

**MINUTES OF THE UNIVERSITY SENATE
SPECIAL MEETING
JANUARY 29, 1991**

The January 29, 1991, special meeting of the University Senate was called to order by Chairperson Ron Juliette at 3:30 p.m. in Pratt Auditorium.

An Ali-Sechrist motion to permit the invited guest speakers to address the Senate was APPROVED.

The Academic Affairs Committee submitted a list of retiring faculty members to the Senate, and recommended them for award of emeritus status. The award is to take effect on Commencement Day, May 18, 1991, or the date of the individual's retirement, whichever comes later. (refer to the Agenda for the January Special Meeting for the list of faculty to be awarded emeritus status). The motion was APPROVED.

Brief Presentations by Representatives of Campus Constituencies:

Ms. Catherine Miller, Alumni Association	Attachment A
Mr. Shawn Sharbaugh, Student Congress	Attachment B
Ms. Terry Rittenberger, AFSCME	Attachment C
Dr. Anthony DeFurio, APSCUF	Attachment D
Dr. John Welty, Administration	Attachment E
Dr. Tom Goodrich, University Senate	Attachment F

General Comments, Remarks and Questions from the Senate Floor:

Senator Terry Ray

We have some very practical problems in regards to the governance of the Senate and the governance of the University. A very practical problem is the fact that when a person is elected to the Senate they are handed this Constitution which we ostensibly follow, when in fact there are significant legal problems with this Constitution. Just to briefly outline what the problems are: Legally this Constitution is nearly 30 years old; in 1982, Act 188 was passed which greatly expanded the powers of the President and Council of Trustees. Subsequent to Act 188, about seven years ago, the Council of Trustees had a meeting at which time (and I think this was politically unwise) the Trustees unilaterally amended the Senate Constitution without the consent of the Senate. Basically what they did is eliminate the clause which states what the powers of the University Senate shall be. It eliminated the clause which states that nothing shall become official policy unless approved by the University Senate. A year later this was challenged again before the Council of Trustees and that is when the famous clause developed that "there was an-agreement-to-disagree," which makes no sense to me. Another item you should also be aware of is that in the Council of Trustees by-laws there is a statement which was inserted which I will read to you. You can just, by listening to it, see the vast difference between what the by-laws of the Council of Trustees say about the University Senate and what we say about ourselves in our Constitution. Article VII of the by-laws of the Council of Trustees states as follows: "There is established a University Senate composed of faculty, students, and administrators and governed by a Constitution subject to the approval of the Council upon recommendation of the President." The powers as viewed by Council, "the University shall to the extent not to be inconsistent with any, when applicable, collective bargaining agreement, recommend the establishment, alteration, and abolition of academic programs and courses, and shall have other such responsibilities as have been delegated by the Council." This has extremely limited the powers of the Senate, and I think it is incumbent upon us, since we have a huge gap between these two views, to have a meeting of the minds to establish just what in fact our powers are.

Senator Adam Goldstein

I serve as Vice-President of the Student Congress and Vice-Chair of the University Senate. I also sit on an Ad-Hoc Advisory Committee of the University Senate which helps Ron (Juliette) with his decisions regarding this body. Campus politics has been difficult for me to follow - but participation in discussions with my peers in the Senate has enabled me to make the following deductions:

The University Senate's Constitution was written at a time when complete shared governance was the recognized form of policy-making on campus. Since then, powers have been given to the President of IUP in Act 188, and the APSCUF union has been formed. Both of these contain rights, bound by law, which limit and eliminate the powers of the University Senate. It has taken us until now to recognize this problem.

One of the many marvelous things about this body is that whether they are students, faculty, or administrators, all those who serve here are equals. This forum offers us an opportunity not only to speak as equals, but also to donate our personal contribution to this campus. Using this forum, and relying on the assumption that you are listening to me - not as a student - but as an equal I give the following suggestions:

I encourage Dr. Welty to attend the University Senate meetings and contribute all personal thoughts and doubts about the committee work being discussed. Be an active part of this body, not a silent observer. I am saying this because your power, given to you in Act 188, is one binding by law. And you, at any time, can say to us that our efforts are fruitless. Steer us in the right direction, so that we may go through all the channels before-hand and not after the fact, so that we may together adopt a policy cleared by all the respective constituencies.

I encourage APSCUF to give back to the Senate its missed liaisons. You once had representatives sitting on committees, actively expressing your organization's views and opinions. You, too, are more powerful than this body because you also have rights bound by law. If we work together, along with your people, then we can once again develop a policy with which we are both in accord.

I now encourage the formation of a committee consisting of President Welty, the President of APSCUF and one member, the President of AFSCME and one member, the Chair of the University Senate and one member, and the President of Student Congress. This committee of 8 will meet regularly, not only increasing a positive communication link between the leading policy makers on campus - but also opening another outlet for key issues to be discussed and agendas to be set.

Lastly, I encourage the University Senate to recognize yet another constituency which we have thus far neglected. Those represented by AFSCME are indeed a part of this campus, and have been affected by policies we have developed. I see it as our obligation to recognize AFSCME representatives as Senators on selected committees. This step, would create a more harmonious campus, with a more effective and efficient governing body.

Senator George Walz

I was intrigued by a comment Dr. Welty made regarding the two issues - parking and the mascot - which may have precipitated this entire debate. He said he would return the report or recommendations he gets from the Ad-hoc Committees to the Senate, and I assume this means to return for action, and I was just wondering if that is the case.

