

PLEASE POST FOR ALL FACULTY TO READ!

EAST CAROLINA UNIVERSITY FACULTY SENATE
FULL MINUTES OF MARCH 31, 1992

The Faculty Senate met in special session on Tuesday, March 31, 1992, in the Mendenhall Student Center, Great Room.

Agenda Item I. Call to Order

Chair John Moskop called the meeting to order at 12:40 pm.

Agenda Item II. Roll Call

Absent were: VCSL Matthews, Eason (Nursing), George (Aerospace), Singhas (Biology), Sykes (Continuing Education), DeJesus (Economics), Dennard (History), Daugherty (Math), Jarvis (Music), Graham (Psychology).

Alternates present were: Fletcher for Pories and Markello for Pennington (Medicine), Felts for White (HPERS).

Please note two editorial changes in the current approved University Calendars:

- 1) For Fall 1992, change July 22, Wednesday, as last day for persons holding a bachelor's degree to apply for admission to Graduate School for the fall semester to June 1, Monday.
- 2) For Spring 1993, change December 2, Wednesday, as last day for persons holding a bachelor's degree to apply for admission to Graduate School for the spring semester to October 15, Friday.

Please note an editorial change in the current Appendix V: ECU Sexual Harassment, Discrimination, and Conflicts of Interest Policies, Section III., lines 3 and 4 (page V-3).

Change Student Government Association Documents, Section XIX. to Student Handbook, Appendix III, Judicial Rules and Procedures.

Please note an editorial change in the current Appendix W: ECU Racial and Ethnic Harassment Policies, Section III., lines 3 and 4 (page W-2).

Change Student Government Association Documents, Section XIX. to Student Handbook, Appendix III, Judicial Rules and Procedures.

Chair Moskop announced that the Board of Trustees at their March 20, 1992, meeting approved Appendices V: Sexual Harassment, W: Racial Harassment, and X: Grievance Procedures for Complaints of Sexual or Racial Harassment or Discrimination Brought Against ECU Faculty Members or Administrators Holding Faculty Status. Appendix X requires the Committee on Committees to form a slate of candidates for the Grievance Board, which will contain members of the faculty who meet the qualifications of being permanently tenured and elected by the Faculty Senate. If Senators have nominations for this appellate committee, they are urged to complete a nomination form and forward it, along with a statement from the individual, to the Faculty Senate office.

Agenda Item III. Special Order of the Day

A. Faculty Governance Committee, Gene Hughes

The Faculty Governance Committee recommended that the School of Medicine be granted a waiver allowing voting by a mail ballot, according to Robert's Rules of Order Newly Revised, on a motion to amend their Code Amendment process. Chair Moskop granted speaking privileges to Dr. Richard McReynolds (Medicine) for this issue.

Hughes (Business), Chair of the Faculty Governance Committee, briefly reviewed the history of the School of Medicine's Code and of events which led to the recent efforts to revise that Code. The School of Medicine Code currently requires that three-fourths of all voting members of the medical faculty and a majority of the permanently tenured faculty members approve all amendments. The Code also requires that action on proposed amendments be taken at a faculty meeting.

An Ad hoc Code Review Committee was elected by the medical faculty in 1991 to consider possible revisions to the School of Medicine Code. The Ad hoc Committee proposed a revised procedure for amending the Code, but was concerned that not enough faculty members would attend a faculty meeting to approve the proposed amendment.

Responding to this concern, the Faculty Governance Committee tried to determine other possibilities to allow amendments to the Code, but found none except for a meeting of the entire faculty. When a faculty meeting did consider proposed revisions to the Code's amendment process on February 19, 1992, some medical faculty were in surgery, out of town, or caring for patients. It was reported that, sensing the importance of the meeting, one faculty member even left a person on a heart machine in order to register a vote. The vote that was taken required a total of 228 favorable votes, including at least 84 of the 166 tenured faculty. Of the 233 votes cast, 113 of the tenured faculty and 92 of the non-tenured, voting faculty voted for the motion to amend. However, this vote did not meet the 75% requirement of 228 of 304 faculty. Faced with a position of being unable to amend the Code, the Ad hoc Code Review Committee of the School of Medicine requested that the Faculty Governance Committee recommend to the Faculty Senate and then to the Chancellor that a limited waiver of their Code be granted to allow a mail ballot on this issue. If this waiver is approved, the proposed amendments would go back to the medical faculty for a vote by mail ballot. If the medical faculty votes in favor of the amendments, they would then proceed through the channels of the Unit Code Screening Committee, Faculty Senate, and Chancellor. The stringency of the present Code was a primary motivation for the request of this waiver.

