At 3:16 p.m. on March 25, 2002, Chair Weitz convened the Faculty Senate meeting in the University Conference Room (224 Greer Hall).

I. ANNOUNCEMENTS
   A. VISITORS. Weitz welcomed visitors and asked that they introduce themselves. (See voting sheet for visitors names.)
   B. BUDGET REDUCTION UPDATE. Weitz read excerpts from two memos. The first was from a memo to the chancellors from Governor Easley. Because revenues will be lower than expected, I have ordered state agencies to prepare proposals to reduce their spending by up to 11%. I want to assure you that I do not contemplate similar levels of reductions in our education system. I understand fully that cuts of that magnitude in the University system would hurt the quality of education and I will not recommend such actions. Protecting the classroom has been and will continue to be my strongest imperative as I assemble budget recommendations.

   The second excerpt came from the memo sent to all faculty and staff from Chancellor Borkowski. All state agencies other than UNC institutions are required to submit plans for permanent budget reductions in the range of 7-11 percent. In response to this request, the UNC system is preparing 10 budget plans detailing the impact of budget cuts ranging from 1-10 percent. Our overriding goal is to protect the quality of Appalachian's academic programs, student access, and student financial aid, as well as the jobs of our people.

   Weitz noted that Chancellor Borkowski, Vice Chancellor Helm, and Provost Durham were present to answer questions regarding these budget cuts and to take advice from the Senate about these cuts which must be submitted by Friday. Weitz added that those areas which the faculty have concern are instruction (which includes class size as well as the number of classes), reassign time, and things such as travel, equipment, facility repair/renovation and acquisition, new hires, and the money that has been allocated faculty salary increases for next year from the $150 tuition increase. Weitz asked senators to think of recommendations for the administrators while they were present.

   Borkowski shared with senators that approximately two weeks ago there was a meeting of the joint governing boards in Winston-Salem where the Governor said that the budget was going to be much worse next year. The Governor then proceeded to inform the governing boards that the State is projecting a budget deficit of 1.4-1.6 billion dollars for next year.

   There have been a number of conversations between the General Administration and Appalachian's administration relative to tuition and the impending budget cuts. Then, last Thursday, Vice Chancellor Helm was directed to a conference call of all the vice chancellors of business affairs and was informed by Jeff Davies, the Vice-President for Business and Finance for the System, that each campus was being directed to submit by this Friday, plans dealing with budget reductions of 1%, 2%, 3% and up to 10%. The Governor asked the Board of Governors to prepare budget reduction plans beginning at 6% and up to 10% except for the General Administration, which must submit 7-11% cuts. However, the President's Office has asked each campus to submit budget reduction plans detailed from 1-10% by Friday. Students will be
paying a tuition increase of 8% imposed by the Board of Governors at all system schools, but Appalachian will only act as a conduit back to the State for those tuition increases.

Borkowski noted that North Carolina is not alone in its budget woes; other states are in similar situations. Aside from other universities and other states having to do this, this has happened before in higher education. Regrettably, it is cyclical, he noted.

Fox asked if the decreases would be across-the-board or targeted depending on assessment of the importance of a unit. Durham responded that the first things that will be looked at will be ancillary to the classroom. Borkowski added that the priority is the academic function of the University. Durham added that of the $65 million of state funds that goes to Academic Affairs, $45 million goes towards faculty salaries. Durham noted that while there is a hiring freeze, until we can figure out where we are, it is not like all the positions will be frozen, though some may get caught up in the budget reduction. He added that those departments who have started searches should continue with them. Borkowski added that there are a number of service area positions being frozen, also.

Simon asked the Chancellor if he and other UNC chancellors have come together with ideas on how to work this out and what their opinions are. Borkowski responded that each chancellor is handling the budget situation differently depending on where their resources might be and what their priorities are. Helm noted that in Appalachian’s proposed budget decrease, each percentage level will show how the cut will impact instruction. Weitz asked how the information regarding the budget cuts will be shared with faculty and staff. Helm replied that an email will be sent once the proposal has been sent to the General Administration.

Fox asked if it was possible to put off construction of some buildings and take money that might be coming into an academic area and going to bricks and mortar and roll it back into the budget for at least a year. Helm replied that we could not because money is earmarked for those projects. Borkowski added that if he had the flexibility to stop construction and shift the resources, he would.

Matt Robinson asked how decisions would be made as to which new positions will be funded. Durham responded that he will look to the dean for recommendations. Robinson also asked what the implications will be for non-tenure faculty coming up for tenure next year. Durham replied that, at this time, he does not see this as a huge problem. He added that they will not be looking at positions with someone in them; only vacant positions.

Yaukey asked what assurances there are for protecting those classes with small enrollments. Durham replied that those classes will be looked at on a case-by-case basis.

