Present: (Professors) Burke, Cokely, Craig, Crittenden, Daynard, Devlin, De Ritis, Fitzgerald, Fountain, Fox, Gouldstone, King, Kruger, Lee, Lefkovitz, Makriyannis, Metghalchi, Noubir, Ondrechen, Raelin, Parekh, Rabrenovic, Rappaport, Stepanyants, Strasser, Strauss

(Administrators) Aubry, Costa, Courtney, Director, Finkelstein, Fulmer, Gibson, Loeffelholz, Poiger, Ronkin

Absent: Professors Basagni, Carrier, Nelson, Piret

The Senate convened at 11:47 AM

I. 12 February minutes were approved as amended.

II. Professor Daynard reported that SAC met twice since the last Senate meeting and once with the senior leadership team.

The search committee for a dean of the School of Public Policy and Urban Affairs in the College of Social Sciences and Humanities has been convened as follows. An organizational meeting has been confirmed.

_Elected from the Department_
Professor Len Albright
Professor Matthias Ruth
Professor Gavin Shatkin

_Appointed_
Professor Sheila Hemami, COE-Electrical and Computing Engineering
Professor Susan Setta, CSSH-Philosophy and Religion

SAC has been asked to convene two chair search committees in the College of Social Sciences and Humanities according to section 1.c.3) of the _Procedural Guidelines in the Appointment of University Administrators_ to “make a candid evaluation of the qualifications and potential of a specific candidate who is being considered by the Dean, surveying opinions of other faculty members and contrasting the named candidate with any other internal candidates whom the committee feels should be considered.” These committees are for the Department of History and the Department of Sociology and Anthropology. Staffing is underway.

DMSB has elected Professors Gary Young and Paula Caliguiri to two-year terms on the Senate. Professor Bill Crittenden was elected to replace Professor Yang through June 2015; and Professor Raelin was elected to replace Professor Garcia through June 2014. All other Senate elections have been scheduled except the CAMD.

Professor Laura Green has agreed to serve on a search committee to replace Vice President of Admissions Jane Brown who has decided to retire.
III. Questions and discussion.

Professor Fox inquired about the searches in Sociology-Anthropology and History. Dean Poiger confirmed that there are three limited searches in CSSH at this time; the two mentioned today and the search for a dean of the School of Public Policy and Urban Affairs.

Professor Bernstein was recognized and posed questions he had asked last year and for which he has not received a response. Those are: could there be some means by which the University organizes a visitation program, and otherwise gives recognition and help, to retired faculty who have left the University and are not well?; could there be provided a more accessible way for faculty to communicate publicly?; and, finally, Professor Bernstein had suggested that people with forty plus years of service at the University should be paid, at a minimum, a percentage of that paid to the top administrators. He has since found that the amounts paid to administration are very large. The Professor asked, then, if there is a means to recognize long-term employees. Professor Daynard responded that the Agenda Committee will determine if the Senate has a role in any of these proposals and could also discuss with the Provost.

IV. Vice Provost Ronkin read the following and it was seconded by Professor Ondrechen.

WHEREAS the GPA requirements to graduate with honors was passed by the Faculty Senate in the spring of 2010, and

WHEREAS the effective date of January 2014 in that Senate resolution constitutes a change of requirements for students who had already been accepted or were already matriculated,

BE IT RESOLVED THAT the GPA requirements to graduate with honors, passed unanimously by the Faculty Senate on 31 March 2010, take effect beginning with the class graduating in January 2015.

VOTE to accept the new date for GPA requirements to graduate with honors: PASSED, 35-0-0.

There was no objection to a change in the agenda, so that Professor Daynard could give a prelude to the discussion of the proposed new Senate By-Laws.

Professor Daynard explained that Bylaws must be passed by two-thirds of the Senate and then by two-thirds of the tenured/tenure-track faculty with a minimum of 25% participation. Any proposed amendments outside of the procedural amendment which SAC will offer, must be proposed as ‘sense of the Senate’ amendments and, if any pass, a motion to postpone to time certain will be made due to the complicated issues and the implications thereof. This will reduce chaos and allow a clean copy of the proposal to be crafted which will incorporate any ‘sense of the Senate’ amendments that pass the Senate.

