

MINUTES OF FEBRUARY 6, 1980

I. Correction and Approval of Minutes

The meeting was opened by Professor Robert L. Felix, substituting for Professor Charles W. Coolidge, who was ill. The minutes of December 5 and December 12, 1979 were approved after changes had been made in the attendance record. December 5: Business Administration - 8 out of 11, Chemistry - 2 out of 2, Theatre and Speech - 1 out of 1. December 12: Theatre and Speech - 1 out of 1.

II. Reports of University Officers

Provost Francis T. Borkowski indicated that the University has submitted a request to the legislature for a supplemental appropriation for this year in the amount of \$13 million. Eight million dollars will go toward the computer and the remainder will go to non-recurring items mainly in the area of equipment, equipment repair, and the library.

The Provost referred to his remarks made in the fall with respect to the outside pressures generated by the State Personnel Division and moving toward taking away a substantial amount of the University's institutional autonomy. As a further example, he cited the receipt of a new policy from the State Personnel Division, entitled "Reduction in Force Policy." It has been revised to include retention credits and an explanation of the method by which they are computed. The policy applies to faculty as well as staff since the current definition of a state employee includes academic employees. According to the document, the University may lay off an employee whenever it deems necessary by reasons of shortages of work or funds, abolition of a position, etc. The order in which an employee is laid off shall be determined by the University. It forces us further away from our traditional academic model in the direction of supervisor-employee situation. With respect to the case of one grievant which has been discussed broadly and appeared often in the press, the University is directed to place the employee in a "comparable" position within the University. Such a directive would pose no great difficulty in an industrial setting, but in the University's case the semester had already begun and schedules made. Furthermore, to assign the individual to a class, considering that his probationary period is past would involve a question of tenure. Under these conditions the University will seek redress judicially in the courts and legislatively from the General Assembly.

III. Reports of Committees

A. Grade Change Committee, Professor B. Theodore Cole, Chairman:

Professor Cole requested the approval of the report of the Faculty Grade Change Committee beginning on pages 1-5 on the agenda down to the requested changes not recommended by committee. The requested

changes not recommended by committee were submitted for information only. On page 4, the request from Dr. Mishra in the Biology Department was eliminated. Report was adopted.

B. Committee on Curricula and Courses, Professor Henry T. Price, Chairman:

The report of the Committee on Curricula and Courses was approved with the following amendment: the designator for courses listed under Section D. Department of Music should be changed from MUSC to MUED.

C. Faculty Advisory Committee, Professor Perry J. Ashley, Chairman:

Professor Ashley moved the adoption of the proposal from the Faculty Advisory Committee dealing with faculty performance review.

Discussion ensued and the following comments were made:

Professor Porter McLaurin, Media Arts, considered the provision in the second paragraph an undue hardship for units with an insufficient number of tenured faculty, as outsiders would be required several times a year. Professor Morris Blachman, Government and International Studies, criticized that the second paragraph leaves the summary of the collective opinion of the local tenure and promotion committee in the hands of a single individual, thus following the so-called plant supervisory model instead of the collegiate model. Professor Robert B. Patterson, History, observed that no provision was made for individuals who are not yet in their definitive year and opt out of the review process. Professor Tim Jur, Engineering, wondered why the proposal mentions no dates by which action must be taken. Professor John Sproat, History, commented that he would approve the statement as it is, with the exception of the second paragraph which ought to be deleted, because the proposal leaves control at the local unit level, where it ought to remain. Professor Benjamin Gimarc, Chemistry, replied that no dates were mentioned because the proposal is a policy statement and not a statement of procedure. Professor Richard Furst, Business Administration, added that permanence of files is mentioned so that no one has the authority to remove potentially embarrassing documents.

Professor Nancy Lane, Foreign Languages, moved to amend the proposal by inserting the word "retention" as one of the criteria for evaluation. The amendment was adopted. Professor Lane moved to amend the proposal by striking some words from the third sentence, so that it would read: "The review will be administered according to the procedures established by the unit." The amendment carried. Lane moved to amend the proposal by changing the word "reviewer" in the fifth sentence to "administrator", but withdrew the motion after some discussion.

Professor John Lopiccolo, Journalism, moved to amend the proposal by changing "the" before "reviewer" in the last sentence to "a" reviewer. The motion was opposed by several speakers who charged it with introducing an element of imprecision. The amendment was defeated. Blachman moved to table the proposal, the motion was interpreted by Chairman Felix as a motion to postpone, and the motion carried.

D. Steering Committee, Professor Peter W. Becker:

On behalf of the committee, Professor Becker announced that effective with the fall semester 1980 Faculty Senate meetings will start at 3 o'clock in the afternoons in an attempt to improve attendance.

IV. Report of the Secretary - None.

V. Unfinished Business.

A. Faculty Advisory Committee, Professory Perry J. Ashley, Chairman:

On behalf of the committee, Professor Ashley presented the revised grievance procedure as a substitute for the one submitted at the December meeting and explained the rationale for the changes.

Professor Daniel R. Sabia, Government and International Studies, moved to strike the sentence "The burden is upon the aggrieved faculty member to satisfy the committee that his or her contention is true to a substantial certainty" in section 4 (a) on page 16. The amendment carried. Professor Sabia moved to add the word "detailed" before the second "summary" in the second sentence of section 4(a)iv. The amendment carried. Blachman moved to add language to the second sentence on page 18 so that it would read: "If, as a result of the ordered new consideration, the decision is still nonreappointment or denial of tenure or promotion, the level to which the case was remanded shall state the reasons in writing to the faculty member and to the committee." The amendment carried. Professor Robert J. Rood, Government and International Studies, moved to add the sentence "The committee shall be limited to considering whether or not there is a factual basis in the record, taken as a whole, upon which an individual acting in good faith could rationally reach the result attacked" to the end of section 4(c) on page 18. The amendment carried.

Chairman Felix put to a vote whether to substitute the revised proposal by the Faculty Advisory Committee as amended for the earlier December proposal. The motion carried.

Professor Eldon D. Wedlock, Law School, moved to substitute the proposal on pages 21-27 for the Faculty Advisory Committee's proposal. Chairman Felix ruled that further amendments were in order before a vote on the substitution could be taken.

Professor Wedlock moved to strike the second sentence on page 16: "If the President does not find compelling reasons for reconsideration no such review will be ordered." The amendment carried. Professor Rood moved to alter the language of the first and second paragraphs on page 14 to read as follows:

"For grievances involving nonreappointment, denial of tenure or denial of promotion, see Section I. For grievances involving termination of a tenured faculty member, See Section II.

For grievances or procedures other"

The amendment carried. Professor Wedlock moved to make the same changes in his substitute motion on pages 21 and 22. The motion carried.

Professor William McColly, English Department, asked for a quorum. It having been determined that a quorum was lacking, Chairman Felix announced that the meeting would continue on February 20, 1980, at 4:00 p.m.