Millsaps asked if those part-time/adjunct faculty whose contracts expire on June 30 will be coming back. Durham noted that those are the kinds of people we will look to protect. Durham added that he thought there were enough vacant positions out there to cover.

Koch asked if there are any plans to freeze new programs of study. Durham responded that as of right now, there is only one proposal on the table.

Yaukey asked if faculty will be asked to pick up more classes. Durham replied that it is a possibility. Yaukey then asked about off-campus scholarly assignments. Durham responded that deans are responsible for OCSAs in their college/school. McLaughlin asked if Durham anticipated the workload problems falling mostly on departments that rely fairly heavily on part-time instructors. Durham noted that he will take everything into account when he prepares the report for Academic Affairs. Borkowski asked Durham and Helm to share with the Senate the state appropriations that go to Student Development and University Advancement. Helm noted the total state appropriations are around $85 million and of that, 2% goes to Student
Development, 1.5% goes to University Advancement, 75% goes to Academic Affairs, 18.5% goes to Business Affairs, and the Chancellor\'s area gets the difference. The Chancellor\'s area includes his office, the University Attorney\'s office, Human Resource Services, and Athletics.

Weitz asked what the rules are for governing the use of the $150 tuition increase. Helm responded that 20% of the tuition increase money will go towards financial aid, which is a hold-harmless area. She added that the General Assembly will probably turn everything upside down that we do. Though the tuition increase has been approved by the Board of Governors, it still has to be approved by the General Assembly so it is uncertain how the remaining funds from the tuition increase will be used.

The Chancellor noted that he welcomes suggestions and ideas. Questions pertaining to specific issues should be directed to Durham, Ward, or Parker. We will have to work together to remedy the situation. The Chancellor again confirmed that information will be shared with faculty and staff as it becomes available.

Weitz asked senators if they wanted to continue discussing this issue or resume with the agenda. A vote was taken whether to resume the agenda.

VOTE # 1  20 yes  0 no  1 abstain  The agenda will resume.

II. MINUTES

Simon moved and Allen seconded to approve the last part of the February 11 minutes as written.

VOTE # 2  21 yes  0 no  0 abstain  The motion passed.

III. STANDING COMMITTEE REPORTS

A. AD-HOC COMMITTEE ON DPCs

Recommendations. Weitz noted that the recommendations were tabled until further information could be received regarding what has been accepted for the Faculty Handbook. This information was sent via email and a hard copy provided for the meeting (green copy). Weitz reminded senators of why the ad-hoc committee was appointed by the Faculty Senate. Over the last two or three years, there have been individual motions made altering the DPCs and it was decided that a group should look at the whole DPC structure (composition, function, procedures) and come up with recommendations for the whole thing, not just piece meal. The Committee came up with these proposed procedures.

Weitz then reviewed how the proposed changes divert from what has already been approved for the Handbook. Section 4.8.1 of the green document - the new Handbook has a much more elaborate explanation on whose judgment prevails than the green document. Section 4.8.2.B. of the green document - currently instructors are allowed to serve on DPCs. The Senate decided that most instructors were ABD and should not serve on DPCs. Section 4.8.2.C. of the green document - the current Handbook procedures are carried over to the new Handbook in that we have an elected body of tenured and untenured faculty. The green documents allows a department/school four options for their DPC composition rather than just one required option. Section 4.8.2.E. of the green document - a change because in the current Handbook, the department chair is automatically chair of the DPC. The green document proposes that the department elect a chair, which may or may not be the department chair. Section 4.8.3.B. of the green document - this is a new responsibility and ties in with those departments that separate out
search committees. Section 4.8.3.F - a new responsibility. Section 4.8.3.G. - a responsibility that DPCs do, but is not listed in the current Handbook. Section 4.8.3.H. - a new responsibility charging the entire group rather than one person to have EOA responsibilities. Section 4.8.4.E. - Currently, a vote of 75% of the DPC or search committee is need. The green document proposes at least 60%. The third paragraph of the green document was taken from a document from NCSU and added. It states that if the DPCs decision is not followed by any person beyond the chair, that individual has to come back and present their rationale to the DPC. Section 4.8.5 - this is a whole new section that is virtually unaddressed in the soon-to-be-released Handbook. In the current Handbook, search committees are part of the DPC. Weitz noted that there were many problems regarding search committees that were brought before the Ad-hoc Committee that they thought it beneficial to take the documents provided by Academic Affairs to guide searches in departments and incorporate them in the Handbook. The Ad-hoc Committee thought that since search committees used to be only a function of DPCs, that generally speaking the same criteria should hold for search committees that hold for DPCs. Departments are being given three options in terms of search committees composition. Section 4.8.6. - the functions of the search committee spell out how a search should unfold so that each department knows that this is what is expected. Section 4.8.7.P. - this is the same procedure used at NCSU in regards to promotion and tenure and reappointment decisions.

