

Fort Hays State University

## FHSU Scholars Repository

---

Faculty Senate

---

11-6-1979

### Fort Hays State University Faculty Senate Minutes, November 6, 1979

FHSU Faculty Senate

Follow this and additional works at: [https://scholars.fhsu.edu/sen\\_all](https://scholars.fhsu.edu/sen_all)

---

#### Recommended Citation

FHSU Faculty Senate, "Fort Hays State University Faculty Senate Minutes, November 6, 1979" (1979). *Faculty Senate*. 696.  
[https://scholars.fhsu.edu/sen\\_all/696](https://scholars.fhsu.edu/sen_all/696)

This Minutes is brought to you for free and open access by FHSU Scholars Repository. It has been accepted for inclusion in Faculty Senate by an authorized administrator of FHSU Scholars Repository.

FACULTY SENATE MINUTES

November 6, 1979

The meeting was called to order by Dr. Louis Caplan, Faculty Senate President, at 3:30 PM in the Pioneer Lounge of the Memorial Union.

ROLL CALL

The Secretary called the roll and the following members were present:

Dr. James Stansbury, Dr. Bill Daley, Dr. Emerald Dechant, Ms. Orvene Johnson, Mr. Edgar McNeil, Ms. June Krebs, Mr. Don Barton, Mr. Mac Reed, Mr. Dave Adams, Ms. Virginia Bornholt, Dr. Sam Warfel, Dr. Al Geritz, Mr. DeWayne Winterlin, Dr. Lewis Miller, Mr. Robert Brown, Dr. Stephen Tramel, Mr. Thaine Clark, Mr. Elton Schroder, Dr. John Watson, Dr. Max Rumpel, Dr. Ervin Eltze, Dr. Charles Votaw, Dr. Louis Caplan, Ms. Carolyn Gatschet, Ms. Betty Roberts, Dr. Robert Meier, Ms. Patricia Baconrind, Ms. Sharon Barton, Mr. Daniel Rupp, Dr. Ann Liston, Mr. Richard Heil, Dr. Ron Smith, Dr. Nevell Razak.

The following members were absent: Ms. Joanne Harwick, Mr. David Lefurgey, and Dr. Richard Zakrzewski.

Also present was Mr. Larry Dreiling of the University Leader and Mr. Jim Strong of the Student Government Association.

The minutes of the October meeting were approved as distributed.

ANNOUNCEMENTS

- 1) The University Position Control Committee will be spending the month of November studying and evaluating the sixty self-evaluation reports which have been submitted by the academic, service and administrative departments of the University.
- 2) Mr. Jim Strong of the Student Government Association invited all faculty members to attend the Model Student Senate session to be held Thursday evening November 8th.

REPORT OF SENATE OFFICERS' MEETING IN PITTSBURGH

On October 18, Dr. Sam Warfel, Dr. John Watson, Dr. Louis Caplan and Dr. Jack McCullick (as Chairman of the President's Advisory Committee on Faculty Salaries and Fringe Benefits) attended a meeting at Pittsburgh State University along with representatives from other Regents' institutions. Topics discussed were financial exigency, faculty evaluations and salaries and fringe benefits. The following oral reports were presented to the Senate.

I Financial Exigency - Dr. Sam Warfel

The recent Board of Regents statement on Financial exigency was discussed with some concern expressed about the haste and lack of faculty consultation

in the development of this statement. The members of this group divided into two views concerning the timing of the declaration of financial exigency by the chief executive officer. One group feared it would be declared early in an attempt to fire tenured faculty. The other group feared that the declaration of financial exigency would be postponed to the point that procedural protections for the faculty could not be pursued because of time deadlines. The group was also divided between those who were most concerned about protecting tenure on their campus and those persons more concerned about protecting programs. Another concern expressed at this meeting was the failure of the Regents statement on financial exigency to contain the phrase "demonstrably bonafide". This phrase which is part of the 1940 A.A.U.P. Statement of Principals has been tested and defined in the courts. Dr. Warfel concluded by stating that the process for dealing with faculty positions at Fort Hays State University (Position Control Committee) was more established here than at the other Regents' institutions. Kansas State University is developing such a process. At the other institutions the reduction, allocation, reallocation process is activated only upon the declaration of financial exigency.

