

Minutes, General Faculty Meeting
September 28, 1984

The meeting was called to order by President Evelyn Davis at 3:35 p.m. Minutes of the General Faculty Meeting held on September 19, 1984 were approved.

President Davis gave an update as to events that had happened since the last faculty meeting. A letter was sent to each of the Board of Regents with:

- 1) minutes of the September 19, 1984 faculty meeting,
- 2) the list of "Reasonable Requests" for the September 5, 1984 draft of the Tenure Policy,
- 3) a request for 4 faculty to meet with the Regent's ad hoc Committee on Tenure,
- 4) the Green handout sheet (comparing Tech's proposed tenure policy to other policies in the state) and
- 5) a list of questions that had been sent to faculty during summer and the faculty response to these question.

Dr. Davis mentioned that she talked to the Board of Regents about the tenure policy for 5 minutes this morning. At the end of her talk Dr. Davis mentioned that the Board of Regents passed the September 5, 1984 draft of the tenure policy "with minor revisions" at 3:15 p.m., September 28, 1984.

William Mayer-Oakes was invited to the podium and gave the following address: "The reason for this meeting today is the widespread faculty recognition of a fateful and accumulating crisis in the continuing development of TTU. We have been too much diverted by the 'falling trees' put in our way by a president and his administration. We have struggled to cope with these easily seen trees (the details of research and tenure problems) and have probably not reacted enough to the 'forest' around us -- the developing context and climate of faculty-administrative interactions in general.

In many ways, this all-encompassing context or climate is much more important than the details of any tenure policy or research intervention.

At the Wingspread Conference on tenure held last year in Wisconsin, and widely reported in the Chronicle of Higher Education and other media, Harold T. Shapiro, president of the University of Michigan, spoke meaningfully to all state universities when he said that the most important task in academe is "an evaluation of the general teaching and research environment of the University community."

The current TTU administration (with Board of Regents support) has created an environment and a climate that has been harmful to the University because it has been divisive and in specific instances already debilitating to faculty and their interests.

We should recall the several steps initiated and taken by the administration in the creation of the current unhealthy atmosphere -- in retrospect they each seem to be progressively more harsh and unfeeling:

the 1981 and 1982 steps by President Cavazos and Vice President Darling to modify the function of the Tenure and Privilege Committee and to change the tenure policy;

the 1983 Crosbyton research intervention episode which has resulted in extensive and probably irreparable damage to one of the most outstanding departments in the University;

the 1984 realignment of research and graduate leadership which was widely opposed by research and graduate interests among the faculty;

the unprecedented and unilateral 1984 actions taken to modify conditions of employment for tenured faculty -- actions which have brought faculty together in opposition as never before on this campus.

This administration does not seriously think that faculty are an important and needed strength of the University. If they did, they would treat faculty with some respect. They would seriously and broadly consult with them and give them reasonable time to consider changes the administration desires in the complex and fundamental issues of tenure.

This is then the nature of the crisis we face. It is a 'crisis of appropriate leadership,' and it is in reaction to this crisis that we have the widest and strongest basis for faculty support and faculty unity. If the TTU faculty are ever going to 'speak with one voice' it will be about a matter such as this. The faculty should speak with one voice on this matter now. The crisis that I think we all can perceive and agree on is in the current administrative leadership that has brought us to the present state of affairs!

The underlying connective tissue of a successful university (or any other successful institution) is effective recognition of 'mutuality'. In a University, in particular, this concept of mutuality is of primary importance because the health, vitality, and morale of the people who are its most important working parts. As L. H. Douglas says in the current issue of the Chronicle of Higher Education, 'More than any other organization a college or university works with people....but we frequently forget that it is the people who make a college or university work.'

Areas of 'mutuality' are best stated in terms of mutual interest, respect, trust, and support. Effective leadership establishes a University climate of mutual interest.

These aspects of mutuality are the largely implicit underlying support structure that successful, good and certainly great universities have. A climate of mutual interest fosters attitudes of mutual respect and mutual trust. When these attitudes are present we can expect and often do demonstrate behavior that is mutually supportive.

