

FACULTY SENATE MINUTES

October 9, 2007
Room 303 Cashion
3:30 p.m.

Members Present: Senators Blackwell, Bowman, Boyd, Brown, Joe Yelderman (for Cannon), Cloud, Connally, Cordon, Jim Patton (for Diaz-Granados), David Young (for Duhrkopf), Gardner, Garner, Green, Kayworth, Korpi, Longfellow, Lehr, Long, Losey, Miner, Myers, Ngan, Nunley, Pennington, Purdy, Rajaratnam, Rosenbaum, Sadler, Spain, Stone, Sturgill, Richard Riley (for Supplee), Tolbert, Vitanza

Members Absent: Senator Talbert

I. Welcome and Invocation: The meeting was called to order at 3:32. Senator Sadler offered the invocation.

**II. Guests: President John M. Lilley
Executive Vice President and Provost Randall
O'Brien**

Comments from the President

Several of you are alumni, and I wanted to talk briefly about those issues. Also, I want to thank several of the faculty members here who were part of the presentation on Saturday. I remain cautiously optimistic that we can get this worked out. Regents have extended their hand, saying you're the official, independent alumni organization for the university. We endorse historic Baptist principles including academic excellence and Christian commitment. We also want you to endorse 2012. Given your independence philosophically, you also need to work to be financially independent.

A lot of this is about the past. We need to be patient with the parts of this that are about the past. As Randall and I work toward 2012, we have no illusions that we are doing it perfectly. I think we have learned from some of the mistakes of the past.

Senator: We need to understand that, in asking the alumni to endorse 2012, we are asking an autonomous body to endorse something that many of us never endorsed in the first place. I would ask you to continue to engage in good conversations, but asking the alumni association to endorse 2012 is like asking the many of the alumni to change their conscience. If we choose not to endorse 2012, I would

be very disappointed if it is seen as a loss of influence. *President:* With the regents, it would be seen that way. When the Senate endorsed 2012, they said we need to pay close attention to how it's implemented. I would ask the alumni association to make the same statement that the Senate made. Unfortunately, the Alumni Association has been fighting the wrong battles.

Senator: I heard another alumnus offer the explanation that 2012 is a Baylor program, and, since the Alumni Association supports the university, why is it necessary for them to support a program that's not their own? *President:* It is a very clear vision. The 12 imperatives are the kinds of things we can all support. It's the implementation that we have to be concerned about. I want the Alumni Association to have influence over the administration and the regents. They will have very little if they can't endorse these 5 statements. For the regents to vote unanimously that Alumni Association is the official, independent organization, I think the regents are trying here.

Senator: You mentioned that the 12 imperatives are like motherhood and apple pie. On the one side, we have regents who are insisting that various groups endorse this. On the other side, we have alumni who are saying we don't want to. It seems to me it has been a communication problem. It seems that different groups have very different ideas about what 2012 means. I think that's one of the reasons people react suspiciously. They think we are saying not just "do you endorse this document," they are saying "do you endorse my unspoken interpretation of this document."

Senator: As you notice, the problem many people see with 2012 is its implementation. Can you distinguish your ideas about implementation from the previous administration? *President:* I don't think this is a helpful kind of comparison to make, but let me tell you what I think Randall is doing. When we interview people, we look for people who have a great education from a research university. We are looking for people who are excited about teaching, and we are looking for people who are comfortable talking about their faith.

The second issue I want to talk about is faith and science. Going back at least as far as President Brooks, Baylor has been dealing with this issue. At Baylor, we are people of faith and people of science and we don't see any contradiction. This attitude is demonstrated very well in Collins' book, "The Language of God," where he says we don't have to choose between worshiping God in the church and worshiping God in the laboratory. I want to make it clear that we are very protective of academic freedom. We are paying attention to these issues. It seems like these issues are important enough that I wanted you to hear

about it. I've received some angry emails on these issues and, when I give the kind of answer I just gave, that usually provides some satisfaction.

Senator: I know we are trying to put the past behind us, but not too many years ago, an effort was made to hire many people who were interested in intelligent design. For a number of years, if you searched for intelligent design on the web, Baylor came up in the first few hits. These people were brought in at high ranks and they will be here for the foreseeable future. If these people were brought here with the understanding that this was a major area of interest for them, I don't think we can tell them that they can't work and publish in this area. *President:* I don't think they were brought in with this as their primary area of interest. Other than one person who is no longer with us, I don't know of anyone who was brought in to study that specifically. You will recall that, in the year 2000, outside people were brought in and were asked if this is an appropriate area of discourse, the conclusion was reached that this should not be in the sciences, but should be in the Institute for Faith And Learning. There are people who are interested in this area, but I don't know of anyone who has made it their central area of research.

