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The University of Southern Mississippi
Faculty Senate Minutes
Nov. 19, 1999

Members Present: **College of the Arts:** Kimberley Davis, DeAnna Douglas, Shellie Nielsen; **College of Business Administration:** Scott Magruder, Bob Smith; **College of Education and Psychology:** Sheila Alber, Lillian Range, Marvin Lanmon; **College of Health and Human Sciences:** Susan Hubble, Michael Forster, Susan Graham-Kresge, Mary Frances Nettles; **College of Liberal Arts:** Karen Austin, Michael Dearnley, David Goff, Linda Dysart Goff, Allan McBride, Art Kaul; **College of Nursing:** Norma Cuellar; **College of Science and Technology:** David Beckett, Douglas McCain, Bob Coates, Dean Dunn, Charles Hoyle, Mary Lux, Grayson Rayborn, Lida McDowell; **Institute of Marine Science:** Steven Lohrenz; **University Libraries:** Sherry Laughlin, Karolyn Thompson; **Gulf Park:** Darlys Alford.

Members Represented by Proxy: **College of Business Administration:** Trellis Green (pr. Scott Magruder); **College of Liberal Arts:** Charles Bolton (pr. Bill Scarborough), Alexandra Jaffe (pr. Marie Danforth), Stephen Oshrin (pr. David Goff); **College of Nursing:** Janie Butts (pr. Norma Cuellar).

Members Absent: **College of Business Administration:** Ernest King; **College of Education and Psychology:** Jesse Palmer, John Rachal; **College of Liberal Arts:** Kim Herzinger; **College of Science and Technology:** Mary Dayne Gregg; **College of International and Continuing Education:** Mark Miller; **Gulf Park:** J. Pat Smith.

FORUM SPEAKER: Lynda Gilbert, Vice President for Business and Finance

**Lynda Gilbert spoke to the Faculty Senate about the new bi-weekly payroll system. The following highlights the reasons for the system and addresses answers to questions by Faculty Senators.

By January 2001, every state employee must be paid twice a month. It is a state law that was enacted in either 1995 or 1996 that gave the year 2001 as the effective date. She pointed out that the law doesn't give an employee the option to opt out of this. She also pointed out that part of the difficulty in trying to standardize this is that state law prohibits paying someone for work they haven't done (Fair Labor Standards). Therefore, they can't set up payroll dates for the 15th and the 30th of each month because of the way the days rotate. The way the payroll will be set up has nothing to do with software specific, but has to do with the Fair Labor Standards. As to withholdings, they would just be divided by however many paychecks either a nine month or twelve month faculty member would receive in a year. The number of paychecks will depend on the starting date. The goal is to stabilize the payroll system and create equal net payments for everyone including off campus deductions. She made it clear that this system refers to annual paychecks only. Grant money is not subject to this system.

As for summer salaries, she noted that they were still working through that. However, they will be paying everyone every two weeks. How they divide that up they will have to work through it to standardize it.

She wants to have this in place for nine month faculty when we come back next fall. Initially, staff was to start on this system in Jan 2000, but we are in the middle of reengineering and updating the payroll system and just couldn't get this done by then. She is seeking feedback as to when would be the best time for implementation as the final due date Jan. 2001. This gives faculty and staff ample notice to get things straightened out. She noted that Ole Miss has already gone to bi-monthly and that State is ready to go bi-weekly.

As to filling out monthly time sheets, she pointed out that they are looking to streamline the process.

**On other issues, she noted that they are working with a contractor on designing a formal sign system for the campus, signs for in front of buildings and new parking zone signs. She hopes that these will be installed by next summer.

**As to plans for a walkway across fourth street like the one planned for across Hardy Street, there are no plans at this time for one.

**In regards to plans for the old power building, L. Gilbert noted that there are no specific plans right now. The architect selection for the George Commons building renovation is now underway. They are rolling the power plant building into that renovation project which will become a one stop shop where students can take care of all functions at once. The food service will move into the renovated Union Building. L. Gilbert wants suggestions as to how this building is used. She sees it as a priceless piece of USM's history and wants faculty input.

