INDIANA STATE UNIVERSITY

FACULTY SENATE, 2014-2015

**EXECUTIVE COMMITTEE**

November 4, 2014

**Minutes**

Members Present: R. Guell, S. Lamb, C. MacDonald, A. Anderson, K. Bolinger, E. Hampton, C. Olsen, V. Sheets, K. Yousif

Ex-Officio Present: President D. Bradley, Provost J. Maynard

Guests: D. Hantzis, K. Hill-Clarke, D. Quatroche

1. Administrative Reports
   1. D. Bradley:
      1. I am heading out on the road tomorrow to Washington, Jasper, and Evansville, and will be back late Thursday, as well as heading to Fort Wayne on Monday to meet with legislators. We are currently 1185 applications ahead of last year at this time. ICHE really ramped up College Go week this year, so it may be that they are just coming in early. It may take a couple of months to figure it out.
      2. I mentioned last week that the date for the budget committee meeting is December 10. I will present then. For reasons I don’t understand, ICHE’s recommendations will not be made until a week after all presentations are made. Next week we will have a good idea what the committee will recommend.
   2. J. Maynard: No Report.
2. Chair Report
   1. R. Guell:
      1. Last week I convened the long-forgotten Council of Governance Chairs. If you look at the Constitution, it requires the chairs of the governing bodies to meet three times per year, and I don’t believe they’ve met three times this decade. We met, I made sure they understood their roles in staffing the All-University Committees, and then we agreed that a constitutional change was in order to strike the entire section from the Faculty Constitution as well as the section on liaisons for governing bodies. It was wise in a bygone era but serves no better function than email serves today.
      2. I met with the President on Friday (October 31) and we discussed a retrospective on the establishment of the Provost Search Committee. I have provided to you in file six the language that is going to be proposed to AAC as a charge for that change. It would vest in this body the responsibility of establishing two slates rather than having it in AAC. We will see how that fares when it gets there.
      3. The officers of the Executive Committee and the Provost met on Monday (November 3) and the section of 350 that we were contemplating adding regarding the assigning of the duties of an employee will end up as applying to “all employees” rather than just faculty. It will end up at the Board of Trustees under the Policy on Policies and we will have until February to respond to that.
      4. Finally, I have been made aware of the resolution to a mediation in a college on an issue where the Dean asserted that a section of the Handbook did not apply to that Dean, and I want to put on the record for both the Provost and the President that I vigorously object as Chair of the Faculty Senate to the notion that any portion of the Handbook does not apply to anyone.
3. Approval of the Minutes of October 28, 2014: A. Anderson, K. Yousif. Vote: 9-0-0
4. CAAC Item: Department of Teaching and Learning; K. Hill-Clarke, D. Quatroche. Motion: A. Anderson, E. Hampton. Vote: 9-0-0.
   1. R. Guell: We are aware of the history of this merger for most of us have been either on the Executive Committee from last year or directly involved.
      1. D. Quatroche: We went to CAAC last year and we were reminded we needed to have F2 paperwork. We have a memo of understanding. We have an interim chair, which is myself. We have committees that are working on merging documents such as tenure and promotion. Right now we have taken some of the secretaries’ functions and moved them around; we have one secretary in charge of all travel, and things run more smoothly. Some of the committees still meet department-wide because areas are so different. K. Bolinger has been coordinating the graduate education functions and we have been meeting together in terms of graduate assessment. We are all getting along and it is moving smoothly.
      2. R. Guell: My recollection of the only controversy regarding this merger was whether adequate time was provided to accomplish this and adequate resources were provided to enable it.
      3. D. Quatroche: We have a year, and it will be effective July 1. There were adequate resources. We have coordinators, one for each program, and those people meet regularly. They receive a stipend in the summer. We need no other resources.
      4. S. Lamb: Coordinators received stipends?
      5. D. Quatroche: Summer stipends only.
      6. K. Bolinger: It’s less than we requested but everyone seems to be managing well. Initially we requested more resources and more planning time for faculty. We didn’t get everything we asked for.
      7. R. Guell: Was it adequate to facilitate this merger?
      8. K. Bolinger: Yes.
      9. K. Hill-Clarke: I will meet with the faculty again. With the timeline provided and the resources the institution provided us we have been able to move forward with the time frame and the resources given. We regularly update each other on where we are and talk about programming. K. Bolinger has been instrumental in helping work with both departments.