Senator: A year before he left the presidency, Dr. Sloan made a statement about the teaching of evolution. He stated that the official university position was to teach evolution. *President:* You should know that the regents have been overwhelmingly supportive of how this is being handled. This pops up periodically and whoever is President has to deal with it. Now, it's my turn.

Comments from the Provost:

First, I have a point of information. Ruth Prescott joined us, and she brought an example of something they did at Mississippi State University. There, it's called a certificate of attendance. It's something that's awarded to the family of a student who passes away during the semester. We have had a policy that we will award a degree posthumously if a student passes away in the last semester. Under the Lilley administration, we have extended this to the entire senior year. However, what happens if they are not a senior? This certificate of enrollment or whatever we choose to call it is something that could be awarded even if the student passes away earlier. Understandably, we don't want to manufacture a lot of pieces of paper that look like our degrees, but it would seem like this could be a very meaningful gesture for the family. We are looking into offering something like this, but we want to get feedback.

Senator: I think this is a wonderful gesture, and I don't think it would do any harm. *Senator:* Would this be for any degree, including graduate degrees? *Provost:* This would apply to all degrees, but this isn't the degree itself. If the student passed away within a year of completing the requirements, we would award the degree posthumously. Otherwise, this is a way of saying that the university cares about you. If any of you have concerns about a proliferation of paperwork that looks like a diploma, we would like to hear them.

Senate Chair: There were three items from the Senate Executive Committee meeting with the President and Provost. One was about concerns over the change in class schedule. Are there any comments that anyone would like to make? *Senator:* What were the problems? I thought this was a done deal. *Senate Chair:* There were concerns that the input from the committee was not given due consideration. Another senator asked about policies restricting the scheduling of classes that meet only on Monday and Wednesday. *Provost:* No policy like this is being proposed. There has been some discussion and there have been concerns about classes being offered on Monday-Wednesday with a Tuesday-Thursday schedule. We know one department that has no Friday classes. We don't think we want to move to a 4-day schedule, but there has not been a mandate on what departments can schedule.

Senate Chair: Our second item follows on discussion last week about athletic advising and the role of student athlete services. *Senator Sadler:* The question of early morning workouts has been brought to Ian. We have made the point that if an athlete has an 8:00 class, they should be able to be present and in a frame of mind for class. *President:* I spoke to Ian about concerns over athletics making requests directly to faculty and pointed out that these requests are subject to misinterpretation. Also, there are some concerns about the process for permitting students into particular class sections. *Senator:* I called the athletics office and notified them about a time change for one of our classes. I was told that all our majors will be coming to the department before being advised by student athletic services. I don't know if this is true across all departments, but I was glad to hear it. *Provost:* We try to be sensitive to how what one person intends as advocacy may be easily interpreted as pressure. We have made the point that athletic advisors have no business directly approaching a professor; any requests should be made by the student. I think, in the future, athletic advisors will not be going directly to the professors.

Senate Chair: The last item was the issue of whether the fall faculty/staff meetings should be merged. *Provost:* Whether we

separate these in the fall or not, we don't expect to individually introduce all faculty and staff. We may have a handout or use the projector. We will let the academic units introduce these individually within their own meetings. This will save us about 30 minutes.

Senator: When we get a criminal background check report, who will look at these reports? Is this information shared with the department? Is there a privacy concern here? The concern of the faculty is that people may be turned down for reasons that don't have anything to do with criminal background but with other information that is turned up.

President: This background check will depend on a search of public records. It's for the use of search committees, not somebody else. This is all public information.

Provost: I have a question to the Senate. We welcome your feedback on whether you would like the fall faculty/staff meeting to be the week prior to class or after the 12th day. If it's before the 12th day, the financial information will be incomplete, but if it's after the 12th day, it's harder to schedule this meeting without conflicts. *Senator:* I'd like to have it before classes begin. *President:* We have had some concerns that the time immediately before the start of classes is a very busy time, and faculty would find it easier to meet a little bit later.

III. Guests: Dean Brad Toben, Law School Ron Beal, Law School

Senate Chair: Ron Beal sent out a letter about the law school promotion policy. *Dean Toben:* I want to talk to an issue that many of you may not be familiar with. We sent out this document so we could focus more on questions about the policy. The issue is the schedule for promotion in the law school compared to the rest of the university. The standards are pretty much the same as in other parts of the institution. The law school has been operating under its current policy for decades. Questions regarding this policy were first raised by Dr. Lilley. When this first came up, I met with Dr. Lilley. He asked us to demonstrate that this is the common practice among law schools. We polled law schools across the country. We got 170 responses from 195 schools and they came in overwhelmingly indicating that the Baylor policy is the same or very similar to their own. Not every policy is exactly the same but our policy is in the middle of the stream. While this survey was being conducted, Dr. Lilley contacted the UT President and received his own confirmation that our policy is consistent with common practice.

