

**Faculty Senate**  
**Minutes of February 4, 2005**

**FACULTY ASSOCIATION OFFICERS**

**Proxy**

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	P
William B. Maynard—Faculty Association Secretary	P

**AGRICULTURE (1)**

Bert Greenwalt	P
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**BUSINESS (3)**

Gauri Guha	Absent
Dan Marburger	P
Jim Washam	P

**COMMUNICATIONS (2)**

Pradeep Mishra	P
Jack Zibluk	P

**EDUCATION (5)**

Cindy Albright	P
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	P
Allyson Gill	P
Kelly Schaefer	Absent

**HUMANITIES & SOCIAL SCIENCES (6)**

Win Bridges	P
Mary Donaghy	P
Ernesto Lombeida	P
William Maynard	P
Joe Sartorelli	P
Richard Wang	P

**LIBRARY (1)**

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

LTC Larry P. Aikman Absent

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

Dick Freer P  
Troy Thomas P  
Debra Walden P Judith Pfriemer

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

William Burns P  
David Gilmore P  
Jeff Jenness P  
Jie Miao Absent

## **UNIVERSITY COLLEGE (1)**

Margaret McClain P

**I. Minutes:** After minor revisions, the minutes of the January 21, 2004, meeting were approved.

### **II. Old Business:**

**A. Faculty Handbook:** Bill Humphrey reported on the following amendments to Sections I and IV of the Faculty Handbook:

Note: New language is highlighted and italicized.

#### Amendments to Section IV—PRT of the Faculty Handbook:

- IV-1 Definition of Tenure: Change 1<sup>st</sup> sentence—“permanent or continuous ~~tenure~~  
*employment*,--“
- IV-8 Academic Hearing Committee Review of PRT files: Change “will be available to the  
~~University~~ *Academic* Hearing Committee to the extent that  
~~the University~~ *Academic Hearing Committee deems that*  
such records are relevant—“

#### Amendments to Section I of the Faculty Handbook

- I-13 I.c.1.C.2 Openness: Change 3<sup>rd</sup> sentence—“administrative decision  
~~should~~ *will, as legally permissible*, be provided—“
- I-14 I.c.2.B Major Areas of Faculty Responsibility: Change 2<sup>nd</sup> paragraph—“The  
faculty ~~proposes~~ *sets* the degree—“
- I-19 I.c.3.A Definition: Change last sentence of 1<sup>st</sup> paragraph—“The President ~~chair~~  
*of the AHG* will select—“
- I-19 I.c.3.A Education and Technology Committee: Change 2<sup>nd</sup> sentence—“The  
committee will ~~propose~~ *set* guidelines—“

Humphrey noted that the Handbook Committee would work out the proper language in sections where the phrases *personnel files/employment files* occur. A discussion on the meanings of the two terms followed.

Dr. Susan Allen agreed that the phrase *personnel files* should be changed to *employment files* in the appropriate places because the latter offers protection to faculty under the FOIA.

Dr. Maynard suggested having the Faculty Senate lawyer check to see which phrase offered the appropriate level of protection under the FOIA.

Dr. Allen explained that two sets of files exist—employment files housed in Human Resources, which are commonly but incorrectly known as “personnel files”; and the personnel files housed in Academic Affairs. She said that there appears to be a problem of semantics. She suggested switching the commonly used names of files in order to protect faculty under the FOIA. She also noted that even though employment files are kept at several locations, such as chairs’ and deans’ offices, these materials really comprised only one file.

Dr. Zibluk added that certain information, such as faculty salaries, could be released to the public under the FOIA, but that other information, such as evaluations, could not.

Dr. Maynard initiated a short discussion of the meanings of other terms used in the handbook—*tenure/continuous employment*. There was a question from Dr. Freer on the “financial exigency” section of the Handbook, but Dr. Humphrey said it was not ready yet.

When the discussion returned to the other changes in the handbook, Dr. White recommended that we vote on each section separately. Dr. Wang asked why we were voting on sections of the Handbook on a piecemeal basis, rather than on the entire document. Dr. Maynard said that the rationale for this procedure was because the faculty could more easily read and digest the material in small chunks. Some people expressed concern that if one section were voted on and approved, they would not be able to revisit that section later. The Handbook Committee assured the members that there would be ample opportunity for making comments and changes before the entire document is put to a vote.