      10. S. Lamb: We used to have paid coordinators in our composite departments. We moved from six down to two—now we have three—and I remember going to many a conference and being told that the success of these mergers depended on the quality of coordinators. Over the years that is what I have seen in my experience. You must have coordinators who are willing to sacrifice. The individuals that have served successfully have been extremely well-motivated and extremely appreciated by their faculty. Good individuals and good leaders help tremendously.
      11. K. Hill-Clarke: D. Quatroche has done so, and has worked very well across both departments, and with all three administrative assistants in restructuring the work they do. There is a partnership there. With her leadership—and I support it—they are able to move forward. Those key coordinators can facilitate that process and do that heavy work. Thank you for your support.
      12. D. Bradley: You had four coordinators?
      13. K. Hill-Clarke: How many for the transitional year?
      14. D. Quatroche: Four.
      15. K. Hill-Clarke: One was added to help with graduate work and we received approval from Academic Affairs for that.
      16. R. Guell: Any other questions or comments?
      17. K. Yousif: It’s probably obvious, but what will you tell the rest of campus? It will be hard for students to know what the “Department of Teaching and Learning” is.
      18. D. Quatroche: That has been a common question, and there are plans to start notifying people.
      19. V. Sheets: How common is this as a department name, and how easy will it be for students interested in elementary education to find you?
      20. K. Hill-Clarke: In my position as Vice-Chancellor when I was in Tennessee it was very common. You usually find the Department of Teaching and Learning. You will also find the Department of Curriculum and Instruction. All are encompassed in those titles. One thing I was pleased with is that it was truly faculty nominating names and putting them forward to describe their work best.
      21. S. Lamb: I hope in the creation of this new department you let the chairs mandate how best to satisfy the needs of the students. We have been able to do so successfully (in the College of Business), although our demand has increased greatly. The three-course load is such a motivator for good faculty, and we have had to be very creative in our scheduling. We have had to increase the size of our classrooms and the number of students in them. In our core courses we often have fifty or more in them. We find is so unproductive to take a class of 25 and divide it into two portions to meet the 12-hour stipulation. The faculty are motivated to attempt to work within nine hours for research and creativity. I hope you consider that seriously.
5. Handbook Change Suggestions from Taskforce
   1. Motion #1
      1. 350.2.3 Resource Management and Development. (K. Bolinger, Revised by Officers). Motion to Untable: A. Anderson, V. Sheets. Vote: 9-0-0.
         1. ***“Resource Management and Development****. The chairperson is responsible for advocating for departmental resources; openly and effectively managing departmental resources and budgets; and for supporting the developmental efforts of the college.”* Motion to Approve: R. Guell, A. Anderson. Vote: 9-0-0.
   2. Motion #2
      1. 350.2.9.1 Communication of Faculty Duties and Responsibilities.
      2. 350.2.9.1.1 Faculty Development.
         1. Suggested Modification #1:
            1. 350.2.9.1 Communication of Faculty Duties and Responsibilities. The department chairperson shall explain, individually, to all members of the department faculty their duties and responsibilities. Motion to Pull from Table: K. Yousif, K. Bolinger. Vote: 9-0-0.
         2. Suggested Modification #2:
            1. 350.2.9.1 Communication of Faculty Duties and Responsibilities. Periodically, and as necessary, the department chairperson shall explain to each faculty member that individual’s departmental duties and responsibilities.
      3. R. Guell: A. Anderson, you have given us two suggestions. Which alternative do you wish to vote on?
         1. A. Anderson: I pick Modification #2. A. Anderson, K. Yousif. Vote: 9-0-0
         2. R. Guell: This will include 350.3.2.9.1 and the existing language that was 350.3.2.9.1.1.
         3. K. Bolinger: Do we need a time modifier—as in, “one time and you’re okay”—or “consistently,” or some sort of encouragement so it’s not ongoing?
         4. R. Guell: Are you suggesting something like “annually?”
         5. K. Bolinger: Perhaps. If you put “consistently” you have to show some judgment as having changed.
         6. D. Bradley: How about “when asked?”
         7. K. Bolinger: “As necessary” allows them more than one chance. For example, if duties change or they are given additional responsibilities.
         8. D. Bradley: There are at least two sets of eyes looking at this.
         9. J. Maynard: “Periodically” is safe.
         10. D. Bradley: “Periodically” and “as required.”
         11. V. Sheets: Not when you hire someone new.
         12. D. Bradley: When someone is confused they need to ask.
         13. R. Guell: I don’t think it is appropriate here to remind faculty if they have a question about responsibility they should ask their chair.
