INDIANA STATE UNIVERSITY

FACULTY SENATE, 2014-2015

November 13, 2014

**Minutes**

Members Present: R. Guell, C. MacDonald, C. Olsen, A. Anderson, C. Ball, K. Bolinger, L. Borrero, K. Berlin, P. Bro, B. Bunnett, C. Fischer, T. Foster, D. Hantzis, E. Hampton, M. Haque, M. Harmon, B. Kilp, A. Kummerow, K. Lee, D. Malooley, S. McCaskey, A. Morales, L. Phillips, D. Richards, V. Sheets, M. Sterling, K. Yousif

Ex-Officios Present: Provost J. Maynard, A. Badar, K. Brauchle, D. Collins, R. Crumrin, D. Dooley, L. Maule, L. Maurer, J. Murray, M. Reed, B. Smith, J. Turman, B. Yousif

Ex-Officio Absent: President D. Bradley

Guests: C. Blevens, J. Conant, T. McDaniel, J. Powers

1. Memorial Resolutions: Robert Jerry: T. McDaniel
   1. Dr. Robert Jerry was a long-time professor of education at Indiana State University and a World War II veteran. After graduating from Brazil High School in 1941, Bob enlisted in the U.S. Navy, where he first served on a destroyer as a fire controlman in the South Pacific and later on a mine sweeper.

After World War II, Bob took advantage of the GI Bill and earned a teaching degree at Indiana State Teachers College. His teaching career began in Fowler, IN where he taught sixth grade, followed by the junior high and senior high schools in Delphi, IN. Bob serves as a principal in Covington, IN and as a superintendent in Worthington, IN. During his time as a school administrator he completed his doctorate from Indiana University. Dr. Jerry then came to Indiana State University as a professor. From 1967-1970 he also served as Indiana’s Deputy State Superintendent, thus becoming one of the first educators in state history to have served at five levels of public school service: teacher, principal, superintendent, state administrator, and professor.

Bob spent his lifetime in service to public education, and was a creative and innovative educator. While principal at Covington, he initiated the implementation of academic letters for students. Bob and his first wife, Dr. Marjorie Jerry, served as recruiters for Graduate Studies, and worked throughout the Midwestern states. Bob also served as an advisor to many students, both undergraduate and graduate.

Bob retired from Indiana State in 1984, but he remained active, attending many university functions, supporting the Department of Educational Leadership, and serving as a mentor to faculty and staff. Bob loved history and culture, and during his lifetime he visited every state in the United States as well as every continent on the globe. He was well known for his keen wit and sharp sense of humor. In spite of his recent health issues, he remained active with his family and friends, serving as an inspiration to all.

He is survived by his second wife, Janet Higgins-Jerry, a son, Robert Jerry II, a daughter, E. Clair Jerry, two stepsons and one stepdaughter, and ten grandchildren. He was preceded in death by his first wife, Marjorie Collings Jerry, his parents, a brother, and a sister.

Bob was a member of Central Christian Church, the Kiwanis, Friends of the Library, the Vigo County Historical Association, the Indiana Association of Public School Superintendents, Tin Can Sailors, and the Naval Mine Warfare Association. Bob was a loving husband, father, grandfather, friend, and mentor. He touched many lives and influenced many careers with his wit and wisdom.

THEREFORE, BE IT RESOLVED that the Faculty Senate of Indiana State University express to his family its sincere sympathy and condolences, and that it further express its appreciation for the years of service and dedication to his students, the Bayh College of Education, and Indiana State University.

BE IT FURTHER RESOLVED that this testimonial be placed in the minutes of the Faculty Senate and that a copy be transmitted to his family.

