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## **Fort Hays State University Faculty Senate Minutes, November 1, 1994**

FHSU Faculty Senate

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Minutes of the Fort Hays State University  
Faculty Senate  
November 1, 1994

A. President Dianna Koerner called the meeting of the Faculty Senate to order in the Pioneer Lounge Room of the Memorial Union on November 1, 1994 at 3:30 p.m.

B. Senators present were James Murphy, Tom Guss (for Warren Shaffer), Martha Holmes, Gary Hulett, Mike Miller, Ann McClure, Joan Rumpel, Sandra Rupp, Max Rumpel, Stephen Shapiro, Bruce Bardwell, Fred Britten, Arup Mukherjee (for John Durham), Tom Johansen, Albert Geritz, Richard Leeson, Jean Salien, Ken Neuhauser, Norman Caulfield, Helen Miles, John Zody, Mary Pickard, Anita Gordon-Gilmore, Mohammad Riazi, Martin Shapiro, Eileen Deges Curl, Richard Hughen, Keith Krueger, Robert Markley, Alice Humphreys, Michael Rettig (for Debora Scheffel), and Bill Havice.

Senators absent were Robert Stephenson, Joanne Harwick, Donna Ortiz, Lewis Miller, Michelle Hull-Knowles, Joseph Aistrup, and Marc Pratarelli.

The Guests of the Senate were Tom E. Hammond, Regent, Robert C. Caldwell, Regent, John G. Montgomery, Regent, Sidney Warner, Regent, Dr. Rodolfo Arevalo, Provost, Julie Long, Leader reporter, and Mark McClure, son of Senator Ann McClure.

C. President Dianna Koerner introduced the visiting regents: Tom E. Hammond, Robert C. Caldwell, John G. Montgomery and Sidney Warner. Each regent made an opening statement. The floor was then opened to questions from the faculty. Topics discussed included funding for higher education, the merger with Barton Community College, the status of the regent's libraries, accountability of the regent's institutions to taxpayers, the multiculturalism course requirement of students at regent's institutions, and the housing project proposed for FHSU. One recurring theme was the need for faculty to get involved with helping the Board of Regents to get their message across to the legislature. Ultimately, the legislature will determine the allocation of funds for higher education.

President Koerner thanked the External Affairs and Faculty Salary Committee for the excellent job of organizing the regent's visit to campus on November 1.

D. The minutes of the October 3, 1994 meeting were corrected to change the spelling of "Johanson" to "Johansen" on page 4, paragraph 6. Minutes were approved as corrected.

E. Announcements

1. See agenda for written announcements.

2. Concerning announcement #5, the abbreviation for the Council of Chief Academic Officers is COCAO and not COCOA.

F. Standing Committees

1. Academic Affairs -- Senator Martha Holmes

a. Motion 1: The Faculty Senate recommends approval of the following course for inclusion in the General Education Program (results of the committee voting follow the course title):

SOC 255 Sociology of Death and Dying (9-0-0)

The course description was printed in the agenda.

Motion passed.

b. The committee also reviewed the other graduation requirements and approved them without changes.

2. By-laws and Standing Rules -- No report

3. External Affairs and Faculty Salary -- No report

4. Student Affairs -- No report

5. University Affairs -- Senator Martin Shapiro

The Program Discontinuance Policy was presented at the October meeting (Attachment C to the minutes) and action was to be taken at the November meeting.

Provost Rodolfo Arevalo questioned the need to include the elimination of a course or courses in the policy (Section I. Policies, Part B. in the policy), since there already exists a procedure for this. The Provost suggested including certificate programs in addition to degree programs in Section I. Policies, Part B.

Senator Rich Hughen moved to delete the words "of a course or courses," and to add the words "or certificate programs" after "degree" in Section I. Policies, Part B. of the Program Discontinuance Policy. Senator Albert Geritz seconded the motion.

Amendment passed.

Senator Tom Johansen thought the proposed policy was too general. Concerns included: a lack of a time line, does Faculty Senate have a vote in determining the elimination of a program, what are the criteria to base program elimination on, and student impact (what happens to students in the program). Senator Johansen would like a movement back to the policy proposed by Ralph Gamble (Attachment B to the minutes).

