

JOURNAL OF THE FACULTY SENATE
 The University of Oklahoma (Norman campus)
 Regular session - December 11, 1995 - 3:30 p.m.
 Jacobson Faculty Hall 102

The Faculty Senate was called to order by Professor Pat L. Weaver-Meyers, Chair.

PRESENT: Badiru, Baker, Benson, Bremer, Burnett, Carnevale, Dillard, Dillon, Durica, Egle, Elisens, Fiedler, Friedrich, Fung, Gana, Genova, Gilje, Greene, Griswold, Gupta, Gutierrez, Havener, Holmes, Horrell, Hutchison, Konopak, Laird, F. Lucey, R. Miller, Murphy, Nelson, Ogilvie, Palmer, Ragep, Roegiers, Scaperlanda, Sipes Stock, Stoltenberg, Tepker, Thulasiraman, Wallach, Weaver-Meyers, Weinel, Wenk, Williams

PSA representatives: Iselin

GSS representatives: Royal

UOSA representatives: Palmer

ABSENT: Harris, Hertzke, Hillyer, Lee, Mouser, Patterson, Shaughnessy

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APPROVAL OF JOURNAL

The Senate Journal for the regular session of November 13, 1995, was approved.

ANNOUNCEMENTS

The Senate Executive Committee nominated Professors Susan Vehik (Anthropology) and Daniel Wren (Management) for the faculty-at-large position on the search committee for the College of Law dean.

The Senate Executive Committee nominated Professors Bob Foote (Industrial Engineering) and Nim Razook (Marketing) for the Conflict of Interest Oversight Committee.

Faculty are invited to submit nominations to the Faculty Senate office by December 19 for the faculty-at-large position on the College of Arts and Sciences dean search committee and for the Senior Vice President and Provost search committee. Nominees for the dean search committee should come from outside the College of Arts and Sciences. Prof. Weaver-Meyers listed the names of faculty who volunteered last spring for the Provost search committee.

The regular meetings of the Faculty Senate for Spring 1996 will be held at 3:30 p.m. in Jacobson 102 on the following Mondays: January 22, February 12, March 18, April 8, and May 6.

REMARKS BY MS. KIM HEFTY, UNIVERSITY OF OKLAHOMA STUDENT ASSOCIATION PRESIDENT

Ms. Hefty said she would like to develop a student bill of rights to address student problems. This issue was raised two years ago. She cited an example of a student who added a class in the first two weeks and was not allowed to make up an exam given during that period. A solution might be to change the class add time to one rather than two weeks. A student bill of rights could include deadlines for students to receive a syllabus, professional conduct in class, and absences due to funerals. A major part of the bill of rights will be codifying existing policies into one readily accessible document.

Another issue of concern is the overlap between computer fees assessed by colleges and those assessed university-wide. She praised the quality of professors and students. She said students are happy to be able to nominate faculty for the presidential professorships. Other issues being addressed include the transfer of E&G funds to athletics and diversity training for new faculty and teaching assistants. She asked the Faculty Senate to let her know if there are any partnerships the faculty and students can forge.

SENATE CHAIR'S REPORT, by Prof. Pat Weaver-Meyers

Prof. Weaver-Meyers introduced Mr. Stephen Bentley, vice chair of the OU Board of Regents, who asked to attend a Faculty Senate meeting to get to know faculty. Mr. Bentley said he became a regent three years ago. He believes there is no separation between what the faculty and regents are trying to do. Faculty can call or e-mail him when issues arise. Faculty and

regents need to have a better relationship during a time of funding cuts. Regents are not academicians, but serve as the political arm. The board is concerned that faculty salaries are below the average. Faculty and regents need to get to know each other and not be adversarial. A lot of changes will be occurring in higher education. The people on the outside will have more appreciation for what we do at the University if we get the word out. Prof. Weaver-Meyers thanked him for his support of sabbaticals, in the face of political pressure concerning Prof. Anita Hill's leave.

