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MINUTES OF THE FACULTY COUNCIL MEETING

Time: September 19, 1973, at 3:00 p.m. in the Rare Books Room

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

Ex-officio Present: President Rice and Vice President Wright.

Ex-officio Absent: Dean Bennett.

Others Present: Professors Blevins, Jane Davis, DeVries, Hahn, Kent, D. Miller, Wm. Sands and Settle, Mrs. Elliott and Student David Hisch.

The Chairman called the meeting to order at 3:10 p.m. and stated for the benefit of visitors that the Council was trying to keep the meeting within the limits of 90 minutes.

1. Minutes of September 12, 1973 meeting

The Secretary informed the Council that the minutes were not available because he had been unable to complete reviewing them prior to the meeting.

2. Action on request of Mrs. Marion Iglehart

The Chairman reviewed briefly previous events. He had received a memorandum from Mrs. Iglehart and one from Professor Pasko, both dated September 11, 1973, requesting the Council to take certain actions in her behalf. He had distributed to Council members copies of Mrs. Iglehart's memo and supportive material which she had also supplied to him. He had read Professor Pasko's memo at the September 12 meeting and also had distributed copies of it to Council members. At its September 12 meeting the Council had resolved to inform Mrs. Iglehart that it would take up her request at its September 19 meeting. Subsequently, the Chairman had received a memorandum from President Rice, dated September 17, 1973, in which the President responded to requests in this case (see attached). The Chairman stated the Council will take the response under advisement. The Chairman stated that he understood that on September 17 the local Chapter of AAUP resolved to encourage an extra-judicial settlement of the matter, and that a meeting between parties to the dispute was scheduled for the present hour. President Rice stated that he had received a summons on an amended complaint which had been filed September 18, thus subsequent to the local AAUP meeting. The Chairman reviewed Mrs. Iglehart's specific requests and called for Council members to express their sentiment on her requests. He reported that he had informed her in a memo on September 17 that the Council would take up her request at this meeting. Professor Eichman presented copies of a resolution to members of the Council and read it aloud. Professor Eichman moved acceptance of the resolution, seconded by Kinzie. The wording in the final sentence "until the matter of breach of contract is decided in Superior Court..." was questioned. President Rice suggested that the Faculty Council might consider tabling the matter until all of the outside procedural actions were complete. Professor H. Sands stated that Professor Pasko had requested the wording "Superior Court" be maintained in such a resolution.

After further discussion including possible changes in wording. Professor Barnes moved, seconded by Kirsch, that

Motion: The wording in question be changed to read "...while the matter of breach of contract is under consideration in Superior Court...". Motion to amend carried. The motion to accept the resolution as amended then also carried.

The resolution then reads as follows:

Resolution of the ISUE Faculty Council, September 19, 1973

Re: the requests of Professor Marion Iglehart (September 11, 1973) for a hearing before the Faculty Council and of Professor Michael Pasko (same date) (see attached) for Faculty Council investigation of various questions related to the Iglehart case.

Whereas the Faculty Council acknowledges that examination of various allegations of mistreatment in the case of Professor Iglehart occurred in the Council in January and February, 1973, following which time a series of conversations took place between the University administration and her in order to arrive at a mutually agreeable solution, and

Whereas during that time, Mrs. Iglehart decided to seek legal aid and ultimately to file suit in Vanderburgh Superior Court for restoration of her contract,

Therefore it is clear that Faculty Council is unable at this time to provide a formal hearing on her request for a judgment from the Council on current status of her contract, since she has decided to have the Court settle that matter; it is also apparent that a denial of her request would also imply a decision regarding her status which the Court alone can provide. Hence the Council feels that while the matter of contract is under consideration in Superior Court, it cannot render a decision on the status of her contract or her salary. It therefore tables formal discussion of her charges and thus any recommendation regarding her status, while the matter of breach of contract is under consideration in Superior Court.

The Chairman then distributed copies of a statement which he had prepared and read it into the record as a personal statement of his. After the Chairman agreed to a change in wording in one sentence of his statement, Professor H. Sands moved, seconded by Kinzie, to accept and concur in the Chairman's statement as follows:

Be it further noted that the Council requests both parties to seek, at the earliest possible moment, an extra-judicial settlement of the disputed matters. The Council also notes, with concern, the existence of much uncertainty and bewilderment among faculty members as to the future of this case. Hence it encourages the administration to use the magnanimity incumbent on its office to deal with not only her allegations, but also the serious

questions raised by related issues. The request for the withholding of formal judgments in the matter of her contractual status does cover, the Council feels, discussion of issues related to her claims, or the discussion of fundamental questions in other settings. The Council, for example, declares that in the near future the revision of the Faculty Handbook must include thorough discussion of the nature of tenure, the rights of non-tenured faculty, the sanctity of contract, and the nature of a university.

Finally, the Council implores faculty and administration to do whatever is possible to restore the primacy of the life of the mind to the affairs of the University. As the representative body of the faculty, it asks the faculty and the administration to remember their obligations as servants of the people of Indiana to develop and sustain high quality public higher education free from the spirit of litigiousness.

