Minutes
Faculty Senate
The University of Texas at Arlington

The Faculty Senate met in regular session Wednesday, December 4, 1996 at 2:30 p.m. in Conference Room 4, Davis Hall. Chair Rod Hissong presided.

ATTENDANCE:
Present were President Witt, Provost Wright, Chair Hissong Senators Amster, Bradshaw, Bright, Burquest, Cantwell, Chrzansowski, Crowder, Danahay, Del Castillo, Devarajan, Dunn, Ellwood, Fairbanks, Gaupp, Harvey, Hermann, Ingram, Luo, Matthys, McDowell, McKinney, Moore, Rodnitsky, Roemer, Rome, Rycraft, Walker, Wang, Watkins, Weems, Wilmore, Wright, Wyers, Yardley and Young. Also present were Staff Advisory Council Representative J.V. Brocklin, Director of Libraries Wilding and Student Congress Representative Wayne Huddleston.

REMARKS BY THE CHAIR:
Chair Hissong announced that longtime Faculty Senate member Hermann will be retiring from the University upon completion of the Fall 1996 Semester.

APPROVAL OF MINUTES:
The minutes of the October 23, 1996 Faculty Senate meeting were approved.

REMARKS BY THE PRESIDENT:
After the Provost stating he did not have any formal comments, the President conducted a question and answer session, taking questions and comments regarding the Policy on Periodic Review.

Senator Walker inquired as to the status of the President’s reviewing the Policy. President Witt said that although he had completed an initial review, after conferring with Chair Hissong and Senator Moore, he thought it best to look over the Policy during Christmas break and get back to the Faculty Senate on it. He then volunteered to rewrite it, if necessary. Discussion was held. The President said that he did not understand some parts of the policy; he also noted that there were some parts of the document with which he did not agree.

The Provost then discussed recruiting plans, with the President commenting on future measures being taken by the University to increase departmental efficiency. One such plan includes the in-progress project of collectively grouping all campus administrative agencies in one central location - the Watson building (upon completion of its repair/renovation). This modification, President Witt added, will yield a six-figure attrition for the
University. The President concluded by saying that Student Affairs is scheduled to undergo a similar process next year.

Provost Wright noted that, in an ongoing attempt to maintain communication between UTA administration and departments, he, President Witt and Vice President McElroy, have recently attended several meetings with various departments. These meetings, he said, have been beneficial in keeping the administration informed about various pertinent issues.

GUEST SPEAKER:
Professor Paul Paulus was scheduled to address the Faculty Senate concerning the SACS update. However, he was not present.

COMMITTEE REPORTS
Ethics Committee - Fairbanks reported on the “Policy on Consensual Relationships Between Faculty and Students”. After the presentation of the report for approval and/or discussion, it was motioned and seconded that the committee report be approved.

The following questions were raised:

1. A question was raised regarding the use of the phrase “unwise and inappropriate” in the first sentence of the second paragraph. President Witt suggested that the phrase “unwise and inappropriate” be changed to “not permissible.” Provost Wright added that it would be in the best interest of students and faculty to be clear on this matter.

2. Senator Ellwood posed a question regarding the use of the phrase “or employment” (end of first sentence of second paragraph), citing hypothetical examples in which a department head is married to someone in his or her department. Senator Fairbanks commented that the phrase in question was referring to students, not faculty. Senator Walker then recounted an instance in which he had to teach his own daughter, saying that there are measures which can be taken in such instances to ensure that no partiality or favoritism is demonstrated.

3. Senator Bright presented a Friendly Amendment to the committee in which the second sentence of the second paragraph would read, “Prudence and the best interest and the best interest of the students and faculty dictate that in such circumstances the faculty member should aid the student in finding other instructional or supervisory arrangements.” The committee accepted the Friendly Amendment.

4. Senator Bright also addressed the issue of favoritism and suggested that word “familial” be struck from the first sentence of the last paragraph. After discussion, the committee would not accept the suggestion as a Friendly
Amendment and a formal amendment was presented. It was motioned and seconded that the word “familial” be stricken.

5. In reference to earlier comments made by the President, Senator Moore offered a Friendly Motion to change the first sentence of the second paragraph to read, “It is not permissible......”. The committee accepted the motion.

6. Senator Ellwood suggested an “Unfriendly Amendment” to strike the phrase “graduate work” from the first sentence, second paragraph. Discussion was held and Senator Young suggested that to do so would raise a question of ethics regarding whether the faculty member or the graduate student actually did the work in question. Senator Chrenowitzki said he agreed with Senator Ellwood. A vote was called and the motion was defeated 20 to 11.

7. Chair Hissong called for original motion to accept the report, with changes. The motion passed.

EQUITY COMMITTEE REPORT:

The report was submitted by Joan Rycraft. It was concluded that, because of the nature and length of the document, that discussion and revisions be limited to a section-by-section basis.

SECTION ONE:

1. Senator Ellwood motioned that, throughout the entire document the word “rational” be changed to “reasonable”, that “irrational” be changed to “unreasonable” and that the word “arbitrary” be eliminated entirely. He also motioned that an item 1.3.5 - Salary issues be added. Discussion was held and the motion was passed.