Senator John Welty

It seems to me the Senate has a choice about what to do with those items when they are returned, and I would not presume to speak for the Senate. I would assume the Senate would act, but they may choose not to. It seems to me the responsibility is to return it to the Senate, and it is up to this body to determine what to do with it.

Senator Tom Cunningham

One question for two people. One for the Alumni representative and one for the AFSCME representative. "How do you feel that you could best participate in the governance of IUP and, in particular, in the operations of the Senate?"

Catherine Miller, Alumni Association

Depending upon what vehicle is developed, such as the Committee that was just suggested, I think at minimum the University would be wasting their Alumni if they did not at least ask for some sort of appointed representation from the vast number of Alumni to act at the least in some sort of advisory capacity. I should think you are utilizing your resources and some outside ideas. When you are dealing with just representatives of the campus, you sometimes tend to get short-sighted. I know in my own organization that we travel to different companies and bring in representatives from other companies in order to get new ideas. My suggestion would be that if there is a committee set-up, that an Alumni be on that Committee.

Terry Rittenberger, AFSCME

AFSCME would also like to have representation on the Senate and serve on any committee that would be put together. As of now we are totally out of the picture. When something is passed, we hear about it second-hand. We would at least like the opportunity to have a representative here to give our views and our concerns.

Senator Stan Tackett

Our Senate already has about 170 members, and I certainly see the wisdom of adding representatives from AFSCME and the Alumni Association. I believe our 170 members makes us the largest in the Nation. Could we be more efficient with a smaller Senate, and does anyone have a suggestion as to how we go about it? I fully agree that we need to expand our representation, but it seems to me we need to cut down on the number of people.

Senator Ron Juliette

We attended a National Conference--and we are going to share the information from the Conference with you--but what we found was that the average size of a University Senate is 54. The range is between 40 and

50. We have 169 members - a much larger group than a typical Senate. I think we need to look at how we are constituted as a body and if we need to be as large as we are.

Senator George Walz

One problem that will continue to determine how effective we are as a Senate is how we communicate with APSCUF and coordinate our policies with APSCUF, which oversees the CBA. I will cite the syllabus as one example. The Senate, in its wisdom, decided that: there ought to be a certain requirement with respect to course syllabi; they ought to contain certain pieces of information and that all instructors should distribute them to the students. APSCUF as an organization has a different charge from the Senate's. The Senate's mission is to make policy which makes sense academically. APSCUF's is to make sure that policy does not violate the CBA. The Senate creates a syllabus policy and APSCUF says, "No, we cannot support that because you are affecting working conditions by requiring faculty to distribute a syllabus." So they have a veto power - perhaps not one that they ask for - but it in effect comes out by virtue of being a guardian of the CBA which is their rightful mission. How do we avoid running into numerous clashes like this every time the Senate decides that something needs to be done, so that it is evaluated from the standpoint of the CBA. There seems to be an implausible amount of coordination required. Tony DeFurio said this can be done, and I am just wondering how do we do this.

Anthony DeFurio, APSCUF

I certainly don't minimize the difficulties. In fact, I said there are a large number of issues in which we would seemingly be at odds with each other. I think before people get entrenched immovably into positions, the liaison Senator Goldstein talked about has to occur. I found as Chair of the Senate that what became very frustrating to the Senate was that things tended to move very slowly. This was particularly true for the student senators. I guess that is the price of democracy, and I think a lot of that kind of slow grinding that Tom talked about can be cut down. The only way I know to clearly avoid confrontations is to continue an open dialogue. I think if there is something that binds us that has to do with the working conditions or has to do with the legality then we ought to communicate that so people can understand where we are coming from as an organization. The syllabus policy you talked about - I was on one side of the issue - and some of you were on the other side of the issue. I think the way it was finally resolved was through an ad-hoc committee comprising of Senate and APSCUF. In many of these issues it is not going to be a cut-and-dry.

Senator Sam Barker

I would like to go back to what Terry Ray said to start the conversation off. Times have changed, realities have changed. Two key pieces of legislation have been enacted since 1970 that has established the CBA, and Act 188 has given broad powers to the Council of Trustees and to the President to enact and carry out the policies that this body has had input in since that time, but its final enacting powers have been taken away by those two Acts, and for us to maintain the same Constitution, I think, is foolish. I think we need to maintain the ideals that Adam talked about. We come here whether we are students, faculty, or administrators, we come here and speak as equals. I think we need to involve AFSCME, and I think we need to seek the advice of the Alumni. We need to incorporate that into a smaller streamlined body. I would ask that the Rules Committee come up with some Constitutional models that would demonstrate what the powers are now - perhaps a best case/worse case scenario - as to what the Senate can actually do and to also come up with some membership models for a smaller more streamlined body to enhance and increase the input from these other bodies.

Senator Mark Staszkiwicz

I have heard Adam and Bill talk about the fact that we come here as individuals, but I think therein lies part of the problem because we are not all here as individuals. We are here as representatives of some other group of individuals, and I use APSCUF and the Administration as an example. In the case of the Course Syllabus Policy, it is intriguing to me that if faculty members of the Senate represent departments, and APSCUF also has legislative assembly members who represent departments, if we serve as representatives, we go back to our departments. Why aren't conflicting views being shared at that level before they come back here? The same is true for the Administrative assembly. If I represent the Deans, and I say something in this forum that the Deans do not agree with, then I am not performing my function as a representative. It seems to me that we have been coming here too long as individuals and what we have to think about is the groups that we are representing before we speak publicly in these forums and I think that is part of the problem.