1. Administrative Reports:
   1. President D. Bradley: Absent
   2. Provost J. Maynard:
      1. President Bradley is not able to be with us today, as he is visiting with legislators. Today the budget recommendations will be released. We are all curious as to what that will look like. We fully expect that the Commission will recommend dollars for the Arena renovation.
      2. In that vein, over the next few weeks expect to see me and others walking around campus looking for vacant space. We will have to relocate close to 80 people for two years if the Arena project is funded.
      3. It’s two weeks until exams; I wish you all a nice Thanksgiving Break. You all deserve to rest and relax. Enjoy your family and friends at this time and think about the things that are most important.
2. Chair Report: R. Guell
   1. R. Guell:
      1. Thank you all for your serious commitment to Senate work this semester. This week, and possibly next week, will try our patience, but I am confident we will make our way through the revisions.
      2. We will be seeing three invocations of the Policy on Policies—one was already invoked, and we have responses from SAC and FAC on the Policy on Policies’ change to the Whistleblower Policy. Officers will work with D. Hantzis and C. Blevens who, on behalf of their respective committees, were opposed to any change and will assist in drafting something for the December Senate meeting.
      3. Two more questions will come up; one is the policy on Removing Faculty from the Classroom and Reassignment of Workload—how that will happen, and under what authority—as well as a draft on Amorous and Familial Relationships and Evaluative Relationships forward and going through proper governance review.
      4. I met recently with the Council for Governance Chairs, and if you’ve never heard of it, there’s good reason. There is a portion of the Handbook that has not been followed because it accomplishes almost nothing. We will ask this body to endorse its removal through the constitutional change process.
      5. L. Henson has produced a very thoughtful report on Part-Time Faculty and FAC has responded to that; we will take that up in December and January.
      6. FAC and SAC have reviewed and responded to the student evaluation issue. I asked C. Olsen and E. Hampton to work with D. Hantzis, C. Blevens, and O. Finley in drafting something that might approach “passable” by you.
      7. The Academic Calendar group has met, and I believe the Administration will be forwarding the recommendation. It at one time, but no longer, would have had class on Labor Day. If you heard that rumor, it was true, but was quickly nixed. What is now on the table is rather conventional.
      8. I was in Holmstedt Hall today for the drill today, and I applaud the Administration’s choice of time and place for a real-life drill. I talked to my department chair, who was walking around counting the “dead.” Every person in rooms 102 and 103 would have died, even if the faculty member had done what they were supposed to, because there is no way to secure those rooms.
3. Support Staff Report: R. Torrence
   1. R. Torrence:
      1. We had over 100 kids at the Halloween party this year, and will need to find a larger location.
      2. We have collected over 100 items for the Weekend Backpack Program, in which backpacks of food will be sent home with needy kids over Thanksgiving Break. Thank you to all who have donated.
      3. The Council is working on a few fundraisers that will support the United Way Campaign as well as our Staff Council Scholarship.
4. SGA Report: R. Lockman
   1. Supreme Court applications and interviews are underway. We are holding the interviews on Monday and Tuesday of next week. We plan to have appointments to take to Student Senate by Wednesday. We only have two spots to fill on the court, and we have ten applications, therefore we believe we will add two very strong justices to the court.
   2. The Executive Committee and the Senate are working together to create a student-run “Violence Awareness Week” for next semester; be looking for more to come.
   3. Last weekend we sent SLC members, Senators, and Exec members to the SGC conference at Ball State University.
   4. We have already started OrgFunding applications for the spring. The applications closed on Tuesday, and we have about 80 organizations that applied. It was a great turnout and we are excited to start interviews next week.
   5. We have designed a survey to reach all students that will include many different areas of campus. We hope that we will get feedback on the surveys that will allow us to create new projects and continue to advocate for student needs.
   6. We have a fan bus of 100 students headed to the men’s basketball game at IUPUI tomorrow. We are also promoting “Layup4Lauren” at the men’s game next Tuesday against St. Louis University and we are asking for all the help we can get. Lauren was diagnosed with terminal brain cancer, and we are promoting the Forest to do a challenge during halftime of Tuesday’s game to show people what some of her symptoms are like. Students will spin around five times, then shoot a layup with their nondominant hand. Lauren is frequently dizzy and cannot use her dominant hand. If the student makes the layup, they do not have do donate, though we hope they will anyway. If the student misses, they have to make a $10 donation. Please help us spread the word. We have also invited Lauren and her family. We appreciate any shares, retweets, and word-of-mouth advertisement we can get to help spread the work about Lauren and our event.
5. Temporary Faculty Advocate: L. Henson: Absent
6. Approval of the Minutes of October 16, 2014: A. Anderson, A. Kummerow. Vote: 29-0-0
7. Curriculum Proposal: Department of Teaching and Learning. M. Harmon, E. Hampton. Vote: 29-0-0
