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FS Minutes

November 15, 2000

FACULTY SENATE MEETING

November 15, 2000

MINUTES

President Tyson called the meeting to order at 3:12 p.m. The Minutes from the October 18, 2000, meeting were approved as presented.

FACULTY SENATE PRESIDENT'S REPORT AND ANNOUNCEMENTS (Nancy Tyson)

President Tyson's report consisted of the following announcements:

- Notification was received too late to send out a revised agenda regarding the fact that both President Genshaft and Provost Stamps were unable to attend today's meeting due to being out of town at conferences. However, both have sent representatives to speak for them, and President Tyson took this opportunity to explain their comments at last month's meeting about keeping their reports within the ten minute limit.

This limitation is not new in the Faculty Senate. Traditionally, the President, the Provost and the United Faculty of Florida President have been requested to keep their reports under ten minutes. An additional five minutes is customary for questions and answers following reports from those officers. The point is that reports are informational. When there is a matter of critical importance that requires exchange or debate, then this should be presented separately as New Business. These are two different functions that are dealt with in two different sections of the faculty constitution. Article III. B. states that "The Faculty Senate shall receive such reports as are presented to it by the President of the University, Provost, and vice presidents." Article V.C. states that "The President of the University, Provost, and vice presidents shall be extended privileges of the floor upon request."

- President Tyson attended a meeting of the Advisory Council of Faculty Senates (ACFS) in Tallahassee on October 19-20, 2000. During this meeting, the members of the Board of Regents (BOR) with whom the ACFS met, told them that anywhere from one-third to one-half of their staff were already gone. These people have either taken new jobs and/or are looking for new jobs knowing that their positions are soon to be terminated. The existing BOR essentially is no more and there is not much to be done to save it. The best hope is to convince the governor's Education Reorganization Transition Task Force (ERTTF) to implement a new one like it; something to stand between the so-called megaboard and the local governing boards of the individual

state universities. This became the single-minded focus of the ACFS meeting to use every argument within its power to convince the members of the ERTTF that the universities are not what they consider to be grades 13 through 20 of a public education.

The ACFS put together a list of reasons as to why it is so important and so essential to have a regulatory, coordinating body. This group decided to band together and go to the governor, the lieutenant governor, the task force, and the legislators united and impress upon them how important it is to have such a body over the State University System (SUS). Therefore, there is a letter drafted on behalf of the ACFS and it is on its way to the governor, the lieutenant governor and the task force. Very soon, President Tyson will follow that letter with an e-mail to the whole University of South Florida (USF) community to ask that everyone contact five people outside of the university and ask them to e-mail the governor, the lieutenant governor, the Tampa Bay legislative delegation and impress on them the importance of a regulatory, coordinating body. A link will be included in her e-mail that will allow the sender to send one e-mail to all these people. President Tyson's e-mail will also include a link to the ERTTF web site.

- The ERTTF will be in Tampa on January 8 and 9, 2001, the first and second days of the Spring Semester. President Tyson plans to attend. She will let the Faculty Senate know when and where that meeting will take place, as well as an agenda.
- On November 27, 2000, there will be a Greater Tampa Chamber of Commerce reception for the Hillsborough County Legislative Delegation. By virtue of her office, President Tyson has been invited, and she plans to attend to try to sell the regulatory, coordinating body to as many legislators as possible.

PRESIDENT'S REPORT

Dr. Josue Cruz, Faculty Assistant to the President, presented the following report on behalf of President Genshaft who was not at today's meeting because she was attending an out-of-town conference. There will be a forthcoming press release announcing the Provost's search, as well as the list of the twenty-one committee members of which sixteen are faculty. A letter from the chair of the search committee, Dean Dale Johnson, will be going out to each faculty member telling them about the search and providing them with a copy of the position announcement. Dr. Cruz stated that President Genshaft would like as many of the faculty as possible attend the interviews. The search committee will begin to review/screen applications on approximately January 19, 2001. It is anticipated that the committee will be able to make recommendations to the President in late March/early April. It will be an aggressive search with an anticipated final decision made by the end of the academic year. Dr. Cruz reiterated that faculty should really maximize their participation in the process.