1.0 Call to Order: The business meeting was called to order at 2:40 p.m.

2.0 Approval of Agenda: The agenda was approved as distributed.

3.0 Approval of Minutes: The October minutes were approved as distributed.

4.0 Executive Committee Reports

4.1 President's Report: Art Kaul

** **United Faculty Senate Association Meeting Nov. 17, 1999:** Six of the nine Faculty Senates have endorsed USM's resolutions on Faculty/Staff Tuition Benefits and their Portability. The UFSA is awaiting endorsement from Alcorn State, Ole Miss, and the UM Medical Center before offering its own endorsement.

Post Tenure review continues to be a discussion topic. A draft of USM's proposed resolution on the issue was made available to UFSA representatives at the meeting, with a caution that the resolution was not endorsed by the USM Senate and that the draft likely would undergo further revision. Faculty Senates expect to discuss the issue in anticipation of UFSA adopting a position on the issue at its January 2000 meeting.

****IHL ("College Board") Meeting Nov. 17-18, 1999.** Jackson State and Ole Miss are entering into a partnership in Pharmacy. The partnership apparently was hammered out in closed door sessions dealing with the Ayers case.

USM's FY 2000 Compliance Report to the IHL shows as of November 1999: Expenditures to date: \$2,558,964; Expenditures remaining: \$6,221,085; Total estimated expenditure: \$8,780,049.

The IHL approved renaming departments in the College of Business Administration: Accounting and Information Systems; Economics, Finance and International Business; Management and Marketing.

The IHL's Strategic Plan/Policy Agenda for 2002-2006 lists "Resolve Ayers Case" as the No. 1 goal and priority. Other priorities include No. 2 "Enhance competitiveness of faculty and staff salaries." A memo from Alcorn State's President suggests an additional board policy agenda item: "Tuition waiver for faculty and staff to take courses at an IHL university other than the one at which they are employed." Also, a memo from the Ole Miss Chancellor suggests adding post tenure review to the board policy agenda.

The issue of post tenure review is expected to be an IHL agenda item at the Board's March meeting. Institutional input on the issue is expected to be submitted to the Board by February.

Faculty Senate officers and Mary Lux, Chair of the Academic and Governance Committee, met with Provost Myron Henry for an hour on Nov. 8 to discuss a draft of a post tenure review resolution developed by the committee. Discussions were cordial and helpful, with the Provost offering several suggestions that were subsequently incorporated into the draft document. A. Kaul met briefly with the Provost again on Nov. 15, with additional refinements being incorporated into the draft document. At the Nov. 15 meeting, it was agreed that it would be premature to present the draft resolution at a meeting of Chief Academic Officers and IHL staff on Nov. 17. Following the CAO meeting, Provost Henry informed me that the background information ("Post Tenure Review at Other Institutions") gathered by the Academic and Governance Committee was made available to the CAO's, with credit given to the efforts of the USM Faculty Senate.

Faculty Senate sponsored forums on post tenure review will be scheduled for the Hattiesburg and Gulf Park campuses. The Forum at Hattiesburg will be held 2:30-4:00 p.m. Friday Dec. 3, 1999, in Gonzales Auditorium, Liberal Arts building. USM faculty are invited and encouraged to offer their comments on the issue of post tenure review pending consideration by the College Board and USM Faculty Senate. Time/Date/place for a Forum at Gulf Park had not been finalized.

A. Kaul ended the President's Report with several "editorial comments" regarding post tenure review. The Faculty Senate, in his view, has at least three options: (1) Do nothing and let the process take its course, a position he does not recommend; (2) Oppose the entire concept of post tenure review, a position that would effectively eliminate any possibility of influencing the debate on the issue; and, (3) take the initiative in defining relevant issues of control, content, and procedure for post tenure review that would allow the Faculty Senate to take a leadership position and provide an opportunity to frame the issue and debate. A. Kaul said he personally endorsed that option. A. Kaul also offered two "cautionary notes." The Faculty Senate must be very careful in dealing with substantive issues of post tenure review and also sensitive to the language used to present the issues.

4.2 President-Elect's Report: Sherry Laughlin No report.

4.3 Secretary's Report: Shellie Nielsen No report.

4.4 Secretary-Elect's Report: Michael Forster

Proxies were announced and an attendance roster was passed.