The Senate Executive Committee met with the Oklahoma State University Faculty Council and Health Sciences Center Faculty Senate executive committees in November. The new relationship the HSC will have with Columbia HCA will provide \$26 million to the HSC and allow the HSC to exist. With OSU, the discussion focused on the Internet policy, Governor's commission report, tenure, workload, program duplication, and athletic funding.

Professors Pat Weaver-Meyers, Connie Dillon, and Lynda Kaid were added to the Athletics Council subcommittee on gender equity issues. President Boren agreed to add another faculty and student to the committee.

The Staff Senate recommended that the proposed Information Technology Council be changed to a committee to allow staff to chair it and that the representation of staff and students be increased. To compromise, President Boren will recommend that one staff and one student be added to the council and that the student represent an area of the University with higher computing fees. He also will recommend that budget responsibilities be maintained in the Budget Council.

A question has been raised as to whether the *Faculty Handbook* addresses the problem of disruptive students in class. Next semester, the Senate will be asked to consider whether to add a section to the *Faculty Handbook* to refer faculty to the appropriate section of the Student Code.

The Senate Executive Committee discussed the status of the panel on reinvigorating undergraduate education with Provost Mergler. Dr. Mergler said funding is being recommended for the retired faculty teaching program, instructional development, G.A. stipends, teaching incentive program, undergraduate research projects, and smaller class sizes.

The Faculty Compensation Committee did a study of faculty salary inversions, which showed that 71% of new hires create inversion, while only 21% of promotions were inversive. The salaries were compared at the same rank in the same department. Provost Mergler will be asked to address this in her remarks to the Faculty Senate in January.

FACULTY REPRESENTATION IN INTERNAL GRIEVANCE PROCEEDINGS/ ETHICS RULES

At last month's meeting, Prof. Tepker explained that a conflict exists between the State Ethics Commission Rules and university policy (see 11/95 Journal, page 6). In a November 15, 1995 memo (Appendix I), Prof. Tepker outlined a proposed exemption to the ethics rule. He

reported that any proposal to amend the ethics rules must secure sponsorship by a member of the Ethics Commission. It is likely that the individual who has agreed to sponsor a change would restrict the language to grievances. Prof. Tepker recommended that the Faculty Senate endorse an exemption but not tie itself to any particular language, because the Senate will not have that kind of control.

Prof. Friedrich asked what the disadvantage would be to endorsing the language proposed by Prof. Tepker in his November 15 memo. Prof. Tepker said the commission might think the language was too broad. The basic idea is representation in an informal way associated with grievances.

Prof. Tepker moved that the Faculty Senate endorse proposed changes in Rule 257:20-1-6(e) that would allow University employees to represent colleagues in internal grievances. Prof. Weinel asked whether that language was clear enough. Prof. Tepker said he did not think it could be misinterpreted, but it might not go far enough in addressing all the problems. It is a first step. The motion was unanimously approved by a voice vote.

RESOLUTION: COMPOSITION OF DEAN SEARCH COMMITTEES

Prof. Tepker introduced a resolution to amend sections 2.7.7(c) and 2.8.1 of the Norman Campus *Faculty Handbook* (Appendix II). He said the purpose of the resolution was to reassert support for having a faculty majority on dean searches along the lines of the previous *Faculty Handbook*. This will provide a focal point for a dialog with regents and administration on the issue of faculty governance. Faculty have responsibility for academic affairs and should have a role commensurate with that responsibility.

Prof. Wenk said it is one thing to get representation on the search committee, but if the input of the search committee is not used in the hiring decision, what good does it do. Prof. Tepker noted that the American Association of University Professors standard states that no person be appointed over the reasoned opposition of faculty. There is nothing in the old or new *Faculty Handbook* that states that principle. That provision could be included in the resolution and/or say no person shall be appointed over the objection of the search committee. Prof. Gilje suggested that language be added that specifies search committees. Prof. Roegiers said there are case histories where the recommendations of search committees are not being taken. Prof. Tepker pointed out that AAUP policy says, "The person chosen for an administrative position should be selected from among the names submitted by the search committee. The president, after weighing the views of the committee, will make the final choice. Nonetheless, sound academic practice dictates that the president not choose a person over the reasoned opposition of the faculty." Prof. Hutchison suggested that that exact wording be cited in the resolution.