         14. D. Bradley: You don’t want language that puts the faculty members’ responsibilities on the chair.
         15. R. Guell: They are laid out very well in Section 310. This is the chair responsibilities. Section 310 covers faculty.
         16. D. Bradley: As long as it doesn’t say the chair is responsible for making faculty understand their duties.
         17. R. Guell: Regular advisement and when duties in fact change. “Periodically and as necessary explain to each faculty member.”
         18. A. Anderson: Doesn’t that split infinitives?
         19. R. Guell: Put it at the beginning?
         20. A. Anderson: Yes, in case a grammarian gets upset.
         21. K. Yousif: That’s okay with me.
         22. S. Lamb: Does this include the sentence concerning mentorship?
         23. R. Guell: Section 350.2.9.1.1 is Communication of Faculty Duties and Responsibilities. Section 1.1 is Faculty Development, 1.2 is Awards, and 1.3 is Deficient Performance.
         24. S. Lamb: Perhaps we should just vote on what A. Anderson has amended.
         25. R. Guell: Just Sections 350.2.9.1 and 350.2.9.1.1.
         26. S. Lamb: To assure mentorship?
         27. D. Bradley: It doesn’t mean a chair is a mentor.
         28. S. Lamb: You appoint a mentor?
         29. R. Guell: If a faculty member desires mentorship, it is the chair’s responsibility to make sure it occurs.
         30. S. Lamb: It doesn’t say “if the faculty member desires.”
         31. R. Guell: It just assures one is available.
         32. V. Sheets: It doesn’t say some sort of programmatic mentorship, just advice from a more experienced faculty member.
         33. R. Guell: Do you wish to strike or elaborate?
         34. S. Lamb: This comes from around the time I got here. You sought your own way then. You didn’t necessarily have mentors. You perhaps had obstacles and learned how to overcome them.
         35. R. Guell: What would you like to do here?
         36. S. Lamb: Let me express my fear. If you start going down this path people think they have a guarantee. They go to a mentor and they help out and they are semi-responsible for the guidance for the faculty member to go that route. I fear the individuality, the effort that is required of an individual to assure themselves they are going down the right path will disappear. I don’t know if I believe in that much hand-holding.
         37. C. Olsen: Can we just delete it so it reads, “Work with his or her faculty to support…”
         38. V. Sheets: We can change “his or her faculty” to “departmental faculty.” D. Hantzis has raised the obvious issue that they are not “my faculty.”
         39. D. Hantzis: It matches the clause above.
         40. S. Lamb: I’m comfortable with that.
         41. R. Guell: I’m trying to go back and resurrect who inserted the notion of mentorship.
         42. V. Sheets: I believe that came from the Taskforce.
         43. C. Olsen: I don’t have anything in particular against it, but it doesn’t add that much.
         44. V. Sheets: It comes from the Taskforce’s re-review, and the issue was not specific to mentorship, just the Deans in their recommendation wanted to know that the chair has a role in the development of the faculty; and the Taskforce felt that was appropriate. We didn’t have a particular feeling about the word “mentorship.” It didn’t need to be formalized at all; they just wanted to ensure the chair realized it’s their duty to make sure their faculty had what they need.
         45. K. Bolinger: The chair’s edit solves that.
         46. R. Guell: We have an amendment to 350.2.9.1.1, and that is to strike “assure mentorship” and “to.” Are we also saying the “chair works with department faculty” rather than “his or her?”
         47. Motion: S. Lamb, C. Olsen. Vote: 9-0-0.
   3. Motion #3. A. Anderson, V. Sheets.
      1. 350.2.9.1.3 Deficient Performance and
      2. 350.2.9.1.3.1 Time for Response.
         1. R. Guell: Any questions, comments, or concerns? I will ask that we do this systematically and start with Deficient Performance. Any alterations?
         2. D. Bradley: This is word-smithing, but in the event a chair becomes concerned, shouldn’t it be “a faculty member performs duties deficiently?” It seems awkward.
         3. K. Bolinger: Put “deficient” after “responsibility.”
         4. R. Guell: Move to “end of employment.” Time for response?
         5. R. Guell: What has changed here is a move from the specific “five days” to “adequate?”
         6. J. Maynard: “Adequate” is open to misinterpretation.
         7. V. Sheets: The problem is that it depends on the form of the deficiency.
         8. K. Bolinger: Some of these things can’t be solved in a few days. Is the “response” my rebuttal to their concerns, because that is very different from giving me time to remedy the situation, which can hardly be accomplished in five days.
