

# MINUTES OF THE FACULTY SENATE

October 12, 1981

Senators Present:	Richard Ward	Kay Cooper
	Kathy Brinker	Jonathan Bushee
	Joseph Ohren	Larry Giesmann
	Mike Gray	Susan Kissel
	Gary Johnston	Art Miller
	Paul Joseph	Debra Pearce
	Jim Kinne	Tom Rambo
	Glen Mazis	Mike Ryan
	Peter Schiff	Frank Stallings
	Rosetta Mauldin	Edwin Weiss
	George Goedel	Billie Brandon
	Frank Dietrich	Rachelle Bruno
	Julie Gerdson	Tom Cate
	Byron Renz	Richard Snyder
	Vernon Hicks	Pam Juengling
	Macel Wheeler	Donna Bennett
	Jerry Warner	Donald Cobb

## Senators Absent without Alternates:

David Elder

Guests Present:

Nancy Campbell (alternate for Lois Schultz)  
A. Salveto, Kentucky Post  
L. Langmeyer, Business  
Dennis O'Keefe, Political Sciences  
Bill McKim, Literature/Language  
R.C. Vitz, History  
Kim Hennessy, Office of President  
Phil Grone, Student Government President  
Mike Klembara, Associate Provost  
Carol Futhey, History  
Brent Meyer, Northerner  
Carmine Bell, Literature/Language  
Frank Steely, History  
Bob Lilly, Social Sciences  
Terry Pence, Social Sciences  
Janet Miller, Education  
Robert Snyder, Business  
Jeanne Johnston, Education  
Lyle Gray, Provost  
David Bishop, Education  
Tom Barone, Education  
Ken Carter, Education  
Warren Corbin, Education  
Bill Dickens, Education  
Bob Wallace, Literature/Language  
Diana Duffin, Fine Arts  
Pat Dolan, Social Work  
Thomas Zaniello, Literature/Language

T. Desai, History  
David Payne, History  
Kevin Booher, Fine Arts  
Howard Storm, Fine Arts  
Barry Anderson, Fine Arts  
Bill Worley, Fine Arts  
Jeffrey Williams, Faculty Regent  
J. Merle Nickell, History  
L.R. Borne, History  
Louis R. Thomas, History/Geography  
Jim Ramage, History, Geography  
Michael Adams, History/Geography  
Linda Newman, Steely Library  
Geraldine Williams Rouse,  
Jan Hammond, T.O.E.  
Joseph E. Price, Literature/Language  
Terrance Russell, Social Sciences  
Barbara Thiel, Social Sciences  
Sharlotte Neely, Social Sciences  
Vincent Schulte, Chair, Psychology  
H.L. Wallace, History  
David Hogan, Psychology  
Paul Bishop

Debra Pearce called the meeting to order at 3:05 p.m. She stated that this special meeting was only to consider the Financial Exigency policy which was mailed to the faculty from the Professional Concerns Committee and the Executive Committee of the Faculty Senate. She indicated that it represents the collective ideas of these two committees and of the administration, but it does not necessarily have the backing of the administration or of legal council; however, the Executive Committee felt it was imperative to replace the document currently in effect at the earliest possible moment, and that means at the October 28 Board of Regents meeting; this does not mean that the policy from the Executive Committee is non-emendable, it only means that this document is better than the current one and that it is the best that could be arrived at in this limited period of time; it can be changed at a later date. Dr. Pearce stated there were a few basic changes made from the original document passed in July; (1) there would be a standing financial exigency committee under this document so that when we are presented with the necessity of budgetary cutbacks, we will be ready to act, this committee will consist of both administration and faculty so that recommendations will come from the university and not just from the faculty or just from the administration, but from a joint body; (2) secondly, it is important that the faculty have input from the beginning as provided in this policy; (3) criteria in the document provide that program changes could be made or deletions made only in case of financial exigency. She recommended that a vote be taken on the document by 4:30 p.m; that comments be held to three minutes each and that any Senator required to leave before 4:30 should notify the Secretary so that

we could be sure whether or not a quorum was maintained.

