



WILLIAM & MARY

CHARTERED 1693

Faculty Assembly Minutes, October 22, 2024

3:30 – 5 pm

Location: Chancellor's Hall Seminar Room

<https://cwm.zoom.us/j/4082245225>

Officers Present: David Feldman (Faculty Assembly President), Katherine Guthrie (Vice President), Nicholas Popper (Secretary)

Other Members Present: Chuck Bailey, Anna Chason (zoom), Chris Del Negro, Jim Dwyer (zoom), Brennan Harris, Rex Kincaid, Rob Latour (zoom), John Lombardini (zoom), Scott McCoy, Terry Meyers (Parliamentarian), Josh Puzey, Stephen Sheehi, Cristina Stancioiu, Scott Swan (Faculty Assembly Representative to the Board of Visitors), Betsy Talbott (zoom), Brett Wilson

Members Absent: Marjy Friedrichs, Aaron Griffiths, Jessica Martin

Others in Attendance: Pam Eddy, Adam Gershowitz, Rob Hinkle, Wanjiru Mbure, Christy Porter, Abbie Schaefer, Sylvia Tandeciarz.

Meeting begins at 3:30

- I. Minutes approved
- II. Faculty handbook

Adam Gershowitz begins by explaining the background to the delayed discussion of the revisions to the handbook section on faculty leave of absences. The BOV asked for streamlining of the handbook, and the leave of absences discussion seemed to be an appropriate area. Though there was some initial skepticism about doing so because removing this language from the

handbook might appear to diminish faculty rights, the working group generally came to see it as an area where faculty would best be served by referring to the HR website, especially since HR controls these policies and changes them in concert with the administration (and independent of the Handbook). The HR website, however, was inadequate for the task and filled with obsolete and inaccurate information, and so HR was told – with faculty prodding -- they needed to update it. While this was happening the Handbook Working Group removed as much as it could that would be covered by HR, acknowledging that trying to keep the handbook up to date with HR policies would be an enormous and constant, and therefore unfeasible, labor. But as a result, PPC could not get started until HR had built the website.

Jim Dwyer noted that some of the language in the proposed revision is difficult to decipher and asked whether FA wanted to adopt something in such haste. He also asked whether the revisions apply to NTEs. Gershowitz replies that there are multiple different kinds of leaves, and NTE can get parental leave, disability leave etc., but not academic leave such as SSRL.

Dwyer reported that some of his law school colleagues were confused by language concerning benefits while on leave. He reads the revision as saying that if someone's compensation from a fellowship or other sources falls below 80% of the ordinary salary, the faculty member risks losing their benefits. Gershowitz says that there is a danger of that if the compensation is under 50%, but that the committee took the language from previous versions which supported 80% benefits. Nothing affirmatively drafted changes the benefits available while on research leave. Dwyer relays that one of his colleagues asked whether units could have more generous benefits than what is in the handbook language. Gershowitz replies that that would not be an HR or handbook decision. Dwyer notes that he has sent a list of small changes.

John Lombardini comments that he finds the section on 50%, which is about the retirement contribution, confusing. Gershowitz explains that the revision is intended to signify that if a faculty member is working at less than 50%, the institution is not compelled make its full retirement contribution.

Lombardini then asks to what extent, if at all, the handbook says about faculty leave matters if HR governs it. Gershowitz concedes that this is a fair question, but notes that a hard and crisp policy it is harder to violate – except if everything is outdated and has long been being ignored. This applies across the handbook – violating elements of it rampantly would discredit and erode trust massively.

Rex Kincaid notes that there are passages indicating that a faculty member's initial benefits selections might govern their options; those who have been at WM for many years may not remember their initial selections, and he wonders how this would be resolved. Gershowitz replies that HR would need to go back to the original contract and that he hopes this process has forced HR to be more transparent and accessible.

David Feldman suggests that Dwyer (who has had to leave to teach) is most concerned that the revision diminishes benefits. Gershowitz professes that he does not see it this way and again notes HR's independence. Popper, drawing on Dwyer's list of small questions, asks for clarification on two issues: whether the Faculty Research Committee reports to FA (Gershowitz

says yes) and whether the new language on adopted children broadens the purview of the leave policy -- not, as Jim suggests, limiting it (Gershowitz says it broadens).

Stephen Sheehi asks who HR reports to. The answer is that Tawanda Johnson reports to President Rowe, while the department refers to Mike Todd. Sheehi clarifies that his question is about how to ensure HR's reporting and consulting with FA before their policies go live. Feldman says that he is not sure how FA could compel reporting, but whether or not one agrees with the substance of the policies, there is a problem when they seem to come down ex cathedra. This, as with other issues, is a question of how to encourage and create a pattern of consultation. Kincaid notes that this is why the faculty created the FA to begin with.

The motion is called, seconded: passed by all present. Appreciation directed to Adam Gershowitz, whose role as a faculty member in the handbook process has been invaluable.

III. FA constitution and bylaws

Feldman notes that the previous meeting had ended while discussing voting mechanisms for changing the FA constitution. In the interval he has sent a memo to the dean about an ambiguity as to whether A&S is three units or one during the vote. Parliamentarian Meyers' suggests that FA sends its proposed changes to the Dean and allowing A&S decide how it wants to vote. Feldman agrees and suggests sending proposals in two batches, one of essential and another of less essential matters, to be voted on separately. Vice President Guthrie agrees. Kincaid asks whether there is a deadline, as it were, for the revision. Christopher Del Negro suggests the opening of the New School in Fall 2025. Kincaid asks whether the units moving to the New School would vote as in A&S or as a new entity; Feldman notes that until the changes, they would have to vote as A&S. Feldman requests that Harris, Stancioiu and Dwyer work on a statement regarding the representation of the New School for the FA to work on and asks for permission to initiate a conversation with the deans on voting procedure. General approval granted.

IV. Other Business

Josh Puzey coming from FAC, observed the committee constituted to search for the new VP of Research had been formed with any consultation of FA, in contradiction to the FA constitution. Discussion concerning the current composition of the committee including the idea of suggesting that the committee be amended and expanded to include more A&S representation. Sheehi asks also for appropriate considerations of committee diversity in who to suggest. General agreement, and a consensus emerges to suggest Popper for the committee.

V. Committee reports

COPAR continues to try to compile faculty salary data. No reports from Academic Affairs or Faculty Affairs.

VI. New Business

Gershowitz notes that there is a new Fitness for Duty Policy on the HR website that has some very questionable elements. The Handbook Working Group had rejected it, and there was no further consultation before it was launched anyway. General expression of frustration. Gershowitz notes that some elements in the policy should be under the purview of FHC and that the tools of assessing fitness needed rethinking. Feldman suggests FA should be part of the process of revision.

Meeting adjourns at 5:00.