

NKU Faculty Senate

MEMORANDUM

TO: All Faculty

FR: Billie Brandon
Secretary
Faculty Senate

DA: February 24, 1982

RE: Special Faculty Senate meeting March 1, 1982

A special meeting of all faculty has been called by the Executive Committee of the Faculty Senate. The meeting is scheduled for March 1, 1982, at 3:05 p.m., in the Ballroom of the University Center.

The agenda shall be as follows:

1. Financial Exigency Policy
2. Program Review

Senators present will vote either to endorse or not to endorse the most recent financial exigency policy presented by the administration. That policy is dated 18 February 1982 and is available from your department Chairs. The administration anticipates presenting it to the March 9 meeting of the Board of Regents, which explains the necessity for this special meeting. You are urged to carefully consider the policy and attend the meeting.

MINUTES OF THE FACULTY SENATE
March 1, 1982

Senators Present:	Joseph Ohren	Jonathan Bushoe
	Gary Johnston	Larry Giesmann
	Paul Joseph	Susan Kiesel
	Jim Kinne	Debra Pearce
	Glen Mazis	Tom Rambo
	Peter Schiff	Mike Ryan
	Rosetta Mauldin	Frank Stallings
	George Goedel	Edwin Weiss
	Frank Dietrich	Billie Brandon
	Lois Schultz	Rachelle Bruno
	Julie Gardsen	Tom Cate
	Byron Renz	Richard Snyder
	Macel Wheeler	Pam Juengling
	Jerry Warner	Donald Cobb
	Kay Cooper	

Senators absent without Alternates:

	Richard Ward	Art Miller
<i>was present</i> →	Kathy Brinker	David Elder
	Mike Gray	

Guests Present:

Linda Newman (alternate for Donna Bennett)
 Robert Kempton (alternate for Vernon Hicks)
 Jeffrey Williams, Faculty Regent
 Diana Duffin, Fine Arts
 Lyle Gray, Provost
 Michael Klembara, Associate Provost
 Karen Merk, The Northerner
 Phil Grone, Student Government
 Nancy Martin, Fine Arts
 Kim Hennessy, Affirmative Action
 Dr. A. D. Albright, President
 David Hogan, Psychology
 Becky Sturm, Library

- I. The special Faculty Senate meeting was called to order by Debra Pearce at 3:15 p.m.

Dr. Pearce stated that at today's meeting the Senators would decide whether to endorse or not to endorse the financial exigency policy that was submitted by the administration (dated February 18, 1982). She stated that she had made the recommendation at the last Senate meeting to endorse this policy with the provision that the eight faculty members be a standing committee with free access to all budgetary involvement of the university. She then opened the floor for discussion.

Byron Renz said that in view of the great concern that the faculty has had about this issue for some time and because of a certain degree of sensitivity, he moved that the vote be taken by secret ballot. Larry Giesmann seconded. Motion carried with 1 absention.

Dr. Pearce related there were some proxy votes on this issue and asked what to do with these. Byron Renz stated there was no direct reference in the constitution to the question of proxy votes and stated this should be put to the whole Senate body for its approval. Dr. Pearce stated that before the issue was brought to a vote they would vote as to whether to accept the proxy votes.

Mike Ryan asked about the opinion of the rest of the Executive Committee on this policy. Dr. Pearce answered it was mixed. She stated they decided not to endorse or non-endorse this policy not wanting to influence the rest of the Senate. Mike Ryan asked if any of the Executive Committee would like to speak as to why they are opposed to this policy.

Tom Cate stated he had read through the administration's Financial Exigency Policy dated February 18, 1982 and compared that with the Financial Exigency Policy as passed by the Senate in October, 1981 saying there were three issues which the Senate felt it should address, these were:

- 1) nature of committee
- 2) definition of financial exigency
- 3) compensation

Dr. Cate stated the Senate had taken a poll and although there was a low percentage of turn-out (37%), the results of the faculty who did vote was in favor of the Financial Exigency Policy as drafted by the Faculty Senate. He stated he felt the policy as drafted by the administration did not address those three issues.

