



Texas Tech University

The Faculty Senate

November 9, 1984

TO: Members of the Faculty Senate

FROM: Evelyn Davis, President

SUBJECT: Agenda for meeting #64, November 14, 1984

The Faculty Senate will meet on Wednesday, November 14, 1984, at 3:30 p.m. in the Senate Room of the University Center. The agenda is as follows:

- I. Introduction of guests and new Senate members
 - II. Approval of minutes of October 2, 1984 special meeting and October 10, 1984 regular meeting
 - III. Committee Reports -
 - a. Faculty Status & Welfare - Wilson (see attachment #1)
 - Vice President for Academic Affairs & Research response to motion on Employee's Affidavit
 - Establishment of a Faculty Senate Tenure and Privilege Committee
 - b. Committee on Committees - Welton (see attachments #2 & #3)
 - Nominations for replacements or additions to committees
 - Investigation of changes in university committees (progress report)
 - c. Committee B - Adamcik (see attachment #4)
 - Faculty evaluation of administrators
 - d. Committee C - Burnett (see attachment #5)
 - Recommendation for faculty honoring committee assignments
 - e. Committee D - Owens
 - Changes in the Grievance Policy as recommended
 - f. Executive Committee - Davis
 - Sharing of useful information concerning tenure policy and leadership crisis
 - Interaction with students
 - IV. Response to Dr. Cavazos' invitation to the Executive Committee to meet with him after he has met with each of the colleges
- NEW BUSINESS
- V. Reaffirm faculty commitment to quality of education and to reaching the goal of excellence at Texas Tech University

VI. Response to official statements by the Board of Regents on 18 October 1984 and to the subsequent special edition of Insight.

A. Preliminary response to statement by Joe Pevehouse,
Attachment #6 - Newcomb and Wright

B. Responses to statements of Board of Regents read by Regent Birdwell,
Attachment #7 - Newcomb, Welton and Wright
Attachment #8 - Wicker

VII. Communication with the Faculty and the Public
Motion by Benjamin Newcomb (see insert #1)

VIII. Status and Progress of Texas Tech University Committee
Motion by David Leon Higdon (see insert #2)

OTHER BUSINESS

REPORT OF FACULTY STATUS AND WELFARE COMMITTEE

The Faculty Status and Welfare Committee met 1 November 1984 at 4:00 p.m. in the Senate Conference Room.

The Committee discussed the feasibility of establishing a Faculty Senate Tenure and Privilege Committee. It was recognized that the proposed committee would not have the same function as the defunct University Tenure and Privilege Committee but it was consensus that our faculty colleagues need a support and investigatory group on matters of academic freedom and due process.

The Committee then deliberated on a charge and procedures for selection of members for the proposed committee. The following is the suggested format.

The Faculty Senate Tenure and Privilege Committee is a standing committee of the Faculty Senate. It is composed of five tenured members, drawn from the faculty at large, all of whom are Associate Professors or Professors. One member shall be elected Chairperson by the Committee.

CHARGE:

The Faculty Senate Tenure and Privilege Committee shall be available to assist the Faculty Senate, faculty, and administration by performing the following duties:

- (1) Receive complaints from any Texas Tech faculty member on alleged violations of academic freedom, academic due process, and tenure procedures;
- (2) Investigate and document such complaints; and
- (3) Take such action as is considered appropriate.

All information received by the Committee will be held in confidence and released only by, or by permission of, the complainant.

SELECTION OF MEMBERS:

Members shall be elected by the Faculty Senate upon nomination by its Committee on Committees.

TERMS OF MEMBERSHIP:

Terms will be two year staggered terms, with two members going off in odd-numbered years and three going off in even numbered years.

Attachment # 2

November 7, 1984

TO: Members of the Faculty Senate

FROM: Committee on Committees

David Welton, Chair



RE: Nominees to fill vacancies on University Committees and Councils

The Committee on Committees submits the following persons to fill vacancies on various committees and councils:

Two alternate members from University Discipline Committee:
(from any college or school)

Samina Khan - Home Economics
Scott Norville - Business Administration

Two alternates members for University Discipline Appeals Committee:
(from any college or school)

Mark Hellman - Agricultural Sciences
Anita Pankake - College of Education

One member of Admissions and Retentions Committee:
(to replace Marilyn Cummings) (from any college or school)
Russell Larsen - Arts & Sciences

One member on the Artist and Speakers Committee:
(to replace Jacqueline Reiner) (Arts & Sciences)
Michael Schoenecke - English

Attachment # 3

To: The Faculty Senate

From: The Committee on Committees

Re: Preliminary Report on Analysis of Committee Structure

The following table identifies changes that have taken place in the composition of University councils and committees from the 1983-84 academic year to 1984-85.

