

**Faculty Senate**  
**Minutes of February 18, 2005**

**FACULTY ASSOCIATION OFFICERS**

		<b><u>Proxy</u></b>
Bill Rowe – President (Fine Arts)	P	
Debra Walden- Vice-Chair of the Senate	Absent	
Bill Humphrey –President Elect	P	
Margaret McClain – Secretary of the Senate	P	
Dennis White- Parliamentarian	Absent	
William B. Maynard—Faculty Association Secretary	P	

**AGRICULTURE (1)**

Bert Greenwalt	P	
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**BUSINESS (3)**

Gauri Guha	Absent	
Dan Marburger	Absent	
Jim Washam	Absent	

**COMMUNICATIONS (2)**

Pradeep Mishra	P	
Jack Zibluk	P	

**EDUCATION (5)**

Cindy Albright	Absent	
Kris Biondolillo	P	
Dan Cline	P	
Amany Saleh	P	
Marci Malinsky	P	

**ENGINEERING (1)**

Shivan Haran	Absent	
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**FINE ARTS (3)**

Tim Crist	Absent	
Allyson Gill	Absent	
Kelly Schaefer	Absent	

**HUMANITIES & SOCIAL SCIENCES (6)**

Win Bridges	P	
Mary Donaghy	P	
Ernesto Lombeida	Absent	
Eric Gilbert		Joe Key
Joe Sartorelli	P	
Richard Wang		David Harding

**LIBRARY (1)**

Myron Flugstad	P	
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### **MILITARY SCIENCE (1)**

LTC Larry P. Aikman Absent

### **NURSING AND HEALTH PROFESSIONS (3)**

Dick Freer Absent

Troy Thomas P

Debra Walden P

### **SCIENCE & MATHEMATICS (4)**

William Burns Absent

David Gilmore Absent

Jeff Jenness Absent

Jie Miao P

### **UNIVERSITY COLLEGE (1)**

Margaret McClain P

**I. Minutes:** The minutes of the February 4, 2005, meeting were approved as submitted.

### **II. New Business (out of order)**

- i. Chairs Council Memo to Dr. Wyatt**—Chair Rowe distributed a lengthy letter from the Arkansas State University Chairs Council to Dr. Les Wyatt. Rowe asked that senators read the memo prior to taking any further action. The Chairs Council concludes that “it is a principle of academic life and tradition that within the department exists the expertise” to allocate resources according to departmental priorities. The Chairs Council addresses the severe cutbacks and lack of departmental involvement in making decisions about (1) supplies and services accounts; (2) faculty searches; and (3) summer school allocations.
- ii. Academic Advisor Award (out of order)**—Dr. Rich Carvill from the Academic Advising Council on Excellence (AACES) addressed the meeting to announce a new award for advisors whose primary position involves teaching or chairing. Professional advisors are not eligible for this award. The application packet must be submitted by 5:00 PM, Friday, April 1, 2005. Self-nomination is welcomed. (Criteria and Application Form Attached) He asked for the endorsement of the Senate, and the Senate endorsed the proposal unanimously.

### **III. Old Business:**

#### **A. Committee Reports:**

**i. Parking**—Myron Flugstad reported on recent parking developments. He said that departments have a choice of setting out pylons/cones for small-scale visits or paying a fee for large-scale parking. John Hall added that the fee was \$100 per hundred spaces. Flugstad continued that the 25,000 tickets being issued each year were being written by student workers.

Bill Rowe asked where the revenue from parking tickets was being used.

Bill Maynard illustrated the revenue problem at ASU by comparing our situation to that of U of A. While U of A has grown by 2000 students since 2000, the number of administrators has increased by only one. At ASU there are now 380 administrators to 400 faculty members.

**ii. Equity**—The Committee is hard at work.

**iii. (Crisis) Shortfall Committee**—The Committee is continuing to work on the crisis.

**iv. Survey**—Dr. Cline reported that of the 413 surveys sent out across campus to faculty members, 220 had been returned. He stated that this was one of the very highest rates of response he has experienced on a faculty survey. Dr. Cline said he hoped to present the survey results at the first Faculty Senate meeting in March. Dr. Maynard asked that faculty senators go back to their departments and remind colleagues to send their surveys in if they have not done so. Dr. Cline added that a reminder email would be sent out to faculty next Monday.

Dr. Cline mentioned that even though no comments were solicited, his Committee has so far received over 22 pages of typed comments.

He said that one of the problems with the delayed delivery of the survey was that there were just too many mailing lists on campus and that some faculty members are also listed as classified staff.

