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Faculty Senate meeting minutes: 05/12/2003

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TO: FACULTY SENATE
FROM: JOHN G. FLYM, SECRETARY, FACULTY SENATE
SUBJECT: MINUTES, 2002-2003 FACULTY SENATE MEETING, 12 MAY 2003

Present: (Professors) Alper, Alverson, Aroian, Baclawski, Barnes, Brookins, Bruns, Ellis, Flym, Hearn, Herman, Kane, Khaw, Lowndes, Metghalchi, Morrison, Platt, Powers-Lee, Serafim, Shafai, Sherman, Sherwood, Vaughn, Wallin, Wertheim, Wray
(Administrators) Abdelal, Greene, Meservey, Onan, Pantalone, Putnam, Soyster, Zoloth

Absent: (Professors) Bannister, Gilmore, Hall, Hope, Ondrechen
(Administrators) Mantella, Stellar

Convened by Provost Abdelal at 11:58 a.m.

- I. **Minutes.** The minutes of April 21 and 28 were approved.
- II. **SAC Report.** Professor Lowndes reported the following.
 - A. **Meetings.** SAC has met twice since last week's Senate meeting, once in regular session and once with the Provost.

Part of the regular meeting was with Professors Casey and Amiji of the Library Advisory Committee to explore how to strengthen advocacy and visibility for the Library and its needs. The Committee members raised two issues: serious concerns about the level of support for Library acquisitions, especially periodicals; and the fact that, although its current membership in the Boston Area Library Consortium is secure, it would not qualify for new membership with its current holdings, etc. There was general agreement that the proposed new standing committee for the library could be helpful in looking at a spectrum of Library issues.

In the meeting with Provost Abdelal, the Provost reviewed outcomes of the matchmate procedures used in the equity process, and also the distribution of new resources in the academic area for the fiscal 2004 budget.

- B. **AEOC Evaluation.** SAC has released the Administrator Evaluation of Professor Bobcean for reading in the Senate Office by the faculty of the Department of Theatre.
- C. **2003-04 Senate Elections.** Elections have been completed in the colleges, and President Freeland is in the process of appointing nine administrators. The organizational meeting of the 2003-04 Senate will meet on June 2 @ 11:00 a.m. to elect next year's Agenda Committee. The following faculty will serve:

Arts & Sciences

Neil O. Alper (Economics)*
George O. Alverson (Physics)*
Arun Bansil (Physics)**
Samuel J. Blank (Mathematics)**
Oscar Brookins (Economics)*
Gerald L. Bursey (Political Science)**
Charles H. Ellis, Jr. (Biology)*
Kathy M. Howlett (English)**
Matthew O. Hunt (Sociology and Anthropology)**

Robert P. Lowndes (Physics)**
 Steven A. Morrison (Economics) *
 Mary Jo Ondrechen (Chemistry)*
 Stuart S. Peterfreund (English)**
 Thomas O. Sherman (Mathematics)*
 Michael T. Vaughn (Physics)**

Bouvé

Jane Aroian (Nursing)*
 Thomas A. Barnes (Cardiopulmonary Sciences)*
 Ban-An Khaw (Pharmaceutical Sciences)*
 Louis J. Kruger (Counseling and Applied Psychology)**

Business Administration

Brendan Bannister (Human Resources Management)*
 Sharon M. Bruns (Accounting)*
 Ganesh Krishnamoorthy (Accounting)**
 Donald Margotta (Finance and Insurance)**

Computer Science

Robert P. Futrelle (Computer Science)**

Co-op

William E. Wray (Cooperative Education: Political Science)**

Criminal Justice

Wallace W. Sherwood (Criminal Justice)*

Engineering

Eric W. Hansberry (School of Engineering Technology)**
 Hameed Metghalchi (Mechanical Industrial Manufacturing Engineering)*
 Philip E. Serafim (Electrical and Computer Engineering)*
 Bahram Shafai (Electrical and Computer Engineering)**

Law

John G. Flym (Law)**

Administrators

Ahmed T. Abdelal (Provost), plus nine to be appointed.

Next Senate Meeting: Monday, May 19, at 11:45 a.m. in 308 SN.

