

**JOURNAL OF THE FACULTY SENATE**  
 The University of Oklahoma (Norman campus)  
 Regular session - May 2, 1994 - 3:40 p.m.  
 Jacobson Faculty Hall 102

The Faculty Senate was called to order by Professor Bruce H. Hinson, Chair.

**PRESENT:** Anderson (3), Badiru (3), Barman (2), Dillon (3), Faulconer (2), Fiedler (0), Fonteneau (2), Friedrich (1), Genova (1), Gordon (0), Harper (2), Havener (0), L. Hill (1), Hinson (0), Kincade (3), Koger (2), Lakshmiarahan (2), Latrobe (2), London (2), Loving (0), R. Miller (0), Mouser (1), Ogilvie (0), Pailes (1), Rhodes (2), Roegiers (4), Sankowski (0), Stock (0), Sullivan (2), Sutton (1), Tepker (0), Van Gundy (1), Weaver-Meyers (0), Weinel (1), Whitecotton (0), Wiegand (1)

PSA representative: Marshall

**ABSENT:** Boyd (2), Cornelius (3), R.C. Davis (3), Gutierrez (2), Holmes (3), Johnson (3), Jordan (4), Kukreti (3), Landes (1), Mock (3), D. Morgan (2), Reeder (2), Schubert (2), Tiab (2), Watson (2)

(NOTE: During the period June 1993 - May 1994, the Senate held 9 regular sessions and no special sessions. The figures in parentheses above indicate the number of absences.)

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**APPROVAL OF JOURNAL**

The Senate Journal for the regular session of April 11, 1994, was approved.

**ANNOUNCEMENTS**

The regular meetings of the Faculty Senate for Fall 1994 will be held at 3:30 p.m. in Jacobson Faculty Hall 102 on the following Mondays: September 12, October 10, November 14, and December 12.

The following summary of the activities of the Speakers Service for the past year was distributed at the meeting.

With two months still left in the 1993-94 academic year, the Speakers Service already has surpassed last year's level of service to the people of Oklahoma. From July of 1993 to April of 1994, representatives of the faculty and staff of the University of Oklahoma brought seventy-two (72) different presentations to such communities as Bartlesville, Cushing and Midwest City. These ambassadors visited with more than forty (40) diverse groups, ranging from civic groups to schools to hospitals. The Faculty Senate and the University as a whole expresses its appreciation to the longtime participants and new members of the Speakers Service who lend credence to OU's motto: "For the citizens and the state."

An ad hoc committee on the future of University Libraries was formed in response to the resolution approved by the Faculty Senate at its March 14 meeting (see 3/94 Journal, page 7). The following faculty will serve on the committee: Penny Hopkins (Zoology), Andy Magid (Mathematics), H. Wayne Morgan (History), Ronald Sack (Civil Engineering and Environmental Science), and Jay Smith (Educational Psychology).

**SENATE CHAIR'S REPORT, by Prof. Bruce Hinson**

The following chair's report was distributed at the meeting:

"The year ends on an optimistic note. Our President-Designate, OU's thirteenth, brings with him a record of scholarship and leadership and a promise of commitment and continuity. All that is good. All that is necessary. As anyone can attest who took part in the revivalist atmosphere last Wednesday, the dominant mood was as much relief as enthusiasm.

"This is not meant in any way to disparage the good will and the hope attending the selection of a president who seems uniquely qualified to lead our joint efforts in a difficult time and in the predicted better time. It is rather a post-euphoric observation that it is a beginning, not an end.

"Some of the same problems this body faced last September will be on the agenda next September: funding, retirement and other 'hardy perennials.' The Senate term ends before even the short-term answers are supplied by the state legislature, but it is a given that those answers will be short-term. Not all of our University's problems are economic, but the absence of a firm commitment to the funding of higher education, the absence of the political will to make such a commitment and the absence of a coherent plan to bolster such will demand our attention next year as for the past several years.

"Faculty governance itself will deserve continuing attention. From a personal perspective, and I would venture to speak also for the Executive Committee, the relationship between the Senate and the administration this year has been open and candid with regard to sharing of information and opinion. Concrete results of faculty initiatives are harder to assess. On one important issue, one can only conclude we lost ground. However one views the result of the presidential search, it can only be seen as a retreat by the Board of Regents from a full, open partnership with the elected governance groups of the University. The decrease in participation

and consultation by those groups is a cause for concern. It is time now to address the problem and develop a relationship and understanding that will improve the process when the next occasion arises as it inevitably will.

"It will fall to the Senate leadership elected today to take an active role in the transition process between presidents. There is a strong likelihood of an interim presidency when some important organizational and policy changes might be implemented. Our investment and responsibility is year-round.

"The accomplishments of this past year are recorded in the year's Senate journals; a recounting is unnecessary. A year in itself is very short in institutional terms. Change in a university tends to be incremental rather than dramatic. But the efforts of each member of this body make a difference and add to the undeniably positive influence the Senate has been on the development and direction of OU for over fifty years. At the end of each academic year, when the committee structure is put in place and elections for the Senate are conducted, one cannot but be impressed with the number of people who willingly take on demanding jobs that bring little or no credit in the institutional reward system.

"My thanks to each member of the Senate and particularly to the members of the Executive Committee: Tom Boyd, Pat Weaver-Meyers, Trent Gabert, Brent Gordon, Doug Mock, Jim Mouser, Will Sutton and Shirley Wiegand. Even at minimum wage per hour of meeting time they could probably retire comfortably. As in past years, what efficiency the system has was due to Sonya Fallgatter, the Senate's ever-present but self-effacing institutional memory and conscience. Our thanks too to student clerk Keri Mennes.

"It has been an educational and rewarding experience and a wonderful antidote to cynicism."

#### **ELECTION, COUNCILS, COMMITTEES, AND BOARDS**

The Senate approved the Senate Committee on Committees' nominations to fill end-of-the-year vacancies on University and campus councils, committees, and boards (see Appendix I).

#### **FACULTY APPEALS PROCESS**

At last month's meeting, the faculty appeals process committee recommended some revisions in the faculty appeals sections of the Faculty Handbook (see 4/94 Journal, page 6, and Appendix II). The following members of the committee were present at this meeting: Dianne Bystrom, Jill Bush Raines, and Shirley Wiegand. Prof. Pat Weaver-Meyers, chair of the committee, said two issues had been raised about the proposed process. One question was whether discrimination should be further defined. The committee decided not to narrow the definition that much and encroach on the responsibilities of the Affirmative Action Office. The other issue was whether the phrase, "or other grievances," was too open. The committee decided that there has not been a problem with frivolous complaints and that no complaint should be excluded.

Some housekeeping changes were distributed at the meeting and have been incorporated in the document: (1) clarify that sexual harassment has to be filed with the Affirmative Action Office, but the complainant could go through the faculty appeals process; (2) change the number of days the respondent has to answer a complainant's grievance to be consistent; and (3) specify that both parties would have to agree to an open hearing.

Previously, a hearing could be open if only one party requested it. The committee decided that since there will be only one hearing process for all types of grievances now, confidentiality should be guaranteed, and both parties should agree to an open hearing.