The Chairman stated that he interpreted the caution to remain silent not to mean there should be no thinking, no interest in the issues, or absolutely no discussion. President Rice agreed that the life of the University could not come to a standstill and that regular items on the agenda would have to be discussed. The motion to concur in the Chairman's statement carried.

Professor H. Sands stated that the question of whether a faculty member had a contract was bothering some faculty members because of the implications of this matter. President Rice replied that any faculty member with a question about the status of his or her contract should address the question to him in a formal communication. Professor Sands asked whether there was not a formal general statement the administration could make. President Rice replied that the Handbook contained formal statements on faculty status. The Chairman pointed out that such questions would be taken up under the revision of the portions of the Handbook contained on pages 3-8 to 3-10, but that such discussion could not take place today.

3. Student representation on the Faculty Council

The Chairman said he had been approached by various students, members of the Council, and Professor DaRosa regarding the proposal of the encouragement of more student participation in Council affairs. One primary concern is the development of more effective faculty-student communication. He referred to some of the crises on campuses in previous years and during the trouble in the spring of 1970, and the resulting forms of student participation in university government. He said at issue would be to what extent the Council should encourage the students to participate, whether students should be represented on the Council or whether the privilege of observing regularly should be formally extended. President Rice said one problem might be that the Student Government and the Council met at the same time. The Chairman asked for response from the Council members to his proposals and requested their suggestions for creating better student-faculty relations. Professor H. Sands said she would like to respond in the affirmative, since she felt that on various campuses the relationship resulting from such arrangements has been good and that it

was a good idea to foster such a relationship before trouble occurred. She felt that a student could be designated as an ex-officio member and encourage the Student Government to select a person. Professor Kinzie said that it might be procedurally better for the Council to have the students petition it instead of the Council asking them. The Council could suggest this to the Student Government, and let them do the asking. He felt the Council should not insist on student participation if students did not want to participate. President Rice recalled past student interest in faculty evaluation. Professor Eichman recalled interest last spring on the part of one student, since graduated, who had written editorials in The Shield encouraging student interest in university government and who had attended some of the meetings of Faculty Committees. Professor DeVries stated that the Education Division had established a student advisory group which had been included in the NCATE evaluation last year and which was still in operation this year. He judged the students to be interested in participating when the issues concerned them, but that otherwise the interest was low. This year there was no desire to meet on a regular basis. Professor Settle said he had read several articles recently related to student participation in university government, and that these articles supported Professor DeVries' judgment: where the concerns were, there was interest. He maintained that students would not be interested in faculty meetings which were mainly faculty monologues. Professor Eichman stated that he had received an informal request to submit the Faculty Council agenda for publication in The Shield. He asked the Chairman to clarify the Council's policy on student attendance at Council meetings. The Chairman stated that the meetings were open to every member of the University and that he had made a statement at the new student orientation this fall encouraging student attendance at Faculty Council meetings. Professor Eichman moved, seconded by H. Sands, that

Motion: the Council notify the Student newspaper of the policy on attendance at Council meetings and that formal contact be made with the Student Government informing them of Faculty Council interest in student participation. Motion carried.

4. Review of Faculty Constitution

The Chairman stated that the faculty should conduct continued rethinking of the Constitution and its By-laws. He recalled the provisions for amendment in Article VII of the Constitution and Article VI of the By-laws. Amendments to the Constitution require formal presentation to the Faculty Council one meeting preceding vote of the Council. Subsequent ratification by a majority vote of the Faculty and by the Board of Trustees is also required. Amending the By-laws can be accomplished by vote of the Council on proposals presented at least one week in advance. The Chairman stated that he was aware of several proposals currently under discussion and that it would not be possible to accomplish all proposals at one time. He then presented the following proposed changes in the By-laws and Constitution.

BY-LAWS

Article V, Section 3

Subsection C shall become Subsection D.

The new Subsection C shall read:

To inform the Faculty Council, in writing, of its decisions regarding applications for promotion before submitting its recommendations to the President.

Article V, Section 1, Subsection E.

Present wording: "To review and approve all courses included in the curricula and programs."

Proposed wording: "To review and approve all courses and major and minor programs to be included in the curriculum."

CONSTITUTION

Article I, Section 1.

Old version: Definition of Faculty. All members of the instructional staff and the administrative officers and professional librarians will constitute the Faculty of Indiana State University Evansville.

New version: Delete "and the administrative officers and professional librarians."

Article I, Section 2.

Old version: Voting Members. All members of the Faculty holding academic rank except those on temporary or part-time assignments will constitute the Voting Members of the Faculty.

New version: Voting Members. Add "and those whose teaching or research responsibilities represent less than half of their normal work load" between assignments and will.

