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Fort Hays State University Faculty Senate Minutes, March 7, 1995

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Minutes of the Fort Hays State University
Faculty Senate
March 7, 1995

A. President Dianna Koerner called the meeting of the Faculty Senate to order in the Pioneer Lounge Room of the Memorial Union on March 7, 1995 at 3:30 p.m.

B. Senators present were Tom Guss (for James Murphy), Warren Shaffer, Robert Stephenson, Mike Miller, Ann McClure, Joan Rumpel, Sandra Rupp, Max Rumpel, Stephen Shapiro, Bruce Bardwell, Fred Britten, John Durham, Donna Ortiz, Tom Johansen, Albert Geritz, Steven Trout (for Richard Leeson), Evelyn Toft, Ken Neuhauser, Helen Miles, Norman Caulfield, Anita Gordon-Gilmore, Mohammad Riazi, Lewis Miller, Martin Shapiro, Jo Ann Doan (for Michelle Hull-Knowles), Eileen Deges-Curl, Richard Huguen, Keith Krueger, Joseph Aistrup, Robert Markley, Marc Pratarelli, Alice Humphreys, Debora Scheffel and Bill Havice.

Senators absent were Joanne Harwick, Martha Holmes, Gary Hulett, John Zody, and Merlene Lyman.

The Guests of the Senate were Dr. Rodolfo Arevalo, Provost, Bruce Shubert, Assistant Vice-President for Administration and Finance, Frank Pechanec, Director, Personnel Office and Karen Meier, Leader reporter.

C. The minutes of the February 6, 1995 were approved as printed.

D. For the Good of the University: Assistant Vice-President for Administration and Finance Bruce Shubert and Personnel Director Frank Pechanec made a presentation about the biweekly payroll (attachment A). Additional information will be sent to faculty as it is made available.

E. Announcements

1. See agenda for written announcements.

2. Concerning announcement #2, University Affairs is preparing a summary of FHSU faculty comments about the Conflict of Interest Policy. This information will be given to President Dianna Koerner and taken to COPs.

3. Concerning announcement #4, President Koerner has received additional feedback on some of the senate recommendations. Senate Recommendation #16 about beginning languages I and II (French, German and Spanish) and the multiculturalism course were approved. Senate Recommendation #17 about consulting faculty on course scheduling (time, size, etc.), conforming to fire codes, and notification to Registrars of approved fire code class size was also approved.

4. The Affirmative Action Plan is now available. A copy is available from President Koerner.

5. A presentation will be made to the BOR in March by the Council of Faculty Senate Presidents on Faculty Productivity and Workload. In preparing the report, President Koerner ran across the BOR policy on Faculty Performance Evaluation (attachment B). This might be of interest to some faculty.

F. Standing Committees

1. Academic Affairs -- No report

2. By-laws and Standing Rules -- Senator Richard Huguen

a. The terms of 15 faculty senators will be expiring this year. Notes will be sent to the chairs and senators whose terms expire so election results may be received by April 14.

3. External Affairs and Faculty Salary -- No report

4. Student Affairs -- No report

5. University Affairs -- Senator Martin Shapiro

a. Motion 1: The Faculty Senate recommends approval of the Policy Statement on Consenting Relations (attachment B in Faculty Senate Minutes for February).

Senator Martin Shapiro indicated that every institution in the Regents system has a policy. The policy does not ban consenting relations between individuals with a professional power differential rather the policy states that a superior should be made aware of such a relationship.

Senator Stephen Shapiro indicated that the Communication Department would like the policy to go back to committee. The department felt that there were major problems with the policy, especially with the reporting of the relationship to the chair.

President Koerner indicated that a fellow faculty member suggested that perhaps the affirmative action officer may be the appropriate person to contact instead of the department chair.

Senator Martin Shapiro responded that the policy does not specifically say "chair" just a "superior."

Senator Warren Shaffer asked if Affirmative Action Officer Shala Bannister had seen the policy.

Senator Martin Shapiro responded that Affirmative Action Officer Bannister had seen the policy.

President Koerner added that with recent problems at Kansas University there is a need for such a policy. Perhaps the policy may need to be broader than just faculty and students (e.g. other power professional power differentials), this issue could be addressed by the President's Cabinet.

Senator Martin Shapiro mentioned that the policy covers any relationship that involves people of unequal power. The policy is university-wide and not just between faculty and students.

Senator John Durham indicated that the intent of the policy is to prevent the disguise of coercion as consent.

