

Time: October 24, 1973, at 3:00 p.m. in the Rare Books Room

Members Present: Darrel E. Bigham, Chairman of Faculty Council; Professors Barnes, Eichman, Frost, Kirsch and H. Sands

Ex-officio Present: President Rice, Dean Bennett

Others Present: Professors Blevins, DeVries, Hahn, Kent, Lonnberg, Pasko, W. Sands, Settle; Mr. Ramsden, Ms. Welch

The Chairman called the meeting to order at 3:05 p.m.

1. Minutes of October 10 and 17 Sessions

Production of the minutes from October 17 had been delayed. The minutes of the October 10 meeting were adopted as corrected.

2. Continuation of Discussion of Proposed Revision of Faculty Handbook Statement on Academic Freedom and Tenure.

The Chairman referred to Section 1 of the proposed revision and described the present types of appointments as three in number, term appointments, continuous (tenure), and special term appointments. He stated that a question would be whether the proposed revision should continue the three categories. Professor Pasko asked whether a special term appointment was meant as a temporary appointment. President Rice responded that each special term appointment was specific to the individual appointed. Professor Pasko asserted that he could see no difference between the special term appointment and the annual appointments at the Instructor rank and that they both seemed temporary to him. The Chairman called on Dean Bennett, who had just joined the meeting, to present the material on appointment letters he had prepared. The first series of documents reflected five steps in initial appointments as follows:

1. A memo from the Division Chairman to the Dean of Academic and Student Services recommending a candidate for appointment, having been selected as a result of interview and screening processes.
2. A memo from the Dean to the President of the Campus recommending appointment.
3. A memo from the President of the Campus to the President of the University recommending appointment.
4. A letter from the Dean to the person, offering appointment and requesting a reply.
5. A letter from the President of the University to the person appointed stating the Board of Trustees action confirming the appointment.

Dean Bennett cited step two as the first point of involvement of the Dean. He called step three most important since President Rice makes recommendations to President Rankin to be forwarded to the Board of Trustees. In step four any special conditions are spelled out and confirmed by the prospective faculty member so that no doubt exists as to the agreement. He called attention to the differences in letters at this stage of the two sets he had presented. He regretted not having an example of an appointment letter at the Instructor rank, but said it was due to the fact no one had been appointed at that rank in the last few years. He stated that the special term appoint-

ment could be used at any rank. Professor Pasko asked if it was correct that a special appointment was not made final until a letter confirming Board of Trustees approval was received and, if so whether an offer could be withdrawn. Dean Bennett replied that such was the case and that an offer could be withdrawn or turned down. Professor Pasko asked whether the same was true for probationary appointments, so that such an appointment was not final till the computer print-out reflecting the salary approved by the Board of Trustees was received. Dean Bennett responded that the material he presented was concerned with appointment and not re-appointment. Professor Pasko asked whether appointment equals contract and whether letters signifying recommendation represented contract. President Rice responded that appointment means contract but that only the Board of Trustees under state law could grant appointments. Professor Pasko requested a clarification of the distinction between term appointments and special term appointments. President Rice responded that the special appointment had special conditions spelled out different from the regular appointment whereas the term appointment was a regular one-year contract. Professor Pasko maintained he could see no difference between the two and that he thought that no probationary period was possible. President Rice stated that the term appointment counted toward tenure but that the special term appointment normally did not. In response to further questions from Professor Pasko President Rice stated that the regular appointments were governed by dates of non-reappointment as outlined in the Handbook, that a letter of reappointment or non-reappointment was sent out by the specified date reflecting the recommendation of the Dean and that subsequent to re-appointment a salary letter was sent out reporting the salary set by Board of Trustees action. Professor Pasko asked how a faculty member knew that his/her re-appointment was valid before he/she received the salary letter, to which President Rice responded that the statements of reappointment were made on the basis of good faith. Professor Pasko asked whether none of the steps till the salary letter was binding to which President Rice responded that no administrative officer could make a contract binding on the Board of Trustees. President Rice said further that the Board of Trustees had assigned the notice of non-reappointment to the Dean's Office, but that salaries for re-appointment had to be recommended for final Board action. A discussion of the possible consequences of the loss of letters in transmittal followed. President Rice recalled his statement at a previous meeting that persons in doubt of the status of their appointments should contact his office. Professor Pasko concluded that perhaps sending letters of reappointment by certified mail might be in order. In response to a question from Professor W. Sands about the possibility of making a more formal contract for faculty members, President Rice recalled his statements at a previous meeting about the complicated and confusing form such a contract would require. The Chairman asserted that the issue was one of good faith. He asked Professor Pasko if he were suggesting that compliance with AAUP suggested deadlines would mean that a person must receive salary notification by the recommended dates. Professor Pasko responded that such would be the case unless whatever letters the faculty member might get leading to the salary letter were binding on the Board of Trustees. He asserted that the faculty member bound himself to certain actions when he responded to the letter of reappointment before the Board of Trustees had taken binding action. President Rice commented that communications before Board action were statements of intention and statements of information. The Chairman remarked that the Faculty member also had the right to withdraw before the receipt of the salary letter. Professor Pasko concluded that conformity to AAUP guidelines was merely a matter of show if a faculty member's reappointment was not formal until the salary letter. The Chairman stated that since the communications leading to the salary letter were statements of intention based on good faith, a more stringent form of agreement at the earlier stages might disallow the faculty member's reconsideration after accepting reappointment. Professor Pasko asserted that faculty members might be willing to give up the option

