



Texas Tech University

LUBBOCK, TEXAS 79409 / (800) 742-3658

The Faculty Senate

January 10, 1979

TO: Members of the Faculty Senate
FROM: Margaret Wilson, President
SUBJECT: Agenda for Meeting #11, January 17, 1979

The Faculty Senate will meet on Wednesday, January 17, 1979, at 3:30 p.m. in the Senate Room of the University Center. The agenda is as follows:

- I. Minutes of the December 13, 1978 Senate meeting
- II. Grievance Panel - Dr. Cecil Mackey
- III. Invocations - Dr. Cecil Mackey
- IV. Report of ad hoc Committee on Retirement Investigation - Dr. Bruce Kramer
- V. Report of ad hoc Committee on Raising Retirement Age for Faculty - Dr. Harry Jebson
- VI. Announcements
 - A. Roster of Presidents of Faculty Governing Bodies in Texas
 - B. Faculty Attending Out-of-Town Football Games
 - C. Resignation of Senator Herschel Mann
 - D. Interim Report of ad hoc Committee on Equus
 - E. Opinion of Attorney General
 - F. Response to Carillon Resolution
 - G. Appointment to Convocations Committee
 - H. Forms Used on Campus
 - I. Excerpts from Board of Regents Meeting
 - J. Excerpts from Academic Council Meeting
 - K. Excerpts from Minutes of Standing Committees
 - L. Correspondence from Faculty Senate Office
- VII. Other Business

ANNOUNCEMENTS

- A. We have received a list of the presidents of faculty governing bodies, i.e. senates, councils, and assemblies, for the universities where TACT has a chapter. The list was compiled by Frank Wright and is on file in the Senate Office.
- B. Grace has the list of faculty who went on out-of-town football games this year on file in the Senate Office if anyone wishes to look at it.
- C. It is with regret that I accepted the resignation of Dr. Herschel Mann, Business Administration Senator. Professor Mann will be assuming the position of Acting Director of Accounting Programs effective 1 January 1979 and believes it in the best interest of his College, the Senate, and the University to relinquish his position on the Senate.
- D. Chairperson Jim Howze reports that the ad hoc Committee on Equus will be ready with a final report at the February meeting.
- E. At the request of the Senate I asked for a legal opinion as to who could request an opinion of the Office of the Attorney General. If I interpreted correctly the reference Jim Eissinger sent me, the regents would have to request the ruling.
- F. Vice President Hardwick replied by letter, dated 15 December 1978, stating that the original schedule for playing the carillon, i.e., 12:25-12:35 MWF, 11:55-12:05 TT, and 5-6 p.m. M-F, still applies and has been recently reaffirmed to appropriate individuals of the Department of Music.
- G. Dr. Hardwick has asked Dr. Gary D. Kelley, Business Administration, to serve on the Convocations Committee. He will complete the term of Dr. Robert Steadman which ends in 1979.
- H. Vice President for Planning Barnett has requested that all department heads fill in a form indicating what forms are used in each department, other than those used strictly for internal operations. The objective of this exercise is to discover what information is being collected and to establish the most effective methods of securing appropriate information about the University.
- I. The minutes of the Board of Regents are on file in the Senate Office for anyone who wishes to read them.

December 1, 1978

- 1. Adopted a resolution honoring head football coach Rex Dockery.
- 2. Mr. Snyder solicited the help of each member of the Board during the coming legislative session.
- 3. Dr. Kelsey announced that the Houston Livestock Show and Rodeo Association has established an endowment in the amount of \$100,000 to support new scholarships in the College of Agricultural Sciences.
- 4. Authorized establishment of two endowed chairs for the conduct of research projects with particular emphasis on livestock and farming.
- 5. Approved a statement of general policy governing the granting of scholarships authorized by the 65th Legislature and that \$35,460, appropriated and budgeted for scholarships for 1978-79, be allocated to "Tuition Scholarships." In essence, the policy states that awards shall be based primarily on financial needs and shall be granted to full-time students in the amount not to exceed \$50/semester.