Our current administration has increasingly failed to foster, develop or even maintain the crucial basic element, a 'climate of mutual interest.' The President, of course, bears the official and formal responsibility for this development, but of course faculty also look to other levels of administration for leadership.

I am convinced that we are basically agreed, as a body of faculty members, that the traditional values of a democratic society which we need and expect in our university are being denied to us. The constant vigilance which is the price paid by the citizenry in any successful democracy is indeed a high price. It is worthwhile for the faculty to shift their priorities in response to this crisis? to come out of labs, classrooms, libraries and other scholarly arenas in order to wrestle with the raucous and chaotic world of the struggles needed to keep the university on a proper course?

I think it is worthwhile and my recent experiences with many faculty from many different parts of our campus have been most encouraging. We faculty have determined and effective leadership qualities appropriate to the present needs. We faculty will continue and increasingly do what is needed to recreate a more appropriate climate of mutuality."

Jacquelin Collins was invited to the podium and gave the following talk concerning resignation of the Tenure and Privilege Committee in 1981:

"I have been asked to describe the events surrounding the resignation of the five elected members of the Tenure and Privilege Committee on March 4, 1981. The five members were William A. Stewart of the college of Engineering, who was chairperson, Daniel H. Benson of the Law School, who was secretary, Charles A. Dale of the College of Business, Henry A. Wright of the College of Agriculture, and myself. I am from the College of Arts and Sciences.

The events leading to our resignation involved the case of a faculty member who claimed that his college had violated his academic freedom in denying him tenure. His case came to us as had similar cases in the past. That is to say, it came to the Tenure and Privilege Committee but was acted on only by the five elected members. The President and the Vice President for Academic Affairs, who were ex officio members, traditionally absented themselves from such deliberations, because they had already been involved in the decision not to give tenure. Interestingly, this is the first case I can remember where we found probable cause in the professor's complaint and thus attempted to implement the successive steps of the tenure policy by which a formal hearing committee goes into the matter in detail and makes a formal recommendation regarding the merits of the case. Our consideration was merely preliminary, a determination whether there was probable cause. We found that there was. According to the tenure policy the next step is for the hearing panel to be formed, two members being selected by the President, two by the Faculty Senate. The President chose not to honor our finding of probable cause, and thus in effect threw a monkey wrench into the orderly working of the procedure the tenure policy specifies.

It is true that the President's action was based on the advice of his legal counsel, advice which we found to be nitpicking and patently at odds with the plain meaning of the tenure policy and with the longstanding usage of the Tenure and Privilege Committee.

Our resignation was a result of our frustration. If our service on the committee was to be taken so cavalierly, we obviously had better things to do. We could do nothing more to further the orderly settlement of what appeared to us to be bona fide grievance that needed a fuller investigation. We chose not to reverse our decision or to dignify with our continued presence the actions of the President, which actions we found to be abhorrent.

The question involved can be allowed to become rather technical. It involves the notorious footnote to the tenure policy found in the 1970 Faculty Handbook but which for reasons never satisfactorily explained has been left out in subsequent editions. The text of the Tenure Policy states that allegations such as those in the case we were considering "shall be given preliminary consideration by a faculty committee." The footnote said, "The Committee on Tenure and Privilege is responsible for appointing this committee--from within or without its own membership--and for its functioning." And that is the basis for the five elected members acting as the faculty committee to give preliminary consideration. Over the years the findings of the five elected members met with no opposition. But on this occasion when the committee attempted to trigger the formal hearing panel it was met with every obstruction. That it was indeed obstruction and not a legitimate concern for the just settlement of a faculty members's grievance can, I think, be seen from the fact that the President made no effort to resolve the faculty member's grievance. He simply did not want a faculty hearing committee to hear the case.