#### B. Grievance:

Dr. Maynard explained a little of the history of the Executive Committee of the Faculty Senate's grievance against Dr. Susan Allen. After the filing of the grievance, the Executive Committee received an unsolicited letter from President Wyatt. In a package received from Dr. J.W.

Mason, Mason denied that the Faculty Senate had any valid reason to file a grievance. ASU's lawyer gave the opinion that no grievance was in order. However, the University Academic Hearing Committee found in favor of the Faculty Senate; they judged that a hearing on the grievance was warranted. Dr. Wyatt is now trying to distance himself from the entire process. Bill Rowe distributed correspondence to support the theory that President Wyatt is using delay tactics to make this grievance "go away." For example, President Wyatt did not respond to the initial grievance within the required ten business days.

In view of continued efforts to resolve the impasse, the Faculty Senate asked the University's Shared Governance Committee to meet regarding a possible violation of shared governance procedure when President Wyatt did not respond to the Faculty Senate grievance within ten business days. The Shared Governance Committee did indeed meet on February 11. The Committee determined that there was a violation.

The Faculty Senate's next step will be to pass this determination on to our attorney.

Dr. Maynard believed that Dr. Wyatt's policy has been to obfuscate and delay, despite claims of "good faith" efforts.

Dr. Zibluk stated that Dr. Wyatt had no reason to keep delaying the matter--all the information he needs to make a timely decision is in the original grievance.

#### C. Handbook:

No report

#### D. Update on Housing:

The Committee met regarding the evicted faculty member. The outcome of the meeting was that the eviction has been rescinded until May. The Committee will report to the Senate when the matter has been settled.

#### E. Survey Update:

See **II.A.iv** above.

#### F. Senate Attorney's Comments on FOI and Employment/Personnel Files:

Dr. Maynard reported that Faculty Senate attorney Donn Mixon was consulted on the matter of how the University handles personnel files and employment files under the FOIA. The attorney said that semantics was irrelevant. No matter what a certain set of files is called and no matter where files are located, the real issue of importance is what the files contain. If information is asked for, the university can release only the information that is permissible under FOIA.

Before turning over any information, the university and the university's attorney bear the responsibility for culling the files of any non-discoverable items under FOIA. Dr. Maynard added that the question of naming the files is moot because it is incumbent upon the university to comply with FOIA and privacy laws.

#### **IV. New Business:**

##### A. Academic Advisor Award:

See II.ii. above.

##### B. Salary Adjustments:

Chairman Rowe expressed concern that in spite of claims of a budget shortfall, the University has reportedly raised the salaries of some physical plant administrators in amounts ranging from \$8,000 to \$20,000. Bill Rowe said the Faculty Senate needed to look into this and said he planned to ask Jennus Burton about the alleged raises.

##### C. Other:

i. Employment Management Committee—Bill Rowe said he would send a letter to the Employment Management Committee, endorsing the university's plan to waive the TOEFL for international non-degree exchange students from countries where English is routinely taught at all levels of the educational system and/or from universities that have a relationship with ASU.

ii. Hiring Process—There was a discussion of problems with the hiring process at ASU. The process needs to ensure that a pool of diverse and qualified people is brought into the hiring process in a more timely manner. Faculty members said that the dearth of qualified applicants is partly the result of the fact that the hiring process begins too late—often in January for fall semester hirees. In order to attract more qualified and diverse applicants, positions should be advertised no later than November for hiring the following fall semester. Dr. Susan Allen agreed that search committees needed to be in place in the spring semester to search for hirees for fall of the following year.

iii. Letter to Les Wyatt from Chairs Council--Dr. Zibluk moved that we support the Chairs Council's letter to Les Wyatt. There was a call to question from Dr. Maynard. The Faculty Senate unanimously supported the Chairs Council in the matter.

#### **V. Announcements:**

- i. Margaret McClain reminded members of the AAUP workshop in Little Rock on Saturday, February 19.
- ii. Several faculty members brought up the point that ASU faculty should be informed by the University's lobbyist well in advance of debates and votes on legislation that affects the University. Susan Allen said she would think about the request and take appropriate action. Dr. Bridges added that new legislation being considered in Little Rock could see ASU-Jonesboro being dictated to by satellite campuses when they make changes in courses. The delays in implementing course changes could be a serious matter for our campus.

#### **VI. Adjournment:**

In the absence of any further business, Chairman Rowe adjourned the meeting at 4:55 PM.