Senator Hilda Richards

Ron, when you did your opening presentation to the Senate at the beginning of the year I applauded. One of your concerns was the active verbal participation of administrators in the Senate. I want to speak for myself. Part of the issue, I think, may be that some people feel that they may live to regret what they say here, and that things will be used against them, and that in fact they are not allowed to be equal with other people. As

part of how we look at restructuring the Senate, we need to figure out a process where people can feel that they are respected, and that if the Dean of XYZ says something, they are not going to be made to feel they are going to receive twenty lashes for it. I think it makes it more difficult for it to be the kind of forum it should be and can be in relationship to shared opinions and views.

Senator David Domico

I have a quick question regarding the decisions that are going to be made by the Ad-hoc Committees on parking and the mascot. These committees were formed by President Welty and I believe their charge was to respond and make their recommendations directly to him, and if it is also going to be sent back to the Senate floor, the Senate could also take action on that and possibly give you two conflicting views. What is going to happen to these decisions?

Senator John Welty

Just to clarify the process, it is correct that those committees have been asked to report back to me. As I mentioned earlier, my intention is to forward those reports to the University Senate. I recognize that ultimately on those issues that I will have to forward some recommendation for action to the Council of Trustees who must ultimately act on the issues. I would hope that, through the discussion, it would be possible for us to reach some consensus, and that we can forward a policy that we all support. Not necessarily that we all agree with, but be close enough that we can all support.

Senator Hilda Richards

I think perhaps the Senate is too big. I would support any efforts at restructuring, and also making sure all constituencies are represented.

Senator Mia Moore-Armitage

I was intrigued about something that Mark said about coming here as department representatives. When I first came here ten years ago, I was asked to be a departmental representative because no one else wanted it. I never received a Senate Agenda in a timely manner to take it to my faculty to discuss the issues so that if, in fact, we restructure the system so that we come here as representatives, we are going to have to come up with a new system, of the actual mechanics of handling the debate and the discussion so that I can come so that my opinion is truly a consensus opinion.

Senator Helen Cunningham

As you may or may not know, the Nursing Department has a very large graduate program, and today for this meeting, I assigned several students to come here and since a few of them had to leave, they poked me to come to this microphone to remind all of you that in the course of all this discussion they were never mentioned as constituents of this body. I guess I must address my comments to the Senator who represents the students on this campus, not to forget that we have a very large graduate student constituency.

Senator Bill Oblitev

I guess why we are here is to figure out our role in the governance of the University. What is happening is that we have been aware that perhaps the system is not working. If the system is not working we need to do something about it. I am not sure that expanding or contracting will solve the problem. I think that when we come in here and our discussions go round-and-round, and we are not addressing the issues, we feel like we are wasting our time. Perhaps our role is to come here to discuss the issues and come to a consensus. The powers that be use whatever ideas we come up with. If we make these decisions and our decisions are not used, we feel that it is useless to come here. Perhaps our role in the governance of the University is for us to feel that when we come here, we come here for a useful purpose.

Senator Diane Duntley

Many of us have not chosen to speak today. I would urge you not to hear that as our not caring.

Summary - Where Do We Go From Here? Chairperson Ron Juliette (refer to Attachment G).

As all business had been conducted, the meeting adjourned at 5:15 p.m.

Respectfully submitted

Yaw A. Asamoah,
Secretary

Attachment A**Ms. Catherine Miller, Alumni Association:**

First of all, I would like to thank Ron Juliette, Chairperson of the University Senate, for putting together this forum, for the open discussion of ideas on University governance, and for inviting the Alumni Association to share its views on its role, both perceived and actual, in such matters. Although IUP alumni represent the largest constituency of the University, they are often a faction overlooked in matters other than those that pertain to fund raising. This is, indeed, unfortunate since alumni are the most constant component of the University family and, as a whole, are a group strongly interested in the well being and the growth of their alma mater. Today, IUP's total alumni number almost 73,000; 54,000 of that number represent active addresses; 13,000 lost alumni; and 3,000 are recorded as deceased.

The faculty, on the other hand, while much more in touch with the day-to-day needs and operations of the University, and of critical importance in policy and curriculum making, is a considerably smaller group. They are represented by 734 full-time and 83 part-time faculty members. Further, the faculty is, for the most part, a more transient group than the alumni, who become lifetime association members upon graduation. But, in general, the faculty maintain an active interest in the University for the duration of their employment only.

The student component, too, is much smaller than the alumni. The student body consists of a little over 14,000 students. Generally, this group, too, is in residence for only 4 to 5 years, after which they, too, assume the role of alumni. Again, I do not intend to downplay the importance of faculty, students, or staff in University governance, I merely draw the parallel to point up the human resource base and longevity available among the alumni.

The alumni provide credibility to the University through their successes in their careers; and, because of their outside experiences and associations, can offer infusions of new thought, new answers, new questions, and new solutions to the University body. Societal values, which are developed during the educational experience, are reflected in the achievements of the University's alumni. When the alumni are identified as the product of an institution, the alumni lend credibility and value to that University and the quality of its educational process. Society, therefore, judges the success or the failure of the University by the quality of its alumni. As a result, the alumni and the University are mutually interdependent.

