activity into line with the unit's factors' expectations.  
After approval by the unit committee, the memorandum shall be given to the faculty member. The suggestions contained in the memorandum shall in no case make recommendations that impinge on the academic freedom of the faculty member.  
The faculty member may decline to participate at this point without prejudice.
3. Unless she/he declines, the faculty member shall, working with the chair and a peer faculty member, draw up a plan for professional development in the area of scholarly/creative activity. The professional-development plan should include appropriate suggestions specific to the faculty member's discipline. If the plan includes resources in addition to those available from the unit, the faculty member may request, after approval from the chair (dean/director) and the unit committee, financial support for specific activities, including appropriate formal and informal training,

research instrumentation, and infrastructure support, as outlined in the plan coordinated with the Office of the Provost.

4. If unit or University resources are provided, at the end of the period established in the professional development plan the chair (dean/director) in consultation with the unit committee shall evaluate the faculty member's performance to determine whether the unit factors are being met.

### **C. Appeal of Change in Duties Decision**

#### **1. Request for Review of Change of Duties of Faculty**

If a substantial change in the duties of a faculty member is proposed at the end of the period designated for professional development that he/she considers contrary to his/her responsibilities, he/she may request review of the department or school/college action by the dean/director. Such a request must be filed within ten working days after notification has been sent by certified, registered, express mail, FedEx, or after having been personally served. If a mutually agreeable solution is not reached, the faculty member may request that the dean provide written reasons for the change in assignment.

#### **2. Appeal to Review Committee**

If the faculty member is dissatisfied with the dean's/director's review, the Association may, if it determines that the complaint falls within the scope of this Article, submit a written request within fourteen calendar days to the President or his/her designee for review by a five-person committee. Accompanying the request will be a concise statement of the substantial change in duties which the faculty member and the Association consider contrary to the faculty member's responsibilities, the basis for the Association's belief that the change was substantial and contrary to his/her responsibilities, and the written reasons provided by the dean/director for the change in assignment.

Within twenty-one calendar days after receipt of the request, the President or his/her designee shall form a five-person review committee. A standing panel of twenty-four persons shall be created, from whose members the hearing panels will be selected. This standing panel shall be divided between twelve members chosen by the Association and twelve members chosen by the Administration. Each hearing panel shall be formed by selecting two names from each list of twelve in order from the twelve-member lists (subject to the constraints identified below), plus the President or his/her designee shall designate a person as chair who shall have the power to call meetings of the committee and shall preside over the proceedings of the committee. Each five-member panel shall have no more than one person from any school/college. The chair shall have

no vote except in the case of a tie among the other panel members. Each hearing panel shall be chosen from the standing panel with due consideration by the Administration and the Association to assure impartiality and avoidance of conflict of interest. Upon mutual agreement of the Association and the Administration, the committee may be asked to hear more than one case in the event that similar cases are filed, or when more than one case is filed during any running six-month period.

In the event that a hearing-panel member shall become unable to serve, a new member shall be selected from the appropriate section (Association-chosen or Administration-chosen) of the standing panel.

Standing-panel members serve for two-year terms, with the initial panel selected with staggered terms.

At least ten working days prior to the first scheduled meeting of the panel, the parties shall provide the panel with a concise summary stating their positions with respect to the change in professional duties and the relief requested, along with copies of all the documents referred to in the concise summary and any other relevant documents to which they may refer in the hearing. Rebuttal evidence must be submitted within ten working days of the receipt of the summary and documents. No new material shall be introduced by either party at the hearing.

No presentations shall be made by either party to the panel in the absence of the other party. The hearing may proceed in the absence of a panel member provided there has been adequate notice of the meeting.

The committee shall conduct its review and report its recommendations to the President or his/her designee within forty-five calendar days of its appointment. The panel shall make its decision and recommendations on the basis of the information forwarded pursuant to this Article and the testimony presented at the hearing. The decision of the panel and its vote shall be conveyed to the President or his/her designee within one week of the conclusion of the hearing in the form of a written report to be signed by the members of the panel. Any panel member may append a minority report.