         9. R. Guell: There are some things that can be accomplished in five days, such as posting syllabi.
         10. K. Bolinger: But grades back within two weeks…there are situations related to that that may take longer.
         11. D. Bradley: Shouldn’t it also provide something about resolving the issue or countering the evidence?
         12. R. Guell: If the chair is correct they have to remedy the situation.
         13. K. Bolinger: A five day period, for instance, if I offer a rebuttal, I can see as adequate. That’s very different than actually remedying the situation.
         14. V. Sheets: Our reasoning for taking out five days was that you can’t always remedy within five days and it didn’t seem like it made sense as a set time.
         15. D. Bradley: Propose a remedy and then you can have a set time. If the problem is something that will take time to solve you at least need a relatively fixed amount of time to say “Yes, I agree. You are correct. Here is what I propose to do differently from this time forward.”
         16. K. Bolinger: Can we add back “five business days?”
         17. V. Sheets: “Five business days will be provided?”
         18. C. MacDonald: “Business days” or “working days?”
         19. D. Hantzis: “Working days” according to the language of the Handbook.
         20. V. Sheets: The only reason we took five days out was because of the inability to remedy many things within that period.
         21. D. Hantzis: It needs to be specific about when that count begins. Since the chair is given responsibility for contacting the faculty member, what that might mean is not clear. When do the five days commence?
         22. D. Bradley: It could be conceivable they can’t find the person.
         23. A. Anderson: “Five days after contacting the faculty member?”
         24. V. Sheets: It needs some work. “After point of initial contact?”
         25. J. Maynard: Has to be “first contact.”
         26. R. Guell: There needs to be a modifier between “shall” and “contact.”
         27. K. Yousif: “Formally” always means in writing.
         28. D. Hantzis: The notice cannot be the notice of deficient performance. The process isn’t concluded at that point.
         29. D. Bradley: In the faculty response section the chair will assume if they send that person an email they will have gotten it and read it.
         30. D. Hantzis: The Handbook says that is the official mode of contact.
         31. E. Hampton: This does change the nature entirely and increases the paperwork considerably. The proposal for remedy leaves open the possibility there is one that is unacceptable.
         32. K. Bolinger: If it’s not acceptable then it’s not a remedy. If it remedies the situation it should be accepted.
         33. E. Hampton: They could propose something that doesn’t work.
         34. K. Bolinger: The remedy will fix it. It will be acceptable. Something that doesn’t fix it isn’t acceptable.
         35. D. Hantzis: You can’t ascertain whether the proposal is immediately acceptable.
         36. J. Maynard: Simple ones are immediately acceptable. Someone deficient in the classroom becomes much more challenging.
         37. S. Lamb: In your mind does this close the door to resolving problems simply, through a conversation?
         38. R. Guell: The decision of a chair to have a conversation does not require they start this process. This is a rare process.
         39. D. Hantzis: Where does it say that?
         40. R. Guell: It doesn’t have to. This is the section on Deficient Performance that provides a mechanism by which a chair can rise from informal to formal admonishment.
         41. D. Hantzis: Maybe that is in the gerund. “Performing deficiently.” This suggest that this is not a one-time behavior. If they fail to submit grades four semesters in a row, that is “performing deficiently.”
         42. J. Maynard: You want to give the chair judgment. If the chair is blowing everything out of proportion the dean should have a conversation with them.
         43. S. Lamb: We should all see there is room for the informal route.
         44. R. Guell: I think we should see the forest and not the trees. I think, S. Lamb, you are seeing the trees.
      3. 350.2.9.1.3.2 Right of Consultation.
         1. K. Yousif: What about saying “consultation of someone on the departmental personnel committee,” rather than the members? This sounds like the chair can pick and whose who to consult with.
         2. V. Sheets: I disagree. I could easily decide to only consult with the chair.
         3. D. Bradley: You aren’t asking the personnel committee to make a decision.
         4. R. Guell: This strikes out the ability of the faculty member to choose not to involve the committee. Existing language here has the faculty member who is performance-deficient to invoke the right to say “Don’t tell the personnel committee.”
         5. K. Yousif: I like this but it wasn’t clear which personnel committee member to talk to. If you are talking about the chair it makes sense.
         6. C. MacDonald: we wanted to allow the chair to meet individually with the members of the committee, rather than having to have a meeting.
         7. R. Guell: Possibly it happens in a hurry and needs to be done by phone or one-on-one and not a formal meeting of the committee.
