

Faculty Senate Minutes
Thursday, December 9, 2004, 3:00 p.m.
Escalante Room

I. Call to order by President David Rees

In attendance: David Rees (President), Luciane Berg (President-elect), Seth Armstrong (Treasurer), Helen Boswell (Secretary), Doug Molash (Parliamentarian), Katherine Black, Arlene Braithwaite, Shawn Christiansen, Kim Craft, Richard Eissinger, Robert Eves (also proxy for Ty Redd), John Eye, Kirk Fitzpatrick, Scott Hansen, Rick Lambson, Kenny Laundra, Elise Leahy, Carol Ann Modesitt, Paul Ocampo, Art Porter, Bob Robertson, Kevin Robinson, Jeff Salehi, Jessica Tvordi.

Visitor: Michael Carter

II. Review and approval of minutes from November 18.

Motion to approve (Jessica Tvordi), seconded (Arlene Braithwaite), and approved unanimously.

III. Officer's Reports

A. President (David Rees)

Dean's Council meeting results. Academic Scheduling was accepted with word changes. Undergraduate Admissions was accepted with provisions added: if a student leaves, there is a 5-semester moratorium for he/she to return and still use old catalog; if a student scores less than 80 on ACT, admission may occur with more remedial work required of him/her. Academic Standards accepted with word changes.

LRT document changes:

annual review: documentation will be required with all reviews, collegiality will be assessed at each review, service means professional service, deans will make final decisions over disagreements over whether to retain faculty

three-year review: no changes

rank advancement: change of non-tenure track faculty titles back to assistant and associate professor

tenure review: option of possible buy-out for someone not receiving tenure

post-tenure review: deans included in approval of review and any developmental plan

Senators will be voting on membership of Grievance Committee and will be reviewing Internship Policy.

IV. Committee Reports

A. Academic Officers Policy

1. Do we need to have a different method of hiring academic officers or revert to policy for hiring faculty?

Motion (Carol Ann Modesitt) to use faculty hiring policy for Academic Officers.

Seconded (Arlene Braithwaite) followed by no discussion.

Motion passed with 18 in favor, 2 opposed, 2 abstentions.

2. Should we remove the procedure for the vote of no confidence where it stipulates a two-thirds vote?

Comments: procedure maintains consistency across campus and formalizes procedure of bringing voice up to Faculty Senate; however, any objection is ultimately up to the Provost's discretion and constitutes only a request.

Motion (Doug Molash) to not remove wording in document.

Seconded (Luciane Berg) followed by no further discussion

Motion passed unanimously with 21 in favor

3. **Motion (Robert Eves) to address the vague language in referring to steps that are necessary leading up to and including when a vote of no confidence is made.**

Comments: Should there be a minimum number of faculty required before the vote of no confidence occurs? Faculty petitioning of Faculty Senate is defined in policy as a written document presented to Faculty Senate. Anonymity of faculty must be considered, but will not be preserved in this matter.

These items will be addressed by Academic Affairs policy and tabled until next meeting.

B. Faculty Senate Constitution

1. **Motion (Robert Eves) to accept Laundra Constitution as written.**

Seconded (Arlene Braithwaite) followed by discussion.

Comments: According to state law, Faculty Senate has no power and is an advisory board to the President of the University. Any document that grants power to Senate and seeks to limit power of those we advise is not lawful.

Motion withdrawn.

2. Comments:

- President of the University is granted governance and *may* choose to broaden scope of governance, but future presidents must be given right to make own decisions in this matter.
- Statute is the defining legal authority, not the current or any future constitutions.
- All authority is vested in the President of the University; the Board of Trustees is also simply an advisory body. Board of Regents gives a broader scope to the Board of Trustees.
- Wording in document is similar to other universities' Faculty Senate Constitution and is similar to current constitution and last year's version that was approved by Senate but not by the faculty body.
- The Constitution is not legally binding; the President may choose or not to use the Senate as an advisory body.
- There are political issues to consider as well as legal issues. The Constitution may be treated to be politically binding even if it is not legally binding.
- The Constitution needs to focus on governing the Faculty Senate. If it governs administration, statute will trump the Constitution.
- There is a difference between taking power and having been delegated responsibilities.
- Do we need a Constitution or do we not? Big issues that we need to consider are curriculum development and other instructional roles.

Motion (Seth Armstrong) to send the Constitution send back to committee to attempt to modify language so that we fit within our legal role and then bring it back to Faculty Senate.

Seconded (Art Porter) followed by further discussion: If the document is not binding, what harm is it in suggesting that we have input; if authorities interpret the document as usurping authority, this places Faculty Senate in danger; what are the intentions of the Faculty Senate? Much of the controversy deals with the preamble and first section that deal with authority and governance – other sections guiding the roles of faculty senate are not issues.

Motion passed with 21 in favor and 1 opposed.

3. Other comments:

- Should we consider suggestions brought up at summer retreat to streamline the Faculty Senate? Should we allow for two representatives per college instead of the House of Representatives approach?
- Should we elect Faculty Senate President from at-large instead of from the current composition of the Faculty Senate?

Motion (Doug Molash) to go toward a senatorial model.

Seconded (Jessica Tvordi) followed by no further discussion.

Motion defeated with only 2 in favor.

Motion (Art Porter) to suggest to committee that they insert language that provides for Faculty Senate President-elect to be from faculty at- large.

Seconded (Bob Robertson) followed by no further discussion.

Motion passed unanimously with 22 in favor.

Motion (Kathy Black) to give committee conclusions reached at summer retreat.

Seconded (Doug Molash) followed by further discussion: the conclusions were examined by the committee and they would be glad to consider them.

Motion defeated with only 4 in favor.

C. Motion to adjourn (Robert Eves) with second (Arlene Braithwaite).