III. **Provost's Report.** Provost Abdelal reported the following.

2003-2004 Academic Budget. Allocations for new tenure-track faculty positions amount to \$812,000, new non-tenure-track to \$78,000, and new non-tenure-track related to Business accreditation to \$450,000 (from the UC budget). Professional staff allocations total \$144,000 for academic advisors and \$476,000 (through redirection) for grant management. A key policy change, which has been instituted for GTAs who are instructors of record, is that they are no longer debited from a unit's available tuition waivers because they are compensated for services by the stipend plus the tuition waiver. This change results in increased potential support for graduate students.

Operational college budgets total \$290,000. The degree of liquidity is flat and needs to be "chipped" upward each year.

Allocations to provide funds for Arts and Sciences to deal with part-time increases resulting from increased enrollments are as follows: Part-time funding in CAS, \$400,000; and Reducing class size in English and Languages to 19, which is good for proficiency and rankings, \$200,000. Other University-wide allocations include the following: Honors (300 students), \$100,000; Library, \$150,000; Enrollment shifts in response to unmet students demands, \$250,000; and Market equity, \$1,000,000.

Provost Abdelal reported that colleges have increased both the number of students accepted with significantly better SAT scores and the number of paid deposits by those students. The average SAT score across the University is 1200. For these improvements he congratulated University Relations for its branding campaign, Enrollment Management for its outstanding recruitment and management, and the college deans, faculty, and advising staff for their aggressive recruitment and presentation of attractive academic programs.

IV. **Question and Discussion Time**

- A. The floor was yielded to Professor Willey who reported that he had had difficulty in using the University's search engine to obtain information about spring exam schedules. Provost Abdelal agreed to look into the matter of simplifying the computer search process. Professor Lowndes suggested that, in the meantime, it might help to go to the Registrar's website.
- B. Professor Wallin noted that we have more than 10,000 acceptances and asked if the admission rate has dropped below 30%. Provost Abdelal replied that, while the students accepted are better qualified than in the past and the yield looks promising, he could not predict the final outcome.
- C. Professor Bruns asked whether the high number of deposits might indicate an upward trend that would bring in more revenue. Provost Abdelal responded that we do not want to go much higher than 2800 freshman; if it goes higher, the revenue would go higher as well.
- D. Professor Barnes noted that SGS students have lower SAT scores and asked if students with higher scores were turned down because those slots were reserved for SGS acceptances. Provost Abdelal responded that Enrollment Management must manage a variety of different goals in a complex process. Vice Provost Meservey added that the SGS program is smaller, but it does provide flexibility and another entry point for students.

- V. **Ad Hoc Faculty Handbook Review Committee Report** Resolution #11, on the floor from the 28 April meeting, read as follows:

BE IT RESOLVED That the Faculty Senate approves Section VIA.12.a (Resignation and Abandonment) presented in the Revised Draft (4/30/02) from the *ad hoc* Committee to Review the Faculty Handbook, to go into effect when published in the revised edition of the *Faculty Handbook*.

Professor Ellis reminded the Senate that substitution of the term "four consecutive weeks" for "two weeks" was under discussion.

Professor Sherwood urged that the two types of abandonment-1) abandonment in the sense of pure abandonment, which is without right of a hearing, and 2) abandonment as cause for dismissal, which is less rigid-be kept separate.

Professor Flym agreed. He recommended that this item be included in the section dealing with grievance and dismissal. He thought that placing it here, with its ambiguity as to being able to decide

without a hearing that someone had abandoned his/her position, did not address the problem of teaching the class.

Professor Sherwood thought that what the proposed policy was attempting to do was too extreme, and he urged keeping the term "four consecutive weeks", which was definitive and would allow prompt action.