V. Professor Ondrechen read the following and Professor Kruger seconded.

WHEREAS descriptions of the Standing Committees have been moved to a separate document that does not require approval of the Board of Trustees, and
WHEREAS the proposed changes to the Faculty Handbook will not take effect unless and until this separate document, included in today’s resolution, is approved by the Administration acting under the authority delegated to them by the Board of Trustees;

BE IT RESOLVED That the Faculty Senate approves the revised Faculty Senate Bylaws as presented in the Draft dated 6 February 2014 from the Senate Agenda Committee, to be submitted to the Teaching Faculty (as defined in section 2.a.1) of the General University Faculty & Bylaws module) for a ratification vote.

Professor Kruger reiterated his support for all faculty members to share in the shared governance model. Full-time non-tenure-track (FT NTT) faculty is now comprised 28% of total FT faculty at NU in 2002-03 and 38% in 2011-12. The AAUP published a report last year on “contingent faculty” (they are in favor of full participation in university governance) which noted “While the exclusion from governance of faculty holding contingent appointments is problematic, their inclusion is also problematic.... Most problematic is the fact that by definition contingent faculty are not protected by tenure and so may be particularly vulnerable to retaliation for actions or positions taken in carrying out governance duties; for the same reason, they may be more susceptible to pressure from administrators or other faculty than are tenure-track faculty.”

Professor Kruger identified two prerequisites for consideration. One is protection of academic freedom and the other is due process, i.e. dismissal policies and grievance procedures. Shared governance, due process and academic freedom are interdependent. He proposed ensuring that the Faculty Handbook statement on Academic Freedom applies to all full-time faculty and, if does not, that it be revised. Secondly, strengthen due process in dismissal and grievance policies to ensure that these cover both tenured/tenure-track and FT NTT faculty if the latter are going to be full participants. Professor Kruger also suggested expanding the number of elected Faculty Senate seats to represent 1,100 faculty members. At the same time, diminution of tenured/tenure-track faculty must be prevented. Finally, in addition to including the Senate Agenda Committee (SAC) in the Faculty Handbook as proposed by SAC, the Financial Affairs Committee (FAC) and the Administrator Evaluation Oversight Committee (AEOC) should also be included as they are charged every year with particularly important Senate business.

Professor Ondrechen proposed a technical amendment that the SAC be included in both the Bylaws and in the separate Standing Committee document. She spoke in support of inclusion of FAC and AEOC and suggested that a ‘sense of the Senate’ amendment be proposed. The technical amendment was accepted [by Professor Kruger] as friendly. Professor Kruger then proposed that any additions to the Senate take place after protections for due process be made.

Dean Gibson proposed a sense of the Senate resolution that the Faculty Senate agrees that full-time non-tenure-track faculty be treated equally with tenured/tenure-track faculty with regard to faculty governance and representation and participation in the Faculty Senate. Dean Fulmer seconded.

Professor Kruger inquired as to why his proposal was not still on the table. Professor Herman, Parliamentarian, noted that it did not include wording in the form of a proposed amendment. Unless specific wording is offered, any proposal is not considered an amendment.

Professor Fox asked whether all College senators could conceivably be FT NTT faculty. Professor Daynard responded that this is an issue that SAC would need to address but that technically that could be the case.
Professor Lefkovitz stressed the importance of understanding the issues and the appropriateness of exploring the implications. Another matter is the definition of FT NTT faculty. It appears to include visiting faculty, Co-op coordinators, research faculty, and post docs. Does this need to be more carefully defined? Enfranchising FT NTT faculty changes the proportion and balance within the Colleges. The matter is complicated.

Professor Kruger proposed an amendment to the sense of the Senate resolution on the floor to make a clear statement of academic freedom, due process for dismissal and grievance, and the addition of Senate seats. This was not accepted as a friendly amendment by Dean Gibson.

Professor Devlin spoke in support of the Dean’s motion and stressed the importance of focusing on the final outcome desired rather than attempting to solve the details.

Vice Provost Loeffelholz said that the Faculty Handbook (FHB) module on Academic Freedom applies to everyone and that there are protections in place for FT NTT faculty.