8. Handbook Change Suggestions from the Taskforce
   1. Motion #1: Change to Structure of 350 K. Yousif, D. Hantzis. Vote: 29-0-0
      1. V. Sheets: The question I wanted to address is, why look at 350? It comes from a couple of places. We had been aware, when R. Williams was Provost and had talked to chairs, that they felt they had no power to make changes when necessary in their department. Then, as the Departmental Success Taskforce began looking at the issues that were preventing students and faculty from being successful, it became clear we needed to look at section 350. It looks massive, but the changes aren’t, really. Much of what we have done was to reorganize and move sections around, but I will highlight the substantive changes.
      2. R. Guell: If you take out the two documents you were given, the original and the new, the new would have one new modified title: 350.2.9.1.3.4 changes to “Chair’s Evaluation of Subsequent Performance.”
   2. Consent Agenda. A. Anderson, M. Harmon. Vote: 29-0-0
      1. R. Guell: I will run us through what is known as “Motion #2” in case anyone has any thoughts or concerns, and if so, we will pull them out. After Motion #2 we will look at individual motions. The question marks next to the item had at least one person who wanted to ask a question. That will be the first thing we will deal with, the person will ask the question and we will debate.
   3. Individual Motions
      1. Motion #3: 350.1 Appointment; 350.1.1 Term of Service; 350.1.2 Tenure; 350.1.3 Development. E. Hampton, A. Anderson. Vote: 28-0-1
         1. V. Sheets: This deals basically with the appointment section. What we changed were first we explicitly identified that the chair serves a three-year term. We also added the expectation that chairs would experience some sort of orientation or development for their role. There was a section saying they had to be “qualified to be a faculty member in their department.” We moved it to “Selection.” There was a section on “Delegation and Leadership” that was moved to “Duties.” We also reworded the first section about the appointment, stating the department’s and dean’s recommendations all go forward to the Provost. The President found the prior language could be confusing.
         2. R. Lugar: If chairs are coming in tenured, then how does that relate to the three-year term vs. faculty who have to go through the tenure process? Is that a faster way to get tenure?
         3. V. Sheets: The Handbook allows for the possibility to hire someone with tenure at the Professor level. That is an entirely separate decision. All we are saying in that section is that tenure is applied to your position as a faculty member, not as chair. When you are no longer chair, you are a tenured faculty member, not a tenured chair.
         4. R. Lugar: Then the question is that is this really changing the term of the chair?
         5. V. Sheets: We allow later for the possibility of reappointment, as long as the department is happy with it. There is no actual limit on how long one can be chair. There is no specific end date. It is reviewed every three years. What the new policy says is after three years a decision has to actively be made for reappointment.
         6. R. Lugar: Is this model consistent with other universities?
         7. V. Sheets: They vary. Some follow what the Administration wants, where there is a department head. Some use this model.
         8. R. Guell: This is parallel to how we treat deans.
         9. R. Lugar: Will this make it difficult to find chairs?
         10. J. Maynard: This is pretty typical. Some have guidelines that tell how many years chairs may serve, etc. this will not cause any grief in terms of hire.
      2. Motion #4: 350.2 Duties and Responsibilities: 350.2.1 Leadership; 350.2.1.1 Method of Leadership; 350.2.2 Administration of Departmental Office; 350.2.3 Resource Management & Development; 350.2.4 Curricular Programming & Course Scheduling; 350.2.5 Promoting Student Success; 350.2.6 Consultation/Mediation. R. Lugar, M. Harmon. Vote: 29-0-0
         1. V. Sheets: In Motion #4 is the section on Leadership. The current Handbook has a section on Leadership, but only on how chairs are to lead. Through the Taskforce and some other groups it was felt we should talk about what chairs lead for. We have why chairs lead, what they lead on, and now how. They lead by example. The 350.2.4 in the Handbook had course scheduling responsibilities under Chair Duties/Schedules/Responsibilities. In another place, the Initial Appointment Section, the chair was supposed to be involved in implementation of new programming, so we moved it into a section which was Scheduling. We pulled the Consultation and Mediation sentence out of it and created a new subsection. We also added in a mention of Assessment as one of the roles the chair leads on.
         2. R. Guell: Does anyone have a question about 350.2.4?
         3. D. Hantzis: What does “arranging teaching hours” intended to mean?
         4. V. Sheets: I think arranging when classes are taught through the day and what each individual faculty member is teaching to best meet the needs of the department.
         5. D. Hantzis: In the list of things that are of crucial interest of faculty, is there any conflict with having this here and that there, or is the overlap okay?
         6. V. Sheets: I think it’s okay.
      3. Motion #5: 350.2.7 Communication & Advocacy; 350.2.7.1 Official Departmental Spokesperson; 350.2.7.2 Advocacy; 350.2.7.3 Regular Consultation with Departmental Faculty; 350.2.7.3.1 Limitations on Consultative Requirement; 350.2.7.3.2 Form of Consultation; 350.2.7.3.3 Ad Hoc Committees; 350.2.7.3.3.1 Matters of General Concern of Recurring Character; 350.2.7.3.3.2 Matters of Delicacy; 350.2.8 Meetings of Department. B. Kilp, A. Anderson. Vote: 29-0-0
