

**Iowa State University
FACULTY SENATE
Session XIV, Meeting 5
MINUTES
January 15, 2002**

[Unapproved minutes]

I. Call to Order:

The meeting of the Faculty Senate in 260 Scheman was called to order at 7:30 p.m. by Christie Pope, President.

Present/Absent/Substitutes

- a) Members Present: S. Agarwal; D. Anderson; C. Baldwin; D. Bazylnski; D. Bullen; J. Chen; D. Coffey; G. Colver; E. Cooper; H. Cravens; J. Cunnally; F. Dark; R. Dearin; M. Doran; M. Duffy; C. Fehr; D. Fowles; W. Franke; S. Freeman; C. Gasta; J. Girton; R. Gregorac; B. Hand; C. Heising; A. Hendrickson; J. Herwig; J. Hill; P. Hoffman; P. Holden; J. Hutter; H. Ilahiane; R. Johnson; D. Jones; P. Korsching; J. Lamont; P. Martin; J. Maves; C. Mize; J. Moses; F. Nutter; J. Opsomer; M. Owen; G. Palermo; G. Phye; C. Pope; M. Porter; C. Post; P. Premkumar; J. Raich; B. Robinson; J. Robyt; S. Russell; K. Schilling; D. Simonson; L. Stephens; B. Thacker; A. Thieman; S. Tim; W. Trahanovsky; C. Trexler; D. Vrchota; W. Ware; W. Woodman; M. Wortman; M. Yaeger; B. Yang.
- b) Substitute Members: J. Huss for J. Dana; D. Finnemore for T. Weber.
- c) Absent Members: I. Anderson; E. Cooper; B. Coree; C. Drewes; T. Emmerson; D. Epperson; A.M. Fiore; C. Ford; R. Hall; G. Hightshoe; D. Hopper; G. Leavens; M. Mattson; G. Mattson; G. Rajagopalan; J. Schuh; B. Summers; C. Thoen; J. Tollefson.
- d) Guests and Visitors: R. Richmond, Provost Office; S. Carlson, Provost Office; Rex Heer, P&S Council; M. Erickson, ISU Daily; L. Charles, University Relations; J. Christensen, GSS.

II. Consent Items

Approval of the minutes of the 12/11 Faculty Senate meeting was tabled until February 12. The 01/A/5 agenda for the January 15 Faculty Senate meeting was approved with the following change: the third item, Election of Faculty Senate President-Elect, will follow the fourth, Announcements. The 01/C/5 calendar was approved.

III. Announcements

A. Faculty Senate President Christie Pope

- 1. Negotiations with the administration about the nontenure-track policy have gone well, and the matter does not have to go to the Board of Regents for approval.
- 2. There will be no faculty conference this year due to the budget crunch.

3. The Office of External Affairs has been terminated; therefore, the review of it, now in progress, will also be terminated.
4. A report on the review of the Office of Student Affairs will soon be made.

B. Provost Rollin Richmond

The Provost reported that the Task Force on Strategic Effectiveness and Budget Priorities will begin reviewing plans submitted to it by February 1 and invited faculty to make suggestions. A retreat for the Task Force will be held February 16 to make recommendations, which will be finalized by March 1. Information about the Task Force, including a complete list of its members, can be found at its web site or on the university's home page.

Q: In light of the budget cuts, why should ISU continue to aspire to be the number one land-grant school?

A: ISU, the first land-grant institution in the country, acted quickly on the Morrill Act so we have a lot to live up to. As academics we all strive to be the best we can be; however, given our resources, it's a stretch to be #1 at this time. Nevertheless it is achievable and certainly something to strive for, even though it is not going to happen in the next five years. We are well on our way to providing access to students, diversity, accountability to the people of the state, and services such as extension. We're already very good, but we are struggling in these times of stringent budgets.

IV. Election of the President-Elect of the Faculty Senate

President Pope noted that the Senate is fortunate to have three persons running for the position and asked if there were further nominations. *Motion to have nominations cease was passed.*

Pope then gave each of the candidates--Dorothy Fowles (DES-Art & Design), Jack Girton (Zoology & Genetics-AG), and Gregory Palermo (DES-Architecture)--five minutes to address the Senate. All three discussed their background, including prior and current service on the Faculty Senate and its several councils and committees.

Following the presentations, Pope turned the meeting over to Brad Thacker of the Governance Committee to conduct the election. Ballots were passed out and collected at 8:00 p.m. with the results to be announced later in the evening.

V. Old Business

A. Faculty member(s) on the Board of Regents

Pope, who announced that the Executive Board has brought a motion before the Senate to add a nonvoting faculty member to the Board of Regents, explained that the usual procedure in the Senate is to present a matter at one meeting and vote on it at another. In this instance, however, Pope said both needed to take place on the same evening because of the issue of timeliness: the legislature has just begun its session, and, if the measure is passed, ISU needs to begin to coordinate its effort with that of UI and UNI.

Motion to add a nonvoting faculty member to the Board of Regents was seconded.

Questions that surfaced in the ensuing discussion include (1) will there be one faculty member from each of the three institutions? and (2) how will the position rotate? To questions about why the faculty member would be nonvoting, Pope said this is the concern of the Chair of the Board of Regents and noted that at some institutions the faculty member is a voting member.

Senator Robyt moved that we have a representative from each of the three universities because of their different views. Senator Bullen, however, said he would rather lobby for one with a vote than three with no vote. Hendrickson noted that there are five Regents institutions, and Robyt said he would not mind if each has a faculty member on the Board of Regents. As a friendly amendment to Robyt's motion, Palermo suggested that we say "faculty member(s)," leaving open the possibility of more than one. Robinson recommended that the Faculty Senate empower the Executive Board to lobby for this and see what it can get.

