

7C

MEMORANDUM

TO: All Faculty  
FR: Tom Cate  
DA: November 5, 1982  
RE: Meetings

Faculty Senate Meeting

Date: November 15, 1982

Time: after the General Faculty Meeting

Place: BP 120

Agenda:

- I. Call to order
- II. Approval of the minutes of the October 18, 1982 meeting.
- III. Additions to or deletions from the agenda.
- IV. Remarks of the President
  - A. Reports
    1. COSFL
    2. Results of the Peer Review Hearing Committee Election
    3. Management Information System report
    - 4.
  - B. Recommendations - none
- V. Committee Reports
  - A. Professional Concerns
    1. Report
    2. Recommendations
      - a) Curtailment Policy - enclosed
      - b) Promotion and Tenure - enclosed
  - B. Curriculum
    1. Reports
    2. Recommendations
      - a) Bylaws - tabled; 10/18/82
      - b) General Studies Mandate - tabled; 10/18/82
  - C. Faculty Benefits
    1. Report
    2. Recommendations - none

- D. Budget
  - 1. Report
  - 2. Recommendations - none
- VI. Old Business
  - Presidential Consultation Committee Election -  
Ms. Kathy Brinker (NUR)
- VII. New Business
- VIII. Adjournment

MINUTES OF THE FACULTY SENATE

November 15, 1982

Senators Present:

Kathy Brinker  
Frank Dietrich  
Julie Gerdson  
Paul Joseph  
Jim Kinne  
Nan Littleton  
Byron Renz  
Jerry Warner  
Macel Wheeler  
Kay Cooper  
Patricia Dolan  
George Goedel  
Charles Hawkins  
Glen Mazis  
Dennis O'Keefe  
Mackenzie Osborne  
Tom Barone

Geraldine Rouse  
Janet Simon  
Susan Kissel  
Thomas Rambo  
Michael Ryan  
James Thomas  
Johnathan Bushee  
Lynn Ebersole  
Nancy Martin  
Edwin Weiss  
Billie Brandon  
Thomas Cate  
Linda Olasov  
Lois Schultz  
Becky Sturm  
Fred Schneider  
Linda Newman

Senators Absent Without Alternates:

Gary Johnston  
Elly Welt

Guests Present:

Lytle Gray, Provost

Mike Klembara, Assoc. Provost

- I. President Cate called the Faculty Senate meeting to order at 4:40 p.m.
- II. The previous meetings' minutes were approved without change.
- III. There were no additions to or deletions from the agenda.
- IV. A. Reports of the President
  1. COSFL: The tenured faculty who were to be dismissed at Louisville by administrative program changes will not be dismissed.
  2. Peer Review Hearing Committee Election results:  
Dr. Terry McNally/Lit. and Lang., ran for office, but was disqualified because Dr. Tom Zaniello (the same department) is already on the committee. Ms. Kathy Brinker raised the issue that information about the present makeup of the committee would have been helpful on the ballot form.
  3. The Management Information Systems report has been placed on reserve at the Steely Library (2 hour reserve).
- V. A. Professional Concerns Committee Report:
  1. Curtailment Policy: Ted Weiss moved that we adopt the policy. It was seconded. The motion passed with one abstention. Dr. Tom Barone and Ms. Becky Sturm stated that they did not receive a copy of the Curtailment Policy.
  2. Promotion and Tenure Policy: The motion was introduced to adopt the statement:

All decisions made at all levels regarding reappointment, tenure promotion, and probationary status must be made in writing if requested by the faculty member under consideration. Accompanying statements must support and provide justifications for decisions made.

Mr. Paul Joseph made a motion that everything after "writing" be struck. Dr. Sue Kissel proposed the following amendment: "All decisions made at all levels regarding reappointment, tenure, promotion, and probationary status must be made in writing with accompanying statements to support and provide justifications for decisions made and provided to the faculty members involved." The amendment to the motion was seconded. The amended motion was passed. Dr. Lyle Gray stated that this amendment does not address the other concern raised about the need for a probationary status. After being queried by Dr. Ted Weiss, Dr. Gray stated that he would favor feedback to promotion and tenure candidates if it were qualitative and not quantitative (which entails unnecessary legal ramifications). Mr. Fred Schneider made another motion: "There shall be a reappointment status: continued probationary appointment with conditions attached." The motion was seconded and passed.

3. There is still a problem with the matter of interim grades. A committee will be set up with joint faculty and students to

Dr. George Goedel raised the concern that the Northerner has reported erroneously that we have rejected previous student government proposals, which we have not. President Cate stated he would inform the Northerner that there has been an exchange of draft proposals.

B. Curriculum

Both tabled motions remained pending since they require the Board of Regents approval of the Constitution passed today.

C. Faculty Benefits

Processing of applications for grants, fellowships, sabbaticals is proceeding. Other avenues of faculty development are being investigated.

