

ASU FACULTY SENATE MINUTES

November 2, 2001

FACULTY ASSOCIATION

Bob Bennett, President (AS)

Jeff Bailey, Past President (LIB)

Bill Rowe, Sec/Treasurer (FA)

FACULTY SENATE

Bob Bennett, Chair

Bill Humphrey, Vice-chair

Debra Walden, Secretary

Michael Morrell, Parliamentarian

COLLEGE OF AGRICULTURE

Bill Humphrey

COLLEGE OF ARTS AND SCIENCES

Roger Abernathy

Jim Bednarz

Joe Sartorelli absent

Dick Freer

David Jimerson

Ernesto Lombeida

Bill Maynard proxy – Erik Gilbert

Victoria Spaniol

Richard Wang I

COLLEGE OF BUSINESS

Dan Marburger

Clint Relyea absent

Jim Washam proxy – David Kern

Chris Brown

COLLEGE OF COMMUNICATIONS

Jo Anna Grant absent

Lillie M. Fears

COLLEGE OF EDUCATION

Cindy Albright

Kris Biondolillo

Joe Justen

John Ponder absent

Carl Vaupel absent

DEPT. OF ENGINEERING & APPLIED SCIENCE

Charles Coleman absent

COLLEGE OF FINE ARTS

Bill Rowe

John O'Connell

Ken Hatch

COLLEGE OF Nursing & Health Professions

Terry Baggs absent

Steve Guffey absent

Debra Walden

UNIVERSITY COLLEGE

Polly Green

LIBRARY

Myron Flugstad

MILITARY SCIENCE

Daniel Tiscareno absent

COUNCIL OF ACADEMIC DEANS

Jan Duggar absent

VISITORS

Lindsey Little- news reporting class

Jodi Hutchison - news reporting class

Heather McCutcheon (Herald)

Samantha Schuk – news reporting class

David Taylor – SGA senator

Warren Johnson – CAS

CALL TO ORDER

Senate Chair Bennett called the meeting to order at 3:05.

APPROVAL OF THE MINUTES

Minutes from the Oct. 19, 2001 Faculty Senate meeting were reviewed. Motion to approve minutes was made by Biondolillo; seconded by Spaniol. Motion carried.

REMARKS

Chair Bennett stated the primary business of the senate today would be the faculty handbook.

Bennett reported that he had attended a retreat held by Academic Affairs in Hot Springs. The issue of the predicted budget shortfall in Category B funding was discussed. It is predicted that this may impact various departments significantly.

Bennett also reported on the combined faculty and staff senate meeting which was held Nov. 1st. This meeting was focused on health care issues particularly the rising cost of health care and funding shortfalls.

There were no reports from representatives of Shared Governance Committees.

OLD BUSINESS

Faculty Handbook:

Bennett introduced a motion to accept the Handbook as currently presented on the WEB. Humphrey seconded.

Parliamentarian Morrell offered points of order related to proceeding with the motion and proposed revisions to the primary motion.

Senator Albright moved that discussion be limited to 5 minutes for each revision being proposed. Humphrey seconded. Senator Bednarz called for a show of hands on the motion to lime debate. Five voted in favor, twelve opposed – motion was defeated.

Biondiolillo verbalized her concerns about the December deadline for handbook submission and the lack time for her faculty constituency to review the proposed changes. Bennett gave a history of the faculty handbook development. Senator O'Connell stated that he had attended a meeting of deans and was surprised by their lack of awareness that revisions were being considered. Senator Wang expressed his concern that faculty may not have had time to consider the proposed revisions. Chair Bennett reiterated his concern that a timetable for adoption of the handbook be followed. Morrell stated that a primary concern was getting our revised and approved draft to the Board of Trustees in order to stimulate their response to this document.

(At this point in the meeting a discussion of individual proposed revisions began. Parliamentarian Morrell offered to summarize revisions for the benefit of the senate.)

Humphrey made a motion to consider Revision I as presented from the ad hoc committee. Senator Freer seconded the motion.

Revision I addresses the moratorium on tenure and the tenure pool.

Discussion followed. Bednarz stated that he believed that this revision would benefit both faculty and administration. Senator Rowe offered that this revision is in keeping with a recommendation from North Central.

Revision I passed unanimously by voice vote.

Freer moved to adopt Revision II. Senator Justen seconded.

Revision II addresses issues related to the dismissal of tenured faculty members.

This revision offers tenured faculty procedures for due process if dismissed.

Pre-tenured and non-tenured faculty are not included in this revision.

Senator Justen noted that the proposed procedure is well established nationally and has a long history. Morrell noted that this revision included a change in the development of the University Hearing Committee.

Revision II passed unanimously by voice vote.

Freer moved to adopt Revision III. Senator Bednarz seconded.

Revision III deals with a development of a procedure for dismissal of tenured faculty when a state of financial exigency occurs. It adopts the AAUP recommended guidelines that are in accordance with the 1958 statement on procedural standards for faculty dismissal proceedings. Freer stated that faculty will help determine the process and a clear procedure should faculty need to be dismissed in cases of financial shortfall.