PROVOST'S REPORT

Vice Provost Tennyson Wright reported on behalf of Interim Provost David Stamps who was also attending an out-of-town conference.

- Two candidates for the Dean of the College of Engineering have been asked to return for follow-up interviews. Although the interviews will primarily take place within the college with faculty and staff, as well as administrators, everyone is welcome to participate and is strongly encouraged to do so. The Provost would like to make a final decision by the end of this semester.

- The search for the Dean of the College of Marine Science is underway. The announcement was mailed out on November 13, 2000, and will also appear in a number of discipline related magazines. Senators were urged to nominate qualified individuals to the Provost and, again, encouraged to participate in the interviews.
- On November 13, 2000, the announcement regarding the 2001/2002 sabbatical applications was mailed. The deadline for submitting applications is January 12, 2001. Senators were encouraged to share this information with their respective units, as well as to participate on their own behalf. Normally there are thirteen awards for one semester, full pay sabbaticals. In addition, there are two-thirds pay sabbaticals in an equal number for individuals with at least twelve years of continuous service at USF without having received a sabbatical.
- Today is the deadline for receipt of nominations in the Provost's Office for Distinguished University Professor. The process should be completed in early April.
- Vice Provost Wright announced that Phil Smith is undergoing surgery today and asked the Senators to keep Phil in their thoughts and prayers. He is at the Moffitt Cancer Center and will be out of the office until the first of the year. Senator Richard Taylor from the Department of Philosophy will fill in during Phil's absence.

During the question and answer session, Senator Sherman Dorn raised the issue of the lack of guidance in the Tenure and Promotion Guidelines on a description of "collegiality." He feels that there needs to be some discussion as to what collegiality means and whether or not faculty should be evaluated on those standards. Senator Dorn pointed out that a couple of years ago former Provost Tighe stated that there are some faculty who are not collegial without guidelines, and Senator Dorn felt that this was a very dangerous category. Vice Provost Wright suggested that the request be shared with the Provost, placed on the Council of Deans agenda, and a collaborative effort be made between the Provost's Office, the Council of Deans and the Faculty Senate to discuss and review to determine whether or not a definition of collegiality is appropriate. He will take the issue back to the Provost for consideration.

UNITED FACULTY OF FLORIDA (Fredric Zerla)

As Treasurer of the United Faculty of Florida (UFF) Senator Zerla announced that UFF is in the process of submitting a grievance on behalf of the faculty to the administration regarding the requirement of faculty to attend a sexual harassment workshop. In addition, the people who attend the workshop have to sign a statement that they will report any violations of the USF policy which they become aware of according to USF procedures for reporting such violations. Senator Zerla stated that there was no discussion with the UFF about this added duty for faculty.

The components of the grievance are: (1) USF violated collective bargaining laws by failing to bargain in good faith with the UFF and violated Article 2 of the collective bargaining agreement by failing to consult with the UFF regarding requiring employees to attend a diversity issues and sexual harassment prevention workshop and signing a form entitled "Training Participation Form." (2) USF violated Article 9 of the collective bargaining agreement by making additional assignments to employees as set forth in said Training Participation Form which assignments were not included in said employee's current annual assignment form. (3) USF violated Article 16 of the collective bargaining agreement by establishing specific grounds for the termination of employees and requiring employees to agree to these grounds, which in effect requires the employee to waive the due process right.

The remedy offered by the UFF is (1) to make attendance by employees at the diversity issues and sexual harassment prevention workshop voluntary. This would remove it from the assignment of duties form. (2) To rescind the requirement that employees sign the Training Participation Form since the form is full of ambiguities.

