

FACULTY SENATE MINUTES

11 November 2008
Room 303, Cashion
3:30 p.m.

Members Present: Senators Baker, Baldrige, Blackwell, Bowman, Boyd, Cloud, Cordon, Diaz-Granados, Duhrkopf, Garner, Green, Harvey, Hurtt, Johnson, Kayworth, Korpi, Lehr, Long, Longfellow, Losey, Myers, Kobelsky for Nunley, Patteson, Pennington, Purdy, Rosenbaum, Sadler, Sharp, Spain, Still, Stone, Supplee, Vitanza, Wood.

Members Absent: Senators Cannon and Nunley.

I. Call to Order and Invocation

The meeting was called to order at 3:30. Senator Harvey gave the invocation.

II. Guests:

A. Billie Peterson-Lugo, Libraries; Kit Riehl, Office of General Counsel—New Copyright Policy

Billie began by giving a power point presentation on the new copyright policy. The last policy update was in 1972. Obviously, the federal guidelines have changed dramatically since then.

She indicated that a committee, including Kit Riehl and others, had been formed to investigate Baylor's current policy.

The committee has concluded that we at Baylor adhere to copyright, but would like to inquire into "fair use."

There are four factors that determine "fair use": 1) purpose and use; 2) amount of the work being quoted (specific pages); 3) nature of copyrighted work; 4) the effect upon the potential market. See the link at www.baylor.edu/copyright for additional details. Billie asked that faculty members contact her via email at copyright@baylor.edu with any questions.

One senator asked about changes to intellectual content. Billie replied that the changes are mainly digital ones (e.g., Blackboard). She suggested that faculty members use the library electronic reserve system instead of Bb for etexts and ematerial. The library staff will do the work.

Billie's looking for feedback from faculty and Faculty Senate. If the Faculty Senate thinks the policy is okay, then let Patti Orr, Dean of Libraries, know.

Senator: "If I violate fair use, who gets sued?" Riehl: Probably the individual and the university. If a faculty member tries in good faith to follow the "fair use" policy, Baylor will support the faculty member.

Discussion ensued regarding copyright issues. Billie said that anything published prior to 1923 is in the public domain.

B. Interim President David Garland and Interim Provost Elizabeth Davis

Interim President Garland commented on dean evaluations. He said that deans serve at the pleasure of the president. What's the purpose of the evaluation instrument? To fire a dean? Garland expressed reservation. He said that the evaluation itself also needs to be revised. An evaluation can't be done in the spring semester. "Performance reviews" are intended to create success and improve performance. If the evaluation is used to "zing" someone, there's another way to do it: Direct contact and more open communication between faculty and administration. Garland wants there to be personal responsibility. Faculty members should feel free to bring the issue before the administration without fear of recrimination.

One senator asked about issues with deans, issues that have lingered over a long period of time? Interim Provost Davis replied that the evaluation doesn't provide a context for complaints. She knows that faculty members are frustrated because issues are not being addressed.

Another senator asked about faculty input on revisions to the evaluation form. Davis replied that we have to address specific and common questions. For example, what can faculty members base their evaluation on? Chair and faculty evaluations? Also, there needs to be input from the deans and provost. "What can the deans do to improve performance?" We need better information. There will be faculty input.

Interim President Garland would like a 360 degree evaluation. He wants to improve the instrument. He stressed the importance of process. "Apathy and fear" should not be a factor in the evaluation. He emphasized that there should be "no repercussions" for criticism.

Yet another senator expressed frustration. There are faculty members in distress. Is there some stonewalling here? Davis: "We'll address the issue."

Senator: Please continue to work towards implementation. Garland: "We'll continue to work on the process."

Senator: “We’re a major institution. Why use a form to conduct evaluations?”
Garland: The form wasn’t terribly effective.

Senator: Can’t we get the evaluation done? Faculty members are worried about the deans finding out. Garland: “We’re talking to experts to improve the instrument.”

Garland commented on the racial incidents on the night of the election. One senator commended him for his timely and appropriate email to faculty and staff.

Garland: There’s a question about an inside replacement for Dub Oliver, VP for Student Life. “We have no inside candidate. No particular insider is being considered.”

Garland: Graduate faculty status. He agrees with Texas A&M’s policy. Ultimately, what’s the goal? How do we give faculty the incentive to publish? People who publish aren’t necessarily the best mentors and vice versa. He’s not inclined to “decommission” graduate faculty. Let the departments decide who qualifies for graduate faculty status. “Supervision is crucial” for Ph.D. students. “An outstanding dissertation can build our reputation. Ultimately, how do we get the best dissertation and the best graduates?”

Davis: The A&M policy gives guidelines to the academic unit. “Being on graduate faculty doesn’t mean anything to me.” She expressed interest in the goals for each graduate program. Departments need to establish standards.

