Article 10
Faculty Involvement in Governance

10.1 It is recognized that faculty are uniquely qualified to participate in the governance of the University, particularly with respect to academic matters. It is also recognized that faculty members can provide valuable contributions to all levels of the University administration. Bargaining Unit Faculty participation in governance consists of giving advice, making recommendations, and contributing to the establishment of bylaws as set forth in Section 10.4. During the term of this Agreement, Bargaining Unit Faculty participation in the governance of the University shall be no less than that provided for in this Article.

10.2 University Governance

10.2.1 Faculty Senate. The University and the AAUP-WSU recognize that Bargaining Unit Faculty and non-bargaining unit faculty participation in University-wide governance will be exercised through an independent Faculty Senate and committees and councils created by the Senate. It is understood that the Senate is a representative assembly of the fully affiliated members of the faculty and its voting members are elected by them pursuant to 10.2.2.2., and it shall exercise its authority in the governance of the University so as not to conflict with this Agreement.

10.2.2.2. Fully affiliated faculty at or above the rank of Chair cannot vote for members of the Faculty Senate and cannot be elected as a member of the Faculty Senate.

10.2.2 Representation on Board of Trustees. The Senate President, one TET BUFM and one NTE BUFM selected by AAUP-WSU will have voice on the Board of Trustees, and can be present at all sessions of the Board. In addition, the AAUP-WSU President or designee will be on the agenda at each meeting of the Board of Trustees.

10.2.3 AAUP-WSU will have representation on each Search Committee for President, any rank of Provost, any rank of Vice President or named equivalents.

10.3 Departmental and College Governance.

10.3.1 College Executive Committees. There will be an elected TET and NTE faculty member representation on all College Executive Committees or similarly named equivalents.

10.3.2 The University and the AAUP-WSU recognize the necessity of Bargaining Unit Faculty participating in departmental and college matters and acknowledge the important collegial relationships that exist between Bargaining Unit Faculty, the Department Chair, and the Dean.

10.3.3 When a Department Chair takes action (or elects not to act) following a recommendation from the majority of the combined TET and NTE Bargaining Unit Faculty in her or his department, the Chair shall inform them of such action and communicate the reasons for the decision either in writing or in a meeting with the TET and NTE Bargaining Unit.
Faculty. When a Dean takes action (or elects not to act) following a recommendation from the majority of the TET and NTE Bargaining Unit Faculty in her or his College, the Dean shall inform them of such action and communicate the reasons for the decision either in writing or in a meeting with the Bargaining Unit Faculty. The parties recognize that deans and chairs will not communicate reasons for their actions (or decisions not to act) that are based on confidential information.

10.4 College and Departmental Bylaws

10.4.1 Each college and each academic department, excluding the School of Medicine and the School of Professional Psychology, shall establish bylaws specifying procedures for the participation by appropriate TET and NTE Bargaining Unit Faculty in the governance of that college or academic department.

10.4.2 Except for the limitations on topics set forth in Section 10.4.2.1, the majority of TET and NTE Bargaining Unit Faculty in a department must approve departmental bylaws and amendments, and a majority of TET and NTE Bargaining Unit Faculty voting in a college must approve college bylaws and amendments. A majority of TET and NTE Bargaining Unit Faculty in the College of Nursing and Health and at the Lake Campus must approve the bylaws for their units. All college and department bylaws and amendments must also be approved by the College Dean and by the Faculty Governance Committee (Section 10.4.8). Those bylaws and amendments for the matrix departments and for the College of Science and Mathematics that pertain to or have an impact on the School of Medicine must also be approved by the Dean of the School of Medicine. In this Section and elsewhere, “TET and NTE Bargaining Unit Faculty” refers to a single-group made up of all Members in both bargaining units.

10.4.2.1 Only tenure eligible and tenured (TET) Members may vote on bylaws provisions that pertain to annual evaluation, promotion, tenure or other evaluations of TET Members, and only TET Members may serve on Committees that address these issues. Only members of the Graduate Faculty may vote on bylaws provisions that pertain to graduate education and curriculum, and only members of the Graduate Faculty may serve on Committees that address issues pertaining directly to graduate education and curriculum.

10.4.3 Departments or colleges that have difficulty interpreting their bylaws may seek assistance from the Faculty Governance Committee.

10.4.4 All department and college bylaws and amendments shall be consistent with this Agreement.

10.4.4.1 The bylaws for each department will state procedures by which the TET and NTE Bargaining Unit Faculty give advice and make recommendations regarding --
- faculty appointment, reappointment, dismissal, promotion, and tenure;
- professional development and mentoring of new faculty;
- teaching assignments and class schedules, including summer and overloads;
- graduate and undergraduate curriculum and academic standards;
- faculty involvement in review of chairs; and
issues affecting the department or college.

10.4.4.1 Peer Evaluation of Teaching
Department bylaws will specify that peer evaluation of teaching shall be conducted annually for all untenured Bargaining Unit Faculty Members and may specify times and circumstances when peer evaluation of teaching is to be conducted for tenured Bargaining Unit Faculty Members. Peer evaluation of tenured Bargaining Unit Faculty members and for NTE BUFMS with continuing appointments will occur only upon request of the faculty member or in response to extensive negative student comments on the University Student Evaluation of Instruction Form approved by this by the University and the AAUP-WSU. Peer evaluation need not include class visitation unless it is specifically required in bylaws.

