

MEMORANDUM

TO: All Faculty
FR: Tom Cate
DA: February 18, 1983

RE: Agenda for the February Senate Meeting of February 28,
1983; BEP 120: 3:05 PM

Agenda

- I. Call to order
- II. Approval of the minutes of the January 21, 1983 meeting of the Faculty Senate
- III. Additions to or deletions from the agenda
- IV. Presidential reports and recommendations
 - A. Reports
None at this time
 - B. Recommendations
 1. Change the office of Vice President to the office of President-Elect; see attached; voting item.
 2. Evaluation of the members of the standing committees; see attached; voting item.
- V. Committee Reports
 - A. Budget
Status Report
 - B. Curriculum
Curriculum Manual
 - C. Professional Concerns
 1. Handbook change - voting item
 2. Bylaws - voting item
 3. Curtailment Policy - voting item
 - D. Benefits
 1. Status Report
 2. Faculty/Curriculum Expansion Grant - voting item
- VI. Old Business
- VII. New Business
- VIII. Adjournment

MINUTES OF THE FACULTY SENATE
February 28, 1983

Senators Present:

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|-----------------|-----------------|
| Kathy Brinker | Susan Kissel |
| Gary Johnston | Thomas Rambo |
| Paul Joseph | Michael Ryan |
| Jim Kinne | Jonathan Bushee |
| Nan Littleton | Lynn Ebersole |
| Byron Renz | Nancy Martin |
| Jerry Warner | Edwin Weiss |
| Macel Wheeler | Billie Brandon |
| Patricia Dolan | Thomas Cate |
| George Goedel | Linda Olasov |
| Charles Hawkins | Lois Schultz |
| Glen Mazis | Becky Sturm |
| Dennis O'Keefe | Fred Schneider |
| Mack Osborne | Linda Newman |
| Geraldine Rouse | Tom Barone |
| Janet Simon | |

Senators Absent Without Alternates:

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| Frank Dietrich | Kay Cooper |
| Julie Gerdson | James Thomas |

Guests Present:

Jeffrey Williams, Faculty Regent
Jim Gray
Dan Alford, Staff Congress
Lyle Gray
John White

- I. The Senate was called to order at 3:17 pm by President Tom Cate.
- II. The minutes of the January 24, 1983 meeting of the Faculty Senate were amended as follows:
 - p 3 last line should read 31-0-2.
 - p 4 top line should read Curriculum Manual.
 - p 4 VI. 1. should read with a vote of 31-0-2.
 - VI. 2. should read with a vote of 31-0-2.
- III. 1. Additions to the Agenda: Faculty Regent will report under "Presidential Reports".
 2. Deletions from the Agenda: Faculty/Curriculum Expansion Grant.
- IV. A. Reports
 1. Faculty Regent, Dr. Jeff Williams: Given that the Faculty Senate had not considered the salary proposal recommended by the Budget Committee, Dr. Williams abstained from voting on the salary recommendation presented by President Albright to the Board of Regents. This comment precipitated a lengthy discussion.
 - a) On January 10, 1983 President Albright, Mr. Dennis Taulbee and Ms. Sue Hodges talked with the Executive Committee; and it was at this meeting that Dr. Albright told the Executive Committee that the Senate would have until March 1, 1983 to recommend a salary proposal to him.
 - b) On February 9, 1983, President Cate learned that the Board of Regents would meet on February 25, 1983 and that at the meeting a salary proposal would be recommended.
 - c) On February 10, 1983 the Budget Committee passed a salary proposal (see V.A. below) The Executive Committee, but not the full Senate, had an opportunity to review this proposal; and both Dr. Albright and Dr. Williams were apprised of the situation.

d) When asked why the Senate had not responded to the new deadline, President Cate responded by saying that the difficulty lay in the selection of a time/date for a special meeting of the Senate.

2. Honors Proposal, Dr. Lyle Gray: Dr. Gray reports that the Honors Program proposal has been sent to the Chairs and will be sent to the Senate this week. The Provost has received 35 written responses all of which endorsed the program. There will be action brought to the appropriate channels concerning curriculum proposals, the half time position for director of the program, et al.

B. Recommendations:

1. A motion was made and seconded that the office of the Vice-President of the Faculty Senate be replaced by the new office of President-Elect. The motion was passed unanimously.
2. A motion was made and seconded to abolish evaluations of faculty participation on standing committees. Dr. Jerry Warner expressed his opinion that the evaluations were often difficult to make and did not reflect the faculty member's performance. Mr. Fred Schneider stated that he wished that there was a record of one's participation on Faculty Senate Committees, and the quality of one's work. Dr. Elly Welt expressed the opinion that there is no accurate way of assessing committee work, and that if someone does not attend meetings, they should be replaced on the committee. Dr. Charles Hawkins expressed the opinion that poor committee work, particularly non-attendance, should be reported back to the department. Dr. Jonathan Bushee felt that the motion should not be passed. He felt that going to a laissez faire system would be detrimental to committee attendance and quality. Mr. Paul Joseph also felt that the committee evaluation should be retained. Mr. Johnston also spoke against the motion stating that such a motion would "encourage loafers". The question was called. The recommendation did not pass.