6. Approved a resolution that, in keeping with requirements of the Texas Education Code and House Bill 510, the Board of Regents receives a Faculty Workload and Class Report and a Small Class Report for the 1978 Fall semester, and authorizes the Small Class offerings for the fall semester.
7. Authorized the increase of the Revolving Fund from \$400,000 to \$1,000,000 effective December 1, 1978.
8. Mr. Pfluger appointed a committee (Bucy, Chm., Williams, Formby) to study the Board Policy Manual and make necessary revisions and recommendations to the Board prior to presentation for approval.
9. Authorized the President to proceed with contract documents and to receive bids for Phase II renovation of Sneed Residence Hall.
10. Accepted a bid for the addition to the Electrical Engineering Building.
11. Accepted the bid for construction of a Utility Tunnel Connection to the new addition to the Electrical Engineering Building.
12. Approved the receiving of bids for the renovation of West Hall.
13. Authorized proceeding with Phase II of the renovation of fire alarm systems for campus buildings.
14. Recorded September 27, 1978 as the completion date for TTU-Agricultural Field Laboratories-Lubbock County, Phase II.
15. Recorded November 7, 1978 as the completion date for renovation of Sneed Residence Hall, Phase I.
16. Heard a report from Frank Elliott concerning radio coverage of Southwest Conference Football games by the Mutual Broadcasting System.

J. The minutes of the Academic Council meetings are on file in the Senate Office for anyone who wishes to read them.

December 14, 1978

1. Research incentive award budgets were distributed by Dr. Jones. A total of \$133,000 was distributed with basic grants of \$2,000 to each dean plus \$1,500 for qualifying units.
2. Deans were reminded that tenure recommendations were due in Dr. Jones office before the end of the fall semester.
3. Dr. Hardwick distributed, for information only, a pre-filed bill relating to employment contracts.
4. There was brief discussion of the need to make tenure assessments within previously developed criteria since the tenure policy revision cannot be used in this year's considerations.
5. Merit increase program for classified personnel was discussed briefly. Dollar amounts will be provided to associate deans next week. Merit increases become effective February 1, 1979. It was noted that recovery of funds for this program is based upon the premise that incoming new personnel will be employed at the lowest step in a given classification.
6. Announcement was made of committee revision of the annual faculty report forms. It has been recommended that the deadline for completion of reports be end of January to allow faculty more time for completion.
7. Student Senate resolutions regarding graduation with honors were distributed and deans were asked to study them and make recommendations at a future meeting.
8. An article relating to evaluating instructional performance was distributed.
9. Ken Thompson led a discussion of year end balances of funds and university needs. Alternative for funding such things as major equipment needs, the use of different fund groups, and the impacts of local income variations were discussed.

- K. Minutes of standing committees are filed as received and may be reviewed by anyone wishing to read them.

Grievance Committee

Purpose of the meeting was to respond to the draft of Grievance Procedures. Chairperson Weninger outlined specific grievance procedures at other major universities. Recommendations were forwarded to the Senate President.

Faculty Development Committee

The committee is receiving applications for development leaves for the 1979-80 academic year with two leaves to be awarded. Applications and substantiating letters of recommendation must reach the committee by February 16, 1979. Application forms may be obtained in the Faculty Senate Office.