The interests of the alumni and the Alumni Association are to promote the University and the educational process for this and future generations. The alumni, through their financial contributions, help promote and provide for the margin of excellence for which IUP is known. What the alumni also represent is a vast resource of experience and loyalty upon which the University, not only can, but should draw. The IUP alumni Association stands, not only ready, but stands with great willingness and vast abilities to participate in the governance of the University; and, standing firmly and securely, not only in their career experience, but just as important, on their educational experience gained here at IUP seek to participate fully and completely in the governance and policy-making of the University. I believe that the Alumni Association is as yet an untapped resource to the University. It is also a voluntary resource. As a business owner, I only wish such a gratis resource were available to me for the betterment and success of my operation. The alumni of IUP, like sleeping bears, wait to be awakened to their full potential; they seek a University environment in which they may become not only fund raisers money givers, but actual participants along with the faculty, staff, students, and board of governors in the governance of Indiana University of Pennsylvania. To ignore the feelings, concerns, and abilities of any of these constituencies is to cheat the University of its full potential.

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Attachment B**Mr. Shawn Sharbaugh, Student Congress**

I would like to thank Chairperson Juliette and the University Senate for granting this opportunity to deliver a brief statement on the issue to governance here at IUP. For those who don't know me, my name is Shawn Sharbaugh and I am currently the Student Congress President. Here at IUP, Student Congress is the representative and recognized voice at IUP's student body. With 107 members in the Student Congress we have a very diverse group of students. They include: men and women, undergraduates as well as graduate students, Greeks, non-Greeks, whites, blacks, traditional and nontraditional students, freshman to seniors, native and international students,, and religious and sexual minorities. We are probably one of the

most diverse organizations here at IUP, and I wouldn't have it any other way. Student interests are represented very well in the Student Congress.

With our student diversity, we voice suggestions and recommendations regarding student issues to the IUP administration and have the ability to bring issues to the University Senate through our 42 student senators. We have no direct power on making decisions for IUP, but we do have indirect power and this power includes student appointments on university and Student Cooperative committees, representation in the University Senate, and bringing issues into the public limelight. When you have no direct power, it's hard to have recommendations seriously considered and even receive the respect that any IUP student deserves. Sad to say, I have encountered a few administrators who were unwilling and unreceptive to even listen and speak about new ideas and issues regarding this university.

The university community and the IUP administration has to remember that if you take away any part of the IUP constituency, we lose what makes IUP a fine institution. Take away our faithful alumni, we don't have much of a university. Take away the administration, we don't have a university. Take away our gifted faculty, we don't have a university. Take away our hard working staff and we don't have a university. Take away our student body and we don't need a university. That is one thing that distinguishes students from anyone else; we students are paying to be hear; we are paying for our education and with that, the decision makers here at IUP have an obligation to the student body, as well as all other constituency, to listen, seriously consider, and hopefully implement recommendations that we all have regarding the improvement of our education, educational environment, and our university.

In today's world, the modern university is big business. And with any business, it is essential to listen to your employees and customers. And as customers, we students, should at least be given the respect we deserve, and our suggestions given an open ear. If I could quote the IUP student handbook for a moment. The handbook states that IUP has as its purpose the attempt to fulfill that primary purpose of education as stated by Alfred Whitehead. It must stimulate and guide student self-development. The intellectual climate helps develop the student's mental discipline, and their contacts help to stimulate their imagination, extend their tolerance, and enable them to make critical and independent judgements and mature decisions. If all this is the purpose of IUP, and I hope it is, the decision makers here at IUP have to be willing and receptive to other university governing bodies' views.

My own experience with the University Senate is not very knowledgeable, but with briefing from the Vice-chair of the University Senate, who is also Student Congress Senate Vice President, and with other student senators, I have learned quite a bit about how the University Senate works. It is my opinion that the University Senate is a governing body that has insight and experience. It has competent and respectful leaders and members, and at the least deserve a quick and satisfactory response to the question, Why have some University Senate passed policies been put on the back burner?

This university needs more open and direct communication regarding such matters. I applaud today's meeting's purpose. It is one where we can state how we feel and hopefully get everything out in the open and move forward for a better IUP. I urge the administration and the Council of Trustees to be aware that Student Congress and the University Senate are some of the organizations that have hands on experience on what needs addressed, solved, and improved regarding this university. Both governing bodies encounter problems day in and day out and it would be foolish for this administration to ignore such insightful voices.

And if they are treated like second class organizations and their ideas cast aside without ever truly having serious consideration then it's the beginning of the end for this fine institution and a mournful time for IUP. I pray and I am confident that this will not happen and through teamwork, open communication, and awareness to other constituency we as students, faculty, staff, administrators, and alumni can work together for the betterment of IUP. And I thank you.

Attachment C

Ms. Terry Rittenberger, AFSCME:

Good afternoon. I am Terry Rittenberger. I work in the Media Resources area of the Library as a secretary. I am here representing AFSCME President Jeanne Morris. I am an Executive Board Member and Steward for AFSCME.

AFSCME is an affiliate of AFL-CIO as is the faculty union, APSCUF. On the IUP campus we represent the interests of about 500 people. These people are at work on campus before you arrive in the morning, and after you leave in the evening. Custodians, maintenance workers, carpenters, plumbers, computer operators, graphic technicians, secretarial and clerical workers - we are all part of IUP. We believe in the IUP community, and we feel that we have a stake in its prosperity, and we are no less concerned than the faculty, students, and administration.

