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Faculty Senate

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The meeting was called to order at 3:09 p.m. The agenda for today's meeting was approved as presented. The Minutes from the meeting of September 25, 2002, were approved as presented.

COMMENTS AND REPORT OF THE FACULTY SENATE PRESIDENT (Gregory Paveza)

President Paveza reminded everyone that Senator Bob Graham's appearance on October 17, 2002, to discuss Amendment 11 was canceled because of his return to Washington on Senate business. An attempt will be made to re-schedule the Senator sometime later in the month prior to Election Day.

An Open Forum with a reception is scheduled at the Lifsey House today from 5:30 p.m. to 7:00 p.m. for Dr. George Strain, candidate for Vice President for Research. In addition, there is a session scheduled for Faculty Senate members to meet with Dr. Strain on Thursday, October 17th, from 2:30 p.m. to 3:45 p.m. in ADM 241 (the President's conference room). Dr. Ian Phillips, the other candidate for Vice President for Research, will be on campus next week. The Open Forum for faculty, staff, and students to meet with Dr. Phillips is scheduled for October 22, 2002, from 5:30 p.m. to 7:00 p.m. at the Alumni Center. A separate meeting with members of the Faculty Senate is scheduled for Wednesday, October 23, 2002 from 11:00 a.m. to noon in SVC 2080.

President Paveza announced that the Faculty Senate and the Florida Chapter of the United Faculty of Florida (UFF) at the University of South Florida (USF) have made arrangements for a debate between Attorney Robin Gibson of the Education Excellence for Florida and Phil Handy, Chairman of the Florida Board of Education, for a debate on Amendment 11. This debate will occur on Tuesday, October 29, 2002 from 2:00 p.m. to 4:00 p.m. in the Marshall Center Ballroom. There will be time for questions from the floor. There will be broad dissemination of this debate through netcast or other possible broadcast alternatives. This amendment is a fairly critical issue for state universities, and President Paveza encouraged all who could to attend and to send their classes as well.

President Paveza continues to work with Ms. Merilyn Burke, Chair of the Honors and
Awards Council and the Provost's Office on the issue of parking for Emeritus Professors. Parking Services recently denied free parking hang tags to the Emeritus Professors who requested them. This is in spite of the established and approved policy at the university that one of the amenities of Emeritus status is free parking on the Tampa Campus. He anticipates that this issue will be resolved in the next couple of weeks so that by next term, Emeritus faculty will again have their free parking.

There are a number of other issues to be addressed by the Senate. One of which is the A+/A- grading system. There is also a proposed university-wide grievance procedure that has come forward from the Provost's Office. These issues have been referred to the appropriate counsel to establish conference committees who will bring them to the full Senate in due course.

PRESIDENT JUDY GENSHAFT

President Genshaft expressed her appreciation for having the opportunity to attend today's meeting to review with the Senators what has been going on this new academic year and to share with them some of the items that are unique.

At this time, a fact sheet called "USF Highlights Fall 2002 (as of September 2, 2002)" was distributed. President Genshaft pointed out that enrollment on the Tampa campus is up five percent, and for the first time graduate student enrollment is up to 7,000. One of goals of USF has been to look at the enrollment mix of and particularly stress the graduate enrollment. The caliber of the students has risen in that SAT scores and high school grade point averages are up from last year. A record number of high school valedictorians have been recruited, and the Honors College grew by 11 percent. USF's growth in quality and quantity reflects the systematic approach to enrollment management that has been undertaken. For three academic years USF met and exceeded the enrollment goals, and that is a very important milestone. President Genshaft emphasized that it is not the purpose to get bigger and bigger, but to maintain an enrollment base so that funding levels keep growing, as well as increasing the quality of classes.

President Genshaft announced that USF is now focusing on developing a profile typical of a metropolitan research university and that there is a five-year enrollment management plan. This plan includes incremental increases in admission standards, of which the effects have already been seen. A very important factor in the rising quality of the student body is support. As standards are raised, there is also a need to continue to focus on raising scholarship funds.

President Genshaft pointed out that in order to help retain excellent faculty, USF will provide a President's Award for Faculty Excellence. This award will be given to 100 superior tenure or tenure-tract faculty, with the raises being eight to ten percent of their base salaries. This is one strategic way in which to reward faculty who have been very productive in teaching, research, and service.

USF's most dramatic achievement continues to be sponsored research in that external research funding has increased almost 800 percent in the last 17 years. This past year USF received $207 million in external research awards, up from $186 million. Federal funding rose 91 percent in the past two years. President Genshaft pointed out that these increases are important because they bring international money to help our local
communities and then help our region. In addition, it also brings in more overhead to keep all of the facilities moving and to do whatever is necessary to continue the research and teaching mission of USF.

