

Dear Dean Busing,

As speaker of the JMU Faculty Senate and chairs of the Faculty Concerns and the Shared Governance Committees of the Faculty Senate, we write to bring your attention to possible faculty handbook violations within the Department of Economics in the Fall 2023 academic year regarding annual evaluations corresponding to AY 2022-2023.

We are also letting you know that we have reviewed correspondence related to annual evaluations which five members of the Department of Economics appealed at the end of August 2023. After reviewing the relevant documents, we have found that the response to the appeals did not address the key issues of the appeals which was a request that the annual evaluations be reconsidered.

In the response to the appeal of the five faculty members from the department of economics, the AUPAC Chairs Committee of the College of Business (COBPAC) on September 22, 2023, provided three recommendations to the Department of Economics. The response asked that the following three things be done:

1. That the Economics Department revise its governance document to more fully specify the standards that are applicable when judging performance during annual faculty reviews. While tighter specification of standards will likely reduce variance in judgment about whether performance standards have been met, no document describing responsibilities as complex as those of college faculty can fully specify all performance dimensions. Formal and informal discussion of how the standards should and will be applied is typically necessary to harmonize understanding of the standards and their application.
2. That all members of the Economics Department meet and discuss how performance standards should and will be applied, and that through discussion, the department harmonize the understanding of the AUH and faculty on what performance is expected and how it will be measured and documented. Persons intimately familiar with both the text of governance documents and with department norms for how the text is interpreted are best positioned to validly assess whether norms have been accurately and equitably applied in judgments of faculty performance.
3. That the Economics Department governance document specify the Economics AUPAC as the appellate body designated to review and rule on the validity of annual evaluations produced by the AUH.

However, the COBPAC did not include in their recommendations whether the AUH annual evaluation of faculty would be upheld or modified.

In correspondence dated August 28, 2023 from Members of the Economics Personnel Advisory Committee regarding Appeals of Faculty Annual Evaluations sent to yourself and the COBPAC, the Econ PAC reiterated the need for several things including an explicit request asking for consideration of whether to negate some or all of the 2022-23 faculty evaluations.

In addition, it is unclear if the AUH of Economics followed the faculty approval procedure of the annual evaluation criteria as required:

**Section III.E.4.g. Annual Evaluation Appeal Procedures**

The number of performance levels, the manner of determining these performance levels, the manner of determining overall performance, and the annual evaluation appeal procedure must be developed by the full-time faculty members of each academic unit, approved by the AUH, dean, and provost, and distributed to the faculty of the academic unit (page 34).

**Section III.E.4.h. Review Criteria**

In considering an appeal, the crucial questions for the reviewing body are whether all relevant information was objectively reviewed by the AUH in accordance with evaluation criteria established by the academic unit and whether the AUH evaluated similar achievements among similarly situated academic unit members using the same standard of judgment. The recommendations of the reviewing body will be given to the AUH, with a copy to the faculty member and the dean. The reviewing body may recommend that the AUH's evaluation be upheld or modified. If the AUH agrees with the recommendations of the reviewing body, they will take the appropriate action and either confirm or modify their original evaluation. The AUH will notify the reviewing body, the faculty member, and the dean of their decision. The appeal process in the academic unit must be completed by Oct. 21. The evaluation process is not final until any appeal has been completed (page 36).

Given the issues that have developed as a result of a faulty appeals process and possible handbook violations, we ask that you create an independent body to review the faculty annual evaluations that were appealed in Fall 2023. This body should determine if all evaluation criteria were objectively reviewed, applied consistently, and, then, based on those conclusions, decide on the question of the appeal regarding if the evaluations be upheld or modified. We also ask that you address the perceived violations of the faculty handbook.

If you disagree with our assessment, we ask that you explain to us where we might find documentation that addresses these matters.

We ask that you respond to this letter within two weeks.

Thank you for your time and consideration of these matters.

Sincerely,

Katherine Ott-Walter, Speaker of the Faculty Senate  
Sasha Kokhan, Chair of Shared Governance Committee  
Kristen McCleary, Speaker Pro Tempore and Chair of Faculty Concerns