

MINUTES

The Fall meeting of the Faculty Council was held on Tuesday, November 1, 1977, in the ballroom of the University Center. Clarence Bell, Chairperson, of the Executive Committee of the Faculty Council presided.

Bell called the meeting to order at 3:08 p.m. and announced that Professor Vernon McGuire, Speech Communications, would act as Parliamentarian.

I. MINUTES OF THE SPRING, 1977 MEETING

Margaret Wilson moved that the minutes of the Spring 1977 meeting be approved as distributed. Robert Hayes seconded. The motion passed on a voice vote.

II. COMMENTS - President Mackey

Bell explained that President Mackey was called unexpectedly to Austin to confer with the governor and the heads of the four major universities in Texas on matters related to research, and for that reason was unable to attend this meeting as he planned.

III. FACULTY SENATE

Bell gave a brief history of faculty governance at Texas Tech University, stating that the present Faculty Council is only about ten years old, and has had its strong points and weak points. Approximately two years ago a motion was passed by the Executive Committee of the Faculty Council to establish an ad hoc committee to consider the possibility of changing faculty input into university governance. The members of that committee are Lewis Eggenberger, College of Agriculture; Ben Newcomb, College of Arts & Sciences; Charles Dale, College of Business Administration; Panze Kimmel, College of Education; Valerie Chamberlain, College of Home Economics; John Krahmer, School of Law; and Clarence Bell, College of Engineering, chairperson. This committee met twenty four times and on two occasions solicited comments and input from the entire faculty. It met a number of times with Vice Presidents Johnson and Hardwick, President Mackey, with Student Association officers, and with the legal counsel of Texas Tech, and finally a new Constitution was drafted. This proposed Constitution of the Faculty Senate of Texas Tech University was distributed to the entire faculty, modified and redistributed several times.

Bell reviewed some parts of the Constitution, especially those that represented significant departure from the present Faculty Council system. He also stated that on those matters which were not seriously in need of change, the Committee usually left them as they were in the present Charter.

Ben Newcomb moved the adoption of this Constitution in its present form. Seconded from the floor. The chairperson called for discussion. Richard Quade requested clarification of Article VIII, Adoption and Ratification.

- (1) He asked if this was not an amendment to the Faculty Council Charter which would require the vote of two thirds majority of the voting faculty.

Bell replied that the Executive Committee and the members of the ad hoc committee were of the opinion that this is not an amendment to the Faculty Council Charter, but

November 1, 1977

a straightforward replacement.

- (2) Quade's second point was the matter of a quorum and he asked if a quorum was present.

Bell replied that he had not taken a formal count but presumed a quorum. He also pointed out that one strong criticism of the Faculty Council was that there was always the question of a quorum being present at meetings.

Russell Seacat also questioned whether or not a quorum was present and stated that he would like to have a count. Bell replied that he would prefer to avoid a formal count, and go on with the proper spirit and will of the faculty and conduct business. He hoped that no one would make a formal motion for a quorum count and that business could be conducted, but if someone did so formally move he would, of course, conduct the count.

Newcomb made a motion to declare a quorum by resolution. The motion was seconded from the floor. Upon Bell's request the Parliamentarian ruled this to be a suspension of the rules, requiring a two thirds vote. By voice vote the motion carried almost unanimously.

Samuel Trickey spoke against the recommendatory role of the Faculty Senate saying this type of faculty governance gives the appearance of process, but he felt it is only an advisory body to the President of the University.

Rae Harris expressed an opinion against the nomination process. He stated that many departments in the College of Arts and Sciences are not represented as they should be and that block voting in larger departments tends to elect representatives from those departments. He spoke in favor of dividing the representation from Arts and Sciences into several areas.

Newcomb responded to Harris by explaining the reasoning behind the committee's recommendations on representation in the new Faculty Senate and discussed some difficulties in dividing the college into areas. Bell stated that by-laws could contain language allowing the faculty of a college to reapportion the representation from that college but that the committee felt this should not be addressed in the Constitution.

Thomas Owens felt that if a Faculty Senate were to be unsuccessful, then the next step would be a demand by the faculty for a collective bargaining unit.

Several questions were raised about specific parts of the Constitution. Arnold Gully inquired about the representation number (Article II, Section 2). Newcomb replied that the representation and Senate size was typical of Senates at other institutions. Seacat questioned the wisdom of requiring an officer of the Senate to be present at a general faculty meeting (Article V, Section 6). Otto Nelson replied that he believed the provision was appropriate. John Walkup inquired about the initial composition of the Senate (Article VII). Bell responded that for purposes of continuity, particularly since by-laws and procedures needed to be established, the committee felt that elected members of the Executive Committee should continue to

November 1, 1977

serve, as Senators, until their terms on the Executive Committee expired. Harry Jebson inquired about why the Chairpersons of the Men's and Women's Athletic Councils would not be nominated by the Faculty Senate (Article V, Section 4). Quade replied that the nomination of other faculty members on these Councils by the Faculty Senate was an improvement over the situation existing at present. Bell added that the committee believed that insistence upon the point could result in loss of approval of the Constitution by the administration and Board of Regents. Trickey inquired about the requirement that faculty be at the university one year before they could vote (Article II, Section 1). Bell replied that this requirement was in the present election processes and was one matter the committee chose not to controversialize by suggested change.

Orlo Childs stated that if there were some doubt about the presence of a quorum and some ill feeling about continuing the meeting, he believed that these could be quieted for all time by amending the ratification process to include a mail vote by the eligible voting faculty. Therefore, he moved that Article VIII, Adoption and Ratification, be amended to read, "The Constitution of the Faculty Senate shall become effective when adopted by a majority of the membership of the Faculty Council then present and voting at a called meeting of the Faculty Council and adopted by a mail vote of eligible voting faculty, and after ratification by the President of the University and approval by the Board of Regents. Upon the Constitutions becoming effective, the Faculty Senate and its Constitution shall substitute nunc pro tunc for the Faculty Council and its Charter. (Underlined words added to amend Article VIII). The motion was seconded by Seacat.

Before voting on the motion to amend, Bell reminded the members that, as a recommendation transmitted by the Executive Committee, the Faculty Council by-laws required a two thirds vote for amendment (By-laws, Section 30). Bell called for a vote by show of hands. The motion carried by a two thirds vote. Bell stated that he would turn the matter of conducting the mail balloting of the faculty over to the Election Committee of the Executive Committee of the Faculty Council.

Quade asked if Academic Vice President Hardwick could speak in an official capacity and give President Mackey's position on this document.

Hardwick replied that the President supports the entire document.

Bell called for a vote on the motion on the floor (to adopt the proposed Constitution as amended). The motion carried by a voice vote, with only two dissenting votes.

IV. NEW BUSINESS

There being no new business, the chairperson declared the meeting adjourned at 4:10 p.m.

Respectfully submitted,



Roland Smith, Secretary
Executive Committee
Faculty Council