

Executive Committee Minutes

September 7, 1999

(Approved)

Chairperson Curt White called the meeting to order at 4:00 p.m.

Present: Al Goldfarb, Chris Knox, Steve McCaw, Khalid Razaki, Curt White, Sandra Zielinski, President Boschini

Excused Absence: Vanatta Ford, Matt Goodwin, Barbara Kurtz, Fred Noyes, Steve Whitmore

Guest: Gigi Fansler, Director of Diversity and Affirmative Action

Affirmative Action Issues

Ms. Fansler: Stated that there were concerns about the way in which the Office of Diversity and Affirmative Action granted personnel search waivers. She stated that some faculty believed that administrative requests for waivers from Affirmative Action Searches were granted more easily than those requested by faculty. Ms. Fansler wanted to stress that everyone is treated equally. Ms. Fansler had provided the Executive Committee with a recently revised waiver form for their review. It listed the circumstances under which a waiver may be requested. She stated that one more item had been added. This was the request of a waiver of a search to internally appoint someone with highly specialized skills.

Senator McCaw: Asked what the waiver waived.

Ms. Fansler: The waiver waives the search process. They do not have to advertise for the position.

Senator Razaki: On principle he stated that there should always be a search unless there are exceptional circumstances.

President Boschini: Stated that he was committed to having a search except under exceptional circumstances.

Senator Goldfarb: Stated that internal candidates don't always wind up with positions. He stated that we needed to look at the overall track record in terms of searches.

Ms. Fansler: Stated that for the past several years, a statistical analysis has not been done to find out where we are "underutilized". She stated that she has prepared data that will show specifically where we are underutilized.

Senator Knox: What exactly is "underutilization".

Ms. Fansler: Stated that because we have federal funds, we are required by federal regulation to do a workforce analysis to show if we have discriminated in the past based on someone's membership in a protected class (racial minorities, women, disabled persons...). If we have shown statistically that it is very likely that we have discriminated and that we are not using what is currently available to us in the workforce, we are "underutilizing". We then need to do what we can to come up to parity.

Senator McCaw: Is there a policy for hiring spouses of faculty? We have lost faculty members because their spouses have not been able to get a job at this university.

Ms. Fansler: Stated that terms for spousal appointments were included in the proposed waiver. Currently, there is no policy for spousal appointment.

Senator Razaki: The problem is that we should not be forcing departments to take substandard candidates just

because they are spouses of university employees.

Senator Goldfarb: Spousal appointments would be on a case by case basis. What is good is that with the waiver we have the *potential* to do it now.

Senator McCaw: Suggested having a statement on University applications stating that we encourage spousal applications. He said that this was similar to hiring members of protected classes.

Ms. Fansler: Brought another topic for discussion to the Executive Committee. She stated that she is considering a panel to hear complaints based on discrimination and harassment. The Administrative Professional Council's grievance panel will not hear these types of complaints. She added that she was unsure if the Faculty Ethics and Grievance Committee would hear them. This is really a problem because the Diversity and Affirmative Action's policy states that if an appeal to a decision from their office is desired, the individual should appeal to those committees. She stated that is something that we need to resolve soon.

Senator White: Asked Ms. Fansler to submit to the Executive Committee a summary of the problem along with suggestions for resolving it.

Approval of Executive Minutes

Motion XXXI-15 – by Senator McCaw, second by Senator Razaki, to approve the August 23, 1999 Executive Committee minutes. The motion passed unanimously.

Communications (oral):

08.24.99.01 From Office of Student Life: Leaders Emerging and Developing Conference

08.26.99.02 From Margaret Haefner: University Scholarship Awards Ceremony

08.26.99.03 From Steve Clay: University Parents Association Advisory Board Grants

08.27.99.01 From Brian Clark: Resignation from the Senate. Senator Clark will be replaced by the runner up in the February 1999 CAS election for the Academic Senate. The Senator replacing Senator Clark will be David Weber of Biological Sciences.

08.31.99.01 From Nancy Ridenour: Response to a request for participation on several external committees of the Senate. The faculty from the Mennonite College of Nursing will serve on the following committees: Council for Teacher Education, Faculty Elections Committee, University Curriculum Committee, Academic Standards Committee and the Reinstatement Committee. (Sent to Rules Committee.)

09.07.99.01 From President Boschini: Will be absent from Senate meeting of 9/15/99

Communications (distributed):

08.26.99.01 From Gigi Fansler: Affirmative Action Waiver (Sent to Administrative Affairs)

09.07.99.02 From Curt White: Constitution Issue Summary

09.07.99.03 From Barb Kurtz: Corrections for Service Initiative Award requirements. These were basic editorial revisions, which the Faculty Affairs Committee can make without bringing the issue back to the Senate.

Proposed Agenda for Academic Senate Meeting of 09/15/99 at 7:00 P.M.

Action Items:

Faculty and Student Elections to External Committees (Rules Committee)

03.15.99.04 College of Business Bylaws-Revised (Rules Committee)

Information Items:

05.24.99.01 Deletion of Physically Handicapped Sequence (Academic Affairs)

Motion XXXI-16: To approve the agenda by Senator Razaki, second by Senator Knox. Agenda was approved unanimously.

Discussion:

Constitution

Senator White: Drafted a document that provided a summary of issues and events regarding the Constitution issue. He asked the Executive Committee to review the letter and to submit any suggestions for changes or additions to him. He stated that he would like to get the letter out to faculty and on the web by Friday. The letter was to remind everyone of the history of the Constitution issue and also provide a rationale for why it was possible for us to move on.

Administrative Searches

Senator Goldfarb: Is forming search committees for two administrative appointments, the Dean of Milner Library and the Associate Vice President of Graduate Studies and Research. Senator Goldfarb asked the Executive Committee for an exception to the policy for those search committees in order to add representation for civil service and Administrative Professionals. He stated that he felt that it would also be appropriate to change the policy for their representation, rather than request exceptions.

There was one additional rule that was an issue in regards to the library search. Since the Director of Library position has been changed to a Dean of Libraries position, dean search procedures must be used. Those stipulate that only members of Milner Library can be on the search committee. However, Senator Goldfarb stated that he would like to add two civil service members to the committee and one ex-officio member, Lauren Brown, Chairperson of the Library Committee. This would allow the committee to be more representative of the faculty and staff that work in the library and also have at least one individual who comes from outside of the library.

Senator White: Stated that he would prefer to have a written request of the Provost's proposed exceptions to the policies to include civil service and AP representation in the searches.

Senator Razaki: Stated that the policies should be changed to include civil service and AP representation.

Senator White: The Senate did some work in bringing all of the different search documents into a fairly common structure. It should be fairly easy now to make adjustments.

Senator Goldfarb: Stated that he would be glad to make a draft of such changes.

Motion XXX-17 – by Senator Zielinski, second by Senator Razaki, to adjourn. Motion passed unanimously on a standing vote.