After making the opening statements, Dr. Pearce turned the meeting over to the Vice President, Gary Johnston, so that she could make the following motion:

I move that the Senate reject the July 29 exigency policy as having been drafted without due concern for the normal procedures that allow for faculty analysis and input during the drafting of policies directly relating to faculty, and as being unworkable and an indefensible nullification of faculty rights; and that the Senate approve the document sent to the faculty from the Executive Committee for recommendation to the Board of Regents as a replacement to the existing policy. Tom Rambo Seconded.

Al Pinelo commented that he felt there were parts of this document that should be changed and modifications made especially with regard to putting a burden of proof on the administration to show that a financial exigency exists.

Ted Weiss made a motion that the seven changes mailed to the faculty be made as amendments to the document. Art Miller seconded. Motion carried.

Paul Joseph made a motion that under Conduct of the Hearing, on page 9, line seventeen, the words "and the chairman approves the request" be removed from the document. Mike Gray seconded. Art Miller called the question. Motion carried.

Paul Joseph made a motion that the following wording be inserted on page 10, line one, after the word parties, and also on page 10, line fourteen, after the word President: "and shall give to the parties written findings of fact upon which it bases its conclusion". The motion was seconded. Jonathan Bushee called the question. Motion carried.

Mike Ryan made a motion that under #3 on page 2, line 9, the following wording be inserted after the word - whole: "and which cannot be alleviated by less drastic means". Macel Wheeler seconded. Tom Rambo called the question. Motion carried.

Richard Ward asked what kind of statutory restraints would exist against this document as opposed to the existing policy. Lyle Gray answered that there might be a few.

Joseph Ohren suggested the document might be reconsidered with a view toward a policy in which faculty are non-managers.

Debra Pearce indicated that this policy would be much stronger if it provided for joint decisions with faculty and the administration.

Ted Weiss stated the Professional Concerns Committee overwhelmingly voted for this particular policy.

Dick Ward inquired as to why this document does not provide for a hearing for the faculty member before the Peer Review Committee.

Lyle Gray responded that it was in the best interest of faculty to be able to get a hearing with the Board as soon as possible solely on the basis of termination because of financial exigency.

Glen Mazis asked why only a 90 day termination notice was provided in the policy. Ted Weiss stated that it now reads "90 days when possible" because this was deemed as more appropriate if, in fact, there is a financial emergency.

Joseph Ohren made a motion that the Faculty Senate return this policy to the Professional Concerns Committee and direct it to devise a different policy modeled on a faculty as non-manager mode as opposed to a collective bargaining mode.

After discussion motion failed.

Joseph Ohren made a motion that discussion by the Board of Regents leading to Board action should take place in a public meeting. Mike Ryan seconded. Following discussion the question was called by Art Miller. The amendment failed 17 to 14.

Larry Borne commented that serious consideration should be given to the proposed order of termination and that years of service should outweigh rank.

Jonathan Bushee called the question on document before the Senate. Vote was taken by ballot. The motion carried by a vote of 29 to 3.

After turning the gavel back to Debra Pearce, Gary Johnston made a motion to temporarily suspend the by-laws requiring material be in the hands of the Senators seven (7) days prior to a meeting in order that the Senators might poll their faculties and any comments resulting from that polling might be entertained at the forthcoming meeting on October 19. Richard Ward seconded. Tom Rambo inquired as to whether or not this would open up the document to comments and/or changes from other sources. This was answered in the affirmative. Motion carried 22 to 5.

Mike Ryan made a motion that a mandate be made that this document, whatever its final form, go to the Board of Regents at its next meeting regardless of the stance of the administration. Macel Wheeler seconded. Mike Ryan withdrew his motion and the motion will be tabled until the October 19 meeting.

Jeffrey Williams recommended that the Senators poll the faculty in their respective departments with regard to their stance on this issue and advise Jeff before then.



Bob Lilly indicated a concern that the 4:30 cut-off time did not give everyone an opportunity to express their views at this meeting.

Glen Mazis asked that the Executive Committee express the concern of the Faculty Senate that Dr. Albright was unable to attend and that we hope he will be present at our next meeting.

Larry Giesmann made a motion to adjourn. Mike Gray seconded. Motion carried. The meeting adjourned at 5:10 p.m.

Billie Brandon

Billie Brandon, Secretary  
Faculty Senate