         8. D. Bradley: Could be the chair wants to do this before making a formal complaint.
         9. K. Bolinger: Am I bound, though, to this consultation? I think last year we had a faculty member who needed consultation and they were a litigious type. There were judgments of deficient performance. Am I bound by this language?
         10. R. Guell: “May” trumps “especially” here, so, no.
         11. D. Bradley: This is giving a chair the right to talk to other people.
         12. D. Hantzis: I agree with K. Yousif. What I am concerned about is the ambiguity of the sentence. I could be more comfortable as a faculty member that this say the chair could talk to the chair of the personnel committee. We have people still calling us and saying “What does the Handbook mean” specifically because of the next clause. It says “inform the personnel committee.” It needs to say select members of the committee. The second is a syntax problem. It can’t say “may” and “to inform.” Is there something that says faculty have the right to inform the personnel committee? It makes it sound like some don’t have the right.
         13. D. Bradley: Isn’t that really going onto 3.3-Written Admonishment, because any action requires formal notification.
         14. D. Hantzis: I don’t know why it’s in that section, unless the intention was seeking consultation and letting the committee know what he or she is to do, thus closing the communication loop.
         15. V. Sheets: That’s the reason it was in there.
         16. D. Hantzis: You may want to say “I don’t want to do anything until next summer.”
         17. V. Sheets: Why not, “Following consultation, the chairperson will inform…”? If you have gone with the consultation you should follow through. The Taskforce wanted to close the loop there.
         18. D. Bradley: Doesn’t that change the spirit? In the spirit of giving the chair the ability to seek advice, to let them know what action they are taking and “inform them of any action taken” or something. You’re moving it up and saying two things. One, the chair can talk to the personnel committee and two, the chair can tell the personnel committee what their decision is as opposed to having to keep that secret to themselves.
         19. R. Guell: Following “consultation” is the word “will” or “may?”
         20. K. Yousif: The reason it was “may” was so you can just use your own judgment. There’s no reason to go to the personnel committee.
         21. V. Sheets: If you use “may” then it doesn’t seem necessary.
         22. R. Guell: It only gives them cover to inform them.
         23. D. Bradley: All you’re doing is giving the chair authorization to talk to the personnel committee and let them know what their actions are.
         24. R. Guell: “May” it is then?
         25. V. Sheets: Do we need to have “following consultation” then? The chair may inform them whether or not they consulted.
         26. R. Guell: We can leave it as one sentence.
      4. 350.2.9.1.3.3 Written Admonishment.
      5. 350.2.9.1.3.4 Continued Deficient Performance.
      6. 350.2.9.1.3.5 Request of Denial of Across-the-Board Pay Raises.
      7. 350.2.9.1.3.6 Right of Rebuttal.
      8. 350.2.9.1.3.7 Dean’s Prerogative.
      9. 350.2.9.1.3.8 Personnel Files.
         1. R. Guell: Any comments or concerns?
         2. S. Lamb: One thing that strikes me here is this is not being shared with the personnel committee at this point.
         3. K. Bolinger: I don’t think it should be at this point.
         4. C. Olsen: It shouldn’t be required.
         5. D. Hantzis: The committee will see it eventually
         6. D. Bradley: It’s the second written communication a faculty member will receive.
         7. S. Lamb: That should be shared with the personnel committee? Is that your thought?
         8. R. Guell: If it goes in the personnel file it eventually ends up in their hands.
         9. D. Hantzis: It will be in the biennial review; maybe not in the annual.
         10. S. Lamb: If there’s a written admonishment and the chair must share it, that can serve as a protection to the faculty member.
         11. D. Bradley: It seems like it should be a part of the biennial review.
         12. S. Lamb: Why not put it in there at that point, then?
         13. C. MacDonald: It’s in 350.1.9.8.
         14. V. Sheets: S. Lamb’s point is, why not at that time? Given the section on Right of Rebuttal, the personnel committee can write a letter to support either the chair for the faculty member, they would have to see the letter of admonishment or the notification of deficient performance in order to do so.
         15. R. Guell: C. MacDonald is absolutely right. It goes into the file as well as any letters of rebuttal.
         16. C. Olsen: I don’t think we’ve gotten to that yet.
         17. S. Lamb: But what a wonderful protection for the faculty member, if you are doing something outlandish as a chair. I am for sharing it at that point with the personnel committee.