Several Senators stated that they had attended a sexual harassment workshop and found the information to be valuable. Senator Zerla responded that the UFF did not object to the workshop itself, but to the mandatory attendance, and the arbitrary and capricious way that it is required of each employee to sign a statement that is full of ambiguities. In addition, the UFF does not like the fact that this requirement was not discussed with them. Senator James Cavendish indicated that he attended a "Train the Trainer" Workshop. Although he agreed that the information was valuable, the mandate that employees sign the participation form was inappropriate; and, in fact, he refused to sign it. Also, he took offence in that the workshop was called Diversity Issues and Sexual Harassment but it focused exclusively on sexual harassment and purely from a legalistic point of view. He felt it was too broad to talk about diversity issues. Therefore, he suggested that if it is going to be called diversity issues that it be broadened to go beyond what is purely in the law.

Vice Provost Wright indicated that he has had conversations with Ms. Trudie Frecker, Associate Vice President of Human Resources and R.B. Friedlander from the Office of General Counsel regarding the origin of the requirement for the training. It is his understanding that former President Betty Castor's original intent was that faculty, and the university at large, would be strongly expected to participate. There will be discussions occurring between President Genshaft, the Provost's Office, Human Resources, and the Office of the General Counsel regarding what is occurring and the frustrations and concerns that faculty are experiencing, as well as the concerns of the UFF. He pointed out that it has not gone unnoticed and the administration will be responding to the concerns.

Senator Sara Mandell asked if this requirement was state-wide or specific to USF. Vice Provost Wright responded that it is going on at the other state universities. The reason it is going on is that one of the defenses of the university in the event of a sexual harassment lawsuit is to what extent the university attempted to prevent sexual harassment from occurring. One of the proactive steps that the university is taking is to try to educate, to the extent that it can, through these types of workshops, in order to be able to say that it made a good-faith effort to educate its workforce. Vice Provost Wright reiterated that the administration will be meeting to discuss the concerns expressed so as to make it as easy for everyone and as painless and productive as possible. It is hoped that the outcome will be a much better educated, more diversely aware, and sensitive population, not only for the employees of the university but also for the students.

REPORTS FROM OFFICERS AND COMMITTEE CHAIRS

1. Committee on Committees (Jenifer Schneider)

Committee on Committees Chair Schneider presented the following nominations for Faculty Senate Standing Committees and Council:

Academic Computing

Maryellen Allen (LIB)
Nancy Menzel (CON)
Eknath Naik (COPH)
Jeff Reisburg (STPT)
Bradlee Shanks (COFA)

Graduate Council

Alex Ratensky (ARCH)

Honors and Awards Council

Lois Gonzalez (CON)

A motion was made and seconded to approve this slate of nominees. After a brief discussion regarding the qualifications to be on the Graduate Council, the motion was passed.

2. Bylaws Committee (Jesse Binford)

The Bylaws Committee was asked by President Tyson to review the quorum policy of the *Bylaws to the Constitution of the Faculty of the University of South Florida* to determine whether or not the policy on obtaining a quorum could be restated in a more logical manner. Therefore, as chair of the Bylaws Committee, Senator Binford presented the following proposed amendment to the *Bylaws to the Constitution of the Faculty of the University of South Florida*:

Article V.D.4. [Senate Executive Committee] Quorum

Existing language: "A quorum for meetings of the Executive Committee shall consist of any five elected members."

Revised to read: "A quorum for meetings of the Executive Committee shall consist of fifty percent of the members, including at least four elected Senators."

Rationale:

The term "elected members" in the existing language is ambiguous, but it appears to mean elected members of the SEC, as opposed to elected members of the Senate.

Of the thirteen members of the SEC, only five are elected to the current SEC by direct action of the Senate. These are: the President and Vice President, the Senate Secretary and Sergeant-at-Arms, and the Senator-at-Large. A strict interpretation of the quorum rule would exclude the following two members: the Committee on Committees Chair (who is elected by his or her committee) and the Past President (who was elected to last year's SEC). All five of the previously mentioned members would therefore be required at every meeting.