The Chairman stated that the first proposal was directed toward improving communication between the Promotions Committee and the Faculty Council. The second proposal would specify functions for the Curricular Committee which are currently implied. The third and fourth proposals represented an attempt to redefine the composition of the faculty. He urged the Council members to study the proposals and to be prepared for discussion of them at the next meeting. President Rice asked what the third proposal would mean for the faculty status of librarians. He recalled the problems each spring in defining voting members of the faculty. He requested Professor Eichman to present an interpretation of the AAUP policy statement on faculty status for librarians. Professor Eichman responded that he was currently confused as to what the third proposal implied about the status of librarians. The Chairman stated that he hoped the confusion which arose each spring could be cleared up by clarification in the Constitution. President Rice stated that faculty members are judged in three areas, instruction, research and service, and suggested that all these areas be considered in the definition of the faculty. The Chairman concluded that a thorough discussion at the next meeting would be appropriate.

5. Academic Planning Council Action on New Major Programs

The Chairman said that this item related to certain things the Curricular

Committee would be considering and requested deferral to a later meeting.

6. New Business

President Rice reported the following information:

- 1) The United Fund Drive would be starting and he hoped all faculty members would support it and that students should be encouraged to participate in the program.
- 2) A Speakers Bureau was being planned. A list of faculty members and their possible topics would be assembled and made available to civic organizations. Kathy Will, of his office, would appreciate it if interested faculty members would submit their names and topics to her.
- 3) The Job Corps was rebuilding a second log structure building on campus using the project as a means of providing supervisory experience for Corps personnel. He asked the faculty to encourage the students who are participating in this program.
- 4) The rest park, formerly a part of the State Highway System, was being incorporated into the Bent Twig Area.
- 5) The Athletic Board required five faculty members. Past members are: Professors D. Miller, Leedy, Dunn, DeVries and Bertram. Professor Bertram served as the Chairman. The NCAA regulations require that faculty members be nominated by the Faculty Council. These members should be interested in athletics and willing to devote time to the Varsity Club and to a judiciary role in the compliance to NCAA rules. He requested that the Faculty Council submit nominations to him.
- 6) Another committee on which faculty serve is the Medical Admissions Committee. Currently serving are Professors Donaldson, Dunn and Denner. The function of this committee is for the most part to provide early counseling for any student interested in medical related fields. Medical agencies suggest faculty members in Psychology and Science for this committee.
- 7) Mr. Straeffler, the Director of Admissions, had arranged for the area "College Night" to take place on the evening of October 31. This meeting would bring representatives from various colleges and universities and also many prospective students and their parents to our campus and would require cancellation of classes that evening. Mr. Straeffler would also probably be requesting various faculty members to assist with the program.
- 8) There was nothing new to report on enrollment figures.
- 9) Professors Pitzer, Costa, Barber, Bigham and DeVries and the Art faculty had been involved in various recent activities in the areas of research and service which would be important in building their personal portfolios. He encouraged such activities and suggested more consideration of such in the procedures and criteria for tenure, promotion, and salary actions on this campus.

Corrected Oct 15, 73

The Chairman said he had sent a memorandum to the Dean of Students asking that the date for the Honors Day Program be set at least one week earlier than the requested May 2 date. He subsequently received a reply advising him that April 25, 1974, would be acceptable. Professor Kinzie moved, seconded by H. Sands,

Motion: To accept the April 25 date for Honors Day Program. Motion carried.

Professor Eichman reported that he had met in the morning with Dean Bennett on revision of the Faculty Handbook. He gave Dean Bennett copies of the items that have had past Faculty Council action and which need to be included in the revised Handbook. He noted that the Dean's office had already issued a revised organizational chart. He noted that Dean Bennett asked him to relay a request to the Faculty Council that it consider joining a commission to revise the personnel portion of the Handbook in joint action with members of the Division Chairmen's Council. Professor Eichman said that he thought it was proper for proposals on faculty conduct, discipline, tenure, and promotions to begin in the Faculty Council and cited Article II, Section 2, of the Faculty Constitution, entitled Legislative Authority.

He therefore was requesting two agenda items for the next meeting:

1) Consideration of the adoption of the AAUP statement on Professional Ethics, a copy of which could be found attached to Professor Eichman's August 13 memo to the Chairman. 2) Revision of the sections of the Handbook dealing with the appointment and tenure pp 3-8 --3-10. In preparation for this second item he had made a mock-up version amalgamating current regulations and the proposed changes he had discussed in his August 13 memoranda. He had presented a copy to Dean Bennett and to the Chairman, and had another copy for the Vice-Chairman. He suggested that the Council could follow the Chairman's previous suggestion that the three officers of the Council serve as a screening committee to prepare a final document for consideration by the Council. Professor Eichman acknowledged that administrators would have to be brought into the process and hoped that it could proceed with full cooperation.

The Chairman stated that the three officers would meet to work on the matter before the next meeting.

7. Adjournment

The meeting adjourned at 4:20 p.m. to meet next on Wednesday, September 26, 1973 in the Rare Books Room.



T.L. Eichman, Secretary

TLE:db

Appended: President Rice's memorandum, 9/17/73
Professor Paske's request, 9/11/73