

Nominations for an ad hoc Reduction in Force Appeals Committee – Greg Youtz (Music), Governance Committee. Attachment A.

In preparation for the possibility of appeals by aggrieved faculty at the end of the Reduction in Force process, the Governance Committee presents a slate of nominees for an ad hoc Reduction in Force Appeals Committee, as directed by the Faculty Handbook, p. 99-100: Part X, Other Faculty Policies, Section 2, Reduction and Reallocation of Faculty Positions, H. 1.

The committee described is selected according to the same procedures as those for a Formal Dismissal Hearing Committee, as described on p. 29 of the Handbook, Bylaws, Article VI, Grievance, Disciplinary and Dismissal Procedures, Section 2, E, 1-2. The relevant paragraphs from pp. 99-100 and 29 are provided here:

PAGE 99-100 Reduction and Reallocation of Faculty Positions

H. Hearing and Appeal Procedures.

1. Faculty Committee.

- a. Any tenured faculty member who feels aggrieved by a notice of termination under these procedures shall be entitled to a hearing before a faculty committee. (This faculty committee shall be chosen following the same procedures as established for the election of the Faculty Formal Dismissal Hearing Committee as set forth in Article VI, Section 2, Faculty Constitution and Bylaws.) The request for a hearing must be made within 30 days after receipt of notice of termination. The hearing shall take place within 30 days of the request. The hearing need not conform in all respects with a proceeding conducted pursuant to Article VI, Faculty Constitution and Bylaws, but the essentials of an on-the-record informal adjudicative hearing will be observed. The issues in this hearing may include:
 - i. The existence and extent of the condition of financial exigency. The findings of a faculty committee in a previous proceeding involving the same issue may be introduced.
 - ii. The validity of the educational judgments and the criteria for identification for termination. The recommendations of appropriate faculty bodies on these matters and the plans for retrenchment/reallocation generated according to the procedures of Section D of this document shall be considered presumptively valid.
- b. The faculty committee shall report its finding and make a recommendation to the president within 15 days after the completion of the hearing.

2. President.

- a. The president shall review the findings of the faculty committee, and after discussing the matter with the aggrieved faculty member, shall recommend action to the board.

- b. Should the faculty member prefer, he/she may appeal directly to the president without using recourse to the faculty committee process.
3. The Board of Regents.
 - a. After receiving the president's recommendation, the Board of Regents will discuss the termination with the aggrieved faculty member should the faculty member request it. The board will then review the president's recommendation with the president and will either uphold the previous decision or approve a recession.
4. Non-Tenured Faculty.

Should non-tenured faculty feel aggrieved in termination because of retrenchment, they may seek a review by the president or a hearing before a Faculty Review Committee elected according to the same procedures as established for the election of the Faculty Formal Dismissal Hearing Committee as set forth in Article VI, Section 2 of the Faculty Constitution and Bylaws. The non-tenured faculty member may, through the Office of the President, appeal the decision to the Board of Regents.

PAGE 29 Bylaws: Grievance, Disciplinary and Dismissal Procedures

E. Formal Dismissal Hearing

1. The Formal Dismissal Hearing Committee shall consist of five members of the permanent faculty who have had at least four years of service at Pacific Lutheran University. They shall be elected as follows: The Governance Committee shall nominate a panel of fifteen to which the faculty may add nominations from the floor. From these nominees the faculty shall elect a panel of ten by written ballot. The five with the highest number of votes shall constitute the Formal Dismissal Hearing Committee. The remaining five shall serve as alternates in case of vacancies or if in the opinion of the committee any of its members should be disqualified in a particular case. Such alternates shall be chosen in order of highest votes received in the election. Whenever it becomes necessary to elect such a committee, it shall constitute an ad hoc committee which is available to hear any other such cases that arise during the balance of the academic year.
2. Members of the Conciliation Committee shall not serve on the Formal Dismissal Hearing Committee. In the hearing of any case members will remove themselves from the case, either at the request of a party or on their own initiative, if they deem themselves disqualified for bias or interest. Each party will have a maximum of two challenges without stated cause.

SLATE OF 15 CANDIDATES Nominated by the Governance Committee

The slate was elected for academic representation and gender balance. Faculty who served on the FJC were not nominated to avoid conflict of interest. Additional nominations may be made from

the floor. The top 5 vote-receivers will serve on the ad hoc Reduction in Force Appeals Committee with the next five highest vote-receivers serving as alternates. If an appeal is filed, the President will convene the committee for its first meeting and the members will determine their own leadership.

- 1 James Albrecht, English (Prof)
- 2 Bridget Yaden, Languages (Prof)
- 3 Marit Trelstad, Religion (Prof)
- 4 Teresa Ciabattari, Sociology (Prof)
- 5 Maria Chávez, Politics and Government (Assoc)
- 6 Lynn Hunnicutt, Economics (Prof)
- 7 Jill Whitman, Geosciences (Prof)
- 8 William Greenwood, Physics (Prof)
- 9 Ksenija Simic-Muller, Mathematics (Assoc)
- 10 Dean Waldow, Chemistry (Prof)
- 11 Heather Matthews, Art and Design (Assoc)
- 12 Svend Ronning, Music (Prof)
- 13 Leon Reisberg, Education (Prof)
- 14 Sylvia Wood, Nursing (Assoc)
- 15 Mark Mulder, Business (Asst)