

DOCUMENTS AND PROCEEDINGS OF THE FACULTY SENATE

MINUTES OF THE FACULTY SENATE

THE UNIVERSITY OF TEXAS AT AUSTIN

April 1, 1985

The eighth meeting of the Faculty Senate for the academic year 1984-85 was held in Room 212 of the Main Building at 2:15 p.m. on April 1, 1985.

Chairman Waneen Spirduso (Physical & Health Education) presided at the meeting.

ATTENDANCE

I.

Present: Lear L. Ashmore, Mark B. Baker, Gerard Behague, Simon J. Bernau, Lowell J. Bethel, Julie H. Bichteler, R. H. Bing, Allen H. Bizzell, David L. Bourell, Thomas D. Boyd, Ben H. Caudle, Kathleen F. Conlin, Wayne A. Danielson, Wm. C. Dueterhoeft, Betty S. Flowers, Maureen M. Grasso, Alan Gribben, Vickie L. Hampton, Gaylord Jentz, George B. Kitto, J. Parker Lamb, Joan I. Lidoff, Reuben R. McDaniel, Jr., Jack Otis, David M. Rabban, Walter L. Reed, Bonnie Rickelman, Ramon Saldivar, Leonard G. Schulze, RoseAnn Shorey, James H. Sledd, Waneen W. Spirduso, H. Eldon Sutton, James W. Vick, Lewis R. Wiman.

Absent: Edwin B. Allaire, F. Stefan Bertram, Terrell Blodgett, Barbara Becker-Cantarino (excused), Randall Charbeneau, Ira Iscoe, Eleanor W. Jordan, H. Paul Kelley (excused), Clarence G. Lasby, Steve Leslie (excused), E. L. Lundelius, Jr., Jane C. Marcus, Alice Redland, Diane L. Schallert (excused), Charles A. Sorber (excused), Claire E. Weinstein, Robert E. Witt (excused).

Total members present: 35 Total members absent: 17

II. APPROVAL OF MINUTES

Mr. Sledd (English) in a letter to Ms. Spirduso requested two changes in the circulated Minutes of the Meeting of March 4, 1985 (D&P 2123-2131). The first was to change the word "demonstratively" in the middle of page 2126, to "demonstrably." This correction was accepted by the Secretary. Mr. Sledd's second correction referred to the section near the end of the circulated page 2126 which began: 'Continuing through interruptions Mr. Gribben....' Mr. Sledd's letter read:

"That is incorrect. When Mr. Gribben began to speak he began a personal attack on me. Such attacks are, of course, forbidden by Robert's Rules of Order which according to Section 7 of Chapter 5 of the Senate's by-laws govern the procedure of the Senate. Personal attacks are doubly forbidden when their content misleads the Senate. I therefore rose...and said clearly, 'point of order.' Page 215 of Robert's Rules, newly revised, describes what should then have happened. When a member rises and says point of order, anyone who is speaking takes his seat. The chair then asks the member to state his point of order. On completing his statement, the member resumes his seat. The chair then rules. The Minutes should therefore read, when the chair refused to acknowledge Mr. Sledd's clear call of point of order, Mr. Gribben continued with his personal attack. I add now that ... was another violation of Robert's Rules, page 332, and I find it extremely regrettable that the chair simply ignored the rules under which we are required to proceed. So the request is to change the minutes to read, when the chair refused to acknowledge Mr. Sledd's clear call for point of order, Mr. Gribben continued with his personal attack."

Mr. Sutton (Zoology) considered this the wrong time to rewrite what happened. He was not sure that Mr. Gribben's remarks had been classified as a personal attack.

Mr. Bernau (Mathematics) agreed that he should have included the point of order in the minutes since it did appear in the transcript. He did not, however, construe the report of Mr. Gribben's remarks as determining facts but merely as reflecting what had been said. Mr. Bernau thought that Mr. Sledd's point would be covered reasonably by including the phrase ... and a point of order ... after 'continuing through interruptions.'

Mr. Sledd said that his point of order had been ignored and there was no doubt that our procedural rules had been violated.

Ms. Spirduso said she would not repeat that mistake and that if Mr. Sledd would accept Mr. Bernau's suggested corrections his comments would be in the minutes of this meeting.

The Minutes of the Meeting of March 4, 1985, were then ACCEPTED subject to these two corrections on page 2126. The corrections will be made in the Bound Volume of the Documents and Proceedings of the Faculty Senate.

III. REPORT OF OFFICERS

- A. Report of Chairman. No report.
- B. Report of Vice Chairman. No report.
- C. Report of Secretary. No report.

IV. OLD BUSINESS

- A. Faculty Senate Response to Committee Report on Teacher Education at U. T. Austin.