*The Chronicle of Higher Education* reported that USF led the nation in research, contract, and grant money awarded to institutions by Congress totaling $41.5 million. This is a reflection of USF's excellent and nationally significant research of its faculty and the commitment of its delegation in Congress. In addition, USF is making significant progress in increasing its infrastructure. This year USF will begin more than $100 million in construction. These funds have been made possible by the Legislature in terms of PECO funds, as well as in terms of the Foundation. USF's Foundation has been able to raise enough money for housing expansion, a charter school, Alumni Center expansion, an athletic facility along with the natural and environmental sciences construction. In addition, a new the music facility will be on the PECO list for the upcoming year. These expansion projects are important to USF because it has been under funded in terms of laboratories and instructional infrastructure that are needed in order to progress to match our research dollar and talent of our faculty.

President Genshaft urged everyone to meet with the two candidates for the position of Vice President for Research. In addition, she announced that the search for a new CEO and Vice President of the St. Petersburg campus has begun.

At this time, the floor was opened for the following questions and responses:

**Question (Senator Gene Ness):** How do you envision the selection process for faculty who are to receive the 10 percent salary increase?

**Response:** The Provost and the Vice President for Health Sciences have been asked to determine the way in which they want to identify the faculty and to forward to her the names they are recommending. President Genshaft pointed out that the Vice President for Health Sciences is included in the process for the entire Tampa campus. It is different on the regional campuses because the funding is different.

**Question (Senator Sang-Hie Lee):** Is calling a vice president of a university a CEO a new trend?

**Response:** This was something the Legislature placed into the bill that was passed for Sarasota, Manatee, and USF St. Petersburg. They put the head of the campus as CEO. This was a Legislature term used, so it is not in vogue, it is simply a Florida Legislature term. They also serve as vice presidents to the president.

**Question (Associate Dean Kathleen Heide):** Are the criteria posted for people to apply for the salary increases?

**Response (Provost Stamps):** Each dean will be able to put forth not more than 20 percent of the total number of faculty within that college. Those applications will include only a curriculum vita, adding a one-page justification why that person should receive a salary increase. A faculty committee made up of faculty who are outstanding researchers and those who are in DROP will be established at the university level. Recommendations are due in the Provost's Office by November 15th. These recommendations will be turned over to the faculty committee. The faculty committee will look at the materials presented and will make a recommendation to the President and to the Provost. Each of the deans
will be working with department chairs in each of the departments. The Health Sciences Center is inclusive, but the Vice President will develop a set of procedures for those faculty. Therefore, their process will be separate from the rest of the campus.

Question (Senator Gregory McColm): What steps is the university taking to deal with what might be a master financial crunch to the State University System?

Response: Regardless of the kind of cuts we have to take, the faculty raises will go through because it is such a high priority. Although it cannot happen all at once, this is the way that we can start. How is the university prepared? This is being discussed and different ways are being looked at in order to deal with the budget scenario.

Question (Graduate Council Chair Kelli McCormack Brown): With the increase in graduate students and impending budget cuts, how will these graduate students be funded?

Response: Researchers are being asked, if at all possible given their grant, to place graduate students on their grant. Certainly there has to be money from the institution for those that do not pay the stipend and the funder will not pay the tuition. USF has put aside approximately $8 million for the graduate student fund on the main campus. The budgets for the Health Sciences and the main campus are separate. The fund does not cover all that it should, because each time the university is able to rise up, it gets knocked down with a budget cut that comes out of the same funding.

Question (Senator Maria Kallergi): Will there be any effort to grant in-state tuition to out-of-state graduate students, particularly those who are on grants?

Response (Provost Stamps): There is an effort among all of the provosts throughout the State University System to have all graduate students come in as in-state. Although it has been tried in the past, it was unsuccessful. As the President will tell you, USF has a better opportunity for controlling its tuition now, so one way of handling it is a term that is referred to as "tuition discount." In other words, tuition can be discounted for graduate students who are here on research or teaching assistantships. However, there needs to be a balanced budget, because if there is a discount beyond a certain level, then the university will begin to lose money. So, an equitable system needs to be established because tuition waivers are now actually tuition discounts.

At this time, President Genshaft ended with saying thank you to the Senate for allowing her to address them. She announced that she and Provost Stamps have been visiting departments across the university and that these were terrific visits for them. They have enjoyed meeting the impressive USF faculty and thanked them for their time.

