

Faculty Senate Minutes December 5, 2005

Senators: Barry Anton, Kris Bartanen, Nancy Bristow, Derek Buescher, Bill Haltom, Suzanne Holland, John Hanson, Alex Israel, Jean Kim, John Lear, Eric Orlin, David Sousa, and Peter Wimberger, Barbara Racine, Chelsea Howes, Juli McGruder.

Guests: William Breitenbach, Carolyn Weisz.

Senate Chair Anton called the meeting to order.

The minutes from the previous meeting (November 21) were not yet available.

The International Studies Issue was tabled so that the meeting could focus on issues that might arise in the Faculty Meeting scheduled for 4 pm tomorrow.

At the October 24 faculty meeting, the PSC proposed an amendment to Chapter 3, sections 6 and 7 of the Faculty Code. Several changes to this amendment have been proposed and the purpose of this Faculty Senate meeting is to decide how best to handle these suggested changes in the faculty meeting scheduled for tomorrow.

After some initial discussion about possible changes to the PSC's initial amendment, the Senate decided to focus its discussion on "procedural issues", i.e., how to best handle proposed changes that arise during the faculty meeting.

Haltom noted that the last thing we want to do is amend the faculty code on the fly in a faculty meeting. He suggested that Anton, during the Report of the Faculty Senate Chair, recommend to the faculty that if there are substantial changes to the PSC amendment made on the floor of the faculty meeting these changes be referred back to the PSC or the Senate to check that the language is OK.

Weiss asked about what would happen if we don't get through everything at the faculty meeting. Haltom responded that it would be held over to the next meeting in the spring.

Breitenbach inquired about whether people were comfortable with referring proposed changes back to the PSC. Bristow and Lear noted that they were comfortable with this approach. Wimberger wondered whether, after review by the PSC it would need to come through the Senate again before going back to the faculty. Haltom and Orlin both noted that there was nothing to prevent it going directly to a faculty meeting.

Weiss noted that there were several suggestions about the language that should be used regarding the confidentiality of hearings. (The current code language (Chapter III, Section 7.i) states: "No person involved in the hearing shall make public statements, directly or indirectly, about matters presented in the hearing."): 1. The original amendment language (Chapter III, Section 6.c. (8)): "Hearing board members are to treat the proceedings as confidential. 2. Haltom's suggested language: "Hearing board

members shall make no public statements, directly or indirectly, about matters presented in the hearing." 3. The PSC's revised language: "Hearing board members shall make no public statements, directly or indirectly, about matters of the appeal."

Holland asked Haltom how he felt about the PSC's revised language. Haltom responded that he didn't like the revised language because he likes transparency and believes that the decision making process should be in the public. He believes that the concept of confidentiality leaves too much ambiguity at the margins, and it will have a chilling effect.

Weiss then discussed a number of changes that the PSC had made in response to issues raised by senator Buescher. Most of these changes were not "substantive", but rather "housekeeping", and directed at clarifying unclear or ambiguous language.

Breitenbach noted that the PSC's proposed draft amendment to the amendment (and in fact any other changes proposed at the faculty meeting) might result in disruptions to internal code citations. He recommends that at the faculty meeting language be inserted into the amendment that states, "Adoption of this amendment will allow citations of the code that have been disrupted to be fixed." This suggestion was unanimously thought to be a good idea.

There was then some discussion of the best way to present various proposed changes at the faculty meeting. Weiss said that she would make an overhead dealing with the "housekeeping" changes. With regard to changes to the confidentiality section, several senators suggested that the original language should also be presented for comparison. Weiss volunteered to try and present the various confidentiality options.

Discussion then turned to the issue of when a hearing board is finished. Haltom argued that if a hearing board made a recommendation that required a department to remedy deficiencies, then it would be useful to let the hearing board at least advise the FAC on whether subsequent actions by the department actually did remedy these deficiencies, or at the very least, have the hearing board be able to respond to questions about their recommendations from the FAC or department. Breitenbach, while agreeing that these issues merit consideration by the faculty, is worried that if there is no clear statement about when the hearing board disbands, you end up creating a quasi-FAC. Orlin noted that since this is a substantive issue, it should be discussed at the faculty meeting. Weiss said that she would make an overhead for the faculty meeting. Holland suggested that it is important to frame the discussion so that junior faculty understand why this is an important issue.

The meeting was adjourned. The next Faculty Senate meeting is January 23, 2006.

Submitted by,

John Hanson