Senator: I'm not sure I fully appreciate the equity that your profession has in terms of rank. Associate professor is a fully acceptable rank in academia. I am open to the possibility that things might be different in a professional school, but all the professional schools I'm familiar with work like the rest of academia. *Dean Toben:* I am very familiar with the academy and I respect the ranks. To put it bluntly, in legal education, there is not this kind of distinction. When you go into a law school, this distinction between the different academic ranks is not as big of a deal. There was some discussion of the history of the JD degree.

Senator: Are there schools that have assistant, associate and full professors? *Dean Toben:* This isn't the difference. The difference is the timing of promotion, although some schools don't use the rank of associate professor.

Senator: I appreciate that you were able to persuade the President that the professional standards of your discipline should be respected. I would appreciate it if he would grant other disciplines the same courtesy, rather than being handed a template for what's required of all programs.

Senator: I understand guild issues. You have to do what it takes to recruit. One of the comments that you made, that attorneys work side-by-side without regard for hierarchical issues, that wouldn't be the case in practice. I'm sure more senior faculty spend a lot of time mentoring of new faculty coming up for tenure. *Dean Toben:* I'll accept that; certainly there is hierarchy.

**IV. Guests: Charlie Beckenhauer, General Counsel
Jaffus Hardrick, Assistant Vice-Provost**

Hardrick: We would like to visit with you about modifications we are proposing for the letter of appointment process. As the university has grown, workload has increased substantially. We are trying to streamline this process. In the handout, we have outlined these changes. We shared this idea with President Lilley and Provost O'Brien about a year ago, and we wanted to make sure faculty had an opportunity to share input before we move forward with implementation.

We hope to discontinue issuing letters of appointment to our continuing faculty. Tenured faculty will receive an annual memorandum informing them of their new rank and salary. We are trying to make this change for next year. This will help to reduce the volume of work associated with the letter of appointment process.

Some faculty have had concerns that they need a contract to exercise academic freedom. In a survey of 21 peer institutions, 80 percent of schools issue a memorandum like the one we propose.

Senator: Why would it be easier to send a memorandum than to send a letter? *Beckenhauer:* Once you become tenured or when you get a new rank, you will get a new contract. Otherwise, we will just update information in that contract from year to year. You won't need to go through the process of signing your contract every year. *Senator:* This will still require sending the same information out. I don't see how this will improve the process. *Hardrick:* This will help because we have a lot of individual contracts that require individual attention. *Senator:* Are you saying that these individual contracts' components won't be there or that they won't change from year to year? *Hardrick:* We think that most of these won't change from year to year. We also think it will be good to make faculty aware of their salary increase over BearWeb even earlier than if they had to wait for a paper contract.

Senator: What about summer contracts? *Hardrick:* There will be no changes to the contracts this year, but next year we will make these changes for the summer also. *Senator:* What security will we have? How will we know we will have a summer teaching job if we don't have a contract?

Senator: Do you know why people are very concerned? There have been a large number of significant errors in contracts. I don't see why sending out a memorandum rather than a contract will avoid these errors. *Hardrick:* If there are errors like this, I would like to know what they are.

Senator: Changing from a contract to a memorandum will still involve the same steps. I don't see that it's necessarily going to be an improvement. *Senator:* In looking at this as a business process, has anyone actually looked through the steps in the process to analyze the workflow. Does this actually reduce the number of steps and the complexity? *Hardrick:* Yes it does.

Senator: The contracts give us a mechanism for finding and correcting errors. We won't have this in a memorandum. *Hardrick:* Keep in mind that, when a contract goes out, it is strictly based on the data that's provided to us by the deans and the chairs. When there are errors, we need you to let us know.

Senator: Having this signed contract is helpful because we know that faculty have seen their contracts. *Senator:* There is something about

a signed document that makes me feel better. This gives weight to a particular agreement. Is that not an issue here? *Beckenhauer*: You would still have a contract. We are trying to reach a balance between what we think would be legally enforceable and what would streamline the process.

Senator: The reason people are expressing anxiety is that they don't trust your accuracy. That's your challenge.

Senator: If you don't have a signed contract, you don't know who's going to be back. *Senator*: That's not enforceable anyway. People walk all the time even after they sign their contracts.