2. Senator Walker asked about the nature (if any) of an appeals process in item 1.4.1. Chair Hissong then called for a discussion of the rationale of item 1.4.1. Senator Dunn then voiced a concern about the credibility of what the committee had been told concerning “grievability”; he said that the UT Legal System drafted the original Grievance Procedure document and it shows no grievability. It was motioned and seconded that item 1.4.1 be made item 1.3.6; the motion passed.

SECTION TWO:

1. Senator Ellwood offered the following Friendly Amendment:
   a. Insert the word “workdays” in item 2.2a
b. Delete the phrase "or reasonably should have known" from item 2.2b

c. Change "10 work days" to "30 days" in items 2.3 and 2.4

The committee accepted this Friendly Amendment.

SECTIONS THREE AND FOUR:

1. Senator Ellwood suggested the following changes:
   a. Item 3.2 - Change "10 work days" to "30 days"
   b. Item 3.5 - He would like to see this eliminated, and, consequently
   c. Item 3.6 - He would like to see this become the new 3.5.
   d. Item 3.6 - Would like item 3.6 edited in such a manner that the entire section beginning "shall" in 3.6 though "Committee" in 3.6.2 is deleted.

For consistency in the document, the committee accepted suggestion (a) as a Friendly Motion. Discussion was held on the other points.

Senator Walker called for the retention of item 3.5, saying that this gives a measure of protection. Ellwood still maintained that, for the good of the faculty, 3.5 should be eliminated. Senator Dunn agreed with Ellwood, saying that at some point, the faculty committee should make a decision. After more discussion a motion was called, seconded and passed that item 3.5 be stricken.

2. Senator Ellwood then suggested that in item 3.6.2.2 that the 5-member panel be changed to a 3-member panel. Committee member Senator Rycraft discussed the group's rationale for a 5-member panel, citing absenteeism as the main reason for the selection of 5 people. Senator Roemer, also an Equity Committee Member, expounded, saying that 5 were chosen because if someone were to get ill or were otherwise unable to attend, an addition person would have to drop off anyway to avoid having an even number. Consequently, there would still only be 3 committee people. Senator Gaupp questioned whether committee member numbers must be odd. A question was called and the motion was defeated.

3. Senator Ellwood offered a Friendly Amendment that item 4.2.3 be eliminated. The committee accepted this amendment.

SECTION FIVE:

1. Senator Dunn made a Friendly Motion that, in item 5.2, "four" members be changed to "five members" and that there be a sentence added which allows the panel shall elect their own chair. The committee accepted this Friendly Motion.
SECTION SIX:

1. Senator Cantwell discussed item 6.6, suggesting that the phrase “as discovery of evidence” be added. President Witt commented that the committee please review requests for information because it become very costly to make copies of documents.

2. Senator Moore, offering a Friendly Amendment, suggested a revision Senator Cantwell’s suggestion, saying that the words “Upon request” should be stricken from the first sentence in item 6.6, causing the sentence to begin with “The University....”. He also suggested that a sentence be added to the end of the item which reads, “ The Grievance Panel shall judge the reasonableness of the cost of the request to the University.” The committee accepted the Amendment.

3. Senator Walker offered a Friendly Amendment in which he suggested that the word “finally” be deleted from item 6.1. The committee accepted the amendment.

4. Senator Cantwell made a motion that the phrase “and hearsay” be added to item 6.7. Discussion was held and the motion was defeated.

SECTION SEVEN:

1. In reference to item 7.2, Senator Dunn asked if the decision of whether a hearing should be closed should be at the discretion of the grievant. Discussion was held.. The question was called and the motion to change item 7.2 was defeated.

2. Senator Walker had questions concerning item 7.5. Senator Wilmore motioned to delete item 7.5. A question was called and the motion was carried.

SECTION EIGHT:

1. Senator McKinney noted that there was a grammatical error in item 8.1.2 involving the use of the word “someone”; it was offered as a Friendly Amendment. The committee accepted the amendment and the change of the word to the more appropriate “something”.
SECTION NINE:

1. Senator Ellwood made a Friendly Amendment that, in item 9.1.2 the entire last part of the last sentence, beginning with “arbitrary” and ending with “irrational”, be stricken and replaced with “unreasonable”. The committee accepted the Friendly Amendment.

SECTION TEN:

There was no discussion or revision of Section Ten.

SECTION ELEVEN:

1. Senator Ellwood offered the Friendly Amendment that in item 11.1 the phrase “for no more than 10 work days” be deleted. The committee accepted the Friendly Amendment.

2. Item 11.3 - Senator Cantwell motioned that the phrase “may proceed to pursue his or her grievance to the next step of the Procedure” be stricken and replaced with a sentence which denotes that the administrator will accept the grievance request. The motion carried.

Senator Dunn motioned that the document, with changes, be resubmitted to the committee before it becomes accepted. Discussion was held. Senator Moore noted that the Faculty Senate have had two years to look at it. Senator Amster agreed. The question was called and the motion failed.

It was also motioned that, from an earlier, unresolved discussion, that item 9.1.1 be revised to include more information regarding the consequences of failure to comply with established University criteria and procedures. Motion carried.

It was motioned to accept the Equity Committee report with changes; the motion passed.

ANNOUNCEMENTS:

It was also motioned that Senator Hermann be voted Senator Emeritus. The motion passed.

Chair Hissong announced that he appointed a special Ad Hoc Committee to write the Post Tenure Review Policy. It was motioned that the committee members be accepted; motion passed.

The motion for adjournment was made and seconded; the motion passed.