Prof. Dillard remarked that "faculty" was vaguely defined in the wording and suggested that language such as "faculty representative body" could be substituted. Prof. Weaver-Meyers said the search committee will be clearly informed, whereas other bodies might not have all the information. Prof. Gilje noted that the AAUP language covers both the search committee and also the faculty; however, "as expressed in the Faculty Senate" could be added. Prof. Tepker suggested "faculty of the college or unit involved." Prof. Weinel commented that a more open wording was reasonable because the colleges are so diverse. Prof. Williams

suggested that the AAUP wording be retained and then say faculty appointed to a search committee represent the faculty. Prof. Tepker suggested that recommendations be sent to him or to the Faculty Senate office. The vote will be taken at the next meeting.

REVISED CAMPUS PLANNING COUNCIL CHARGE

Prof. Weaver-Meyers explained that concerns have been raised about the Campus Planning Council's involvement, impact, and usefulness. As a result, the CPC, chaired by Prof. Eleanor Weinel, developed a revised charge (Appendix III).

Prof. Weinel said the original charge was very open and not specific in defining the responsibilities. The proposed charge is a compilation of several proposals. The purpose is to lay out the scope of issues the council shall review and the responsibilities in the process of that review. These responsibilities are intended to be laid out clearly so that they are understood by all--faculty, administration, and departments within University. A recommendation was made to add "parking" to 3. so that it would read, "...landscaping, parking, and preliminary project plans..." Prof. Weinel said she thought it was a good idea to add it. The CPC merely had assumed parking would be included under structure or site changes. Prof. Weaver-Meyers noted that this charge defines when the CPC will be brought into the process--before sites are selected. Prof. Weinel said the CPC would appreciate suggestions for a mechanism for bringing in the opinion of the community. The CPC would like to be able to produce a physical plan for the campus. The current campus plan is just a list. Prof. Tepker moved to approve the revised charge as amended. Prof. Weaver-Meyers commented that the vote could be postponed until next month to allow senators to discuss this with their colleagues. Prof. Holmes moved to table the proposal. There was no second. The motion to approve the revised charge as amended was unanimously approved on a voice vote.

RESOLUTION THANKING STATE REGENTS

Prof. Friedrich explained that the Oklahoma State Regents for Higher Education approved the new endowed chairs and professorships by a 5 to 3 vote in the face of a lot of political pressure. He introduced the following resolution:

Whereas the Oklahoma State Regents for Higher Education approved \$5.875 million in new endowment accounts to establish seven endowed chairs and five endowed professorships at the University of Oklahoma Norman and Health Sciences Center at its meeting December 1, 1995;

Whereas the Oklahoma State Regents have allocated a total of \$63.7 million for 202 chairs and professorships since the endowment program began in 1988; and

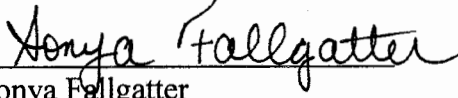
Whereas the Oklahoma State Regents, in the face of political pressure to do otherwise, acted in accordance with its established policy for administering the Endowment Fund Program;

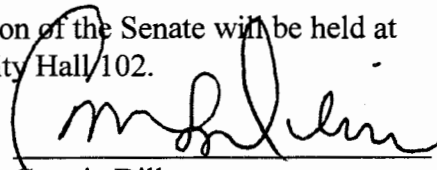
Be it resolved that the Faculty Senate of the University of Oklahoma thanks the Oklahoma State Regents for Higher Education both for their defense of academic freedom and for 12 new endowed faculty chairs and professorships.

