Volume VII

Agenda and Minutes
of the Meeting of March 14, 1994

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Meeting Notice: Monday, March 14, 1994

Order of Business:

I. Calling of the Meeting to Order

II. Informal Statements and Proposals

III. Approval of Minutes

IV. Presidents Report

V. Committee Reports

VI. Old Business

   Sexual Harassment Policy (see March 7 agenda)

VII. New Business

   Guidelines for Appointment of a Distinguished Professorship (peach attachment)

VIII. As May Arise

EXECUTIVE COMMITTEE

James Clark, President            3220       Box 78
Dwight Murphey, Vice President    3219       Box 88
Gayle Davis, Secretary           3358       Box 82
Joyce Cavarozzi, President-Elect 3541       Box 53
Walter Horn, Elected by Senate    3410       Box 44
Jolynne Campbell, Elected by Senate 3147      Box 43
Sue Bair, Appt’d by Senate Pres.  3340       Box 16
Guidelines for Appointment of a Distinguished Professorship

From: Faculty Senate Academic Affairs Committee

Appointment:

1. When a Distinguished Professorship is vacant, the Academic Vice President shall notify the Board of Trustees (if appropriate) and the University Budget Office, convene the council of academic deans, announce the vacancy, inform the deans of the terms of the appointment, and ask the deans for nominees who would fit the terms of the appointment.

2. The Academic Vice President and a committee of faculty members appointed by the Faculty Senate will solicit open nominations, confer with the university’s Distinguished Professors, and seek input of other professors with recognized expertise in the candidates’ specific areas.

3. Based on information gathered from all interested parties, the faculty committee will make a recommendation to the Academic Vice President, who, in turn, will propose a nominee to the President.

4. If the President considers the nominee appropriate for the position, the President will appoint the nominee. If the President believes that another nominee should be submitted for consideration, the President will so direct the Academic Vice President and the faculty committee.

5. A Distinguished Professorship is typically awarded to a faculty member currently teaching at the university. However, at his or her discretion, the President may ask the Academic Vice President to conduct an outside search. In this event, the President appoints a five member search committee composed of two academic deans, two distinguished professors, and a faculty representative appointed by the Faculty Senate. The chair of the committee will be the Academic Vice President who will serve ex officio.

Evaluation:

1. Normally, Distinguished Professors are appointed for their length of service at WSU, unless the appointment is withdrawn.

2. The appointment will be subjected to performance review on a three or five year time line. The review will be conducted by a review committee appointed by the dean of the college wherein the Distinguished Professor resides.

3. If the review committee finds the Distinguished Professor’s teaching, research, and service to lack a sufficient level of distinction, the dean will meet with the professor and discuss the evaluation. If insufficient improvement is achieved within one year, the dean may withdraw the appointment.
Implementation:

1. The sponsoring agency (source of funding for the Distinguished Professorship) should submit in writing any designated areas of involvement of the supported professorship. The college and department affected should agree with such designations.

2. Unless restricted by the sponsoring agency, selection of a Distinguished Professor should be from the university at large, and not limited to the department or college of the person who last held the position. Distinguished Professorships should be awarded across academic units on campus on the basis of merit without regard to race or gender.

3. There should be a statement specifying the purpose of the professorship.

4. The "terms of appointment" should be clearly defined. Expectations in teaching, research, and service activities should be pre-specified and agreed upon by all parties.
Minutes of the meeting of Monday, March 14, 1994.

MEMBERS PRESENT: Allen, Bajaj, Benson, Burk, Campbell, Cavarozzi, Chambers, Chopra, Ciboski, Clark, Daugherty, G. Davis, L. Davis, Desilva, Flentje, Furtwengler, Greywall, Hanrahan, Hawley, Hay, Houts, Hoyer, Hundley, Kelly, Koppenhaver, Kraft, Kuchment, Lancaster, Mandt, Matson, May, Merriman, Murphey, Parkhurst, Paske, Romig, Shanahan, Teshome, Wahlbeck, Williamson, Yeager, Zandler

MEMBERS ABSENT: Ackerman, Bair, Brady, Carroll, Combs, Dreifort, Duell, Gythiel, Horn, Hughes, Lansing, Pitetti, Sharp, Terrell, Thomson

GUESTS: Brunner, Eaglesfield, Seyb

Summary of Action Taken:
1. Referred Guidelines for Appointment of Distinguished Professorship back to committee.