The IUP community is a special place. Unlike other work places, the priorities are not so much a material product, but an enrichment of the lives of the students. Many decisions are, or should be made, with this in mind. The learning process at IUP results from the interaction of all parts of the IUP community - the administration, whom we call management, the faculty who deal most directly with the students, and the staff which facilitate the functioning of the institution.

Over the past several years we, too, have noticed a blurring of the lines of responsibility within the university. We believe that this is due to the overall growth of the university, the institution of the State System of Higher Education, and the growth in size of the local administration.

The result of blurred lines of responsibility are manifested at all levels of the IUP community including the staff employees. We have experienced an increase in conflict. We have made charges of over-management and have been charged, in turn, with lack of cooperation. Overall, IUP has become less like a community and more like a group of constituencies. And, worse, IUP has become less efficient and less effective.

We are here to do something about this situation. AFSCME endorses any effort which would help increase the efficiency of IUP and make this a better place in which to work. We recognize that there are policies and initiatives with which we are not involved, and should not be involved. Academic policy is the best example of this. On the other hand, there are other areas where we have a definite interest and can be of help in creating and implementing policy. Parking is a good example of this.

The governance of IUP must work within the boundaries set by our collective bargaining agreements. It seems to us that the matters these agreements address are, or should be, very clear. After all, their functions are to establish what matters are appropriate for consideration, and then to set up rules, and accountabilities relating to those rules.

In addition, there are the policies set at the state level by the Commonwealth, the Department of Education, and the State System of Higher Education. It is when these state-wide policies need to be implemented at the local level, conflict begins. Since IUP has its own agenda and policies which must be formulated and implemented, we feel that local problems should be addressed locally. We believe that the answer to the problem for which we have assembled here is twofold:

First, the establishment of clear lines of responsibility must be a major goal of this university. Communication seems to be the key to this; we must make signals clear and devoid of static. We believe this means that administrative function and policy function, as stated in the working document, must be thoroughly and clearly defined, perhaps more appropriately named, and then clearly delineated. We endorse the exploration of the "Shared Governance Executive Committee", but cannot rule out the exploration of other avenues to achieve the goal. Second, all constituencies of the university must be consulted and must participate in the effort to streamline IUP's policy function.

We stand ready to participate in the shared governance of this community. But first the administration, faculty and students must agree to share the responsibility with the members of AFSCME.

Attachment D

Dr. Anthony G. DeFurio, President, IUP/APSCUF:

Senator Juliette, and the University Senate, are to be commended for structuring this meeting and attempting to come to grips with what may appear to be irresolvable issues.

Thank you for this opportunity to address the University Senate relative to the role of APSCUF and other constituencies such as the Student Congress and AFSCME.

From 1985-1987, I served as Chair of the University Senate, I am now in the first year of a two year term as APSCUF President. Professors Dale Landon and Stan Tackett have served in this dual capacity in the past. Serving in these two roles has played a part in what I will attempt to say today.

I have had the opportunity to read Professor Goodrich's remarks prior to this meeting and the position paper distributed by Senator Juliette on "Redefining the Role of the University Senate." While I share many of the concerns expressed in both papers and can concur on many points, I would like to extend the scope of our dialogue to some degree.

History often seems to elude us. During the spring semester of 1985 the University Senate appeared to be in an imminent state of collapse. Professor Lorrie Bright, then the Chair of the Senate, resigned just before the mid-point of a two year term. At that juncture a special election was held and I became Chair of the Senate. I must admit that it did feel as though I was at the helm of a sinking ship! In fact, many of my fellow senators and colleagues told me so. Prior to that election, I had been a Senator for fourteen years or so, and served on the Undergraduate Curriculum Committee during that period.

I did not think then, nor do I now, that the IUP University Senate was or is a sinking ship. There are far too many dedicated Senators among you to fulfill that prophecy...Senators Goodrich, Radell, Cunningham, Costa, Landon, Buterbaugh, Tackett, Curey, Cashdollar, Chamberlin, Juliette, Asamoah, Linzey, Ali, numerous others...particularly student senators and administrators. During my two year term, I did what I could to stabilize committees and the senate.

Within this period, the Senate did have a face to face confrontation with the Trustees over the Constitution. The Constitution issue as some of you vividly remember was at the center of one of the major confrontations at this university with former President Worthen.

The University Senate/Trustees meeting led to what has been a tenuous truce. At that time, the Trustees recognized one Constitution, and the University Senate the one that has been in effect since 1970. I'll come back to this point in a moment. I do believe that through the leadership of Senator Buterbaugh and Senator Juliette, plus the efforts of numerous senators, the University Senate is much stronger today than it was when I was chair.

Recently, President Welty, Senator Juliette, and I attended a conference on university governance. As you might guess there are a number of different models in existence across the United States. Some senates are faculty only, others administration and faculty, still others students and faculty, and a number of colleges and universities have disbanded their senates entirely because they determined this governance structure to be obsolete. Does IUP need a University Senate? My answer is an unequivocal yes!!! And, from my perspective the most dominant strength of this Senate is that it provides a forum for faculty/students/and administration. Furthermore, as unorthodox as it may sound, I would encourage the expansion of membership to include some portion of AFSCME, for they too constitute an important voice in this university community.

The University Senate at IUP is common ground for a number of autonomous constituencies, namely, APSCUF, the Student Congress, and Management.

Many of the parameters that define APSCUF (as I imagine is the case with AFSCME) are matters of formal legislative enactments (seven in the case of APSCUF...Acts 56, 84, 92, 101, 182, 188, 195), plus a jointly negotiated collective bargaining agreement...signed by two parties...the Chancellors Office and APSCUF. The wages, hours, working conditions of faculty are both narrowly and broadly proscribed. As an elected official of APSCUF, I am duty bound, as is President Welty I might add, to follow the letter and spirit of the collective bargaining agreement.