Senator: How will this streamline the process? What's not going to be there that's there now? *Hardrick*: We won't have to print out all the hard copies and make sure they have all the right information. The pressure to make sure this is all right will be reduced and the chairs and deans won't have to work to disseminate this information.

Senator: Does this mean I will get this information sooner? *Hardrick*: No. It will come out at about the same time because that's what's published in the handbook. There is so much involved with these contracts.

There was some discussion among senators about how the verification of contract information is not going to change.

Beckenhauer: If we go this route, there will still be a signed, foundational written document that serves as your contract. We will have to go back and change the template for that foundational document. Right now, you are getting a new document every year. If we go this route, we will have to issue one new, foundational document to each of our tenured faculty.

Senator: If you go this route, you will put our salary information online. Will there be a process by which chairs can review these numbers? *Hardrick*: In this process, we expect that the deans and chairs will still be involved in reviewing the numbers.

Senator: If you want support for this change, is it possible for you to give us a flowchart that shows the current steps in this process and how this change will simplify the process? *Hardrick*: Yes. We can provide this.

Senator: What if we say we don't want this change? *Hardrick:* I will take that and share it with the President and Provost and we will make a decision about what we want to do.

Senator: When you did your survey, it looks like 80 percent of institutions send out a memorandum. Did you ask any follow-up questions about how this helped with the process? *Hardrick:* We were told that it reduced the volume of work. Many places are using online tools to disseminate this information.

VI. Honorary Degree Proposal: Horton Foote (Long)

On behalf of Honorary Degree committee, I present the nomination of Horton Foote for the Doctor of Letters. This comes as a unanimous nomination from the committee. He is a celebrated Texas playwright, who has received numerous awards. He has also helped to develop young writers, particularly through his relationship with Baylor. His grandfather was one of the founding contributors to establish Baylor independence in 1945.

A **motion** to support this nomination was made by **Senator Cloud** and seconded by **Senator Vitanza**. The motion **passed**.

VII. Old Business

A. Faculty Contracts and Letter of Appointment Process

Senate Chair: We developed a proposal for a task force to look at every step in the process. We have met with Reagan about this and none of the items we discussed are in this proposed change. All we have heard is a report that problems are someone else's fault.

Senator: What makes me angry is that the people responsible will not admit that there is a problem with the process and change it. This proposed system is going to be worse because there's no paper trail.

Senator: This is a very complex process. To really fix it, it takes someone who's a professional. You have to decompose the existing process to understand it fully. *Senator:* Have we talked to the President and Provost about getting a systems analyst to look at this process?

Senator: We heard the President say that we now recognize that this is not just a problem with the process; it's also a problem with people. Have we seen any changes with people? *Senator:* Under the proposed system, we will have some people who receive contracts and some who just get memos. This will just create more confusion.

Senator: I have said many times that this function needs to come out of Human Resources and go back into the Provost's office.

Senate Chair: I don't think a motion is going to help us here. What is going to help us? Should we invite Jaffus to meet with us rather than Reagan? One option would be to express our concerns to the council of deans. *Senator:* Whatever change was made this year just made more work for my dean. There was general discussion of the overhead in the deans offices associated with checking each contract.

Senate Chair: Can we empower the Executive Committee to draft a resolution? **Senator Pennington** made a **motion** to empower the Senate Executive Committee to draft a resolution to express concerns about the letter of appointment process with the text of this resolution to be distributed to the senate upon completion. The motion was seconded by **Senator Blackwell** and **passed**.

B. Code of Ethics

This document has been modified to address many of the concerns that have been raised. It has been approved and the option we have now is to endorse it or not. It's going to be presented to the regents. We did have the opportunity to provide input and that input is reflected in the document. This comes as a **motion** from the **Senate Executive Committee** to endorse the document. The **motion passed**.

Senator: Should we distribute this to our constituents? *Senate Chair:* Please do.

C. Committee on Committees Report

We don't currently have a chair for the Committee on Committees. *Senator:* Is there any chance to go back to the earlier policy of the senate appointing all the members of the tenure committee? This was how the committee was selected before Sloan was President. *Senate Chair:* We could raise this issue. It seems like the President takes seriously his role in appointing faculty to this committee.

D. Committee Reform Process

I met with Karla, Jim and Naymond, and they were very open to having the senate oversee revisions to the committee structure. There are a total of 64 committees, and so many of them are academic committees that executive council should not be making these decisions. The proposed revisions include committees that are part of

the existing committee structure, student life committees, enrollment management committees, library committees, etc. We would like a system where the senate, the committee on committees, staff council and student government all know exactly which committee positions they are responsible for filling. They have given me a chance to develop this policy for consideration and I'd like to get it done as soon as possible.

