

Texas Tech University
Faculty Senate Meeting
Minutes #228
November 13, 2002

The Faculty Senate met on Wednesday, November 13, 2002 in the Senate Room in the University Center with President Shane Blum presiding. Senators present were Kvashny, Wilde, Byerly, D'Amico, Gray, Harter, Held, James, Kuriyama, Reed, Roberts, Steinhart, Watts, Williams, Dukes, Jones, Sherif, Duemer, Halsey, Johnson, Baker, Bai, Frailey, Mann, Russ, Shriver, Floyd, Marshall, Quinn, Dolter, Donahue, Lucas, Stinespring, Willis-Aarnio, Curry, Hsiang, Marks, Soonpaa and Spallholz. Senators excused were Aranha, Alford, Bradley, Hoo and Tacon. Senators unexcused were Blanton, Buelinckx, Howe, Lee, Yang and Reeder.

I. Call to Order. President Shane Blum announced The Call to Order at 3:23pm.

II. Recognition of Guests in Attendance. President Blum recognized the guests in attendance: Provost William Marcy, Vice Provost Jim Brink, Vice Provost Liz Hall, members of the Athletic Council and University Daily Reporter Michael Castellon.

III. Approval of Minutes for Meeting #227. Secretary Shriver pointed out that the actual date of meeting #227 was October 9, 2002, not September 11, 2002 as was recorded in the minutes. It was pointed out that the Langford Laboratory, which is the site for Faculty Senate meetings next semester, is located in the Electrical Engineering Annex, not in the Petroleum Engineering building as was stated in the minutes. The minutes for meeting number #227 were approved with these changes.

IV. Invited Guests. President Blum introduced our invited guest, Professor Robert Baker, Faculty Athletic Representative (FAR). Professor Baker mentioned that the job description for the position states that the Faculty Athletic Representative must give an annual report to the Faculty Senate. Professor Baker stated that next year he would be willing to provide a written report if that is what the Faculty Senate prefers. Professor Baker stated that TTU athletics reached a low point in 1996-1997 when it became the leader in the nation for having the most NCAA violations in a single investigation of any university. He commented that the reason was not because TTU was trying to gain a competitive advantage; it was because the university was incredibly incompetent. Professor Baker stated that as a result of this investigation it became obvious that TTU did not understand the NCAA rules. He stated the role of the FAR in the Big 12 is highly standardized. Professor Baker stated that one of his roles is to certify the eligibility of all athletes. His role is to make sure that the certification process is in place and done accurately. Professor Baker stated that TTU is now viewed as setting the standard for certification, as opposed to being the most incompetent university in the nation. He said that he is also responsible for signing off on all of the secondary NCAA violations. Professor Baker stated that he also chairs appeals by athletes and represents TTU at the council of FARs for the Big 12 and at the NCAA convention. He stated that the role of the FAR in the Big 12 is to act on anything they are given to act on by the Big 12

conference administrative council and to give an academic perspective back to that group. Professor Baker said that the FARs also recommend rule changes for the Big 12 and act on all eligibility matters within the conference. He stated that TTU has an Athletic Council which is composed of TTU faculty members and members of the community. Professor Baker explained that the majority must be TTU faculty, a faculty member must chair all committees, and the faculty members must be tenured to serve on the Athletic Council. He went on to introduce the TTU faculty who are currently serving on the Athletic Council: Hershel Mann, chair, Robert Bradley, Berneata Butner, Ginny Felstehausen, Scott Hine, Gil Reeve, Edwardo Segura, Brian Shannon and Cindy Simmon. Professor Baker commented that these are the people who are our window to effectively impact athletics at TTU and the ones to carry our concerns to. He then listed the ex-officio members of the Athletic Council: Pat Brits, Steve Downing, Judy Henry, Gerald Myers, Ron Phillips and himself. Professor Baker stated that other individuals we should know about are John Anderson, head of the support program for athletes, Paula Hunter, who is responsible for review of transcripts, and Bobby Gleason, who is in charge of budget matters. He reported that the Athletic Council has four committees: Academic Integrity, Gender Equity, Fiscal Responsibility, and Compliance. Professor Baker stated that in spite of being 11th in the Big 12 in terms of budget we are at the top in terms of the academic success of our athletes. He then discussed the rule changes that have been approved by the NCAA. Professor Baker stated that these changes are an attempt to improve the graduation rate of athletes. He stated that the emphasis is now more heavily focused on the continuing eligibility of the student athlete. Professor Baker commented that under the new system a university could be punished for not improving graduation rates through loss of scholarships, etc. The high points of these rule changes are: An increase in the number of required core high school courses from 13 to 14, and eventually 15; The student athlete must complete 40% of their degree plan before they start their third year, 60% prior to start of the fourth year and 80% prior to the start of their fifth year; A degree must be declared in the third year and the student can not change their course of study once a degree is declared; Performance will be reported and evaluated yearly, and rewards or penalties will be administered based on this evaluation. He then detailed the impression he has formed on the status of TTU athletics over the past year: TTU is committed to abiding by the rules and providing academic support to its students; Our compliance efforts are well designed and used as examples of how it should be done; The Athletic Council is committed to protecting both the academic interests of the university and the student athletes; There is strong presidential support for compliance; The fact that the TTU athletic budget is near the bottom of the Big 12 makes it difficult for TTU to be competitive with other schools in the conference. Professor Baker then entertained questions from the audience.