Dr. Rowe added that there could very well be some bargaining over approved and disputed sections of the Handbook near the end of the entire process. He mentioned several disputed issues that have come up recently in regard to the Handbook: (1) Although nationally accepted standards as set forth by the AAUP endow the faculty with certain functions, primarily academic, ASU’s legal representative does not want any statement conforming to national standards included; (2) ASU’s lawyer, furthermore, does not want any statement about Academic Freedom included; (3) whereas the Handbook is a **faculty** document, the administration is trying to include its own position statement on the status of the Faculty Handbook.

There was some further discussion about procedures for voting on Sections of the Handbook. Dr. Sartorelli wanted clarification that any sectional vote would not be irrevocable. Dr. White clarified that the purpose of a piecemeal vote was to improve each amendment as much as possible, send any problem sections back to the Handbook Committee for further changes if necessary, vote on these further changes, and come back together for a final approval of the whole document. He said that an approval of each section would only be a tentative approval. Dr. Humphrey termed the Handbook a “fluid document.”

There was a call to question, followed by some discussion and clarification of changes in Part F of the Handbook. Dr. Humphrey reported that no further changes were recommended in Part F by the College of Education. After the State had called for a more coherent structure, Drs. Wyatt, Beineke, and Cline worked on Part F. Dr. Sartorelli expressed reservations about voting on a flowchart that was difficult to read. Dr. Cline noted that Section F was already approved by an accrediting agency.

Part F was approved.

A discussion of the Intellectual Property Policy ensued. Dr. Humphrey and the Handbook Committee reported receiving feedback and recommended passing this section. This section deals with the question of ownership and profits or royalties on inventions and other intellectual property. Dr. Cline believed that joint ownership was appropriate in some cases. Dr. Hood reported that either the University or the individual took ownership of intellectual property and that everything else was negotiable. Dr. Jenness reported that this section calls for about 85% of profits and royalties to go to the inventor/originator.

There was a call to question. The Intellectual Property Section was approved unanimously.

Bill Humphrey delineated the four changes to Section I, as outlined under Part A of Old Business. He mentioned that the Committee's changes were designed to give power on academic matters back to the faculty. In contrast, the ASU administration has excised anything giving the faculty any authority.

After a call to question, the Committee's changes to Section I were unanimously approved.

Dr. Humphrey urged the faculty to read the Committee's two further recommendations to Section I (Draft of 2-4-05) regarding the Curriculum Council and the General Education Committee. The matter was tabled until faculty had the opportunity to read the recommendations. The document is hereby included below.

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**DRAFT – 02/04/05**

**Academic Committee Membership Recommendations**

**Undergraduate Curriculum Council**

**Membership:** Membership on the UCC consists of the academic college curriculum committee chair (elected by the college) from the Colleges of Agriculture, Business, Communications, Education, Engineering, Fine Arts, Nursing and Health Professions, Humanities and Social Sciences, and Sciences and Mathematics and one representative appointed annually by the Student Government Association will serve as voting members; non-voting members will include the Registrar and one representative from Honors College, University College, Regional Programs, Assessment Services, and the Library. Non-voting members, with the exception of the Registrar, will be expected to participate on subcommittees. The Associate Vice Chancellor will serve as ex officio non-voting chair. Council members will serve a staggered three-year term with the option of reappointment.

**General Education Committee**

**Membership:** Membership on the GEC consists of one faculty representative from each of these Colleges: Agriculture, Business, Communications, Education, Engineering, Fine Arts, Honors, Nursing and Health Professions, and University College. The College of Humanities and Social Sciences, and the College of Sciences and Mathematics will each have two representatives. The Independent Department of Military Science will have one, non-voting ex-officio faculty representative. The Associate Vice Chancellor for Academic Affairs and Director of Assessment Services will serve as ex-officio, non-voting members.

The committee will select a chair from among its membership. The chair will serve a three-year term and may not be reappointed to a consecutive three-year term. Committee members will serve staggered three-year terms beginning at the start of the academic year. Members of the committee must be permanent faculty with a minimum of three years of continuous service prior to serving on the committee.

Each college will be responsible for determining the selection of its representative(s).

In those cases where there is an issue affecting a broad area of the general education core that is not represented by the composition of the current committee, a representative must be invited to attend the meeting and be afforded the opportunity to participate in the discussions before action is taken.