<u>Council/Committee</u>	<u>Status</u>	<u>Description</u>
Athletic Council	No change	
Graduate Council	Change	Because of administrative reorganization, Council now reports to the Vice President for Academic Affairs and Research (VPAAR) rather than the Vice President for Research (VPR).
Honors and Awards	No change	
Committees:		
Academic Affairs		
Information Systems	No change	
Academic Publications	Change (11/84)	Replaced by Texas Tech Press Editorial Committee; membership expanded from 12 to 16 members (from 4 to 9 faculty). Appointment process and operating procedures restructured.
Admissions and Retention	No change	
Affirmative Action	No change	
Artists and Speakers	Change	Outgoing chairperson added to membership (ex officio and nonvoting).
Benefits and Retirement	Change	Ex officio positions changed from Manager of Faculty and Staff Benefit and Assoc. Director of Personnel (TTUHSC) to Director of Personnel (TTUHSC), and Retired Employees Liaison Officer. HSC added to charge

<u>Committee</u>	<u>Status</u>	<u>Description</u>
Bookstore Advisory	No change	
Campus Security	No change	
Code of Student Affairs	No change	
Convocations	Change	VPAAR replaces VPR re: appointment
Energy Conservation	No change	
Faculty Development	No change	
Faculty Grievance Panel	No change	
International Education	No change	
Library	Change	VPAAR replaces VPR re: appointment
Minority Affairs	Change	Membership: Expanded from 4 to 6 faculty, 3 to 5 students, and 2 to 3 ex officio; Ethnic Studies Program Director added (ex officio) Charge: Portion of charge deleted: "... the Committee shall review, among other things, the operations of the University's counseling, advising, financial aid, ethnic studies, cultural affairs and student recruitment programs, and shall examine the facilities that support these programs . . ."
Parking Violation Appeals	Change	Renamed and expanded to: Parking Violation Appeals and Parking Policy Committee. Charge expanded accordingly. No change in membership.
Patent and Copyright		Not listed in 1983-84 directory.
Special Hearing Panel for Tenure and Privilege	No change**	**Changes resulting from recently approved tenure policy are anticipated.
Student Financial Aids/Scholarship	No change	
Student Publications	No change	
Tenure and Privilege	Change	**Changes resulting from recently approved tenure policy are anticipated.
University Discipline	No change	

Although points 1 through 5 of the above express the Committee's view of the importance of the development of appropriate means of evaluation of administrators, the sixth and particularly the seventh point, in the Committee's view, weighs against the Faculty Senate's assuming primary initiative in the development of a system. There seems to be little reason for the Faculty Senate to expend a large amount of effort in the development of a system particularly since, as addressed in point 6 above, such a system would need to be customized for the individual unit. Neither should the faculty as a whole be burdened with its implementation unless there were to be some reason to believe that the results of the effort would be supported and utilized by the administration and the Board of Regents and therefore bear fruit.

Consequently, the Committee recommends that the Faculty Senate not develop such a procedure itself but that it encourage the administration to do so and that the Senate offer its cooperation in securing input from the Faculty if it is asked to do so. Specifically, the Committee proposes that the Faculty Senate adopt the following resolution:

Whereas, periodic performance evaluation is important and necessary for any organization, and

Whereas, performance evaluation is equally applicable to administrators as well as faculty, and

Whereas, the faculty of Texas Tech University support a total system of performance evaluation for faculty and administrators, and

Whereas, current procedures for the evaluation of administrators are sporadic at best, therefore be it

Resolved by the Faculty Senate of Texas Tech University that the President be requested to initiate studies which leading to the development of a comprehensive system for evaluation, on a regular basis, of the performance of administrators, and be it further

Resolved that the Faculty Senate expresses willingness, if called upon to do so, to aid in providing faculty input to such a study.

REPORT OF SENATE STUDY COMMITTEE C

from the Texas Tech University Board of Regents Manual

06.03

Faculty Responsibility

(4) University Service

A faculty member has a responsibility to participate in the various activities, programs, and functions related to the enhancement of the University, such as participating in the formulation of academic policies, service on University committees, and other assignments.

Agenda item VI., Attachment #6

Draft reply to statement of Board chairman B. J. Pevehouse, which directed the President not to meet with the Faculty Senate on restoring confidence.