Motion to amend the original motion by adding one faculty member each from UNI, UI and ISU to the Board of Regents failed to pass.

Palermo suggested that the original motion be amended by striking "a" and putting "-s" after "member"; Girton further amended it by moving that "nonvoting" be dropped.

Amendment to add faculty member(s) to the Board of Regents was passed.

Before voting on the original motion, as amended, Hutter urged the Senate to consider why it wants a member on the Board of Regents and suggested that perhaps it is because the rules of the Regents do not provide a forum for the President of the Faculty Senate at each of the three universities to speak at meetings of the Board of Regents. An option raised by Hutter is for each university to have as its participant its Faculty Senate President, noting that the ISU President could yield to the President of the ISU Faculty Senate at Board of Regents meetings.

The original motion, as amended, was passed: To add faculty member(s) to the Board of Regents.

IV. Election of the President-Elect of the Faculty Senate, continued: Results were announced by Thacker with Jack Girton declared the clear winner.

Motion by Senator Hutter to render a unanimous ballot failed to pass.

VI. New Business, continued:

B. Ombudsperson Proposal [S01-10]

Pope turned the meeting over to Dorothy Fowles, Chair of the Faculty Senate Judiciary and Appeals Council, and announced that the Senate will vote on the matter at its meeting on February 12.

Fowles reported on the proposal to create the position of an ombudsperson at ISU, noting that J&A gathered comparable data from other universities in adopting the principles of confidentiality, neutrality, independence, and informal process. The position will be filled by three retired faculty on a part-time basis. Recommendations of persons to fill this position will be made by the President and the Judiciary and Appeals Council.

When asked if a person denied tenure could consult the ombudsperson without prejudicing the case, Fowles replied that the Provost added the provision that the person would have direct access to administrators and thus render unnecessary a long, drawn-out process.

As a result of his experience on J&A, Woodman said he believes the Chair does this already and noted that a lot of the cases should never have gotten that far to begin with. According to Woodman, the need for legal counsel diminishes a lot when someone such as an ombudsperson can handle things. Girton observed that in his three years as J&A Chair he dealt with sixty cases and said over half should never have gotten to him. Of those that did, by the time they reached him people had become hardened in their positions, said Girton, who expressed the hope that the creation of an ombudsperson position might keep some of the of the formal appeals from being filed.

Fowles assured Robyt that someone denied tenure would not be required to talk to the ombudsperson. To the question of whether seeing an ombudsperson be tantamount to going to Chair of J&A, Fowles responded that it wouldn't preclude it.

Porter recalled a previous request by the Senate for an ombudsperson, which the administration agreed to and assigned to the affirmative action officer. As chair of the old faculty council, Porter faced difficult cases and, like Woodman and Girton, said he believes the creation of this position might help to head off such cases. Two matters, however, concerned him: (1) If the ombudsperson cannot disclose identity, how can s/he help the person out? (2) If the person is retired, then

can the person be paid?

Fowles noted that if the position is filled by three retired persons, it gives them time to be away on trips. To a question about why the ombudsperson would report directly to the President, Fowles responded that the President is Chair of the General Faculty. Woodman, adding that the role of the ombudsperson is not to serve the ends of the president but is more akin to the role of the chaplain at a military base who expedites matters by circumventing the chain of command, said he views the creation of the position as a positive step.

Although Fowles stated that actual cases would not be reported to the President by the ombudsperson, Robyt insisted that the person holding the position must be more independent. Faculty Senate representatives on the committee can be equally stubborn, said Fowles, who affirmed her faith in the process.

Discussion concluded with President Pope suggesting that the Senate give this to J&A.

C. Arrival of Children Policy

Gregory Palermo, FDAR Council Chair, and Constance Post, Chair of the Faculty Senate Committee on Women and Minorities, reported on the status of the draft released by the central administration for the “Supporting the Arrival of Children for ISU Faculty and P&S Employees” Policy. Palermo stated that materials distributed to Senators include a current draft of the policy as well as related materials. Post reviewed several critical issues that need to be addressed by the Senate before it votes on the matter and said that the Committee on Women and Minorities and the Welfare & Benefits Committee are weighing the impact of the policy on the tenure clock.

D. Early Retirement Incentive Program [S01-12]

Gregory Palermo, FDAR Council Chair, announced that Vice President Warren Madden, Chair of the Early Retirement Incentive Program Study Group, has asked for input about the committee’s report. Responses to the report, said Palermo, should be sent to Ardith Maney, Chair of the Welfare & Benefits Committee, or himself and will be considered by W&B as it prepares its response. He also noted that at the W&B meeting held that afternoon [1/15] there was considerable backing away from the document, especially because of the concern about whether there is enough in it to “incent” someone to retire.

The “Safe Harbor” provision of the report generated considerable discussion, which was led by Mike Dorn, who said he wants to check with an ombudsperson on the matter. Johnny Pickett, a member of the study committee, noted that Paul Tanaka, a consulting attorney who helped draft provisions in higher education act, also was on it. In order to meet provisions of 1998 act so ISU is not discriminat-

ing on the basis of age, Pickett said there would have to be this one-year gap and this one-year open period when people can get these benefits, even though doing so would be very expensive to ISU. What the committee realized, noted Pickett, is that a plan with no age cap provides no incentive to retire early.

Dorn remarked that the plan does not seem to be compassionately conservative. Dean Anderson, who pointed out that most ISU employees do not qualify for full Social Security at 65 anymore, stated that ERIP at ISU is a disincentive program rather than an incentive program as it is for other state employees.

The meeting was adjourned at 9:00 p.m.

Constance Post,
Faculty Senate Secretary