         1. V. Sheets: This deals with the communication and advocacy role. Most of it was simply reorganization. We added a sentence at the beginning, which was in a different place and similar to it, and when one of the sub-taskforces of the deans were looking at roles and responsibilities it was found that it should have been more clear that the chair is to be the basis of communication between faculty and administration. Then we did some wordsmithing in Limitations on Consultation, mostly by FAC.
         2. R. Guell: A question about “Official Department Spokesperson” was raised.
         3. V. Sheets: That was not changed.
         4. D. Hantzis: What is the current chair’s role in terms of graduate faculty status? I don’t remember if it was raised, but graduate faculty status has to be recommended. Does the chair have a recommendation role any longer?
         5. R. Guell: When the policy change happened the Economics department went from having a graduate program to not having a graduate program; I let my graduate faculty status lapse so I don’t have it. We were the only department that had those two things coincide. Others renewed their status to serve in other departments. It may be a phrase that only applies to me.
         6. E. Hampton: People who are not regular faculty but serve on dissertation committees apply for graduate faculty status and chairs weigh in on that.
         7. A. Morales: I’m wondering if there was a place that says explicitly that a chair was supposed to consult with faculty on faculty lines.
         8. V. Sheets: The chair is supposed to advocate for the department resources. It doesn’t say anything explicitly about faculty lines.
         9. A. Morales: Is that something people would be opposed to having in it?
         10. R. Guell: In 350.2.7.3 Regular Consultation with Departmental Faculty, all the way down to 352.7.3.3.1 Matters of General Concern or Recurring Character—it is in letter D. All under 350.2.7.3 is about consultation regarding the recruitment of faculty and those issues are addressed there.
         11. A. Morales: Just recruitment? I believe it should be hiring too, not just recruitment.
         12. R. Guell: You would insert “hiring?” Approved by unanimous consent.
      4. Motion #6: 350.2.9 Personnel Matters: 350.2.9.1 Communication of Faculty Duties and Responsibilities; 350.2.9.1.1 Faculty Development; 350.2.9.1.2 Recommendations for Faculty Awards; 350.2.9.1.3 Deficient Performance; 350.2.9.1.3.1 Time for Response; 350.2.9.1.3.2 Right of Consultation; 350.2.9.1.3.3 Written Admonishment; 350.2.9.1.3.4 Continued Deficient Performance; 350.3.9.1.3.5 Request of Denial of Across-the-Board Pay Raises; 350.2.9.1.3.6 Right of Rebuttal; 350.2.9.1.3.7 Dean’s Prerogative; 350.2.9.1.3.8 Personnel Files. M. Harmon, K. Yousif. Vote: 29-0-0
         1. V. Sheets: This is the most controversial section we’ve had throughout the process, and Executive Committee made several more changes. We have tried to deal with it; on the one hand, we want to fix problems with the original language that the Taskforce seemed to see as not seeming practical. It starts off with saying that everything needs to be in writing, and it’s legalistic. Departments shouldn’t work that way. The chair should communicate—not necessarily with a written list. The chair should be able to have a conversation. The Deficient Performance section is where there has been significant change. It starts with “…if the chair sees a problem, he writes the faculty member.” That is not how you should begin. Have a conversation, as a colleague. The previous version didn’t allow the chair any opportunity to consult anyone without faculty members. It’s better to let the chair converse with members of the personnel committee and get another perspective. We allow for the possibility of the chair to consult with the personnel committee. If the chair sees a problem, then there is an informal discussion. Then a verbal warning follows; there is a five-day period to allow the person to respond. Then we go to a written admonition. If the behavior changes, that is reflected in a document that goes in their personnel file. If the behavior doesn’t change then something is placed in their personnel file, and the dean and the personnel committee are notified. Before that, the chair is given permission to consult with individual members of the personnel committee, but is given discretion. They might not need the entire committee to know. In the latest version we specified which possible actions are available to the dean. One thing we did well is we made clear where roles lie. In Policy on Policies it says it is the President’s or Provost’s decision to remove a faculty member from the classroom. The department chairs can’t do that, but they have other means to attempt to alter behavior. We have made it clear that the personnel committee can be considered in the biennial review. We also have cleared room for rebuttal, and also if the chair is targeting a faculty member, they can use the grievance process.
         2. K. Bolinger: I brought this up in Executive Committee: in the dean’s prerogative we added the language, “but are not limited to” where it lists the actions the Provost may take we go from denial of a raise straight to termination. What I want to add is the possibility of suspension. I can imagine a life crisis that makes someone mess up in a big way. I wanted to add an option for these people; it would be a reasonable intermediary step.
         3. R. Guell: The question I have on the notion of suspension is, for faculty members who were hired before 2004, you cannot take a leave without pay and you cannot be suspended and maintain a continuous health insurance status. Staff benefits has implications. One goes from having retiree benefits to not having retiree benefits. If I was suspended for a semester I would go from being able to retire to not being able to retire.