         18. V. Sheets: The right of rebuttal gives them the right. If they haven’t seen it they can’t rebut.
         19. C. Olsen: I agree. There will be situations like that, but I would rather make it a choice for the faculty member to share this. You can always say to that, “I don’t like the idea of requiring me to inform everyone in the department of someone who is potentially deficient in performance.” That may be really harmful to departmental culture. It may in the short term defer behavior. I don’t like sharing it broadly.
         20. D. Hantzis: It might be worth looking at the section of the Handbook on personnel committees to ensure what C. Olsen said. We should ensure that faculty who don’t understand how things work know that they can go to their personnel committee. We had new faculty, when I was chairing the personnel committee, that didn’t know who to talk to about anything.
         21. C. Olsen: Written admonishment and a notice that you have received a denial of an across-the-board raise is a big step beyond admonishing someone.
         22. C. MacDonald: Either one would give you the right to rebut.
         23. C. Olsen: When you aren’t requesting a denial of pay raise you aren’t being punitive yet. You’re trying to correct behavior at that point. I want to make it voluntary for the faculty member to broadcast this through the entire department. Faculty members may share this with the personnel committee. They should have that choice.
         24. S. Lamb: You “shall have five working days.” Don’t you still have a choice there?
         25. C. Olsen: By then we have gone beyond anything private. The sequence here is confusing.
         26. D. Bradley: I think the whole issue of pay raise doesn’t belong in this section. It should be under the pay raise section of the Handbook or the biennial review section as opposed to this one. It doesn’t flow in this section to me.
         27. C. Olsen: Where I’m having trouble is with the sequencing. There’s a huge distinction between written admonition and correcting behavior. I would be in favor of having a section on admonition and correction of behavior that allows it to be private. Then, if they are so awful, it needs to go to the personnel committee. If they won’t do anything after three or four months, then yes, to do that. It should be a mostly private process where we correct behaviors.
         28. K. Bolinger: Add a sentence to the written admonishment section that the faculty member may take it to the committee.
         29. R. Guell: S. Lamb has made a suggestion on 350.2.9.1.3.3 that allows the faculty member to invoke personnel committee knowledge.
         30. D. Bradley: It’s not really a new right. It’s a choice.
         31. C. MacDonald: What is the wording of that?
         32. R. Guell: C. Olsen has made the point, and D. Bradley has emphasized, that 350.2.9.1.3.5 should go out altogether.
         33. C. MacDonald: Are we moving it somewhere else?
         34. V. Sheets: Not in this document.
         35. R. Guell: Am I hearing that correctly?
         36. D. Bradley: I think the whole thing is unnecessary. On number four I think we need to change “determined.” I don’t know what that means; basically, what’s the next action?
         37. S. Lamb: What was the sentence added after 350.2.9.1.3.3?
         38. C. MacDonald: We don’t know yet.
         39. C. Olsen: This is very first amendment-ish. The direction to new faculty, or old, who don’t read this to say “If your chair is persecuting you, then you can share this.”
         40. K. Bolinger: That means I am looking then for mediation between me and my chair.
         41. R. Guell: “Faculty retain the right to consultation with members of the personnel committee.”
         42. D. Hantzis: We have had a couple of occasions where faculty were told they could not discuss matters. Their file belongs first to them and they can divulge whatever they wish, but there are consequences to that.
         43. V. Sheets: “Faculty members may solicit advice from the personnel committee and others.”
         44. R. Guell: D. Bradley, you didn’t like “determined” in 350.2.9.1.3.4?
         45. D. Bradley: Yes. Maybe just end it with “deficient performance?”
         46. C. Olsen: I agree.
         47. R. Guell: Then we will strike 350.2.9.1.3.5 and renumber it in its entirety.
         48. E. Hampton: I wonder whether, then, are we removing the ability of the chair to recommend denial of across-the-board raises? It certainly doesn’t belong on in the biennial review documentation. This is because of deficient performance, not below expectations in an evaluative standpoint. Where is this going?
         49. R. Guell: I will make the suggestion, J. Maynard, that you and the officers meet to see if we can’t couple the Policy on Policies for changing someone’s responsibilities to also include a denial of pay raises section and that we add it to section 500.
         50. J. Maynard: My first reaction is I don’t like it, but I will think about it. It’s something more serious. This concerns a habitual criminal. This includes termination. Should we make the statement right here that the chair has the right to initiate termination?
         51. V. Sheets: I would like to keep denial across the board as an intermediary step.
         52. K. Bolinger: That’s separate in pay for performance as an incentive to improve performance. I agree with J. Maynard in that “Here’s your plan, now screw it, I only want to show up every third day” could happen.