### 3. Response of President or Designee to Recommendation of Review Committee

The President or his/her designee shall have one month in which to consider the decision of the committee. If the President or his/her designee agrees with the recommendations, he/she will implement them. If he/she does not accept the committee recommendations, he/she will meet with the committee and discuss the matter.

### 4. Right to Arbitration

If the committee and the President or his/her designee are in disagreement after this discussion, the Association may refer the matter to arbitration in accordance with the procedures provided in Article XVII, Step Two. The arbitrator shall choose either the position of the Administration or the Association without modification.

#### Change in Teaching Duties during Review Process

If the committee's review is delayed more than one semester, the dean may implement the changes, notwithstanding the ongoing proceedings. However, in the event that the faculty member's position is upheld, the faculty member will be entitled to a one-course reduction in teaching load in the following semester.

5. Change in Scholarly/Creative Activity Duties during Review Process

If the committee's review is delayed more than one semester, the dean may implement the changes, notwithstanding the ongoing proceedings. However, in the event that the faculty member's position is upheld, the faculty member will be entitled to a compensatory reduction in workload the following semester.

Right to Arbitration

If the committee and the President or his/her designee are in disagreement after this discussion, the Association may refer the matter to arbitration in accordance with the procedures provided in Article XVII, Step Two. The arbitrator shall choose either the position of the Administration or the Association without modification.

6. Other Rules

- a. Where a faculty member is asked to teach additional courses pursuant to the decision of the President or his/her designee and the arbitrator chooses the position of the Association, the faculty member will be given a reduced course load equivalent to the additional courses taught.
- b. When a professional- duties assignment of a faculty member has been determined pursuant to Section C of this Article, it may not be appealed or changed for a two-year period, without mutual agreement of the Administration, the bargaining-unit member and the Association.
- c. The time limitations in this Article shall apply unless formally extended by mutual agreement of the Administration and the Association.

**II. Academic Staff Professional Duties**

**A. Definition of Duties**

The duties of academic-staff members shall be reasonable and fair and shall reflect professional assignments, professional development/achievement, and service to Wayne State University.

**B. Request for Review of Change of Duties**

1. If a substantial change in the duties of an academic-staff member is proposed that s/he considers contrary to his/her responsibilities, s/he should first seek to settle the dispute via a meeting with the dean/director/vice-president. The request for a meeting must be made in writing within ten (10) working days after notification of the proposed duties change by certified mail or after having been personally served. At the academic-staff member's option, an AAUP-AFT representative may be present at the meeting. If a mutually agreeable solution is reached at the conclusion of the meeting, the dean/director/vice-president will write a new job description for the academic-staff member. The new job description will be provided within ten (10) working days. If the academic-staff member agrees with the new description of duties, s/he will sign it, and it will be effective on the date to which s/he and the dean/director/vice-president agree.
- 2.1. If a mutually agreeable solution is not reached at the conclusion of the meeting, the academic-staff member may request that the dean/director/vice-president provide written reasons for the change in assignment. The written reasons will be provided within ten (10) working days.

- 2.2. Within ten (10) working days of the receipt of the written reasons for the change in assignment from the dean/director/vice-president, the academic-staff member will provide a written statement to the dean/director/vice-president presenting the reasons for which the proposed substantial change in his/her duties is contrary to his/her responsibilities.
- 2.3 .The dean/director/vice-president will schedule a meeting with the academic-staff member within ten (10) working days of receiving his/her statement of the reasons the proposed substantial change in his/her duties is contrary to his./her responsibilities. At the academic-staff member's option, an AAUP-AFT representative may be present at the meeting.  
If a mutually agreeable solution is reached at the conclusion of the meeting, the dean/director/vice-president will write a new job description for the academic-staff member. The new job description will be provided within ten (10) working days. If the academic-staff member agrees with the new description of duties, s/he will sign it, and it will be effective on the date to which s/he and the dean/director/vice-president agree. If a mutually agreeable solution is not reached at the conclusion of the meeting, the academic-staff member will provide the Association with a written request for an appeal to a review committee, Step C, within five (5) working days.