**REPORT FROM THE PROVOST** (David Stamps)

Provost Stamps announced that USF is into its second year of its review of doctoral programs. During 2001/2002 programs in engineering, the sciences, and in the College of Arts and Sciences were reviewed. Currently, programs primarily in the Social Sciences are being reviewed. These reviews are extremely important because they help the university plan for the future by providing feedback to the Provost's Office as well as to those departments in terms of their current and future directions. The reviews have been
very, very good this year. The reviewers of the Anthropology program said that USF has the premier Applied Anthropology program in the country and are the leaders, for which the administration is very proud. The Communications review team also received a very good review. The Provost stressed that these reviews continue because as USF goes through a strategic planning process it is important to know exactly where the programs are, and to see whether or not they are on the right track. It also provides in what direction USF needs to go in terms of the future. He feels these are monies well spent.

The Honors College dean’s search has been narrowed to four candidates and these four individuals will be brought to campus for interviews. The enrollment for the Honors College this year brought in 425 first-time-in-college students which is an 11 percent increase over last year. The average SAT score for incoming freshman into the Honors College was 1,300. Fifteen percent of the class was made up of minorities. In terms of departmental honors programs, Biology and English have reinstated their honors program and Psychology has enhanced its honors program.

A search committee has been appointed for a permanent Dean of the College of Education. The first meeting is scheduled for October 24, 2002.

Provost Stamps reiterated that in the summer of 2003, there will be the first major group of faculty that retire under DROP. Cost estimates from Academic Affairs (those academic departments that report to the Provost) are running about $1.6 million in buy-out for those people who are retiring. The estimate is that 92 faculty members are retiring, 76 of which are on the Tampa campus. For example, 4 within Arts and Sciences, 3 in Business, 13 in Education, 3 in Engineering, 10 in Visual and Performing Arts, 0 in Marine Science, 4 in FMHII, and 3 in Educational Outreach. The other 16 are from the regional campuses, 6 in St. Petersburg, 2 in Sarasota, and 8 in the regional campuses. The Provost pointed out that this represents two things: The first is a major resource allocation, and second is a major loss of human resources to the university. This is in addition to the regular attrition that would take place. A balance needs to be found. Therefore, this is a high priority for USF.

Another issue currently being worked on is to get graduate students approved for financial aid. Graduate students, so far, at this university have not received financial aid. They receive graduate, research, or teaching assistantships, but they do not receive financial aid. A process of generating funding for graduate student financial aid is in the process.

Provost Stamps announced that all of the State University System provosts are beginning to cooperate in terms of international and study abroad programs. It is anticipated to set up a web site to list all of the various study abroad and international study programs. This would allow any student from any institution to have an opportunity to study abroad with that program at another institution as well as his/her own institution. Provost Stamps would like to see a part of tuition set aside for study abroad so that scholarships can be given to students to study abroad. He pointed out that other universities in other countries include a certain amount of study abroad programs as a part of the educational process and he feels this is something that will be necessary at USF.

The Provost announced that the non-doctoral institutions are beginning to establish a pipeline to the doctoral producing institutions. For example, the University of North Florida, University of West Florida, Florida Gulf Coast University, New College, and FAMU are all trying separate programs that will serve as pipelines into the doctoral producing institutions. During the spring of 2003, fifteen of the top student names and credentials...
will be sent to all of the doctoral producing institutions. They are asking that these institutions try to have fellowships and scholarships available for them. This is a way of trying to attract and maintain some of the top students that are graduating from Florida universities within our own Ph. D programs.

At this time, Provost Stamps answered the following questions:

Question (Senator Denver Jones): What does sick leave buy-out mean?

Response: When an employee retires, the university has an obligation to pay those individuals for accrued sick leave hours. The State University System pays 25 percent of the number of sick leave hours accumulated, based upon salary.

Senator Sara Mandell recommended that the Ph.D.-granting departments send representatives to talk to the equivalent department at that university. That is one way to attract students, not just reaching out to them on an administrative level but allowing them to hear an individual faculty person talking about their department. Senator Mandell feels that if the university would underwrite this sort of action, it would attract some good students.

Question (Senate Vice President Susan Greenbaum): I would like to address the letter that you sent last week. There are two issues I would like to raise. One is the assertion that we cannot begin to bargain a contract until it has expired. That is a very baffling and limiting condition. Are all of the vendor contracts going to expire and not be bargained or negotiated in advance? The other issue has to do with the implication that we do not need a contract and that, instead, rely on the faculty handbook. It is my understanding that the faculty handbook is not enforceable and that it can be changed without notice. I feel that it is probably not an adequate replacement for an enforceable contract. Would you please elaborate on this?

