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Faculty Association of
the University of Waterloo

Academic Freedom and Tenure Committee

Terms of Reference

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Purpose/Mandate

AF&T is a standing committee of the Faculty Association of the University of Waterloo (FAUW) and reports to the FAUW Board of Directors.

The AF&T Committee provides confidential assistance to FAUW members with any issue arising with the university regarding terms and conditions of employment, application of university policy, tenure and promotion issues, annual performance reviews, and pension and benefits issues. There are some limits of confidentiality as described in the last section of this document. The committee also plays an advisory role in the development and revision of relevant University policies and, with the approval of the FAUW Board of Directors, works to inform members about such matters.

Committee structure

The Academic Freedom and Tenure (AF&T) Committee is a standing committee of the Board of Directors of the Faculty Association of University of Waterloo (FAUW). The AF&T Committee reports to the FAUW Board through its chair.

Membership

The AF&T Committee membership should consist of:

- 12–15 voting members of the committee, including the chair, with representation from all Faculties. There should be tenured and permanent teaching stream members. The committee should represent the diversity of members on campus.
- A chair and vice-chair are elected by the committee membership and approved by the FAUW board.
- When possible, a past chair to assist with institutional knowledge.
- The Grievance Officer of the Renison Association of Academic Staff (RAAS), as a non-voting member
- The AF&T and Policy Officer, who is a FAUW staff member, shall serve as the Committee support, in a non-voting capacity
- Only FAUW members are eligible to serve on standing committees.

Terms of membership

- Positions are up to 3 years, and renewable indefinitely. Committee members are asked to inform the AF&T chair as soon as they can if they are not interested in continuing on the committee.

- Members should be equity minded and willing to work collegially to represent the interests of all FAUW members.
- Referrals for potential committee members are typically made by existing AF&T Committee members, FAUW Board members, and from the general membership.
- All such referrals should go to the AF&T Committee.
- Upon receiving the name of a potential committee member, a current AF&T committee member will meet with the potential member, discuss the position and the potential members experience, and report back to the AF&T Committee.
- Based on this report, committee members will vote on recommending potential committee members to the board.
- Based on a favorable vote, the AF&T chair will make recommendations to the board for adding a potential member to the committee.
- Recognizing that the vitality and effectiveness of the committee depends on the new ideas and enthusiasm that come with new members, the committee will encourage some turnover in membership each year.

The AF&T Committee may strike ad-hoc sub-committees that have specific directives and terms of operation. All sub-committees will report and be responsible to the chair of the AF&T Committee.

Selection of the Chair

- A chair's term will be up to 3 years, renewable. Although there is no limit to the number of times that they can be renewed, the committee should be cautious of recommending repeated renewals without good reason.
- If the incumbent is willing to serve an additional term, they will notify the FAUW executive, ideally 1 year in advance of the end of their term. A member of the FAUW executive will discuss the additional term with the AF&T Committee and recommend the incumbent to the FAUW Board if supported by the AF&T Committee.
- Selection of new chair is ideally made 1 year in advance, to allow for shadowing of exiting chair for a smooth transition of caseload and notice to home department.
- At least a year before the incumbent Chair's term is complete, the incumbent and the policy officer will begin a search for the next Chair.
- The Chair and policy officer will communicate with all members of the AF&T Committee to gauge interest in the Chair position. If one or more current committee member(s) is (are) interested, the process will move to considering the candidates.

- If no committee members are interested in the Chair position, the incumbent and policy officer will reach out to past AF&T committee members to ascertain interest in the position.
- If no current or past committee members are interested in the Chair position, a call to the general FAUW membership will be put out. All interested faculty members will be considered for the position of Chair of the AF&T committee.
- The AF&T committee will request a written statement and/or oral presentation from candidates. If there are many candidates, written statements may be used to shortlist candidates.
- The AF&T Committee will meet to discuss interested candidates.
- The AF&T committee will invite shortlisted candidates to a meeting to discuss the Chair position (if the candidate(s) is (are) members of AF&T Committee, they will recuse themselves). If there is a single shortlisted candidate, then a secret ballot will be held to determine if there is an acceptable candidate for the Chair position. If there are multiple shortlisted candidates, then the committee will determine by what process they will determine the candidate to put forward. If a candidate is deemed acceptable, the AF&T Committee will recommend appointment of the candidate for the Chair position to the FAUW Board of Directors before the end of June or as soon as possible.
- If no candidate is deemed acceptable, the incumbent chair will present a summary of the process and committee discussions and decisions to the FAUW executive. The executive will decide the next steps.
- The incoming Chair will receive course release for a training period of 4 to 6 months (The course release(s) is (are) at the discretion of the FAUW Board of Directors. Historically, 1 course release has been offered for the 4 to 6-months training).
- The transition from past chair to chair will be completed July 1.
- Selection criteria to consider:
 - Interest in helping faculty members
 - Experience (i.e. # and variability of AF&T cases)
 - Depth of understanding of UW policy/procedures and MOA
 - Ability to work in a highly collaborative environment (works closely with AF&T Policy Officer, FAUW staff and FAUW Board)
 - Approachability
 - Excellent reputation, highly regarded and respected by peers.
 - Open-mindedness
 - Proven record in demonstrating tact, judgment, diplomacy and maintaining confidentiality
 - Conflict resolution skills
 - Equity, Diversity, and Inclusion commitment
 - Prior Service involvement (FAUW/committee work)

- Rank (consider impact on career trajectory)

To assist in a smooth transition, a Past chair typically continues to support an incoming chair for up to 1 year.