Worthington (Medicine) spoke in favor of the recommendation. He provided additional information, citing the first faculty meeting in which amendments to the Code were discussed. At that meeting the faculty elected a committee to study the Code and report to the faculty about the Code. This Ad hoc Code Review Committee examined the Code, in light of the 1982/84 version of the Code, the 1988 examination of Senate requirements for codes, and the 1989 checklist of

requirements for codes. The Ad hoc Committee decided to seek changes first in how amendments to the Code could be adopted. Worthington also stated that many faculty strongly supported an amendment to allow for vote by mail for amendments to the Code. The Ad hoc Committee felt that it was clear that the wishes of most faculty had been thwarted by the voting process because it was impossible to get enough faculty present at a given meeting. This Ad hoc Committee petitioned the Faculty Governance Committee to allow for consideration of a mail ballot.

McReynolds (Medicine) stated that the Senate should be provided with the information that the proposed amendment to the amendment procedures had already been rejected by the faculty. He suggested that the number of 75%, not 74 or 68, is appropriate, as established by the School of Medicine faculty in 1982, reviewed by Chancellor Howell and approved in 1984. It was a conscious choice to have a 75% limit. There was further evidence then that this was their choice when Chancellor Howell brought it to the attention of the faculty in a letter that this was a stringent requirement. Even with that statement, the 75% requirement stayed in place. By their rules, the medical faculty voted and rejected this proposal. McReynolds then questioned what precedent would be set by the Senate approving a mail ballot. The way to get this amendment approved is to get people out to vote. Some 76 people did not turn in any ballot at all, presumably because they did not attend. Because of patient care, this will always be an issue for the School of Medicine.

McReynolds continued that he feels that this unit is actually two in one, with one group doing patient care with clinical teaching responsibilities and some research and the other group doing basic sciences with research and teaching responsibilities in a classroom setting. The basic science and clinical faculty have different responsibilities with some overlap. Basic science faculty are about 1/3 of the faculty and are diminishing in numbers. He believes that the original requirement of 75% was designed to protect this minority of the School of Medicine faculty. The setting aside of the 75% requirement would set a precedent. In considering the 75% requirement to consider changes in the Code, it must be pointed out that this requirement has been in existence for 8 years, since 1984. Some problems in the School of Medicine have arisen from other sources besides the Code. He asked the Senate to remember that this proposal has been rejected by the School of Medicine's rules and asked what would be gained by setting this aside compared to what would be gained by setting a precedent.

Markello (Medicine) urged that the recommendation for a waiver be approved. As a clinical member of the faculty and a member of the original committee which wrote the Code, he supported the amendment. When the Code was first devised, it covered a small faculty in the School of Medicine. The Code was approved at that time, but the implication of the 75% requirement was never mentioned or discussed in great length. Since that time, many changes have occurred in the structure of the School of Medicine. Recently, the accreditation body

suggested that the Code should be amended. Now there is an impasse with the inability to amend the Code because of the stringent requirement of 75% approval at a faculty meeting. The goal is to amend the Code to allow for further revisions of the Code.

Wilson (Faculty Assembly) asked if Appendix L allowed for mail ballots in some situations. Hughes (Business) responded that absentee ballots are allowed but not for persons who are on-site, as in the hospital. The Faculty Governance Committee considered other possibilities and recommended the opportunity of a mail ballot to allow all faculty to vote. The mail ballot is the only viable approach. If the School of Medicine votes no on this issue via the mail ballot, the Faculty Governance Committee will not be involved in the discussion again.

The Faculty Governance Committee's recommendation giving the School of Medicine a waiver to allow voting by mail ballot, according to Robert's Rules of Order, Newly Revised, on a motion to amend their Code Amendment process was approved by the Faculty Senate (Resolution #92-14).

B. Proposed Revisions to Appendix D and Appendix L
(Please refer to the January 28, 1992, Faculty Senate Agenda for the proposed revisions to the appendices.)