Response: In terms of the contract, the state board has to devolve the rights down to the Board of Trustees who then have to make a decision as to whether or not the Board of Trustees will be the one to negotiate or whether the university will be. USF is not doing this in isolation, it is coming from all of the universities. The letter he sent out is a document that was prepared for all of the provosts to send out. As far as your other statement, the Provost does not think it was meant to say that a contract is not needed, but what it was meant to say was that during the period when there was not a contract, that people would have protection. This university has not taken the position that we are not going to negotiate with the current union. USF feels it has a positive relationship with the current union and it is just trying to follow the rules and regulations. He added that he does not know how this contract differs from vendor contracts.

Question (Senator Brent Weisman): Please elaborate on your statement about the financial aid for graduate students. What will it take to make that happen, what programs will be developed for the graduate students, and how will that financial aid be integrated into their assistantships?

Response: USF has graduate students who are eligible because of their current financial condition for financial aid. There are no rules and regulations from either a federal or state standpoint that precludes them from being eligible for financial aid. This is a local decision, and what USF is looking at is that these funds should be available to graduate students as well as to undergraduate students.
Question (Graduate Chair McCormack Brown): In regard to the review of the doctoral programs, what is happening with all the reports coming out of these reviews?

Response: Each department goes through a self-study. The self-study is then sent to a team that is selected in which departments have a say-so. They submit x-number of names of people from around the country that they feel are appropriate for reviewing those graduate programs. Two or three of those individuals are selected by USF and brought to campus. Right now we meet with them once they get on campus initially, then they meet with faculty and graduate students. They have read the self-study. At the end of these meetings, they then give us an oral report with the chair and the graduate director within that department. When the final, written report is received (in some cases that could be two or three months later) those reports are shared with the department.

Question (Graduate Chair McCormack Brown): Are there going to be financial decisions made upon this? Will some departments get more money to help build their programs? Will some departments lose money?

Response: No, what happens is that departments go to their deans and make a case for the funds they need in certain areas. When we bring the reviewers in, reviewers look at what is happening nationally and, in some cases, what they are telling us is, for example, that the teaching load might be to high within their department, or they might tell us that the undergraduate enrollment is too high in order to support a graduate program with the number of faculty that we currently have. This is the type of feedback we get. The whole idea is as we plan and begin to allocate resources and as deans come forward and department chairs make their cases to deans, that this is information that is beyond the university to make decisions in terms of allocation of new resources.

UNITED FACULTY OF FLORIDA REPORT (Roy Weatherford)

United Faculty of Florida (UFF) President Weatherford stated that the discussion of AAUP censureship is of tremendous importance to this organization and to the faculty. AAUP's assistance during the crisis at USF has been greatly appreciated.

President Weatherford reported that paychecks this Friday would reflect the first installment of a 2.5 percent across-the-board raise. He explained that although that does not sound like a lot to be happy about, the alternative was as follows: Negotiations began a long time ago. The Florida Board of Education made an offer, this is essentially the Governor's office. The one-time bonus was for a few faculty that would not go into salary base and would not apply to everybody. They would not even specify how much it would be. They would not specify any criteria. They would not specify any number who would receive it. UFF made counter proposals, UFF tried to bargain, they never bargained, and they never changed. They insisted on it, so we went to impasse. Under Florida law, the Board of Education as our employer, and the Florida Legislature is our legislative body with the legal right to impose a resolution of impasse. However, the Public Employee Relation Commission (PERC) also has authority over the bargaining process itself. So UFF filed with PERC a charge of unfair labor practice against the Florida Board of Education, because in insisting that they had complete control over the money and refusing to bargain anything whatsoever, they were violating the letter of intent of collective bargaining law to which PERC agreed. They found in our favor and they ordered the Board of Education and the individual universities to pay the legal fees of the
union and to post in a prominent place the ruling that says that the Board of Education committed an unfair labor practice. Meanwhile, the Legislature imposed a resolution which was a 2.5 percent raise across the board. The article in which we went to impasse, Article 23 - Salaries, has therefore been replaced by a legislative mandate for a 2.5 percent increase across the board. That is the only legal authority for raises in the system at this moment. Last year the union consulted with the administration under Article 23.9, a subsection of Article 23, which gave the individual universities and the Board authorization to make modest increases in the salary. The university’s authorization to do what it is doing has expired, and they have now announced an intention unilaterally to give discretionary increases without negotiating. That is the very thing PERC already told them they cannot do, but it is their intention to do it. They can do this if there is no collective bargaining agreement. The Florida Board of Education has an extended contract for the USPS employees for six months. However, they have the legal right to do that for us as well and they are not doing so. The university has taken the position that when a contract expires, faculty do not need to worry because they will do what is right.

