

STEPHEN F. AUSTIN STATE UNIVERSITY
Faculty Senate
Meeting No. 103
November 14, 1979

1. Chairman Rodewald called the meeting to order at 3:15 p.m.
2. The Senate approved the Minutes of Meeting No. 101 as written. Secretary Bowman amended the Minutes of Meeting No. 102 by including the following on page 3, no. 4, item D: "Senator Proctor, Chairman of the Professional Welfare Committee, stated that the primary concern of the committee was the reduction of faculty and graduate assistant positions. The committee is especially concerned with the reduction of graduate assistant funds and the effect this might have on graduate programs across campus." The Minutes of Meeting No. 102 were then approved as amended.
3. Reports of Officers:
 - A. Chairman's Report:
 - a. Chairman Rodewald reported that the Deans' Council has established a committee to examine minor programs that exist in the curriculum, to address the question of minors apart from local tradition, and to make recommendations to the Deans' Council as to what a minor at SFASU should be. Dr. Rodewald will serve on this committee.
 - b. Vice President Franklin is working on the University budget and by computing all available data, he thinks the University will be in good shape for the 80-81 year without "drastic action." Chairman Rodewald interpreted this to mean that the faculty will receive an average 5.1 percent salary increase designated by the legislature.
 - c. A Regents Professor Committee has been formed and Dr. Brannen is serving as the Senate representative.
 - d. The Deans' Council has been asked by the Student Government Association to examine the presence of left-handed desks in classrooms.
 - e. The first of a possible series of Instructional Council workshops for Department Chairmen was held November 9 to examine the legal aspects of faculty and student rights.
 - f. Tenure and promotion reviews are now going on. Procedures for these reviews are outlined in the Faculty Handbook.
 - g. The faculty will soon receive a draft copy of policy on the evaluation of dean's from the Deans' Council.
 - h. In response to questions received from several senators since the last Senate meeting, Chairman Rodewald reported that he had met with President Johnson and Vice President Franklin on the following items.

In response to a request for clarification of the mandated 5.1 percent increase for faculty members making \$15,000 or less, Dr. Rodewald reported that a faculty member had to be making \$15,000 or less on a twelve month basis in order to be eligible for the mandatory 5.1 percent salary increase.

Another question concerned the parameters of involvement of the Grievance Panel. According to the interim policy on procedural guarantees, the Grievance Panel is to be concerned with alleged violations of "conditions of employment." Conditions of employment would include such items as class load, class schedule, evaluation, promotion, salary, tenure, etc.

Chairman Rodewald next reported that there are two alternatives available for resolution of a grievance. First the faculty can go through the administrative chain--Department Head; Dean; Vice President; and President. Second the faculty can go the same route but before the President makes a ruling the faculty member can ask for a hearing before the Grievance Panel.

Another question involved the following statement on page 32 of the Fiscal Regulations Handbook: "Any employee, academic or non-academic, may be subject to disciplinary action, including but not limited to suspension or discharge from employment, for the following, or other grounds: (A) Poor work or incompetence, (B) Misconduct, (C) Insubordination, (D) Absenteeism, and (E) Conduct prejudicial to the United States of America." President Johnson stated the Tenure document takes precedence over that statement. Secondly, he said that the Fiscal Regulations Handbook would be revised and the reference to "academic" would be deleted from this section.

- i. Chairman Rodewald appointed Dr. Stanberry as Senate Parliamentarian.
 - j. Chairman Rodewald appointed an ad hoc committee to establish priorities related to the University Self-Study Recommendations. Dr. Rodewald appointed Senators Blocker, Corbin, ^{Wenell} Constance Spreadbury, Stanberry, Walker and Wallace to that committee. Dr. Corbin will serve as chairman.
- B. Secretary's Report:

In response to a request from Senator Johnson and Senator Pollock regarding the availability of Student Handbooks for faculty members, Secretary Bowman reported that they have been distributed to the faculty.

C. Treasurer's Report:

Treasurer Constance Spreadbury reported a balance of \$5,310 in the treasury.

4. Old Business:

A. Recommendations on Use of Faculty Apartments:

Senator Proctor, Chairman of the Professional Welfare Committee, stated that the committee is aware of the desirability of securing more student housing through conversion of the faculty apartments to student housing. However, the committee is also concerned with the problems that this conversion would create for physically handicapped faculty and for faculty members experiencing financial difficulties who currently occupy the apartments.