10.4.4.2 Department bylaws will also state criteria and procedures for promotion and for tenure of TET Bargaining Unit Faculty as well as scholarship criteria for annual evaluation of TET Members.

10.4.4.3 The bylaws for each college will state procedures by which Bargaining Unit Faculty give advice and make recommendations regarding--
- promotion and tenure;
- professional development leaves;
- graduate and undergraduate curriculum and academic standards;
- faculty involvement in review of deans; and
- issues affecting the college.

10.4.4.4 Bylaws for the College of Nursing and Health and for the Lake Campus will state procedures and criteria required for both department and college bylaws in Sections 10.4.4.1 through 10.4.4.3.

10.4.4.5 Departmental and college bylaws will provide for calling meetings and setting agendas, voting at meetings, naming committees, and such other procedures as may be needed for faculty participation in governance. It is understood that chairs and deans may form other faculty committees, as long as they do not conflict with or usurp the functions of committees named in the bylaws.

10.4.4.6 Faculty searches must be conducted consistent with procedures in the CBA, as well as Department and College bylaws. A Department or College may not create a full-time non-faculty position where the primary responsibilities of the person holding the position involve teaching scholarship and service to avoid procedures in these documents. Questions about whether a search process is consistent with bylaws requirements for Bargaining Unit Faculty participation in faculty searches may be brought to either the AAUP-WSU or the Office of the Provost. A representative of the AAUP-WSU and a provost will confer as soon as possible and will provide a joint response; that response is not subject to grievance.

10.4.5 Recognizing that the University has sole authority to appoint, evaluate, retain and remove chairs and deans, department and college bylaws will state procedures by which Bargaining Unit Faculty give advice regarding the naming of chairs and deans. Recognizing that the University has sole authority to appoint and remove chairs and deans, Bargaining Unit Faculty will be asked
yearly for their input on evaluations (see 10.5), and will give advice on the naming of Chairs and Deans. At least 51% of any search committee for a Department Chair and at least 51% of any search committee for a Dean must be composed of Bargaining Unit Faculty from the respective department or college.

10.4.6 Except as expressly limited by the terms of this Agreement or by approved bylaws, nothing in this Article or in the bylaws of any department or college shall limit management rights, as enumerated in Ohio Revised Code 4117.08 and in Article 6 of this Agreement.

10.4.7 Only TET Bargaining Unit Faculty may participate in making faculty recommendations pertaining to reappointment, dismissal, tenure, promotion, and evaluation of TET Bargaining Unit Faculty as provided for in Sections 10.4.4.1 through 10.4.4.4. However, non-Bargaining Unit faculty in the School of Medicine shall be permitted to participate in making recommendations pertaining to reappointment, dismissal, tenure, promotion, and evaluation of Bargaining Unit Faculty in matrix departments in a manner not inconsistent with department and college bylaws.

10.4.7.1 Except as may be provided elsewhere in this agreement only TET Bargaining Unit Faculty may participate in selecting or electing the TET Bargaining Unit Faculty who will serve on Promotion and Tenure Committees.

10.4.8 To facilitate development and any subsequent revision of department and college bylaws, the parties will maintain a joint Faculty Governance Committee composed of three (3) persons selected by and representing the AAUP-WSU and three (3) persons selected by and representing the University.

10.4.8.1 The University and the AAUP-WSU shall each designate one of the Committee members as a co-chair.

10.4.8.2 The presence of both co-chairs and at least one other member from the AAUP-WSU and one other member from the University shall constitute a quorum for all meetings. A quorum is necessary to approve any bylaws or any subsequent revisions to bylaws.

10.4.8.3 Any approval of new or amended college or department bylaws requires four (4) affirmative votes.

10.5 Bargaining Unit Faculty Participation in the Review of Chairs and Deans.

10.5.1 Informal Reviews of Chairs and Deans. Annually, Deans will solicit feedback from Bargaining Unit Faculty about the performance of their department chair, and the Provost will solicit feedback from Bargaining Unit Faculty about the performance of their dean. Chairs and deans will not be given the informal feedback pertaining to themselves until after the Bargaining Unit Faculty Members in their unit have received their annual evaluations pursuant to Section 11.2.

10.5.2. Formal Reviews of Chairs and Deans. At least every five years, the University will conduct formal reviews of chairs and deans to whom Bargaining Unit Faculty report. TET and/or
NTE Bargaining Unit Faculty will be included on all review committees for chairs and deans who have Bargaining Unit Faculty in their units. All Bargaining Unit Faculty in the administrator’s unit will be asked to respond to questions posed in the review. A final report that summarizes findings of the review will be made available to all Bargaining Unit Faculty in the administrator’s unit.

**10.5.3. The Administration must respond within 14 business days to a Bargaining Unit Faculty Member vote of No Confidence with an action plan, or they must explain why there is no action plan.**