         4. K. Bolinger: But you’re not terminated.
         5. R. Guell: D. McKee is as rigid on this as on any other question. If you interrupt employment you go from being eligible to being ineligible.
         6. J. Maynard: The difference is if you’re suspended or on a leave of absence, you’re still affiliated with the university.
         7. R. Guell: There have been people who did leave without pay and other situations. They would have had to go through COBRA. Not only do we suspend them, but they have to pay $800 every month to keep their benefits. I would like a comment on that from Staff Benefits.
         8. B. Bunnett: You said something about chairs getting to discuss the situation with other individuals?
         9. V. Sheets: Currently, the chair has to write the person and ask for permission to talk to someone on the personnel committee about it and if they say no, they can’t. This changes to giving the chair permission to speak with either the entire committee or select members, without permission, at their discretion.
         10. B. Bunnett: At any point is the chair prohibited from discussing matters with the dean?
         11. V. Sheets: It doesn’t say one way or another.
         12. A. Morales: First, I agree with K. Bolinger’s sentiments, and the logic behind them—that there is a huge gap, but the Provost said that we are still employed. We should seek D. McKee’s advice about outcomes. I think they are two separate issues.
         13. R. Guell: When people do leave without pay, C. Barton has a conversation with them about this point. If we include it, it will be an important part. An amendment would have to include that advice.
         14. D. Hantzis: In Exec, I asked where else we would acknowledge that the faculty member has the right to consult the personnel committee. It isn’t in section 305. For example, in 350.2.9.1.3.1, does it say what the faculty member themselves has available? Chairs know they can talk to the dean. We want them to know that explicitly. I can’t think in where it would be appropriate that faculty members can consult with colleagues.
         15. R. Guell: Add “faculty member and chair may seek consultation” in 350.1.3.2?
         16. D. Hantzis: Unless others find it confusing; it at least acknowledges that the faculty member has a resource as well.
         17. V. Sheets: It acknowledges the personnel committee doesn’t work for the chair.
         18. K. Bolinger: I would like J. Maynard’s opinion; could someone be suspended?
         19. J. Maynard: I need to check with Human Resources about that. Services should not be terminated during suspension. This is not by choice. I need to verify this so no one is harmed.
         20. R. Guell: If we include it, “…those additional actions could include…an unpaid suspension, and/or the initiation of the dismissal process.”
         21. V. Sheets: I don’t like the idea of an unpaid suspension.
         22. K. Bolinger: Health insurance needs to be continued during that time.
         23. V. Sheets: It gives more flexibility. The reason I was going to oppose it is that what I heard at Exec was unpaid and I don’t think that should be an option without a lot more proof.
         24. R. Guell: To be clear, everyone needs to be on the same page as to what suspension means. With pay or without pay? At the Provost’s discretion?
         25. Motion to add suspension: K. Bolinger, A. Morales. Vote: 4-25-0.
         26. D. Hantzis: Why are we using “suspension” and not “leave?” It’s “Leave Policies.” FMLA, sick leave, military leave, etc. In the Handbook the only word used is “leave.”
         27. J. Maynard: People are suspended without pay regularly on the staff side.
         28. A. Morales: Regardless of what the Provost finds in terms of coverage, even if you lose it that is still preferable to termination.
         29. V. Sheets: I guess I want to know exactly what suspension means here. It’s not clear. At this point, basically, J. Maynard gets to decide I don’t have to go to work.
         30. J. Maynard: If you have problems, and your chair and the dean have tried to work with you, it’s a very serious issue to be sent home with pay for three months.
         31. V. Sheets: Then maybe it should go to a faculty committee for dismissal.
         32. J. Maynard: If it gets that serious, it should probably be dismissal.
         33. E. Hampton: I agree we need an intermediary step, but the dismissal process is outlined elsewhere in the Handbook. I’m worried about the suspension without due process.
         34. R. Guell: I agree in general, and that is the reason I will vote against this assertion. It would require prior due process instead of ex post facto due process. I understand you can file a grievance on something but if you are living paycheck to paycheck and you are suspended improperly by a rogue Provost you can’t be saved by due process from a de facto death sentence in that sense. It is wise to have a dismissal process where your due process is ahead of time.
         35. K. Bolinger: He already has that authority, so another Provost can look at the Handbook and see the options. The Provost already has these. We’re not giving him power. I just want it listed as an intermediate step.
         36. R. Guell: I just don’t want to have it blessed. I want prior due process.
         37. J. Maynard: We have suspended people with pay several times. The conversations that we had with legal counsel suggest we could not suspend without pay. It was not possible under our legal framework. I’m not sure the word “suspension” even gives authority to suspend without pay. I think we already have that authority, but it’s your call to put it in there.