Ms. Spirduso reminded the Senate that she had prepared the document circulated as D&P 2121-2122 as a summary of the responses she had received from the Senate on this issue. At the March meeting the matter had been tabled to allow the Senate more time for consideration.

Mr. McDaniel (Management) MOVED that Ms. Spirduso's summary (D&P 2121-2122) should be the Faculty Senate response to President Flawn.

Mr. Vick (Mathematics) admitted his own deep involvement as Chair of the ad hoc Committee. He felt that six tabulated comments made a rather weak response by the Faculty Senate to some very hard questions. He wanted to hear the faculty's response. What should be the mission of the Teacher Education Program at the University of Texas? Some felt it should be a small pilot program with the real emphasis on an outstanding graduate program. However, the Committee consensus had been that the University was obligated to train teachers in number and quality. To turn out twenty-five, even of the very best, teachers a year was simply inadequate. Too few faculty members knew even the teacher certification requirements for their own subjects. He had made a list of thirteen questions he thought needed discussion.

Mr. McDaniel said he had little to say because he thought the ad hoc Committee had done a good job. If Mr. Vick had specific issues to raise he should be explicit about them.

Mr. Vick offered to condense his questions and circulate them before the next Senate meeting. One would be the basic mission of the program, another, the evaluations of the faculty in the program. Should criteria for tenure be the same as in the rest of the University? Should graduate students teach upper division courses? Should it be a five year program? Was there a research base? What should be the size of the program? What are the admission requirements for the graduate program?

Mr. McDaniel considered these issues to have been part of the report and not new issues. Nevertheless he was willing to put this matter off until the next meeting if some written material for discussion would be provided.

On a motion from Mr. Sutton, the motion was DEFERRED for action at the next meeting.

B. Progress Report on E346K.

Ms. Spirduso reminded the Senate of the three motions concerning E346K which had been passed at the previous meeting (D&P 2130-2131). The Committee to receive the requested information was comprised of herself, Simon Bernau, Steven Leslie, Reuben McDaniel and David Rabban. She had written to Vice President Fonken and to Dr. Sutherland. Letters had been received from Dr. Fonken, Dr. Sutherland, and the Executive Committee of the English Department. The Committee also had President Flawn's written response from the March 18 Council meeting, a 32 page document from Stephen P. Witte, and the document circulated at the March 4 Senate meeting by Mr. Kinneavy. A letter from Mr. Kinneavy, as a minority on the English Department Executive Committee, was expected, and other documents were also in hand or expected. She promised that the Committee would report at the April 29 meeting. In view of this she suggested that the discussion requested by Mr. Sledd, of President Flawn's written response, should be deferred to the April 29 meeting.

Mr. Sledd (English) considered it vital to obtain information from other sources than the various bureaucracies. He cited the official story that students did not take the proper variant of E346K against his experience at registration that students had tried for hours to take the proper variants but the Department had not provided them.

At this point Mr. Gribben (English) went to the microphone and began to interrupt. Ms. Spirduso ordered him to sit down.

Mr. Sledd completed his remarks by agreeing that discussion of President Flawn's reply was impossible today and that the matter should not be allowed to die with the summer.

V. NEW BUSINESS

- A. Resolution Commending President Flawn for His Efforts to Reverse the 1985-87 Budgetary Proposals.

This resolution came from Mr. Iscoe (Psychology) and had been circulated as D&P 2133. In his absence Ms. Spirduso read the resolution on his behalf.

Mr. Sledd did not like the resolution. He "... for one would never vote to put another penny into the hands of this administration. The basic cause for the grief in my own department has been the stubborn refusal of the administration to provide adequate funds to support the basic courses in the arts of literacy. No amount of saying it is a family quarrel in the English Department will conceal that fact. The administration is responsible. A department is in a shambles because the administration has refused to put up the money. It has, however, put up millions for microelectronics and computer technology.... So I would like my vote against this to be recorded. I would not trust this administration with a larger budget because I think it has been unfaithful to the constitutional mission of this university which is to prepare free citizens for responsible self government."

A friendly amendment was accepted to delete the word quality in the last sentence of the resolution. The resolution then read:

WHEREAS: The proposed reductions in the funding for the biennium 1985-1987 are of such a magnitude so as to seriously hinder if not completely dissipate the momentum that has built up to move our University in the direction of genuine national distinction following the recommendations of the Centennial Commission.

THEREFORE BE IT RESOLVED THAT: The Faculty Senate appreciates the tremendous efforts of President Flawn to reverse the present budgetary proposals so that they will eventually reflect a much needed modest increase in appropriated funds. The Senate, and through it the entire faculty, is grateful to the President and members of the Board of Regents for taking this initiative. The faculty stands ready to be of any assistance and is cognizant of the grave consequences in store for higher education should the university fail to receive appropriate legislative support.