President Weatherford announced that there will be a town hall meeting on Friday, October 18th for all faculty from 1:00 p.m. to 3:00 p.m. in the CIS auditorium. It will be followed by a celebration at Riverfront Park. It is hoped that UFF will begin negotiating the future salary increases for faculty, and it is hoped that they will be substantial.

The question arose about whether or not the university has the legal right to bargain. There is one legal restriction and that is the university may not bargain with another organization including the Faculty Senate or the AAUP about terms and conditions of employment. If they wish to negotiate that, they may only do it with the existing bargaining agent which is the United Faculty of Florida. As the bargaining agent, the United Faculty of Florida has authorized our chapter to be the bargaining representative for all matters affecting the USF faculty. There are no legal impediments to the Florida Board of Education doing the same thing, and telling the USF Board of Trustees and the administration that they have the legal right to act as the bargaining representative for management. Management has no bargaining representative. We have a contract. There must be somebody on the other side who has the right to negotiate its successor.

President Weatherford addressed the question which arose during President Genshaft's report about the term CEO and whether or not the use of this term is a trend at universities. He explained that the trend is called the corporatization of American higher education, and many people think it is a very serious trend. He pointed out that the Board of Trustees are all corporate supporters of the Governor, as well as political appointments, and they all want to corporatize the university.

President Weatherford emphasized that in the union's current drive to collect collective bargaining authorization cards, it is not challenging the administration, President, or Provost, that they are going into this period of uncertainty with goodwill and honorable intent. However, it is a period wrought with peril and they have already taken the position that the contract will expire, and they refuse to take any positive steps to try and stop that. Under collective bargaining law when there is an existing contract and the collective bargaining agent and management try to negotiate a successor agreement, if they are unable to reach agreement the existing contract continues until they do reach an agreement. The contract does not end on its expiration date, it continues. Nobody looses their collective bargaining rights because the current contract expires. This is being treated as an exception. We cannot be organized out of existence, but we can start
bargaining with somebody else. If you want to change your management, the union will change its bargaining structure to match it. That is fair. However, a few weeks ago Phil Handy told President Weatherford that that is not what he said. Instead, Mr. Handy told President Weatherford that what he said was they would not aggregate existing contracts, but they would not try to protect the union's right to bargain. On the other hand, President Weatherford pointed out that what he heard was the contract would continue until it is replaced. He continued by saying that maybe they all have honorable intentions, but we are in a perilous place and the only legal protection that we see that is within our control is to collect enough collective bargaining authorization cards so that we can file with PERC and ourselves request a collective bargaining election. If PERC orders an election, then by law management cannot change the terms and conditions of employment until the election is conducted and the next contract is negotiated. That is why this strategy has been chosen as a way to get through this period, and the union would appreciate any help in getting these cards filed. It does not require anyone to pay dues or even to vote for the union in the election. He emphasized that all is is an expression of desire by the faculty to have an election. President Weatherford expressed that he was sorry that the faculty are in this position, and that he did not have a more optimistic report, but it is not a situation of our making and the union is trying to do the best it can to deal with it.

REPORT FROM THE STUDENT GOVERNMENT LIAISON (Gregory Sanderson)

Mr. Sanderson expressed his gratitude for being able to work with the Faculty Senate and to establish good communication between this group and the Student Government. He pointed out that the Student Government appreciates all the seriousness and efficiency shown regarding the A+/A- resolution.

COMMITTEE REPORTS AND ACTIONS

Due to illness, Secretary Jana Futch Martin was unable to attend today's meeting, therefore, her reports were presented by President Paveza.

a. Faculty Senate Meeting Materials On-Line

One of the issues the Faculty Senate is contending with is putting its meeting materials on-line. An attempt is being made to streamline the process by purchasing a copy of Adobe Acrobat for the Faculty Senate Office so that the materials can make them PDF ready. It is anticipated that this will be taken care of in a relatively brief period of time.

b. On-Line Voting

The other on-going issue is the development of on-line faculty voting for future Faculty Senate elections. The process is currently in use at Florida International University. Implementation of such a process at USF would allow for the increase in the number of faculty that vote, as well as speed the process along when it comes to voting.
OLD BUSINESS

There was no Old Business to discuss at today's meeting.