Prof. Fiedler asked whether a white male could use this process when a complaint is based on discrimination. Prof. Weaver-Meyers said it was appropriate for the Affirmative Action Office to determine what is defined as discrimination. Prof. Fiedler said the purpose of the Affirmative Action Office is to engage in legally defined discrimination. Prof. Wiegand said the committee did not want to preclude anyone from filing a grievance. A white male who feels he has been discriminated against on the basis of race, gender, or ethnicity has a right to file a grievance. It is left up to the Affirmative Action Office as to whether that is discrimination, as opposed to listing a detailed explanation in the policy. Prof. Fiedler noted there could be a conflict of interest if the purpose of that office is to discriminate. He cited as an example targeted searches that are designated for a particular race. Prof. Wiegand said the appeals committee does not determine what is discrimination but whether a procedure has been violated. Prof. Fiedler said there ought to be another avenue for complaining about the actions of the Affirmative Action Office. Prof. Weaver-Meyers explained that the complainant could go to the Faculty Appeals Board Chair; however, federal law requires that the Affirmative Action Office be informed about discrimination. Prof. Wiegand agreed, saying if the Affirmative Action Office determines there is no merit, then the complainant could still ask for a hearing from the Faculty Appeals Board.

Prof. Loving asked whether there was a provision for making public the fact that a charge was found baseless. Prof. Weaver-Meyers said that assumes the charges had been made public. A hearing is to be confidential unless both parties agree. Reporting mechanisms and time lines are built into the process, so that the parties receive formal notification. That does not necessarily include a public airing of a case. The hearing committee must keep things confidential, but nothing in the document restricts the complainant or respondent from making a public statement on the outcome.

Prof. Sullivan pointed out that there is no reason for the administration to follow the recommendation of the Affirmative Action Office or hearing committee. Prof. Weaver-Meyers said the committee makes a recommendation, but it is the administration that makes the decision. A person who has the support of the committee would have greater ammunition in a subsequent lawsuit. Assistant Provost Byström added that if the President did not concur with a Faculty Appeals Board finding, then the matter is sent to the OU Regents. Prof. Weaver-Meyers commented that all of the parties are supposed to be notified about outcomes all along the process. Prof. Sullivan said she thought the administration was not taking the recommendations of the committees seriously. She said she realized that the administration had some legal issues to contend with. Prof. Weaver-Meyers said the processes at other universities also result in a recommendation. Prof. Wiegand said it is in the best interest of the President and Regents to resolve complaints internally in order to avoid lawsuits. Prof. Sullivan said that assumes faculty have the financial resources to pursue a lawsuit. Prof. Weinel said the issue is whether faculty govern themselves or suggest to the administration how they should be governed.

Prof. Fiedler moved to include affirmative action in the list of matters considered by the Faculty Appeals Board in section G.1. Prof. Wiegand noted that the Affirmative Action Office could be considered an administrative

unit and be covered by section A. Prof. Tepker said his understanding was that the way to a discrimination hearing was through section F, and that section G defined the additional non-discrimination jurisdiction. There is no substantive limitation in the document that would prevent any case from being heard, so the proposed motion would be superfluous. Prof. Fiedler said he just wanted to make it clear that the Faculty Appeals Board was an option. Prof. Weaver-Meyers reiterated that the document states that such a complaint could be taken to the Faculty Appeals Board chair (first sentence of sections G and H). She said the committee was trying to avoid listing all the possible offices that could be subject to a complaint. Prof. Fiedler's motion failed on a voice vote.

Prof. Sutton said he was concerned about the time frame. If the administration sits on a complaint for 180 days, does the individual lose his/her right to appeal? Prof. Wiegand explained that the individual has met the appeal deadline once s/he hands the complaint to an official. Prof. Weaver-Meyers said the procedure requires administrators to respond within a certain time period.

The document, including the revisions, was approved on a voice vote, with one dissenting vote.

#### **FACULTY COMPENSATION COMMITTEE RESOLUTIONS**

Prof. Brent Gordon, Chair of the Senate's Faculty Compensation Committee (FCC), explained that as a follow-up to last month's discussion regarding the inquiry to deans about the comparative evaluations given within the college (see 4/94 Journal, page 7), he sent another letter to the deans. As a result, Prof. Gordon was invited to meet with the deans May 4 to get their response.

The resolution on budget principles was introduced last time (see 4/94 Journal, page 7, and Appendix IIIa). The resolution was revised to incorporate some concerns of senators: the language in the introduction dealing with across-the-board cuts, raises averaging at least 2% over the cost of inflation and how long that should be in effect, the strategy for reallocation, the definition of administrator, and the salary level of faculty as a percentage of peers compared with the salary level of administrators as a percentage of peers. On the last point, the latest data (1992) show that administrator salaries were about 85% of peers, just as faculty salaries were. Items six and seven of the introduction were revised. In describing the resolution, Prof. Gordon said the fixed costs item was made a separate paragraph (section 1). He noted that fixed costs also include increases in fringe benefits, so the committee did not want to recommend that fixed costs be cut. In section 2 the intent was that faculty should not fall behind in their standard of living. Section 3 says there should be a strategic plan into which the faculty have broad-based input, points out that last year's reduction resulted in cuts to GA and M&O budgets, and reminds the administration that there are committees whose advice should be taken. Section 4 states that administrators should not get bigger raises than faculty (4a) and administrators should not be able to give big raises through reclassification (4b). Section 5 provides a reporting mechanism. A precise definition of administrator is in another resolution.

Referring to 4b, Prof. Weinel asked if a new administrative position would have to be funded through reallocation. Prof. Gordon answered that another position would have to be cut. Prof. Fiedler said it would be extraordinary

if the administration followed these principles. Prof. Weinel asked why staff raises were included in 3 when that issue was not raised earlier. Prof. Gordon said the FCC did not want to set staff raises as a priority after faculty raises but wanted to acknowledge that staff raises should come before strategic reallocation. Prof. Weinel suggested that the resolution be clarified by saying the next priority after faculty salaries is staff salaries. She suggested amending section 3 to read "... fixed costs and faculty salary increases and staff salary increases ..." Prof. Gordon agreed to the friendly amendment. Prof. Sutton noted that the staff have the Staff Senate to argue for their raises; on the other hand, this is a university community and faculty cannot exist without staff support. Prof. Dillon asked whether the principles would be applicable to times when there are reductions or no increases in state funds. Prof. Gordon said the answer to that was yes; the principles would be applicable at all times and without time limits.

Prof. Weaver-Meyers moved to amend 4b to read, "... by no net increase in the total percentage of the University budget devoted to administration." Prof. Gordon said the FCC was concerned about the size and growth of salaries paid to administrators. Prof. Loving said he was worried that the amendment would allow the administration some latitude in what belonged to administrative costs. Prof. Roegiers said the sentence could end at the word "justified." Prof. Sutton said the administration should have to face the same hard choices that faculty do. "Percentage" gives them an out, whereas language such as "absolute total costs should not increase" says administrative costs should not go up dollar-wise ever. Prof. Gordon pointed out that 4a allows for raises for administrators; 4b says there should be no increase in costs as a result of new positions or reclassifications. Prof. Weinel noted that the administration has more ways of getting money. Prof. Dillon asked for further clarification. Prof. Gordon said the intent was administrators could get raises on average the same as faculty, but they should not get any more than that as a result of reclassifications. Prof. Loving argued for the original language. Prof. Fiedler said an actual percentage should be included. Prof. Gordon explained that, according to the State Regents' definition, the percentage devoted to central administration at OU is 9%. Their target is a maximum of about 10%. Prof. Weaver-Meyers' amendment was approved, 17 to 10.

