

Faculty Senate Minutes
Thursday, September 26, 2002
Board of Trustees Conference Room

I. Call to order ñ President Brian Heuett 3:32 p.m.

Attending: Senators - Brian Heuett (President), Robert Eves (President Elect), Joe Baker-arrived 3:51 p.m. (Treasurer), David Lund (Secretary), Virginia Stitt (Parliamentarian), Steve Barney, Ken Laundra, Sara Ann Smith, Rea Gubler, Mike McGarvy, Ty Redd, Steve Evans, Boyd Fife, Roy Johnson, Jerry Bowler, Kay Andersen, Darin Wadley, Curt Bostick, Martha Hyder, Marty Larkin (as Fall semester proxy for Steve Heath), Deb Hill, Kathy Black, Eric Brown, Mike Grady, and Janet Seegmiller (she brought a letter clarifying that she had been elected to act as senator-at-large for the Fall 2002 semester and that Scott Lanning had been elected for the remainder of a regular three-year term). Visitors: Mark Dotson (University Journal), Mike Richards, University Provost Abe Harraf; Excused: Ron Martin

II. Review and approval of minutes from meeting of August 29, 2002. Steve Evans noted to the senate minor typographical corrections and some corrections to the section on numbers of senators from each college. Virginia moved to approve the minutes with the suggested corrections, Ken Laundra seconded the motion, which was then passed in the affirmative by unanimous vote of the senate.

III. Officers@ Reports

A. President

Brian Heuett

a. Utah Council of Faculty Senate Leaders (Utah State University): Brian discussed a faculty conference recently held at and sponsored by Salt Lake Community College that has occurred in the past. It was designed to promote faculty interaction and increase faculty morale. SLCC has invited all faculty in the state to attend the conference next year (April 11, 2003). The purpose of this conference is to develop statewide unity and improve faculty morale across the state. If participation is high from the other institutions of higher education in the state, the venue may change from year to year.

b. Brian then indicated that he will attend a meeting on October 11, 2002 for all faculty senate presidents and the Board of Regents to discuss a more uniform policy for students transferring from one state institution to another. SUU is one of two institutions of higher education that are currently doing well in this regard.

B. President

Elect

Robert Eves had nothing to report this month.

C. Secretary

David Lund

a. Senate Web

page: David Lund asked all senators to go to the Faculty Senate Web Page and review the information there for accuracy. Any needed corrections should be reported to David.

b. Expediting Policies: David explained that there is now a web page on the Senate Web Site where policies will be made accessible so that senators can review them with constituent faculty prior to full senate discussion. This should expedite policy discussion in senate meetings so policies will be passed quickly, or it will become immediately apparent that further revision is necessary and they will not be passed by the senate.

c. David also brought up the need to have proxies bring proxy letters or email them to him prior to a meeting which senators are unable to attend.

D. Treasurer

Joe Baker is running late and his information will be moved to a later point in the senate meeting. Ken Landra had some concerns about dues, but will wait until Joe gives his report to discuss this issue.

IV. Committee Reports

A. Academic Affairs Committee: Robert Eves indicated that this committee is still working on the establishing final guidelines for the establishment of a permanent curriculum committee; it is now close to completion. They were also trying to expand the Academic Affairs Committee so that the job of policy review can be expedited.

B. Leave, Rank, and Tenure Committee: Brian indicated that Ben Davidson has agreed to chair this committee and committee has been asked to complete the work of the previous committee members in streamlining this policy by the end of the current calendar year.

V. Old Business: none this meeting

VI. New Business

A. Faculty Senate Members Terms of Service: Robert Eves took the lead in this discussion. He explained that the rotation of senators was currently skewed, as blocks of senators from some colleges were completing terms at the same time leaving new senators to carry forth. The term adjustments were minimal, and are as follows: Jerry Bowler from the College of Education will serve a one year term, Eric Brown from the College of Visual and Performing Arts will extend his term one year until 2005, Robert Eves will extend his term one year to go through 2004, and Mike Grady from the College of Science will serve a one year term. Steve Evans also reminded us that part of the problem was an imbalance in overall changes each year across the senate. This problem has also been ameliorated.