A short time later, after some excitement and turmoil, the President agreed, at my and Wendal Aycock's suggestion, that efforts be made to identify the faculty committee in question. He instructed the Vice President for Academic Affairs to convene an ad hoc committee for that purpose. I served on that ad hoc committee, which also consisted of Wendell Aycock, Roland Smith, Ben Newcomb and J. Knox Jones in addition to Vice President Len Ainsworth. We found that by long-standing usage and by reasonable interpretation of the Tenure Policy that the committee was indeed as we on the Tenure and Privilege committee had said all along. About that time John Darling became Vice President for Academic Affairs, I was dropped off the committee when I enrolled in law school. The conclusion of the ad hoc committee as best I can tell got lost either in the Office of the Vice President for Academic Affairs or above that. About this time there seems to have come an urge by the President to destroy the Tenure Policy, Tenure and Privilege Committee and all--such was the offense of the words--'faculty committee'--upon which he had stumbled."

Henry Shine was invited to the podium to make comments and read a resolution as follows:

"Toward the end of the Spring semester this year I spoke from the aisle in a meeting of the Faculty. I said that I hoped the time would never come when the Faculty of this University would be asked to vote on its confidence in a President. I meant that to apply as a generalization for all time, not just for this present Faculty and this President, but for any faculty and any President. I spoke in that way because I felt then, as I feel now, that such a vote would signify a tragic and serious stage in our University's history. To my sincere sorrow, and as much as I had hoped against it, recent events on our campus suggest that such a time seems to be upon us. Accordingly, a resolution has been drafted by a number of much concerned and thoughtful members of the Faculty, from among whom I have been delegated: to read and place the resolution before this gathering. I consider this to be the most sombre occasion in my long years of service to Texas Tech University."

RESOLUTION

Whereas, President Lauro Cavazos refused to adhere to established tenure procedures and to heed the Tenure and Privilege Committee recommendation that a faculty hearing panel be convened for the John Martin case, thereby eventually precipitating the series of events leading to the present tenure crisis;

Whereas, President Lauro Cavazos intervened inappropriately and subsequently failed to resolve problems in the administration of a faculty research project in the department of Electrical Engineering, resulting in loss of morale, faculty, and research funds in one of Texas Tech University's most prominent departments;

Whereas, President Lauro Cavazos has twice sought adoption of tenure policies inimical to the interests of Texas Tech University, its Faculty, and students; and

Whereas, In all of the above instances President Lauro Cavazos has not only failed to recognize the legitimate and appropriate role of the Faculty in University governance and decision making as ratified by previous Presidents, Boards of Regents and Faculties, but also has rejected repeated solicitations by the Faculty to meet with the Faculty or its representatives to discuss the Faculty's views;

Shine's comments and resolution continued.....

Resolved, That the voting Faculty of Texas Tech University request the Texas Tech University Faculty Senate to conduct a mail ballot of the voting Faculty as to whether the Faculty have confidence in Dr. Lauro Cavazos as President of Texas Tech University, and to publicize the ballot results, and to convey them to the Texas Tech Board of Regents.

The above motion was seconded 3 times and passed without opposition.

Benjamin Newcomb moved that this body request the Faculty Senate to make a determination as to what university committee assignments the faculty now ought to honor or bother with, now that faculty advice and consultation has been boldly rejected by management and regents.

John Hunter and Magne Kristiansen spoke against the motion.

Edward V. George spoke for the motion.

The motion carried.

Neale Pearson mentioned that Dr. Darling had not received a ballot and wondered how many tenured faculty had not received ballots. Neale asked Grace Frazier, Senate office secretary, how the list of voting faculty was made up. She answered that each year she asked the chairpersons for a list of faculty in their department eligible to vote. Then Neale asked why Dr. Darling did not receive a ballot. Grace replied that his chairperson did not list him as a voting faculty member. Then Neal read a resolution and motion as follows:

Whereas it appears that various members of the College of Business Administration did not receive a ballot to vote in the recent referendum on the September 5 tenure proposal, including the Vice President for Academic Affairs and Dr. Richard L. Peterson, Chairman of the Faculty Advisory Committee to the Deans,

Be it resolved that the President of the Faculty Senate write the Dean of the College of Business Administration to ask him to review his faculty to determine if any additional persons should be added to the list he furnished the Faculty Senate office of those eligible to vote.

The motion passed without opposition.

The meeting adjourned at 4:10 p.m.


Henry Wright, Secretary
Faculty Senate