V. Committee Reports

A. Budget Committee: Concerning the salary recommendation. Dr. Williams asked what was the vote in the Budget Committee. Mr. Kinne stated that various other considerations and figures were proposed and voted down. The final document was passed unanimously. A motion was made and seconded to put the recommendation on the floor for a vote. Ms. Linda Newman asked if under past procedures whether faculty were denied any increase who were clearly rated as "unsatisfactory performance". Dr. Lyle Gray, Provost stated this was the case with 21 faculty members last year and 17 the year before. Ms. Newman did not see the difference between the Board's policy and the Budget Committee's recommendations. Mr. Schneider explained that the Budget Committee policy gives the chairpersons less discretionary power with the 80% across the board increases. Dr. Williams explained to the Senate that the Board of Regents felt that after a number of years of performance review the Chair and the faculty members should have some knowledge and agreement on the faculty member's performance. Also, there is an appeal process now, if one objects to the Chair's evaluation. Mr. Schneider explained that the across the board increase replicates cost-of-living increases. President Cate remarked that the cost-of-living increase approach is common in an inflationary spiral; but in other periods, companies prefer merit increases. Dr. Gray stated that the administration will either have to wait to act on salaries or act according to the Regents' policy. Dr. Gray also restated that the Board's feeling was that there had been a sophistication of performance review achieved and it should be supported by funding. The Board policy does provide for a salary increase for any faculty member who is judged to perform satisfactorily.

Mr. Johnston stated that he supports merit increases, but is quite disappointed with the amount allotted to faculty increases. Dr. Gray stated that NKU will have the highest increases, probably about 6-7%, of the state institutions, because Northern adjusted its base in each of 3 years of budget cuts. Dr. Gray states that all this, of course, does not mitigate the fact that higher education is underfunded and underpaid. Dr. Gray stated the policy as proposed to the Board came out of a series of meetings with the Chair's Council and the Dean's Council and members of the administration. Dr. Ted Weiss stated that he's concerned that the time of this became so problematic. Dr. Williams stated the agenda item was not mailed out until last week and was not mailed out previously with the other agenda items. Dr. Weiss objected that somewhere in the process, there seems to be a recurring problem with the Senate action being too late. Dr. Dennis O'Keefe moved that the motion be tabled. Dr. Bushee expressed concern that we should not table this for a month if we want it to have an impact on the budget. Dr. George Goedel made a motion that we hold a special meeting on Monday, March 7, 1983. Dr. Bushee stated that we should vote to suspend the 7 day advance rule and act on it next week. The motion passed. A motion was made to suspend the rule that action items be distributed 7 days in advance. Mr. Schneider moved that we also consider the merit policy recommendation for next week and suspend the 7 day in advance rule. The motion passed.

- B. Curriculum Committee: Manual has been distributed to Chairs and committee representatives. It will be voted on this upcoming Thursday meeting. Please give your representative input before then.
- C. Professional Concerns Committee: The policy on continuing non-tenure track positions ^{would be discussed} was passed. There were a series of changes in the bylaws of the committee proposed (accepting proxy votes, allowing for reelection of officers of the Committee and others - see document sent to Senators). Mr. Joseph objected to proxy votes. Dr. Byron Renz pointed out that Robert's Rules of Order discourages proxy voting. Mr. Joseph made a motion to delete the IV. C. provision for proxy voting. Dr. Goedel asked why the Senate objects to the committee's wanting proxy voting. Dr. Weiss stated that he'd be happy to delete it for now and take it back to committee to discuss provision IV. C. The motion to delete IV. C. passed unanimously. The motion to pass the rest of the bylaws passed unanimously. The "Curtailment Policy" was also brought before the Senate. It had been amended from the one passed a few months ago in response to 1) a state law that prohibits severance pay 2) to make tenure and rank more important than seniority per se and 3) provide for paid retraining leaves. Dr. Gray spoke in favor of protecting tenure rights and strengthening the paid faculty retraining leave. Dr. Bushee pointed out that line 4 should state "data", not date. The motion was passed unanimously.
- D. Faculty Benefits Committee: Dr. Goedel announced \$55,000 in grants (excluding sabbaticals). He thanked Dr. Gray and the administration for the continued support for these programs. The committee is considering changing both their deadlines (so they don't conflict with summer teaching scheduling) and procedures (in order to give applicants written feedback on the strengths and weaknesses of their proposals). The curriculum expansion grant will be brought to the Senate for the next meeting.

VI. No New Business

VII. Adjournment

1. Recommend for action:

That the office of the Vice President of the Faculty Senate be replaced by the new office: President-elect.

2. Rationale:

- a) It takes one year to learn the duties of the President and the best way to complete those duties.
- b) Since the President receives some reassigned time the individual who elected to the Office of the President-elect will have one year to make the appropriate arrangements with his/her department's chairperson.