Senator Ann McClure stated that it is a policy statement and doesn't really have any teeth.

Senator Eileen Deges-Curl asked that if a superior is not told about a consenting relationship yet finds out about it, does the superior have an obligation to report the relationship?

Senator Martin Shapiro answered that the policy does not require the superior to take any action.

Senator Ann McClure mentioned that the policy is to protect the university and no reporting is done.

President Koerner sees the role of the superior as to informing the faculty of the potential risk of such a relationship.

Senator Albert Geritz offered a friendly amendment to paragraph 1, line 6 of the motion. "To freely decide" is a split infinitive and the statement should read "to decide freely." The friendly amendment was accepted by Senator Martin Shapiro.

Senator Joe Aistrup offered a friendly amendment to paragraph 2, sentence 4 of the motion. He would like it changed to "Individuals who are involved in a consenting relationship that involves a power differential should make this known to a superior, so that fairness can be monitored. Senator Martin Shapiro accepted the friendly amendment.

Senator Evelyn Toft pointed out that in paragraph 3, sentence 2 of the motion that "judgements" should be spelled "judgments."

Motion passed.

b. Motion 2: The Faculty Senate recommends approval of changing the word "instruction" in Chapter 3 to "instructional activities."

Senator Martin Shapiro pointed out that advising is not part of instruction but it is an instructional activity.

Motion passed.

c. Motion 3: The Faculty Senate recommends that departmental/unit criteria for tenure and promotion must be developed and be approved by departmental/unit faculty.

Senator Martin Shapiro hopes that this will clarify for faculty going through the process of tenure or promotion what the requirements are. It also will aid the faculty reviewing the file as to what the expectations are for that individual being reviewed.

Senator John Durham pointed out that the motion requires that there be a record of such an approval. Probably very few departments/units have such a record.

President Dianna Koerner indicated that approval dates and when revisions were made could be included in the criteria document.

Provost Rodolfo Arevalo pointed out that in order to maintain a level of continuity and consistency across departments he would like to have final approval of the criteria.

President Koerner indicated that perhaps the chair as well as the dean should approve the criteria before it reaches the provost. After the criteria is established, it should only require a periodic review. Although many departments currently have criteria for merit there still needs to be separate criteria for tenure and promotion. However, some of the criteria may be similar to what is used for merit. In the past, some faculty have had problems at the college and university level because it was not clear what criteria were being used to evaluate that individual for tenure or promotion.

Senator Evelyn Toft pointed out that the development of such criteria and the need for approval at all levels will require some time to accomplish.

Senator Joe Aistrup added that faculty could be doing meritorious work, however sometimes the work being done is not helping that individual work towards tenure or promotion.

Senator Eileen Deges-Curl added that as administrators change sometimes the criteria changes and the faculty are confused.

Senator Ken Neuhauser pointed out that as a member of the University Promotion Committee it was difficult to evaluate files without established criteria. In the end the faculty will benefit from having criteria.

Senator Fred Britten believes that there needs to be review at the Provost's level to insure that one department doesn't make it too easy and another department too hard to obtain tenure or promotion.

Senator Joe Aistrup suggested that the Provost should communicate to the deans and chairs what the basic principles for the criteria are. Not to dictate what the criteria should be but to establish a starting point.

Senator Dianna Koerner pointed out that the key element in getting tenure or promotion is research, even at institutions where the main focus may be teaching. By listing criteria this will better define expectations within each department and within each area (instructional, scholarly and creative activities).

Senator Eileen Deges-Curl asked how the new criteria would be phased in.

President Koerner responded that University Affairs would be asked to develop a time line for implementation and to look at the effect on individuals already in the tenure and promotion process.

Senator Richard Hughen moved to amend the motion by adding "with recommendations and final approval by the dean of the respective college and provost" at the end of the motion. Senator Anita Gordon-Gilmore seconded the amendment.

Senator Robert Markley believes that the faculty as professionals should be able to decide what the criteria are without needing the approval of the dean and provost. If there are severe problems when the file is seen by them then something can be done at that time.

President Koerner indicated that it may be too late if nothing is done until the file is seen by the dean or provost.

Senator Ann McClure thought that the amendment was a little heavy handed by giving the dean and the provost final approval.

President Koerner suggested that perhaps the chair, dean and the provost could make recommendations and comments prior to final approval by the faculty.

Senator John Durham thought that we may be getting too many people involved in the approval process.