Library Committee

Dr. Cutter and Dr. Shine met with Dr. Hardwick on November 16. Three points for action were settled: (1) Dr. Hardwick will arrange for a conference of Mr. Janeway and the Office of Planning in order to make working drawings of the required housing of the rarebook collection, such drawings to be used to arrive at a cost of construction. (No guarantee of funds is assumed but proper drawings are necessary to get cost of work.) (2) Dr. Hardwick will ask Mr. Janeway to provide in writing the responses to the ways and timing of putting several points in the Turner report into effect as recommended by the Library Committee. (3) A way of providing immediate security for the most valuable items in the Rare Book Collection will be sought, pending provision of suitable housing facilities for the whole Collection. Dr. Hardwick confirmed on November 20 that these points had been discussed with Mr. Janeway and that Mr. Janeway proposed providing suitable housing be accomplished in stages. Mr. Janeway requested that Drs. Cutter and Simmons join him in working out preliminary plans for the Office of Planning; they accepted the invitation. Mr. Janeway noted that a safe was available which could accommodate 30-40 books. Designation of "most valuable" will require time and the subcommittee will work with Mr. Janeway on such a designation. Concerning copying services a change from Basin Sales to the Sable Company was made due to insufficient service for copying machines. Bids on providing copying machines appear not to have been taken. Improvement in service has yet to be seen since there is a severe shortage of coin operated machines. More have been promised but not delivered. The library has lost its fringe benefit of free copying for Library purposes. Under the original company, Ex-Students Assn. received 22% of the gross sales income; under the new contract it gets 10%. An earlier agreement between the University and ESA (September 1971) concerning terms of providing copying services had not been signed by the University and therefore was invalid. A copy of the invalid agreement was given to each committee member. The current agreement was drawn up on April 7, 1978, and a copy has not been seen by the committee. Study will continue.

Dr. Graves conferred with Mr. Janeway on October 31. The Core Collection appears to be an expanded reserve. Faculty participation and circulation of books appear to have increased. Acceptance of the concept and faculty use will be a matter of future concern.

Mr. Janeway reported on the Library's participation in the Ohio College Library Center (OCLC). Tech was one of the first to join this system of computer information storage and retrieval. Tech now has 8 terminals connected to OCLC, one of which is in the periodicals area. The committee commended Mr. Janeway and his staff for their achievements with OCLC. Mr. Janeway also reported that the staff has given 1083 classroom hours of instruction in Library use. Because the Southwest Collection is the responsibility of the University Librarian, the Library Committee should be aware of its problems, among them a critical need of space due to the arrival of truckloads of Mahon papers. Dr. McLaughlin was thanked for his 2.5 years of work on the committee.

- L. The following correspondence has gone out from the Faculty Senate Office:
1. Lieutenant Governor William Hobby, Governor-Elect William Clements, and Mr. E. L. Short re Regents appointments.
 2. Members of ad hoc Committee on Raising Retirement Age for Faculty re charge to committee
 3. Charles Scruggs thanking him for service to the University
 4. Lee Stafford welcoming him to the Board of Regents
 5. Walter Calvert re special election to fill senatorial vacancy
 6. Herschel Mann thanking him for service to the Senate
 7. Mary Lind Dowell re endorsement of Student Senate resolutions
 8. Dr. Cecil Mackey re endorsement of Student Senate resolutions
 9. Dr. Charles Hardwick and all members of Administrative Council re resolution concerning University calendar
 10. Dr. Cecil Mackey re comments on draft of Grievance Panel Procedures



Texas Tech University

LUBBOCK, TEXAS 79409 / (806) 742-3656

The Faculty Senate

January 4, 1979

Dr. Cecil Mackey, President
Texas Tech University
Administration Building
Campus

Dear Dr. Mackey:

Enclosed please find a summary of issues to which one or more Senators took exception in the draft of grievance panel procedures. I must confess that I and a number of others were disappointed in the draft.

Some of the general comments should be mentioned. Many of us are very concerned that this document appears to do away with the Grievance Committee when, in fact, it was to be the procedure used after the grievant does not receive satisfaction from the Grievance Committee recommendations or the administration does not accept the Grievance Committee recommendations. If the intent of the document is to do away with the Grievance Committee, then this is not in accord with what was discussed at our 8 June 1978 meeting. If the above is not the intent of the document, then some of the procedures are redundant.

A second real area of concern is that promotion is one of the exclusions. If this exclusion remains in the document it means there is no recourse for someone who believes he/she has a grievance for failure to promote. The Grievance Committee has had this kind of case in the past.

One group reported that reactions to the document ranged from skeptical to horrified. Some Senators felt that use of "legalistic jargon" left the meaning unclear to the non-lawyer faculty members at crucial points.

The attached list of specific points will clarify some of the above generalizations. The number following each item indicates the number of respondents speaking to each point.

