

Faculty Senate Minutes
Minutes of March 3, 2006

FACULTY ASSOCIATION OFFICERS

PROXY

Bill Humphrey—Chair	P
Richard Freer—Vice-Chair of the Senate	P
Bill Rowe—Past President	P
William B. Maynard—Secretary of the Faculty Association	P
Margaret McClain—Secretary of the Senate	P

Win Bridges—Acting Parliamentarian	Absent
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AGRICULTURE (1)

Bert Greenwalt	Absent
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BUSINESS (3)

Mark Foster	P
Louella Moore	P
Jim Washam	P

COMMUNICATIONS (2)

Jack Zibluk	P
Osa Amienyi	P

EDUCATION (5)

Cindy Albright	Absent
Daniel Cline	P
Amany Saleh	P
Marci Malinsky	P
Vacant Seat	---

ENGINEERING (1)

Shivan Haran	P	Paul Mixon
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FINE ARTS (3)

Alyson Gill	P
Tim Crist	P
Kelly Shaefer	P

HUMANITIES & SOCIAL SCIENCES (6)

Win Bridges	Absent	
Mary Donaghy	P	
Robert Baum	P	
Joe Sartorelli	P	Joe Key
Richard Wang	P	
Eric Gilbert	P	

LIBRARY (1)

Myron Flugstad	P
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MILITARY SCIENCE (1)

LTC Larry P. Aikman	P
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NURSING AND HEALTH PROFESSIONS (3)

Richard Freer	P
Donna Caldwell	P
Cathy P. Hall	P

SCIENCE AND MATHEMATICS (4)

William Burns	Absent
Bob Bennett	P

Jeff Jenness
Jie Miao

Absent
P

UNIVERSITY COLLEGE (1)

Margaret McClain

P

Chairman Humphrey called the meeting to order.

I. MINUTES: The minutes of the February 17, 2006 meeting were approved.

II. OLD BUSINESS:

COMMITTEE REPORTS:

- i. **Handbook:** Julie Isaacson reported that the Handbook Committee had finished its work on the previous Friday and that the Faculty Handbook would be sent on the faculty listserv. She stated that hard copies would be supplied to all senators._
- ii. **Executive Committee:** Bill Humphrey reported that the Executive Committee of the Senate had met earlier in the week as well as that afternoon. He distributed copies of the Committee's document entitled "Executive Committee of the Faculty Senate's Plan to Deal with the Faculty Handbook," reproduced below. The document sets out a plan to address the Board of Trustees' recently adopted version of a handbook. Humphrey reported that if the Handbook Committee's Faculty Handbook is approved at the March 17 meeting of the Senate, it will be sent on to the President and the Board. He furthermore stated that after examining the Board's action, the AAUP would be sending its appraisal. Humphrey said he was awaiting comments from the HLC as well.

**Executive Committee of the Faculty Senate's Plan to Deal with the Faculty Handbook
March 3, 2006**

1. Distribute the Committee handbook [to faculty] Friday [3 March 2006] for people to review for two weeks.

2. At the next scheduled meeting of the Faculty Senate, 17 March 2006, the Faculty Senate's legal counsel will be present to answer faculty questions regarding the Faculty Senate's draft handbook. Following questions and answers and general discussion the Faculty Senate draft handbook will be laid before the Faculty Senate for approval/rejection in the manner previously determined by Senate resolution, i.e. each section of the draft will be discussed and voted upon. If all sections have been approved, the Faculty Senate will then vote approval/rejection of the whole.

3. Once the handbook is passed by the Senate, it should be sent to the president for comment and then on to the Board. The faculty needs to stay on track to have a handbook ready and to announce to the HLC that no shared governance occurred with the Board's book.

It is important for Faculty Senators and the Faculty at large to know that during this period of considered and measured response extra-campus bodies are showing their support and/or concern for the events playing out on this campus, to wit:

State Chapter of the AAUP has offered its full support, and the support of all AAUP Chapters in the State

National Office of the AAUP, and the organization's lawyers are currently reading the imposed book of policy suggestions and will respond in due course

Members of the Higher Learning Commission's Evaluation Team who visited the Campus in March 2003 have been appraised of the turn of events here and relevant documents are being forwarded to them

In addition, considerable interest in this situation has been shown by reporters from *The Arkansas Democrat-Gazette*, *The Chronicle of Higher Education*, the *AAUP's Academe*

It would be after the 17 March 2006 Faculty Senate meeting that faculty as a whole may be called upon as a body to become fully involved in the defense of academic freedom on this campus.

Dr. Maynard explained that the Executive Committee's plan was designed to address the handbook issue. To that end, he urged all faculty members to read the Handbook Committee's version of the Faculty Handbook, which is to be distributed before March 17, 2006; submit their comments on the handbook to the Senate; and make known their wishes in regard to the defense of academic freedom. Maynard moved that the Senate approve the above plan. In the absence of discussion, the motion carried unanimously.