         38. M. Harmon: I agree with R. Guell. If you suspend someone without pay you almost do away with tenure. How long can you suspend? There is no limit. You then say that it’s better than termination—you are assuming the chair and dean are correct. What if it’s a hatchet job? You have to have due process. Unless it’s a paid suspension I won’t vote for this. There is no use dragging this out and making it more administratively convenient.
         39. R. Lugar: In Indiana are we allowed to fire without cause?
         40. R. Guell: Indiana is an “at will” state.
         41. R. Lugar: How does this relate to that? Couldn’t we all be fired at any time?
         42. R. Guell: We could all sue based on the Handbook, and courts tend to look at internal documents and specific processes, especially when violating your own process, as compared to those that have nothing in their policy.
         43. A. Kummerow: Regardless of whether we put suspension here, doesn’t the Provost retain that ability?
         44. R. Guell: J. Maynard just articulated the brakes on that; the legal counsel says you can’t do it.
         45. D. Hantzis: The HR Handbook Policies and Procedures mandate a form from Human Resources and the list of the stages of progressive discipline. The last is suspension/discharge. That is actually referred to in the guidelines, which do not apply to faculty at all. I can’t find this anyplace else. Leave does apply. It should be rewritten to include that as an option.
         46. K. Bolinger: But J. Maynard already has suspension privileges.
         47. D. Hantzis: Are we talking about faculty or appointees? With pay?
         48. J. Maynard: Yes.
         49. D. Hantzis: With 100 percent reassignment of workload?
         50. C. Olsen: One thing J. Maynard’s stated earlier that he has always understood that voluntary leave without pay includes continuous enrollment in health benefits towards retirement. I am not sure this was ever spelled out.
         51. R. Guell: You have to maintain continuous enrollment in the benefits plan.
         52. C. Olsen: I’m not sure that has ever been discussed.
         53. J. Maynard: We have people on Fulbright scholarships who might have interrupted for good reasons.
      5. Motion #7: 350.2.1 Delegation; Limitations on Delegation. M. Harmon, A. Anderson. Vote: 29-0-0
         1. V. Sheets: We didn’t change anything here; we simply moved it from one place to another. It was originally in the beginning of the document under the “Appointment” section and it didn’t seem appropriate there. It seems more appropriate to recognize one of the chair’s duties to involve occasional delegation and specify limits.
         2. B. Kilp: Is there a clear definition of what “personnel administration” means? You could be talking about what the personnel committee would be doing, and saying it’s not faculty’s job to evaluate, that it rests with the chair—depending on how you define it.
         3. V. Sheets: I guess it would depend on how you define it. Basically it keeps the chair from abdicating responsibilities to others, like faculty or department staff. I know the Taskforce has heard of cases where the chair’s administrative assistant made substantive decisions when the chair was away to cover for them. I assume that is where the policy came from.
         4. B. Kilp: The chair has a different role in evaluating faculty; it’s not the same.
         5. J. Maynard: This doesn’t stand by itself. There are very clear definitions in other sections.
         6. R. Guell: Section 305 defines what a faculty member is, etc. and it will come before us in January, in a format almost as tedious as this one. J. Maynard said, and I agree, there is a whole section on faculty personnel administration and that phrase would not obliterate the rights and responsibilities there.
         7. V. Sheets: The chair does have an identified role that does meet these criteria.
         8. R. Guell: In terms of making sure the department meets deadlines and knows which faculty members need to be evaluated…
         9. C. Olsen: I think the “administration” part means keep the paperwork moving on time; I think that is their duty.
         10. D. Hantzis: I’m glad B. Kilp raised this question. As I read it, everything that follows is clarifying what that is—in this case, it speaks more to climate in and individual development of faculty. It caused me to read the first sentence again. Are those specifics anywhere? Is this the only one we’re protecting? For example, some staff have been “turned” into academic advisors? Have we another place where this is explained?
         11. R. Guell: I believe this is the only place. Since it is language that already exists, we have precedent on which to rely.
      6. Motion #8A: 350.3 Selection; 350.3.1 Departmental Membership Qualification; 350.3.2 Vacancy; 350.3.3 Nominating Committee; 350.3.3.1 Limitation on Service; 350.3.3.2 Additional Member; 350.3.3.3 Rules of Procedure; 350.3.3.4 Candidate Nominations; 350.3.4 Recommendation of Nominating Committee; 350.3.5 Recommendation of Dean; 350.3.6 Recommendation by Provost and Vice President for Academic Affairs; M. Harmon, E. Hampton. Vote: 21-8-0.
         1. V. Sheets: This concerns Selection, Evaluation, and Removal. We separated Selection from Evaluation and Removal. We thought it would be better if the chair “serves at the pleasure” was removed. We noted the selection of chair was changed by nomination by regular faculty. It was approved last year by the Senate, as we introduced the concept of regular faculty. With regard to the Evaluation and Removal section we clarified the requirement that the college establish criteria and process for evaluation. Current language says chairs will be evaluated, but there is no standard college procedure, just a determination by the dean. Also, it does not require a 50 percent vote to initiate review and/or removal of a chair. It shouldn’t be about counting members on each side, but if there is a serious issue with a faculty member, it might be a staff member who comes to the dean. We require the dean consult any contingent of people who come in and raise concerns. We also require administrative response. The dean has to let the department know a decision has been made.
