

**Texas Tech University
Faculty Senate Meeting
Minutes #223
March 20, 2002**

The Faculty Senate met on Wednesday, March 20, 2002 in the Senate Room in the University Center with President Giaccardo presiding. Senators present were Elam, Byerly, Dolter, Harter, Howe, James, Lee, Lucas, Marks, Meek, Reed, Reeves, Roberts, Schaller, Stinespring, Weinberg, Williams, Dukes, Hein, Johnson, Lakhani, Mann, Norville, Blum, Russ, Shriver, Quinn, Carr, Cooper, Hoo, Marbley, Steinhart and Willis-Aarnio. Senators excused Kvashny, Donahue, Iber, Murray, Phelan, Marshall, Bradley and Curry. Senators unexcused Blanton, Buelinckx, Lewis, Yang, Thomas, Reeder, Zhang and Hsiang.

I. Call to Order: at 3:17 p.m.

II. Recognition of Guests: Provost John Burns; Vice Provost Jim Brink; Dr. Gil Reeves, Director of the University Strategic Planning Council; Parliamentarian Gary Elbow; April Tamplen from the University Daily.

III. The minutes for Meeting #222 were accepted with the following changes: "Senator Held" was amended to "Ex-Senator Held" and "Meeks" was amended to "Meek". The motion to accept the minutes was made by Senator Marks and the minutes were approved as amended.

Provost Search Committee Announcement – There will be an opportunity to meet with the Provost candidates during luncheons in the University Center. These luncheons will be from 12:15 p.m. to 1:30 p.m. on April 3rd, 9th, 12th, and 23rd. Patty will email the Senators to get a head count for each lunch. Senator Mann asked who the four finalists were and he was informed that they were: Daniel Acosta, Jr., Dean of the College of Pharmacy at the University of Cincinnati; Viola Florez Tighe, Dean of the College of Education, University of New Mexico; William Marcy, Dean of Engineering, Texas Tech University; Marlene I. Strathe, Provost and Vice President for Academic Affairs at the University of Northern Colorado. Senator Howe inquired if potential Senate candidates could attend the lunches. It was stated that the lunches would be for sitting Senators first and then it would be opened to others.

IV. Invited Guests:

Dr. Gil Reeve presented an update of the University Strategic Plan. The Board of Regents authorized the implementation of the plan in December 2001. He identified the names and responsibilities of all of the members of the strategic planning council. He stated that a copy of the university strategic plan has recently been distributed across campus. Dr. Reeves also indicated that a 6-volume set of all 168 strategic plans developed throughout the university is available in the library.

Dr. Reeves then went on to describe a report produced by Penn State University, which indicated their success with strategic planning over the past twenty years. He compared Texas Tech's early stages of strategic planning with the work that has been done at Penn State. He concluded his remarks by stating that the strategic plan provides a framework within which a university can achieve its vision of becoming a national leader in higher education.

The floor was then opened for questions. Vice Provost Jim Brink asked how close are we to tying the strategic plan to budgeting. Dr. Reeve responded that that is currently at the conceptual level. He stated that the decision making process would not be formula driven, but it would be data based. There is no intention of creating a formula driven allocation of resources. It will be based on data and further discussions regarding the budget. Senator Howe stated that budgeting is usually top-down, and wanted to know if the strategic plan made it possible to create some bottom-up budget suggestions? Dr. Reeve replied that the strategic plan allows for that type of input. President Giaccardo asked how many senators participated in the strategic planning process and a majority of senators raised their hands. Senator Mann stated that some departments did not have faculty input and Dr. Reeve responded that it is not too late to make changes. Senator Steinhart inquired of Senator Mann if that were the case for the entire College of Engineering. Senator Lakhani responded that he was not sure, but he thought so.

V. Old Business:

Non-Discrimination Policy: President Giaccardo recapped the process that has taken place regarding the policy and at this point he feels that the Faculty Senate has exhausted its efforts in this regard. Until there is an understanding that state and federal laws supersede university operating policies he recommends that we wait until the administration's council comes to some conclusions regarding what a non-discrimination policy should contain.

