

Faculty Senate
December 13, 1994
Big 8 Room – K-State Union

Members present: Anderson, Aramouni, Baker, Balk, Behnke, Biere, Buchholz, Chastain, Conrow, Dubois, Dyer, Erpelding, Fenton, Foster, Gallagher, Glasgow, Gowdy, Hamilton, Hassan, Havlin, Higgins, Hummels, Jardine, Johnson, Kassebaum, Kopfenstein, Kolonosky, Kuhlman, Lamond, Laurie, Law, Legg, Madsen, Maes, Marr, May, McCulloh, McVey, Michie, Miller, Miller, Moeller, Mohr, Molt, Mosier, Moxley, Nafziger, Niehoff, Ott, Ottenheimer, Oukrop, Pallett, Pence, Pierzynski, Poresky, Rahman, Ransom, Reeck, Schoning, Shultis, Swanson, Twiss, Verschelden.

Proxies: Hamilton for Exdell, Laurie for Harbstreit, Madsen for Roysel, Nafziger for Frieman

- I. President Dennis Kuhlman called the meeting to order at 3:35 PM.
- II. Senator Ottenheimer moved and Senator Verschelden seconded approval of minutes from the October November 12, 1994 meeting of the Faculty Senate. The Faculty Senate approved the minutes by voice vote.

President Kuhlman thanked the Senators for bringing so many cans of food for the food drive. The can of Sun Dried Possum that had been donated did not go unnoticed.

III. Announcements

Because of the faculty's ongoing questions about the Family Medical Leave Act (FMLA), President Kuhlman invited Gary Leitnaker, who is Director of Human Resource Services, to present a brief discussion. Federal statutes guarantee 12 weeks of leave when the health of a spouse, son, or daughter are in need. This policy will be placed into the Board of Regents (BOR) handbook and is in effect on an interim basis now. What is being developed at KSU is policy to implement FMLA on campus. There are no provisions for gay couples nor for non-married heterosexual couples. FMLA is not an added benefit, but was enacted by the Federal Government to protect people who apparently were vulnerable. Whereas the Faculty Senate had voted to expand the federal statutes defining a family, the BOR remains unwilling to expand this definition. The Council of Faculty Senate Presidents will be encouraging the expanded definition of family under FMLA, and President Kuhlman will report back to Faculty Senate after the December BOR meeting.

Senator Anderson asked if the opposition to an expanded definition is basically philosophical or financial, and he was informed it is both. Senator Michie said it appeared the BOR was apprehensive that a broadened definition of family would lead the legislature to interpret the Regents system was aiding and abetting homosexuality. Senator Dubois asked how the policy voted on by Faculty Senate could be changed without any faculty input and then how the altered policy could be placed in the Faculty Handbook. President Kuhlman noted that there had been a breakdown in communication between the two groups involved; he noted that a statement had been added to the policy now in the handbook, and this statement noted that the policy statement was not what had been passed by Faculty Senate. Senator Legg noted that the policy inserted into the handbook had not been presented to the Faculty Handbook Committee, and called this development a major breakdown in not only communication but in procedure. Senator Michie recognized the hard work that last year's Faculty Affairs Committee, in cooperation with the University administration, had put in to develop the FMLA policy passed by Faculty Senate. She also noted that changes in the policy should have been brought back to the Faculty Senate. Senator Beire said given these circumstances the policy currently in the handbook should be pulled. Senator Moeller asked if Faculty Senate leadership was waiting for the right time to respond and asked if there is resistance to expanding the definition. President Kuhlman said there is resistance from some to expanding the definition, and that now is not the right time to push for an expanded definition. Senator Havlin noted that an advocacy group for expanding the definition exists on the KU campus.

President Kuhlman asked Jack Sills, who is Director of the K-State Union, to present information about work accomplished on plans for enhancing the Union facilities. A bound booklet presenting the plan is available for review in the Union's main offices. The plan is now before legislative committees, and the State architect has advertised for architects to submit bids on the plan. An architect cannot be hired prior to State approval. Completion is anticipated by 1998, and will provide an additional 20,000 square feet. President Kuhlman thanked John Pence for his participation on the committee planning the Union enhancement.

Discussion of Executive Committee minutes

There were corrections to the Executive Committee minutes of November 28, 1994: item 7 in under announcements should read Merrill Hall and Harbin Hall.