         2. A. Morales: Coming from a department with many Instructors, under 350.3.3 Nominating Committee, I have a problem with the fact it only specifies regular faculty and does not limit a committee to a majority of tenured and tenure-track faculty rather than five Instructors.
         3. D. Hantzis: I would like to concur. I have some recommended language. We have used it elsewhere to guarantee all ranks are represented. The committee could include “representation of all academic ranks when possible” within the regular faculty of the department.
         4. A. Morales: I can accept that.
         5. R. Guell: Specifically, the language should say, instead of “when possible,” “where appropriate.” It will allow flexibility for a department with many Instructors, or few Instructors, as the case may be.
         6. A. Morales: I don’t like “appropriate” because it leaves way too much open.
         7. R. Guell: I want this as a motion rather than a unanimous consent request. This was a contested issue in the past. Motion to change language to “representation of all academic ranks when appropriate” D. Hantzis, A. Morales. Vote: 21-8-0.
         8. P. Bro: I’m from a large department and we are concerned with making sure every section of the department is represented, and this would limit that. A large chunk of the department would not have representation.
         9. D. Hantzis: That would mean it’s not “possible” in your department.
         10. R. Guell: You could have a larger search committee.
         11. E. Hampton: I does say “at least five.” It shouldn’t differentiate the voice of one as opposed to the many, if they have many faculty members. It tells people that if there are many Instructors in the department, you have to include a tenure-track person. They have to be on the nominating committee. Leave it at “regular.”
         12. A. Morales: A chair has a lot of power over Instructors, both positive and negative. It would be quite easy to campaign and make promises on the side. This happens.
         13. A. Kummerow: As an Instructor I would rather the language stay “regular faculty.” We are starting to differentiate again.
         14. D. Hantzis: There are many places in the Handbook that guarantee all sections of faculty are represented. We do that in many committees. This guarantees that at least one member of each rank is involved. It doesn’t prevent 25 members from being on the committee.
         15. R. Lugar: In 350.3.4, Recommendation of Nominating Committee, it says, “rank order.” That is not what is happening. Is that now the expectation that rank order will occur? We were asked not to rank order, just to put forward names.
         16. R. Guell: It is current language in the chairs’ part of the Handbook. My understanding of the “don’t rank” has come at higher-level hirings that are not specified here. If you have experienced one at the department level then I believe that would have been a violation of the preexisting specifications in the Handbook.
      7. Motion #8B: 350.4 Evaluation, Reappointment, or Removal; 350.4.1 Evaluation; 350.4.2 Reappointment; 350.4.3 Removal; 350.4.3.1 Extraordinary Administrative Failure; 350.4.3.2 Administrative. C. Olsen, A. Anderson. Vote: 29-0-0.
         1. K. Bolinger: I agree with the memo that R. Perrin put out. The idea of “extraordinary administrative failure” as opposed to ordinary failure? Failure is failure. Eliminate “extra.”
         2. V. Sheets: First, that language was already there. Second, I could argue that I have many ordinary administrative failures.
         3. R. Guell: I think that is the entire point of the modifier. Screwing up a little vs. screwing up enormously without remorse.
         4. D. Hantzis: This is not parallel to how we respond to faculty. There’s no such thing as extraordinary deficiency, there is just deficiency. We spend a lot of time searching for chairs—we invest a lot in it. The three-year term should be allowed to continue. I wish that we had the same consideration for faculty but we did not.
         5. R. Guell: Do you wish to offer an amendment?
         6. A. Morales: What about “significant?” The bar is too high with “extraordinary.” Systemic, significant failure on part of the chair need not be extraordinary.
         7. R. Guell: We have a motion to replace “extraordinary” with “significant.” A. Morales, B. Kilp. Vote: 6-22-1.
         8. A. Morales: In both places.
         9. R. Lugar: Whatever that definition of “significant” would be, I hate to see we are building a case where chairs are fearful of taking a risk. We’re making good, intentional, rational choices that require a risk.
         10. V. Sheets: I agree with D. Hantzis that we have added a clear three-year term limit; we don’t need to lower our definition. Unlike current language, you are de facto chair until extraordinary administrative failure. We only do it in between if something really bad happens.
         11. A. Morales: Faculty, staff, and students being able to bring systemic failures in between, somewhere in the middle of term.
         12. V. Sheets: I want to set the bar higher.
         13. K. Bolinger: A word doesn’t change the depth of grievance.
         14. C. Olsen: I think V. Sheets is right—“extraordinary” means something beyond ordinary. Not “spectacular crash-and-burn failure.”
