

# Minutes of Faculty Senate Meeting

## April 29, 2015

*Submitted by Senate Secretary, Catherine Seta, Professor of Psychology  
Prepared by Amalia Wagner and Catherine Seta, Ph.D.*

*Caveat: Comments recorded are not verbatim. In order to facilitate open discussion, the identity of most Senators making comments or questions are not recorded. The identity of comments from Senate Officers and Senate Ad Hoc and Standing Committee Chairs are given, as is the identity of persons commenting in their official administrative capacity (e.g., CFO, Provost and College Dean.)*

There were 23 voting Senators present constituting a quorum. In attendance: Edward Allen, Sarah Bodin, Susan Borwick, Sharon Castellino, James Cotter, Kevin Cox, Larry Daniel, Will Fleeson, Michele Gillespie, Derrik Hiatt, Brad Jones, Kevin Jung, Claudia Kairoff, Rogan Kersh, Wilson Parker, Paul Pauca, John Pickel, Randy Rogan, Cathy Seta, Peter Siavelis, Gale Sigal, Omari Simmons, Kathy Smith, Michelle Steward, Lynn Sutton, Rosalind Tedford, Rebecca Thomas, Jeff Weiner.

President Sigal called the Senate meeting to order. A motion was made and seconded to accept the minutes of the March 25, 2015 Senate meeting. Approval by a show of hands was unanimous in favor of approval. There were several important motions presented to the Senate at this meeting, and several final year committee reports were presented. Discussion involving amendments to motions are underlined in the following text. Reports are presented in appendices to these minutes.

President Sigal thanked Chairs and members of committees for their work. She thanked Amalia Wagner for her administrative support.

### **Ad hoc By-Laws Committee, Proposed Revisions, Presented by Wilson Parker, Vice President of the Senate and Chair of the Ad hoc By-Laws Committee**

[Refer to attached Appendix for full text related to these proposals.]

Wilson Parker discussed the process of drafting by-laws. He began by noting that drafting by laws for an organization is essentially the same thing as having a constitution for a country and should not be a routine event. The present by-laws have not been changed since their original creation in 1967. By-laws describe the general nature of an organization and the size of WFU has changed considerably since 1967. A revision of the by-laws at this point in time is needed to reflect the changes in WFU and current needs of the Senate. He noted that this document should reflect our goals as a group, which will be implemented by people when we are gone. When designing by-laws we need to look at structural needs of the Senate institution. The people on this committee tried to keep that in mind as we went through multiple drafts. Senator Parker apologized for some typographical errors in the proposed draft. He made a housekeeping motion to correct the following errors.

- **Article II, section 1(a) include *and a representative from the Staff Advisory Council at the end of the first sentence.***
- **Article II, section 3, delete, *and the body shall vote on said motion (this is redundant).* The last sentence would now read. The Executive Committee shall present a motion to resolve the conflict to the body at the next Senate meeting.**
- **Article III, section 2 (g), delete *and the body shall vote on said motion (this is redundant).* The last sentence would now read. The Executive Committee shall present a motion to resolve the conflict to the body at the next Senate meeting.**

**The motion was seconded and passed by a majority voice vote.**

Senator Parker continued to discuss the document in light of those three changes. He went over the sections where substantive changes were being proposed.

### **Article II, section 3. Eligibility for Elected Membership**

*Senators on the Reynolda Campus must have tenure or its equivalent (as determined by the individual academic unit). Senators on the Hawthorne Campus must have rank of Associate Professor or higher. In the event of a question regarding the eligibility of an elected representative, the Senate will decide the issue of eligibility. The Executive Committee shall present a motion to resolve the conflict to the body at the next Senate meeting and the body shall vote on said motion.*

The question arose as to whether there should be a unitary standard for all the schools. Senator Parker addressed this question as follows: Members of the by-law committee proposed that tenure or its equivalent should be held by members of the Senate because Senate activities should afford them some form of protection; their position is that Senate activities should never put a person in the position in which their job security could be threatened. Recognizing that different schools have different positions the committee thought that the requirement would be to be “tenure or its equivalent, as determined by the individual unit”. Rather than impose a unitary definition that would apply to all schools and units the committee felt it would be appropriate to let each unit determine in voting on their peers but that there should be some level of job security.