Professor Herman recalled four cases over the past twenty years in which individuals disappeared from the University and were incommunicado. The problem with any hearing-based system is that the individual has to cooperate. In the instances cited, if the individuals had communicated with the University at all, they would not have been charged with abandonment. The proposed language is for extreme cases that concern anyone under contract to the University. As to how to cover the courses, the money to pay a replacement would come from the salary of the person who abandoned the position. Under normal circumstances, an individual's pay would not be stopped until that person was found guilty of some charge, so this could be an important tool in the rare cases that would otherwise tie the University in knots. He had been asked by the University Counsel to present the proposal as notification to faculty, not to turn it into a procedure. If the proposed policy is withdrawn by the Senate, it will remain an institutional policy that is not reflected in the Faculty Handbook, but there is no way we can continue operating with this number of students at risk unless we have the capacity to deal with a faculty member who has simply disappeared from the University.

Professor Flym expressed the view that the grievance process ought not to be held up simply because someone disappears. He agreed with withholding the salary after four weeks. However, he saw a risk to the University of adopting a procedure that might well backfire.

Professor Sherwood thought it might be worthwhile to take that risk. An absence of four weeks would create less dispute than an absence of two weeks. The individual might be able to challenge the charge of abandonment, but the University and the Senate would not appear to have been arbitrary or heavy-handed.

Professor Ellis pointed out that the last sentence read, "A faculty member who is absent from the University without such approval for more than four consecutive weeks during the contract period may be deemed by the Provost to have abandoned his or her position with the University." This means that abandonment is not automatic but needs to be determined by the Provost.

Professor Alper suggested separating the issue of payment after four weeks and then automatically starting the dismissal procedure, which would allow the person to have a hearing. He asked what harm that would bring to the University. Professor Herman responded that the harm would be to the unit and to students. The dismissal procedure also has notification requirements attached to it. If you cannot find the individual to make contact in order to get him or her to cease abandoning the position, you would have the same problem with dismissal. The problem is that a faculty line would be held at bay. He added that resolution of such cases has taken as long as three years and that dismissal can take a year.

Dean Soyster pointed out that debating whether to fire a faculty member who did not show up for class over a period of weeks would not be well-received by the parents of our students.

Professor Flym expressed concern that the Senate was trying to address a number of discrete issues with a "cannon," when the problem was really with the dismissal process. Professor Herman replied that it was a "scalpel" rather than a "cannon." He explained that none of the cases he had cited involved clinical determination of mental illness. He noted that the dismissal process also requires communication and added that abandonment is a widely accepted industrial standard, which is needed, in extreme circumstances, to carry on the business of the University

Several Senators expressed concern that an individual with clinical depression or some other form of illness might be unable to communicate for four weeks and might be summarily dismissed by a streamlined process. Professor Herman responded that the individuals to whom he had referred had refused to communicate or to accept any treatment.

Professor Wallin expressed concern about process and suggested that the policy be reformulated for the dismissal section.

Professor Bruns thought that the term "institutional responsibilities" was vague and suggested that the policy be restricted to teaching.

Professor Ellis suggested eliminating the paragraph. The current dismissal procedure includes neglect of duty, and abandonment can fall within that provision.

Motion. Professor Wallin moved to delete the second paragraph and the term "Abandonment" in the title. The motion was seconded.

Professor Sherwood expressed concern that the precedent of extraordinary situations would create a culture less sensitive to faculty rights.

Professor Lowndes cautioned against protecting faculty who disappear without notice for four weeks, and he urged the body to reflect before voting.

Professor Alper expressed concern about taking away the faculty's right to be heard.

Several Senators objected to using an industrial model.

Motion. Professor Barnes called the question, and the motion was seconded.

Vote on cloture: PASSED, 32-0-1.

Vote on Professor Wallin's amendment: PASSED, 18-15-0.

Motion: Professor Vaughn called the question, and the motion was seconded.

Vote on cloture: PASSED, 32-0-2.

Vote on Resolution #11, as amended: PASSED, 34-0-0.

Professor Barnes suggested that the Senate try voice votes to save time. Professor Lowndes objected. Professor Vaughn concurred with voice votes on cloture but not on legislative items, which require a record of votes taken.

Professor Ellis moved Resolution #12, and the motion was seconded. The resolution read as follows:

BE IT RESOLVED That the Faculty Senate approves Sections VI.A.11.a (Sabbatical Leaves) and VI.A.11.b (Professional Leaves) presented in the Revised Draft (4/30/02) from the *ad hoc* Committee to Review the Faculty Handbook, to go into effect when published in the revised edition of the *Faculty Handbook*.