NEW BUSINESS

Report on Meaning of AAUP Censure (David Kerr, Eckerd College)

President Paveza explained that in addition to the SEC requesting the opportunity to interact and question the attorneys relative to the current lawsuit filed against Professor Al-Arian, there was also a request that a discussion take place of what censure means to the university. Therefore, Dr. David Kerr from Eckerd College and President of the Florida Conference of the American Association of University Professors (AAUP) was invited to today's meeting to give a formal presentation on the issue of censure. Thirty minutes were allocated for the presentation followed by questions and answers.

After a brief introduction, Dr. Kerr turned to the issue of censure. The General Secretary of the AAUP is the only individual that can authorize what is called an investigation of the school concerning allegations that issues of academic freedom and tenure have been violated. The General Secretary authorized a team of three delegates to visit USF in March to talk with all of the principals involved. After that the ad hoc investigative committee wrote a report, which went to what is called "Committee A." Committee A stands for the committee on academic freedom and tenure. It consists of twenty academic professionals from across the nation. The committee evaluates the report, and it is the only body of AAUP that can authorize its publication on a national level. The report is initially published in the journal Academe which is the full intent of the AAUP. Dr. Kerr felt that this issue would also be picked up by the Chronicle of Higher Education and a host of other national organizations, so millions of people would be aware of what was in this report. After the publication of a report and just prior to the annual June meeting, Committee A makes a recommendation as to whether or not to proceed with censure. It is only at the annual meeting that censure can actually be imposed. The national meeting consists of delegates from all of the conferences and chapters around the nation and each representative has what is called proportional voting. One person could have 200 or so votes themselves for the group of people that they represent while other people sitting next to them might only have 40 votes for the people that they represent. Censure is imposed by proportional voting.

Dr. Kerr has found that for some of the schools on the censure list it was difficult to recruit and retain faculty and for other schools it had little impact at all except to be on a public list that was published in Academe every single month of the year. Currently, there are 53 schools on the censure list. Dr. Kerr pointed out that there is no formula, and that he can only assess the impact of censure. It is a public thing. USF has been written about in the national press, and if it is censured the report will be written up in Academia about USF. Every year reports about USF will be written up until USF is removed from the censure list. Therefore, it is difficult to assess the impact, if any, censure would have on USF.

In order to be removed from the censure list, three things have to happen. First, a
year has to go by at a minimum because only at the annual meeting in June can
censure be removed. Secondly, there has to be some new thing incorporated into
academic freedom and tenure institutional procedures. Third, another onsite visit
has to occur to ensure that principals of academic freedom and tenure are in
process.

Dr. Kerr stated that Phi Beta Kappa does not grant chapters to schools on censure
lists. In addition, he has heard that Phi Beta Kappa does not have that particular
sentence in any of its bylaws. Phi Beta Kappa is an organization where delegates
vote for membership. Not only do schools have to apply to Phi Beta Kappa, but
they also have to undergo an on-site visit by a Phi Beta Kappa team. They have to
write many, many reports and then only every three years since they only do this at
their tri-annual meetings. Due to its delegates, the Phi Beta Kappa delegates vote
for a school's incorporation into the organization. There are a lot of steps and a lot
of people voting to determine if the school gets into Phi Beta Kappa. Usually, if a
school is on a censure list and they apply for Phi Beta Kappa at the same time, the
national Phi Beta Kappa organization will ask that school to hold off on the
application.

Dr. Kerr commented that academic freedom exists in higher education because of
its universal acceptance by institutions, by trustees, by administrators, and by
faculty. It is this belief that academic freedom forms the basis for the educational
enterprise that makes censure so strong. In regards to USF, the national office of
the AAUP is going into the second stage of the censure process at this time. This
means that the ad hoc investigative committee that was here in March feels that it
has acquired enough information to go ahead and write an initial draft report
concerning academic freedom at USF. That initial draft is getting written now,
which will first go to Committee A for review and be massaged a lot in the national
office and then it will be released to all of the principals for editing and clarification.
It will then go to Committee A again, and at that time Committee A will decide
whether or not to publish it in *Academe*.

At this time, the floor was opened for questions.

Question: If USF is censured, will that affect its SACS accreditation?

Answer: As one of its must statements, SACS does have that tenants of academic
principals have to be maintained and enforced on the campus, so SACS would be
concerned about censure at a school that involved academic freedom issues.

Question: When the investigative ad hoc committee writes its review, does it come
as an investigative report or as a recommendation?