Since I am the one developing this policy and since we don't currently have a Committee on Committees chair, I would like to suggest that we move to officially appoint the senate chair as a permanent, ex-officio member of the Committee on Committees. This **motion** was introduced by **Senator Cloud** and seconded by **Senator Purdy**. The **motion passed** without opposition.

The second proposal is unique to the current circumstances. I would also like to suggest that we appoint me as the acting chair of the Committee on Committees. I have tried to find someone else who is willing to do this job for this year and have not been successful. As it is, I am so involved so much in this process that much of the work would fall to me even if someone else was serving as chair. A **motion** to this effect was introduced by **Senator Blackwell** and seconded by **Senator Longfellow**. *Senator*: Can you be ex-officio and acting chair? *Senate Chair*: Yes, it's been done. The **motion passed** without opposition.

F. SACS Faculty Qualifications Document

This document was handed out. There are two changes. First, the vita and academic records that faculty members submit to SACS will become part of your permanent record. Second, requests for the records will be approved by the Provost's office rather than Human Resources.

Senator: We have some adjunct professors who don't have master's degrees but have a lot of professional experience. Will this document prevent us from using them in instruction? *Senator*: There is a mechanism for justifying the use of instructors like these.

A **motion** to approve the policy was made by **Senator Longfellow** and seconded by **Senator Blackwell**. The **motion passed** without opposition.

G. Ombuds Policy

This version of the document reflects changes made by the general counsel's office. Apparently, there were legal requirements that these changes are addressing. A few typos in the document were pointed out. Is there any further discussion? If we approve this document, we can move it forward and move forward with an appointment.

Senator Longfellow made a **motion** to approve the policy, which was seconded by **Senator Purdy**. The **motion passed**.

E. Tenure and Promotion Policy

In meetings with the President, we discussed the promotion standards, and, in particular, the possibility of adjusting the standards to reflect the level of teaching responsibility. This was not received well by the President. *Senator:* Given the accommodation being given to the law school and the library, this doesn't seem very fair. *Senator:* Do you know if the President followed up on his pledge to offer release time to associate professors who want to put more resources into scholarship? *Senate Chair:* The President has said that he is surprised that more faculty have not taken advantage of this offer. There were reports of at least two faculty members who have received this kind of accommodation. We have shared with the President that availability of this kind of support needs to be communicated more deliberately to chairs and deans. *Senator Blackwell:* In our town hall meetings with associate professors, one thing that we came away with was the idea that getting promoted to full professor is going to take twice the scholarly output required for associate professor. If you came in with no expectation for publication, doubling that isn't going to be enough. We have also looked at ways of wording the requests for outside letters so that the scholarship is evaluated in the context of the level of teaching responsibility. *Senator:* We don't have the start-up money to support our faculty who want to make a transition to research. Promoting faculty who have been working here and have been doing what we were assigned to do will not hurt our national ranking. *Senator:* Has there been any discussion of the approval process. Why does the tenure committee have to be involved in this? *Senate Chair:* The President has described the involvement of the tenure committee as a way to get more faculty input into the process.

Senator: The greatest tragedy of 2012 is the devaluing of human capital. There is a pervasive sense of inequity on this campus. When you have this, even the best of people will start trying to get back at the system.

Senator: As chair, I tried to work out a plan with my dean to reduce the course load for my associate professors. I thought we had a plan,

but, this year, all of that is gone. *Senator:* When we have just gone through a strategic planning process that had two billion in requests and two million in funding, the idea that we are going to bring in temporary people to cover these classes is not something we are going to be able to do. *Senator:* This is one of the things the alumni are upset about. They see 2012 as a direct attack against the importance of teaching at Baylor. *Senator:* This is a result of the President's efforts to take practices and policies from his previous institutions and apply them here. He has taken something that didn't used to be a problem and he has made it a problem. *Senator:* Neither of his previous institutions is the caliber of institution we aspire to be. Taking those policies and applying them here is not what we need to do.

**I. Annual Evaluation of Chairs
President and Provost Evaluation Documents:**

These have been sent to the senate. I have suggested that, instead of evaluating the President now, we evaluate the climate at the university since most faculty are not going to be able to rate the President's performance on most issues. Also, rather than conducting this evaluation right now, it was suggested that we wait until next year, after the President has been here three years. *Senator:* We need to make sure staff are able to participate in this.

Lacking a quorum, the meeting was adjourned at 6:12.

Respectfully submitted,

David Sturgill
Secretary