Professor Ellis noted that the committee had revised the Sabbatical Leave section of the 4/30/02 draft and that the new draft was dated 5/06/03. He reported on what the committee had done since the last Senate discussion.

One issue was what to do about semesters and quarters, since the Law School will remain on the quarter calendar. On page 1, Section 11.a.(2) Sabbatical Leave Plan and Compensation read, "Faculty [members] must specify one of two plans for their sabbatical leave: (1) two semesters at 50 percent of the faculty member's annual salary or (2) one semester at 100 percent of the faculty member's annual salary." The footnote was deleted, and the following text added: "Faculty members whose locus of tenure resides in a College or School that operates on a quarter calendar (e.g., School of Law), must specify either of two plans: (1) three quarters at 50 Percent of the faculty member's annual salary or (2) one and one-half quarters at 100 percent of the faculty member's annual salary." That is the formula for two of the three options that are currently available. In the material deleted was the statement about compensation from other organizations.

On page 2, the following was added: "The proposal shall be submitted to the College Sabbatical Committee for evaluation." This is followed by the progression up to the point at which the President makes the final decision and is consistent with the current sabbatical policy.

In the following paragraph the calendar issue was addressed. The new text reads, "Each academic year, before the end of Spring semester, the college Dean will notify all faculty members who are or will be eligible for sabbatical leave that they may apply in the following academic year." It will be for the Provost to establish the timeline.

The final paragraph of that section required that applicants be notified ". . . by January 15 of the academic year before the leave is to begin. In unusual circumstances the Provost may authorize consideration of an eligible faculty member's sabbatical application outside of the timeline."

The committee made some editorial changes in the last part of the section, which concerned obligations to the University.

Professor Morrison pointed out that the changes did not seem to allow faculty who are up for tenure now to apply. Professor Ellis replied that this was inadvertent and suggested moving the phrase "at the proposed start of the leave" so that the text would read, "Faculty are eligible to apply for sabbatical leave if, at the proposed start of the leave, they have tenure"

Dean Soyster noted the lack of a timeline for the sabbatical leave report. Is it to be completed by first semester after they return, or before their next sabbatical? Professor Ellis replied that "Upon returning" meant long before the next sabbatical.

Dean Soyster referred to the last sentence, which read, ". . . faculty members must resume their usual duties at the University for at least one academic year following the completion of the leave." He asked what would happen if they did not. Professor Ellis replied that, except for adding "members" after "faculty", the sentence is identical to what is in the current Handbook, and is also standard policy across the country. Dean Soyster pointed out that if that year is not completed, you are liable for the salary that you received on sabbatical, which has happened and caused problems at other institutions.

Professor Metghalchi expressed concern about the timeline, specifically the January 15 deadline on page 2. He recommended that the date be December 1 of the year the faculty member is asking for the sabbatical. Professor Ellis responded that the committee did not want to put a timeline with specific dates into the Handbook, primarily because our Provost knows how to make decisions more rapidly than some previous provosts did. A date is needed, however, especially for a large college, for the college's sabbatical committee to be able to consider all the proposals. In future, this date will be September 15, the second week of the fall semester.

Provost Abdelal noted that, in the last sentence, the words "outside of the timeline" provided flexibility.

Professor Vaughn pointed out that the application states that the faculty member will go to a certain place for a certain length of time, but those statements might change after the fact. He suggested deleting "In unusual circumstances". Also, in the current Handbook the third option is for a two-quarter sabbatical with 5/6 of a year's salary. Professor Ellis pointed out that the current option is to take two quarters but at 75% of salary for those quarters. Although it may calculate to 5/6 annualized, that is not the way it is written. Professor Flym noted that the School of Law understood the options as Professor Ellis had explained them, adding that teaching is but one of the many activities performed by faculty.

Motion. Professor Vaughn moved to amend by deleting "In unusual circumstances", and this was accepted as a friendly amendment.

Adjourned at 1:25 p.m.

Respectfully submitted,

John G. Flym
Secretary, Faculty Senate