At this time Senator Proctor moved and Senator Thomas seconded the motion that the University convert the faculty apartments to student housing and aid the physically handicapped faculty and those new faculty members who are experiencing bona fide financial difficulties in locating housing in what is presently the faculty apartments or in a place possessing the same desirable characteristics such as location and monetary outlay.

In response to a question from Dr. Constance Spreadbury, Senator Proctor pointed out that there are a total of sixteen units in the faculty apartments. Twelve units are occupied by faculty members and the remaining four by secretarial help and maintenance personnel.

Senator Wallace asked if the current occupants had been notified that they would have to move. Senator Proctor responded that they had.

Senator Mathis next asked if this was really causing a hardship for some faculty members. Dr. Proctor stated that some complaints had been made but that it was really a problem of balance since 55 students had to be temporarily placed in hotels at the beginning of the fall semester because of the lack of student housing. If these apartments were available, Proctor responded, the University would be able to house 64 more students which could mean the difference between a faculty position or two.

Chairman Rodewald stated it was his understanding that the apartments were originally built because there was very little housing available in Nacogdoches. It was his understanding that there was an interim agreement to house faculty in these facilities for only a year or two.

Senator Wallace asked who would determine priority for placement or ascertain what faculty were experiencing bona fide financial difficulties. Senator Proctor and Chairman Rodewald responded that they did not know. Dr. Rodewald pointed out, however, that President Johnson had informed him that this was already being done with other apartments.

At this time, the motion was restated and passed unanimously.

B. Recommendation on Prorating Parking Fees:

In introducing this problem, Chairman Rodewald announced that he received a phone call from the Student Government Association after the last Faculty Senate meeting informing him that the Student Government Association had passed a resolution that parking fees be prorated and that they would like for the Faculty Senate to consider the resolution. Dr. Rodewald delegated this problem to the Professional Welfare Committee.

Senator Proctor announced that the Student Government Association passed a resolution submitted by student Senator Kilpatrick stating that the University Police Department should review and consider reducing the parking permit fees charged for single semesters while also implementing a policy which would prorate fees charged to students, faculty, and staff desiring to obtain a permit not exceeding one semester. Dr. Proctor moved that the Faculty Senate approve their resolution. The Motion Died for lack of a second.

Because of the uncertainty expressed by several Senators as to the ramifications of this resolution, Dr. Reeves moved and Dr. Murdock seconded the motion to have the Professional Welfare Committee reexamine the resolution in view of the questions asked at the meeting. Motion Passed.

- C. Senator Thompson, Chairman of the Ad Hoc Committee on Faculty Involvement, announced that this committee has made arrangements for coffee to be available to faculty members working in registration. The coffee will be available in Conference room 207 in the H.P.E. complex. The charge will be 15¢ per cup.
- D. In response to an earlier request from Dr. Rodewald concerning the status of a faculty lounge during the summer term because of the construction that will be in progress, Dr. Thompson reported that both faculty and students will use West Cafeteria for coffee and snacks. Dr. Thompson asked the Senate if they thought a separate place was needed for the faculty during the summer.

Senator Spurrier pointed out that once we let the faculty lounge go that this might set a precedent for not having one later on.

Dr. Constance Spreadbury moved and Dr. Cole seconded the motion that the faculty ask for a separate room on the second floor of the Student Center so that the faculty will be assured of a quiet room next fall. Motion Passed.

- E. Senator Thompson next reported that he had received several requests from the faculty asking for clarification concerning the athletic tickets they had purchased in the fall. The faculty who purchased season tickets for \$10 received a ticket for each Lumberjack football game and one ticket for all basketball games. Some faculty members thought that the tickets were for Lumberjack games only and not Ladyjack games. Dr. Thompson said that Travis Whitaker informed him that the season tickets concerned football games, Lumberjack basketball games, and Ladyjack games. The tickets do not, however, cover tournaments or other special events such as the upcoming game between the Ladyjacks and the Russian team.

In a discussion that followed, Dr. Thompson pointed out that it was his understanding that members of the community could purchase season tickets for \$15 which covered football games, Lumberjack basketball games, and Ladyjack games.

Dr. Cole responded, that as a member of the Athletic Committee last year, it was her understanding that the \$15 season ticket only covered Lumberjack football and basketball games. A season ticket to Ladyjack games was about \$22.50.