## II Faculty Evaluation - Dr. John Watson

Aside from exchanging copies of faculty evaluation forms and discussing grievance procedures at the various institutions not much useful information was obtained in this meeting. Dr. Watson also reported that Fort Hays State appears to be the only institution with a grievance procedure that operates before financial exigency is declared.

## III Faculty Salaries - Dr. Louis Caplan

Dr. Caplan reported for Dr. McCullick that this group adopted a resolution on salaries that, if approved by the respective senates, will be presented to the Governor and the Legislative Ways and Means Committees. The group felt that this resolution would be more effective if the identical resolution was approved by all six faculty Senates rather than six separate resolutions. This resolution will be presented later in the meeting by the University Affairs Committee.

## COMMITTEE REPORTS

### Academic Affairs - Dr. John Watson, Chairman

M1 On behalf fo the Committee, Dr. Watson moved that "the proposed new course, Nursing 644: Personal Health Assurance A) High Level Wellness, B) Prevention of Common Illnesses, C) Adaptive Life Styling be rejected." (Seconded by Dr. Miller)

Ms. Roberts inquired concerning the grounds for the rejection. Dr. Watson responded that the Committee felt that the course proposal contained excessive nursing jargon that was not understandable to non-nursing students. Dr. Warfel indicated that the course is being rewritten and would be resubmitted to the Committee. Dr. Votaw inquired as to the reason for the motion to reject the course rather than just not reporting the issued to the Senate. Dr. Watson responded by indicating that some Committee members felt this was the appropriate procedure (to move rejection) but that the course could be resubmitted. Dr. Smith stated that the custom in the past (at least last year when he was



the chairman of the committee) was not to report course rejections to the Senate floor. Dr. Watson reiterated that the course could be submitted for Committee consideration.

- A1 Dr. Votaw suggested a friendly amendment that the words "be rejected" be changed to "not be approved". Dr. Watson and Dr. Miller agreed to this amendment. Dr. Miller further stated that the language of the course description was not the only reason for its rejection by the Committee. It was felt that the course attempted to cover too many topics in a very short time-span. Dr. Watson mentioned that the Committee did have a list of eight objections to the course and this list had been presented to the Nursing Department for their consideration as possible guidelines in the course proposal revision process.

There was no further discussion. A voice vote was taken. The amended motion carried.

On behalf of the Committee Dr. Watson moved the adoption of the following resolution:

- R1 "WHEREAS the Faculty Senate of Fort Hays State University has received well-attested accounts that individuals who have requested continuing education classes in other communities have attempted to set limits on the amount and type of work which professors of such classes may require and have implied that such limits are conditions for sponsorship of these classes,

BE IT THEREFORE RESOLVED that the Faculty Senate of Fort Hays State University stands opposed to such interference in the freedom of our professors which results in the loss of quality, integrity, and reputation of our courses and further results in students receiving less education for their financial investment.

BE IT FURTHER RESOLVED that the Faculty Senate of Fort Hays State University strongly urges University Faculty and Administrators to refuse to schedule classes for which an outside sponsor sets limits on the amount and type of work which a professor may require.

BE IT ALSO RESOLVED that upon adoption, this document be reproduced and distributed to all University Faculty members and Administrators."

Dr. Dechant asked about the purpose of this resolution. Dr. Watson discussed a specific instance where a public school administrator had attempted to persuade a faculty member teaching a continuing education course to lessen the workload for the students. Dr. Dechant inquired if this resolution is directed at the Fort Hays State Administration? Dr. Watson responded in the affirmative. The purpose of the resolution is to have a unified stand by both Administration and Faculty.

Dr. Smith raised the question of whether this resolution could be distributed without approval of the Administration. Dr. Caplan expressed the view that all Senate actions were subject to approval by President Tomanek. Dr. Warfel disagreed with that interpretation indicating, at least in this case, that this resolution is purely a Senate matter. Dr. Tramel agreed with Dr. Warfel's interpretation although he indicated it would be beneficial to have Administration support on this issue. Dr. Liston agreed that it would be important to obtain administration approval. Dr. Votaw felt that distribution of the resolution could be done only with the President's approval.

Dr. Dechant returned to comments on the substance of the resolution. He felt that one incident as described by Dr. Watson and the resultant proposed resolution might reflect unfairly on administrators and teachers in western Kansas. He suggested that this was an issue that should be dealt with on a professor - student level rather than an administrator - professor - student level. Dr. Warfel indicated that in recent years the Administration has urged faculty members to produce credit hours through continuing education courses. This resolution simply asks Administration support for faculty members who wish to resist undue pressures in the conduct and content of these courses.