         53. D. Hantzis: Would it be possible to find language that mirrors dismissal language that says if a faculty member is belligerent in the face of peer and Administration findings that it is appropriate to move for dismissal?
         54. J. Maynard: Another option is to move it to the Dean’s level. After letters, the Dean makes the final determination, which includes that recommendation.
         55. D. Bradley: Do we maybe need a suggestion that the next step might be not denial of pay raise, but a list of things. Demotion, reduction of salary, revocation of tenure, etc. We should list the possible next actions.
         56. V. Sheets: I like J. Maynard’s suggestion of moving it to the dean’s level. It follows, the way we have it constructed now, that the personnel committee and the Dean are informed in writing.
         57. R. Guell: Here is where I think we are: we are at a spot where we need to charge someone with writing to replace 350.2.9.1.3.5 and 350.2.9.1.3.7, and move 350.2.9.1.3.6 to right after “Written Admonishment.” V. Sheets, you have the task of taking this the rest of the way. I will ask that we table this section until next week.
         58. D. Bradley: It might be worthwhile to talk to W. Downs about the idea of progressive discipline; that you have intermediate steps that are proportional.
         59. R. Guell: I want you all to know that it is inevitable we will meet on November 20 as a Senate. Because we can’t settle on everything today, then I can’t get an agenda for the Senate that they have a week to chew on. J. Maynard, unless you are willing for us to have a Senate meeting in December that is a week before the Board of Trustees meeting with all this in flux, then we have to meet on November 20.
         60. C. Olsen: We are talking about progressive punishment. I think if we make a clear demarcation to when the personnel committee is informed, 98 percent of this will be solved. People hate being shamed. This will correct much; not the egregious cases, but that is what the other section is for.
         61. Motion to Table: A. Anderson, C. Olsen. Vote: 9-0-0
   4. Motion #4: A. Anderson, V. Sheets. Vote: 9-0-0
      1. 350.4 Evaluation, Retention, or Removal.
      2. 350.4.1 Evaluation.
      3. 350.4.2 Retention.
      4. 350.4.3 Removal.
      5. 350.4.3.1 Extraordinary Administrative Failure.
      6. 350.4.3.2 Administrative Response.
         1. D. Bradley: Based on earlier sections, there has to be a three-year term.
         2. S. Lamb: I was wondering what the mechanism was that will force this to occur.
         3. D. Bradley: Instead of talking about triennial review it should say evaluation at the end of the three-year term so it’s natural it occurs in the third year.
         4. V. Sheets: So should we replace “triennially” with “Prior to consideration for reappointment” before “by the dean?”
         5. D. Bradley: I think it’s totally unnecessary given you are doing evaluations. The language V. Sheets just inserted makes it unnecessary. If you’re not renewed, you’re not reappointed.
         6. D. Hantzis: This section ameliorates the removal of “serves at the pleasure of the faculty and dean.”
         7. D. Bradley: I would suggest putting it into the section on review because it’s really the review you’re talking about.
         8. D. Hantzis: We need to change “their” to “the” again. Faculty don’t belong to anyone.
         9. R. Guell: D. Bradley, I ask that you let this stay in section 350.4.1. It consists of only a few words and gives faculty more voice in stating any desires regarding their chair.
         10. D. Bradley: I’m okay with that. “Reappointment” rather than “retention” needs to be at the top of the page.
         11. R. Guell: The title for 350.4 then becomes “Evaluation, Reappointment, or Removal.”
         12. D. Bradley: That also requires change in a couple of other places.
         13. D. Hantzis: With regard to 350.4.3, wouldn’t it be a three-year term of “appointment,” not “service?”
         14. D. Bradley: Just a three-year term.
         15. D. Bradley: “Administrative Failure” is sufficient. We don’t need “Extraordinary.”
         16. R. Guell: I think there should be an “extraordinary” category—in cases that are systematically criminal, over-the-top bad.
         17. D. Hantzis: I’m not sure why it’s plural in the text. If it’s used to define condition of performance it should be singular. It’s a combination of actions.
         18. D. Bradley: “Instances” and “failures?”
         19. D. Hantzis: No, the third sentence. “Outlining extraordinary administrative failure.”
         20. R. Guell: Any comments on Administrative Response?
         21. D. Hantzis: Because of the attention drawn to the language of reappointment, I’m wondering if we need to change that in some way. It’s intended to be brought at t time other than triennial review. Is there a reference to that earlier about bringing it forward during a term of service?