Bennett stated that this would require administration to present information that a financial shortfall did exist and that faculty would work with administration to handle the concern. It requires that all other approaches be taken to handle budgetary shortfalls other than termination of tenured faculty.

Senator Brown suggested that such a policy would protect administration should such dismissals be required. Morrell pointed out that paragraph # 6 indicates which appointments might be vulnerable.

Discussion followed.

Revision III passed unanimously by voice vote.

Senator Wang moved that Revision IV be adopted. Humphrey seconded.

Revision IV deals with post-tenure review. It is approximately one sentence. The language requires that adequate cause for dismissal is demonstrated. Bennett read the revision to the senate. Wang pointed out that we would be bringing our handbook in line with other suggested revisions to the document. Morrell asked if the faculty would be benefited by a phrase relating to university action if faculty did not follow remediation or development programs. Humphrey made a friendly amendment to add a phrase:

If further action is necessary, then see Section 5

Revision IV with friendly amendment passed unanimously by voice vote.

Humphrey moved that Revision V be adopted. Justen seconded.

Revision V concerns procedures for dismissal of pre-tenured or non-tenured faculty. It offers the non-tenured faculty member a right to have knowledge of intention to dismiss during the term of appointment and the right to a hearing prior to dismissal.

Discussion followed.

Revision V passed per voice vote.

Freer moved to adopt Revision VI. Justen seconded.

Revision VI deals with schedules for non-reappointment. It renames the subsections: Non-reappointment of pre-tenured and non-tenured faculty members. The main issue is that it allows a person to proceed through the faculty grievance procedure one notification of non-reappointment is received.

Biondolillo verbalized her concerns about this revision. Freer pointed out that this revision would protect pre-tenure and non-tenure faculty – granting a form of academic freedom. Bennett indicated that the revision was not designed to protect incompetence but rather to protect academic freedom.

Humphrey made a friendly amendment that revisions VI and VII be considered together. Revision VII deals with the faculty grievance procedure.

Biondolillo made a motion to table Revision VI and revision VII until the next senate meeting. Senator Marburger seconded

Motion to table passed by a show of hands – 7 in favor, 6 opposed.

Bennett asked Senator Biondolillo to reintroduce this item to the agenda.

Bennett reminded faculty that a special meeting of the senate would be called November 9th to continue discussion of proposed handbook revisions.

Freer made a motion to adopt Revision VIII. Justen seconded.

Revision VIII deals with the composition of the University Hearing Committee. The senate would become solely responsible to selecting this committee and choosing alternates.

Discussion followed regarding the current method of committee selection. O'Connell pointed out that we currently select the 20 members of the Hearing Committee pool from which the President selects sub-committees. Justen noted that this revision was an attempt to adopt recommendations from AAUP that have stood the test of time. Walden offered a friendly amendment as follows:

Alternates would be selected by the Chair of the Faculty Senate

Bednarz made a motion to table the Revision and to seek information from the University Hearing Committee. Humphrey seconded.

Motion passed by a show of hands – 8 in favor, 6 opposed

Justen made a motion to adopt Revision IX. Humphrey seconded.

Revision IX deals with intellectual property and defines some terms. This amendment was submitted with input from William Allen. It is based on recognized AAUP documents. Humphrey argued that this is an important issue that needs to be presented.

Revision IX passed unanimously per voice vote.

Humphrey made a motion to adopt Revision X. Justen seconded.

Revision X deals with the preface to the handbook. It is concerned with the legal, binding nature of the handbook as a letter of appointment. Humphrey pointed out that the first part of the revision comes from pre-existing documents in the handbook. He noted that the major revision is the proposed mechanism for changing the handbook.

Discussion followed.

Revision X passed per voice vote.

Justen made a motion to adopt Revision XI Rowe seconded.

Revision XI is a response to concerns in the science community. Permits assistant professors, which are hired at the Ph.D. level, to participate fully on these committees, advising etc.

Senator Abernathy voiced his support of this action.

Revision XI passed per voice vote.

Justen made a motion to adopt Revision XII. Rowe seconded.

Revision XII concerns leave policy and procedures, particularly compensated faculty leave. It returns to the handbook policies found in the 1992 handbook.

Rowe pointed out that this would be beneficial for persons who may only be able to do research in the summer due to heavy loads during the academic year. Justen provided background for the policy change. He stated that he believes that this change would benefit faculty in areas where faculty shortages exist.

Revision XII passed per voice vote with one opposed.

O'Connell made a motion to table the motion made by Bennett until November 9th at 3:00 p.m. Albright offered a second.

Bennett asked for volunteers to look at revisions VI and VII. Biondolillo asked for time to share these revisions with her constituency. Bennett agreed to this and asked that agenda items be sent to him by Wednesday November 7th, 2001. He stated that clarification from the University Hearing Committee would also be solicited.

ADJOURNMENT

With no further business the meeting was adjourned at 5:00 p.m.

Respectfully submitted,

Debra Walden, Secretary