Senator Johnson questioned why the council had a problem with the last statement, to which President Giaccardo responded that he asked that question and never received a clear response. Senator Marks asked if our statement complied with Texas law. Vice Provost Brink read the Faculty Senate's most recent statement, which read: "This policy should not be interpreted to extend benefits to persons who do not otherwise qualify for spousal or dependant benefits under Texas or federal law". President Giaccardo once again stated that the administration's council indicated that this statement did not comply with Texas law. Senator Marks argued that Texas Tech could provide those benefits and that was not against the law. Senator Johnson wanted to know why, if we provided benefits, that that would not violate the law. President Giaccardo explained that state funds can not be used to provide the benefits according to state law, but university funds can be. Senator Shriver asked if they should strike the last statement and President Giaccardo answered

that striking the last sentence takes us back to our original recommendation. Senator Dukes stated that by providing benefits it was perhaps violating the intent of the law. Senator Johnson inquired if the Faculty Senate should vote on this issue and President Giaccardo replied that we would wait.

Gender Task Force Update – Provost Burns began by saying that the university has received recommendations from everyone except the students. Senator Steinhart wanted to know if Women’s Studies had been asked to serve, and Provost Burns replied he did not think so but they should be. President Giaccardo added that the Provost’s office had created an inclusive and specific charge for the Task Force. Professor Elbow suggested to President Giaccardo that we take a new approach to the sexual orientation and sexuality issue in the non-discrimination policy by including that in the Gender Task Force charge. Senator Steinhart moved that the Faculty Senate representatives to the Gender Task Force be instructed to request that the task force examine the non-discrimination policy for the university. Senator Schaller seconded. The question was called and the motion passed unanimously. The Faculty Senate representatives to the task force are Senators Reed, Dolter, Harter, and Sowell.

Faculty Grievance Policy – The President accepted the Faculty Senate’s recommendation regarding the grievance policy. President Schmidly also wanted to ask the Senate if we wanted the process to stop at the Provost and not at the President. Senator Howe wanted to know if there was any constitutional reason why the Provost could not be the last court of appeal? Provost Burns replied that some universities currently do it that way. Senator Schaller made a motion to move this to a committee and Senator Steinhart seconded it. President Giaccardo stated they should discuss the differences found at other universities. Senator Weinstein asked how many of these cases actually go up to the President, and Provost Burns replied that very few do, only five or six in a bad year. Even then, it is rare that the President goes against the recommendation of the committee. Senator Marbley wanted to know why was the statement taken out and President Giaccardo replied he did not know, but it has been a very long process. Senator Lucas called the question and it was passed to send the issue onto committee.

VI. New Businesses:

Faculty Senate Officer Elections – The committee consisted of Senators Schaller, Reeves, and Cooper. A vote was held and Shane Blum was elected President; Nancy Reed was elected Vice President; and Brent Shriver was elected Secretary.

President Giaccardo stated that he had recently attended an AAUP meeting and he discussed a handout regarding state legislator representative’s comments toward faculty tenure and academic freedom. In it, he discussed the comments made by Representative Rangel regarding the statement that “no other profession has tenure” is not really true because lawyers, architects, medical doctors, etc. actually do have tenure. He then read the end of the statement concerning faculty tenure. Senator Howe suggested that we should invite legislators to come to campus to see how the tenure process works. Early retirements may account for the reason why some people have not been fired. Senator Lucas agreed that we should invite legislators. There was a motion to invite representatives to come to campus to discuss their views regarding tenure and academic freedom. Senator Schaller asked if there was proof of all the retirements? Vice Provost Brink stated the tenure process is stringent and many do not make it. Senator Shriver suggested it might be a good idea to show how the system works for post tenure. Senator Steinhart said we should send a letter to Representative Rangel to clarify her position. Senator Williams suggested that we get something in writing instead of waiting for them to come here. Senator Lucas agreed that writing might be better. Vice Provost Brink suggested that we do not do anything now. If there is something that comes out of the hearings then maybe we will do something. Senator Williams stated he had changed his mind about a written response. Senator Reeves asked if the Faculty Senate needed to go through the President’s office in order to invite legislators to campus. Vice Provost Brink told him no not really, but you should inform them as a courtesy. The question was called and the motion did not pass.

VII. Announcement:

Senator Marks announced that Committee A, which is studying service learning, would meet next Wednesday at 4:00 p.m. in the Green Room of the University Theater. Senator Steinhart wanted it noted that Lynda Gilbert was not in attendance again. Senator Stinespring announced he is trying to get Committee B together to investigate workloads. His preliminary findings indicated that a minimum of a 9.0 workload is not being met because most faculty members were well above the minimum and were working closer to 15 to 20. Senator Reeve announced that Senator Shriver agreed to serve as the liaison between the Faculty Senate and the childcare center exploratory committee.

No further announcements were made.

VII. Adjournment at 4:39 pm.

Respectfully submitted
Shane C. Blum
Secretary, Faculty Senate