B. Faculty Senate Constitution and By

Laws Review: Brian invited Michael Stathis to discuss the currently proposed Constitution and By-Laws and to give a brief history of the current development of the proposed document. Michael indicated that this committee was commissioned 5 years ago. Later, Mike was assigned to chair a special committee to examine the old

constitution and by-laws and to propose a new constitution. Approximately 18 months ago, the proposed constitution, which we are now considering, was finished. The purposes of the document were to further empower the faculty, to streamline the document (the previous document was often difficult to read and to interpret in terms of who or what took precedence for many situations). In terms of faculty empowerment, a specific part of the constitution was a unique doctrine of academic freedom. The process was to have the constitution brought before the faculty senate, and action should have been taken some 18 months ago. The senate was then to make any necessary changes and forward the proposed constitution to the faculty for a vote to accept or reject the proposed document. Kathy Black wanted to know if we could assume that we had the power to approve a document that would empower the faculty. Mike Stathis indicated that the committee had tried to decide who had the power to create this document and decided that they did have this right with the consent of the faculty on the final document. Kathy Black was concerned that someone might veto the document. Robert Eves indicated that we needed to provide a document, via a grassroots movement, to assert ourselves as a faculty. Mike Stathis indicated that the document contained nothing that did not have precedence from some other institution's faculty senate constitution.

Steve Barney wanted to know if the committee would have produced the same document today as they had then, since the general climate and mood of the faculty had changed over the past few years during the time the document had been written. Mike said that much of the impetus for the document was a result of President Bennion's encouragement to the faculty senate to become more proactive. Steve Barney also wondered if the document might have been reactive based on the power struggle between the faculty and portions of the administration. Mike indicated it was more positive attempt to empower faculty than a reaction to perceived administrative control.

Kathy Black questioned section 6 and the contractual right referred to there in terms of academic freedom. Robert Eves indicated that academic freedom is guaranteed by the current university policy. Brian Heuett explained that we are going to move forward, that Steve Barney has agreed to chair the committee to complete this process by the end of the year. Mike Stathis indicated that he would be more than happy to help in the completion of the process.

Brian Heuett then gave the time to Robert Eves to lead the discussion regarding the proposed document. Steve Barney indicated that he is open to committee members to help get this job done. Brian Heuett indicated that if there were no willing volunteers, appointments will be made based on Steve Barney's recommendations. Robert Eves indicated that we don't want to wordsmith the document, but to deal with the philosophical issues.

Robert started with the preamble (the proposed document is attached to these minutes as an appendix). Eric Brown wanted to know if the powers assumed in the preamble are also delineated in the current university policy. Robert indicated that we can ask for permission first, or just create the new document. Marty Larkin then raised a question regarding the change in the new document, indicating that the senate would only go to the

President, and no other bodies (regents, provost, deans council, etc.) Robert Eves indicated that this was done intentionally based on other models where the faculty senate only works with the president. Steve Evans indicated that the Faculty Senate, according to the document is concerned completely with academic affairs and that as the chief academic officer of the university, the Provost ought to be involved in academic affairs. Kathy Black questioned the incomplete faculty senate authority this document seems to imply. She thought we might need to have a committee member on every committee on the campus for everything that might be related to academics. She reminded us that with this kind of power comes an obligation to act.

Ty Redd moved that the first paragraph be accepted as it is written. Marty Larkin seconded this motion. In discussion, Steve Evans again indicated that there were others, including the Provost that ought to be included. Steve Barney reminded us that to do this, we are usurping power that has been given to other people by university policy. The discussion then centered around the idea that we are the advisory board for all academic affairs. Steve Barney indicated that we might want to work with other people, that the current climate is not what it was when the proposed document was drafted. A vote was called on Ty Redd's motion. The motion failed to carry by a vote of 5 in favor of the motion and 17 against.