5.0 Old Business

5.1 Benefits and Work Environment Parking Resolution

Discussion - It was suggested that "students" be added to the sentence that ends with ". . . penalizes faculty and staff". Other wording changes included not just student decals are purchases by day one but that "ensures that (all) decals are purchased and received prior to the first day of class"; and ". . . that the campus police begin and sustain rigorous enforcement of the parking regulations". These changes were accepted. B. Scarborough pointed out that the problem was much worse this year due to the transfer of decal fees from the Campus Police to the Business Office. Cecil Wilson has recommended a late fee after a specified time. As to the comment that fees have to be paid before school starts, it was noted that not all students pay their fees before school starts. Students react negatively to being ticketed the first day. It was pointed out that the sooner you draw a line, the fewer exceptions you have. Others noted that the key to this solution would be a policy that made it feasible and easy to get permits. The idea of issuing decals at preview was brought up.

The resolution passed with 2 no votes (D. Beckett and C. Hoyle) and 1 abstain (D. Alford). The text of the resolution is available on the Senate web site.

5.2 Technology Resolution

Background information was introduced in the Oct. minutes. D. Dunn read the resolution.

The resolution passed unanimously. The text of the resolution is available on the Senate web site.

6.0 Committee Reports

6.1 Academic and Governance: Mary Lux

The committee presented a multi page document pertaining to post tenure review that included a resolution, a preamble, the draft of the process and the review of other institutions. After posting the draft on USMTalk, M. Lux has received a lot of feedback on her e-mail. The committee is very open to suggestions and asked Faculty Senators that have access or knowledge of other universities post tenure review policies to forward hard copies to her.

Highlights of the committee's proposed process-If after three consecutive years, a faculty member has an overall unsatisfactory annual review in all categories, the Chair or Dean would notify that faculty member that there would be a review process set up. This is the trigger. If you don't have a trigger then everyone would get reviewed. The committee didn't want this as they felt we are being annually reviewed. A three person committee would be set up with (1) the Dean's choice, (2) the Chair or Director's choice, (3) the faculty member under review's choice. The faculty member would get one month to prepare their document as proof of their work. The committee would have the next two

months to review the documents. At any time during these two months, more documentation could be requested. At the end of the two months if the committee decides the faculty's performance rating was satisfactory, the process would stop. If the committee decides the performance rating was unsatisfactory, the committee would formulate a developmental program for that faculty member and set up guide lines and time lines to reach satisfactory performance ratings. The faculty member would have two years to meet this criteria. If after two years they have not met the criteria, then a new committee, set up in the same manner, would be formed to look at the process and recommend further sanctions. At this time a one year salary freeze would go into effect. The committee did not want to state the sanctions because they wanted to be as generous as possible. Their fear is that someone could change wording slightly and come up with a very punitive document.

Discussion: D. Dunn complemented the committee on their work. He also pointed out that Dr. Fleming seems to be supporting us and that Dr. Henry's suggestions seem proactive and supportive. S. Lohrenze agreed. In # 3 he felt one month to get the documentation was too short. He liked the short review process. M. Lux pointed out that annual evaluations are done in February so the committee was trying to get this process ready to be in place for the fall. Annual evaluations would have a lot of material already gathered including goals although she wasn't sure if other units used goals. D. Dunn pointed out that after low ratings the first year, that faculty member's supervisor would get back to them for improvement. He felt two years was ample advanced warning. N. Cuellar felt two years was too long and that that individual would be miserable. Why drag it out? M. Lux said that they were trying to give them the benefit of the doubt. A. McBride brought up comments from the Political Science Department. They think there already is a post tenure review process in place and they see this as a redundant thing. Therefore they would like us to look into this a little more closely before we jump into this although he understands it's on the agenda for the [IHL's] March meeting. His Department got a copy of the minutes from the Council of Chairs meeting where Dr. Henry made the following comments: (1) Tenure has to be earned daily and (2) He was opposed to a trigger. A. Kaul noted that initially the Provost was opposed to a trigger and wanted everyone to be reviewed until the Faculty Senate Officers met with him. (This was after the Council of Chairs meeting) The Provost also got resistance to an automatic five-year review for everyone from the Chairs. The document before you the Provost has bought into including the two year developmental period. A. Kaul felt it was important for the Provost to buy into this so that he or the President could carry it forward to the IHL Board. M. Dearnley brought up the AAUP response to post tenure review. He noted that it was a pretty thorough analysis of post tenure review. On page 64-67 the document gives recommendations if one has to develop a process. Dearnley pointed out that the committee has met two of the central recommendations: (1) to keep it in the department and (2) implement faculty development. He was concerned about the ability of the University Presidents and the joint Faculty Senates to actually get one main version adopted with a uniform process. He wants the Presidents to actually oppose this but if not try and adopt a uniform process. A. Kaul stated that we rushed so we could lead the way, giving the President and the Provost ammunition to take to the other Presidents to hammer it out and possibly provide a united front to the IHL Board. President Fleming and the Provost will be the ones to negotiate with the Board along with the other Presidents. We are trying to give them a document that we endorsed and that both of them could live with and negotiate with. M. Lux pointed out that this would give them a stronger voice. A. Kaul wanted to consider the process for vote at the Dec. 10 meeting after the two open forums. This would give the Senate time to get input from the Provost President, Council of Chairs, and the Dean's council for our Jan. meeting.