One discernible difference between my former role as Chair of the University Senate and my present role as APSCUF President is that I am much more legally accountable to a specifically defined bargaining unit for actions and decisions that are made by IUP/APSCUF. Within a number of areas, some not always recognizable at first, apscuf must insist upon autonomy. Within other areas, we can work with a number of other constituencies to reach common understandings and local policies. Even if APSCUF, or management for that matter, asserts autonomy or managerial prerogative regarding a particular issue, we can and should be accountable and delineate reasons for these decisions.

Relationships with the University Senate, Management, or any other constituency need not be adversarial. This does not mean that at times our interactions won't be difficult. From my point of view, open dialogue, frank exchanges of viewpoints, and communications is the key to positive relationships. Ceasing to communicate with various groups leads to misunderstanding, confrontation, and adversarial relationships.

(I did not have the following quotation incorporated in my opening remarks at the recent Senate meeting on university governance. At one point during the meeting I read these remarks to the Senate.) The term "UNION" has come to be used in a pejorative manner over the past decade, particularly on some university campuses. I have included the following excerpt, the one which I read during our recent meeting, because it clearly focuses attention on the role of collective bargaining within an academic setting. This quote is drawn from the American Association of University Professors, "Statement of Academic Government for Institutions Engaged in Collective Bargaining." The statement was adopted by the American Association of University Professors in June, 1988.

When legislatures, judicial authorities, boards, administrations, or faculty act of the mistaken assumption that collective bargaining is incompatible with collegial governance, they do a grave disservice to the very institution they seek to serve. The cooperative interaction between faculty and administration that is set forth as a workable ideal in the "Statement on Government" depends on a strong institutional commitment to shared governance. By providing a contractually enforceable foundation to an institution's collegial governance structure, collective bargaining can ensure the effectiveness of that structure and can thereby contribute significantly to the well-being of the Institution.

To return to the point of conflict over the Constitutional question, What is at stake for the Senate? On the one hand I feel that the University Senate has a self-image, self-esteem problem. Partially, this is due, I believe to the frustrations of not feeling valued, or feeling that the Senate spends large amounts of time spinning its wheels on a variety of issues and reaching solutions that are ignored by those in authority to implement these decisions.

If the Senate's decisions and policies are not valued by management or other constituencies, the Senate will eventually cease to exist. While both management and various bargaining units do have autonomy and legal constraints, there is broad common ground on which to formulate policy and reach consensus. APSCUF will continue to work in a positive manner to work with all university constituencies, and the University Senate in particular.

Attachment E

Dr. John D. Welty, President:

I welcome this opportunity to begin a discussion on governance for our University community. I believe very strongly in the principle of shared responsibility for the governance of our institution. I believed in that principle when I joined this University community and I have continued to attempt to put it into practice.

I believe it is time for us to address University governance because several major changes that impact governance have been made since the original University Senate Constitution was adopted. The relevant changes include the following:

1. The passage of Act 195 which establishes specific responsibilities for the bargaining unit which represents the faculty and the staff.
2. The passage of Act 188 in 1983 established specific responsibilities for the President, Council of Trustees, Chancellor and Board of Governors which must be followed as we develop a structure for governance.
3. The complexity of our institution has increased dramatically. We are no longer a single purpose institution but rather a comprehensive University with more than 100 major fields of study and over 40 departments with over 14,000 students.

It is my belief that the University Senate must play a critical role in the governance of our University. I see the Senate as the body which should focus on the most critical issues facing our institution--issues such as undergraduate education, graduate education, the quality of life of our students, assessment of our success, planning for the future and other major issues that effect the long-term development of the institution.

I am convinced that we need to develop a statement of purpose for our University Senate which outlines the major responsibilities of the Senate and also provides a forum for the discussion of other major issues of concern to the University community. The Senate must take on the role of developing and formulating policy in the critical areas which affect the growth and health of the institution. And the Senate should also provide a forum to discuss other issues which may be of a day-to-day nature. I believe our articles of governance

should be conceptual, broadly stated, and be enabling, rather than prescriptive. If we attempt to prescribe everything, we will not be able to develop an effective governing unit for our University community.

Further, it seems to me that our governing structure must be built on the principles of trust and communication rather than on lengthy by-laws and numerous legal statements. I totally agree with the Ad Hoc Senate Advisory Committee that we need to move toward improved trust and communication in the University community and reduce adversarial interactions.

As we begin the discussion, I have summarized a national study that was recently undertaken by Joseph E. Gilmore on participative governance bodies. This sheet is available in the back of the room at the entrances.