Senator Norman Caulfield added that we need to protect the interest of the candidate and therefore all parties concerned (administrators included) need to be in agreement. This will prevent surprises in the future for the candidate.

Senator Ken Neuhauser agreed that a person needs to know what the rules are up front so that they know whether they are meeting them or not.

Provost Rodolfo Arevalo believes the role of the University Committee is not to judge the quality of the candidate but rather to make sure that the process is followed correctly and that criteria are applied correctly.

Senator Lewis Miller believes that the creation of the criteria should be left to the faculty and not to the dean or provost.

President Koerner pointed out that the dean and the provost will not create the criteria but suggest general guidelines.

Senator Martin Shapiro proposed the following friendly amendment to the amendment. Change the motion to "Add to Chapter 3 that departmental/unit criteria for tenure and promotion must be developed by departmental/unit faculty and be approved by departmental/unit faculty, dean and provost." Senator Richard Huguen agreed to the change and Senator Anita Gordon-Gilmore who seconded the original amendment also agreed.

Senator Ken Neuhauser believes that by allowing the dean and provost to participate in the process it will allow them to understand the criteria when a faculty member comes up for tenure or promotion.

Senator Eileen Deges-Curl believes that this policy insures that any change in the criteria by a dean or provost has to be approved first by the faculty.

Amendment passed.

Amended motion passed.

G. Old Business

1. Senator Richard Huguen reported on the Day at the Legislature. Unfortunately, it seems that legislators don't know what we do and don't really think a whole lot of it. (Attachment C is report of the day's activities and a speech given about students as customers that was published in PROF Notes, Spring 1995 from AAUP.)

2. President Dianna Koerner has received questions about the Withdrawal Policy Statement. The policy approved by the Faculty Senate was approved by the Provost but not the President (attachment D). The approved policy and the one currently in place was developed by the Council of Deans (attachment E).

Withdrawal between the sixth week and the end of the tenth week will only be allowed for serious and compelling reasons. The Provost defined "serious and compelling reasons" to include either medical or psychological problems.

The Provost indicated that the definition above is similar to how other campuses have defined it.

President Koerner indicated that other reasons may be appealed. The Appeals Committee meets every two weeks.

H. New Business

1. The Nominating Committee presented the following slate for next month's election.

Secretary: Evelyn Toft and Joe Aistrup
President-elect: Jean Gleichsner

Warren Shaffer was nominated from the floor and added to the ballot for president-elect.

2. The Student Government Association asked whether Faculty Senate wants to support their resolution on admission standards (attachment A to the Faculty Senate Minutes for February).

The Provost pointed out that a major flaw in the resolution is that students at FHSU are admitted to departments and not to the college. The standards the resolution suggests are targeted at the college and not department level.

President Koerner asked Student Affairs to look at the resolution and perhaps meet with LPAC to clarify some points.

3. Senator Richard Huguen moved Motion I (parts 1-3) regarding salary flexibility in hiring under-represented faculty (Attachment F). Senator Marc Pratarelli seconded the motion.

Senator Richard Huguen also presented written reasons why he thought this motion should be defeated (Attachment F). This motion is based on responses Senator Richard Huguen received from other faculty.

Senator Alice Humphreys asked how merit monies are distributed to the universities.

President Koerner stated that the legislator approves faculty salary increases. Once the money is given to the university some of it is used for reassigned time (previously approved by Faculty Senate), promotions, etc. The remaining monies are then distributed.

Senator Ann McClure believes that there are some under-represented faculty at FHSU that are not being paid equitably.

Senator Martin Shapiro mentioned that we may offer more money to get someone here but how do we keep them if they get better offers later on.

President Koerner indicated that the equity issue is addressed within each college by the dean. This may not be the best way to deal with the problem.

President Koerner handed out a written response from Affirmative Action Officer Shala Bannister about under-representation at FHSU (Attachment G).

Motion failed.

4. Senator Richard Hughen moved to take from the table Motion II (attachment F). Senator Martin Shapiro seconded the motion.

Motion passed to take from the table.

Motion passed (14 for, 8 opposed and 1 abstention).

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 -- Senator Jean Gleichsner

Discretionary fund requests are being reviewed.

5. Student Government Association -- No report

6. General Education Committee -- No report

7. Faculty & Staff Development -- Senator Martha Holmes

J. The meeting was adjourned at 5:38 pm.

Respectfully submitted,



Jean A. Gleichsner
Secretary