The question then came up regarding the actual resolution and the possibility of voting on it separately. After further discussion, K. Thompson moved and K. Austin seconded to suspend the rules to bring the resolution on post tenure review to a vote. Discussion-The feeling was that it made sense to first establish a clear opposition before we present the process. The motion to suspend the rules passed with one no vote.

Post Tenure Review Resolution

WHEREAS the Faculty Senate believes that the current system of annual performance reviews already provides an adequate system of assessing the performance of tenured faculty; and

WHEREAS the Faculty Senate believes that an overwhelming majority of the tenured faculty at the University of Southern Mississippi is not only meeting but exceeding University standards in teaching, research and service; and

WHEREAS the Faculty Senate is deeply concerned about the potential for "post tenure review" to compromise the twin foundations of the tenure system: 1) academic freedom and 2) due process in personnel actions which places the burden on the institution to establish grounds for termination;

The Senate considers the IHL mandate to implement post tenure review as unnecessary, but is cooperating in the development of such a review process with the sole aim of insuring that the principles of tenure are not violated.

The resolution passed unanimously. The text of the resolution is available on the Senate web site.

6.2 Administrative and Faculty Evaluations: Kimberley Davis

The committee has had a lengthy discussion on confidentiality issues pertaining to the Student Evaluation of Teaching forms and process. A professor in Science and Technology encountered a problem last spring concerning clerical staff going through envelopes and sorting them. This was seen as a confidentiality issue concerning the anonymity of students comments. The Dean of Science and Technology indicated that this procedure would continue. The committee came up with the following recommendations: 1) to instruct monitors to follow the instructions to the letter or make the instructions very thorough. (Science and Technology states "do not seal" whereas, College of the Arts wants them "sealed"). 2) provide uniform handling of the forms by mandating that the evaluations be sealed in front of the students, and then 3) remove them from the department having possibly the area that creates the data separate them. K. Austin pointed out that graduate students in Liberal Arts are giving their own evaluations under the table. She felt this was not proper. K. Davis wants input from every Department or College concerning their process. The committee will revisit this issue after they receive the input.

6.3 Archives: Shellie Nielsen No report.

6.4 Athletic Liaison: Trellis Green No report.

6.5 Awards: Lillian Range

Entries are coming in for the Endowment Award. Faculty members' dependents who get 1/2 tuition waivers are eligible. L. Range received an announcement about the Excellence in Teaching, Service and Librarianship award from Dr. Hollandsworth's office. Call his office to nominate

someone. His office will request information from the nominee that will then be sent to this committee for consideration. No initial letter of nomination is required.

6.6 Benefits and Work Environment: John Rachal No report.

6.7 Constitution and Bylaws: Allan McBride No report.

6.8 Elections: Steven Lohrenz

The committee is starting to identify those that are coming up for election. S. Lohrenz requested that names of any new departments or units that should be represented on Faculty Senate that are not now being represented be given to the committee.

6.9 Environment (ad hoc): Dick Conville

Good News! The Environment Committee has just completed a tree survey of the entire campus. They identified 3515 trees noting location, species and condition. L. Gilbert has hired, at the urging of this committee, a grounds manager from Purdue University, starting in January. She continues to be committed to hiring a landscape architect within the next next year. Bad News! An eighteen inch in diameter Magnolia tree by Danforth Chapel was cut down by the physical plant, reason unknown. If this concerns you, please let L. Gilbert or D. Anderson know.