In response to the paper prepared by the Ad Hoc Advisory Committee of the Senate and presented to the University Senate to stimulate discussion today, I have several comments. First, I believe, the paper sells the University Senate very short. It describes in Section B the role the Senate has evolved to include the "administrative function" of approving curriculum. I differ sharply with that interpretation. It is my view that the single most important thing that we undertake in this University community is the development and formulation of new academic programs, curriculum, and related academic policies. The paper does state accurately that the Senate has done a good job but I certainly do not see this as an administrative function. I see this as the heart and soul of the governance function of the University community. We should never forget that. The paper also comments that the Senate has developed policy in several other areas mentioning specifically sexual harassment, course syllabi, parking, classroom space utilization and the use of the native American Indian as a mascot and nickname. If one examines the Senate record for the past six years, the Senate has also approved policies in the following areas (excluding curriculum and academic affairs): Alcohol; Policies and Procedures for Drug Education and Rehabilitation Programs for Intercollegiate Athletics; Class Absences; University Commencement Awards; Campus Activity Guidelines; Cancelled Semesters; Capital Budgets; Computer Software Policy; Enrollment of Graduate Students; Hazing; Honorary Societies; Library Circulation; By-laws for Editorial Boards of Scholarly Publications; Senate Grant Program; Revised Residence Requirements; Foundation Distinguished Achiever Scholarship Program; Signs and Poster Policy; Solicitation; Student Behavior Regulations; Guidelines for Organizational Approval; RORB Policy; and Freedom of Student Publications.

The paper goes on to state that the Senate's actions are not highly regarded. I differ sharply with that interpretation. All of the above policies, plus a long list of new programs, curricular revisions, academic policies and the new Liberal Studies Program, have been approved as forwarded although in a few cases modifications were made by APSCUF and returned to the Senate for their action.

It is important to recognize that the discussion on parking and the nickname is not finished. Let me briefly elaborate on these issues. First it has been my belief that from the very beginning it was clear that any proposal developed on parking had to go to the Parking Authority Review Board for discussion. The Parking Authority Review Board was established back in the 1970's to make recommendations to the president on parking. I have discovered subsequently that this fact had not been communicated clearly to the committee working on the parking proposal, so I can understand how confusion arose if the Senate Committee assumed its recommendations were the last word. My purpose in appointing an Ad Hoc Committee on Parking earlier this year was to try to reconcile the differences in the two separate and different proposals--one from the University Senate--one from the Parking Authority Review Board--and to give members of our staff a voice in parking policy. I intend to return whatever recommendation emerges from the Ad Hoc Committee of Parking back to the University Senate prior to taking any action. Thus, I believe existing governance procedures were followed with regard to that issue.

Second, with regard to the use of the name Indian as a nickname and mascot, once again, I believe it was communicated to the Senate that the alumni had a major concern about this issue and wished to be consulted. I made a personal commitment to our alumni that they would be heard. Obviously two very different points of view emerged from the Senate and the Alumni Association Board. My attempt in appointing an Ad Hoc Committee was to try to see if discussion among these groups could result in a recommendation. Once again, any recommendation that is forthcoming will be returned to the University Senate prior to any action.

All of the other issues that have been mentioned have been adopted as the University Senate has forwarded them. It seems to me that the University Senate has played, in the past six years at least, a major role in the formulation and development of University policy.

I take issue with the interpretation that when the president or the Council of Trustees does not immediately approve a Senate action that this implies the Senate is not perceived as an important body. I hope it can be understood and appreciated that each of us have significant roles and responsibilities that must be fulfilled, and in the case of the Council of Trustees and the President, those responsibilities are established in law.

When there is a difference of opinion, I believe it is incumbent upon me to outline to the University Senate the reasons for our position and to provide the Senate an opportunity to debate and discuss the issue. At the same time, I believe it is important to understand that when a recommendation is not supported by the president or adopted by the Council of Trustees, this in no way represents a diminution of the role of the University Senate.

Finally I would like to suggest several positive approaches for your consideration:

1. I believe we should review the University Senate Constitution in an attempt to revise it to reflect the current realities with which we must all deal, and to develop a statement of purpose that reflects the major role the University Senate should play in the governance of our University. I believe this statement of purpose should include the Senate's responsibility for the quality and integrity of the academic program and the quality of student life.
2. We need to take a careful look at the entire structure of the University Senate including the definition and membership of committees. Organizational and subsequent changes over the years, suggest a fresh look be taken at the number of committees, their definitions and, in some cases, their membership. Also, I believe we should consider how to provide for representation for the Council of Chairs.
3. I believe we must consider the size of the University Senate. As is clear from the summary of the Gilmore Study, many institutions of our size have evolved to smaller bodies and found other ways to involve people. I believe this issue warrants debate because there is a relationship between the size and the ability of a governance unit to function effectively.
4. It must be understood that neither the Council of Trustees nor I as president, can delegate or give up responsibilities that are prescribed in the law. This is not to say, however, that the University Senate cannot be involved in the formulation and development of policy.
5. I believe that our governance structure should focus on improving communication among all University constituencies and involving all University constituencies in the governance of the institution. I wholeheartedly support the suggestion that an attempt be made to form a shared Governance Executive Committee with the representation as outlined in the Ad Hoc Committee's paper. I believe this group could be strengthened by the addition of the provost and a representative of the Alumni Association Board to its membership.
6. I believe the proposal that would allow for the periodic reevaluation of the governance structure is an excellent suggestion.
7. I believe the appointment of liaison members, APSCUF, AFSCME and other bargaining groups could certainly strengthen the Senate.
8. I believe the Ad Hoc Committee's suggestion with regard to reviewing initiatives and costs is somewhat oversimplified. We have worked very hard to link long-range planning and budget development and the Senate has membership on both of those committees. While the proposal does not recognize the complexities of planning and resource allocations, I believe we can certainly look at how to improve the processes of long-range planning and budget development.
9. I do not believe that it is necessary for the Senate Chairperson to attend Senior Staff meetings in order to be effective. The shared Governance Executive Committee can assure the Senate's involvement.