Prof. Gilje moved to approve the resolution. Prof. Fiedler said he would like to have more information. Prof. Friedrich explained that articles had appeared in several newspapers. Prof. Fiedler moved to table the motion. There was no second. The motion to approve the resolution was approved on a voice vote, with one abstention.

ADJOURNMENT

The meeting adjourned at 4:30 p.m. The next regular session of the Senate will be held at 3:30 p.m. on Monday, January 22, 1996, in Jacobson Faculty Hall 102.


Sonya Fallgatter
Administrative Coordinator


Connie Dillon
Secretary

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[Note: The Graduate Student Senate has introduced three new awards for Graduate Teaching and Research Assistants. Nomination forms, which are due March 22, 1996, are available in departments or outside Ellison Hall 216.]

University of Oklahoma

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15 November 1995

MEMORANDUM

TO: FACULTY SENATE
RE: PROPOSED ETHICS RULE CHANGE

RULE 257:20-1-6(d):

A state officer or state employee shall not represent another person before the governmental entity the state officer or state employee serves.

RULE 257:20-1-6(e) & PROPOSED AMENDMENT

(underlined language would be deleted; italicized would be added)

These restrictions shall not apply to the following:

- (1) purely ministerial matters which do not require discretion on the part of the entity;
- (2) representation by a state officer or state employee in the course of the officer's or employee's official duties;
- (3) self-representation by the state officer or state employee; or
- (4) representation of the state officer or state employee in matters arising out of or rules promulgated pursuant to the Oklahoma Personnel Act; or
- (5) *representation of the state officer or state employee in matters arising out of rules promulgated pursuant to Faculty or Staff Handbooks by the governing boards of state institutions of higher learning.*

Resolution

Composition of Dean Search Committees

Whereas:

1. Traditionally, the University of Oklahoma has followed sound academic practice by appointing faculty to a majority of positions on search committees for deans.
2. The case for faculty majority representation on dean search committees is strong, as reflected in a few basic principles articulated by the American Association of University Professors, *Statement on Faculty Participation in the Selection, Evaluation, and Retention of Administrators*, POLICY DOCUMENTS AND REPORTS (1990).
 - a. The role of the faculty in the selection of a dean should reflect the extent of legitimate faculty interest in the position.
 - b. A dean of a college performs duties that are directly dependent upon faculty work, support and cooperation.
 - c. The composition of a dean search committee should reflect the primacy of faculty interest.
 - d. The faculty component of the committee should be chosen by the faculty of the unit or by a representative body of the faculty.
 - e. Majority faculty representation is one check in a selection system that helps to ensure sound academic practice that no person be appointed as dean over the reasoned opposition of faculty.
3. In the spring semester of 1995, the Faculty Senate, exercising its legislative powers conferred by the rules and regulations of the University of Oklahoma, approved written policies on the role of deans as well as procedures for selection of deans that included a guarantee of majority faculty representation on all dean search committees. The written policies were subsequently amended by the University of Oklahoma Board of Regents to delete the guarantee of majority faculty representation, and the Faculty Senate had no opportunity to comment on the amendment or to present its case against the amendment.
4. The President has assured the leadership of the Faculty Senate that he will appoint university faculty to a majority of positions in dean search committees; and he has done so in the creation of search committees for Dean of the College of Arts & Sciences and Dean of the College of Law.

Therefore, be it resolved by the Faculty Senate of the University of Oklahoma:

Sections 2.7.7(c) and 2.8.1 of the Norman Campus Faculty Handbook shall be amended to state restore the university's traditional practice that: (i) A majority of a dean's search committee shall be selected from the general faculty of the college or unit involved; and (ii) nominees for representatives from the general faculty or particular college or unit involved shall be chosen by the faculty of the college or unit.

PROPOSED

Campus Planning Council (Norman)

Purpose: The Council is charged to recommend to the President and report to the Faculty and Staff Senates on matters concerning the planning, development, utilization and management of the University's physical resources and the impact these resources have on the teaching, research, and public service mission of the University.