One senator indicated that there needs to be a conversation about the proposed reappointment policy. The senator asked rhetorically where’s the motive to participate if someone’s removed from the graduate faculty? “Are we narrowing what it means to be a graduate faculty member?”

Further discussion ensued.

Davis: “What’s the problem?” If we follow established guidelines, there doesn’t have to be a problem. Productivity of the graduate programs is important.

C. Dean Larry Lyon—New Graduate Faculty Review/Reappointment Policy

Dean Lyon asked for questions from senators.

Senator: Is there going to be a reconsideration of the policy? Lyon: Yes, it will take place.

Senator: The graduate dean needs to be proactive. Is communication broken?
Lyon: An issue is how to empower the graduate program directors. Some are proactive and some aren’t.

Lyon then explained the proposed process for reappointment. He anticipates 95%-100% support of the departmental vote. The form is to be signed by graduate faculty.

Lyon indicated that if the proposed policy's approved, it can be revised. Change will occur over five years.

Senator: Non-grad faculty: Can they serve on thesis and dissertation committees?
Lyon: No. Non-graduate faculty members don't count toward minimum, but can vote as a member of the committee.

Senator: "What's the rationale for stripping folks of graduate faculty status? Does the issue involve publications in the last five years?" Lyon: If someone's work's being cited, he or she will be reappointed.

Senator: "What's the motivation for the policy? Why not let the departments continue to make the decision?" Lyon: "At Texas A&M, the final decision is made by the council of deans." He gave a review of the process by which the proposed policy was approved. He wondered if the spring 2008 tenure decisions may have "colored" the reappointment process.

Discussion about the process ensued.

Senator: "At what point did departments become incapable of making decisions about graduate faculty status?" Lyon: In Graduate Council, there was never a discussion of departments making the decision.

Senator: If the department is 95% accurate, why do you need oversight? Lyon: The proposal was approved by the Graduate Council [April 2008].

Senator: "Are you trying to improve the numbers?" Lyon: "No, there's no attempt to manipulate the numbers."

Senator: Again, the older faculty members who have carried the burden will be excluded. Lyon: "Faculty members can reapply. There's no one requirement for reappointment."

III. Approval of Minutes

Senator Baldrige moved that the minutes be approved as distributed; Senator Longfellow seconded the motion.

The minutes were approved unanimously.

IV. Old Business

A. Proposed Tenure Policy and Procedures Document Update

Chair Green raised the senate's concerns with Interim President Garland and Interim Provost Davis, but she indicated she has no additional information at this time. The Council of Deans will meet next Wednesday to discuss the document.

B. Student Evaluations of Faculty—Committee Appointment

Former Senator Dale Connelly suggested that someone on the senate serve on the student body committee.

V. Committee/Liaison Reports:

A. Undergraduate Curriculum Committee (Myers)

1. Curriculum Action Forms are now online.
2. Electronic review process is being implemented.

B. Academic Freedom (Longfellow)—No report.

C. Enrollment Management (Lehr)—No report.

D. Student Life (Wood)—No report.

E. Ad Hoc Committee on Master Teacher Criteria (Pennington)—No report.

F. Ad Hoc Committee on Parking Services (Purdy, Vitanza)—The issue of charging faculty for parking is “off the table.” [This statement generated a lot of applause.]

G. Ad Hoc Committee on Lecturer Concerns (McGlashan)

There are different types of lecturers: part-time, adjunct, full-time, and senior lecturers. According to Professor McGlashan, there is an uneven distribution of lecturers across campus. Further, some want to stay on and some see the position as temporary. She mentioned the number of lecturers being hired. *Academe* reports that 3 in 5 are being hired as lecturers. She mentioned three issues the committee members are addressing: 1) instability regarding the policy on lecturers; 2) day-to-day inequities for lecturers from department to department; 3) the culture of disrespect for lecturers. Some lecturers say they're being badly treated.

The committee intends to hold “listening sessions” with a variety of constituents.

One issue: the deadline for non-renewal for Senior Lecturers is out of line with AAUP guidelines. If the notice for non-renewal occurs on December 15th, that gives the Senior Lecturer a “six-month notice”. Are we as an institution in any jeopardy?

Professor McGlashan made a recommendation for the senate to consider:

“Due to the realities of the academic hiring calendar, the committee recommends that Baylor University follow contemporary professional standards by affording faculty members applying for Senior Lecturer status one academic year’s notice of non-renewal.”

Senator Harvey moved that in support of the above recommendation “the senate endorses this recommendation.” Senator Diaz-Granados seconded the motion.

The motion was approved unanimously.