Prof. Hill asked about the meaning of "fairly and equitably" in section 6 of the introduction. Prof. Gordon said the administration has argued for raises based on merit and for retaining the best people, as though we can do without the others. Prof. Weinel questioned the decisions made about merit and equity. Prof. Hill asked whether across-the-board raises should be satisfied before merit increases are given. Prof. Gordon said section 2 of the resolution was intended to be a compromise between merit and across-the-board. Prof. Hill asked whether the Senate meant to make a statement that all of the increase should go across-the-board. Prof. Gordon said section 2 states that anyone who is satisfactory should get some kind of increase. Prof. Loving contended that the language "fairly and equitably" belonged in the resolution considering the reluctance of deans to provide information about equity in the distribution of merit increases. Prof. Friedrich said there are many ways to interpret fair and equitable. Prof. Van Gundy asked what would happen if the money available for raises did not permit a cost-of-living increase. Prof. Gordon said the goal of section 3 was to come up with the money, if necessary through budget reallocation, not salary reallocation. Prof. Hill moved to add to section 1, "Increases in the cost of library materials should be considered fixed costs." Prof. Weaver-Meyers said that complicates the resolution. Prof. Havener said the resolution was

intended to be principles and priorities that are general, and it is not appropriate to include specific details. Prof. Weinel said, with the proposed addition, it would be necessary to define what the other fixed costs are. Prof. Hill's amendment failed on a voice vote.

Prof. Friedrich asked for a summary of the Budget Council recommendations mentioned in section 3. Prof. Gordon said one of the recommendations was that programs that are central to the mission of the University should be protected from further cuts. Prof. Friedrich moved to strike the last sentence of 3 since the Faculty Senate had not seen a copy of the recommendations. Prof. Sutton argued that since the Budget Council represents the faculty, this proposed amendment would send a message that the Faculty Senate did not trust the people it elected. Following a brief discussion, Prof. Friedrich's motion was approved on a voice vote.

Prof. Hill said this resolution would cause the administration to make cuts in administration rather than M&O and GA pools. Prof. Loving added that his department supported that concept. Prof. Wiegand move to adopt the resolution as amended. The motion was approved on a voice vote.

Turning to the resolution on reporting of salary distribution data (see Appendix IIIb), Prof. Gordon explained that this one could have been negotiated between the FCC and the administration, but the FCC believed it was important to bring it before the Senate. Items 1 and 2 are agreeable to the Budget Director. Prof. Weinel noted that administrators at the next level below deans were left out. Prof. Gordon said there is a general feeling that chairs of departments should be associated with faculty. Those fine points can be negotiated between the Senate and administration. The resolution was approved on a voice vote.

Prof. Gordon said the resolution on evaluation of academic administrators (see Appendix IIIc) was not intended to preempt the work of the role of deans committee but to give that committee the sense of the Faculty Senate. Prof. Tepker commented that doubling the number of administrator evaluations would not change things. His impression is that the evaluations are not taken seriously now. He said he would prefer to see term limits. Prof. Friedrich asked who was considered an academic administrator. Prof. Gordon said he did not have a precise answer. In his opinion, assistant and associate deans would be included. The meaning of academic administrators could be worked out later. Prof. Havener said the definition of upper-level administrator from the previous resolution could be used. Prof. Friedrich noted that the role of deans committee would include some statement about evaluations. Prof. Havener moved to amend the resolution by replacing "academic administrators" with "upper level academic administrators." Prof. Sutton said that would preclude non-academic upper level administrators from being evaluated by anyone other than their supervisors. The amendment was approved on a voice vote. Prof. Friedrich said he thought the Senate should have more time to think this through. He moved to table the resolution. Prof. Roegiers commented that a mechanism to judge administrators was appropriate. The motion to table was approved 13 to 12.

#### **ADDITION TO MAKEUP EXAMINATION POLICY**

Prof. Hinson explained that Provost Kimpel had proposed an addition to Section 4.10 of the Faculty Handbook concerning makeup examinations (other than final) due to University-sponsored activities (see Appendix IV). The proposed addition spells out the appeals process in the event a faculty

member and student cannot agree on a procedure for making up an exam. The proposed change was approved on a voice vote.

#### **ELECTION OF SENATE SECRETARY AND CHAIR-ELECT FOR 1994-95**

Prof. Connie Dillon (Educational Leadership and Policy Studies) was elected Secretary and Prof. Pat Weaver-Meyers (University Libraries) was elected Chair-Elect of the Senate by acclamation for 1994-95.

#### **ELECTION TO SENATE STANDING COMMITTEES**

The following faculty were elected by acclamation to fill end-of-the-year vacancies on Senate standing committees:

##### COMMITTEE ON COMMITTEES

To replace Keith Bystrom and Eleanor Weinel, 1994-97 term:  
Drew Kershen (Law)  
Eleanor Weinel (Architecture)

##### COMMITTEE ON FACULTY COMPENSATION

To replace Mack Caldwell and Ed Chance, 1994-97 term:  
Andy Magid (Mathematics)  
James Mouser (BS&LS/Marketing)  
To complete Brent Gordon's 1992-95 term:  
Mack Caldwell (Architecture)

##### COMMITTEE ON FACULTY WELFARE

To replace Trent Gabert and Ken Taylor, 1994-97 term:  
Trent Gabert (Health & Sport Sciences)  
David London (Geology & Geophysics)

##### EXECUTIVE COMMITTEE

To replace James Mouser, William Sutton, and Shirley Wiegand, 1994-95 term:  
Larry Hill (Political Science)  
Rick Tepker (Law)  
Eleanor Weinel (Architecture)

#### **PRESENTATION OF CERTIFICATES OF APPRECIATION**

Certificates of Appreciation were presented to the following outgoing senators who completed full three-year terms (1991-94): Samir Barman, Tom Boyd, Marjory Cornelius, Connie Dillon, Sally Faulconer, Yvonne Fonteneau, Bruce Hinson, Kathy Latrobe, David London, and Joe Whitecotton.

Certificates were also presented to the other Senators whose terms were expiring and to the outgoing members of the Senate Executive Committee.

#### **RESOLUTION OF APPRECIATION TO PRESIDENT RICHARD VAN HORN**

Prof. Hinson said Dr. Van Horn had initially volunteered to stay on until the new president arrived; there is now reason to assume that an interim president will serve from this summer until the new president is inaugurated. Prof. Latrobe asked if it would be more appropriate to wait until President Van Horn finishes his term. Prof. Hinson said the Faculty



Senate will not meet again until September, and it is unlikely Dr. Van Horn will still be in office then. The resolution was approved on a voice vote.

WHEREAS, Dr. Richard L. Van Horn, twelfth President of the University of Oklahoma, assumed office at a time when the institution was undergoing a crisis of confidence and unfortunate national notoriety;

WHEREAS, he successfully shifted the focus of attention from the University's problems to its promise;

WHEREAS, he oversaw efforts to hold enrollment constant in a period of declining prospects and rising admissions standards;

WHEREAS, his initiatives have led to an unprecedented national ranking in the enrollment of National Merit Scholars;

WHEREAS, he outlined and achieved a significant increase in the University's research productivity and in the level of private support for the institution;

BE IT THEREFORE RESOLVED that the University of Oklahoma Norman Campus Faculty Senate expresses its appreciation to Dr. Richard L. Van Horn for his efforts on behalf of the University over the past five years and for the patience and dignity with which he has borne the inevitable difficulties of his position. BE IT FURTHER RESOLVED that we welcome him as a faculty colleague and wish him success as a partner in the teaching, research and service mission of the University of Oklahoma.

#### **RESOLUTION OF APPRECIATION TO PROFESSOR BRUCE H. HINSON**

The Faculty Senate unanimously approved the following resolution of appreciation to Prof. Hinson, outgoing Senate Chair.

