Faculty Senate Monthly Packet March 1978

Portland State University Faculty Senate

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The Senate will hold its regular meeting of the Faculty Senate on Monday, March 6, 1978, 3:00 p.m. in 150 Cramer Hall.

A. Roll

*B. Approval of Minutes of February 6, 1978 meeting

C. Announcements and Communications from the Floor

D. Question Period
   1. Questions for Administrators - none submitted
   2. Questions from the Floor for the Chair

E. Report from Officers of Administration and Committees - none

F. Unfinished Business - none

G. New Business - none

H. Adjournment

*The following documents are included with this mailing:

Regarding Agenda Items:    B - Minutes of February 6, 1978 meeting
Minutes: Faculty Senate Meeting, February 6, 1978
Presiding Officer: Grover Rodich
Secretary: Earl Rees


Alternates Present: Smith for Jones, York for Lind, Bursch for Lee, Tamblyn for Walker

Ex-Officio Members: Blumel, Forbes, Heath, Hoffmann, McNamer for Howard, Rauch, Rees, Richelle, Rodgers, Ross, Todd, Toulan, Westwood

APPROVAL OF MINUTES:

The Minutes of the January 9, 1978, Senate Meeting were corrected as follows:
Brown and McNamer for Howard added as present. On page 3, first paragraph, line seven, "resource" should read "resource." On the same page, the third paragraph, "Interinstitutional Faculty Senate Survey..." should be listed as item "2." On page 4, throughout the "Highlights of Discussion" of Writing 120, "TSWI" should read "TSWE." The Minutes were approved as corrected.

ANNOUNCEMENTS AND COMMUNICATIONS FROM THE FLOOR:

The Presiding Officer asked the senators to indicate discrepancies in the attendance record of the Senate as soon as possible.

QUESTION PERIOD


2. Questions from the Floor for the Chair.

Bursch, referring to the ARC proposal concerning graduation with Honors and High Honors, asked what procedures were open for appealing that proposal other than Article V, Section 5, of the PSU faculty constitution. The Presiding Officer, after noting the procedure for appeal in the Constitution, recommended that the matter be taken up with the ARC. Bursch said his concern was the schedule of implementation and the problem of justice this matter presents.

REPORT FROM OFFICERS OF ADMINISTRATION AND COMMITTEES - none.
UNFINISHED BUSINESS

1. Proposed Amendment to Faculty Constitution on Committee on Committees
Description - Second Reading. The Presiding Officer reminded the Senate that, during the first reading, a constitutional amendment is open to debate, modification and amendment. There is no vote for rejection or acceptance. After the amendment goes to the Advisory Council, it is brought to the Senate for second reading. At this point, it is debated and either accepted or rejected. No modifications may be made.

Highlights of Discussion: Hardt noted that a housekeeping item, concerning possible new divisions at PSU, had been added by the Advisory Council. The Advisory Council, in a memorandum to the Secretary to the Faculty, pointed out that one third of the Senate (those in their third year) would be excluded from serving on the Committee on Committees. Another problem was the turnover in the Senate. Hardt said this was a small price to pay to insure the efficient, effective operation of the Committee on Committees. Richelle asked if DCE has been designated a division of the Senate. Hardt said it has been so designated but since DCE has no representation in the Senate, they do not have a member on the Committee on Committees. Heath, noting there was some confusion last year, said DCE will be submitting names for representation in the Senate.

Action: Approved by voice vote.

2. ARC Motion Concerning Cross-Listed Courses. The Presiding Officer reminded the Senate that discussion of the proposal was stopped at the January Senate meeting because of the lack of a quorum. Bates moved adoption of his amendment to the ARC proposal as included in document P2 of the Senate mailing (seconded).

Highlights of Discussion of Bates' Amendment: Bates said the purpose of the amendment was to avoid situations where students could take all social science or arts and letters requirements, for example, in another part of the University. Chino asked if the intent of the amendment was to limit the total to a maximum of eighteen credits regardless of the prefix. Bates said this was correct adding that a maximum of nine credits from cross-listed courses would be accepted from any one academic college. Hoogstraat said he understood that a cross-listed course is appropriate in either of the areas where it is listed. Therefore, the number of such courses taken would not be important and there would be no rationale for the amendment. Bates said cross-listed courses do not always involve a mutual purpose. Richelle emphasized that a course in economics, for example, listed with a course in Urban Studies, loses some of its potential in that, as stated in the amendment, that course taken in economics would have to be counted toward the quota of eighteen credits.

Action of Bates' Amendment: Passed by voice vote.
Highlights of Discussion of Main Motion as Amended: Diman asked about keeping track of cross-listed courses. Bates said he had been assured that the proposal could be implemented. Chino said that counting all courses in the academic disciplines in the distribution requirements has eroded the liberal arts education. The Bates' amendment is a step in the right direction because it counters this tendency. N. Rose asked if the proposal was retroactive. Bates said it will become policy when and if it is approved. Cease said the policy should apply to the new fall catalog.

Amendment Concerning Date of Implementation of Proposal: Cease moved that the date of implementation for this proposal be fall term of 1978 (seconded).

Highlights of Discussion of Cease Amendment: N. Rose asked if students using previous catalogs would be affected. Diman said the student would not be affected unless he or she opted to use the new catalog. Richelle, noting that students' right to choose a catalog, added that students may also petition the ARC. Bursch asked if a catalog in effect at the time of matriculation can be changed. Westwood said that, to his knowledge, this has not been judicially or administratively determined. Crowley asked if the present catalog says anything about cross-listed courses. Bates answered that there was no mention of these courses.

Action on Cease Amendment: Passed by voice vote.