6.10 Faculty Development: Carolyn Thompson

The Faculty Development Committee and the Office of Research and Sponsored Programs invited Dr. Joe Young from the Social, Behavioral, and Economic Sciences Directorate of the National Science foundation for a visit to the the USM campus October 28-29, 1999. He visited several Departmental Chairs and met with the Vice President of Research and Sponsored Programs, along with the Deans of each College. Dr. Young made a presentation on Friday, October 29, 1999 in the Hall of Honors in the University Union. Dr. Young spoke on writing a winning proposal to the National Science Foundation. The program was well attended by faculty, staff, and students.

6.11 Technology: Dean Dunn

On Nov. 8, 1999, VBS/Bubbleboy, a new computer worm program, was sent to anti-virus software companies, marking a new level of security concerns for computer users. In the past, it was not possible to infect a computer with a virus or worm program merely by opening and reading an E-mail message; it was necessary to open the executable program sent as an attachment to E-mail to infect one's computer.

Worms are programs that pass from computer to computer, which do not change programs on their "host" computers, but cause copies of themselves to be sent from infected computers. In contrast, computer viruses change files on the infected computer, and may cause loss of data or programs from the host computer.

The Bubbleboy worm works only under Windows 98 and Windows 2000 computers running Internet Explorer 5 and Microsoft Outlook or Outlook Express. It does not affect computers running Windows NT, UNIX, or Macintosh operating systems. Computers using Outlook are infected upon opening an E-mail message with the subject "Bubbleboy is back!" Outlook Express users may become infected just by viewing the message with the "Preview Pane" feature. When a computer is infected, the next time that computer is booted, the worm sends itself embedded in an E-mail message to **EVERY** address in **EVERY MS** Outlook address book on the computer.

So far, this worm has **NOT** appeared "in the wild" --it appears that its Argentinean author sent it directly to the anti-virus companies, and did not distribute it across the Internet. However, with the potential that viruses may now infect computers merely by viewing E-mail messages, it is imperative that Intel/Windows computer users update their anti-virus DAT files, and keep their virus scanning software current.

McAfee VirusScan has a Bubbleboy page at:
<http://www.mcafee.com/viruses/bubbleboy/>

Symantec AntiVirus Research Center (Norton AntiVirus) has information on Bubbleboy at:
<http://www.synabtec.com/avcenter/index.html>

Microsoft has information on a patch for IE5 at:
<http://www.microsoft.com/security/Bulletin/ms99-032.asp>

6.12 University Club: Kim Herzinger No report.

6.13 Transportation Committee: Bill Scarborough

B. Scarborough reported that on Nov. 10 L. Gilbert will present to the cabinet the following four proposals talked about last meeting; the assigned parking spaces, the bicycle pedestrian plan, increases in decal fines, and the gated lot. Curb side parking by the Liberal Arts Building was eliminated in preparation for the development of three lane traffic. During the holidays, 32 parking meters will be installed and the Liberal Arts parking lot will be rezoned to zone 4. The lot west of the Theatre and Dance Building will be paved any day. They are just waiting for an outside engineering firm's report. Ticket prices have increased. There will be new signs on campus to include new zone signs. The Pedestrian Plaza is underway. Proposed changes to the parking regulations for next year include reducing the number of violations to 5 before being booted, initiating a late fee of \$10 for vehicle registration after a specified time. The Hartwig Arena Theatre will be torn down at an unspecified time to make a gravel parking lot. The street in front of the hub will become one way. Comments were made regarding the difficulty in getting from the north end to the south end of campus.

6.14 AAUP Liaison: Michael Dearmey

A publication from AAUP called "Footnotes" has information regarding long distance learning and copyright issues. M. Dearmey urged faculty to put the copyright sign on every thing connected with their on-line courses including the syllabus. The court rulings are indefinite on who owns your in- class syllabus not to mention the electronic syllabus that goes on the internet. He cited a situation where one university was about to sell a professor's course. A handout on post tenure review from the AAUP was passed out at the meeting. D. Dunn remarked about the information put into last month's minutes regarding on line course notes. The AAUP's web site is www.aaup.org.

6.15 Faculty Handbook Task Force: David Goff

The Task Force will bring in something to the January Faculty Senate Meeting.

7.0 New Business

K. Davis handed out a resolution regarding the School of Music.

8.0 Announcements

9.0 Adjournment The meeting was adjourned at 4:30 p.m.

Respectfully submitted, Shellie C. Nielsen, Faculty Senate Secretary