WHEREAS Professor Bruce Hinson has led the Faculty Senate with a steady diplomacy through yet another year of university crises;

WHEREAS he has fostered no private agenda but has insisted that the faculty's expressed interests and concerns guide the work of the Senate;

WHEREAS he has persistently encouraged broadening the base of communication among constituencies associated with the faculty, particularly with regional legislators and the regents;

WHEREAS he has conducted meetings with respect for, and encouragement of, diverse viewpoints and has done so with singular wit and aplomb;

WHEREAS throughout his term he has expressed precisely the appropriate measure of skepticism, learned from years of naval service, journalistic reporting and teaching;

AND WHEREAS he has conducted meetings of the Senate within the time limits set for them, kept his own reports to slashing brevity and approached the end of his term with increasing glee;

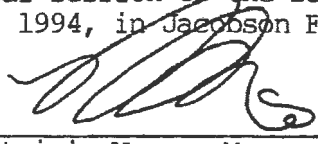
BE IT THEREFORE RESOLVED that the University of Oklahoma Faculty Senate tender its hearty appreciation to Professor Hinson for his calm and candid leadership in times neither calm nor always candid.

Prof. Hinson was presented with an engraved clock. He thanked all of the senators individually and collectively for their time and effort. Prof. Tom Boyd (Philosophy) will serve as 1994-95 Senate Chair.

**ADJOURNMENT**

The meeting adjourned at 5:20 p.m. The next regular session of the Senate will be held at 3:30 p.m. on Monday, September 12, 1994, in Jacobson Faculty Hall 102.

  
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Sonya Fallgatter  
Administrative Coordinator

  
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Patricia Weaver-Meyers  
Secretary

[Note: In the March meeting (see 3/94 Journal, page 7), Prof. Sutton asked about serial subscription vendors for the library. Appendix V is a memo from Dean Lee discussing why the University Libraries uses vendors to acquire materials and explaining some related issues.]

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FACULTY SENATE NOMINEES FOR END-OF-THE-YEAR VACANCIES ON  
COUNCILS/COMMITTEES/BOARDS (Spring 1994)

- ACADEMIC PROGRAMS COUNCIL: 1994-97  
Paul Goodey (Mathematics)  
Michael Jordan (Architecture)
- ACADEMIC REGULATIONS COMMITTEE: 1994-97  
Terry Rugeley (History)  
Gerard Walschap (Mathematics)
- ATHLETICS COUNCIL: 1994-97  
Jack Kasulis (Marketing)  
Stephen Sloan (Political Science)
- BASS MEMORIAL SCHOLARSHIP COMMITTEE: 1994-96  
Gregory Russell (Political Science)
- BUDGET COUNCIL: 1994-97  
Allan Ross (Music)  
Jay Smith (Educational Psychology)
- CAMPUS PLANNING COUNCIL: 1994-97  
Marvin Baker (Geography)  
H. Wayne Morgan (History)
- CAMPUS TENURE COMMITTEE: 1994-97  
Beverly Joyce (University Libraries)  
Gordon Uno (Botany & Microbiology)
- COMMENCEMENT COMMITTEE: 1994-96  
Daniel Snell (History)
- COMMITTEE ON DISCRIMINATION: 1994-97  
Willie Gist (Accounting)  
Kyung-Bai Lee (Mathematics)  
Brian Fiedler (Meteorology) to complete Santizo's 1992-95 term
- COMMITTEE ON SEXUAL HARASSMENT: 1994-97  
Vivien Ng (History)
- COMPUTING ADVISORY COMMITTEE: 1994-96  
Carolyn Bremer (Music)
- CONTINUING EDUCATION AND PUBLIC SERVICE COUNCIL: 1994-97  
Jerome Steffen (History)  
Irvin Wagner (Music)
- COUNCIL ON CAMPUS LIFE: 1994-97  
Meryl Mantione (Music)
- EQUAL OPPORTUNITY COMMITTEE: 1994-97  
Michael Ma (Music)
- FACULTY APPEALS BOARD: 1994-98  
Owen Anderson (Law)  
Legh Burns (Music)  
Ed Chance (ELPS)  
Jidlaph Kamoche (History)  
James Kenderdine (Marketing)  
Clark Kelly (Music)  
Andy Miller (Mathematics)  
William Ortiz (Botany & Microbiology)  
Donald Pisani (History)  
Jerlene Reynolds (Architecture)  
Dennis Shrock (Music)  
Laurette Taylor (HSS)  
Walter Wei (Mathematics)  
Lance Lobban (CEMS) to complete Seifert's 1992-95 term
- FACULTY AWARDS AND HONORS COUNCIL: 1994-97  
Penny Hopkins (Zoology)  
Deborah Watson (Physics & Astronomy) to complete Nye's 1993-96 term
- GODDARD HEALTH CENTER REVIEW BOARD: 1994-95  
Craig Hofford (HSS)  
James Wainner (Music)
- HONORS COUNCIL: 1994-97  
Richard Henry (Physics & Astronomy)
- LEGAL PANEL: 1994-97  
Bob Richardson (Law)  
to be selected
- PARKING VIOLATION APPEALS COMMITTEE: 1994-97  
John Rhodes (Aerospace Studies)
- PATENT ADVISORY COMMITTEE: 1994-97  
Michael Rogers (Music)
- PUBLICATIONS BOARD: 1994-97  
James Kenderdine (Marketing)
- RACIAL AND ETHNIC HARASSMENT HEARING PANEL: 1994-96  
Michael Scaperlanda (Law)
- RESEARCH COUNCIL: 1994-97  
Joe Bastian (Zoology) [Biological Sciences]  
J. R. Cruz (EE) [Engineering]  
John Furneaux (Physics & Astronomy) [Physical Sciences]  
Shirley Ramsey (Journalism & Mass Comm.) [Other]  
Neera Badhwar (Philosophy) [Humanities/Arts] to complete Levy's 1992-95 term
- RITA LOTTINVILLE PRIZE FOR FRESHMEN COMMITTEE: 1994-97  
Dortha Killian (Architecture)  
William Romanishin (Physics & Astronomy)  
Mark Reeder (Mathematics) 1994-95
- ROTC ADVISORY COMMITTEE: 1994-97  
Leonid Dickey (Mathematics)  
Thomas Leonhardt (University Libraries)  
Terry Crain (Accounting) to complete Lovett's 1992-95 term
- SPEAKERS BUREAU: 1994-97  
Karen Rupp-Serrano (University Libraries)
- STRATEGIC PLANNING COMMITTEE: 1994-97  
Robert Griswold (History)
- STUDENT CODE REVISION COMMITTEE: 1994-95  
Gary Cohen (History)
- STUDENT DISCRIMINATION GRIEVANCE COMMITTEE: 1994-96  
Gary Anderson (History)
- UNIVERSITY DEVELOPMENT COUNCIL: 1994-97  
Edward Chance (Educational Leadership & Policy Studies)
- UNIVERSITY LIBRARIES COMMITTEE: 1994-97  
Gary Cohen (History)  
Richard Nostrand (Geography)
- UNIVERSITY SCHOLARS SELECTION COMMITTEE: 1994-97  
Steven Curtis (Music)

The following revisions were recommended to the Faculty Senate by the Committee on the Appeals Process May 2, 1994

Recommended revisions to sections 3.9 (in part) and 3.10 of the Faculty Handbook.

## PROCEDURES FOR FACULTY APPEALS AND GRIEVANCES

### A. Who May Use Procedure

The grievance procedures described herein shall be available to any aggrieved party who is a Norman campus faculty member, academic unit, administrative unit, or other duly constituted body within the University community, when the respondent is also a Norman campus faculty member, academic unit, administrative unit or other duly constituted body within the university community. Violations covered by this procedure include academic freedom and academic due process violations.<sup>1</sup> Such violations may occur in the course of performing professional duties or in the process of being considered or evaluated for recommendations regarding reappointment, salary increase, promotion, tenure, or other personnel decisions in which a party has reason to believe there has been unjust discrimination, harassment, violation of due process, academic freedom or other grievances.