Chair Moskop began discussion with Section IV. G. (page D-13, line 52 through page D-14, line 15). Hughes (Business) made a motion to amend Section IV.G. (page D-14, line 13) to read, "to the candidate, members of the appropriate deliberative body, and all permanently tenured members of the unit" after the word "communicated". Sexauer (Art) asked whether, since we have now allowed tenure-track faculty to have a role in some personnel decisions, we should provide this information to all tenured and tenure-track faculty. Hughes withdrew his amendment.

Sexauer made a motion to modify Section IV.G. (page D-14, line 13) to read "to the candidate and all permanently tenured members and tenure-track faculty members of the unit faculty." Thompson (Political Science) announced his intention, if Sexauer's motion did not pass, to move to amend Section IV.G. (page D-14, line 13) to read "and all members of the appropriate deliberative body" which would cover tenure-track and tenured faculty.

Atkeson (History) agreed with Thompson that all members would not appropriately receive information.

The motion to modify Section IV.G. (page D-14, line 13) to read "to the candidate and all permanently tenured members and tenure-track faculty members of the unit faculty" failed.

Thompson (Political Science) moved to amend Section IV.G. (page D-14, line 13) to include "and all members of the appropriate deliberative body" after the word "and", while striking "permanently tenured" from Lines 13 and 14.

Wilson (Faculty Assembly) commented that a subset of some

committees may be excluded. Would this exclude the informing of all appropriate persons? Chair Moskop responded that the amendment would omit tenured faculty members not at the level being considered for promotion.

Sexauer (Art) commented in support of Thompson's amendment, adding that it assures that the body initiating the review would be informed.

Bailey (Parliamentarian) asked if the phrase in Section IV.G. (page D-14, line 11) "after each review" meant that the committee would inform the unit faculty of the decision. Was this meant to ensure that the candidate and the tenured faculty would be informed? Does Thompson's motion mean that the committee would inform itself? Hughes (Business) responded that the redundancy in this paragraph and in Section IV.I. (page D-14, lines 32 -33) is designed to ensure that the candidate would be informed at every step of the process.

The motion to amend Section IV.G. (page D-14, line 13) to include "and all members of the appropriate deliberative body" after the word "and", while striking "permanently tenured" from Lines 13 and 14 passed.

Chenier (Allied Health) moved to restate the beginning of the paragraph in Section IV.H. (page D-14, line 18) to delete "body of permanently tenured faculty members within a unit" and to insert "deliberative body." The motion passed.

Holte (English) asked if the phrase "appropriate deliberative body" would have to be inserted by the Senate at every point in the document where it would now logically be placed after previous changes to the document have been approved. Bailey (Parliamentarian) ruled that such changes can be compiled and placed in the document as editorial changes rather than requiring individual amendments by the Senate.

Reaves (Industry and Technology) moved to strike "permanently tenured" in Section IV.H. (page D-14, line 21). This was accepted as an editorial change.

Lennon (Academic Library Services), referring to Section IV.H. (page D-14, line 25), asked for a definition of mail ballot vs. absentee ballot. Worthington (Medicine), having recently studied these definitions, responded that if a person votes by mail, all people must vote by mail, unlike national elections. Proxy voting is when a person is allowed to vote on behalf of another person.

Chair Moskop called for discussion on Section IV.I. (page D-14, lines 27-33). Hughes (Business) suggested that Section IV.I. should follow Section IV.K. That recommendation was accepted as an editorial change.

Chenier (Allied Health Sciences) suggested an editorial change to Section IV.I. (page D-14, lines 30 and 32) changing the words "tenured faculty" to "deliberative body". Hughes (Business) responded that that was not an editorial change. Chenier responded that because promotion was included, his

suggestion should be a motion and thus offered the change as an amendment.

Chenier (Allied Health Sciences) agreed that tenured faculty may be involved, but pointed out that tenure-track faculty could also be involved in the deliberative body. Hughes (Business) responded that when the Committee formed the document, it questioned the inclusion of the term "unanimous" and decided to request this action only in the case of decisions where permanently tenured faculty voted to recommend granting of permanent tenure. He stated that the tenured faculty would like to know why a different decision was made. Hughes spoke against the motion and announced an intention, if Chenier's motion failed, to offer an amendment to delete the term "promotion" from this section.

The motion to amend Section IV.I. (page D-14, lines 30 and 32) changing the words "tenured faculty" to "deliberative body" passed.