Robert then indicated that we need to move to do something. Accordingly, Joe Baker moved that we change the word "the" in conjunction with the advisory capacity of the senate to the word "an." There was no second for the motion and it died. Janet Seegmiller wanted to know if we could change the document to read "the faculty advisory board." Kathy Black felt like we should be the voice of the faculty in advising those who can make decisions—our role is hard to define—do we say how it is, or do we say we are advisors? Brian Heuett indicated that we needed to decide two things—do we want a constitution that says we will do certain things, or do we want a constitution that says we will advise and work with the decision makers? Kathy Black then brought up the difference between the words "may" and "shall"—may gives the right to act when deemed necessary, shall means that action is necessary and implies the need to constitute committees to follow through with all of the inherent obligations.

Steve Barney moved that the first sentence be rewritten to read: "The faculty senate represents the faculty in advising the president in academic issues of Southern Utah University." (The exact wording was given by Janet Seegmiller). Kathy Black wanted to know if we should add the word "regarding" prior to academic issues. Marty Larkin wanted to know if not including other, in addition to the President, might be limiting the senate's authority. Rea Gubler would like to know if we would be out of order if we went to someone other than the president. Kathy Black said that this would be the case. She then reminded us that the constitution should give us the power we need to deal with any issues that come to us. She asked if we needed to have the power to deal with any groups that may make academic decisions.

Provost Harraf was given the floor to address the senate and indicated that an excellent document by the American Association of University Professors (AAUP) exists that

discusses joint governance of universities; this document is endorsed by faculty across the country. He wondered if we had even looked at this information in the heat of the moment as the power struggle occurred in the past. Robert indicated that in the heat of the moment over a 6-year period was not entirely accurate. Steve Barney's motion was then restated as above. A vote was called and the motion was voted down unanimously.

Kathy Black thought it might be wise to look at this other documentation even though the previous committee had worked for a long time, since we have not been able to approve the preamble. Robert Eves asked if Kathy could make a motion to do this. Therefore, Kathy moved that we put the discussion and passage of the constitution on hold until the appropriate committee looked at the documentation Provost Harraf had brought to the senate's attention. Provost Harraf said he could get a copy of the AAUP document and left to do so. Kathy's motion to hold off on discussion and voting on the proposed constitution was then seconded by Eric Brown. Discussion then ensued about looking at this other documentation brought to light by Provost Harraf. Robert Eves reminded the senate that such a discussion was nice but did not have anything to do with the motion on the floor. A vote was called and the above motion to table the discussion was passed in the affirmative with 17 votes in favor of passage, and 4 votes in opposition to passage.

Brian said he would get a copy of the AAUP documentation discussed by Provost Harraf and that we needed to look at the AAUP documents, the proposed constitution and the old constitution and by-laws in preparation for the next meeting. It was then suggested that a month might be too long to wait, that maybe we need to schedule a special meeting. Kathy Black suggested that we start the process by passing pieces of the proposed constitution around among the senators and discussing it in detail through email. David Lund indicated that this could be accomplished by setting up a faculty senate listserve. Brian Heuett asked for a motion for a special meeting. Deb Hill moved that we meet at a convenient time--4:00 p.m.--on October 10th regarding the constitution. Eric Brown wanted to know why the urgency. Brian Heuett answered that it needs to be done, that in the past few months he has received a large number of email and telephone contacts regarding problems with the old constitution and by-laws. Rea Gubler seconded the motion. A vote was called and the motion passed in the affirmative with 20 senators in favor and one opposed. Provost Harraf then returned and copies of the AAUP document were given to all present. Joe Baker wanted to know what Kathy meant by passing around pieces of the proposed constitution. She explained that we ought to address specific articles one at a time, but not vote until we have much of the document ready, so as to avoid conflicts later. Approving any such document line-by-line is dangerous and can create internal inconsistencies during the process. Eric Brown wanted to know if the problems Brian Heuett had been made aware of in the old constitution and by-laws had been addressed in the proposed constitution. He thought a list of the things that need to be addressed in the new constitution would be useful. Brian Heuett said he could provide senators with such a list. Steve Barney said that we should get the preamble worked out first as it sets the tone for the entire document. The rest is procedural. Rea Gubler reminded us to make sure that the by-laws from the previous document are covered in the new constitution.