Onboarding of committee members

Each September, all committee members are required to review the following documents:

- The Committee's Terms of Reference
- FAUW's [Memorandum of Agreement](#) and [Constitution](#)
- [FAUW 101](#)
- [Policy 33 – Ethical behaviour](#)

All committee members are responsible for becoming familiar with these materials and their accountabilities to the Board.

The chair may also require additional training in financial policies and knowledge management practices, provided by FAUW staff or external bodies like OCUFA.

Removing committee members

Any committee member in violation of the committee's accountabilities may be removed by a 2/3 vote of the full committee membership. This vote can be held anonymously and asynchronously with support from the Nominating and Elections Committee or staff, if requested. The Board may vote to remove a committee member at any time, with cause. Removal of any members must be immediately reported to the FAUW Executive.

Removing the chair

If there is a lack of confidence in the chair, committee members are free to communicate directly with the FAUW President to share their concerns. A 2/3 vote of the full committee membership may recommend the removal of the chair to the FAUW Board, who will make the final decision. This process only removes the chair from their leadership position, not the committee. This vote can be held anonymously and asynchronously with support from the Nominating and Elections Committee or staff, if requested. The FAUW Board may vote to remove a chair at any time, with cause. Any concerns with committee leadership should be directed to FAUW President.

Position of Vice-Chair

The selection criteria, approval and removal for vice-chair will be the same process as used for chair. Normally the position of vice-chair would be held by a member in a different faculty than that of the chair.

Mid-term vacancies

If a member leaves the committee prior to the end of their term, the committee will determine whether to appoint a mid-term replacement or leave the vacancy open until the next call for members. The Chair and the Vice-chair must be filled on an interim basis. The Vice-chair will automatically assume the role of chair for the remainder of the chair's term, if that role is left vacated.

Meetings

Communication and facilitation

Committee meetings will be arranged by email. They will be held in person, if possible. Often, they will be informally run, using Robert's rules of Order if necessary.

Frequency

The committee will meet at minimum of once per term, with additional meetings as necessary.

Quorum

Quorum for conducting committee business shall be 50%+1 of committee membership, with the exception of removing members, which requires a 2/3 vote of the committee's entire membership.

Accountabilities

All FAUW volunteers are representatives of the Faculty Association and should conduct themselves as such during any FAUW business. Any members found in violation of the Memorandum of Agreement, FAUW Constitution or other governing documents, policies and procedures, may be subject to removal through the processes outlined above.

Officers

Chair: The committee chair will chair the meetings and represent the AF&T Committee to the FAUW Board of Directors, the University, and in the broader community. If not an elected Director, the chair will serve as an *ex-officio*, non-voting member of the FAUW Board. The chair will be charged with the general management and supervision of the affairs of the Committee and its sub-committees. In addition, the Chair is expected

to submit monthly reports in writing to the FAUW Board on the activities of the Committee, and bi-annual reports for FAUW Spring and Fall General Meetings.

Past chair: The past chair supports the onboarding of the incoming chair and serves to provide institutional knowledge as needed.

Vice chair: The vice chair will fulfill the duties of the chair in their absence or in the case of conflict of interest.

Secretary: The committee secretary is typically the FAUW AF&T and policy officer. If that role is vacant, then the committee secretary will be selected from the committee membership and work with the chair to draft an agenda for each meeting. They will ensure the agenda is provided to all committee members at least one week ahead of meetings, and that meeting minutes (and any recordings or transcriptions) are recorded and stored in a central location that can be accessed by all committee members and FAUW staff. The secretary will also support the Chair and FAUW staff in scheduling and booking meetings.

Committee members

Committee members are responsible for actively participating in committee meetings and projects, as appropriate, including reviewing all meeting package materials, and arriving prepared for meetings.

Role of Committee members:

- Assist faculty members with issues relating to terms and conditions of employment.
- Ensure confidentiality and privacy to faculty members seeking support.
- Assist faculty with interpretation and application of FAUW's Memorandum of Agreement (MOA), university policies and procedures.
- Act as academic colleague and accompany members to meetings, acting as a witness and ensuring fair procedures are followed.
- Discuss options with members to fully explore various informal and formal processes.
- Attend committee meetings, typically 1 per term, with additional meetings as needed for potential grievance/arbitration cases.
- Consider cases assigned by the Chair and AF&T/Policy Officer
- Take on 1-3 cases per year, typically, depending on complexity.

Role of AF&T and Policy Officer (staff support position)

- Support Chair and committee members.
- Ensure a centralized understanding of what issues are arising and maintain institutional memory of cases.
- Work closely and collaboratively with the Chair in managing case load, assigning cases and consulting with Committee members.
- Maintain records on cases and report on aggregate data and significant outcomes.
- Provide feedback on policy interpretation and in policy drafting.
- Fulfill obligations of secretary role above.

Documentation and knowledge management

Committee meeting agendas, minutes, reports and other non-confidential documents should be stored in the AF&T Teams channel. Confidential material should be stored securely.

Conflict of Interest and Confidentiality

It is common practice that the AF&T Committee member is from a faculty different than the supported member's faculty to reduce the risk of conflict of interest. Confidentiality of AF&T support is key. Details of cases are not shared except in exceptional circumstances, even with the chair of the committee, or the FAUW executive and board. In an exceptional circumstance, information may need to be shared with the FAUW executive, (such as when there is a potential of legal or liability implications). In addition, the AF&T Committee member may be legally required to use/give some of a member's personal information without their consent. Examples include situations related to safety; when a clearly imminent physical danger to the support member and/or others is determined; or in compelling circumstances affecting the health and safety of an individual; or when there are reasonable grounds to suspect that a child (under the age of 16) may need protection.