Volume XVI

Agenda and Minutes of the Meeting of December 09, 2002

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### WICHITA STATE UNIVERSITY
### FACULTY SENATE
### AGENDA

<table>
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<th>MEETING NOTICE</th>
<th>Monday, December 9, 2002</th>
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<td>Room 107 CH, 3:30 p.m.</td>
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### ORDER OF BUSINESS:

I. **Call of the Meeting to Order**

II. **Informal Statements and Proposals**

III. **Approval of the Minutes**

   Minutes of the Meeting of Monday, November 25, 2002 https://webs.wichita.edu/senate/M11-25-02.htm

IV. **President’s Report**

V. **Committee Reports**

   A. Rules Committee - Elizabeth Behrman, Chair

   B. Library Committee - Phillip Parker, Chair

   The Faculty Senate Library Committee urges the Faculty Senate to adopt the following motion:

   "The Faculty Senate of the Wichita State University regards the USA PATRIOT Act (2001) as a threat to the rights of the faculty, staff, and students since the legislation undermines the confidentiality that is necessary for the flow of information within a university. We urge higher education and the nation's leaders to implement the legislation in a way that will protect our civil liberties while still assuring greater national security."

   The following information comes from the American Library Association (ALA) web page http://www.ala.org/alaorg/oif/usapatriotact.html: Libraries or librarians served with a search warrant issued under FISA rules may not disclose, under of penalty of law, the existence of the warrant or the fact that records were produced as a result of the warrant. A patron cannot be told that his or her records were given to the FBI or that he or she is the subject of an FBI investigation. Overrides state library confidentiality laws protecting library records.

   Other ALA web sites of interest are:

   http://www.ala.org/alaorg/oif/
   http://www.ala.org/alaorg/oif/usapatriotlibrary.html

   Other informational web sites:

   http://www.epic.org/privacy/terrorism/patriot_foia_complaint.pdf

http://webs.wichita.edu/senate/A12-9-02.htm 12/5/02
VI. Old Business
A. Discussion and Action on the Motion regarding Mandatory External Reviews (see Old Business, November 11, 2002 meeting –http://webs.wichita.edu/senate/M11-11-02.htm)

B. Motion from the Library Committee - Senator Parker will present the Library Committee's motion.  see committee reports-B)  At the request of some members of the Executive Committee, Director of EEO & Assistant Counsel Leonard Clark has tentatively agreed to research the USA PATRIOT Act and to present an independent view of the impact of this act on higher education to the Faculty Senate.

VII. New Business

VIII. As May Arise

EXECUTIVE COMMITTEE

<table>
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<tr>
<th>Office</th>
<th>Campus Phone</th>
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<tbody>
<tr>
<td>Kirk Lancaster, President</td>
<td>3982</td>
<td>Box 33</td>
</tr>
<tr>
<td>Barbara Hodson, Vice President</td>
<td>6342</td>
<td>Box 75</td>
</tr>
<tr>
<td>Dwight Murphey, Secretary</td>
<td>7125</td>
<td>Box 77</td>
</tr>
<tr>
<td>Elizabeth Behrman, President Elect</td>
<td>6460</td>
<td>Box 102</td>
</tr>
<tr>
<td>Jeri Carroll, Past President</td>
<td>6865</td>
<td>Box 28</td>
</tr>
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Elected by the Senate
J. David McDonald              | 6097         | Box 26     |
Peer Moore-Jansen               | 7059         | Box 52     |

Appointed by the Faculty Senate President
Silvia Herzog                  | 6268         | Box 53     |

Office of Faculty Senate        | 3504         | Box 111    |
WICHITA STATE UNIVERSITY FACULTY SENATE MINUTES – Monday, December 9, 2002


MEMBERS ABSENT: Bakken, Hemans, Kear, Mau, May, Ravigururajan, Teshome, Yeager

MEMBERS EXCUSED: Dawe, Matson, Quantic

Ex-OFFICIO MEMBERS PRESENT: VPAAR Kindrick, SGA, Sell

SUMMARY OF ACTION:

1. The Senate approved the Minutes for the November 25, 2002, meeting.
2. The Senate approved the replacement of Jim Clark by Terrence Decker as the Senator representing the Department of Economics with his term ending 6/04.
3. Upon blind ballot, the Senate defeated by a vote of 22-13 the amendment moved at the meeting of November 11, 2002, favoring the principle of mandatory external peer reviews and referring procedural questions to the Faculty Affairs Committee.
4. Upon blind ballot, the Senate defeated by a vote of 22-11 the main motion moved at the meeting of October 14, 2002, favoring the principle of mandatory external peer reviews.
5. The Senate heard a presentation by Leonard Clark, the University assistant counsel and EEO Director, describing the USA PATRIOT Act; and, time having expired for the meeting, the Senate tabled the motion from the Library Committee (see Agenda for this meeting, Sec. V.B.) about that statute.

I. CALL TO ORDER: President Lancaster called the meeting to order at 3:30 pm

II. INFORMAL STATEMENTS & PROPOSALS: none

III. APPROVAL OF THE MINUTES: Minutes of 11/25/02, accepted as presented.

IV. PRESIDENT’S REPORT: President Lancaster told of the Kansas Board of Regents' "Unified Operating Budget Request for Fiscal Year 2004," which he said involves a 5% budget cut for WSU; and mentioned the Regents' recent "Guidelines for Budget Rescission and Reduction." Anticipating the vote later in the meeting on the proposals relative to mandatory external review, he gave a summary of his views favoring the proposals. Finally, he told of the recent report about the funding of higher education in Kansas by the Hall Foundation that shows that WSU "is underfunded and our faculty is underpaid." The same foundation, he said, has conducted a study of public opinion about higher education.
V. COMMITTEE REPORTS:

A. Rules Committee. E.Behrman, Chair, reported that the Senators from the Barton School of Business have nominated Terrence Decker to fill the Economics Department seat (term ends 6/04) in the Senate, replacing Jim Clark, who has taken an administrative position. This was approved by the Senate.

VI. OLD BUSINESS:

A. The Senate debated the amendment that had been moved by Senator Herzog and seconded by Senator Behrman at the November 11, 2002, Senate meeting endorsing the principle of mandatory external peer reviews in tenure cases and referring procedural questions to the Faculty Affairs Committee. After much discussion, the previous question was moved and approved; and a blind ballot was requested. The Senate defeated the amendment by a vote of 22 to 13.

B. The Senate then acted upon the main motion to which the amendment had been offered. This was the motion made by the Senate Executive Committee at the meeting on October 14, 2002, to adopt the principle of mandatory external peer reviews in tenure cases. The previous question was moved and approved; and a blind ballot was requested. The Senate defeated the motion by a vote of 22 to 11.

C. A presentation was made to the Senate by Leonard Clark, the University's assistant legal counsel and EEO Director, describing the main provisions of the USA PATRIOT Act. University Counsel Ted Ayres did tell the Senate that if anyone contacted them, they should immediately inform them. Time having then expired for the meeting, the motion from the Library Committee for a resolution about the Act was tabled upon motion by Senator Klunder, seconded by Senator Murphey.

VII. NEW BUSINESS: none

VIII. AS MAY ARISE: none

Respectfully submitted
Dwight Murphey
Secretary