Senator Martin Shapiro responded that the committee did not want to specify criteria for a viability of a program since they change over time.

Senator Johansen responded that some of the criteria in the Gamble proposal would stand the test of time.

Senator Ken Neuhauser asked that if a program is discontinued, does the policy state what will be done with the faculty in that program.

Senator Martin Shapiro responded that that concern is covered in Section I. Policies, Part E. 1.

President Dianna Koerner also added that AAUP has some guidelines concerning this issue. There is a Board of Regent's policy that insures that students already in the program are allowed to graduate.

Provost Arevalo asked if this policy is to replace the existing policy because what currently exists does cover some of the issues brought up by Senator Neuhauser.

President Koerner believed that the current policy on the books is the one called the "Jerry Tomanek" policy (Attachment B to the minutes).

Senator Martin Shapiro pointed out that the "Jerry Tomanek" policy was not used in the review of the Home Economics Department. So the intent is to develop a policy that will be satisfactory to all involved.

Senator Johansen reiterated his concern that the proposed policy is too general.

Senator Robert Markley added that in some cases the language was deliberately vague.

Senator Johansen suggested combining the proposed policy with the policy developed by Ralph Gamble.

Senator Johansen moved to send this issue back to committee. Senator Jean Salien seconded the motion.

Senator Rich Huguen suggested that Senator Johansen may wish to work with the committee on this issue.

Motion passed (3 opposed and 1 abstention).

G. Old Business - None

H. New Business

a. President Dianna Koerner asked the Faculty Senate to support the following recommendation from the COFSPs that is to be submitted to COCAO and the BOR:

Below average performance by a faculty member, in itself, does not constitute grounds for dismissal. However, chronic failure of a faculty member to perform his/her professional duties constitutes consideration of "dismissal for cause" under existing university policies.

Senator Richard Leeson asked for clarification of the first statement in the recommendation.

Senator Robert Markley responded that people are misconstruing what below average performance means. It is possible to be highly meritorious and highly competent and still be below average, particularly in a small pool. Being below average is not criteria for dismissal but failing to perform your job is.

President Koerner pointed out that because of the ranking system someone is going to be below average. It is possible to be ranked below average in your department but above average when compared to the rest of the faculty in your college.

Senator Max Rumpel pointed out that the instruments used to measure performance are not very precise.

President Koerner added that often different criteria are used to evaluate faculty from different departments.

Senator Norman Caulfield pointed out that since the criteria is uneven how can you support a statement that is so general.

President Koerner answered that this is an attempt to address concerns from the legislature about faculty who are not doing their job.

Senator Caulfield wanted to know what the purpose of this statement is. Could this be used to get rid of someone that is not liked because of their politics?

President Koerner responded that it would still have to be proven that a faculty is not doing their job.

Senator Caulfield responded that numbers may be manipulated and since departments and colleges have different criteria it may be possible to build a case for dismissal.

President Koerner indicated that this is an attempt to address concerns by the legislatures that hear of faculty that have poor teaching evaluations for six years or are not doing any research.

Senator Norman Caulfield felt that this problem should be dealt with internally and not externally.

President Koerner would like each university to establish a policy and use this as a general guideline.

Senator Caulfield felt that this discussion is very negative and gets back to the whole accountability issue.

Senator Koerner agreed with Senator Caulfield but indicated that the issue still must be addressed.

Senator Robert Markley believes that in some ways this statement is no different than what already exists in the regent's rules on tenure. This is probably best described as a reaffirmation of what exists. The only difference is the use of the term "below average performance." The important issue is that below average performance is not the criteria for dismissal.

Provost Rodolfo Arevalo added that the only thing in the BOR policy is about gross incompetence as a basis for dismissal. Gross incompetence is almost impossible to prove. Therefore, this is an attempt to define within that statement what may constitute gross incompetence, such as chronic low performance.

Senator Mary Pickard wanted to know if there is a definition of what a competent faculty member is.

President Koerner believes that is defined within each department. The criteria is established on how you will be evaluated and that should define what your performance is.

Senator Rich Huguen responded that he would prefer a statement like this rather than have the BOR develop one.