D. Budget Committee

There was a meeting with Mr. Dennis Taulbee, Budget Director, who assured the committee that the proposed state funding cuts would not have a major impact on the University. Dr. Jim Kinne, chair, requested that the faculty surveys of budget priorities be returned to the departmental representatives.

VI. Old Business

Ms. Kathy Brinker wanted to call to the Senate's attention that the ballots for the Presidential Search Consultation Committee were unclear with its blank slots. The Nursing Department also wished to express its concern that no women were selected from the faculty to be on this committee. It was proposed that a woman be appointed in an advising role to the committee. Dr. George Goedel objected to both points, stating that if faculty attended the general faculty meeting the balloting procedure would have been clarified for those who had questions and that gender should not be a qualification for committee assignment. Dr. Mike Ryan announced that he was open to any input from female faculty and would convey it to the rest of the committee.



## 1. Recommended for Action: Curtailment Policy

1. A decision to curtail a program shall be made by the administration only on the basis of the report of the program review committee. The administration shall provide a written explanation for its decision to the faculty of the program and to the Faculty Senate. The statement shall include the reasons for the decision and the procedure for terminating or reassigning professors.

2. The administration shall inform the program faculty whether curtailment may be achieved through the normal attrition process of retirement and resignation.

3. If normal attrition fails to bring about a sufficient reduction, then the administration shall offer economic incentives or leaves to effect resignations, retirements or reassignments. Such incentives and leaves shall be explained in detail. Among these options are early retirement, "buy outs" of pension rights, severance pay and reassignment training leaves.

4. If the desired reduction in the number of faculty is still not achieved then the Dean, in consultation with the program chairperson shall consider the following factors in preparing a list of professors to be terminated or reassigned:

- a. rank, seniority and tenure,
- b. evaluation of individual performance reviews over the last three years,
- c. affirmative action guidelines,
- d. particular specialties of faculty and the continued needs of the program.

Tenure shall be heavily weighed, although not constituting an absolute bar to reassignment for tenured faculty ahead of an untenured person to another program if a serious imbalance in curriculum offerings were to result in the curtailed program. As long as their tenuring unit remains in existence, tenured faculty must not be dismissed. The administration must attempt to reassign them to other academic programs. Failing reassignment the administration will provide a leave for retraining. Similar but not mandatory efforts, should be made for untenured faculty.

5. Terminated faculty shall be notified in accordance with provisions that apply as provided in Faculty Policies and Procedure a Handbook and have the right to appeal the decision to the Peer Review Advisory Committee.

## 2. Rationale

Changing circumstances require organizations to make adaptations in order for them to survive and prosper in a new environment. Universities are no different from other organizations in this respect, but unlike some, universities recognize the principle of tenure in which job security is guaranteed to deserving faculty.

Technological and social change may affect student enrollments in academic programs. A university administration needs to adapt to such changes in demand. Periodic program review allows the University to engage in self examination to see if all aspects of its operation are meeting socially useful goals without compromising the basic integrity of the institution.

It is within the context of program review that the possibility and perhaps desirability of curtailing certain programs may arise. Curtailment is a policy to eliminate or reduce an academic program. Unlike reductions which occur fairly quickly under circumstances of financial exigency, curtailment could be effected only after the normal process of program review had been completed. Evaluation of existing programs is necessarily a prerequisite for the eventual termination or reduction of a program. Review provides a periodic and full opportunity for a program to justify its value to the university.

Program curtailment directly affects employment of faculty attached to the unit. The prospect of reassigning or dismissing faculty through curtailment raises a number of issues, the most important of which is conflict with the principle of tenure. For junior faculty without tenure the issue is the need for fair treatment, including adherence to the University's affirmative action policy.

In sum, there are three conflicting principles involved in a curtailment policy: administrative adaptability to change, tenure and affirmative action. A sound curtailment policy will need to reduce these conflicts as much as possible. Such a policy should be governed by two precepts. The first is that tenured faculty should not be involuntarily terminated so long as their tenuring unit remains in existence. The second is that the university should provide a position to such faculty in another program where the professor is qualified to teach or where he/she would be willing to be re-trained.

Several important consequences follow from these two precepts. If the tenure of a faculty member is inviolate so long as his or her tenuring unit remains in existence, then individuals cannot be singled out or "targeted" for involuntary termination. In this context, the dismissal of tenured faculty is an impersonal act which conveys no stigma of incompetence or malfeasance. If faculty members had to be selected for termination according to criteria based on qualities of individuals, then termination would inevitably carry a damaging pejorative implication. Furthermore, faculty members in a curtailed department would be required to determine which colleagues would be dismissed and which would remain. Such a selection process, and the divisiveness, hostility, and resentment that would accompany it, could seriously undermine or even destroy the collegial atmosphere necessary for scholarly pursuits.

In the event that a faculty member is considered for reassignment to another program, such program may object because the individual may not possess the type of sub speciality which that program may be seeking in a new faculty. This objection could be met by providing a new line in the receiving program's budget which would accommodate the transfer while not prohibiting it from conducting a national search to find a person for the particular sub area.