**A motion was made and seconded to change the second sentence in Article II section 3 to add *independent of tenure* at the end of the sentence.**

**The motion passed by a majority voice vote. The sentence now read: *Senators on the Hawthorne Campus must have rank of Associate Professor or higher, independent of tenure.***

Further discussion ensued regarding the Senate terms and the issue of a Senator’s contractual length of service appointment:

- Senator Parker discussed his view of the utility of having 4 year Senate terms. The basis of this strength in his view is that it contributes to the maintenance of institutional memory. Institutional memory would be compromised if we rotate people through the Senate on a yearly basis. It could be problematic to have acting Senators whose job security was less than the length of their Senate term. Therefore, if people are on a term contract that is less than four years, he doesn't think they should be a senator.
- Interim Co-Dean Rogan stated that that language essentially excludes Teaching Professionals within the college who may have less than a four year contract. His concern is that while we are articulating that it is left up to the individual units to interpret what equivalent means, leaving it open to interpretation opens a potential gap of interpretation of what equivalency means that could have deleterious implications for Teaching Professionals in the college as well as in other University units.
- Interim Co-Dean Thomas suggested that the Associate Teaching Professors in the College be treated in an identical fashion as the Associate Professors in the medical school, who are not tenured.
- Dean Iacovou agreed with the previous comments and added that there is a similar issue in the Business School. He also mentioned that the language in the Faculty Handbook and the Faculty Senate By-laws are not consistent and expressed that the Senate By-laws should follow the language of the Faculty Handbook.
- Senator Wilson stated that the Senate body has the ability to set its own foundation. The Faculty Handbook comes from the administration whereas the Senate formulates their own by-laws. He expressed the view that ideally, the two should be consistent, but they are independent documents - one is a promise from the administration to the employees (Faculty Handbook) and the Senate body composes the other document (i.e., The Senate By-laws).
- A Senator asked what was wrong with Section 3 as it stood in the present by-laws. Senator Parker explained that the committee felt that the section as presently written did not acknowledge the evolving status of recently-created faculty positions within the University, such as Teaching Professionals. The changes in this section create flexibility in how various schools choose to determine their representatives. Senator Parker: "We were trying to allow for self-determined, incremental changes in these schools to self-define what the equivalent of "tenure" means in that context."
- Several Senators expressed concern about threats to academic freedom (i.e., that it may be compromised for Teaching Professors that are not tenured), and are concerned with the ability of non-tenured Senators to speak freely in the absence of tenured status. In the view of many Senators, academic freedom is the primary reason for including a tenure criteria (or equivalent) for Senate membership.
- Another comment was made that they felt we have some very senior folks who do not have tenure that would not be fearful of losing their jobs and willing to speak out. Although there are presently members of the Senate who are not in tenured positions

(e.g., staff) and the 1967 By-laws do not specify that tenure is criteria for Senate election, in practice, at least within the College, Senate representatives are chosen from the ranks of tenured professors.

**The following motion was made and seconded to change Article II-Section 3:**

**Change the first sentence to the following *Senators must have the rank of Associate Professor or higher or its equivalent (as determined by the individual academic unit)*. In addition, delete the second sentence *Senators on the Hawthorne Campus must have rank of Associate Professor or higher, independent of tenure*.**

**The motion passed by a show of hands, 13 in favor, and 7 against.**

**This motion supersedes the previous motion.**

**Article III, Section 3:** In its last meeting, the Senate EXCOM proposed adding the following: ... *the Committee shall also meet regularly with and advise the Dean of the Medical School on policy decisions affecting the Medical School in its functions as part of the larger University community.*

**Article II - Section 4: Elections.** The only change in this section was to add that the Senate *President shall present a slate for a Nominating Committee at the February meeting.* Also, put in writing the long-standing practice that: *the sitting Senate Vice President shall be the presumptive candidate for Senate President..*

**Article III, section 4: Formation of New Standing Committees of the Senate.** The Senate shall *create a Committee of Medical School Senators (similar to the Committee of Collegiate Senators).* Additionally, *the following three committees, the Senate Committee on Athletics, the Compensation Committee, and the Committee of Collegiate Senators are part of this motion because there was not a quorum at the May meeting when they were made into standing committees.*

**Article II – Section 7 Joint Senate/Faculty Meetings**

*By a two-thirds vote, the Senate may authorize the Senate President to conduct one or more joint Senate/Faculty meetings in any academic unit of the University during that term of the Faculty Senate. The powers, conditions, and scope of the joint Senate/Faculty meetings will be set by the Senate.*

Senator Parker explained the reason for this addition is to clearly articulate and make transparent that the Senate has the ability to call for a faculty forum. He stressed that this would be more of a forum than a faculty meeting.

Discussion ensued:

Q: A medical school Senator expressed that the Dean from the Medical School has “some issues with this” and wondered how binding decisions from these meeting would be?