President Kuhlman noted that the Student Senate had withdrawn from the floor the resolution on adding a line to the TEVAL form to gain access to faculty evaluation information. The issues involved will be brought to Faculty Affairs.

Senator Nafziger questioned the constitutional powers of the Faculty Senate President to establish a task force without the express approval of Faculty Senate (see Announcement C in the Executive Committee minutes). President Kuhlman said technically he agreed with Senator Nafziger, but noted that as President of Faculty Senate he can request a committee to look into an issue. Senator Dubois wondered if Senator Nafziger's concerns also extended to Chairs of Standing Committees, and if these chairs needed approval from Faculty Senate to establish sub-committees or task forces. Senator Nafziger said the issue of the Faculty Senate President's powers was a totally different matter than the powers granted to Standing Committee chairs because the Faculty Senate President was acting in the name of the whole Senate. Senator Rahman asked who is giving the charge to the task force on chronic low performance, and said that matter was unclear. President Kuhlman said the task force is a Faculty Senate committee and will report back to Faculty Senate. Senator Rahman expressed concern over the wording which implied that persons at the rank of Professor have no incentives to be productive. President Kuhlman said the document "Chronic Low Achievers Task Force" had been prepared solely by him to encourage discussion and includes statements of issues President Kuhlman continually hears expressed, not necessarily views with which he agrees. Senator Dubois noted that there is increasing pressure for post-tenure review, and external concerns over dead wood who hide behind tenure. President Kuhlman mentioned an editorial in the Wichita Eagle which attacked tenure as an antiquated system. Senator Marr, who is the chair of the task force appointed by President Kuhlman, noted that the task force is not bound by the document President Kuhlman drew up, and questioned the wisdom and practicality of debating the document when a report is due back to Faculty Senate. The real issue seemed to be whether the President of Faculty Senate has the power to appoint such a committee.

IV. Standing Committees

A. Academic Affairs

1. Senator Law moved and Senator Dubois seconded amended Item 1 on this standing committee's agenda for the Faculty Senate meeting. The change involved changing "Master of Science in Engineering" to "Master of Software in Engineering." The motion passed by a voice vote.
2. Senator Law moved and Senator Klopfenstein seconded course and curriculum changes (599 and below) approved by the College of Agriculture faculty on October 27, 1994. The motion passed by a voice vote.
3. Senator Law moved and Senator Michie seconded course and curriculum changes (599 and below) approved by the College of Architecture and Design faculty on October 27, 1994. The motion passed by a voice vote.
4. Senator Law moved and Senator Oukrop seconded course and curriculum changes approved by the College of Arts and Sciences faculty on October 13, 1994. The motion passed by a voice vote.
5. Senator Law yielded the floor to Senator Pallett who introduced a change to the proposed changes in the Approval, Routing, and Notification Policy. Senator Pallett said the proposed changes need also to address the responsibility of the sponsor to notify known and affected parties. He suggested that this change be placed under D on page 5 as a new item 1: "Sponsors must notify parties about recommendations that will potentially affect these units or parties financially or programmatically." Senator Marr said unless this policy was urgently needed, he recommended it be returned to committee and so moved; and then Senator Biere seconded the motion. Senator Michie wondered if the concern expressed by Senator Pallett was actually addressed under #2 on page 6 of the proposed policy changes. Senator Pallett said the concerns were partially addressed but not all cases were covered (for instance, moving a course off campus). Senator Michie said the example given would never come to a course and curriculum committee. Senator May expressed concern over adding the amendment because sponsors cannot always know impacts changes will have. By a show of hands, the proposed change in the Approval, Routing and Notification policy was sent back to committee (31 yes, 28 no). Senator Hamilton underscored that the policy changes expressed a major issue in the College of Arts and Sciences; there is a need to require sponsors to act on identifying fiscal and programmatic impacts. Senator Biere said Academic Affairs needs to define what is "an affected unit."

6. Senator Law noted names will be added to the graduation list and that Academic Affairs will meet on December 20, 1994.

7. Senator Law asked Senator Balk, chair of the General Education Implementation Task Force (GEITF), to discuss the work of that task force. The GEITF has developed a document describing how to submit a course for general education; this document has been sent to the University printer for campus wide mailing to all faculty, deans, associate deans, the Inter-College Coordination Panel, selected members of the Student Senate, and other interested parties. The document has been placed on Unicorn.