The Faculty Senate is shocked that the Board of Regents on October 18, 1984, directed Dr. Cavazos not to talk to the Faculty Senate. We noted that Dr. Cavazos had expressed in previous statements his reluctance to meet with the Senate; however, we honestly hoped that he would change his mind and that the regents would encourage a dialogue with the Faculty Senate.

This statement indicates that neither the regents nor Dr. Cavazos is at all interested in faculty opinion or sentiment, and that both have repudiated all principles of faculty governance in practice at reputable universities. In our view the Constitution of the Faculty Senate is as much a contract, between regents and faculty, as is any other contract the regents may in the course of business enter into. It can be amended only by joint faculty-president-regent concurrence, not by a unilateral statement by the regents. To direct Dr. Cavazos not to meet with the Senate is a breach of contract.

The Board's statement is a blatant attempt to retaliate against the Faculty Senate for doing its constitutionally-designated task of representing the faculty. Senate actions have been completely consonant with the overwhelming faculty vote of no confidence. When the regents and Dr. Cavazos are prepared to come to grips with the reality of overwhelming lack of faculty confidence in Dr. Cavazos as President of Texas Tech University, the Faculty Senate stands ready to assist in restoring the collegiality necessary for the growth and enhancement of Texas Tech University.

Prepared by Senators B. H. Newcomb and Henry A. Wright.

The Faculty Senate regrets that the Board of Regent's statement issued on October 18, 1984, focused almost solely on the tenure policy and failed to address the spectrum of more fundamental issues and concerns relating to the vote of no confidence in President Cavazos. The President's unwillingness, to follow procedures established by the University Tenure Policy in 1981, his mishandling of the Crosbyton Research Project, his failure to recognize the faculty's traditional role in university governance, and his apparent inability to resolve communication problems with the faculty were not addressed. However, inasmuch as the Board of Regents statement was directed to the tenure issue, this response statement will also be restricted to that issue.

Portions of the Regent's statement are misleading or contain misinterpretations and misstatements of fact, as follows:

1) The "conclusion" that many faculty were misinformed about the policy is not true. Despite the crisis atmosphere and the short period of time within which faculty members were permitted to review the proposed policy, the document itself was clear. Only obvious defects, not misinformation, could have led over 88 percent of the faculty to vote against the proposed policy. To intimate that such a large proportion of faculty voted in ignorance is an insult.

2) The contention that there was extensive faculty involvement during the policy's development is misleading. It is true that the tenure issue has occupied the university community for three years. However, from June 1983, through April 1984--a period of 22 months--the tenure policy was in limbo. During that period there was no faculty involvement or consultation whatsoever.

When the administration's tenure policy was distributed to faculty in April 1984, less than one month prior to its proposed implementation, the faculty's official representative, the Faculty Senate, was deliberately excluded; individual Regents were quoted in the press as saying that the Faculty Senate was "not in our process." No formal hearings were conducted on either the April 1984 or the September 1984 drafts.

The Faculty Advisory Committee on Tenure that met through the summer of 1984 was created on the initiative and at the insistence of the academic deans, not the President. In subsequent balloting on the final draft, also conducted on the initiative of the academic deans, the faculty voted overwhelming against the proposed policy.

The Faculty Advisory Committee in public statements to both the Faculty Senate and the general faculty, repudiated the final draft of the proposed tenure policy, and expressed grave concern about the manner in which the development process had occurred.

3) The contention that the new policy "violates no laws" cannot be taken as a statement of fact. Upon advice of legal counsel, the inclusion of five-year reviews appears to violate the principles of contract law. It remains for the courts to decide, as they almost certainly will be called upon to do, whether any laws have been violated. In addition, however, the new policy is in many instances directly contrary to the guidelines published by the Coordinating Board of the state of Texas.

4) The Board of Regent's assertions regarding the substantive provisions of the policy are inconsistent with the overwhelming faculty vote against the policy. It is apparent that the faculty believes the policy neither protects their rights nor does it benefit the University.

It is regretable that the Board of Regents and the Faculty agreed on issues and goals but ended up with a policy that has left the two groups deeply divided. Had a face-to-face conference with Dr. Cavazos, the academic deans, and faculty representatives occurred, the objectives of both parties could have been realized. Unfortunately, virtually no direct communication between the faculty, regents and the President was permitted to take place.

The inescapable conclusion is that the President and the Board of Regents have lost their way in our common quest for excellence. To continue to exclude faculty from a meaningful role in university governance will drive able faculty away, impede faculty recruitment, discourage promising graduate and undergraduate students from attending TTU, diminish the quality of instruction, and ultimately do greivous harm to students and the University itself.

Ben Newcomb
Henry Wright
David Welton

Agenda item VI... Attachment #8