Complaints by or against employees who are not faculty members and by or against students shall be addressed under the applicable employee or student procedures. Faculty members serving as chairs, directors, deans, or in other administrative positions may not utilize these procedures in filing a grievance when the grievance is based upon actions related to their administrative performance.<sup>2</sup>

<sup>1</sup> Refer to section F for procedures when the grievance is based solely on harassment or discrimination.

<sup>2</sup> The appeals process for administrators will be:

Adjudication of faculty grievance concerning the Chair: Faculty complaints about the chair will normally be resolved by the appropriate dean. If dissatisfaction is widespread and a dean is unable to resolve it, Committee A or the unit faculty by a majority vote, may request that the Senior Vice President and Provost appoint an ad hoc Committee, consisting of three faculty members who do not hold appointments in the affected college, to conduct an investigation and report their findings to the Senior Vice President and Provost. After receiving the committee report, the Senior Vice President and Provost will determine appropriate courses of action to resolve the grievances.

Whenever an academic unit chair or director is relieved of administrative responsibilities before his or her term expires or is not reappointed for another term, the administrator and/or affected faculty member(s) can appeal the decision to the Senior Vice President and Provost. If a satisfactory resolution of the appeal is not obtained at the Provost level, the affected individual(s) may appeal to the President.

In the case of a dean's dismissal from the position of dean, the individual or faculty members affected may appeal the decision to the President (Regents, 6-22-81).

### B. Filing of Complaint (See Also Section H)

Individuals or units having complaints are encouraged to raise them with their department head/chair, academic dean, administrative supervisor, or Affirmative Action Officer (AAO). The University Ombudsperson serves as a resource on university grievance procedures/policies and provides an opportunity for neutral resolution and mediation. Persons having complaints are encouraged to seek informal resolution through regular administrative channels or through mediated resolution with the ombudsperson.

Complaints unresolved administratively or through ombuds services solely involving harassment based on race, ethnicity or sex or discrimination because of race, national origin, sex, color, age, religion, disability, or status as a veteran must be filed with the Affirmative Action Officer. Complaints solely involving due process or academic freedom must be filed with the Faculty Appeals Board (FAB) Chair.

The complainant is responsible for stating the grounds upon which the allegations are based. The grounds for the alleged grievance may not be changed after the filing of the complaint with the Appeals Board Chair or the AAO. The ombudsperson may assist the complainant in identifying and clarifying grounds for a complaint. Where more than one type of complaint is present (i.e. sexual harassment and violation of due process), the complainant must specify all the grounds of the grievance at the time of filing and decide whether to file solely with the AAO or with the FAB Chair (with a copy of the harassment or discrimination complaint to the AAO for investigation). For example, a grievance handled as sexual harassment cannot later be refiled on grounds of due process. A grievance with multiple grounds is heard by one hearing committee, which hears all aspects of a particular grievance.

### C. Timing of Complaint

If a complaint cannot be resolved administratively or through the ombuds service, it must be filed with the FAB Chair or AAO within 180 calendar days<sup>3</sup> from the date on which the faculty member, unit, or body knows or should reasonably know of the alleged violation or incident giving rise to a grievance. All other time periods may be extended by mutual agreement of the parties involved or by the FAB Chair or AAO for good cause.

### D. Withdrawal of Complaint

The complainant may withdraw the complaint at any point prior to the completion of a formal hearing by notifying in writing the party with whom the complaint was originally filed. Once withdrawn, the same complaint may not be resubmitted under any grievance procedure.

### E. Confidentiality of Proceedings and Records

Investigators and members of the hearing committee are charged individually to preserve confidentiality with respect to any matter investigated or heard. A breach of the duty to preserve confidentiality is considered a serious offense and will subject the offender to appropriate disciplinary action.

Except for those cases in which grievances go to a hearing, all records of administrative investigation with regard to discrimination, sexual harassment or racial and ethnic harassment shall be transmitted to and maintained by the Affirmative Action Officer as confidential records.

<sup>3</sup> Calendar days are any day, Sunday through Saturday, regardless of class sessions or holidays.

All records of administrative investigation for other grievances will be held by the administrator involved as confidential records.

#### F. Sexual, Racial/Ethnic, Harassment/Discrimination: Investigation

Any faculty member, including those on temporary or part-time appointment, who believes that he or she has been harassed because of race, ethnicity or sex or discriminated against because of race, national origin, sex, color, age, religion, disability, or status as a veteran should give the University's Affirmative Action Officer a written account of the alleged act within 180 calendar days after he/she knows or could reasonably know of its occurrence. Upon receipt of a complaint the Affirmative Action Officer or other appropriate administrator is empowered to investigate the charge, interview the parties involved, hear testimony pertaining to the matter, and gather pertinent evidence.

The investigation normally will be completed within 30 calendar days of receipt of the complaint, and the investigator shall prepare a written report of the investigation. Extensions shall be allowed for good cause. The Affirmative Action Officer will provide written or oral notice of reason for the delay to all parties involved if the delay will exceed five (5) classroom days. A copy of the report will be provided to the complainant and respondent(s).

In arriving at a determination of the existence of harassment or discrimination, at any stage of the proceedings, the evidence as a whole and the totality of the circumstances and the context in which the alleged incident(s) occurred shall be considered. The determination of the existence of harassment or discrimination will be made from the facts on a case-by-case basis.

Upon a clear showing at any stage in the grievance procedure that immediate harm to either party is threatened by the continued performance of either party's regular duties or University responsibilities, the proper executive officer may suspend or reassign said duties or responsibilities pending the completion of the grievance procedure.

Upon completion of the investigation, the Affirmative Action Officer or other administrator is authorized to take the actions specified in the policies on harassment because of race, ethnicity, or sex or discrimination because of race, national origin, sex, color, age, religion, disability, or status as a veteran (Sections \_\_\_ of the Faculty Handbook (Norman Campus)).

#### G. Faculty Appeals Board

1. The Faculty Appeals Board is a standing body that responds to matters of tenure abrogation, dismissal, severe sanctions, alleged violations of academic freedom or academic due process, and other grievances unresolved through administrative or informal procedures. Because of the extraordinary importance and the range of such issues, the Faculty Appeals Board shall be empowered to appoint ad hoc hearing committees to assist in the conduct of its affairs. The Faculty Appeals Board considers all matters brought before it by individual faculty members, academic units, administrative units, or other duly constituted bodies within the University community.

2. The Faculty Appeals Board on the Norman Campus shall consist of 50 members, elected to four-year staggered terms by the Faculty Senate from

<sup>4</sup>All references to classroom days are those days, Monday through Friday, on which the University of Oklahoma holds regularly scheduled classes, including intersession, the regular summer school period, and regularly scheduled final examination days.

among all full-time tenured faculty whose duties are primarily non-administrative.

3. The Faculty Appeals Board shall elect annually a chair-elect from among those who are in their third year of service. The chair-elect will serve as chair the following year. Membership on the Board is not disqualification for service on University Councils.

All members of the Board are eligible for re-election. Terms of service shall begin September 1 and end August 31 except that if a hearing is in progress at this time, any retiring member of the Board who is on the Hearing Committee shall be continued on the Committee until the case in process is closed.

If a member of the Board ceases to be a full-time member of the faculty or if his or her duties become primarily administrative, the Senate shall elect a replacement to complete the term; but if the change in the Board member's status occurs during service on a Hearing Committee, the Board member shall continue to serve on the Hearing Committee until the conclusion of the case unless either the complainant or respondent objects, in which case the board member shall be replaced by another member of the Board chosen by the procedure prescribed in Section H for the original selection of the Committee.