A: Senator Parker said this would not be a body functioning as the faculty of a unit. This would be a forum where the community could discuss things and is not acting corporately for the unit. The University Senate can only discuss policy; they cannot override or set policy.

Q: Does this not limit the powers of the senate by requiring a 2/3 vote? Can't we just hold a forum, regardless of the vote?

A: Yes, this is our effort to be transparent. This is a way to say to the community at large if you are having problems organizing yourself institutionally, you could come to the Senate and say we would like the Senate to hold a forum.

- A concern was noted with the last sentence. *The powers, conditions, and scope of the joint Senate/Faculty meetings will be set by the Senate.* He/she was concerned that this could in effect, override each individual unit's laws. A Senator noted that the Senate does not have the power to override a unit's policies and cannot establish this power in the by-laws.
- Vice Provost Sutton voiced the need to protect against “bad actions.” She commented to Senator Wilson that the language proposed in the by-laws is quite different from how he was describing it and expressed her view that more clarity in how agenda items should be set in such forums and that the scope of powers should be more clearly specified.
- Senator Parker responded that the by-laws committee had many discussions about whether to add the 2/3 vote to this - because the Senate is a self-governing unit and can call a meeting with a majority vote. This 2/3 vote requirement addressed the point of using this power very judiciously. The last line encompasses the scenario in which there could be a unit that didn't want to bring up a topic for faculty discussion; the Senate would have the ability to set the agenda for that meeting. The Senate would be addressing concerns that they heard from their constituents and could bring allow the faculty to meet for a forum discussion.

**A motion was made and seconded to change Article III, section 7 (Joint Senate/Faculty Meetings) to replace the word *meetings* with *forums* and the *powers, conditions, and scope* with *agendas*.**

**The motion carried by a show of hands, 21 in favor and 1 against.**

**Another motion was made and seconded to replace *two-thirds* by *majority* in Section 7 of Joint Senate/Faculty Meetings.**

**The motion carried by a show of hands, 19 in favor and 1 against.**

**Below is amended Article II-Section 7. Joint Senate/Faculty Meetings**

**By a majority vote, the Senate may authorize the Senate President to conduct one or more joint Senate/Faculty forums in any academic unit of the University during that term of the Faculty Senate. The agendas of the joint Senate/Faculty forums will be set by the Senate.**

Senator Parker announced that the last item for discussion is a change in the way in which amendments take effect. Under the current by-laws as written in Article 6 it states, *no amendment will be effective until approved by the faculties of the academic units.* The amendment adds the following to **Article V- Amendments.**

*A copy of any proposed amendment shall also be distributed to all University faculty at least two weeks in advance of the meeting at which the proposed amendment is to be acted upon.*

**A motion was made and seconded to table the vote on the amended by-laws until the Fall, 2015 semester. The motion DID NOT PASS by a show of hands, 2 in favor, and 17 against.**

**Senator Parker asked that the proposed by-laws be affirmed. He indicated that they come as a seconded motion by the Executive Committee.**

**The Senate Secretary distributed ballots. The by-law revision passed 20 votes in favor and 1 against.**

**For a complete copy of amended by-laws, refer to the APPENDIX.**

## **Elections**

President Sigal presented the report from the Senate Nominating Committee. The nominating committee previously emailed a proposed slate for each office and asked for nominations from the body. She opened the Senate floor for additional nominations for each office. No additional nominations were made. She also noted that write in nominations on the ballots were welcome.

**The proposed slates of candidates are:**

**President: Wilson Parker, Law**

**Vice President: James Cotter, Business**

**Secretary: Claudia Kairoff, College**

**At large Member: Susan Borwick, College**

Ballots were distributed for each individual office. The results were tallied overnight by Catherine Seta, Senate Secretary and were announced the day following this Senate meeting via email. There were no write-in nominees and the results are as follows:

**President: Wilson Parker, 21 in favor and 0 against**  
**Vice President: James Cotter, 20 in favor and 1 abstention**  
**Secretary: Claudia Kairoff, 21 in favor and 0 against**  
**At large Member: Susan Borwick, 20 in favor and 0 against**

**It was noted the University Faculty Senate does not currently have a Senator serving as a liaison for the Staff Advisory Council. President Sigal asked for a volunteer from the floor to serve as a liaison from the University Senate and to attend the Staff Advisory Council meetings. Rosalind Tedford volunteered to serve and was appointed by the University Senate. President Sigal expressed appreciation for this service.**