The remaining (non-elected) six members of the SEC are as follows: the Parliamentarian, who is an elected Senator, but appointed to the office, and five ex-officio members: the Chairs of the Graduate, Instructional Technology, Library, Research, and Undergraduate Councils, who may or may not be elected Senators. (The Past President also may or may not be an elected Senator in any given year, depending on his or her term of election.)

The main clause of the proposed new language is similar to the rule for the Senate,

which states: "Fifty percent of the membership of the Senate shall constitute a quorum" (Bylaws, Article IV.C). Under the clearer terminology specifying "elected Senators" rather than "elected members," seven members of the SEC would be eligible for the quorum count in any year: the President and Vice President, the Senate Secretary and Sergeant-at-Arms, the Parliamentarian, Senator-at-Large, and Committee on Committees Chair. Lowering to four rather than five of the seven would ease the stringency of the current requirement but at the same time maintain a core presence of elected Senate representatives, as appears to have been the intent of the original rule.

President Tyson pointed out that the problem is that the existing language says a quorum shall consist of any five elected members, and there are only five elected members of the SEC which means that all five of them have to be present for a quorum. She added that with this proposed amendment it would make the Bylaws unambiguous and workable. The proposed amendment will be voted on at the January 17, 2001, Faculty Senate meeting.

ISSUES FROM THE FLOOR

1. Collegiality

Senator Gene Ness revisited the issue of the use of the term "collegiality" in the Tenure and Promotion Guidelines. He feels that this is an important issue which can lead to mischief. Therefore, he recommended that rather than define what collegiality is, just strike it entirely from the guidelines. Then someone who is not collegial is not carrying out his or her assigned duties, and the remedy for that is elsewhere in terms of downgrading on teaching, research, and service. He does not see that it is of worthwhile interest to define the term.

President Tyson suggested that this is an issue that should be reviewed by the Faculty Evaluation and Standards Committee. Senator Mandell recommended that this issue be done as a coordinating effort with the Provost's Office, the UFF, and the Faculty Evaluation and Standards Committee rather than undertaken as an independent effort. Vice Provost Wright agreed that it is a good idea to have different groups work on issues together. For example, the 1992 Tenure and Promotion Guidelines did not contain collegiality, but the 1998 guidelines do. The same thing happened in the collective bargaining process, in that collegiality was not a part of some previous collective bargaining agreements, now it is. It appears that the concern has been mostly in what it means and how might it be misused because it is not clear how it is defined, how it is applied, and how it is evaluated. Vice Provost Wright indicated that it was a good suggestion and he would be willing to participate.

2. Diversity Issues

Senator James Cavendish indicated that he is a member of the Diversity Committee, and that there are a couple of issues which the committee would like to have considered by the university and possibly by the Faculty Senate. One issue is whether or not the university has dealt with sexual orientation, whether a decision has been made by the Faculty Senate in that respect, what has been the response from the administration, and whether it is time to improve that situation. Vice Provost Wright clarified that former President Castor did endorse a policy of tolerance with regard to sexual orientation, but it was not approved by the BOR. Senator Cavendish stated that the BOR refused to deal with the issue partly because they sensed that the legislature would not be sympathetic. He added that it seems if the Faculty Senate as a body

would push legislators with this kind of issue, something might be done so that it bypasses the BOR.

A second issue raised by Senator Cavendish is the United Way Campaign which includes some agencies and excludes others. He asked if the Faculty Senate wants to make any kind of statement to United Way that it should examine why some agencies are included and why others are excluded in their campaign, i.e., the Boy Scouts of America which has a policy of banning gays and lesbians from their organization. If the Boy Scouts of America is to be included in the United Way Campaign, why is the university so forceful in its support for the United Way?