- A1 Dr. Smith proposed the following amendment in the fourth and final paragraph of the resolution: between the words "adoption" and "this" insert the following "by the Faculty Senate and approval by the University President." (Seconded by Mr. Rupp). Dr. Votaw pointed out that the resolution, whether adopted or defeated, would be distributed to the Faculty by means of the Faculty Senate Minutes. Mr. Smith felt there was a difference between reading such a resolution in the Minutes and receiving a special distribution from the President's office. There was no further discussion. A voice vote was taken. The amendment passed. Then a voice vote was taken and the amended motion passed.

BYLAWS AND STANDING RULES -- Dr. Tramel, Chair

No report.

STUDENT AFFAIRS - Mr. Mac Reed, Chair

Mr. Reed reported that from a field of 109 applicants 45 students were chosen for inclusion in Who's Who in American Colleges and Universities. The work of the Committee was more efficient as a result of a new application form developed by Dr. Stansbury.

Mr. Dreiling inquired if it was known when the names of those chosen would be announced. Dr. Votaw responded that Dean Garwood had indicated that the students would be notified within 10 days. Dr. Miller asked how long has selection of students for Who's Who been part of the Senate's duties. Dr. Votaw responded that it has been a Senate responsibility for the past 3 or 4 years.

UNIVERSITY AFFAIRS - Mr. Dan Rupp, Chair

- M2 On behalf of the Committee Mr. Rupp moved that "the Faculty Senate does not agree with the Regent's policy on Financial Exigency adopted 9-21-1979." (Seconded by Mr. Schroder). Dr. Tramel expressed the view that the Minutes should stipulate why we do not agree with the statement. He also expressed a concern over the vagueness of the process of declaring financial exigency and what counts as a bonafide exigency.

Dr. Warfel presented the view expressed at the Pittsburgh meeting that unless the Faculty Senate's take some action their silence will be interpreted as support for the Regent's statement. He suggested that the Senate pass the resolution as presented and possibly propose a more specific resolution specifying the Senate's objections. Mr. Smith asked for a reading of Regent's statement on Financial Exigency. Mr. Heil read part 1., Definition, into the Minutes as follows:

"Financial exigency is the formal recognition by a Regents institution that prior reductions in budget or authorized number of positions have required the elimination of nontenured positions and operating expenditures to such a point that further reductions in these categories



4.

would seriously distort the academic programs of the institution; hence further budget or position reductions would require the nonreappointment of tenured members of the faculty or the failure to meet the standards of notice for nonreappointment of faculty. It is not a requirement of financial exigency that all nontenured positions throughout the University be first eliminated."

Dr. Miller read part 2., Procedure, as follows:

"It shall be the responsibility of the chief executive officer of each Regent institution, in consultation with appropriate campus groups, to develop a plan for reductions in personnel as necessitated by conditions of financial exigency. In the event a declaration of financial exigency shall be required it shall be the responsibility of the chief executive officer of the Regents institution involved to so decide and declare the existence of the financial exigency. Following such a declaration, the chief executive officer shall notify the Board of Regents and provide explanation to the Board of the reasons for the declaration. The condition of financial exigency shall be reviewed periodically."

Dr. Caplan raised the question that concerns some who have discussed this issue; once declared, does financial exigency exist on a campus indefinitely or must it be declared on a yearly basis? Dr. Miller asked if this Regent's statement would force the six institutions to be in violation of the 1940 A.A.U.P. Statement of Principles? Dr. Caplan said that was not clear. Dr. Warfel indicated that there was some concern expressed at the Pittsburgh meeting that this new policy might alter faculty contracts which come under the 1940 A.A.U.P. Statement of Principles. Dr. Caplan pointed out that the 1940 A.A.U.P. Statement contained the words "demonstrably bonafide" which is not contained in the Regent's statement. Dr. Smith inquired as to whether Fort Hays State has developed its own definition of financial exigency. Dr. Caplan responded that we have not done so. He further stated that if the Regents develop guidelines for financial exigency Fort Hays State will be bound by those definitions. Mr. Rupp read to the Senate the consensus of the University Affairs Committee as to the reasons for the Committee's rejection of the Regent's statement. It read as follows: "We urge the Faculty Senate to reject the definition of financial exigency as adopted by the Board of Regents on September 21, 1979 in view of the definitions lack of precision and clarity." Dr. Tramel expressed the view that the Senate should state why it disagrees with the Regent's statement. Dr. Smith expressed the view that the Regent's statement placed programs before tenure considerations. A rejection of the Regent's statement could be interpreted that we do not agree with that priority when in fact the Senate may or may not agree with that policy. Dr. Warfel felt that the chief objection to the Regent's statement as expressed at the Pittsburgh meeting was that it gives the chief executive officer virtually a free hand in declaring financial exigency. By leaving out the phrase "demonstrably bonafide" from the statement there is no legally tested criteria in the statement.