We look forward to meeting with you at 3:30, January 17, to discuss the draft. If I can be of any assistance prior to the meeting please advise me.

Sincerely yours,

Margaret E. Wilson, President
Faculty Senate

/gf

Encl.

SECTION I

4) Delete: "promotion" - 6

Put a period after "faculty members" in line 2. Insert: "Grievances are formal complaints by faculty members against administrative superiors relating to promotion; salary; working conditions; use of facilities, equipment, or support services; and academic scheduling. Grievable actions taken by administrators may include both omissions and commissions on their part. No charge of grievance may be brought by one faculty member against another faculty member not acting in an administrative capacity." Exceptions 1), 2), and 3) as stated. - 2

Unless the Tenure and Privilege Committee is given more power to ascertain reasons for denial of tenure, the faculty member is unable to correct personal or professional shortcomings and perhaps needs this procedure to ascertain why tenure was denied. - 1 What grievances are left after all the exclusions? - B

SECTION II

- A. The panel will consist of five members and five alternates. No more than one member and no more than one alternate shall be from any one college or school. Alternates shall be designated at the time of election as alternate to a particular member. - 2
- B. Line 2: three year terms. Strike last sentence of section: Add: "The terms at first election shall be staggered by lot so that one member and one alternate shall serve three years, two of each shall serve two years, and two of each shall serve one year. Members and alternates may not be elected again until after one year from the expiration of their term." - 2
- B. Overlapping terms must be provided. - A
- C. 1st sentence, 2nd line, add: tenured full-time faculty - 2
- C. Why entire Faculty Senate? Why not follow usual procedures of Committee on Committees making recommendations, with Senate advice and consent? - 4

SECTION III

- A. 30 days is too short a time to allow a grievant to go "through the channels," i.e., department chairperson, dean, Grievance Committee, etc.; suggest a minimum of 90 days - 2
- A. 60 days - 1
- A. More flexible time limit - A
- A. 4th line, insert: "...days of the grievant having knowledge of the act or omission...." - 3
- A. 30 days does not make allowance for long-standing, chronic grievances. - 2
- A. "An act or omission" is too specific, e.g., what about a faculty member who is frozen on salary? - 1
- A. All resources within department or superior's ability should be exhausted before formal procedures are instituted. - 3
- B. A copy of the grievance will be presented by whom? - 6
- B. Before grievant starts appeal to the University President, grievant should make clear "through channels" that formal appeal will be requested. - 1

- C. Grievance Committee is completely left out of routing. - 2
- C. Add: The Vice President for Academic Affairs shall inform the President if the grievance is not settled. - 2
- D. Is there a section we did not receive or should E be D? - 2
- D. Since there is no D, perhaps it should read: "Failing resolution of the grievance at the level of Vice President for Academic Affairs, the grievant will then notify the University President that he/she desires a hearing before the panel." - 1
- E. Grievance Committee is another "body, board, commission or agency" and therefore has been done away with. - 2
- E. Delete 2nd sentence as absolutely unacceptable. Substitute: "Nothing herein shall prevent the grievant from pursuing at any time relief from any body, board, commission, or agency outside the university." - 2
- E. A faculty member needs to know what actions are alluded to; most crucially, what counts as "any other body"? - C