Senator Held asked about the nature of the secondary violations reported in the last two years. **Professor Baker** reported that these are minor violations of the rules such as: making two phone calls when only one is allowed; paying for a meal when a meal is not permitted to be paid for; etc. **Senator Held** followed-up by asking that when TTU had its rash of violations why was it not able to deal with the morass of rules when other universities were able to deal with it quite adequately. **Professor Baker** responded that

we now have a series of people in place that are better able to deal with the rules and this is why we are now among the cleanest programs in the country.

Senator Held asked to what extent did the Athletic Council pay attention to the petition from the faculty and the concerns raised through them during the process of hiring Bob Knight. **Professor Baker** responded that the Athletic Council had an hour with coach Knight and during that hour it asked questions that it thought was relevant and made a recommendation that it thought he answered the questions appropriately.

Senator Steinhart asked what control does the academic advisor have over the program of study of a scholarship athlete, such as their major and the courses chosen each semester. **Professor Baker** answered that the student athlete has the right to major in whatever they wish to major in and the advisor is responsible for making sure that the way the courses are taken if they pass those courses they will be eligible and that their degree plan meets the requirements.

V. Old Business. Senator Held brought up old business from October and November 2001. He submitted to the Faculty Senate copies of OP 32.31 and OP32.32 pertaining to post-tenure review and read a copy of the cover letter accompanying the submission.

VI. New Business. President Blum mentioned that the Faculty Senate has received some calls regarding the progress of the ombudsman position. He stated that he has discussed these questions with Provost Marcy. President Blum reported that Provost Marcy stated that the job description is 98 percent complete with some issues relating to authority remaining to be worked out, and the salary will be around 80 to 90,000 dollars for a 12-month appointment. He also stated that Provost Marcy reported that a search committee would be in place by January. **Senator Held** asked if the ombudsman would be a part of the Faculty Senate because Provost Marcy mentioned that he wanted some connection.

Provost Marcy replied that the trickiest thing to get a consensus on is reporting relationships and physically where will a person get housed. He stated that this is part of the job description that is still being developed and he is open to all kinds of input on that. **Senator Held** followed-up by stating that if a person were within the perimeter of the Senate he would be reluctant to have that person fireable by the administration. He went on to say if the person is part of the chain of command of the administration he feels the person should be housed with the administration, however, if the person is given sufficient autonomy to be an independent judge there is no reason they cannot be housed in the senate. **President Blum** asked if this person is considered a faculty member.

Provost Marcy replied that the unique character of the ombudsman is that they stand at equal standing with a large number of constituents, they are not in the administration but they are empowered to give advice to the administration and empowered to call on the administration to support their efforts. He went on to say that he had not thought about the issue of who can fire an ombudsman and needs to read about that a little bit.

President Blum stated that if the ombudsman were to rule against the administration on a consecutive streak of issues then their job might be at risk. **Provost Marcy** responded that they usually don't rule in favor or against, they try to resolve conflicts by giving

impartial advice that is so respected the parties will adopted it, or at least see it as an option to conflict resolution. He went on to state that he needs advice on this issue.

Senator Floyd asked if it has been decided not to fill the position formally held by Manuel Escamilla, Special Assistant to the President for Diversity, and will part of the funding for the ombudsman come from this position. **Provost Marcy** replied that all salaries from open positions lapse back to the Vice President of Research so no position has any permanence until a decision is made to actually refill the position, so that money and all other monies are pooled. He went on to state that the ombudsman will deal with some of these issues, but at some point we will reinvest in a position that deals primarily with diversity. **President Blum** asked if this would be a separate position. **Provost Marcy** replied that this position needs to be reinvented just like the ombudsman position needs to be reinvented and this is one reason there has not been a blanket refilling of the position.