Atkeson (History) made a motion to substitute the entire Section IV.I. (page D-14), with the following, "In the event the decision of the Chancellor is contrary to that of the appropriate tenured faculty, the Chancellor shall meet with the faculty to discuss the decision." Atkeson stressed the need for the administration to communicate with the deliberative body, allowing explanations in executive session, to the deliberative body. Leaving the term "unanimous" would never, according to Atkeson, happen in his department. This amendment would merely give the administration an opportunity to explain a decision. This motion also included the deletion of the term "unanimous" on line 27 of Section IV.I.'s title.

Stangohr (Library Science) moved to amend the motion to change the word "faculty" to "deliberative body" in both places of the amendment. The motion to amend passed.

Wilson (Faculty Assembly) moved that the words "or the chancellor's designee" be added after the word "chancellor" in the amendment. Sexauer (Art) spoke against the amendment, reporting that the intent here was to insist that the Chancellor be the person to respond. The motion to amend failed.

The motion to substitute the entire Section IV.I. (page D-14), with the following, "In the event the decision of the Chancellor is contrary to that of the appropriate deliberative body, the Chancellor shall meet with the deliberative body to discuss the decision." along with the motion to delete the term "unanimous" on line 27 of Section IV.I.'s title passed.

During discussion on Section IV, L, lines 21-27, page D-15, Hough (Faculty Assembly), referring to Section IV.L. (page D-15, lines 21-27), asked what happens when salary notification does not occur at the time described in the passage.

Thompson (Political Science) asked if scheduling of classes could be considered.

Chenier (Allied Health Sciences) responded that the inclusion of the word "preferably" makes the discussion moot.

During discussion on Section V.B.1. (page D-15), Worthington (Medicine) asked for a definition of administrative title. Hughes (Business) responded that Appendix L would clarify that term. However, the committee's current interpretation is that if a person's job has no supervisory or evaluation components regarding other faculty members, the person should not be considered to have administrative status.

Atkeson (History) asked if nominations from the floor or the Senate would be precluded for the election of the Hearing Committee, as has been the practice of the body. Bailey (Parliamentarian) commented that nominations from the floor would be allowed.

Bell (Education) moved to amend the footnote (page D-16, lines 48-51) deleting the word "reasonable" and adding a sentence that reads "Procedural irregularity shall be determined by the Faculty Affairs Committee."

Atkeson (History) commented that the object of the footnote is to define for the Hearing Committee what a material procedural irregularity is. Bell (Education) commented that an individual faced with this situation will have difficult questions. A person should be able to raise this question. It is unfair to expect any group to provide oversight on its own process. To relieve the group of this burden and to ask another group to provide assistance would assist in the entire process.

Thompson (Political Science) spoke against the amendment, commenting that reasonable doubt and doubt are two different terms. He also commented on the potential for extreme delays in the hearing process.

Wilson (Faculty Assembly) spoke against the amendment, adding that the UNC Code specifies that all matters regarding tenure must be considered by the Hearing Committee. He felt that the "lowering" of the term "doubt" from "reasonable doubt" would not receive a favorable review from the UNC General Administration.

Atkeson (History) commented that the Hearing Committee would only establish if there was a material procedural irregularity and would not reevaluate its own decision.

Bailey (Parliamentarian) asked Bell if his concern was what would happen if the Hearing Committee found a material procedural irregularity. Bell (Education) responded affirmatively. Bailey pointed out that if a material procedural irregularity is found, the original deliberative body would be required to reconsider its decision. Bell suggested that the Faculty Affairs Committee decide issues which have been raised by a finding of material procedural irregularity by the Hearing Committee.

Chair Moskop ruled that, since the issue of the disposition of material procedural irregularity findings appears in a

later section, the Senate should first consider the elimination of the word "reasonable" in the footnote (page D-16, line 49).

Worthington (Medicine) asked about the wording of the footnote (page D-16, lines 48-51). Sexauer (Art) responded that conferral of tenure does not happen at that level, but rather at the Board of Governors and suggested an editorial amendment to the footnote to replace "or to deny permanent tenure" with "or to not recommend the granting of permanent tenure". This was attached to the motion as an editorial change.

Chancellor Eakin spoke against the amendment. The amendment would lessen the effects of the test, commenting that he was not pleased with even the current wording and that the suggested wording would weaken the statement even further.

