FACULTY SENATE MEETING
Emporia State University
February 16, 1999

Members Present: Aber, Allen, Blaufuss, Calhoun, Camara, Cogswell, Cohee, Crosby, DeDonder, Goltra, Henry, Holstin, Hundsaker, Keith, Koch, Kuehn, Robinson, Russell, Salvatore, Saunders, Schrader, Schwenn, Shapiro, Simpson, D. Smith, f. Smith, Summerville, Summey, Swanson, Waters, Wright, Wyatt, B. Yanik
Members Absent: Lovett, Weber
Liaison: Hawes absent
Substitutions: McCoy for Lovett

I. Call to Order

President Calhoun called the meeting of the Senate to order at 3:40 p.m. in the Kanza Room of the Memorial Union.

II. Announcements of Attendance (see above)

III. Approval of Minutes:

Minutes from meeting of February 2, were approved as stated on the Web page.

IV. Minutes of Executive Committee:

to be posted on Senate WEB page.

V. Announcements:

A. Vice-President Schwenn indicated the President was in Topeka working to restore the $2.5 M for teaching enhancement recommended by Governor Graves. A subcommittee has recommended removing $1.5M to go toward other projects, none of which were designated for ESU. He indicated he had attended two of the three forums that discussed the Value Task Force Statement and he felt there was good dialogue that will hopefully result in a strong final statement. There were no questions.

B. ASG President Holstin provided a brief report on the activities of ASG. ASG is working on individual budget requests for next year. A referendum on a new recreation building is a possibility probably in March; there is some debate on whether a referendum (vote of all students) is necessary. He is attending the Board of Regents meeting in Topeka on Weds. and Thurs. of this week.

C. I. President Calhoun will be attending the Board of Regents meeting on Weds. and
Thursday. The faculty senate presidents are meeting with COCAO to discuss issues related to distance education. At the Board of Regents meeting there will be discussion of the next step in developing an intellectual property statement by each regents school and the tenure track process/procedure (issues) at the K.U. Medical Center.

2. Appreciation was extended to Boyce Baumgardner and Roy Mann for their efforts to contact alumni to support the faculty salary initiative in the legislature.

3. The next meeting of the Strategic Planning Committee is scheduled for February 26. There are still a lot of questions about the goals and strategies in the plan.

4. Status report on Values Task Force (Step #1 of President's Action Steps) was provided. President Calhoun indicated there was good discussion at the last meeting and that several questions were asked and issues mentioned. They included concern about the emphasis on academic issues, the readability of the document, and the cooperation necessary to make it a meaningful statement. President Calhoun invited others in attendance to comment on their perceptions of the Values Task Force Forums and concerns discussed. Vice-President Schwenn indicated there was good discussion about the term "civility" at the meeting on February 15. G. Wyatt indicated there may be a need to discuss the issue of "feeling safe" on the campus.

5. President Calhoun indicated there was additional discussion at the third forum about the EEO policy and the non-discrimination statement. Participants at the forums requested further information and rationale for the changes in the EEO Policy and N-D Statement. There is hope further clarification can be obtained from legal counsel regarding these issues. There is still confusion about the use/elimination of the term "discrimination" in the various documents being reviewed. Senator Simpson raised a question about wording changes in the non-discrimination statement that detract from the original meaning of the statement.

In the Senate meeting, Senator Keith indicated that several faculty are concerned about the implementation of "shared governance" at ESU. He asked if there was any objection to his reading a prepared statement. No objection was heard.

A motion was made to include the statement read by Senator Keith as an attachment to the Faculty Senate minutes. Motion seconded and discussion followed.

Vice-President Schwenn commented that removal of the phrase "sexual orientation" was not a violation of the Constitution since the inclusion of the phrase was never formally approved to be added to the policy statement. Senator Simpson stated that since the phrase was left in the policy for such a long time, the policy was assumed to be valid and accurate in intent.