         15. E. Hampton: The difference between “extraordinary” and “significant” is that “extraordinary” implies the actions, whereas “significant” can be construed as the impact that the actions have. One might be removed from one and not the other. Risk can involve failure but not incompetence.
      8. Motion #9: 350.5 Acting/Interim Chairperson; 350.5.1 Nominations; 350.5.2 Recommendation and Appointment; 350.5.3 Continuing Consultation; 350.5.4 Removal. C. Olsen, A. Anderson. Vote: 29-0-0
         1. D. Hantzis: For 350.5, “in such a case, appointment may be necessary,” if there is no chair and the administration determines that the prerogative should not be exercised, is there no chair?
         2. R. Guell: I can think of departments that have not had chairs. African American Studies was in the process of being subsumed in History, and it didn’t have a chair. It was governed by an Associate Dean instead.
         3. D. Hantzis: But that person always came as an “acting chair.”
         4. R. Guell: J. Maynard, what is your experience when you have a dean taking over administration of a department?
         5. J. Maynard: I think it’s inconsistent. I don’t recall that title being conveyed upon someone. Someone was appointed to act as the administrator for the unit, but I can’t specifically recall.
         6. C. MacDonald: This is existing language. The one change we made to this was to include the word “interim.”
         7. V. Sheets: It’s almost entirely original.
         8. R. Lugar: In 350.5.3, we’re talking about a one-year appointment. In the past we have had acting and interim chairs that have lasted a lot longer than three years. How does the three-year term affect this?
         9. V. Sheets: It’s existing language, and it doesn’t regulate that effectively. Administration has to come in and say, “This is wrong.” In Arts & Sciences many acting interim people were in there, and it was inappropriate.
         10. R. Guell: What you’re asking about was passed in the consent agenda.
      9. Motion #10 351.2 Successful Departments. M. Harmon, A. Anderson. Vote: 25-2-0
         1. V. Sheets: This is one vision for a Successful Department section. We chose not to reinvent a different structure, but merely to highlight what a successful department it. Basically the definition was “engages students, facilitates faculty achievement, works cooperatively for goals, provides an effective working and learning environment.” You also have policies or recommendations that the Provost shall put some resources behind this. We are tired of being told “go for institutional goals” but when we get there nothing happens. And we ask that the Administration identifies awards that go along with that. I prepared this and found the “and transitions them for post-collegiate life” awkward. I preferred, and propose, “prepares them academically.”
         2. D. Malooley: Rather than “learning?”
         3. V. Sheets: Yes.
         4. R. Guell: Any objections? Unanimous consent is required.
         5. T. Foster: About the last sentence, is success the sole responsibility of the chair?
         6. V. Sheets: No, certainly not, but I would argue, and I think the Taskforce would argue, it is the chair’s responsibility to encourage these things. We have given them accountability for the student success piece. We have them responsible for fostering the development of faculty and putting resources in ways that do that. It is reasonable to hold them accountable for their own contribution.
         7. A. Morales: Doesn’t the leader attempt to maintain collegiality?
         8. V. Sheets: That was nixed.
         9. R. Guell: We don’t want to have to define collegiality.
         10. D. Hantzis: That was discussed in FAC and we felt the notion of promoting an effective working and learning environment was reasonable. That language was entered by FAC as a replacement for collegiality.
         11. A. Morales: I’m talking about providing a blatantly hostile work environment. We shouldn’t be scared to address that.
         12. D. Malooley: That would be an “ineffective” working environment.
         13. V. Sheets: The Taskforce started with collegiality. As R. Guell has noted, the idea of a collegiality policy has been something we have talked about and no one agrees entirely. Not having that, we worried, would kill this effort. FAC’s idea that at minimum you have an effective working environment. Everyone gets along enough to do their job.
         14. B. Bunnett: The collegiality issue is lost. It should be more explicit. A less controversial word could be “professionalism.”
         15. A. Morales: “Non-hostile?”
         16. V. Sheets: That’s setting the bar a little low.
         17. R. Guell: I believe, just as J. Maynard said, that’s as close as we will get.
         18. D. Hantzis: I don’t know exactly if that ended my concerns. We also talk about the notion of faculty achievement that “enhances the institution’s reputation.” I am concerned about our achievement not enhancing that. By whose standard? For example, we were not to talk of Eugene V. Debs at risk of being known as a socialist institution. It’s problematic, especially regarding what’s going on at other universities.
9. Adjournment: 5:30pm
   1. R. Guell: Before we adjourn, R. Perrin sent an email to some of us, and it was late enough yesterday that I didn’t know what to do with it, so I have done nothing yet. There are implications to changes this could make to the document. I would like for Exec to make very slight, non-substantive, word-changing alterations that will ensure no problems and communicate them to everyone. Changes made would be included in what the Provost arranges for the Board of Trustees and we will simply ratify that at the December meeting. We will not bring the entire package up.