#### H. Formal Hearing

The following procedure may occur after an unresolved investigation of harassment/discrimination, after the filing of due process or academic freedom grievances, or after a request for a hearing by the President (see Abrogation of Tenure, Section 3.8.4 Faculty Handbook).

The Chair of the Faculty Appeals Board immediately will notify the respondent(s) and will schedule a pre-hearing within 10 classroom days. The Appeals Board Chair, former Chair, and Chair-elect will conduct the pre-hearing in which parties will present their case. No witnesses or evidence will be heard at this pre-hearing. If the chairs determine no further hearing is warranted, the matter is ended. The current Chair will report the determination in writing (vote only) to the complainant and respondent(s) within two classroom days.

If the complainant still wishes to continue, he/she may request a hearing within 10 classroom days with the understanding that the hearing committee will be informed of the pre-hearing vote.

a. Within 10 classroom days of the pre-hearing determination to go forward or of the complainant's request for a hearing despite the determination that no further hearing is warranted, a hearing panel is selected. The claimant selects three names from the Appeals Board pool and the respondent selects three names from the pool.<sup>5</sup> Those selected choose a seventh name from the Appeals Board pool to serve as chair.

b. Any member of the Appeals Board selected to serve on a Hearing Committee who is a member of the same academic unit or related by consanguinity or affinity to the respondent or the complainant shall be disqualified from serving on the Committee.

c. The complainant and the respondent in the case may each request to the Chair of the Faculty Appeals Board that a member or members of the Hearing Committee be disqualified on grounds of bias or personal interest in the case. If, however, a challenge for cause is disputed by either party, the Chair, former Chair and Chair-elect shall decide by majority vote whether cause has been shown.

<sup>5</sup>No member of the Faculty Appeals Board may be eligible for selection for a hearing committee if they are currently serving on another ongoing hearing.

d. A member of the Hearing Committee may disqualify him/herself on personal initiative or in response to such challenge for cause.

e. Prior to the commencement of a hearing, members of a Hearing Committee who have been disqualified and any members who, by reason of illness or absence from campus, are unable to serve, shall be replaced immediately by the Faculty Appeals Board Chair. The replacement shall be determined by the procedure in Sections a-d, with replacements being selected by the party whose initial selection was eliminated, or by the Committee if the Chair is the member being replaced. After the commencement of the hearing, a decision by the Committee Chair, or by the Chair of the FAB if the absent member is the Hearing Committee Chair, will determine whether the member should be replaced or if the hearing shall continue without a replacement.

f. The Hearing Committee will be convened for an orientation meeting not more than 20 calendar days after the selection process. The Chair of the FAB will orient the Committee. If the grievance specifies harassment because of race, ethnicity, or sex or discrimination because of race, national origin, sex, color, age, religion, disability, or status as a veteran, the Affirmative Action Officer also will orient the Committee and will give each committee member a copy of the investigator's report, if applicable.

g. The Hearing Committee shall set the date of its initial hearing, which normally will be not more than 45 calendar days after the selection of the Hearing Committee. In setting the hearing date, the Hearing Committee shall take into account the time limit for delivery to the respondent of the materials discussed in following sections.

#### I. Handling of Charges

All matters brought to the Faculty Appeals Board shall be handled according to the following procedures, which are designed to ensure fairness and academic due process:

a. At least 20 classroom days before the hearing, the complainant shall present to the respondent and the Chair of the Hearing Committee a written statement embodying:

1. Relevant University of Oklahoma rules or policies involved.
2. The charges or complaint in the case in full particularity.
3. A summary of the evidence upon which the charges or complaints are based and an initial list of witnesses to be called.

b. The respondent shall review the statement tendered by the complainant and present a written reply within 10 classroom days of delivery of the statement.

1. The reply shall include any modifications the respondent may wish to suggest regarding the charges.
2. The reply also shall summarize the evidence to be used in refutation of the charges and shall include an initial list of witnesses to be called.

c. Any party, whether complainant or respondent, may select from among his or her colleagues a person to act as adviser or may select an attorney for advice on legal matters. At his or her discretion, the party may be assisted by both an adviser and an attorney.

1. Both the complainant and respondent shall inform the Chair of the Hearing Committee in writing of the identity of any adviser and/or attorney.
2. The following procedure assumes that a faculty member will use his or her own judgment in acting upon any advice or deciding when to be represented by an attorney.

d. Faculty members who serve on the Hearing Committee may call on the Office of Legal Counsel for procedural advice concerning the case in question, but the University's Legal Counsel, depending on the involvement of that office in the proceedings, must determine the most appropriate manner of providing the requested legal advice. The University will defend and be responsible for any money damages that might be awarded against one or all of the Hearing Committee members as individuals or as a Board for actions taken in good faith in their official capacity and in the scope of their authority while acting as members.

e. Where participation of the University's Legal Counsel is deemed inappropriate, the Chair of the Appeals Board, at the request of the Chair of the Hearing Committee, may select by lot a legal adviser from a duly constituted panel of legal advisers. This panel, consisting of not more than six University faculty and staff who have law degrees, each serving a three-year term with terms being staggered, is appointed by the President and the Faculty Senate.

f. At this point, the complainant and the respondent, working with the Chair of the Hearing Committee, shall, as completely as possible, arrive at an agreement on procedures and the formulation of charges. The parties may refer to the current Book of Procedural Guidelines in formulating the agreement on procedures. Oral discussion shall be followed by an exchange of memoranda indicating the understanding that each party has of the conversation.

g. If the respondent is a faculty member and waives a hearing but denies the charges or asserts that the charges do not support a finding of adequate cause, the Hearing Committee will evaluate all available evidence and base its recommendation upon the evidence in the record.

#### J. Hearing Regulations

The Appeals Board process is a lay process relying on peer review. The intent of this process is to avoid excessive legalism in deference to the common sense, sound judgment, good character, and sense of fairness of each Hearing Panel. The procedures should strive to diminish formality and rigidity and avoid emulation of a trial in a courtroom. The purpose for a system of internal review is to effect a just and fair disposition of a grievance.

The Hearing Committee may avail itself of the Book of Procedural Guidelines; however, since each instance of internal review is unique and procedures for resolving it must be tailored to satisfy specific objectives, the Committee should not deem itself bound by anything contained in these guidelines.

Notwithstanding, the following regulations shall apply to the hearing:

a. Both complainant and respondent shall have the right to be present and be accompanied by a personal adviser or an attorney, or both, throughout the hearing. The Hearing Committee also shall have the right to have its legal adviser present throughout the hearing. Attorneys may also be present to advise witnesses; however, in no case will the attorney representing a witness participate in the case. Attorneys should facilitate and not control the process.

b. The hearing shall be closed unless the faculty members who are principals in the case request it be open.

c. The Committee shall proceed by considering the statement of grounds for grievances already formulated and the response written before the time of the hearing. If any facts are in dispute, the testimony of witnesses and other evidence concerning the matter shall be received.

d. Both parties, or their advisers or attorneys shall have the right to present, examine, and cross-examine witnesses.

e. The President's Office shall make available to the Hearing Committee Chair such authority as it possesses to require the presence of witnesses, and it shall bear any reasonable cost attendant upon the appearance of witnesses at the hearing.

f. The principle of confrontation shall apply throughout the hearing, and the complainant shall bear the burden of proof.

g. An audio recording of the hearing will be made. The recording will be arranged by the Hearing Committee Chair. If a transcript is requested by any participant, it shall be made available in identical form and at the same time to the Hearing Committee, the President's Office, and the principals in the case. The full cost shall be borne by the University.

h. The full text of the findings and the conclusions of the Hearing Committee shall be made available in identical form and at the same time to the President's Office and the principals in the case.

i. The Committee may proceed to its findings, conclusions, and recommendations without having the record of the hearings transcribed, or it may await the availability of a transcript of the hearings if it feels its decision would be aided thereby.

j. The President may attend the hearing or may designate a representative.