The motion to amend the footnote (page D-16, lines 48-51) deleting the word "reasonable" failed.

Bruner (Social Work), moved that Sexauer's earlier comment be added as an editorial amendment to the footnote (page D-16, line 50) so that the entire footnote would now read "Material procedural irregularity is a departure from prescribed procedures governing reappointment or the conferral of permanent tenure that casts reasonable doubt upon the decision not to reappoint or not to recommend the granting of permanent tenure." The wording change was accepted as an editorial amendment.

Chancellor Eakin made a motion to delete in Section V.B.2. (page D-16, lines 46-51 and page D-17, line 1) all copy beginning after "Carolina", striking parts (b) and (c) and the footnote. He stated that his comments did not pertain to any case past or present and referred only for cases to be presented in the future. Chancellor Eakin explained that the inclusion of sections (b) and (c) was so ambiguous and would permit so many opportunities for challenge that he believed that it would be impossible to conduct business. This decision was reached based on the advice of counsel. He felt in an awkward position because he was a member of the Senate and mentioned by title in the document.

Atkeson (History) spoke against the motion, stating that in 1988 attempts to rewrite Appendix D were initiated to handle material procedural irregularity. The object was then and is now to provide an opportunity for a hearing for individuals who felt they had not been properly "processed". The current Appendix D allows grounds only on the basis of discrimination, first amendment violations, and malice. An individual may have grounds for a complaint on the basis of material procedural irregularity. If the grievant cannot provide proof, it is better that an individual with a frivolous request be given a hearing than not to conduct one legitimate hearing. If the material procedural irregularity is deleted, Atkeson would suggest that the entire revision of Appendix D be dropped.

Wilson (Faculty Assembly) spoke against the amendment and

commented that he had talked to attorneys in the UNC General Administration. The phrase "material procedural irregularity" was taken from Chapel Hill's Code, where it had been inserted to allow faculty the right to expect that procedures would have to be followed. The word "material" implied a substantial error, that a reasonable person would say that an error in the decision could have been made. This decision was assigned to the Hearing Committee. Does it cast reasonable doubt on the validity of the procedure? Material procedural irregularity would not be treated as non-reappointment, but would allow a person to go through the correct process, after which the decision would stand. UNC-Chapel Hill and UNC-Greensboro have this now, and other universities in the system are moving in this direction. The Hearing Committee could choose not to hold a hearing if it believed that a complaint was frivolous.

Bruner (Social Work) spoke against the amendment. As the previous chair of the Hearing Committee, he had participated in a case where there were several irregularities in the decision-making process. The Hearing Committee, having felt that irregularities did exist, sent forth a separate statement from the decision required by following the current guidelines.

Donnalley (Library Sciences) also spoke against the motion, stating that as a member of the Hearing Committee, her opinion and experiences were similar to Bruner's.

Hughes (Business) commented that he could understand the position of the Chancellor in this matter. In this academic setting, however, there is no audit body to ensure that groups follow their procedures. He suggested that as many as 25% of persons denied reappointment or tenure would appeal, and that the other 75% would serve on the committees to hear appeals. Over time, these appeals would diminish. This attempt to standardize would be an inexpensive check of (b) and (c) and should provide the Chancellor the assurance that the faculty is doing the job charged to that body.

Chancellor Eakin clarified his position, stating that he has changed his position since the 1988 formation of the committee to rewrite Appendix D. He agreed that there would be a time, if this passed, that there would be numerous charges of material procedural irregularity which could overwhelm the appeals process. What if, 3 years previously, a unit did not follow procedures? How could such a problem well in the past be corrected?

Atkeson (History) commented that without material procedural irregularity we are in effect ignoring violations of the process. Recurring over the last 4 years has been the prediction of lawsuits. However, anyone bringing a material procedural irregularity complaint to the Hearing Committee and receiving a negative decision has two other possible outcomes. First, the person can take all outcomes to court, regardless of the decision of the Hearing Committee. Second, the Hearing Committee can report to the Chancellor who can ask that the process be repeated, in which case the same decision can be reached.

The motion to delete in Section V.B.2. (page D-16 lines 46-51 and page D-17 line 1) all copy beginning after "Carolina", striking parts (b) and (c) and the footnote failed.