### **C. Appeal to Review Committee**

If the academic-staff member is dissatisfied with the dean's/director's/vice-president's review, the Association may, if it determines that the complaint falls within the scope of this Article, submit a written request within two (2) calendar weeks to the President or his/her designee for review by a seven-person committee. Accompanying the request will be a concise statement of the substantial change in duties that the academic-staff member and the Association consider contrary to the academic-staff member's responsibilities and the written reasons provided by the dean/director/vice-president for the change in assignment.

Within twenty-one (21) days after receipt of the request the President or his/her designee shall form a seven-person review committee. An Article XXX committee of (24) persons shall be created, from which members of the hearing panels will be selected. This Article XXX committee will be divided between twelve (12) members chosen by the Association and twelve (12) members chosen by the University Administration. Each hearing panel shall be formed by selecting three names from each list of twelve (12) in the order listed from the twelve-member lists (subject to the constraints identified below), plus the President or his/her designee shall designate a person as chairperson who shall have the power to call meetings of the committee and shall preside over the proceedings of the committee. Each three-member group shall have no more than one person from any school/college. The chairperson shall have no vote except in the case of a tie among other panel members.

Each hearing panel shall be chosen from the Article XXX committee with due consideration by the University Administration and the Association to assure impartiality and avoidance of conflict of interest as defined by University statutes. Representatives on the Association and the Administration side panel shall not currently serve, nor have served during the past five years, within the same department/office as the academic-staff member who makes the request for review of his/her professional duties. Upon mutual agreement of the Association and the Administration, the committee may be asked to hear more than one case in the event that similar cases are filed, or when more than one case is filed during any running six-month period.

In the event that a hearing panel member shall become unable to serve, a new member shall be selected from the appropriate section (Association-chosen or University-chosen) of the Article XXX committee.

Standing-panel members serve for two-year terms, with the initial panel selected with staggered terms.

The dean/director/vice-president and the academic-staff member will provide the Article XXX committee and each other with copies of all documents relevant to the issue and the case. Opportunity shall be given after the initial hearing for panel members to examine documents relevant to the issue and the case. Two or more members may request a recess for not more than one week to allow for examination of the documents.

No presentations shall be made by either party to the Article XXX committee, either individually or in committee, in the absence of the other party. The hearing may proceed in the absence of a committee member provided there has been adequate notice of the meeting. At minimum the Chair and two members of the Association side and two members of the Administration side of the Article XXX committee must be present for the committee to meet. Either party or the Committee may call upon experts in the subject matter to make presentations to the Committee, provided the experts have no conflict of interest as defined in University statutes. Committee members must be present to vote on matters before the Committee. The Committee shall not engage in electronic voting on matters before it.

The Committee shall conduct its review and report its recommendations to the President or his/her designee within forty-five (45) calendar days of its appointment. The Committee shall confine its consideration and recommendations to the facts and circumstances surrounding the particular change in duties concerned. The decision of the panel and its vote shall be conveyed to the President or his/her designee and to the academic-staff member within one week of the conclusion of the hearing in the form of a written report to be signed by the members of the panel. Any panel member may append a minority report.

**D. Response of President or Designee to Recommendation of Review Committee**

If the President or his/her designee agrees with the recommendations, s/he or his/her designee will implement them within ten (10) working days of the decision. If the President or his/her designee does not accept the Committee recommendations, s/he will meet with the Committee and discuss the matter and so advise the academic-staff member in writing within ten (10) working days of the decision.

**E. No Change in Duties during Review Process**

No change in the duties of an academic-staff member shall take place prior to the completion of the review process described in Sections B through D of this Article.

**F. Right to Arbitration**

If the Committee and the President or his/her designee are in disagreement after this discussion, the Association may refer the matter to arbitration in accordance with the procedures provided in Article XVII, Step Two. The arbitration panel shall choose either the position of the Administration or the Association without modification. No change in the job duties of an academic-staff member shall take place prior to the completion of the arbitration.

**G. Other Rules**

1. When job duties of an academic-staff member have been determined pursuant to Sections C, D, or F of this Article, they may not be changed for a two-year period without mutual written agreement of the University Administration, academic-staff member, and the Association.
2. The time limitations in this Article may be extended by mutual written agreement of the University Administration and the Association.