As an advisory body to the president, the scope of the Council's responsibility shall include:

1. Review and evaluation of the effectiveness of existing physical resources and development plans and assisting in the identification of new facilities for the University in order to help provide for the orderly and reasoned expansion and renovation of facilities. The Council would periodically review standards and guidelines for the renovation and development of classroom facilities.
2. Review of proposed preliminary capital planning actions.
3. Review and provide recommendations regarding site selection for new facilities, site development plans including landscaping, parking, and preliminary project plans for new facilities and major renovation projects. When appropriate, provide the opportunity for community input concerning projects.
4. Provide recommendations regarding the land use of current University property and review campus expansion plans.

To meet these responsibilities effectively, the Council shall:

- A. Develop procedures required for the performance of these responsibilities and recommend to the President any policy or procedural changes necessary to carry out these responsibilities.
- B. Develop procedures to coordinate the activities of the Council with those of other councils and committees in areas of common responsibility.
- C. Review existing policy, procedures, and guidelines for the development, management, and maintenance of the University's physical resources and recommend to the President any changes deemed appropriate.
- D. Survey users and provide a forum for public input, when appropriate, on matters concerning the maintenance and development of the University's physical resources and summarize that input for the President and the Faculty and Staff Senates.
- E. Report annually to the President and the Faculty and Staff Senates on the maintenance, utilization, planning, and development of the University's physical resources.

CURRENT

CAMPUS PLANNING COUNCIL (NORMAN)

Purpose: The Council is charged to recommend to the President and report to the Senate on matters concerning the use and development of the University's physical resources. The scope of the Council's responsibility in these areas is commensurate with that of the President and shall include planning for the future as well as evaluation of existing systems, uses, and performances.

In carrying out these responsibilities, the Council shall:

1. Formulate a comprehensive facilities plan that reflects the academic, research, and public service responsibilities of the University of Oklahoma. Appropriate professional personnel will be responsible for the development of the comprehensive facilities plan.
2. Formulate general policy and reduce to writing guidelines to insure the effective use of existing physical resources of the University to provide for orderly, reasoned expansion, and renovation.
3. Review proposed actions to insure adherence to established policy and guidelines.
4. Review performance of University offices where appropriate to the Council's responsibilities.
5. Develop procedures to implement performance of the responsibilities therein assigned.
6. Develop procedures to coordinate activities of the Council with those of other councils in areas of common responsibility.

Administrative Liaison

1. The Provost, the Vice President for Administrative Affairs, the Executive Assistant to the President, and the Registrar (etc.) will participate as ex-officio members without vote.
2. When requested, other administrative officers concerned with administrative structure or physical facilities shall serve as consultants to the Council. Such officers could include: Provost, Registrar, Vice President for Administrative Affairs, and Executive Assistant to the President.

Membership: The Campus Planning Council shall consist of 16 members apportioned in the following manner:

<u>Membership</u>	<u>Method of Selection</u>	<u>Term</u>
6 Faculty Members	The Faculty Senate appoints 4 members, and the President appoints 2 members	3 years
3 Staff Members	The EEC appoints 2 member, and the President appoints 1 member	3 years
2 Students	The UOSA appoints 1 member, and the President appoints 1 member	1 year
Provost, Norman Campus	Ex-officio, non voting	
Vice President for Administrative Affairs	Ex-officio, non voting	
Executive Assistant to the President	Ex-officio, non voting	
Registrar	Ex-officio, non voting	
A & E Director	Ex-officio, non voting	

Staff Services: Vice President for Administrative Affairs

(Charge approved by the President of the University upon the recommendation of the Faculty Senate and the University of Oklahoma Student Association December 1972, revised in May, 1974, and July 8, 1977, December 15, 1977, May 31, 1979 and July 1, 1981). Restructured Spring 1991.