In response to a question from Senator Brannen, Dr. Cole stated that donations to the Ladyjacks above the season ticket amount would entitle the purchaser to special privileges. The privileges extended would depend on the amount of the donation.

At this time, Chairman Rodewald moved and Dr. Johnson seconded the motion that the Faculty Bulletin clarify for the faculty and President Johnson's office be asked to clarify for the community what these respective tickets entitle the holders to. Motion Passed.

5. New Business:

- A. Senator Schoenewolf presented a faculty member's concern with the first two sentences on page V-3 of the Faculty Handbook. At this time, Chairman Rodewald read the first sentence which states: "The constitutionally protected rights of the faculty member, as a citizen, to freedom of expression must be balanced with the interest of the State, as an employer, in promoting the efficiency of the educational services it performs through its employees."

In response to a question from Dr. Rodewald, Senator Schoenewolf responded that the objection expressed was in reference to the word "balanced." Constitutional rights should not be balanced against anything. They were absolute constitutional rights.

Senator Stanberry pointed out that the constitutional right of free speech is not unlimited. In many instances this right is balanced against other considerations. However, the balance test has not traditionally been used in relation to the interest of the employer.

Senator Wendall Spreadbury pointed out that unfortunately most of the court cases that this policy statement was based on related to public schools and not institutions of higher education.

For clarification Chairman Rodewald then asked if this was really a matter of concern to the Senate. He further stated that we can amend this as an institution. It is not, he stated, a matter of trying to amend the Constitution of the United States.

At the suggestion of Senator Schoenewold, Chairman Rodewald read the second sentence which states: "A faculty member's comments are protected even

though they may be highly critical in tone or content, or erroneous, but such statements are not protected free speech if they either substantially impede the faculty member's performance of his or her daily duties or materially and substantially interfere with the regular operation of the institution, or if they are part of a continuing pattern of expression of such nature as to destroy the harmony and morale of a division, department, or college."

The part of the second sentence that was challenged by the same faculty member pertained to the following: ". . . such statements are not protected free speech . . . if they are part of a continuing pattern of expression of such nature as to destroy the harmony and morale of a division, department, or college."

Senator Stanberry stated that the Senate should seek the advice of Mr. Provan regarding this statement. If the statement does contradict constitutional rights, it is irrelevant.

At this time, Dr. Ashley referred the Senate to page V-7, B.1 of the Faculty Handbook which concerns probationary faculty whose contract is not renewed. This section states: "A probationary faculty member . . . may appeal non-reappointment only on presentation of a prima facie case that constitutional guarantees or academic freedom were violated." Dr. Ashley pointed out that this statement established the intent of the University with regard to constitutional rights.

Senator Wendall Spreadbury then moved and Senator Pollock seconded the motion to remove the following statement from the Faculty Handbook: ". . . if they are a part of a continuing pattern of expression of such nature as to destroy the harmony and morale of a division, department, or college."

After some discussion between Chairman Rodewald and Constance Spreadbury, Senator Wendall Spreadbury amended his motion and Pollock seconded the motion to direct this question to the Professional Welfare Committee for further study before any Senate action is taken. Motion Passed.

- B. Senator Proctor, Chairman of the Professional Welfare Committee, stated that one item of concern was evaluation of the tenure process. The committee, he stated, is especially concerned about non-tenured faculty not following the procedures outlined in the Faculty Handbook.

Senator Proctor moved and Senator Mathis seconded the motion that each Senator should work closely with the non-tenured faculty they represent by giving advice and recording any difficulties which are encountered in the tenure process and all such written material should be filed with the secretary of the Faculty Senate to be viewed by Senators so that they may better advise their non-tenured faculty. Motion Passed.

6. Comments from Ex Officio Members:

Dean Reese stated that he shares the same concern with Dr. Proctor about the tenure process. He feels it is the whole faculty's responsibility to make sure the process is carried out correctly.

7. The next meeting of the Faculty Senate will be December 12, 1979, at 3:15 p.m. in Rusk 301.

8. Dr. Johnson moved and Dr. Stanberry seconded the motion for adjournment. Motion Passed and Chairman Rodewald adjourned the meeting at 4:25 p.m.

Absentees:


Dr. William Oliver (Excused-Personal Conflict)

Visitors:

Dr. Janelle Ashley
Dr. Tom Bourbon

Ex Officio Members Present:

Dr. James Reese


James Bowman
Secretary, 1979-80 Senate