Senator Max Rumpel preferred the language "failure of a faculty to perform his/her professional duties" rather than "substandard performance."

Senator Martin Shapiro moved to support the recommendation from the COFSPs about faculty performance. Senator Albert Geritz seconded the motion.

Provost Arevalo added that the COCAO really does not want a BOR policy but would rather develop a campus policy. Each university would define such terms as chronic and what low performance is.

Motion passed (1 opposed and 1 abstention).

b. The Faculty Senate Executive Committee moves that the Faculty Senate support the proposal for the new Cessna Corporation facility to be established in Hays and that the faculty stand ready to support this endeavor through research, instruction and service.

Senator Ann McClure wanted to know why the Faculty Senate is getting involved in economic and political issues.

Senator Rich Huguen believes that Cessna will be beneficial to Hays and the Faculty Senate should support this endeavor.

Senator Ann McClure responded that individually we should support this but was not sure it was appropriate for Faculty Senate to.

Senator Martin Shapiro indicated that there was a key factor in the selection of the cities for consideration. Almost all of the cities are university towns and having a university appears to be an important qualification.

Senator Keith Krueger wanted to know where the work force will come from and where they will live when they get here.

Provost Rodolfo Arevalo indicated that the Docking Institute has done a work force study looking at these issues. Provost Arevalo believes that this may increase student numbers.

Motion passed with 1 abstention.

c. Senator Rich Huguen moved the printed motion (Attachment A). Senator Richard Leeson seconded the motion.

Senator Jean Salien asked for clarification about the use of merit salary pool funds for the hiring of under-represented faculty.

Provost Rodolfo Arevalo responded that could be an option if sufficient money could not be found in the college or university.

Senator Salien believes that it may be necessary to make sacrifices in order to have diversity at FHSU.

Senator Mary Pickard pointed out that according to what Affirmative Action Officer Shala Bannister reported at the October meeting that the goal of hiring five women and two minorities was exceeded.

Senator Norman Caulfield pointed out that affirmative action is not a policy but a law. Additionally, as long as the money allocated for faculty salaries is used to pay faculty salaries it really doesn't matter. Any position that is created comes out of money that is given to the university each year and goes into the merit pool. Salaries from retiring faculty or vacant positions goes into the merit pool.

Senator Richard Leeson stated that the perception is that money will be taken from the pool-at-large to fund at an excess amount certain areas or positions. It may have been done in the past even though it may not be right.

Senator Max Rumpel did not like the assumption made in part 2 of the motion that implies that minorities only have an interest in FHSU because a large salary may be offered.

Senator Caulfield also voiced disapproval of this statement.

Senator Martin Shapiro mentioned that the purpose of the funds was to attract people that would not normally come here.

Provost Arevalo pointed out that everybody negotiates salary. This option gives a department the flexibility to hire a faculty member without being limited by funding.

Senator Keith Krueger asked why we can't establish a salary that would attract anyone.

Provost Arevalo pointed out that over the last few years he has attempted to set competitive salaries for new hires. One attempt has been to move dollars from vacant positions to other positions to allow for flexibility.

Senator Martin Shapiro pointed out that there seems to be a conflict between the statement in part 1 of the motion which indicates that faculty will be hired "without regard to age, race, color, etc." and the attempt to hire minorities.

Senator Norman Caulfield stated that in order to comply with Affirmative Action Law an institution must demonstrate it is doing something.

Provost Arevalo still believes that last year we hired the best people for the vacant positions and the fact that they were women was a plus. We did not hire them just because they were women.

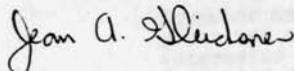
During discussion of this motion a quorum was lost and so no further business could be conducted.

I. Reports from Liaisons

1. Classified Senate -- No report
2. Instructional Technology Policy Advisory Committee -- No report
3. Faculty & Staff Development -- No report
4. Library Committee -- No report
5. Student Government Association -- No report
6. General Education Committee -- No report
7. Faculty & Staff Development -- No report

J. The meeting was adjourned at 5:41 p.m.

Respectfully submitted,



Jean A. Gleichsner  
Secretary