H. Liaison Reports

1. Council of Deans (Green)—Dub Oliver, VP for Student Life, talked about making University 1000 a course for one-hour credit.

Senator: There needs to be more discussion regarding how to make University 1000 more academically rigorous.

According to Chair Green, Reagan Ramsower, VP for Finance and Administration, reported that the regents have concerns about transfer students. He and Interim Provost Davis will have to supply a plan by February.

Senator: What are the regents’ concerns? Chair Green: Members of the committee will gather information about their concerns.

Discussion ensued regarding how transfer students are admitted into Baylor and what courses are accepted as equivalent and which ones aren’t.

2. Athletic Council—No report.
3. Personnel, Benefits, Compensation (Cloud)

Senator Cloud presented a report (see Appendix A below).

The participation by all committee members was one of good will and a positive spirit toward finding a balance in consideration of several difficult issues.

Senator Cloud said that if senators have any questions, Richard Amos will appear at December's meeting.

VI. New Business: Items from the Floor

Senator: Will inequities for lecturers be addressed by December 15th? Professor McGlashan: "It's an impossibility." There's not enough time.

Senator Longfellow moved that the Faculty Senate pass a statement condemning the recent racial incidents on Baylor's campus: "The Faculty Senate condemns any actions and words which express racial prejudice. Such expressions are contrary to the fundamental values of Baylor University, and destructive of the spirit and goals of an institution of higher education. The Senate commends actions taken by Interim President David Garland to deal promptly with such expressions." Senator Myers seconded the motion.

The motion was approved unanimously.

VII. Adjournment

Senator Johnson moved to adjourn the meeting.
Senator Baldrige seconded the motion.

The meeting was adjourned at 6:03.

Respectfully submitted,

Jay Losey, Secretary

Appendix A:

Synopsis of Administrative Committee Approvals for 2009

- 1) Retain BCBS per "Request for Proposal" performed by Buck Consultants and reviewed by Baylor Ad Hoc committee. \$118,000 cost reduction in fees. BCBS clearly beat the competition (Aetna, Cigna, Scott & White, and United Health Care) to retain the business with Baylor.
- 2) Drop aggregate Stop Loss Insurance for \$45,000 annual cost savings. Deemed unnecessary expense.

- 3) 2009 faculty and staff premiums increase by 6% in order to cover the anticipated costs for 2009. Premiums increased by \$2 to \$20 depending on salary range and coverage election.
- 4) Prescription Copays Updated - After much discussion and considering A) that the copays have not changed for three years while drug costs have gone up, and B) as a way to reduce the increase in monthly premiums down to 6% from 7-8%, the committee approved:
 - i) Retail Copays -
 - (1) Generic remains at \$10.
 - (2) Brand Name Preferred increases from \$25 to \$30.
 - (3) Brand Name Nonpreferred increases from \$40 to \$50.
 - ii) Mail Order Copays – Will remain at two times the retail copay for 2009 and are anticipated to increase to 2.5 times the retail copay in 2010. Mail order copays were proposed at 2.5 times retail for 2009, but the committee voted to defer.
- 5) Ambulance Coverage Enhanced - Blue Cross Blue Shield will process claims for services provided by the local non-network ambulance service (ETMS) as if they are in network and because ETMS is the only local provider.
- 6) Autism Spectrum Disorder Coverage Enhanced – Benefit coverage will expand to cover a broader range of autism spectrum disorder related services.
- 7) Bariatric Coverage Added - After some discussion, a \$15,000 lifetime benefit to assist with the cost of bariatric surgical procedures was approved.
- 8) Serious Mental Health Coverage Enhanced – New mental health benefits information was presented to the committee for consideration after the meeting. The committee approved enhancing serious mental health coverage to equal medical surgical benefit coverage thereby removing the existing limitations. Serious Mental Illness includes diagnosis for major depression, schizophrenia, bi-polar, obsessive compulsive disorder, panic disorder, post traumatic stress disorder and border-line personality disorder. Baylor will be required to extend coverage for all other mental health/substance abuse related benefits effective January 1, 2010. Mental Health Parity was included in the \$700B+ economic stabilization package.
- 9) Retiree Premiums increase by 8% - Extensive discussion and most complex issue due to the challenge of balancing retiree needs with the university's short and long term financial obligations related to post-retirement benefits. Merging the experience of actives with retirees to determine a common premium increase was reviewed and deemed not feasible at this time. The eight year average premium increase is 8% for retirees and is 6.5% for actives.
- 10) MediGap premiums for retirees on MediGap will increase by \$22 - Based on an anticipated governmental 7.3% cost increase and the projected total cost for 2009, the monthly portion charged to retirees will increase from \$38 to \$60 per month.
- 11) Premiums and benefits remain unchanged for dental plans.