#### K. Disposition of Charges

The Hearing Committee normally will communicate its findings, conclusions, and recommendations in writing to the parties involved and the President within 15 calendar days of the conclusion of the hearing. If the President concurs in the recommendation of the Hearing Committee and action by the Board of Regents is not required by other policies or procedures, that recommendation shall be put into effect. The President must report to the parties and the Hearing Committee his/her decision within 15 calendar days of receipt of the Hearing Committee's recommendation.

If the case under consideration involves alleged violation of academic freedom or academic due process and if the Committee finds that academic freedom or academic due process has been violated, it must recommend that any professional or personnel decision affected by the violation be initiated anew from the point of violation. The Committee also may recommend necessary remedies appropriate to the case.

If the President does not concur and/or if action by the Board of Regents on the recommendation is required by other policies and procedures, the President shall transmit to the Board of Regents within 15 calendar days of receiving the recommendation of the Hearing Committee the full record of the hearing and the conclusions and recommendations of the Hearing Committee together with presidential recommendations. The Board may adopt, modify or reject the recommendations of the Hearing Committee or remand the matter.

If the Board of Regents chooses to remand the matter, it may return the proceedings to the Hearing Committee and specify its objections within 15 calendar days after the next regularly scheduled Board meeting. In this event, the Hearing Committee shall reconsider the complaint, taking account of the stated objections, receiving new evidence and testimony if necessary, and reporting its final conclusions to the President for transmittal to the Board of Regents as before. The work of the Hearing Committee is finished when the President communicates the final decision of the Board of Regents to the parties in the case, the Hearing Committee, and any necessary parties.

#### L. Disposition of Records

Upon conclusion of any hearing, the Chair of the Hearing Committee shall remove all identifying characteristics from the agreement on procedures and shall forward this document to the Office of the Senior Vice President and Provost. Agreements on procedures will be maintained in a file in the Office of the Senior Vice President and Provost and will be available to panel members and participants in future cases upon request. All other text, transcripts, and documents of the procedures will be held in the Faculty Senate Office and released only with the consent of the Hearing Committee. Tapes of the hearing will be stored in the Office of the Legal Counsel for five years. In the case of hearings involving discrimination or harassment, copies of all transcripts and documents will be filed with the Office of Affirmative Action.

#### M. Policy Maintenance

The Rights Assurance Committee will meet annually to review the grievances that have transpired. The committee, composed of the University Ombudsperson, Affirmative Action Officer, Faculty Appeals Board Chair, FAB Chair-elect, former FAB Chair, University Legal Counsel, Faculty Senate Chair and Senior Vice President and Provost or their designated representatives, will formulate recommendations to revise these procedures, as necessary. The Faculty Appeals Board Chair will chair the committee and report recommended changes to the Faculty Senate for consideration.

*Recommended revisions to section 3.8 of the Faculty Handbook*

#### INITIAL PROCEDURES

a. When reasons arise to question the fitness of a faculty member who has tenure, or whose tenure-track appointment has not expired, or whose conduct may warrant the imposition of a severe sanction, the appropriate administrative office(s) shall ordinarily discuss the matter with the faculty member in personal conference, at which time the matter may be terminated by mutual consent. If a mutually acceptable result is not forthcoming, and if the President decides that there still is reason to question the faculty member's fitness or professional behavior, the President shall so inform the Chair of the Faculty Appeals Board.

The Chair shall then, following consultation with the individual, academic unit(s) and administrators concerned, schedule a pre-hearing conducted by the Faculty Appeals Board Chair, former Chair and Chair-elect. The Committee shall informally and confidentially inquire into the situation to effect a possible adjustment (the principal is encouraged to seek the assistance of the University Ombudsperson). If they fail in this, the Committee shall advise the President whether in its view formal proceedings should be instituted.

b. If the Pre-hearing Committee recommends formal proceedings, or if the President favors such proceedings despite a contrary recommendation from the committee, the President or the President's delegate shall frame with reasonable particularity a statement of charges. The President may ask the aid or advice of the Committee in framing the charges.

c. The faculty member in question shall then be informed in writing by the President of the commencement or formal dismissal or sanction proceedings and of the alleged grounds for the proposed action. The hearing shall take place as described in Section H below.

## NORMAN CAMPUS FACULTY SENATE

### Resolution on Budget Principles

*Submitted May 2, 1994, by the Committee on Faculty Compensation*

#### Introduction

The Norman Campus Faculty, through its representatives, the Faculty Senate, recognizes that:

- 1) The primary missions of the University of Oklahoma are teaching, research and creative activity;
- 2) The direct responsibility for fulfilling these missions falls primarily upon the Faculty of the University;
- 3) To accomplish its missions, the University of Oklahoma must be able to attract and retain high quality faculty;
- 4) Only about 18 percent of the total Norman Campus Budget is spent on salaries paid to all teachers (about 44 percent when compared only to recurring state appropriations and student tuition and fees);
- 5) Faculty members at University of Oklahoma are undercompensated when compared to faculty at similar institutions;
- 6) The goals of attracting and retaining quality faculty, and thus the missions of the University, are best served by distributing whatever money is available for faculty raises fairly and equitably to all deserving faculty.
- 7) The Faculty of the University of Oklahoma are very concerned about the relative size and growth of the salaries paid to upper-level administrators.

#### Resolution

The Norman Campus Faculty, through its representatives, the Faculty Senate, urges the Regents and the Administrators of the University of Oklahoma to adopt the following budget principles:

- 1) *Fixed costs.* Increases in the fixed costs of operating the University must be paid, but every attempt should be made to keep such increases prudent (for example by actively observing and promoting conservation measures).
- 2) *Faculty salaries.* The **first** priority after fixed costs is faculty salaries. Faculty whose performance has been evaluated to be satisfactory should receive raises commensurate with the increase in their cost of living (as measured by the Consumer Price Index for the State of Oklahoma), and faculty whose performance has been evaluated to be good, excellent or outstanding should receive correspondingly larger raises. *In addition, every year* the Provost should provide a pool of money to address salary distribution inequities such as those related to race, gender, compression and inversion. salary increases
- 3) *Strategic reallocation.* If after allocating funds to pay for increased fixed costs and faculty ~~and staff raises~~ <sup>and staff</sup> there remains a shortfall in the budget, then that shortfall should be made up by budget reallocation in accordance with a strategic plan for the University into which faculty and staff have had broad-based input. Care should be taken that a shortfall *not* lead to de facto general reductions in academic units' graduate assistant and maintenance and operations budgets. ~~The December 15, 1993, "Recommendations of the Budget Council on Reallocation" should be followed.~~
- 4) *Administrative salaries.*
  - (a) The average percentage salary increase for upper-level administrators should not exceed the average percentage salary increase for tenured and tenure-track faculty.
  - (b) New administrative or administrative staff positions, or reclassification of currently-in-place administrators or administrative staff, should be justified by *no* net increase in the total ~~salary of all administrators and administrative staff.~~ percentage of the University budget devoted to administration.
- 5) *Regular reporting.* The Provost should regularly report to the Faculty Senate regarding the University's observance of these budget principles.