- iii. **Resolution on the Procedure for Approving the Faculty Handbook:** Dr. Bennett distributed the resolution introduced at the last meeting of the Faculty Senate. The resolution is reproduced below.

**Arkansas State University (ASU) Faculty Senate Resolution on the Procedure
for Approving the ASU Faculty Handbook of Policies and Procedures 2006**

Whereas the attached ASU Faculty Handbook of Policies and Procedures 2006 has been provisionally approved by the ASU Faculty Senate on - -06

Whereas this document is being presented to the ASU administration and Board of Trustees for their consideration and comment.

Whereas in keeping with the Principles of Shared Governance and Section VI Procedure for Making Changes to the Faculty Handbook in the document.

Be it resolved that the ASU Faculty Senate calls for any comments and recommendations, modifications, or edits by the ASU administration, university attorney, or Board of Trustees be presented to the ASU Faculty Senate in writing for its due consideration.

Following such re-consideration the ASU Faculty Senate will forward to the ASU Administration and Board of Trustees the provisionally approved document, which may contain its revisions.

This process will continue until both the ASU Faculty Senate and the ASU administration and Board of Trustees agree on and each formally approves a mutually acceptable ASU Faculty Handbook of Policies and Procedures 2006.

Bennett explained that the resolution sets forth a rational method for approving the Faculty Handbook in the spirit of shared governance. Bill Maynard added that the resolution is relevant to the administrative passing of its version of a handbook. Dr. Freer noted that the resolution sets forth the Senate's desire for collaboration.

In the absence of further discussion, a vote was called. The resolution carried unanimously.

- iv. **Report of Handbook Committee:** Dr. Wang moved that the Senate accept the report of the Handbook Committee, as presented by Julie Isaacson. The motion carried unanimously.

III. NEW BUSINESS:

A. DISCUSSION OF THE FACULTY HANDBOOK APPROVED AND ADOPTED BY THE BOARD OF TRUSTEES, FEB. 24, 2006:

Chairman Humphrey called for faculty input from non-senators on the handbook issue.

Dr. Alex Sydorenko, former Chair of the Senate and Faculty Association, expressed his horror at the administration's recent actions vis a vis the Faculty Handbook. He said that he believed the handbook was out of date in 1997, when he served as Faculty Association Chair. He stated that a university consisted of faculty and students and that he believed in the principle of shared governance. However, Sydorenko continued, since the advent of shared governance at ASU, he has come to believe that the faculty had been "hoodwinked" about the administration's sincerity on shared governance. Sydorenko stated that by issuing its own version of a handbook, the administration had effectively removed the faculty's ability to determine its role on this campus. In keeping with the title of the *Faculty Handbook*, Sydorenko added, the document should be under the purview of the faculty. Sydorenko stated that the handbook had sat on Irene Martz's desk for some time and had been otherwise delayed. Then the Board passed its own version without faculty input. Sydorenko urged the faculty to assume a strong and decisive stance to defend its rightful role on campus. He called the handbook issue a "moment of truth" for the ASU faculty.

Dr. Robin Anderson took issue with the administration's use of the term *faculty handbook* to describe its version of what she said was merely an "administrative manual." She urged the faculty not to refer to the administration's document as a "Faculty Handbook."

Dr. Jack Zibluk took issue with the administration's accusations that the faculty had dragged its feet and missed deadlines in the handbook-writing process.

Dr. John Hall stated that the Handbook Committee really did not feel that its work was finished until last week. In the interest of producing a quality piece, the Committee had to revisit its work frequently.

Dr. Maynard stated that the faculty's lawyer, Donn Mixon, was the last person to read the Faculty Handbook for consistency, especially for consistency with the law.

John O'Connell (Theater) was distressed to hear that the handbook had sat on an administrator's desk for a period of time and, furthermore, that the administration was refusing to recognize the Faculty Handbook as a contract. He asked if the administration's version of a handbook was an earlier version of the Handbook Committee's work.

Chair Humphrey replied that the administration's version was essentially the December 9 version submitted to President Wyatt. Parts were taken from earlier versions. He continued that some passages appear to have been added or deleted by the Board, the President, and/or the administration's lawyer.

Dr. Bob Bennett offered his summary of the history of the administration's handbook. He stated that he was Faculty Senate Chair before the HLC visit of three years ago. The Faculty Senate had submitted to President Wyatt a completed handbook that had been approved by the Senate. The document sat on administrators' desks while the administration "dragged its feet" until the document was eventually rejected by the President. At that time the HLC expressed concern that ASU did not have an approved faculty handbook.

Debra Walden noted that the draft of the handbook was placed in the hands of the administration some time ago, but that the Senate had received no response from the administration. She decried this "lack of respect" for the faculty on the part of ASU administrators.

Dr. Mary Donaghy asked about the Board's February 24 deadline for the completion of the handbook, specifically if there was ever such a deadline in place.