SECTION IV

- A. How does the President know that the grievant wishes to proceed with a hearing? - 1
- A. 4th line, insert after "President"; "... that the grievance has not been settled by the Vice President for Academic Affairs...." - 2
- C. When representative and alternate are removed from the panel is the person selected by the Faculty Senate President also subject to recuse? - 1
- C. 3rd line, insert after "serve": "...and vote instead." - 2
- C. Delete last line and substitute: "If both a member and his or her alternate are removed from the panel, the President of the Faculty Senate shall select from the remaining alternates a panel member to serve and vote." - 2
- D. 1st line, delete: "shall present his or her own case and" - 2
- D. 2nd line, add: "The grievant or his/her representative has the right to...." - 2
- D. 3rd line, add: "... has the right to compel witnesses to appear, and" - 2
- D. 2nd line, insert: "... by a representative, including legal counsel," - 2
- E. Totally unacceptable! Delete entirely. - 2
- E. "Repetitious and cumulative testimony" does away with Grievance Committee work. - 2
- E. Delete: "... and cumulative" - 3
- E. What is repetitious testimony? What is cumulative testimony? Why are they bad? To the non-legal eye, "repetitious testimony" appears to be something which might not be bad (twenty witnesses who all tell it the same way), while "cumulative testimony" appears downright good (five items of evidence instead of one). - C
- E. What kind of evidence is it that is "relied on by faculty members in the conduct of their professional affairs"? Is it grades on tests? Judgment of quality of research? Gossip between colleagues? - C
- F. Is there any way to appeal the exclusion, by the panel chairperson, of evidence? - C
- F. 1st line, insert after "maintain order": "... and, with majority consent of the panel, declare recesses" - 2
- F. 2nd line, delete: "as described above" - 2
- G. 1st line, substitute "administrative official" for "person". - 2
- G. 2nd line, insert after "actions": "... or omissions" - 2
- I. Should a copy go to grievant's department chairperson? - 1
- I. Add: "If the President rejects the decision of the majority of the panel, he shall state in detail his reasons for such rejection. He shall submit to the President of the Faculty Senate the report of the majority of the panel, any minority reports, and his decision thereon." - 1

- I. The President should be required to give reasons in writing to the panel and the grievant. - 3

(see 28 April 1976 minutes of Executive Committee of Faculty Council below)

The ad hoc committee composed of Professors Joe Mogan, Clara McPherson, and David Cummins presented the following recommended changes in the charge of the Grievance Committee:

1. The faculty member who alleges that his rights have been abridged by the University administration or by some individual member of the University community, exclusive of matters relating to tenure or failure to reappoint, should address that complaint to the Grievance Committee which should, in turn, investigate the circumstances pertaining to the complaint, disseminate factual information to the appropriate persons, mediate between the interested persons, conciliate opposite views and otherwise exercise its good offices toward the goal of achieving a solution that is mutually satisfactory to the concerned persons. If, when the Grievance Committee has concluded its efforts, there is any interested person who considers himself aggrieved, he may request an administrative hearing. This request should be made to the Grievance Committee, which shall then determine whether or not a hearing will be granted. The Committee shall grant a request for a hearing if the Committee determines either that the aggrieved person has a right to a hearing or that, even though he does not have a right to a hearing, the matter is of sufficient import and substance that a hearing should be granted. If the Grievance Committee grants a request for an administrative hearing, it shall forward the complaint to the Grievance Hearing Panel, which shall then afford the administrative hearing consistent with the standards of due process. The recommendations of the Grievance Hearing Panel shall be in writing, copies of which shall be given to the interested persons, to the Chairman of the Executive Committee of the Faculty Council, to the Vice President for Academic Affairs, to the President of the University, and to the appropriate administrator (when this administrator is other than the President or the Vice President for Academic Affairs).

2. The appropriate administrator shall notify in writing the Grievance Committee and the Grievance Hearing Panel of his determination of the grievance, giving reasons for his determination relative to the particular grievance.

3. A Grievance Hearing Panel shall be appointed by the Executive Committee of the Faculty Council.

Approved 14 - 1.

- A - Committee report
- B - Departmental evaluation
- C - Departmental evaluation



Texas Tech University

LUBBOCK, TEXAS 79409 / (806) 742-3656

Faculty Senate

January 10, 1979

TO: MEMBERS OF THE FACULTY SENATE

FROM: Grace Frazier

RE: Schedule, Spring Semester, 1979

Enclosed is a schedule form for your use in indicating to this office the best hours for you as I schedule meetings and consultations. Please indicate on this form your class schedule and office hours and any other time you are unavailable.

Please return this form to my office as quickly as possible. I appreciate your cooperation in this matter.

Thank you.

NAME: _____

DEPARTMENT: _____

TELEPHONE _____

Spring Semester, 1979

TIME	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
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