Answer: No, they write primarily an investigative report presenting both sides of the
issues as best they can and before the draft is ever released it is also sent back to
the principle parties for them to comment on. The draft goes through several
evolutions before it goes to Committee A. Committee A is the one who will make a
recommendation to the delegates at the annual meeting that censure go forward.
So Committee A is the one that actually makes a motion. It is at that time the
delegates vote it either up or down. Initially, it is an open vote but if it does not
seem like there is a conclusive yea versus nay, then they go to proportional voting
and everyone holds out their cards and says I have 40 votes, I have 203 votes, and
this is how I vote, and they count the vote that way. However, if at the initial thing there is a call to motion and there seems to be a lot of yeas and nays then they do not count each individual vote.

Question: Do you think that this lawsuit will have any bearing at all on AAUP's likelihood of censuring USF?

Answer: I talked to Associate General Secretary George Kurland this morning at the national office, and he assured me that the AAUP is not really at all governed by the outcome of this lawsuit. The AAUP has already moved into the second stage of writing a report. That first draft will go to Committee A and be bounced back and forth and then it will go to the principals involved then it goes back to Committee A again. At every stage, I would say that the AAUP would like to mediate this thing. There are literally thousands of reports that come to the AAUP every year involving academic freedom, tenure at all kinds of institutions, but only a few that are actually investigated and go to this level. So I think that the AAUP is willing to mediate it at every single stage, even at the very last possible minute to prevent this. The day before the June annual meeting, AAUP meets again formally and says now we have to decide do we make a recommendation to proceed with censure for this institution or not. They make that decision the day before and then the very next day, they make a motion that the delegates vote on.

Question: Do you feel that it would affect student recruitment at this university as well as faculty recruitment?

Answer: I have to say no, and the reason for that is most students are not aware of an organization called the AAUP or even Academe, so I would say that it would probably not affect the student recruitment directly. It is hard to assess the actual effects of what would actually happen.

Question: Are there any funding agencies that are more sensitive to censure than those who fund medical research?

Answer: Not that I am aware of. Again, I am not going to be able to say if censure happens, this is where you will lose, this is where you will gain. The MLA and the National Meeting when they publish their jobs list, if the job is advertised at a censured school, there will be an asterisk next to that college and at the bottom the page, it will say this college is censured by AAUP. The American Mathematical Society does not do that, so there are different ways agencies censure. What will happen for sure, is a lot of national exposure to USF and every year that exposure will continue because every year in Academe the AAUP publishes a state of affairs concerning its censure. Once censure is given to a school, that very day a file is opened entitled "Removal of Censure" and letters are sent to the administration each and every year to ask what steps have been taken so far. There are some schools on the censure list that have been there for four decades, and they do not respond at all to any of these letters, and so the report is just a two sentence statement saying "once again the president of this college did not respond to any requests from AAUP and censure continues," and that is all it says. Other schools have tried diligently to get off the censure list, and I would say for the most part schools do work hard to try to get off the censure list.

Question: Does the AAUP feel that it has enough material to vote and decide at
their June meeting?

Answer: I cannot answer that. I do not know. I do know that the AAUP tries to mediate things. I do know that they have moved on to the second stage, so that means that they are currently drafting this report. It could go up to Committee A and Chair Joan Wallack Scott might say that they do not have enough information to proceed any further than this and it stops. Or her committee might say, let's go send this out to the principal parties and get their report. It would then come up again, and they decide again if it should be published or not. It could be published and then never get acted on. The day before the annual meeting, Committee A might say we have published this several months ago, there have been significant changes made since then and we do not recommend censure and it dies right then, too. The AAUP tries to mediate this at every single level and at every opportunity until the actual vote is taken. Once the vote is taken, censure is imposed and the very next day a press release is sent out, that same day a file entitled that censure has started and then a year goes by before any other action can take place. Every single year, USF will be written up in the national press.

Question: Is there a level of severity of censure?

Answer: I think that the very action that the AAUP took displays that. In most cases and in a sense the deed has already done before the AAUP enters it. Here the AAUP took preemptive matters that came before a final decision was ever made. The AAUP is not necessarily going to let the lawsuit run its course for the next three, four, or five years. They might act as soon as June 2003. They might wait until June 2004. They might never achieve censure as well. So the AAUP is not necessarily going to wait until all the lawsuits are done. This is such a grave issue that affects academic freedom throughout the nation.

Question: Could you just tell me a little about the AAUP and exactly how it defines academic freedom? Is it just freedom to say anything or is it freedom to say specifically something about an area of expertise that you may or may not have?