Senator Stinespring raised two issues that he feels are two symbols of disregard for faculty dignity and welfare: parking in the Flint Street garage and dining facilities on campus. In summary, the senator feels that faculty are being inconvenienced by the behavior of students using the parking garage and that there is no dignified dining area for faculty on campus. The senator stated that a solution to the parking problem would be a designated parking area for faculty in the garage, and the solution to the dining problem would be an area in the new Student Union designated for dignified seating dining.

President Blum responded that it is his understanding that the UC does not have anything like that planned. **Vice Provost Brink** commented that they do not have a Faculty Club planned. **Senator Stinespring** said that he is just talking about a dignified place for faculty to go. **Senator Dolter** commented that he is on the steering committee for the Student Union. He stated that the closest we are going to come to what Senator Stinespring is suggesting is a 40 seat Starbucks. **President Blum** asked if this is going to be incorporated with the bookstore. **Senator Dolter** replied that it would and stated that he would go back to the committee and ask if an eating room could be set aside for faculty.

Senator Held asked if we could invite the Vice President for Facilities Planning to update us on parking. **President Blum** responded that this was one of his announcements because one of the questions Senator Lucas had was about parking. He went on to say that after speaking to Max Hinohosa about parking he feels it might be easier to have Max come to talk to us rather than trying to convey Max's comments to the senate. **Senator Held** asked if we could send Senator Stinespring's comments to Max prior to him speaking with the Faculty Senate. **President Blum** replied that he would do this.

Senator Lucas asked if Max was asked about overbooking in the area reserved lots and the location of secondary parking spots when area a reserved lot is full. **President Blum** replied that he did discuss both of these issues with Max. He stated that Max replied that overbooking is based on last year's car counts and is different for every lot. President Blum went on to say that Max stated that overflow parking goes to commuter parking

and you are given a map when you purchase your sticker that tells you where to park when your lot is full. He reiterated that he thinks it is a good idea for Max to come to talk to us.

President Blum asked if he could get together with Senator Dolter about the Student Union. **Senator Dolter** replied that if it pleases the senate he would make a formal request at the next meeting of the steering committee of the Student Union. He commented that what they are talking about will go beyond fast food, they are talking about an open market situation and the some of the eating areas look pretty separate.

Senator Steinhart commented that he mentioned at an AAPU meeting that he would be raising some questions for Vice President Gilbert when she visits the Faculty Senate and this has caused some response that the Faculty Senate might want to look into. He asked if these questions could be submitted to the budget committee of the Faculty Senate.

President Blum responded that he would be happy to forward the questions received by Senator Steinhart to the budget committee.

Senator Marks asked if there would be some opportunity for follow-up to the prepared questions submitted to Vice President Gilbert. **President Blum** responded that he would tell her that she should expect some follow-up questions on her prepared responses.

Senator Lucas asked Senator Steinhart if the funds he is concerned about are funds in an account that was not supposed to roll over, or other funds that were supposed to be used.

Senator Steinhart responded that he had reason to believe that sweeping of accounts began taking place as early as May and was not at all part of the annual rollover.

VII. Announcements. **President Blum** announced that Dr. Lynda Gilbert, Vice President of Fiscal Affairs, would be the speaker for the December Faculty Senate meeting. He mentioned that he would be happy to forward any questions we might have to Dr. Gilbert. President Blum reminded the Senators that next semester's meetings would be held in the Langford Laboratory on the first floor of the Electrical Engineering Annex. President Blum announced that there would be a Holiday Open House at McClellan Hall on Thursday December 5th from 2:30 to 4:30pm. **Senator Floyd** announced that he has additional written information concerning recent issues arising out of the Law School that he would be happy to share with any senator that is interested. **Senator Held** asked if we have received a copy on the report for worst-case scenario funding that Vice Provost Hall said she had received at our last meeting. **Vice Provost Hall** replied that she thought she had already sent a copy to the Faculty Senate office. **Patty Gervais** stated that she has not received a copy of the report. **President Blum** replied that he would make sure we get a copy.

VIII. Adjournment. President Blum adjourned the meeting at 4:38pm.

Respectfully submitted
Brent J. Shriver
Secretary, Faculty Senate