Senator Cheryl Hall added that the Committee on Sexual Orientation has for years as its top priority tried to get a sexual orientation policy approved by the BOR. She recommended that the Faculty Senate renew its resolution in support of sexual orientation which was passed a couple of years ago. Past President Janet Moore indicated that the Faculty Senate has regularly taken a stand on sexual orientation and has supported former President Castor's letter. All this information is contained in the past minutes of the Faculty Senate. Senator Richard Taylor stressed that he does not get any sense that the BOR or its staff has any opposition to include sexual orientation language. The issue, as it has been represented at the collective bargaining table, is a legal one. That is, a state agency may not create a new protective class that is not a protected class under Florida law. Therefore, the problem is with the Florida law and not with the BOR and its staff.

Senator Mandell pointed out that there is a greater problem in the matter of the United Way than the discrimination of the Boy Scouts of America. This greater problem is that many people prefer to give to their charities privately. When the charity comes through the workplace, people feel embarrassed and uncomfortable if they say no because it becomes a very public thing. Therefore, the charity should not come through the employer. Senator Paveza pointed out that there should be a way of conducting contributions so that the giver can remain anonymous within the departments and colleges. He felt that this was worth further investigation. At this point, President Tyson determined by consensus that sufficient time had been spent on this issue at this meeting. She indicated that further discussion could take place at a later meeting if necessary.

OLD BUSINESS

1. Nomination Clarification

At the October 18, 2000, Faculty Senate meeting, Ms. Paulette Walker was considered for nomination for membership on the Faculty Committee on Student Admissions. During the discussion of the nominees, the question was raised as to whether or not Ms. Walker was a faculty member, but the question could not be answered at that time. At today's meeting as Chair of the Faculty Committee on Student Admissions, Senator Zerla clarified that Ms. Walker does hold a faculty position, therefore making her eligible for membership on that committee.

2. Plagiarism on the Internet

President Tyson announced that the Faculty Senate has accepted a two-month free-trial offer from Turnitin.com which is an anti-plagiarism web site (see attachment). It will permit the Faculty Senate to register up to 150 classes, whereby professors and students can submit student papers to be tested against the database in order to detect

plagiarism. As administrator of the pilot project, President Tyson is soliciting professors who would like to enroll their classes in the program. This is just a trial to see if it works well and to find out how it is received. The handout she distributed contained instructions for what professors should do if they want to register one class. However, President Tyson pointed out that where it asks for "Instructor Password" and "Class Upload Password," these are unique passwords that must be created only for this purpose. President Tyson encouraged Senators to "quietly" share this information with their colleagues in order to get as much participation as possible.

NEW BUSINESS

1. Grade Scanning (John Jackson)

Mr. Jackson, from Informational Technology, attended today's meeting to present a proposal for grade scanning. The issue is to have an intermediate step between the current, antiquated system and the future process of keying grades in through the web system. He presented the same information to the SEC at its meeting on November 1, 2000, meeting during which time the SEC gave its support. Therefore, at this time Mr. Jackson asked for the support of the Faculty Senate to go to a grade scanning process. The university would like to do a pilot this fall and try to be in a situation to have it fully implemented in the spring. He pointed out that one consolation is that if there is a problem with the scanning, keying can be done from the forms. The grades would be available to students on-line a day earlier. The reasons for the delay in switching directly over to the web site are a matter of time (not knowing exactly when it will happen) and the need to have two systems until everyone is phased in to direct, on-line web access. President Tyson added that the driving force behind the grade scanning now is a direct result of the plus/minus system due to the complexity of entering those grades. Mr. Jackson indicated that when the grade scanning process is totally implemented, the scanning equipment will be used for other things.

2. December 6, 2000, Meeting

It was the consensus of the Senators to cancel the December 6, 2000 Faculty Senate meeting. The next meeting will be held on January 17, 2001.

" ... and I heard him exclaim as he pulled out of sight, Merry Christmas to all and to all a good night!"

There being no further business, the meeting was adjourned at 5:00 p.m.

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