

**Meeting of the Villanova University
Faculty Rights and Responsibilities Committee**

Wednesday, March 25, 2020, 8:30-10:00 a.m., via Zoom

Minutes

Present: Aronté Bennett, Samantha Chapman, Alice Dailey (Chair), Melissa Hodges, Erasmus Kersting, Margaret Lyons, Sohail Chaudry, James Peyton-Jones, Michele Pistone, Jennifer Ross

Not in Attendance: Angela DiBenedetto, Mark Wilson (NIA)

The committee met via Zoom and conducted the following business:

I. Department Chair Selection and Terms

1. Per our discussion at our last meeting with Pat and FC leadership, FRRC is proposing a two-term limit as standard, with extensions under exceptional circumstances. The committee proposes that Deans present a rationale to department members when such an exception is invoked.
2. FRRC voted to approve the clarifying additions, with a few minor tweaks, to the Handbook policy on department chair selection that have been proposed by the Provost's office. These additions make explicit why the position of department chair must be filled by a TT faculty member and why non-TT faculty do not vote for department chair. The policy now invites CNT faculty to nominate candidates for chair.

II. Intellectual Property/Patent Policy

FRRC does not feel prepared to approve the suggested changes to the Faculty Handbook policy on Intellectual Property at this time. We believe it is appropriate to leave this work to next year's committee. The reasons for this are:

1. The committee feels it's important to do due diligence before approving changes on a policy with which few of us have a working familiarity. This would involve inviting Dr. Grannas back to another FRRC meeting along with Dr. Craig Wheeland, Leyda Benitez, and possibly someone from University Counsel. Given the COVID-19 crisis, this simply isn't feasible at this time.
2. Faculty remain concerned about rights to the teaching materials that we have had to post online during the COVID-19 crisis. The university's policy on this, as stated in the email faculty received from the Provost on 3/23, is substantively different from that suggested by Faculty Congress. We cannot, in the midst of a situation that raises concerns about intellectual property, ratify a policy that reiterates a position counter to the one proposed by Faculty Congress.
3. As Dr. Grannas noted in our meeting with her on 2/26, there are currently some unresolved issues around intellectual property and digital humanities. It is FRRC's conviction that we should not ratify policy that we know to include unresolved issues. Rather, the committee

wishes to allow the task force Dr. Grannas has convened to complete its work so that the final policy approved by FRRRC will be correct and comprehensive.

III. COVID-19

The committee discussed a number of issues that have arisen as a result of the COVID-19 crisis and attendant university closure, move to online teaching, and suspension of research activity. These concerns will be forwarded to the Provost's office by the FRRRC chair.

1. Rank and Tenure Issues

- a. FRRRC is appreciative of the administration's extension of the tenure clock for junior faculty affected by current events. As the situation worsens, faculty are expressing the conviction that this extension should be structured as opt-out rather than opt-in. This makes particular sense in light of the directives we received from Dr. Grannas and Provost Maggitti on 3/23 about suspension of non-essential research activity. We also note that the current closures affect faculty across the university, not only those with labs, as the library is closed and services such as Interlibrary Loan are unavailable. FRRRC therefore suggests that the policy of allowing junior faculty an extra year on the tenure clock be changed from an opt-in to an opt-out, as is the case for faculty who have or adopt a child during their pre-tenure probationary period. In addition to better reflecting the current challenges faculty researchers face, this adjustment would quell faculty concerns that requesting a stop on the clock may carry a negative stigma. We are particularly concerned about this for women and minoritized faculty.
- b. FRRRC notes that the issue of junior faculty tenure clocks may be particularly pressing for those scheduled for Third-Year Review next fall. These faculty are relatively new to Villanova and may be even more concerned about how the request for an extra year may be perceived. This is another reason to make the COVID-19 clock stoppage the default policy, with the opportunity to opt-out, rather than something faculty must request.
- c. Faculty who are currently undergoing tenure review have multiple concerns that FRRRC asks the Provost's office to address:
 - i. Some faculty currently up for tenure and promotion have scholarship under review whose acceptance may affect the outcomes of their application (for example, if a substantive piece of scholarship were accepted for publication in the time between the College and University R&T reviews). FRRRC is concerned with how the COVID-19 crisis may affect the timeliness of publication decisions made by journals and presses, as peer reviewers across the country and around the globe are currently engaged in the move to online teaching. FRRRC recommends that in their deliberations, the University R&T Committee be conscious of such potential delays and flexible in its assessment of scholarly material currently under review.
 - ii. Faculty under review for tenure and promotion are concerned about the status of their hard-copy appendices and supporting materials. How will these be disseminated to members of the University R&T Committee? If they cannot be disseminated, how will they be assessed?
 - iii. Does the university expect R&T decisions to be delayed because of the university's closure? If so, when should candidates expect a decision?

- iv. FRRC requests that the Provost's office email all current candidates for promotion and tenure to address these issues as well as any others that may have been directed to your office.

2. Merit/Teaching Load Issues

- a. FRRC is receiving, as administration no doubt are as well, questions about how merit raises will be affected by the current crisis. This question applies both to the current academic year (i.e., the salary review to take place this spring) as well as next year, given that current reductions in research output will be evident in next year's salary review. FRRC recognize that the university may not be able to answer this question yet. When such answers become available, we request clear communication from the Provost's office on this issue and university-wide consistency.
 - b. The teaching loads of many faculty are assigned based on research output. How will the decrease in research productivity imposed by the COVID-19 crisis affect teaching load assignments? Will faculty be, in effect, penalized for reduced research output during this period, or will this semester be treated as a bye in teaching load decisions that are determined by faculty research output?
3. Summer Teaching: FRRC understands that in this rapidly changing situation, the university may not yet know how COVID-19 will affect summer courses. FRRC requests that faculty currently slated to teach summer courses be contacted in the near future and advised that they should be prepared for online summer teaching in the event that in-person instruction remains suspended.