         22. C. Olsen: In 350.4.3.
   5. Motion #5
      1. 350.5.1 Nominations. R. Guell, S. Lamb. Vote: 9-0-0
         1. C. MacDonald: This is actually Motion 13a from last week.
         2. R. Guell: The reason I pulled this is the dean in Arts and Sciences has asked whether people can be appointed from outside the department. The question is, can department faculty invite people from outside their department?
         3. S. Lamb: This implies that.
         4. R. Guell: Let’s just suppose the department knows they can’t manage themselves, but they have a specific person or persons to ask the Dean to chair them?
         5. D. Hantzis: It doesn’t say. That is who is being asked to make nominations. We nominate in my department from outside. The nominations are coming from them. I would ask what “full-time members” actually means.
         6. R. Guell: It should say “All regular faculty of the department.”
         7. V. Sheets: I can see the misreading of that first sentence. Can we delete “school or” and change it to say, “invite all regular faculty of the department to provide nominations…”?
         8. D. Bradley: In the grander scheme there is no reason why anyone can’t nominate. Anyone can nominate but only certain people can serve. It doesn’t need to be restricted.
      2. 351.2 Successful Departments. S. Lamb, C. MacDonald. Vote: 9-0-0
         1. C. Olsen: I want to move to amend the first clause—“A successful academic department engages students in learning and prepares them for post-college life.”
         2. D. Bradley: I think you might appreciate that but the Legislature and the Commission are holding us to a higher standard than “prepares.”
         3. C. Olsen: I’m happy to modify “prepares” but I am against “attracts.”
         4. D. Hantzis: FAC doesn’t like “attracts” as well.
         5. D. Bradley: Of course, a department that doesn’t have students is not successful.
         6. R. Guell: The first sentence now reads: “A successful department engages students in learning, and prepares them for post-college life.”
      3. 310 Preamble Change
         1. R. Guell: Motion to change the first sentence of the Preamble: “…expected to attend new faculty development sessions.”
         2. D. Bradley: I would prefer to leave out that they are required to attend. We should note they can get special dispensations. A lot goes on in New Faculty Orientation.
         3. R. Guell: This isn’t my idea; it’s from the Taskforce.
         4. V. Sheets: The Taskforce didn’t put it in the requirements.
         5. R. Guell: Where did it come from? FAC?
         6. D. Hantzis: We put “expected to attend” rather than “must attend.”
         7. J. Maynard: That gives them an option to opt out.
         8. R. Guell: What, then, is the suggestion?
         9. J. Maynard: No change.
6. Fifteen-Minute Open Discussion
   1. V. Sheets: I was wondering why a decision was made that administrative assistants are not allowed to access Curriculog and make changes for us?
      1. D. Bradley: I have never heard of Curriculog.
      2. V. Sheets: It’s a system by which we will make changes to the curriculum. Only faculty can change it at this point. Curriculum only changes every 18 months or so. We were told we could not train administrative assistants.
      3. R. Guell: S. Powers has said only faculty can enter the information, and J. Maynard will follow up on this.
   2. C. Olsen: Regarding search budgets, I don’t know how to do a search on $2000. If we run short, what can we do?
      1. J. Maynard: Yes, we can supplement the search budget if necessary.
      2. C. Olsen: Last time we had one candidate from overseas that took the whole search budget.
      3. A. Anderson: Two from California wiped out ours.
   3. C. MacDonald: Will there be training regarding the search process? The process seems to change every year.
      1. J. Maynard: The answer is yes. I’ll make sure that happens.
   4. R. Guell: I have put all of the changes we made last week into Qualtrics. I will do the same things tonight and email it to all Senators before noon tomorrow. It will go out with all things that have been approved as well as the notification that we will meet both on the 13th and the 20th.
      1. J. Maynard: I think you are better off keeping it on the 20th. If we have to at that time we will evaluate whether we have to do something in December.
      2. R. Guell: This will go out with the attempt at a consent agenda, and that on the meeting of the 13th we will vote on structural change and the consent agenda. I will also say this portion we still have to work on next week at Exec, and the Senators will need to send in any amendments in writing ahead of time. We will be in Dede III, turned ninety degrees, in order to take advantage of their projector.
      3. D. Bradley: Do we have a requirement basically that if there is editing on the floor it has to come back to another meeting?
      4. R. Guell: Since you missed both of the meetings on the biennial review, I should note that by doing it this way, in the meeting in which we took the amendments one by one, the document changed by not one comma from what Exec had recommended. However, it was important that the Senate had the ability to offer and discuss thoughtful amendments. It passed 29-2.
7. Adjournment