**The Collegiate Senators asked that we hold their College Senate Chair election in this Senate meeting as a matter of convenience. Only College Senators are eligible to vote for this position. The College Senate previously distributed a call for nominations for College Senator Chair via email and the election was put on the University Senate agenda (nominations were made to Amalia Wagner and/or Gale Sigal). Senator Fleeson was the sole nominee via email responses and no other nominations were made in an open floor opportunity for other nominations.. The vote for College Senator Fleeson was unanimous in support of Will Fleeson for College Senate Chair by a show of hands, 12 for and 0 against.**

## **Senate Committee Reports**

### **Ad hoc Best Practices Committee Report (Refer to Addendum C for the full report)**

Michele Gillespie, Ad hoc Committee Chair, shared that the committee has learned a great deal about the relationship between the BOT and faculty, including what the nature of the expectations are and should be between the faculty representatives and the Board of Trustees. The committee worked closely in conjunction with the Executive Committee on various drafts of this report. The recommendations in this document reflect all of the ongoing conversations with faculty representative and the EXCOM throughout this year. Senator Gillespie noted that the committee discovered that there are practices involving the BOT committee representatives that should be uniform across the sub-committees of the BOT, and should be fully incorporated in across BOT committees. These suggestions are noted in the attached report (see Appendix).

The Best Practices committee discussed the possibility of having a representative of the Faculty Senate on the Board of Trustees, which is a “best practice” proposed by AAUP. Rather than proposing a full BOT member at this point, the committee suggested creating an observer role for two faculty representatives with staggered three-year terms. The observers should be members of the University faculty and at least *ex officio* members of the Senate (recognizing that the representative’s term may have elapsed). These representative would be invited to attend the full meetings of the governing board of the BOT. All of the committee’s suggestions in points 1

& 2 of the attached report, with the exception of number 3 have been supported by Provost Kersh and Reid Morgan. Item 3 must be approved by President Hatch and the Board of Trustees. Provost Kersh will present this item to the President and to the BOT.

**A motion was made that the University Senate endorse the recommendations of the Ad hoc Best Practices Committee and directs the recommendations of this report be conveyed to the administration. The motion was seconded and passed by a show of hands, 21 in favor, and 0 against.**

### **Resources Committee Report (Refer to Addendum D for the full report)**

Senator James Cotter, the chair of the Resources Committee reported that this committee focused on two areas: University financial operations and the endowment. He mentioned several strategy and approaches that have had significant consequences on the financial status of the university. He mentioned several examples, including the fact that staff positions have increased five times more than faculty positions. In addition, increases in the number of students on campus have had an impact on demands for new dormitories and dining facilities. All totaled, the growth at WFU and costs of regular maintenance of the existing facilities have increased the financial responsibilities of the university. He feels that the faculty should be better informed about these financial situation and that the future resource committee may need to make some recommendations to the university administration.

Senator Cotter reminded the Senate that Mr. Verger now manages the endowment. The investment strategy under his direction is to lower risk and maintain a return that is adequate. Jim said it is important to acknowledge that the endowment is not focused on “beating the market”, but rather attempts to deliver resources to the school and maintain the value of the endowment.

Senator Cotter expressed his appreciation that CFO Hof Milam and Jim Dunn were very forthcoming in their responses to the questions posed by the committee.

### **Collegiate Committee Report (Refer to Addendum E for the full report)**

Due to the lengthiness of the present meeting, President Sigal suggested that this full report be placed on the agenda of the first University Senate meeting of the next academic year and asked for a brief synopsis of the highlights of the report.

Will Fleeson, Chair of the Collegiate Senate made clear that this document is primarily about a specific position, specifically, Teaching Professionals, and is not meant to focus on particular individuals that may occupy such positions. The committee recognizes that Teaching Professionals are appropriate for some disciplines and departments and met on several occasions to consider the positives about the new TP position and to discuss concerns about the position. Based on their discussions, they have put forth the following recommendations:



1. Based on the recommendations of the AAUP, they recommend that all teaching professional have the opportunity to earn tenure.
2. They recommend that no more than 15% of concurrently teaching faculty have that status at any point in time.
3. They request clarification on five additional issues and request that the university address these points with the Senate in early Fall.

[Please see the full report attached in the Appendix. A full discussion of this report is scheduled for the first Senate meeting of the next academic year.]

### **Meeting Closed**

President Sigal asked if there was any new business. There was not. She announced for everyone to pick up copies of salary tables provide by Hank Kennedy and reminded the group about CFO Milam's address in Pugh auditorium at 4:00 p.m. on April 30, 2015. She adjourned the Senate at 6:15 p.m.