1. Recommend for action:

- a) That the evaluation of the members of the standing committees of the Faculty Senate by their respective committee chairpersons be discontinued;
- b) That if a member of any standing committee so desires to be evaluated, that individual must contact his/her committee chairperson; and
- c) That if a committee chairperson does evaluate any members of his/her committee, the distribution of the evaluation will be (1) one copy for the committee member, (2) one copy for the committee member's department's chairperson, or independent program's director (3) one copy for the committee's files, and (4) one copy to another individual if requested by the committee member.

2. Rationale:

This portion of evaluation process no longer fulfills the purpose for which it was originally intended.

1. Recommend for action:

The Professional Concerns Committee recommends that the Faculty Policies and Procedures, a Handbook Article I, Section III be revised to read:

Part-time, non-tenure-track faculty normally hold the rank of instructor, lecturer, adjunct professor, or visiting professor and teach/work less than a full course load each semester as determined by the University. Such faculty are normally appointed on a contingency basis to meet emergency overloads of students. The contract of employment will specify the exact period and conditions of the appointment and will normally be self-terminating. If one is a continuing position, it must be stipulated in the Contract of employment. Employment does not exist until a contract is issued and signed by the appropriate authorities.

2. Rationale:

To clarify the definition of and contractual agreement to part-time faculty.

The underlined sections represent the proposed changes.

1. Recommend for action:

NORTHERN KENTUCKY UNIVERSITY

BYLAWS

PROFESSIONAL CONCERNS COMMITTEE OF THE
FACULTY SENATE

I. OBJECTIVES AND FUNCTIONS

- A. Review, evaluate, and make recommendations concerning the various University policies relating to the general academic and professional concerns of the faculty, in particular those matters dealing with tenure, promotion, rank, and performance evaluation.
- B. Periodically review the Faculty Handbook.
- C. Review, evaluate and make recommendations concerning those student policies that are of professional concern to the faculty.

II. MEMBERSHIP

- A. Committee membership shall conform to Article VI, Section A of the Constitution of the Faculty Senate.

III. OFFICERS

- A. The officers of the Committee are a Chairperson and a Secretary.
- B. The Chairperson shall be elected by the Faculty Senate and the Secretary shall be elected by the Committee.
- C. The Chairperson shall preside at all meetings of the Committee, shall act as a liaison to the administration to facilitate the collection of data, and shall be an ex officio member of all standing and ad hoc committees.
- D. The Secretary shall record minutes of all meetings and notify each committee member of meetings. The Secretary shall preside at committee meetings in the absence of the Chairperson.
- E. Officers of the Committee shall serve for a term of one academic year and, if eligible, may be reelected.

IV. MEETINGS

- A. The Chairperson shall call regular meetings of the Committee.
- B. The Chairperson may call special meetings.
- C. Written proxy votes (either conveyed to the Chairperson prior to the vote or conveyed through a stand-in department representative) shall be allowed.
- D. A simple majority of the Committee shall constitute a quorum; and unless otherwise specified, the issue shall be decided by majority vote, provided a quorum is present.

V. SUBCOMMITTEES

- A. The Chairperson shall appoint members, with their consent, to appropriate subcommittees of the Professional Concerns Committee as needs arise.
- B. After acceptance of any subcommittee report by the Committee, a copy of said report shall be made a part of the recorded minutes of the Committee.

VI. RULES OF ORDER

- A. In the absence of any special rules of order which the Committee may adopt, the latest revised edition of Robert's Rules of Order shall govern the conduct of meetings.

VII. PROCEDURE FOR AMENDING BYLAWS

- A. Changes in the Bylaws of the Professional Concerns Committee may be recommended at any regular committee meeting by a two-thirds majority vote of the full Committee, provided the recommendation was submitted in writing at the previous regular committee meeting. Changes must be approved by the Faculty Senate before taking effect.

2. Rationale:

These changes in the bylaws reflect the current operating procedures of the Professional Concerns Committee of the Faculty Senate. The underlined sections represent the proposed changes.

1. Recommend 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; curtailment may not occur before a program review is completed. The date on which the program review is based must not be more than two years old at the time the curtailment decision is made. 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, the data used to support its 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 retirements; contract buy outs; and paid leaves for retraining.
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. tenure, rank, and seniority in that order of importance.
 - b. evaluation of individual performance reviews over the last three years,
 - c. affirmative action guidelines,
 - d. particular specialities 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 except as provided under Sec. 5, below. The administration must attempt to reassign them to other academic programs. Failing reassignment, the administration will provide a paid leave for retraining. In both reassignment and retraining, every effort should be made to utilize the past training and expertise of the faculty member in question. Similar, but not mandatory efforts, should be made for untenured faculty.

5. If, following the procedures outlines in Sec. 4, the administration offers reassignment to other academic programs, or offers paid retraining leaves, and such reassignment or retraining is refused, then the faculty member in question may be terminated.

6. 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 decisions 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 retrained.

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.

See pp 40-41 in the Faculty Policies and Procedures Manual.