Further Discussion on Main Motion as Amended: In response to questions, Bates said the amendment would mean that a student taking nine cross-listed credits in a department would not be able to count other credits from that department toward distribution requirements.

Action on Main Motion as Amended: Standing vote: 28 yes, 14 no.

NEW BUSINESS

The Presiding Officer said the intent here is not to debate the pros and cons of collective bargaining or the bargaining agents. The discussion should center on the two items included on the Senate agenda.


Highlights of Discussion: Moor said a perceived danger is the destruction of the collegial system of government. An anticipated benefit is a strengthening of faculty governance by giving the force of law to the faculty constitution as regards, for example, the role of the Senate and committees. Moor noted that, as might be expected, the worst and the best has happened in several institutions around the country. Regarding what might happen at PSU, Moor pointed out that most issues on which either side can demand to bargain are outside the scope of the Senate. These include: salaries, fringe benefits, teaching loads, holidays and vacation, process for hiring, promotion, tenure, and leave policy. There are issues with respect to which a collective bargaining agent could infringe on Senate prerogatives either directly, by taking over
Senate functions, or indirectly by overriding constitutional provisions over which the Senate now has control as the legislative arm of the faculty. These include: protection of tenure and academic freedom, procedures for selection of department chairpersons, grievance and appeal procedures. In summary, the Senate may well lose some of its authority. Moor said the aim of the AAUP is to strengthen the existing system of faculty governance by incorporating into a contract the faculty constitution and a statement of the role of the Senate and committees. The effect would be to reverse the relation between administration and university rules. There would be some incursion into the territory of the Advisory Council, which advises the President on issues of faculty welfare, and the Budget Committee, which makes recommendations on salary matters. Moor said scholars list three possible relations between the bargaining agent and Senate: competition, cooption, and cooperation. All agree that the first is unlikely to persist. The second relationship has not occurred in any of about forty institutions where the AAUP has bargained contracts. The intent of the local AAUP is to achieve the third relationship. The main thrust of the chapter's bargaining would be to assure the place of the present faculty government and to make headway in those areas (fringe benefits, leaves, etc.), where the faculty has so far had no significant voice. Cease, noting that Moor seemed to be speaking for the AAUP, asked if there were three bargaining units. Moor said his comments were based on information from AAUP experts. He added the OSEA has no experience bargaining in higher education and that he had not heard anything flattering about the AFT. Taylor asked about the election procedures for department heads who have been excluded from the bargaining unit. Moor said the constitution addresses this matter. But, it is an area open for bargaining. The AAUP would propose an agreement to abide by the faculty constitution. Taylor asked if a dean's prerogative to accept or reject an elected department head would continue to be policy. Moor said that would be a negotiable item. He added that, as it now stands, the President has the authority to ignore, override, or abolish the faculty constitution. Blumel said that such action is subject to review by the Chancellor. Marty asked if the three campuses with collective bargaining are better off than PSU. Moor said the difference in salary increases has been negligible. At SOSC, there is a weak clause in the contract that guarantees college governance. After collective bargaining has been approved, it was asked if there was a way to go back to no representation. Moor said there could be a decertification election. Blumel said there is a one-year bar to a decertification election. The problem is when to start keeping track of time: at the time of the election or when a bargaining agent is actually named. Moor pointed out that, in spite of the one-year bar, the agent could be stopped from abolishing faculty governance if the faculty votes not to ratify the contract. Moseley asked about safeguards and guarantees in an election. Bursch, citing the example of the exclusion of department heads from the bargaining unit, said the constitution does not now give the faculty guarantees. If the AAUP were the bargaining unit, who from that unit would represent the faculty? Nowhall said the AAUP would open up membership to all eligible members of the unit. Then the AAUP chapter would make decisions concerning who would be eligible and elected to the negotiating team. Taylor asked about the amount of time involved in negotiations. Moor said at least a sixty-day period is involved. One member of the negotiating
2. Faculty Senate Informational Role in the Coming Collective Bargaining Election.

Newhall informed the Senate that James McKay, a mathematics professor who has actually negotiated contracts, will be on campus this week. At PSU, Newhall said the areas of agreement should be identified in order to eliminate protracted negotiations. There is much flexibility as to how the topic of collective bargaining can be presented and brought before the appropriate groups. The Presiding Officer asked if it was the Senate's role to inform the faculty? Crowley asked if the Senate would consider asking Mr. McKay to speak to a larger group. Newhall said Crowley's question might be made more general: would the Senate be willing to sponsor a subsequent meeting devoted to collective bargaining? Bierman emphasized that, since there are no faculty meetings, the Senate has a real responsibility to inform colleagues. Crowley moved to have a presentation by Mr. McKay on Wednesday, February 8, 1978 (seconded).

Highlights of Discussion of Crowley’s Motion: Cease pointed out that Mr. McKay, a faculty representative from an institution that has collective bargaining, would be less than objective. Two or three views should be presented. Richelle asked if the Senate could be held liable for an unfair labor practice for sponsoring an AAUP representative. Westwood responded it would not be so considered unless the Senate was considered an arm of the University administration. Bates suggested the Steering Committee of the Senate be charged with arranging a faculty presentation with a variety of viewpoints. Fisher disagreed. The various bargaining agents should present their own propaganda. Crowley said that because of the lack of time and the proper conditions, he would withdraw his motion. Moor moved that the Senate Steering Committee arrange a debate of this issue by representatives of as many points of view as are easily identified (seconded).

Discussion of Moor Motion: Moor said he favors a voice for those for and against collective bargaining as well as the several bargaining agents.

Action of Moor Motion: Passed by voice vote.

ADJOURNMENT

The Senate adjourned at 4:35 p.m.