(additions underlined; deletions crossed through)



NORMAN CAMPUS FACULTY SENATE  
Resolution on Reporting of Salary Distribution Data

*Submitted May 2, 1994, by the Committee on Faculty Compensation*

The Norman Campus Faculty, through its representatives, the Faculty Senate, resolves that:

- 1) Beginning with fiscal year 1995 the President and the Provost should direct all appropriate offices of the University to distinguish "upper-level administrators" as a separate category from "faculty" and "staff" in reports related to salary distribution and salary increases. In particular, upper-level administrators with faculty appointments should not be counted as faculty, and upper-level administrators without faculty appointments should not be counted as (monthly) staff.
- 2) Any report related to salary distribution and salary increases that does not distinguish "upper-level administrators" as a separate category from "faculty" and "staff" should so indicate, and should clearly define the categories it uses.
- 3) For the purposes of this resolution, the following definitions should be used:
  - (a) "Upper-level administrator" means an employee of the University with a 0.5 FTE or greater appointment as one or more of the following:
    - (i) An executive officer of the University, including the President, Executive Assistant to the President, Provost, Vice-president, Secretary of the Board of Regents and of the University, or such other position as the President may designate from time to time;
    - (ii) An administrative officer of the University, including any administrator (in addition to the executive officers already named) who reports directly to the President, any Director who reports directly to a Vice-president, and all Vice-provosts, Associate Provosts, and Associate Vice-presidents;
    - (iii) A Dean, Associate Dean or Assistant Dean;
    - (iv) An Assistant Provost or Assistant Vice-president.
  - (b) "Faculty" means members of the University faculty *who are not upper-level administrators*.
  - (c) "Staff" means staff members of the University *who are not upper-level administrators (and are not faculty)*.

5/94 (Appendix IIIc)

NORMAN CAMPUS FACULTY SENATE  
Resolution on Evaluation of Academic Administrators

*Submitted May 2, 1994, by the Committee on Faculty Compensation*

WHEREAS all faculty and staff are (or should be) subject to annual performance evaluation;  
and

WHEREAS every academic unit is required to have written criteria for faculty evaluation; and

WHEREAS current University policy is to evaluate academic administrators "regularly;"

THEREFORE the Norman Campus Faculty, through its representatives, the Faculty Senate, resolves that:

- 1) Academic administrators' performance should be evaluated on an annual basis.
- 2) Evaluation of academic administrators' performance should be based on written criteria established with faculty and staff input.
- 3) The annual evaluations of academic administrators should include meaningful input from appropriate faculty and staff.
- 4) Any raise for an academic administrator should be directly linked to his or her performance evaluation.

Tabled

OFFICE OF THE SENIOR VICE PRESIDENT AND PROVOST  
The University Of Oklahoma  
Norman Campus

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MEMORANDUM

TO: Professor Bruce Hinson, Chair, Norman Campus Faculty Senate

FROM: James F. Kimpel, <sup>JFK</sup> Senior Vice President and Provost

DATE: April 5, 1994

SUBJECT: Clarification of Guidelines

The Office of the Senior Vice President and Provost has received several requests for clarification of a particular phrase in the "Makeup Examinations (Other Than Final) Due to University-Sponsored Activities" guidelines that appear in Section 4.10 of the current Norman Campus Faculty Handbook. Specifically, we have been asked to clarify the "normal appeal procedures" that are available to students under these guidelines.

In response, I propose that this underlined passage be incorporated into the Section 4.10 guidelines:

NOTICE: If the student and the faculty cannot agree, normal appeal procedures (faculty to director/chair to college dean to Senior Vice President and Provost) are available to the student and can be followed.

As the current Faculty Handbook is being revised and we would like to include this clarification in the next edition, I would appreciate the Faculty Senate's considering this proposal before the end of the Spring 1994 semester. Upon receiving the Faculty Senate's action, I will recommend approval to President Richard Van Horn as well.

If you have questions concerning this matter, please contact me or Ms. Jill Bush Raines in this office. Thank you in advance for your prompt attention to and consideration of this proposal.

JFK\jbr

cc: President Richard L. Van Horn  
Assistant Provost Dianne Bystrom

**MAKEUP EXAMINATIONS (OTHER THAN FINAL) DUE TO UNIVERSITY-SPONSORED ACTIVITIES**

4.10

The following guidelines have been approved by the Faculty Senate and the UOSA to aid the faculty in determining a policy for making up exams (other than final examinations) in cases of absences due to participation in educational extracurricular activities. (For the policy on final examinations, see Section 4.8.)

University-sponsored activities only are covered by these guidelines.

Faculty, if given notice two class periods before an exam or quiz (excluding pop quizzes), are encouraged to make every effort to find an accommodation by either (a) giving a makeup exam, an early exam, or a quiz, (b) changing the exam schedule, or (c) dropping the exam or quiz and increasing the weight of the other exam or quiz or other agreed upon approaches acceptable to the instructor and the student.

NOTICE: If the student and the faculty member cannot agree, normal appeal procedures are available to the student and can be followed.  
(Faculty Senate, 3-7-83; Presidential approval, 3-24-83)




*The University of Oklahoma*

UNIVERSITY LIBRARIES

5/94 (Appendix V)

May 4, 1994

TO: Deans, Department Chairs, Division Heads, and  
Departmental Library Representatives

FROM: Sul H. Lee   
Dean, University Libraries

SUBJECT: Serial Subscription Service Vendors

During the serials reallocation planning process there have been some questions about the role of serial subscription vendors in obtaining materials for the University Libraries. This memorandum discusses why the University Libraries uses subscription vendors, why there is a service charge, and why the listed price in a journal is sometimes different from the actual cost of the title to the library.

**Why Do Libraries Use Subscription Vendors?**

The University Libraries uses a number of vendors to help obtain and manage the diverse collection of serials received to support the University's academic programs. The vendors provide important services which the University Libraries could not maintain without significant increases in personnel and funding for related activities. Subscription vendors provide assistance in establishing and cancelling serial subscriptions. This is important to the Libraries because it consolidates the amount of paperwork and reduces the number of suppliers and publishers with whom the Libraries must interact. The vendors also investigate missing issues of journals. This is a time-consuming and labor-intensive activity. The vendors track changes in subscription costs and project costs for the coming year and they supply valuable information to the University Libraries through different management reports.

It should be noted almost all libraries use subscription vendors to assist in the acquisition of materials. The cost for the vendor's services outweighs the continuing cost for personnel to handle the management of the subscriptions with each individual publisher.

**Why Do Libraries Pay Service Charges?**

Subscription vendors derive their capital from publishers' discounts and from customer service charges. In most cases, subscription vendors do not receive large enough discounts from the publishers to eliminate the service charge. The customer service charge is established through the quantity and the type of subscriptions supplied to the library. The "mix" of titles will affect the amount of service charge, and libraries will have different service charges depending upon the type of materials in the collection.

**Why Is There A Difference Between The List Price and The Cost To The Library?**

The prices published in journals are sometimes accurate and sometimes inaccurate. Some publishers will not set the price for the coming year until late in the year. Thus, the cost on the cover of the journal is not necessarily the current cost. Subscription inflation may be attributed to increases in publisher's costs, fluctuations in the value of the dollar in foreign markets, or the desire to make a larger profit. Another practice affecting subscription costs is the fluid publication schedule. The fluid publication schedule is the result of a publisher not establishing the number of pages or the number of issues to be produced during a publishing cycle. The result is an uncertain subscription cost for those journals. As the number of pages and issues increase, so does the price.

There is a group within the Association of Research Libraries that is currently working with publishers in an attempt to establish firm subscription prices for a set period of time. This is being done to stabilize the fluctuations and uncertainty that accompanies subscriptions to academic journals.

I hope this information helps clarify some of the issues related to the use of subscription vendor services. If you have any questions about how we interact with the subscription vendors, please contact me.

cc: James F. Kimpel, Senior Vice President and Provost  
Collection Development Librarians