I. INFORMAL STATEMENTS AND PROPOSALS

President Clark introduced a representative of the Board of Trustees. She presented a survey to be completed regarding the Senators' opinions of the Shocker Club & University Faculty and Alumni club.

Senator Romig brought to the attention of the Senate a memo from Acting Dean Loper to IVPAA Dreifort dated 1/26 regarding proposed changes in the Hugo Wall School. It was distributed to the chairs on 3/4. He mentioned that some of the changes directly contradict recommendations that came from the Program review and wondered if these changes were following the Program Discontinuance process. He also requested investigative action by the Executive committee.

Senator Benson raised the issue that there were plans to eliminate the chair positions in the Hugo Wall School without having any faculty input on the matter. He felt that idea goes against the Program Review document accepted a year ago.

Senator Wahlbeck raised the issue of creating a rank for teaching faculty and asked that there be sufficient faculty input on this process. President Clark said there is currently a committee working on the plan. He and Senator Larry Davis are serving on this committee. Senator Hoyer asked if there had been any thought given to how these unclassified professionals who teach would be reviewed as faculty. Senator Mandt asked if we
are looking for ways to get around AAUP principles that state if you teach six years, you have tenure. President Clark said this is a different type of faculty who don’t do research and service. Senator Larry Davis said that English has had people who may be great teachers but has had to fire them because they don’t have research and service responsibilities. Senator Hoyer said maybe teachers who do research and service will become the exception on the campus. Senator Paske said that AAUP doesn’t say there’s a need for research in order to get tenure.

Senator Larry Davis asked if people in administrative positions including deans and above get full graduate faculty status automatically. Senator Burk said that hasn’t been true in his experience on the Graduate Council. President Clark will look into this question.

Senator Bajaj ask that the graduate school get their minutes out before the next meeting is held, and President Clark said he will ask them to do that.


II. PRESIDENT’S REPORT

None. (But President Clark did say not to believe what you read in the paper, because our raises may not be dead.) President Clark asked that the LAS Social Science senators stay after the meeting to find a replacement for Paul Ackerman who has resigned.

III. NEW BUSINESS

Guidelines for Appointment of a Distinguished Professorship

The report was presented by Senator Hanrahan representing the Academic Affairs committee. Senator Larry Davis said he would like there to be departmental input on these decisions. Senator Hanrahan said the department can nominate people in section #2 of the document, adding that it was not the committee’s intent to leave out anyone. Senator Larry Davis asked when there could be input on evaluating the credentials. Senator Hanrahan said the committee will evaluate credentials. Senator Larry Davis said he would like an explicit statement in the plan that experts will be consulted on such appointments. Senator Lancaster asked what the current appointment process is; stated that he thinks the department should be asked whether the person is the most qualified in the department; and asked how often these positions switch. He asked if the committee is advisory (referring to part 4, second sentence) or if the President can put a person in later and make the committee start over again. President Clark said the committee is advisory and that the President can not make an appointment unless the person had come through the committee process. Senator Hanrahan said nominations would be solicited from Deans on down, but if the President feels another candidate needs to be in the pool, he may add the name. Senator Daugherty said, regarding section #3, that the VPAA seems to be able to give any nominee he/she wants to
submit. Senator Paske moved that we add "The appointment must be approved by a majority of tenured faculty in the receiving department or unit." Senator Mandt expressed support and gave the background that the appointments have been ad hoc in the past. Basically, the President or the Board of Governors or Trustees or the person who gave the money insisted on naming the recipient or the money wouldn't be given. Senator Daugherty said that outside hires should go through the standard process, and the administration should have veto power if they don't like what the department is doing. She suggested we should vote this down and send the draft back to committee for further work. Senator Larry Davis supported the amendment, but said there are other things have to be dealt with as well. Senator Wahlbeck asked how it is determined what department will get this position. President Clark said it is sometimes by the funder or based on the merit of the department. He said this is a pertinent question, especially when you look at outside hires. Senator Hanrahan said the committee was working toward more faculty involvement. Senator Mandt asked which of the many kinds of professorships this would refer to, and Senator Hanrahan said her committee was working with the Trustees professorships. Senator Merriman suggested making clear that this document refers only to the Board of Trustees Professorships. Senator Bajaj asked what happens as per #3 under "evaluation"? Senator Paske raised a point of order to get back to his amendment on the floor and to settle the other issues later. The vote on the amendment passed unanimously as did the vote on the proposal.