Discussion followed. McLaughlin asked who would want to chair a DPC since the responsibility and liability is go great. Weitz noted that the Ad-hoc Committee received input from several faculty members who expressed manipulation by department chairs on the DPC. The proposed documents offers an out for those departments. After some discussion, Arnold moved and Petschauer seconded to strike this Section 4.8.5.D from the proposed document.

VOTE # 3  19 yes  2 no  0 abstain  The motion passed.

Koch noted that with Section 4.8.2.C. of the green document, as different departments select different options for their DPC composition, fairness and equity issues among departments will rise. Koch moved and Hall seconded to keep the current composition as proposed in the soon-to-be-released Handbook Section 4.1.2.1. in lieu of section 4.8.2.C. Moore asked Koch what the unfairnesses could be. Koch responded that having untenured faculty on the DPC serve a valuable function and that by allowing departments to use different strategies in regards to DPC composition could create a procedural anarchy. Allen suggested an amendment to the motion--that Option III be added to 4.1.2.1. Koch, as maker of the motion, rejected the suggestion. A vote was taken on Koch's motion.

VOTE # 4  18 yes  2 no  0 abstain  The motion passed.

Butts noted that Section 4.8.2.D is now mute and should be struck (by virtue of the previous motion).

Barber moved to strike Section 4.8.5.B because in his department, a significant number of clinical faculty would be excluded. (There was no second to this motion.) Weitz asked for proposed altered language. Moore proposed to keep what is in practice now--the stipulations of Section 3 of Article II of the Faculty Constitution which states, Those eligible to serve on and participate in election of members to Departmental Personnel Committees are full time faculty in
the ranks of Lecturer, Instructor, Assistant Professor, Associate Professor, and Professor.

Butts moved and Rardin seconded to strike Section 4.8.5.B.

VOTE # 5 20 yes 0 no 0 abstain The motion passed.

Arnold moved and Millsaps seconded to change the 60% back to 75% in Section 4.8.4.E.

VOTE # 6 19 yes 0 no 1 abstain The motion passed.

Rardin asked what the rationale was for search committees by-passing the DPC. Weitz responded that this procedure is currently done by some departments and the Ad-hoc Committee did not want to negate what seems to work in some departments as an option.

Arnold noted legal concerns with Section 4.8.4.F. Weitz noted that it is law that DPCs can access personnel files for information germane to making their decision. Arnold questioned if any information is germane. DPCs should have personnel information only that is germane to making their decision. After some discussion, Arnold moved and Petschauer seconded that Weitz check on the legality of this Section with the University Attorney’s office.

VOTE # 7 18 yes 1 no 1 abstain The motion passed.

McLaughlin noted that in Section 4.8.5, (s) should be inserted after committee.

Pope noted that in Section 4.8.5.C., she is concerned that a lecturer would not be able to vote and suggested that instructor/lecturer be added. Barber moved and Petschauer seconded to strike tenured and/or tenure track faculty from 4.8.5.C.Options III and tenured or tenure track faculty from 4.8.5.C.Options II.

VOTE # 8 7 yes 12 no 1 abstain The motion failed.

Koch moved and Muir seconded to redraft the DPC document as amended and bring it back to the next Senate meeting.

VOTE # 9 16 yes 3 no 1 abstain The motion passed.

Petschauer thanked the DPC Ad-hoc Committee for a wonderful job.

Koch moved and Rardin seconded to move the Welfare of Students Committee next on the agenda in front of the Campus Planning Committee.

VOTE # 10 20 yes 0 no 0 abstain The motion passed.

B. WELFARE OF STUDENTS COMMITTEE

FS01-02/03-06a and b - Motion Regarding Students Freedom of Speech. Marking explained the motion. Abbott asked where the free speech area is currently. The response was
that it is the amphitheater behind the Student Union. Butts moved and Allen seconded to separate the motion into two parts, considering A and B as separate motions.

VOTE # 11 12 yes 6 no 0 abstain The motion passed.

Petschauer moved and Koch seconded to expand motion A to include the entire campus as a free speech area. Koch cited various instances that have occurred on campus where there have been problems with free speech. Weitz asked if anyone knew positive reasons why we might be restricting these zones. Arnold noted that academic programs must be allowed to be conducted without interruption. Allen called for the question and Moore seconded.

VOTE # 12 10 yes 5 no 1 abstain The question passed.

A vote was taken on Motion A as amended by Petschauer.

VOTE # 13 12 yes 3 no 1 abstain The motion passed.

FS01-02/03-06A - Motion Regarding Students' Freedom of Speech. Whereas the current Free Speech Area is too small and is an inconvenient location; Resolved, that Free Speech Area for non-amplified speech include the whole university campus for students, staff, and faculty of Appalachian State University.

Due to the lack of a quorum, the meeting ended at 6:15 p.m.

Respectfully submitted,
Mike Moore