

Faculty Senate
Minutes of October 7, 2005

FACULTY ASSOCIATION OFFICERS

PROXY

Bill Humphrey—President	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
Dennis White—Parliamentarian	P

AGRICULTURE (1)

Bert Greenwalt	Absent
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BUSINESS (3)

Vacant Seat	---
Dan Marburger	Absent
Jim Washam	Absent

COMMUNICATIONS (2)

Jack Zibluk	P
Pradeep Mishra	P

EDUCATION (5)

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

ENGINEERING (1)

Shivan Haran	P
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FINE ARTS (3)

Allyson Gill	P
Tim Crist	Absent
Kelly Shaefer	Absent

HUMANITIES & SOCIAL SCIENCES (6)

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

LIBRARY (1)

Myron Flugstad	P
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MILITARY SCIENCE (1)

LTC Larry P. Aikman	Absent
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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	Absent
Jeff Jenness	P

Jie Miao

P

UNIVERSITY COLLEGE (1)

Margaret McClain

P

I. MINUTES: The minutes of the September 2, 2005, meeting were corrected and approved. Due to the lack of a quorum, the Sept. 16, minutes are not considered minutes and can therefore not be approved. Dennis White, Parliamentarian, stated that the Bylaws do not state what a quorum is. He explained that, according to *Robert's Rules*, common usage is for a simple majority to constitute a quorum. At this time we have a quorum of 13, but White said a change in this number does not require a constitutional change, just an administrative one. He further explained that the Senate may continue to conduct business once a member of the quorum leaves the meeting. He mentioned that any member may stop the meeting at any time to ask for a quorum count. Dr. Rowe spoke in favor of a simple majority as a quorum, in compliance with common law.

II. ESA REPORT (EXTRAORDINARY SALARY ADJUSTMENT)—DR. SUSAN ALLEN:

Dr. Allen reported that she would post a summary of the ESA Report on the web page. She first gave a total of allocated ESA monies by year. \$113,681 in 2004; \$104,508 in 2005; and \$66,879 in 2006. The budget cuts of last year eliminated some positions.

ESA funds were allocated to colleges based on budgeted salary lines for faculty and non-classified employees. Allen summarized the numbers of employees benefiting from ESA:

A total of 97 individuals received adjustments—37 (equity); 3 (for retention); 8 (new faculty hires); 6 (reclassification of classified employees); and 43 (non-formula equity).

Allen's office has seen a decrease in the number of people applying for equity pay. Allen said she had the names of those requesting an adjustment, but not their reasons. In some cases, there were informal recommendations for adjustment. These people will not go through the regular formal process. She said that although the equity process is carefully delineated in the Handbook, ESA funds can be used to address salary needs that fall outside the formal process. Allen added that the informal process does provide added flexibility in awarding ESA funds.

Dr. Sartorelli asked if the informal process for awarding equity had a different set of criteria than the formal process. Dr. Allen admitted that the records were rather poor in that the meanings of categories were not defined clearly or consistently. She said she had asked the deans to put together a white paper on how the deans used and defined ESA funds and categories. She further stated that she wanted to develop an annual report on how ESA funds were spent by college. She said that the results would not be published by individual in this report; in other words, the ESA portion of an individual's salary could not be identified.

Dr. Wang noted the huge number of people who did not fall under the formula (43). He stated that in his department, all employees fell under the formula for individual adjustments. Employees would receive 50% of their adjustments this year and 50% next year. He wondered exactly what the relationship was between the formula and the individual adjustments for the 43 non-formula recipients.

Dr. Rowe asked what criteria were used to decide if a person needed a salary adjustment and who made the decisions.

Allen said that there was always room for discretion. She noted that as more people have received their ESA adjustments, the requests for formal equity have dropped year by year.

Sartorelli asked what percentage of money allocated to the colleges for formal requests was actually used. Allen stated that all applicants who were formally approved for equity were funded. The allocations are made on the basis of the total budgeted salary lines for non-classified and faculty employees within a unit.