Answer: A little history: In 1915, the wife of the president of Stanford University wanted to fire one of the economics professors for things he was saying, and so he was fired. In 1915, John Dooley and Philip Lovejoy, among others, had founded this organization called the AAUP. In 1915, they issued a declaration of academic freedom and tenure, in fact, the very concept of tenure is a AAUP concept. That declaration was later revised in 1940 to what we now call the statement of academic freedom of tenure and that 1940 statement has been adopted by 150 to 200 professional organizations around the nation. Almost every combination of letters you can think of, AMS, NMA, MLA, all of them have adopted this as a standard. In 1933, the first censure was issued because the AAUP decided from the start that they were not just going to be a policy body issuing proclamations from above, that they would issue proclamations but at the same time they would investigate individual cases on individual campuses. This investigation would then, in turn, redefine the policy over the years. I think academic freedom is defined as a three-pillar process. The first thing is that it protects the research that an individual faculty member may conduct, in that they are free to conduct the research in any way they feel. Secondly, there is a teaching component involved in that faculty may teach the course in the manner they feel that they have academic freedom to teach the course. And the third component is the one that is the most
controversial, and the one that is involved here at USF, and that is that faculty can speak out on issues that are not necessarily within their disciplinary expertise. That is the third area which is the area that has lead to most of the investigations over the years. There have been very few cases of academic regarding research or very few cases regarding how people teach in the classroom. Most of the cases involved have had faculty members at an institution speaking out on issues that are not necessarily within their educational expertise.

Question: Does it specifically say "speaking about" and/or "ask?" Is it saying something or is it doing something?

At this time President Paveza interrupted, by stating that neither he nor Dr. Kerr had a copy of the policy in front of them. He pointed out that it was a unfair to say does it cover speech or acts because neither of them had the actual document sitting in front of them. He offered to send a copy of the document to anyone who was interested if that would be useful.

Question: Could the AAUP reverse its decision to censure?

Answer: Yes they could, right up to the last minute before the vote is taken. Procedurally, the annual meeting is a three-day event that occurs in Washington, and the day before that Committee A meets to make a recommendation. That recommendation and a report are brought up to two to four different subcommittees, and then finally it is brought up to all of the delegates to vote. I would say until the very last minute it could be taken away, and before the vote is cast, presidents of the schools are invited to address the delegates and make a statement as to why censure should not be granted. That has happened many times before, too. Just because an ad hoc investigative committee came here does not mean that censure is a done deal and rubber stamped all the way. I would say it goes through many, many deliberations and revisions before it ever comes before a vote.

Question: What has been the greatest negative impact on a school that has come under censure since the inception of AAUP?

Answer: To tell you the truth, I do not know how to answer that exactly. The impact can be as much or as little as USF wants it to be. It is a public statement that there are problems with academic freedom at that school. That means that you have thousands of faculty here who may now be thinking in their minds, is it time to move on to another place, is it time not to speak out, to not offer any comment to anything, avoid harassment, avoid everything. I think Phi Beta Kappa is important to USF, but like I say, I have had connections with USF faculty since the 1970's, and we were trying to Phi Beta Kappa then. I think the SACS is another thing. Every ten years SACS has to ask these questions and it comes up again and again. So it is the informal kinds of things that can happen at a school. There are people who might be saying, "I need a job and I'm coming to USF no matter what" and there might be other people who say "I have lots of job offers, I am a member of the AAUP, I'm going to this other school instead." You never know how it is going to affect the minds of the people. There are a lot of people on this campus who are now thinking about academic freedom issues.
ISSUES FROM THE FLOOR

Senator Sara Mandell announced that as the Senate’s representative to the Marshall Center, she informed the Senate of the following changes that have taken place at the Marshall:

- There is a new food provider. The restaurant is now clean. The food has considerably improved and in addition to that, the new provider has a non-exclusive contract, which is very important for the university to be aware of. She explained that if someone wants to use the Marshall Center facilities for an event, a meeting, or a private affair they are not restricted to using the new food provider. An outside caterer can be used. The only proviso the Marshall Center has is that the outside caterer must submit their proof of health department approval, cleanliness, etc. Senator Mandell asked that faculty share this information with their departments and colleges that these changes are in place, and to reconsider having events such as parties or departmental meetings with regular food and catering at the Marshall Center.

- Portions of the downstairs area are being renovated. Additional facilities will be added to the existing ones which are quite popular with the students.

ADJOURNMENT

There being no further issues to discuss, the meeting was adjourned at 4:55 p.m.