B. Faculty Affairs

1. Senator Dubois moved and Senator Nafziger seconded acceptance of "The Annual Report on the Status of Faculty Salaries and Fringe Benefits at Kansas State University." Senator Dubois expressed thanks to all the members of the subcommittee which produced the report and asked that they be mentioned by name: Jeff Alger, Gary Pierzynski, Daniel L. Devlin, Brenda S. Fergen, Jeffrey A. Gwartz, John L. Havlin, Matthew A. Knox, Candace E. Layton, Keith D. Lynch (Chair of the subcommittee), Robert D. Reeves, Michael Oldfather, and Lynn R. Thomas. Senator Dubois asked President Kuhlman to work with University administration on release of the information in the document once the Faculty Senate had accepted the report.

Senator Dubois noted that the KSU administration is getting worn down in continuous efforts to increase faculty salaries. He said the administration is to be commended for its efforts. Senator Dubois said faculty should expect little improvement if any at all in faculty salaries in the coming year.

Senator Legg noted that Kathleen Sibelius, the incoming Insurance Commissioner, had held public forums on what she should be looking at. He asked if anyone had approached her about the health insurance program for state employees. Senator Havlin said he did have a call into Commissioner Sibelius over the matter.

Senator Rahman asked what will we do with the disturbing findings in the report of faculty salaries and fringe benefits. She noted that the Senate leadership should talk to administrative leadership about what is to be done. President Kuhlman said discussions were already ongoing between Senate and administrative leadership on these matters, and they were trying to identify the best possible moment to bring the information forward. The Council of Faculty Senate Presidents is using the 1994 KSU report as a model for BOR staff to apply in studying all Regents institutions. Senator Michie said KU and KSU stick out versus other Regents schools, and that there is not much support from other schools in these efforts to address issues of faculty salaries and fringe benefits. Senator Law noted that Senate and administrative leadership desire that this information in the report come out in consort with other articles about faculty impact on the State of Kansas. Senator Gowdy reported that faculty concerns over salaries are heard by a legislature which has data that per capita expenditures in Kansas for higher education rank Kansas 9th among all states.

The motion to accept the report was accepted by voice vote.

2. After correcting a typo in C157.5 (individual, not incividual) Senator Dubois moved and Senator Michie seconded approval of proposed changes to Section C in the Faculty Handbook -- the evaluation procedure for Deans. Senator Dubois discussed the history of iterations of the procedure as tried in the College of Architecture and Design. Senator Gallagher drew attention to C157.11 and C157.12 and expressed reservations about violations of the element of confidentiality in point 11. Specifically, if the Provost's decision over retaining a Dean is in conflict with committee recommendations, how can the Provost meet with faculty not on the committee and explain his/her decision without violating the protection of absolute confidentiality? Senator Dubois said he saw the dilemma that Senator Gallagher had disclosed, and he recommended striking the words "and faculty" from C157.12. Senator Poresky underscored that committee recommendations should be treated as confidential, and noted that the Provost could discuss the proceedings. Senator Law mentioned that it was imperative to protect absolute confidentiality in these matters because if confidentiality were not kept, such a state of affairs would hinder issues which were controversial and which produced close votes. Senator McCulloh pointed out that decisions to retain a Dean involved personnel matters and therefore required confidentiality. Senator Legg said all concerns in this matter would be removed by following Senator Dubois's recommendation to strike the words "and faculty" from C157.12. Senator McCulloh moved and Senator Oukrop seconded striking these words from C157.12. Senator Rahman expressed concern that if these words were struck from C157.12, then faculty would never find out information and would be left to rumors. Senator