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Lynita Cooksey agreed to send out a list of the old and new numbers of representatives on the Curriculum Council and General Education Committee. She mentioned that the membership of the Undergraduate Curriculum Council has been reduced to one representative per college to keep the two committees more in balance.

B. Committee Reports:

- i. **Housing:** The subject of faculty housing was revisited. Chair Rowe and Dr. Maynard reported on a complaint from a Ph.D. resident who had been ordered to vacate the premises within 30 days because Physical Plant claimed that the tenant's cats were destroying the house. Apparently, the tenant was still asleep when people from Physical Plant delivered the eviction notice. Our lawyer has been made aware of the situation, and the matter will be referred to the Housing Committee for further action. There was a general discussion relating to the University's failure to read the Handbook on housing policies and the poor treatment of faculty who are housed on campus. Margaret McClain opined that surely the tenant's lease contained a clause regarding damages; most such leases either call for the tenant to leave the property as it was found or forfeit a deposit. Another example of indignities suffered by tenants was cited—inspectors or pest control workers barging into homes instead of leaving notes and/or making appointments with tenants.
- ii. **Equity:** Since the Chair of this committee is on leave, Chris Brown will take over his position. The Committee is in the process of collecting data on how recent budget cuts have been affecting the deans' abilities to conduct business. One serious effect of the shortfall has been that departments will not be able to rehire their temporary faculty.
- iii. **Graduate Council:** Dr. Saleh reported that new draft recommendations on the status of graduate faculty were not accepted by Academic Affairs, but were sent back to the Graduate Council for further work. She did not know the reason for the rejection of the draft proposal. Dr. Zibluk, who had also attended the Graduate Council meeting, suggested that Drs. Wheeler or Sustich be invited to address the Faculty Senate on this matter. In the meantime, the Graduate Council has asked for an explanation of Academic Affairs' stance.
- iv. **Status of the Profession:** Dr. Cline reported that the questionnaire had been sent out to departments and that results would be forthcoming. He said that some departments had only received their surveys within the last few days.
- v. **NCAA Committee:** Bill Rowe reported that the recertification team would be on campus the first week of May.
- vi. **COIA:** There was a short discussion of the university's tendency to inflate attendance figures at football games and the local media's questioning of the university's figures.

C. Grievance:

No resolution has been reached yet in the Faculty Senate's class action grievance against the administration. When the Academic Hearing Committee found in favor of the Senate, Dr. Wyatt, instead of responding within 10 working days as required, has postponed giving his response until a meeting slated for February 7.

D. Electronic Hiring:

A Chairs' group has met and discussed the pros and cons of electronic hiring. Dr. Wang reported that the response by Chairs was mixed. Bill Rowe reported receiving many negative emails about the new system. Dennis White and Richard Wang conveyed the general sense

that Chairs were dissatisfied about not being consulted on the implementation of the new hiring system. Some of the Chairs are reportedly preparing a document on electronic hiring.

Dr. Jenness asked if the new system was “a done deal.” Dr. Wang replied that electronic hiring has been used for some time with new staff hiring, and the plan is to extend it to faculty. He voiced concern over the inability to verify electronically submitted credentials.

Dr. Zibluk expressed some concern that an applicant who applied the old way—via PDF file, disk, etc.—would not receive due consideration.

Dr. Wang added that one of the reasons his department balked at the new system and returned to the old one was that faculty were deliberately left out of the loop. He stated that faculty should fight for faculty involvement in hiring issues.

Dr. Hall asked if the Handbook addressed the issue of electronic hiring, and Dr. Humphrey said that electronic hiring was not contrary to any section of the Handbook.

Dan Cline added that the new process was excruciatingly complicated, with fifteen new steps now involved in conducting a search.

#### E. COIA:

Dan Marburger will be voting for the faculty in the upcoming COIA vote.

#### F. Parking Services for Visitors (i.e., new recruits, public school teachers and administrators):

Dr. Hall reported that when his department hosted area teachers and administrators, the ASU administration wanted his department to pay a \$130 fee for placing cones to reserve spots for the visitors. He felt that such practices discourage visitors from coming to campus. It was noted that in some departments it was common practice to tell visitors to park anywhere and then have the departments straighten out any parking tickets. Chairman Rowe noted that the administration’s policy of making visitor parking as complicated as possible was in direct contravention of Consultant Black’s recommendations; Black’s report encouraged a visitor-friendly parking policy as a recruitment tool for the University.