Dr. Maynard explained that there was no deadline and that the Board's publicized account of events surrounding the handbook was "fictionalized." He anticipated that the HLC would have some input in the fall.

Dr. Bill Rowe decried the secrecy of the ASU Board of Trustees. For example, when the Senate had issued an FOIA request for the Board's meeting agendas, the Board refused to release them. Rowe added that this Board was the only one in the state not to release its meeting agendas.

Cathy Hall noted that Chairman Humphrey was not even given the opportunity to be placed on the agenda at the Board meeting when the handbook was approved without the Senate's prior knowledge.

Dan Cline asked if the HLC and AAUP's *Academe* had been notified and urged all faculty to make suggestions on how to end the impasse.

Dr. Maynard replied that letters would be sent to both the HLC and *Academe* to apprise these institutions of the situation at ASU.

Dr. Wilkerson-Freeman (History) expressed that she was appalled at the dishonorable way in which the administration of ASU had conducted itself vis a vis the handbook. She believed that this modus operandi by the administration was the rule rather than an exception at ASU and posed a chronic problem for the faculty. She surmised that the administration might have an ulterior motive in its bad behavior toward the faculty.

Dr. Curtis Steele (Art) stated that the Board's version of a handbook was a "paternalistic" and "hypocritical" document in that its adoption violated the principles of shared governance. He stated his hope that the administration would be persuaded to accept the Faculty Handbook as approved by the Faculty Senate. Dr. Greg Phillips (Dean of Sciences, Agriculture, and Engineering) said he was speaking from the faculty perspective. He exhorted the Senate not to go down a path that would cause "lasting damage" to ASU. He recommended that the Senate finish the present handbook, identify differences between it and the Board's version, ask the Board to accept the differences in the Senate's product, and use this incident as an opportunity to seek a "fresh start" with the new ASU chancellor.

Dr. Robin Anderson (History) expressed the opinion that the damage had already been done and that the incident was not conducive to attracting a new chancellor to the institution.

Dr. Chris Brown (Economics) echoed earlier calls for reasonableness. He urged the Senate to avoid a confrontational tone, await the administration's response, and remain optimistic that the impasse would be resolved.

Dr. Richard Freer stated that the Executive Committee's plan calls exactly for such a measured, reasonable approach.

Dr. Baum believed that the Faculty Senate's language has been rational while the HLC's language, as reported in the press, came across strident and combative.

Dr. Wang responded to Dean Phillips' earlier comments. Wang stated that both he and Dr. Sydorenko had worked on bringing shared governance to ASU and that its principles had been accepted by the ASU community at large. Wang continued that recent actions by the Board, which violated shared governance, were a "sham" that the faculty should not accept.

Dr. Maynard referenced the fact that the AAUP and colleges across the nation had set precedents whereby faculty members routinely wrote their faculty handbooks. While this practice is the norm throughout the American academic community, it is the exception at ASU. He stated that the Handbook Committee's Faculty Handbook is a simple document, containing nothing unreasonable about faculty and administrative roles. It adheres to national norms, according to Maynard. However, he decried some of the administration's "bizarre" interpretations, for example, that the handbook "is not a contract."

Dr. Isaacson urged the faculty to compare the Board's and Senate's versions of the handbook, and especially, to note the Board's reworking of some key definitions.

Mike McDaniel stated that in the past the administration had asked the faculty to trust and believe in shared governance. McDaniel continued that those who had implemented shared governance had not fulfilled their promises and that the faculty had indeed been "hoodwinked."

B. NEW RESOLUTION: Dr. Jack Zibluk introduced a resolution on behalf of several departments that the Faculty Senate reject the Board of Trustees' version of a faculty handbook. (See attached below.)

**Faculty Senate resolution from: Political Science, Educational Leadership
Fine Arts, History, English and Philosophy, and Journalism:**

**Whereas without recourse to the principles of shared governance the
Board of Trustees of Arkansas State University at their 24 February**

2006 meeting imposed a Faculty Handbook on the Faculty of Arkansas State University, and

whereas, the Board of Trustees version of the Handbook was not reviewed, commented upon, or approved by either the Faculty Senate Handbook Committee, or by the Faculty Senate as a whole, and

whereas, the Arkansas State University Board of Trustees, in the said unapproved version of the Handbook, without recourse to the spirit or principles of shared governance, are attempting, contrary to law or custom, to unilaterally undermine the contractual nature of a Faculty Handbook, therefore,

be it resolved, that the Faculty Senate of Arkansas State University unequivocally rejects the version of the Handbook imposed on the Faculty at the 24 February 2006 meeting of the Arkansas State University Board of Trustees.

It was decided that the motion would be discussed at the March 17 meeting of the Faculty Senate.

IV. ANNOUNCEMENTS: Cathy Hall requested that the Faculty Senate agendas be forwarded to the faculty listserv.

V. ADJOURNMENT:

In the absence of further business, the meeting adjourned at 4:05 PM.