Put to the vote the resolution CARRIED. Mr. Sledd voted against it.

B. Nominating Committee for appointment of a Faculty Representative to the Men's Athletic Council.

Ms. Spirduso said that the Nominating Committee to provide a slate of names for an appointment to the Men's Athletic Council would be chaired by Charles Sorber, and other members would be Lowell Bethel, Allen Bizzell and Claire Weinstein. Nominations should be sent to the committee by April 19.

Mr. Vick (Mathematics) understood that the Senate would also be asked for a slate of nominees for the Women's Athletic Council. Previously the Women's Athletic Council had been nominated by the Committee on Committees. He suggested that Mr. Sorber's Committee should make these nominations as well.

Ms. Spirduso agreed.

Ms. Shorey (Home Economics) stressed that both women and men could be nominated for each Council.

C. Nominating Committee for Election of 1985-1986 Faculty Senate Officers.

Ms. Spirduso had appointed Ben Caudle to chair the Nominating Committee for 1985-1986 Faculty Senate Officers. The other members were Julie Bichteler and Lewis Wiman. Again, nominations should be made by April 19.

VI. REPORT OF COMMITTEES

A. Progress Report from the Committee on the Use of the Course Instructor Survey.

Ms. Shorey said that there had not been time to circulate the report before the meeting. Also Paul Kelley was out of town for this meeting. She would therefore suggest that she present the report and that discussion be deferred until the complete report had been circulated and members had time to study it. A draft of the report had been prepared and Ms. Shorey went through it almost verbatim. Since the final version of the report will be circulated (D&P 2134-2171) before these minutes are circulated the Secretary has not undertaken a summary of Ms. Shorey's remarks.

Discussion of Ms. Shorey's report centered on the Administration's pilot project to conduct course surveys by mail, outside the classroom and independent of teacher involvement or approval. Ms. Spirduso was concerned that faculty should be involved in the evaluation of this pilot project and in deciding whether or how to continue.

Mr. McDaniel suggested that the matter be raised at the next University Council meeting as a Question to the President.

B. Report from the Committee on the Status/Role of the Lecturer.

The report from this Committee had been circulated as D&P 2119-2120. In Ms. Schallert's absence the report was presented by Mr. Bernau.

Mr. Bernau summarized the material considered by the Committee. The Committee had decided that a uniform policy on the use of Lecturers was neither desirable, nor acceptable to the Administration. The Committee had defined two issues which seemed appropriate for the Faculty Senate to discuss. These were addressed in two motions he would now propose. The first motion concerned the need to have regular teaching done by Faculty on regular (tenured or tenure track) appointments. A continuing need for teachers in a particular situation should not be handled as a year by year emergency requiring the continued hiring and rehiring of non-tenure track lecturers. The second motion recommended that individual departments should draw up their own policy for the use of lecturers. Such a policy had recently been adopted by the Mathematics Department and was included in the Committee Report as an example.

Motion 1: The Faculty Senate recognizes that sudden unexpected surges in enrollment may make the last minute hiring of many lecturers inevitable in a particular department for a particular academic year. In a university of the first class, however, we should expect the bulk of our teaching at all levels to be carried out by faculty holding tenure or on tenure track appointments. Accordingly, when enrollment remains high, the Faculty Senate urges deans and higher administrators to ensure that the classes in question not continue to be taught by lecturers. In order to do this, new tenure/tenure track budget lines may have to be found.

Motion 2:

Background

We recognize that in some departments on this campus there is a growing concern associated with the status and role of lecturers and that in other departments, the problem is minimal. We recommend against a University-wide general policy that would apply to all departments without regard to the particular histories and circumstances that exist.

Recommendation

We do recommend strongly to all departments, regardless of the significance of current concerns about lecturers, that they prepare a policy statement that would clarify the conditions of association with the department and thus protect the rights of all concerned.

Discussion began of Motion 1.

Mr. Behague approved the motion.

Mr. Rabban agreed with the motion but wanted to incorporate in it the AAUP policy prohibiting full time appointment for more than seven years without a tenure decision.

Mr. McDaniel pointed out that the Regents' Rules state clearly that service as a Lecturer does NOT accrue towards tenure consideration. Mr. Rabban's suggestion would require a change in the Regents' Rules and should be considered separately.

Mr. Reed (English) said that the Committee had considered this point and decided not to make such a recommendation.

Mr. Rabban suggested recommending that no one should serve full time as a Lecturer for more than seven years.

Mr. McDaniel thought the Regents' Rules explicitly intended to allow this possibility. Motion 1 had one relationship to the System, Mr. Rabban's suggestion another and they should be kept separate.

Mr. Gribben asked Mr. Rabban to think twice about making his proposal either separately or as an amendment.

Motion 1 was then put to the vote and CARRIED.

Discussion continued on Motion 2.