Dubois said the committee deliberations are only one component in the Provost's decision, and certainly not the sole component. Senator asked if there is a mechanism to require the Provost to explain decisions made about retaining or letting go a Dean, and said her concerns were a matter of faculty governance not covered in the amendment to C157.12. There was some discussion that the Provost's explanation to the committee and to the faculty need not reveal information given by the committee. Senator Legg said there was a need for two meetings: one with the committee only and the other with the faculty. Senator McCulloh agreed with Senator Legg and said there are two separate issues involved; the Provost should offer explanation to faculty of decisions regarding a Dean. Senator Verschelden said as C157.12 reads with the proposed amendment, faculty would never hear the Provost's decision unless the decision goes against the committee. Senator Law called for the question, and Senator May seconded. The motion to end debate carried. The amendment to strike the words "and faculty" from C157.12 passed by a voice vote, but not unanimously. Senator Legg proposed an amendment to Section C (C157.13): "The Provost will meet with the faculty of the college to announce the decision and the reasons for the decision." Senator Rahman seconded the amendment. Senator Gallagher indicated he could support the amendment as long as the committee's confidentiality would be protected. Senator Verschelden questioned how the Provost is to keep the committee's deliberations confidential if the major reason for the Provost decision comes from the committee itself. The vote on the amendment passed unanimously.

Senator Conrow asked what is the rationale in C157.12 for the terms "from a strong majority." Senator Dubois said he saw no strong justification for retaining the terms "strong majority." Senator Conrow moved to amend C157.12 by deleting the terms "from a strong majority of" and making the sentence read: "If the Provost's decision as to reappointment is contrary to a recommendation from the committee, he/she will meet with the committee members to explain the reasons for not accepting the committee's recommendations." Senator Hummels (the Secretary is not sure on this point) seconded the motion. Senator Michie recommended having the phrase "from a majority of the committee" in the section. Senator Conrow accepted the recommendation as a friendly amendment. The vote on the amendment to Section C157.12 passed unanimously.

The question was asked when would this policy take effect. There was sentiment that the policy be applied to the evaluation of the Dean of the Graduate School.

Senator Michie called for the question, and Senator McVey seconded. The motion to end debate passed. The motion passed unanimously.

3. Senator Dubois moved approval of changes to Section B in the Faculty Handbook regarding recognition of Faculty Senate leadership. Senator Law seconded. Senator Dubois mentioned that many departments do not recognize the time commitments that service on Faculty Senate leadership requires. Senator Legg proposed an amendment to line 4 to include "and Deans." Senator Michie seconded. The amendment passed unanimously. Senator Conrow said the motion contradicted the handbook on non-directed service. Senator Michie and Senator McCulloh thought this interpretation is incorrect. Senator Michie likened the motion to efforts taken to recognize the service efforts of the University ombudsperson. Without official recognition of this service, it remains difficult to get faculty to serve in these positions. Senator Jardine asked if the policy passed would a department have to revise evaluation policies if it considers Faculty Senate time to be of no importance. The answer from the heavenly hosts was "Yes." Senator Michie called for the question, and Senator Hummels seconded. The motion to end debate carried. The motion as amended passed.

C. FSCOUP

Senator Maes said that Provost Coffman had met with FSCOUP on cash flow issues. FSCOUP will be meeting to determine what action to take.

IV. Old Business -- None.

V. New Business

The Regents Faculty Evaluation Document was discussed. President Kuhlman noted that the BOR would be voting on the document at its upcoming meeting. Senator Michie moved acceptance of the document with the exception of Item 6. Senator Verschelden seconded. Senator Michie noted that Item 6 is in direct contradiction of Item 7a. Senator Michie asked President Kuhlman to stress the asininity of Item 6. Senator Havlin said the data wanted in Item 6 are

already provided to the BOR. Senator Poresky asked the rationale for Item 7b. President Kuhlman said Item 7b supported the portfolio concept of faculty evaluation. The motion passed by voice vote.

VI. For the Good of the University

1. President Kuhlman sent a letter to Coach Asbury and congratulated him on the basketball team's opening season victory. President Kuhlman described the game as exciting to watch and "an example of the accomplishments made possible by effective teamwork and leadership." President Kuhlman encouraged Coach Asbury to feel free to contact him or Faculty Senate if there is anything to be done to assist or enhance Coach Asbury's educational or teamwork efforts.

2. President Kuhlman acknowledged and commended Karen Martin for receiving the Conoco Distinguished Award for Outstanding Services for Minority Education.

3. President Kuhlman expressed appreciation to Senator Anderson for his work with the Student Senate.

4. President Kuhlman congratulated Scott Rottinghaus, the newest Marshall Scholar from Kansas State University and commended Nancy Twiss for her advisory efforts.

VII. The meeting adjourned at 5:19 PM.