Professor Daynard responded to Professor Fox that, if the main motion passes, CPS would be allowed to vote and elect Senators (likely two). He then spoke against Professor Kruger’s amendment noting that he is more concerned with protecting the Senate, given that FT NTT faculty elected to the Senate are adults and can take into account their vulnerability. Administrations come and go while it must be assumed that one of the principle on-going functions of the Faculty Senate is the ability to go “head-to-head” with administration. If FT NTT faculty members constitute a substantial proportion of the Senate along with the ten administrators, they would likely find it difficult not to agree with administration. This weakens the Senate. It is unlikely that we would be able to devise and negotiate procedures for all categories. Practically, if the Senate will move forward with what SAC has recommended (the principle amendment), it will result in a substantial move forward for enfranchisement, inclusion, voting for Senators, and establishment of a FT NTT Standing Committee. This could be accomplished this year. If due process amendments must be worked out prior to moving forward, the process will be stalled. If Professor Kruger’s amendment is critical to the support of Dean Gibson’s amendment, Professor Daynard suggested that the Senate not approve but accept the spirit, i.e., get there as quickly as possible. He urged the Senate to vote on the original resolution today.

Dean LaBrie was recognized and requested more clarity on how this will impact CPS. The governance process is highly valuable to CPS faculty particularly those with longevity. Is a sense of the Senate proposal non-binding? Professor Herman responded that the sense of the Senate is being used as instruction to SAC to work toward carrying out the proposal and to then return with a resolution that embodies it.

Dean Gibson noted that the intent is that we want to get there even though it will take time. If the Bylaws amendment is passed, it gives the sense that it is the last step.

Professor Fox opined that “equality” is a bothersome word and that “fairness” a better sense of what is needed.

Professor Crittenden spoke in favor of Dean Gibson’s amendment, noting that the Senate should be reapportioned to the size of the faculty.

Professor Lefkovitz noted that the addition of a FT NTT Standing Committee of the Senate is a powerful adjustment to the status quo. Practically, that committee is the place for many of these details to be worked out. Professor Daynard explained that, as proposed, this committee would be appointed by SAC, as are all Senate committees.
Professor Kruger noted that rights and suitable protection are inseparable and reiterated his commitment to moving forward while at the same time making the right decisions.

The Senate further discussed how to proceed with both Dean Gibson’s sense of the Senate motion and Professor Kruger’s amendment to that motion.

Professor Daynard proposed that Professor Kruger’s amendment be restricted to working out due process for FT NTT faculty without the proposal for expansion of the Senate and without the Academic Freedom overhaul as it already covers all faculty. Dean Gibson would then be asked to agree to the amendment.

Professor Kruger proposed the following: [that SAC] consider an academic freedom clause pertaining to institutional policy and actions in the Faculty Handbook, and that SAC consider additional elected seats to the Faculty Senate. Dean Gibson agreed.

VOTE to approve Professor Kruger’s amendment to the sense of the Senate motion: PASSED 19-8-6.

Professor Daynard proposed that this be treated in the normal sense of the Senate, i.e. that the Senate proceed with the original motion. Dean Gibson agreed.

Professor Fox proposed to replace “equal” with “fairly” but it was not seconded.

Dean Gibson’s motion, as amended, reads:

It is the sense of the Senate that appropriate, continuing, full-time, non-tenure-track faculty members be given full enfranchisement for voting and representation on the Faculty Senate, that the Senate Agenda Committee consider an academic freedom clause pertaining to institutional policy and actions in the Faculty Handbook, and that the Senate Agenda Committee consider additional elected seats to the Faculty Senate.

VOTE on the sense of the Senate amendment: PASSED, 29-0-4.

The original motion was called for vote. Professor Kruger asked about including the FAC and AEOC to the Bylaws but it was pointed out that this was not included in the motion.

VOTE on the original Bylaws with the technical amendment [to include the Senate Agenda Committee]: PASSED, 31-0-3

The Senate adjourned at 1:30 PM

Respectfully submitted,

Mary Jo Ondrechen, Secretary
Faculty Senate