Mike Ryan asked the question "what subsequent changes in earlier versions resulted from various meetings of faculty." Dr. Albright stated that initially there had been six or seven differences and spoke of the three that Senator Cate mentioned. He indicated that some changes had occurred regarding items #1 and #2 and that the issue of compensation was, basically, nonnegotiable.

A great deal of discussion on the policy ensued. Among the unresolved issues raised were the following:

- (1) the definition is too broad as it says the institution "may" not be able to meet existing contractual obligations. (P. Joseph) *K. Brink*
- (2) the policy places an unreasonable burden on the faculty member first to show a procedural error to establish a prima facie case for a hearing and then to prove the case to the Board by "clear and convincing evidence" (P. Joseph)
- (3) the university should provide a transcript of the hearing free of charge (P. Joseph)
- (4) the committee does not come into operation soon enough to do anything but rubber stamp the administration's recommendations (P. Joseph)

- (5) the amount of notice to the faculty whose employment will be terminated should be fixed as are other time limitations in the document (P. Joseph)
- (6) the policy does not provide for substantive review of decisions (P. Joseph)
- (7) the Faculty Senate should have been the primary vehicle for developing this policy (J. Ohren)
- (8) the administration has not been responsive to the Faculty Senate (J. Ohren)
- (9) the committee membership seems to be stacked against anyone appealing a decision and would be better if the Faculty Senate policy were followed (P. Juengling)
- (10) the committee should be a standing committee (T. Weiss)
- (11) a review of substantive issues, not just procedural issues, is extremely important (L. Neuman)
- (12) clarification is needed as to whether or not declaring a financial exigency when one does not, in fact, exist is a violation of procedure under this document (P. Joseph)

Among the issues which were clarified were the following:

- (1) Upon being asked why she recommended endorsement of the administrative policy, President Pearce responded that although she was not exceedingly pleased with the policy, she felt that a provision for a standing committee with full and continuing university budget information would provide safeguards to insure that decisions were not arbitrary and capricious, that a financial exigency did exist, and that the committee's existence would result in more time to notify faculty of pending terminations. She indicated that she did not believe the Board was amenable to severance pay. She emphasized that this was a reflection of her personal opinion, not that of the entire Executive Committee.
- (2) In response to a question about specific recommendations made by the proposed committee on financial exigency, Provost Gray indicated that the committee would make broad recommendations which would be trickled down to departmental levels for implementation of cutbacks.
- (3) Unemployment benefits do not depend on where you live but how long you have been employed.
- (4) In response to a question about changes to the policy prior to the Board meeting, President Pearce replied that time would not allow for anything more than endorsement or non-endorsement.

Joseph Ohren moved that the Faculty Senate not endorse the policy before us. Tom Rambo seconded. Jeffrey Williams indicated he needed clarification of differences to present to the Board.

Byron Renz related that the Senate needed to decide about the proxy votes. After discussion, Byron Renz made a motion to accept the proxy votes. Jim Kinne seconded. Motion carried with one absention.

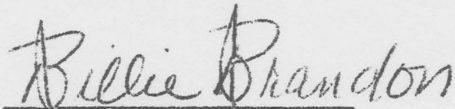
While votes were being counted on the policy, Joseph Ohren related that he is Faculty Co-Chair for the Annual Fund Drive and indicated the faculty will be asked to think possibly of giving to the Northern Kentucky University Annual Fund Drive.

Dr. Albright then addressed the faculty on the issues of program reviews and program change. He asked the Senate to develop a draft of a policy on this issue by mid-May and discussed its necessity due to the Council on Higher Education's requirements for ongoing reviews and possible cutbacks in funding of programs especially from the federal level.

Debra Pearce asked the Professional Concerns Committee to look at the sample document provided by Dr. Albright and report back.

Dr. Pearce asked the Secretary, Billie Brandon, to read the results of the vote for non-endorsement of the administration financial exigency policy. 24 yes votes for non-endorsement, 8 no.

Adjournment 4:50 p.m.



Billie Brandon
Secretary
Faculty Senate