Senator Lancaster moved to send the draft back to committee (seconded by Senator Mandt) and consider whether it is for vacant or new professorships; how is it advertised; who really nominates the people. Senator Larry Davis suggested a friendly addition, to take out the word "a" and add "the" to section 3, Appointment, so that it would read," ....will propose the nominee to the President." He also suggested that the committee should consider how evaluation reviews take place and how the department is involved; and think about why an outside search is only open to the President. Senator Daugherty suggested inclusion of people on the committee from the receiving college and department. Senator Merriman said the committee should think of their job as starting from scratch. Senator Williamson suggested that we use the model of any other search committee and to go through this process, with a choice of nominees listed, and the top candidates list should come from a faculty committee. Senator Bajaj asked how many distinguished professors we have. Senator Hanrahan said two for the Trustees (Professors Sowards and Ho). Senator Cavarozzi said after all these years of no process, this is a good sign that Academic Affairs sent this to the Senate. The motion passed to refer this back to the Academic Affairs Committee.

VI. OLD BUSINESS
Sexual Harassment Policy -
President Clark asked for comments on the procedures part of the document. Senator Mandt, referring to the last paragraph on pages 5 and 6, questioned how any dean or chair could be impartial as a mediator. Senator Murphey said it would be hard if that person were the one to bring the charge. Senator Mandt said making it the complainant's option to choose who will mediate may be unfair to the other person involved. Senator Paske said the use of the word "mediator" is bad because that defines a professional role. He suggested taking out that word and using some form of the phrase "a person who will attempt an informal resolution." Senator Murphey said he doesn't know if we need the change from using "mediator." Senator Matson, who had just attended a teleconference on this issue, recommended keeping chairs out of the process because they are culpable. Senator Larry Davis said current law makes the chairs culpable. Senator Mandt asked if the intent is that we don't want to require that we have to go to the chairperson? Senator Larry Davis said we need to think about process. Given the Civil Rights Act of 1991, if the complainant is unhappy with the decisions, could the people on the committee be liable? If the committee decides the complaint can't be proved, is that where the case ends? Could the complainant appeal to the President and have the decision decided by him? Senator Murphey said the last paragraph in the document addresses this in part, but inserting this process into the standing procedures leaves this question out. Senator Larry Davis suggested that the problem of sexual harassment is such a specific problem that it is not well served by existing processes. Senator Paske said in forming a sexual harassment policy years ago, a question was raised about how much the university would support faculty participation. The state must defend you if a court issue arises. Senator Murphey doesn’t see a lot of difference in these cases and those covered by existing policies. Senator Larry Davis asked to whom the Kansas Human Rights Commission would turn with their questions. Senator Murphey answered that they would turn to the Affirmative Action Officer who could refer them to individuals on the committee. Senator Larry Davis said if it goes outside campus, KHRC will ask for someone who knows about other cases on campus as well. President Clark said the University President will be a contact as the legal representative of the Regents. Senator Murphey said there are enormous advantages to having the due process parts of the document, though the process is decentralized in this document. Senator Larry Davis raised his concern that the document must be acceptable to the university and he's worried that some issues aren't being addressed that arise in specific sexual harassment cases. Senator Daugherty asked if the AAO has been involved, since the AAO and Regents lawyers may need to review this document before we pass it. Senator Murphey said she wasn't consulted by the most recent committee though the other two previous committees might have. He said it is premature to consult lawyers now when it isn’t passed yet. The other two senates have developed a plan in which the AAO has the
only central role. Senator Paske said before giving the AAO the central role, we need to decide whether that office works for administration or for faculty. President Clark said the AAO is for the protection of the university not the faculty. Senator Larry Davis asked why there is no appeal in this document. Senator Murphey said the appeal goes through either the grievance or dismissal for cause processes. Senator Larry Davis said he is uncomfortable with an appeal to a single person and would rather have another panel. Senator Murphey explained that it lengthens the process to have another panel for appeals. Senator Mandt said the AAO and Regents lawyers all work for the university and they look only to legally protect WSU. He worries about the conflict of roles in this policy and the later grievance process, if that is the way it proceeds. The AAO plays the judge role in the grievance process. Senator Murphey asked what the solution might be. The AAO has a prosecutorial role because someone has to have that role. Senator Mandt said maybe we don’t need a "babysitter" for the hearing panel, but we do need someone without conflict of interest to serve in that role.

President Clark said that the Executive committee will study the wording and requested that anyone with suggested wording changes send them to the Senate office.

The meeting was adjourned at 5:00.

Respectfully submitted,

Gayle Davis, Secretary