

TCU Faculty Senate Meeting  
February 7, 2008  
Justin Board Room, Kelly Alumni Center

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## Minutes

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### Senators present

Arnie Barkman, David Bedford, John Breyer, Art Busbey, Cynthia Chapa, Lyn Dart, Blaise Ferrandino, Lyn Flahive, Sally Fortenberry, Misha Galaganov, Diane Hawley, Gina Hill, Ted Legatski, Suzy Lockwood, John Lovett, Ed McNertney, Linda Moore, Dianna Newbern, Anna Petursdottir, Marie Schein, Paul Schrodtt, Greg Stephens, Maggie Thomas, David Vanderwerken, Keith Whitworth, Barbara Wood, Stu Youngblood

### Senators excused

Bob Akin, Mark Bloom, Jennifer Engler, Cara Jacocks, Nadia Lahutsky, Helen Morrison, Ranjan Muttiah, Sheri Neill, Melissa Young-Schroeder, Becky Taylor

### Senators absent

Jesus Castro-Balbi, David Cross, Juan Floyd-Thomas, Fran Huckaby, Valerie Martinez-Ebers, Michael Skinner, John Thompson, Dan Williams

### Senators resigned

Jeffrey Bumgarner, Andrea Harris, Linda Harrington, Jeffrey Todd

### Guests

Victor Boschini (Chancellor), Nowell Donovan (Provost), Rhonda Hatcher (TCU Faculty Athletics Representative), Carlton Alexander, Tony MacNeil, Candace Ruocco, Joshua Chance Welch (Student Government Association), Michelle Anderson (Skiff)

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Chair Stu Youngblood called the meeting to order at 3:35.

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### Approval of minutes

The minutes of the December 6, 2007 Faculty Senate meeting were approved.

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## Old Business

There was no old business to discuss or report.

## New Business

1. Welcome New Faculty Senate Senators (Chair Stu Youngblood)

Chair Youngblood welcomed Senator Connie De Veer (Fine Arts – Theatre) who replaced the seat vacated by the resignation of Senator Andrea Harris.

2. Update on NCAA (Rhonda Hatcher, TCU's Faculty Athletics Representative to the NCAA )

Representative Hatcher explained that her role is to bring a faculty voice to intercollegiate athletics. She reported that all but one of TCU's sports teams meet the requirements of the Academic Progress Rate (APR), which is determined by retention and eligibility. An APR improvement committee has been established to address the TCU men's basketball team. Nationally, problem sports are men's football, basketball, baseball and wrestling and for women it is bowling. She stated she feels very positive about the current state of TCU athletic affairs and has a comfortable working relationship with the TCU administration

3. Update on Tenure, Promotion, & Grievance Committee Draft Policy Report (Senator Dianna Newbern)

Opening remarks were delivered by Chair Youngblood. He stated that Paul King's comments at the December meeting were important because input is vital for the process. It is helpful to discuss basic principles of any policy. This revision has been in the works since 1998. In March, the Tenure, Promotion, & Grievance Committee will present an additional draft with an anticipated vote to be held in April or May.

Committee Chair Dianna McFarland stated that determination and lifelong learning are two characteristics of a good leader. She commented as faculty senators, we are striving to be good leaders characterized by the determination to pass a revised policy, and by revising it we are demonstrating we are lifelong learners.

Chair Youngblood indicated a good policy lets you know that there is a beginning and end. The appeals process should be prompt. In practice, the new process should be a rapid process, although on paper it appears to be lengthy. The third party ombud will assist the process to move quickly.

In regard to the proposed policy, Senator Moore asked, "What happens when confidentiality is not respected? Are there consequences for those who do not keep confidentiality?" Chair Youngblood stated that mediators would be removed if confidentiality were breached. We need to extend and expect trust. Senator Stephens stated the Faculty Senate needs to discuss this

issue. A question was asked, “What happens when confidentiality is breached by a mediator?” The response was that the agreement is enforceable and complainant could appeal upon ethical violations. The mediator could be required to testify. The complainant could sue the mediator for ethical violations. The result would put the institution at risk.

Senator Barkman suggested the TCU university attorney look into this issue. Senator Stephens stated he is aware of an institution that does not allow mediators to sign an agreement but allows for mediators to act only in an advisory role. The institution’s attorney would then sign the document. Senator Stephens stated that if a mediator breaks confidentiality, that they should give up rights to protection from the university. He said that most violations pertaining to confidentiality are unintentional.

During the discussion, it was suggested the ombud would have an associate ombud in case someone brings an appeal from the same department as the ombud. Senator Hawley asked why does the ombud have to be a faculty person?” She stated there might be reasons for not having a faculty person serve as the ombud. Senator Schrodt stated that a faculty ombud might fight more for the procedural process. Senator Stephens stated that other universities have used outside persons in specific situations. Senator Newbern indicated the Tenure, Promotion, & Grievance Committee will benchmark other ombuds at other universities.

Chair Youngblood stated current policy does not allow for substantive, but only procedural appeals. The new policy will allow for both. The ombud will represent the procedural concerns while the faculty should address substantive concerns. He stated that he does not want a neutral independent body (currently the Faculty Senate Executive Committee) making judgments about substantive appeals. Departments should take a second look. The policy must leave the control in the hands of faculty. Chair Youngblood stated the Provost will not support a policy that does not have the power in the faculty’s hands.

Senator Schrodt asked, “Why would the same academic unit look at it again, if they already have ruled against the appellants?” He stated that an independent party would work well for procedural issues but questioned whether the same academic unit should judge substantive issues again.

Senator Fortenberry asked, “If the department has conflict, what will be accomplished if it goes back to the same academic unit that is in conflict?” She stressed an outside person needs to be involved. At the department level, there needs to be an external person. In this case, the use of an ombud would be beneficial.

Blaise Ferrandino stated that substantive issues can be reexamined and different decisions can be made based from three cases he was involved in at TCU.

#### 4. TCU Honorary Degree Nominees (Chair Stu Youngblood)

The TCU Faculty Senate went into executive session to discuss and vote on honorary degree nominees.

**Announcements**

Senator David Bedford (Chair of Faculty Senate Student Relations Committee) announced the 2008 Joint Assembly to be held February 20, 2008. The topic is *Taking Responsibility for the Environment: Greening the Ivory Tower*. The assembly will be held in Smith Entrepreneurs Hall, Room 104 at 3:00.

**Adjourn**

The meeting was adjourned at 4:55.