VII. Joe Baker gave his financial report at this point.

A. Financial report: Joe Baker indicated that we have \$12,379 in faculty senate accounts.

B. Faculty members monthly dues: Joe Baker then indicated that he had received around 40 responses from faculty members to increase dues to faculty association. He intends to send a second plea for dues. Kenny Laundra indicated that some faculty are angry because faculty association dues are not going to faculty development, but to scholarships. There is strong feeling that since the faculty pay the dues they ought to get some benefit from it. Joe said we had not considered this issue; but since we only have \$12,000 in the account, the funds would disappear quickly if used for faculty development purposes. Janet Seegmiller said that the administration should be in charge of faculty development fundsóhow they are obtained and how they are spent. It was suggested that we find out why faculty do not participate. Darin Wadley said that he noticed that the request from the faculty senate came at the same time as the scholarship request from Mark Barton. Janet Seegmiller thought we might want to find out how faculty members feel about donating to scholarships. Virginia Stitt doesn't want to be put down when she doesn't donate to things. She indicated that there is a list of those who don't support some funding drives. Virginia Stitt wanted it to be known that she knows she has been on the mentioned list. Kenny Laundra wanted to know why the administration doesn't take care of scholarships. Kathy Black suggested that we send a letter indicating what scholarships we assist and allowing people to choose which scholarships they want to support. Robert Eves moved that we not send a second letter asking for dues. Virginia Stitt seconded this motion. Kenny Laundra thought we ought to find out how the faculty think the money ought to be spent. A vote was called and the motion not to send a second letter requesting dues passed with 19 votes in the affirmative, one vote against, and one abstention. Joe Baker indicated that the discussion had brought to light a number of issues the executive committee had not previously considered and that he would try to come up with ideas to address these issues for the next regularly scheduled meeting of the Senate.

VIII. Motion for Executive Session made by Joe, seconded by TY; the vote in favor was unanimous in the affirmative.

IX. Adjournment Motion made by Robert Eves. 5:04 p.m.

Appendix: Proposed Faculty Senate Constitution

SOUTHERN UTAH UNIVERSITY

PROPOSED FACULTY SENATE CONSTITUTION

Preamble

The Faculty Senate is the advisory body for academic issues to the President of Southern

Utah University. The Senate's status derives from the Policy and Procedure Manual, and the history of the University, and its authority from the individual faculty members it represents.

The Senate shall have the power to make rules governing its own procedures and to establish its own order of business. The Senate shall also have the power to act for and represent the faculty in all matters of educational policy including requirements for admission, degrees, diplomas, and certificates, and in all curricular matters involving relations between colleges, schools, divisions, or departments. All appropriate matters considered and approved by the Senate shall be forwarded by the Senate to the President of the University.

Article 1

General Faculty Membership

1.1 The general faculty shall be composed of faculty members holding full time appointments, with the rank of professor, associate professor, assistant professor, or instructor, and whose primary function is that of instruction but who may also hold administrative appointments at the organizational level of department chair, or lower. Each member of the general faculty shall have voting power and shall have representation through an organizational unit as defined in this constitution.

1.2 Deans, Vice Presidents, Provosts and others holding rank may be considered faculty, but will not be eligible; to vote in Faculty Senate elections, or to serve as senators.