Mr. Sledd asked if the proposed Departmental Policies would have the authority of the Regents behind them or would they only be wishful thinking.

Mr. Bernau said as far as he knew the Policies would not be legally binding. Budget Committees could always decide to change policies. However, he felt the policies would carry a strong moral imperative and he liked to believe that his colleagues would live up to their obligations.

Ms. Spirduso agreed and added that if the policy were written into the Lecturer's contract it would have some legal force.

Mr. Sledd moved to AMEND Motion 2 by adding the following sentence:

"If the policy is distributed to Lecturers they should be informed of its precise legal significance or insignificance."

Mr. Rabban said the legal significance could not be determined in advance of litigation so he opposed the amendment. The amendment was also opposed by Mr. Reed speaking as a member of the Committee.

On voting: Mr. Sledd's amendment was DEFEATED; Motion 2 then CARRIED.

Mr. Rabban asked if any full-time lecturers had served for more than seven years. On being told that this had happened he continued, "... I consider that to be a very severe problem which attacks tenure and the tenure system close to its core, to the extent that there are full-time faculty members ineligible for tenure. One weakens tenure. I think the AAUP rule is a good rule.... I do think it is a dangerous situation to academic freedom and tenure to have the possibility of lengthy full time service at a University without any possibility of being considered for tenure." He then MOVED:

That the Faculty Senate recommends that the following rule be incorporated into the Regents' Rules, 'no person shall serve as a full-time lecturer for more than seven years.'

After discussion of other non-tenure track positions Mr. Rabban changed his motion to say:

No person shall serve in a full-time non-tenure track position for more than seven years.

Mr. Gribben pointed out that Mr. Rabban had jumped to the conclusion that there was a problem. If there was, he believed it to be a problem from the past which was now being solved and that Mr. Rabban's motion, however well intentioned might cost some people their jobs. He urged the Senate not to act too quickly.

Mr. McDaniel spoke in favor of the motion. "I think from time to time it is important that the Senate continue to push on [enlarging] and increasing the academic freedom of all the people of the University and I recognize from time to time we buck up against the Regents' Rules in doing that and I am willing to do it over and over again. I think that the Senate, if this motion passes, is urging the administration to think through this problem again and to think through in a specific way.... I think this has been a continuing problem at the University, it is an area where the Regents' Rules [are] clearly not in agreement with the AAUP guidelines, it is an area that has continuously made a number of people nervous from time to time and it seems to me that by passing this motion, what we are doing is calling to the attention of the decision makers in terms of Regents' Rules, one more time, we need to develop a policy regarding full-time non-tenured persons that is consistent with the basic principles of academic freedom in which we believe.

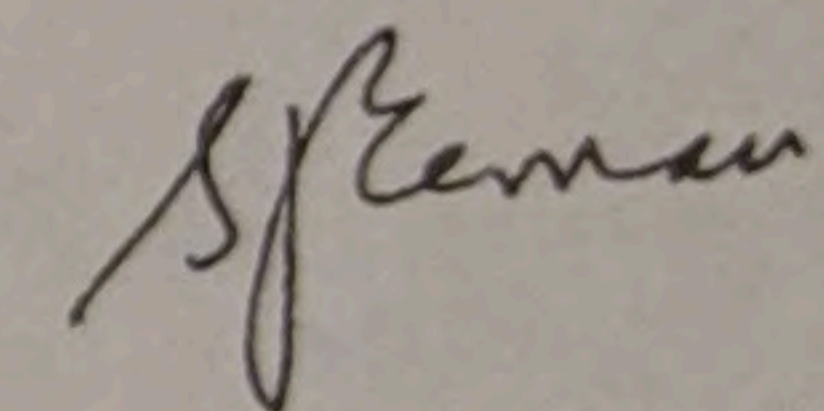
Mr. Bernau said he could support this as urging Departments to adopt such a policy but he was uncomfortable about trying to change the Regents' Rules on ten minutes' notice without even a prepared written version of the proposed change. He urged Mr. Rabban to withdraw or defer his motion so that it could be circulated to the Senate for deliberate action later.

Mr. Wiman (Art) urged that departments be consulted about legitimate uses they might have for full time lecturers to hold their positions for more than seven years.

Ms. Spirduso agreed and thought that a grandfather clause would also be needed. Mr. Rabban thought the issue should be referred to the Committee for its recommendation. Mr. Sutton wanted it made clear that only Faculty were being discussed. Mr. Bernau agreed to take the matter back to the Committee but thought it unlikely that there would be Committee action in time for the April 29 meeting.

The business being concluded, the meeting ADJOURNED at

3:50 p.m.



Simon J. Bernau, Secretary
The Faculty Senate

Distributed to members of the Faculty Senate and to members of the General Faculty who want minutes on April 25, 1985.