Bell (Education) moved to delete in Section V.E. (page D-20, line 47) the phrase "and if the Chancellor concurs with the finding". He stated that he would like the process to be a function of the faculty and would remove the administration from this step in the process. Atkeson (History) spoke against the motion, commenting that all reports of the Hearing Committee would go to the Chancellor. There is sometimes a problem in that the Hearing Committee has no authority over a unit, and the Chancellor is the only one who can insist in the unit making a change. Bell responded that he would accept any change that would allow administrative reporting.

Bailey (Parliamentarian) pointed out that a unit which allowed a material procedural irregularity would violate Appendix D. Since units are required to follow Appendix D, it may not be necessary for the Chancellor to have an explicit role in this process in order to obtain compliance.

Wilson (Faculty Assembly) questioned Chancellor Eakin about the right to concur or not to concur. Chancellor Eakin responded that, in general, if a group is charged with the responsibility without reporting to the administrator, there could be a large number of sophisticated paper shufflers. It seems incumbent upon an administrator receiving a recommendation to act upon that recommendation. He suggested that this procedure may never allow any conclusion of this matter.

Atkeson (History), speaking for the third time on the matter with no objection from the body, spoke in support of the Chancellor. If left to the Hearing Committee, the time frame would not be possible to meet.

The motion to delete in Section V.E. (page D-20, line 47) the phrase "and if the Chancellor concurs with the finding" failed.

Hough (Faculty Assembly) referring to Section V.F. (page D-21, lines 9-21) commented that he liked the procedure stated because it was based on the spirit of fair-minded play. Interspersed throughout the document is the candidate's request for hearing and nowhere is there a requirement for a hearing. He stated that in the document there should be a meeting beyond the executive meeting of the Hearing Committee which would decide if a hearing should be conducted.

Hough (Faculty Assembly) made a motion to insert the word "permanent" at the end of Section VI.A. (page D-21, line 27) and before the word "tenure" (line 28). Joyce (Physics) responded that the word "tenure" was intended to cover both tenured and non-tenured persons while they were employed, referring to tenure for the period of their employment.

Atkeson (History) asked if individuals employed on fixed term or tenure-track would be included here. Joyce (Physics)

responded that any action against a fixed-term or tenure-track faculty is protected by due process. Sexauer (Art) referred to Section VI.A. (page D-21, lines 34-36) to clarify this point.

The motion to insert the word "permanent" at the end of Section VI.A. (page D-21, line 27) and before the word "tenure" (line 28) failed.

Joyce (Physics) moved to amend Section VI.E. (page D-22, line 29) changing the word "second" to "first". He explained that the election of the Due Process Committee should be held during the first regular meeting of the Faculty Senate. The original draft had assumed that the Committee on Committees would not have enough time at the start of the academic year to call for nominees and formulate a slate, but since modifying their procedures, this would now be possible. This would make the committee election procedures consistent. The motion passed.

Harris (Foreign Languages) referring to Section VII.B.10. (page D-29, lines 38-43) asked about salary and benefits which would be continued until the resolution of the hearing. Hughes (Business) responded that the following sentence in that section included that information and offered an editorial amendment adding "and full benefits" after the word "salary" in Section VII.B.10. (page D-29, line 40). The editorial amendment was passed.

Referring to Section VIII.C., page D-30, Worthington (Medicine) asked for a definition of the term "institutional relationships". Hughes (Business) responded that this language comes from the old version of Appendix D. This wording may involve grants, laboratory services, services of graduate students, etc. Bailey (Parliamentarian) responded that this is a "catch-all" term referring to any relationships between departments.

Chenier (Allied Health Sciences) referring to Section IX.B. (page D-31, line 31) asked for a projection of the effective date, assuming approval. Would it be 30 days after the last approval? Atkeson (History) responded that since the Board of Governors approves the document it would be inappropriate to insert a date. Chancellor Eakin added that the Board of Governors should have the prerogative to determine the date of implementation. Chair Moskop commented that the previous Appendix D began June 1, 1976.

Worthington (Medicine) asked for implications of the effective date and the impact on codes on the campus. Preparation for codes should be considered when determining the effective date.

Chair Moskop stated that this concluded the consideration of the document by section and opened the floor for discussion of amendments of any section.