of moving for more security where good faith had broken down. Professor H. Sands asked whether it was true that action not renewing an appointment was not final until the Board of Trustees had acted. President Rice responded that such was not the case, since the Board had delegated the authority to the respective officers on each campus, the Vice President for Academic Affairs and the Dean for Academic and Student Services, of sending nonrenewal notices. He related further that what typically happens in such instances is that the courtesy of resignation for the record is extended to the faculty member concerned. He said there was some question as to whether the courtesy should be extended, but that he thought it was philosophically a good courtesy. When asked by Professor H. Sands to confirm that the Board of Trustees was not involved in nonreappointment, President Rice responded that such was the case and added that the Board of Trustees was also not involved in reappointment except in setting salaries.

The Chairman recalled attention to the definition of types of appointments in the proposed revision. He remarked that this portion of the document was, for the most part, a continuation of the previous policy statement. He asserted that the University was fundamentally committed to two types of appointments, probationary and continuous, but that the third type, the special term appointment, was not of the probationary type. President Rice pointed out that section 1 (d) of the proposed revision also contained another category, that of Instructor, and that this continued a policy which had been developed in 1969. The Chairman recalled that there had been discussion of this category as a means of providing flexibility. He said that in effect all Instructors under this policy could be considered on special term appointments and that a person had to be promoted to Assistant Professor to be eligible for tenure. Dean Bennett pointed out that this could cause a six year period of probation for those in the Instructor rank, since a person promoted after the fifth year must be in the rank for at least a year to be eligible for tenure. Professor Eichman stated that this recalled the issue of an "up or out" policy, which had been attributed to the AAUP. He said that after reviewing AAUP statements he could find no policy which could be described as "up or out", but that the AAUP recommended that all regular faculty members, regardless of rank, be eligible for tenure after no less than five nor more than seven years of service. He asserted that it was the combination of this philosophy with the policy of restrictions on those in the Instructor rank at this campus which amounted to an "up or out" policy. A discussion of the appropriateness and adequacy of the wording concerning appointments in sections 1 and 2(a) of the proposed revision followed. Dean Bennett stated that he thought it was necessary to clear up the definitions and wording in these sections, since this seemed to be the portion of the Handbook which new faculty members had the most difficulty understanding. Professor Eichman asserted that it was not just new faculty members who had such difficulty. The Chairman distributed a proposal prepared by Professor Kirsch in which the three types of appointments were defined. Professor Eichman suggested that the Chairman, Professor Kirsch, and Dean Bennett could meet before the next meeting in an attempt to clarify the policy statement contained in sections 1 and 2(a) of the proposed revision.

Agenda Items 3 and 4 were deferred to a later meeting.

## 5. New Business

a. President Rice presented the following information:

- (1) WNIN-TV needed volunteers for the evenings of October 28 and 31 to assist in a telethon to raise money for the station. Anyone interested in helping should contact the President's office.
- (2) Professor Wardner was returning reports of the accreditation self-

study to the self-study committees for review in preparation for a first draft. The draft report would also be distributed to all faculty members for review.

- (3) A chart entitled Comparison of Present and Proposed Monthly Major Medical Insurance Premium Rates (see attached) had been based on actuarial records of the University. The chart reflected the rates necessary for a recommended change in major medical coverage from \$20,000 to \$50,000, a change which seemed advisable because of the present higher medical costs. Faculty members should also be aware that medical coverage extends into the retirement period.
- (4) The Campus Open House had been quite successful. Between five and six thousand persons had visited the campus. Campus activities had been well received.

b. Professor Pasko announced that the local AAUP Executive Council had authorized him to request from Faculty Council a status report on the progress which had been made subsequent to the September 19 Faculty Council resolution. The Chairman stated that the request would be taken under advisement and asked if an agenda item was being requested, to which Professor Pasko responded in the affirmative.

c. The Chairman had two announcements:

- (1) The Curricular Committee had passed many courses. The Faculty Council must dispose of them before November 12, a deadline for the new catalogue.
- (2) Faculty Council might consider sponsoring a series of symposia on national issues and exposure of other problems. The various divisions and disciplines do conduct such events, but a broader scope of discussion might be attempted in order to expand the educational opportunities available on campus.

#### 6. Adjournment

The meeting adjourned at 4:45 p.m. to meet next on October 31 at 3:00 p.m. in the Rare Books Room.



Thomas Eichman, Secretary

## INDIANA STATE UNIVERSITY

Comparison of Present and Proposed Monthly Major Medical Insurance Premium Rates\*

	<u>Employee Present</u>	<u>Increase Because of Claims Experience</u>	<u>New Premium Total</u>	<u>Increase Benefits to \$50,000</u>	<u>New Proposed Major Medical Premium Total</u>
<u>With Blue Cross-Blue Shield Coverage</u>					
Single	\$1.00	.32	1.32	.10	1.42
Family	2.50	.78	3.28	.22	3.50
Over 65 (Includes Medicare Coverage)	1.00	-	1.00	-	1.00
<u>Without Blue Cross-Blue Shield Coverage</u>					
Single	1.84	.58	2.42	.12	2.54
Family	4.37	1.36	5.73	.33	6.06

\*Amounts shown are employee contributions only. In addition, the University will contribute the same amount for each type of membership listed for a 50/50 sharing of the total monthly premium cost.