Myron Flugstad noted that in future meter maids will be given better communication gear so that they can more quickly determine whether a vehicle belongs to a visitor. The plan is to leave a “Welcome” sign on the illegally parked car’s windshield and a note informing the visitor where he/she could obtain a visitor’s permit.

Dr. Hall noted that the parking policy seems to be applied differently to different buildings. For example, some departments are asked to pay the \$130 fee for cones, while others are asked to pay one dollar per hang tag for conference attendees. In fact, he mentioned an incident in which Senator Lincoln’s assistant was ticketed while the Senator was visiting campus. Dr. Humphrey mentioned that a volunteer fund-raiser for his department was ticketed as well. There was general agreement that ASU must treat visitors better in parking matters if the University expected to impress prospective students and their parents, volunteers for the University, conference attendees, and legislators.

#### G. English Proficiency:

A proposal has come from the International Students’ Advisory Committee regarding only exchange, non-degree-seeking students from countries where they have acquired a good background in the English language—e.g., most European countries. The proposal seeks to dispense with the TOEFL (Test of English as a Foreign Language) requirement for admission

to ASU. The rationale behind the proposal is that (1) the test is inconvenient and time-consuming; (2) the students already have a good grasp of English; (3) ASU knows the institutions the exchange students are coming from because ASU has sent exchange students to these institutions; and (4) foregoing the TOEFL would be a courtesy to those overseas institutions.

The proposal has Dr. Cooksey's approval. The proposal would now have to go to the Enrollment Management Committee for its endorsement.

There was a call to question. The Faculty Senate's support for the proposal to eliminate the TOEFL for non-degree exchange students with an English language background passed unanimously. The Chairman said that a letter of senatorial support for the proposal would be sent to the Enrollment Management Committee.

### **III. New Business:**

#### **A. UPC Meeting of January 31, 2005:**

The budget shortfall was discussed at the January 31 meeting of the UPC. The figure given for the budget shortfall was \$2.7 million. Academic Affairs was primarily blamed for the problem, and no other reasons were given for the shortfall. Dr. Wyatt's priorities, as listed at the meeting, were as follows: teacher education; nursing; diversity; faculty salaries; and legislative priorities. It was duly noted that athletics was NOT on the list of Dr. Wyatt's priorities.

According to a recent *Jonesboro Sun* article, the State has a fund of \$87 billion to split up among Arkansas colleges. The \$35 million instructional budget was eliminated. ASU received the second largest cut in funding.

Dr. Lynn Howerton added that the amounts of accounting cuts are available as part of the public record. \_

Although Dr. Wyatt stated at the January 31 meeting that the funding cuts and budget shortfall would have no effect on the mission of the University, several faculty members disagreed. Dr. Wang believes that the shortage of funding could not help but affect instructional quality.

Susan Allen noted that canceling classes is an action that immediately impacts the university community. As soon as a class is cut, the public calls to complain. She agreed that the University cannot slash funding without affecting its mission.

Dr. Bridges mentioned that a 50% cut in student workers and part-time employees would severely affect instruction. He added that this part-time labor force was a valuable source of scholarship money.

The cuts in part-time faculty would have a chilling effect on instructional excellence as well.

Dr. Amany Saleh mentioned that the Registrar's office had instructed her department to place more students in web classes; she opined that such large online classes were unwieldy and decreased the effectiveness of instruction.

Lynita Cooksey announced that no more students would be allowed to register late after today.

#### **B. Sun Article on Athletic Attendance:**

There had already been some earlier discussion of this topic. There was general agreement that ASU's inflation of the attendance figures at games illustrated a lack of credibility within the

ASU administration. It was noted that if ASU embellished facts on one issue, the public might receive the impression that ASU is distorting other facts as well.

C. Other:

Faculty were encouraged to read Senate Bill 247 on the Listserv. In a nutshell, the bill would allow any high school in Arkansas to teach a college General Education course, and we would be forced to accept the credits.

**V. Announcements:** There were no announcements.

**VI. Adjournment:** In the absence of further business, Chair Rowe adjourned the meeting at 4:45.