Atkeson (History) moved postponement of a vote for approval of the entire document until a complete revised version of the document is available for study. Chenier (Allied Health

Sciences) pointed out the end of terms for many current Senators. When questioned, Lee (Faculty Senate Secretary) responded that a complete revised draft could be prepared and distributed prior to the April 14 meeting.

Chair Moskop responded that he would encourage that the current body be the group to act on this document and added that the agenda for April 14 already has other agenda items.

Donnalley (Library Science) asked when new officers and senators began their terms of office? Chair Moskop replied that senators will begin immediately after the April 14, 1992, Faculty Senate meeting and officers begin August 1, 1992.

Sexauer (Art) commented that one hour and 2 minutes were still available for the current meeting.

Bruner (Social Work) spoke against the motion, pointing out the draft of current revisions had already been delivered.

Atkeson (History) objected to final acceptance without the entire document in hand, but amended his postponement motion to encourage amendments at this time, postponing only the final action on the document, but not necessarily amendments to the document. The motion passed.

Chair Moskop stated that the April 14 meeting would be the time for final consideration.

Hughes (Business) referring to Section IV.A.3. (page D-11 line 18) moved that the phrase "with no less than two-thirds permanently tenured faculty" be inserted at the end of the sentence, after the word "three". He wanted to ensure that when the deliberative body included members outside the unit with specified rank, those members would have permanent tenure. The motion passed.

Ayers (Chemistry), referring the Section IV.I. (page D-14, lines 27-28) moved to change the title of the section from "Denial of" to "Nonconcurrency with". The amendment would change the title of the section only. The motion passed.

There was no further discussion or amendments to the proposed revision of Appendix D. A complete revised draft of Appendix D (17 draft) will be prepared and distributed to all Senators prior to the April 14 meeting.

Sexauer (Art) requested that the Senate examine proposed changes to Attachment 2, Appendix L. There was no objection.

Hughes (Business) recommended the proposed changes to Appendix L (attached to the 16th draft of Appendix D). Chair Moskop explained that the effect of the proposed amendment is to define the term "unit administrator."

Joyce (Physics) asked if the phrase "hold administrative position" used in Appendix D would be the same as the wording presented here for Appendix L. Hughes explained that those terms are not synonymous and should not be confused.

Wilson (Faculty Assembly) questioned whether an administrator who has faculty rank in a unit would be included in the determination of a majority in a matter posed to a deliberative body? Hughes responded that no decision has been made on this question. Thompson (Political Science) added that the administrator would not be counted in the numbers. Bailey (Parliamentarian) explained that the number of voting faculty members is defined for specific purposes--such as modifying code content or participating in quadrennial evaluation and was narrowly defined.

Wilson (Faculty Assembly) pointed out that earlier today, on page D-14, the body had extended that to include tenure. Bailey responded that Appendix L would then need to be changed.

Joyce (Physics) pointed out that pages in new Faculty Manual are numbered differently and that editorial changes should be considered to amend the renumbering process.

The proposed revisions to Appendix L as editorially amended was approved (Resolution #92-15).

Chenier (Allied Health Sciences) asked when the April 14, 1992, meeting would begin. Chair Moskop responded that the meeting will begin at 2:10 p.m.

The meeting adjourned at 3:55 pm.

Respectfully submitted,

Patricia Anderson
Patricia Anderson
Acting Secretary and
Vice Chair of the Faculty

Lori Lee
Lori Lee
Faculty Senate Secretary

**RESOLUTIONS PASSED AT THE MARCH 31, 1992,
FACULTY SENATE MEETING**

#92-14 That the School of Medicine be given a waiver to allow voting by mail ballot, according to Robert's Rules of Order, Newly Revised, on a motion to amend their Code Amendment process.
Disposition: Chancellor

#92-15 Revisions to Appendix L, Sections C.1. and D., (page L-2 of the March 16, 1992, newly revised Faculty Manual).

1. The footnote designated by an "*" under Section C.1. will be numbered Footnote #1.
2. The following footnote (Footnote #2) will be added in the title of Section D. Unit Administrator Evaluation, following the word "Administrator".

D. Unit Administrator2 Evaluation

2 Unit Administrator, for the purpose of this section, shall also include any administrator who directly evaluates faculty for the purpose of promotion, tenure, appointment, reappointment, and/or the annual merit evaluation.

Disposition: Chancellor