Senator DeDonder asked if some specific action was being requested of the Senate at this time. Senator Keith indicated that the statement requests the Faculty President designate the Values Task Force as an Ad Hoc Conference Committee (composed of members from the Faculty Senate, ASG, and Classified Assembly) and charge it to develop a equal opportunity policy to be presented to all three governing bodies for approval. He indicated that there is still a feeling of confusion from the forums about what we are being asked to do. Senator Keith stated that if we endorse the Values Task Force Statement then we are violating the constitution and the concept of shared governance.
Senator Aber restated that the motion before the Senate was to simply include the statement read by Senator Keith in the minutes. Question was called and the motion passed. No action or position was taken by the Senate on the content on this statement. (statement read by Senator Keith is attached to the minutes)

Continuing Discussion on Values Task Force, EEO Policy, and Non-discrimination Statement

Past President of the Faculty Senate, B. Yanik indicated there is still confusion about the purpose of the values task force. The presentation of the non-discrimination statement for Senate approval is not an example of shared governance.

ASG President Holstin requested that ASG Senator Rob Gilligan be permitted to speak about possible legislation (Bill) that will be introduced in ASG. The Bill has not been presented to or been approved by ASG at this time and only represents a personal position. Permission was given for him to address the Senate.

In summary, the Bill amends the Student Bill of Rights and encourages consistent language in manuals/handbooks, etc. of the Classified Assembly, Faculty Senate, and ASG. Senator Gilligan indicated the changes should not focus just on the topic of "sexual orientation". The proposed Bill also requests that a "statement of equal opportunity" be adopted by all governing bodies.

Senator Koch indicated he felt ASG should discuss the Bill first and then it could be considered by the Faculty Senate. Senator McCoy asked ASG Senator Gilligan what kind of response he expected from ASG. Gilligan indicated he felt there would be support for the Bill. ASG President Holstin restated the purpose of having Senator Gilligan share the information was to let other interested groups on campus know what ASG was or will be considering.

Senator D. Smith expressed personal concern about comments by ASG Senator Gilligan in which the phrase "those people" was used. Smith requested that Gilligan not use this phrase in the future.

6. G. Wyatt explained the current status of the Environmental Scan Survey. President Schallenkamp will fund the census and it is understood that the survey will be sent to all regularly enrolled students, staff, and faculty.

7. Kuehn reported that a Committee on the Implementation of the +/- Grading System had met twice and will be meeting again next week. It includes faculty, students and administration. The purpose is to identify questions or issues that need to be resolved before the system is implemented in January 2000 and to make suggestions if appropriate. The committee has identified several issues that may be of concern. A report will be ready by the next Senate meeting.

8. Status of Resolutions
   a. FSR 98008 Resolution to Appoint Parliamentarian to Faculty Senate (has been sent to President)
b. FSR 98009 Resolution to Restore the Phrase "sexual orientation" to ESU's Policy on Non-discrimination (passed Dec. 15--has been sent to President)

c. FSR 98010 Resolution on Distance Learning (has been sent to President and she has responded affirmatively to the resolution.

9. Status of Bills

a. FSB 98003 Academic Appeals Policy (still in Faculty Affairs Committee)

b. FSB 98007 Policy on Drop-Add, Withdrawal, and Midterm Grading (has been sent to President 1/24/99; response 2/1/99 with following concerns: (1) sending a list of students to Chair of Committee, and (2) would prefer to send relevant information to the Chair of Academic Affairs of the Faculty Senate.

VI. Committee Reports

Academic Affairs (Saunders)

Senator Saunders reported the committee had met with Lois Johnson (Director of Intensive English Program) and that he believes the program is still discriminating in their policy regarding exemption from the intensive English program.

Committee on Campus Governance (Robinson)

The committee has completed the procedures for administrator review and the process is moving along. Surveys are to be returned in one week.

Faculty Affairs (Keith)

1. The forum with Vice-President Schwenn will be on March 9. It will involve "issues on the minds of faculty". It will be held in the Messenger Room at 4:00 p.m.

2. The Committee is working on a final version of the Academic Appeals Policy. The revised policy will come back to the Senate for second reading.