Dr. Miller suggested that the Senate vote on the University Affairs Committee motion and consider a separate motion specifying our objections to the Regent's statement. Dr. Smith felt that the Senate's motion should include our reasons for rejection since Dr. Caplan agreed that it was not essential that all six institutions pass the identical motion on financial exigency. Dr. Caplan stated that it was more important that the identical motion be adopted by the six institutions concerning faculty salaries. Dr. Miller

suggested that since no copies of the 1940 A.A.U.P. Statement were immediately available the Senate should be hesitant to adopt a resolution based on that Statement. Dr. Warfel suggested that the Senate adopt the Committee motion and if further elaboration is necessary it be taken up at a later Senate meeting. There was no further discussion. A voice vote was taken. The motion was adopted.

On behalf of the Committee Mr. Rupp moved the adoption of the following motion:

"The faculty governing bodies of the six Regents institutions are disturbed by the deterioration in real wages in the six Regents institutions. Even many of those faculty who have been judged most meritorious have suffered decreases in real income in the last decade. Faculty decreases in real wages have been greater than those for other occupations. We request that salary increases for faculty receive highest priority in the recommendations to the legislature.

We further request that a cost of living adjustment be included in the recommendations for salaries at the six Regents' institutions. This request is consistent with the current method of salary determination for state classified personnel. That method includes provisions for cost of living as well as merit increases. A cost of living adjustment would help alleviate the deterioration of faculty salaries relative to other professions and occupations. Such a change would indicate the Regents' concern for maintaining the quality and morale of the faculties concerned. In addition, a cost of living adjustment is consistent with the President's wage guidelines."

There was no discussion on the motion. A voice vote was taken. The motion was adopted.

- M4 Dr. Miller moved that "the University Affairs Committee make the 1940 A.A.U.P. Statement of Principles available in printed form to all Senate members so that the Senate may consider endorsing that Statement at its next meeting." (Seconded by Mr. Rupp). There was no discussion of the motion. A voice vote was taken. The motion was adopted.

#### OLD BUSINESS

There was no old business.

#### NEW BUSINESS

Dr. Warfel presented a recommendation from the University Position Control Committee that the charge creating the Committee needed to be revised. The original charge to the Committee reads as follows:

- 1) The University Position Control Committee, hereafter referred to as the Committee, is responsible for reviewing the campus personnel needs annually and for recommending to the President of the University:
  - a. The distribution of all new classified and unclassified positions.
  - b. The reallocation of existing positions within the University whenever such allocation is warranted.
  - c. Those areas where personnel reductions can be made in the event of financial exigency.

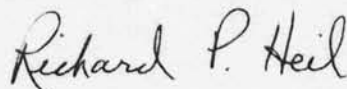
M5 The proposed change deals with section "c." The term "financial exigency" has developed a different interpretation from its original usage. The result is that reduction of personnel can be dealt with by the Committee only upon a declaration of financial exigency. Since the Committee deals with the reduction of personnel without a declaration of financial exigency Dr. Warfel moved that "section c be amended be striking the period after the word "exigency" and add the phrase or when such reductions are directed by either the legislature or the Regents." (Seconded by Dr. Votaw). Dr. Votaw indicated that the University President has already approved this change. Dr. Caplan said that was correct. The University Position Control Committee sent this recommended change in its charge to the President and the Senate at the same time. This did not allow the Senate to act before the President took action. Dr. Votaw suggested that perhaps the appropriate motion for the Senate to consider was to endorse the President's approval. Upon an inquiry from Dr. Caplan, Dr. Votaw chose not to propose such a motion.

There was no further discussion. A voice vote was taken. The motion carried.

There was no further new business.

The meeting was adjourned at 4:30 PM.

Respectfully submitted,



Richard P. Heil

RPH:ser