Article 2

Duties of the Faculty Senate

2.1 The Faculty Senate will represent the faculty in all negotiations with the administration, student body officers, staff, or other entities which are vital to the functioning of Southern Utah University.

2.2 The faculty has primary responsibility for the following areas:

Curriculum.

Pedagogy.

Research.

Faculty status.

Requirements for academic degrees, certificates, and awards. Leave, Rank, tenure, academic freedom, and review of all faculty.

Student classroom behavior.

Formulation of all constitutional articles and amendments governing all nominations, elections, and organizational considerations stipulated by this constitution.

Faculty teaching load.

Grievance policies.

Insuring faculty representation in hiring, or reviewing academic administrators and/or faculty.

Receipt and action on reports from any faculty committee, and from any council, department division, administrative officer, library, or college.

Consideration of all matters of professional interest, and faculty welfare, and recommendations to the President of the University and other administrative officers.

Any other policies, requirements, programs, or activities which bear directly on the faculty.

2.3 In addition to these areas of primary input, the faculty should also have substantial input in the following areas:

Design and construction of classroom buildings.

Budgeting for academic concerns.

Other concerns that directly affect faculty and curriculum.

Article 3-Composition of the Senate

3.1 Faculty Senators will be elected for three-year termsóthey may serve multiple, but not consecutive terms of office. Total number of senators will be eighteen members.

3.2 Each college will popularly elect three members to the Senate...two of them must be tenured.

3.3 There will be one at large member elected who must be tenured.

3.4 One non-tenure, non-tenure track member will be elected for a one year, non-successive term.

3.5 One student will be selected by the student government to serve on the Senate. That student will have observer statusóhe/she may speak, and introduce legislation, but cannot vote. The student representative will be selected annually.

3.6 Non-Senate members including the University President, Provost, other university administrators, faculty members, and the public at large may attend Senate meetings in the capacity of observers.

3.7 The Faculty Senate President and President-Elect must be tenurecl faculty, and will serve one-year terms in their particular capacity.

3.8 The Faculty Senate President will continue to represent his or her college, but will not have a representative vote. The President will have a tie-breaking vote.

3.9 The Faculty Senate President, President-Elect and all other executive positions in the Senate will be nominated and elected from and by the full Faculty Senate. A simple majority of the Senators present will prevail.

3.10 The President-Elect shall serve a term of one year and then shall assume the duties of Senate President the next year.

3.1 1 A Faculty Senate Executive Committee shall consist of the Senate President, President-Elect, the Secretary, and the Parliamentarian.

3.12 The Executive Committee, with the exception of the President-Elect, shall serve one year.

3.13 The former Faculty Senate President will serve one year as President Post-Tempore in a strictly advisory capacity.

Article 4-Facully Senate Committees

4.1 The Faculty Senate has the right and obligation to create and appoint members to Faculty Senate Committees.

4.2 Standing Committees will include one faculty representative from each college (except the Faculty Development and Distinguished Faculty committees which shall have two representatives from each college) plus an at large member for a term of three years.

4.3 Standing Committee chairs shall be appointed by the Faculty Senate. Committee members will be chosen by committee chairs.

4.4 Eight Standing Committees are hereby established by this constitution:

Academic Affairs Committee.

Faculty Development and Evaluation Committee.

University Leave, Rank, and Tenure Committee.

Distinguished Faculty Lecture Committee.

Faculty Publication Committee (Achievement).

Faculty Recruitment and Retention Committee.

Finance Committee.

Leave, Rank, and Tenure Policy Revision Committee.

4.5 The Faculty Senate has the right to create ad hoc committees for reasons and terms it deems necessary.

4.6 A Constitution Review Committee shall remain in place for two years following ratification of this constitution in an advisory role to provide historical interpretation, and field questions regarding the letter and intent of this constitution. This committee will include one representative from each college.