VII. Old Business

A. Second reading of FSB 98011 Policy on "Toefl" Score for Exemption from the Intensive English Program. Senator Saunders provided a review of the bill. An amendment was proposed; the motion was seconded. The amendment follows:

line three should now read: ...enrolled in the Intensive English program until a thorough review of IEP policies and procedures are undertaken and any necessary revisions reviewed and approved by the faculty senate". This policy...

A request was made to allow Lois Johnson to comment on the bill. Johnson asked what exactly needed to be changed? The amendment makes major changes in the role of the senate in the monitoring of various program policies across the University. Johnson asked if the policy was really the responsibility of the Faculty Senate. Does the Senate want to review the policies of all units on campus? She also stated that the statements in the February 2 , Senate minutes attributed to PSU, KU, and KSU are not true. She indicated that the policy has affected one student in the last five years.
A question was raised whether Johnson had been consulted in the preparation of FSB 98011. She indicated she had not been consulted. Vice-President Schwenn stated that he felt we needed to look at the problem of poor writing skills of international students and how we are addressing or not addressing this issue. A question was also raised about low ACT scores of students and how we assist these students. Johnson indicated students are channeled into developmental courses. The statement was made that perhaps there is discrimination of students, relative to remediation needs, in other areas and programs on campus.

Senator Aber moved to adjourn the meeting. Motion seconded and passed.

Meeting adjourned by President Calhoun at 5:10 p.m.

Marvin D. Kuehn
First Vice-President of Faculty

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ATTACHMENT (the following statement was read by Senator Keith at the Faculty Senate Meeting on February 16, 1999)

Currently, this university is engaged in an effort to create a policy on equal opportunity. As we struggle to find the right path it might be instructive to look back on the past policy-making efforts and how they were handled. Several years ago the Faculty Affairs Committee of the Faculty Senate was asked by the administration to create a policy on consenting relations between faculty and students. What follows are a few observations about this endeavor.

1. There was some reluctance on the part of the Committee members to write a policy that was as strong as the administration wanted. In fact, the initial reaction of the committee was to write no policy at all. In spite of this, there was never any doubt expressed by the administration that the responsibility for developing the policy lay with the Faculty Senate.

2. Although, on its own initiative, the Faculty Affairs Committee called in the Regents' attorney for consultation, there was never any suggestion from either the administration or from Judith Seminoe, the Regents' attorney, that the attorney should either write the STATEMENT on Consenting Relations in a conscious effort to weaken its power.

One of the headings in the Affirmation Values statement states that "ESU has a commitment to a collegial and shared governance." The current administration has had two opportunities to demonstrate a commitment to shared governance on this issue. In the first attempt a change in policy was made without any consultation at all, as provided for by the Senate Constitution. The Preamble to the Constitution states that "The Faculty Senate of Emporia State University is hereby established to provide the means whereby faculty and administration engage in cooperative actions in the FORMULATION of policy affecting the primary function of the university." (caps added) It seems clear that this was a clear violation of the Constitution. In the second attempt a policy has been developed without the participation or approval of the Faculty Senate and has been presented for its endorsement. This seems to be a violation of the spirit, if not the letter, or the Constitution and
represents a step back from the tradition of shared governance as it has been understood in the past. We suggest that the Faculty Senate take the initiative in getting this process back on track.

It would be a shame to waste the valuable efforts of the Values Task Force that has led to the development of a first draft of an equal opportunity policy. For this reason it is our suggestion that the Faculty President, ASG President, and President of the Classified Staff, with the support of the Faculty Senate, the ASG, and the Classified Assembly, designate the Values Task Force as an ad hoc conference committee of these three bodies and charge it with the responsibility of developing an equal opportunity policy to be presented to all three governing bodies for approval. The Values Task Force should be encouraged to consult with outside authorities, including attorneys, to determine the legal ramifications of the policy and present, along with the suggested policy, a report of their investigation. In the process they should attempt to answer the many questions raised in the forums and include those answers in their report.

It is hoped that the Faculty Senate will provide the leadership for this campus in working with the ASG and the Classified Assembly in asking them to follow suit on this action.

Last updated on 11 March 1999.

Provide comments about the text to Marvin Kuehn at kuehnmar@emporia.edu. Return to the Minutes of the Faculty Senate.