III. OLD BUSINESS:

A. Report on Findings About Questions Raised at September 3 Meeting

Sick Leave Act The Chair reported on issues related to House Bill 2122. The provision in the bill that allows two-year colleges to pay faculty members for unused sick leave upon leaving an institution is discretionary. Senate Bill 168 allows classified employees to receive pay for unused sick leave up to \$75,000. This bill excludes faculty and administration.

Catastrophic Leave Pool Humphrey reported that the Catastrophic Leave Bank is in good shape and that the formula does not need to be revised at this time. However, it can be changed if necessary. The Leave Bank consists of three different accounts—Faculty, Administration, and Classified. The Classified account is in the worst shape due to a dramatic increase in use over the past year. The Faculty account is in the best shape.

Campus Walkaround Humphrey reported that the annual walkaround of the campus to assess compliance with the ADA involved three people—someone from physical plant, someone with a disability, and a member of the administrative staff. He also reported that the administration has agreed to allow a faculty member to accompany the inspection team. In addition, Dr. Humphrey added that any faculty member noticing a violation of the ADA should report the violation so that it can be fixed.

Dr. Hall opined that the compliance group should include a faculty member who has expertise in disabilities and/or disability law.

Parking In reference to the property on side streets, the Chair reported that ASU has purchased the property from the Kays Foundation. The streets, which were city-owned streets, were deeded to the university. The reason for attempts to restrict parking on those streets resulted from complaints by the residents about towing charges and obstacles to trash collection. The university says that the proceeds of parking tickets pay for the debt on the parking garage, repair of streets, and salaries. However, ticket proceeds do not cover these costs.

B. Committee Reports

Handbook Committee (Humphrey)

Update Humphrey reported that since the Board would be meeting in December, the Handbook would have to be sent to the Board in early November. The Chair had prepared a PowerPoint presentation of the sections to be reviewed and voted on one at a time. He said that each change would be voted on. His intention was for the senate to vote on the complete Handbook in two weeks. Both Dr. Hall and Julie Isaacson of the Handbook Committee were in attendance.

Dr. Sartorelli asked that the vote be postponed and pointed out that there had been no advance warning about voting at this meeting.

Dr. Zibluk felt a good compromise might be to see the changes at this meeting and vote on them at the next meeting.

Dr. Maynard stated that Attorney Mixon had some reservations about sections of the Handbook; Maynard thought it would be wise to wait until we had Mixon's input. In addition, said Maynard, the AAUP had not responded with its evaluation.

Julie Isaacson said that everyone needed to at least see the changes being proposed so that people could make a more informed vote. She said she valued input on all of the proposed changes.

Dr. Maynard said that we needed to act with absolute certainty at this late point in the Handbook approval process. He reiterated that the senate lawyer had some concerns. Maynard mentioned two of these: (1) reservations about shared governance and (2) the extent of faculty access to the Board.

Julie Isaacson stressed the importance of putting forth our best effort, and Sartorelli repeated his opinion that it would be premature to vote at this time.

Dr. Cline took issue with changes made in the Handbook after sections were already approved.

Dr. Zibluk said it appeared that faculty responsibility in the Handbook has clearly changed over the years from a responsible role to merely an advisory one in some areas.

Some faculty felt that the university's attorney was an obstacle to the Handbook approval process. Others said that the President was an obstacle.

After further, and often heated discussion, the Handbook issue was tabled.

IV. NEW BUSINESS:

A. Rooms for Native American Guests (Rowe)

Bill Rower reported that, as far as he knew, two Native American guests were coming to ASU to investigate the use of the mascot. He said they had expressed a desire to address the Senate. The visitors had reported that they had arranged for their own rooms for free, but that they might just ask for the costs of gasoline. At this point, they were trying to set up an appointment with Dean Lee.

B. Retiring Faculty (Rowe)

Rowe distributed a letter addressed to him from Dr. Dougan, in which Dougan explained why he felt the university undervalued him and how the university was forcing him into an early retirement.

V. ADJOURNMENT:

The meeting adjourned at 4:50 PM.