4.7 The Faculty Senate reserves the right to appoint faculty members to all University Committees in consultation with the President's Office and appropriate administrative divisions.

Article 5-Senate Procedures

5.1 The Faculty President shall preside over the Senate.

5.2 In the absence of the President, the Vice President shall preside.

5.3 In the absence of both the President and the Vice President, the Parliamentarian shall preside.

5.4. The Senate shall hold at least one regular meeting at a previously posted time each month from September through April.

5.5 In addition, special meetings shall be convened by the President, or in the President's absence the Vice President, for the following reasons:

When requested by the President of the University. When requested by written petition of at least ten percent of the Faculty. When requested in writing by five Senators. When approved by the Senate in a regular meeting.

5.6 The Executive Committee shall prepare an agenda for each meeting of the Senate and communicate this agenda to the faculty and designated administrators at least four days prior to every scheduled meeting.

5.7 Petitions by ten percent of the faculty shall suffice to place an item on the agenda of

next scheduled Senate meeting provided the petition is received at least seven academic days before that meeting.

5.8 Matters not on the agenda may be considered by the Senate at any meeting with the consent of a majority of those Senators present.

5.9 Minutes of all Senate meetings shall be recorded by the Secretary and communicated to the faculty, the President of the University, the Provost, members of the Senate, and to the University Archives. The minutes of regular Senate proceedings shall be available for examination by any Senator or faculty member.

5.10 The Senate shall also maintain a file of Senate Committee reports.

5.11 The President of the Senate shall make written biannual reports to the university faculty, and provide copies for the President of the University and the Provost.

5.12 A meeting of the general faculty may be called by the President or the Vice President of the Senate or by the petition of one third of the faculty, to review any action taken by the Senate or its committees. Such petitions shall specify the items to be considered.

5.13 A quorum of the Senate shall be one-half or more of its members.

5.14 No motion shall carry unless it receives a simple majority of votes cast by the quorum present unless stated otherwise in this Constitution.

5.15 The Executive Committee of the Senate shall prepare and transmit a budget request for funds necessary to accomplish the activities of the Senate to the President of the Senate who will then deliver a copy of the budget to the President of the University.

Article 6-The Southern Utah Faculty Senate Doctrine of Academic Freedom

Consonant with its belief that knowledge lives forever and that Southern Utah University exists to nurture thought in all its finest forms; and in order to protect that community's right to investigate, analyze, and subject all ideas to the most rigorous scrutiny; and given the propensity of all organizations to resist new ideas, regardless of their merit or the expertise of those presenting them; the Faculty Senate hereby upholds the contractual right of academic freedom for all faculty. Fundamental to the university is the contractual right of the professor to teach, research, write, create, and generally express himself or herself on matters of public concern free of constraint and fear of reprisal.

Article 7-Amendments

7.1 Additions to the constitution and deletions from the constitution shall be by formal amendment. Amendments to the Constitution may be initiated by written petition signed by twenty percent of the faculty.

7.2 Such petition shall contain the exact wording of the proposed amendment.

7.3 Proposed amendments shall be voted upon by the Senate, and shall require the approval of two-thirds of the eligible voting members of the Senate.

7.4 Voting shall be by secret ballot

7.5 Approved amendments shall then be presented to the university faculty for ratification. Voting by the faculty shall be by secret ballot, which shall also include the full wording of the amendment.

7.6 Ratification of amendments shall require the affirmative vote of two thirds of the faculty casting ballots, and shall go into effect thirty days after the completion of the vote.

7.7 The Board of Trustees will be advised of amendments ratified by the faculty.

Article 8-Adoption of the Constitution

8.1 This Constitution shall be considered adopted by a vote of two-thirds of the Faculty Senate, and a two-thirds vote of the entire faculty.

8.2 The Faculty Senate and the university faculty votes shall be by secret ballot.

8.3 The Board of Trustees will be advised of the adoption of the Constitution by the Southern Utah University Faculty.

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