I welcome this opportunity to discuss our governance. It is an issue of great importance to all of us. As we continue this discussion, it is important to remember that our governance body must focus on the major issues surrounding the future of this institution. I look forward to working with you and discussing the issues as we strive to improve how we collectively think, act and make decisions.

Attachment F

Dr. Thomas Goodrich, University Senate:

The Purpose of the University Senate

Let me first cite a quotation from the beginning of the 1966 Joint Statement of the American Association of University Professors, the American Council on Education, and the Association of Governing Boards of Universities and Colleges.

The variety and complexity of the tasks performed by institutions of higher education produce an inescapable inter-dependence among governing board, administration, faculty, students and others. The relationship calls for adequate communication among those components, and full opportunity for appropriate joint planning and effort.

A quarter century ago there was a clearly recognized need for cooperation among the significant groups functioning in higher education. At the same time IUP was evolving its own mechanisms for achieving this: The Faculty Association, the student governments, the Faculty Senate, the University Senate, and two unions--APSCUF and AFSCME. Such organizations themselves make governance more complex, though not necessarily more effective or suitable. There is a growing need to establish in the quarter century ahead of us a firmer consensus on how to achieve "adequate communication" and "full opportunity for appropriate joint planning and effort," in order that IUP develop a strong institution for learning in a way suitable in a democratic society more and more based on knowledge.

There are many ways to plan and to take action, and we use many ways in higher education: the authoritarian status in the classroom of an instructor with academic freedom, the adversarial relationship in contract negotiations, the committees that multiply constantly in every nook and cranny, and others. What the University Senate can do better than other systems of planning is to allow the widest range of views and information, to function more openly, to avoid the equivalent of party politics, to develop a stronger consensus, and to enhance a sense of community--a University Community. The Senate structure itself furthers these goals; issues are discussed in wider and wider groups, representing broader and broader constituencies and knowledge, unlike the union system, where fewer people meet to make decisions based on narrower interests and where bargaining is done with losing and winning, rather than consensus on common goals. In the University Senate we tend to focus on the commonly shared goals of IUP as an institution of higher education rather than on separate, partisan, antagonistic goals.

In the United States we should desire an ethical process for governance. In 17th century England the seminal idea grew that the very process of making decisions is more important than any specific decision. When the Faculty Senate was meeting in 1970 in Cogswell Auditorium to discuss, in part, how to admit students into the Senate, a number of students burst in and made a lot of noise, ending the session. I then realized the fundamental importance of an ethical process now called Roberts Rules, through which the Constitution of the United States was and is developed. For an ethical process to function everyone must accept not getting his or her way, in order that everyone get his or her say. We must be open to recognizing the needs and aspirations of others. In this Senate, no one has lost more motions than I have, yet I support the process. This does not mean that I am masochistic. Personally, I want to be a part of a process that is ethical, just as I wish to be a part of the socially acceptable learning process here in higher education. The University Senate is the most ethical campus-wide process developing IUP on campus.

The University Senate allows one to know more about IUP and about members of the University Community than any other. Through this knowledge one can make better decisions and one can foster a sense of sharing and cooperation, rather than antagonism and divisiveness. The more each of us function as individuals pursuing the common goal of creating an institution that encourages learning, the more apt it is to happen.

The difficulties that such a body has are many: perhaps leading to the situation where it ain't got no respect. 1.) This is largely due to the success it has processing issues without a lot of confrontation. (Last year the U.S. Congress passes a great deal of significant legislation, but it will be remembered as the one that could not produce a budget.) 2.) The general meetings tend to be dull, which is a result of the success of the committees who have resolved the issues before submitting material. 3.) The work seems insignificant, because the process of making any single brick in an edifice is duller than creating the architectural plans and more importantly, because many issues that it might deal with, the administration processes elsewhere. 4.) The senate appears cumbersome and slow. Not only the wheels of justice grind slowly. Yet in grinding slowly we grind well and produce a better result, one that need not be done again.

If someone cannot entrust the Senate with a responsibility, let that person or group say why. Let us discuss that matter, so that we can change the process, become more ethical, more open, more able to develop the learning and living together at IUP.

Let us strive as a body to meet the goal of IUP as a community "committed to discover, preserve, and impart truth in all its forms." "Purpose of IUP": Catalogue

Attachment G

PICTURE THIS

by

Ron Juliette

Picture this: A campus that is less dominated by cynics.

Picture this: A university community whose focus is not on power and who has it, but on leadership and who exercises it.

Picture this: Campus leaders that value collaboration, not confrontation, as a means of achieving goals.

Picture this: An administration committed to keeping campus leaders fully informed and actively engaged in the shaping of the University.

Picture this: A strong administration that understands the value of an empowered community.

Picture this: A union leadership team that is proactive and that does not take itself too seriously.

Picture this: New faculty who have every reason to be as committed to the University as they are to their own discipline.

Picture this: A University that values service and that attracts the best to the Senate by making it clear that service to the University and community is not the poor stepchild to teaching and research.

Picture this: Alumni who are asked for something other than money.

Picture this: A University that values its secretaries, housekeepers and other staff by including them in a meaningful way in the decision-making processes of the University.

Picture this: A community whose dominant features are trust, mutual respect, and dialogue.

This Picture: these images, represent my vision, my hope, for the future of IUP. Like any good image, they are as much a

product of the heart as they are the skill of the maker.

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Attachment H1

**Bylaws of the IUP Council of Trustees, May 19, 1989**

**Section 3: Membership**

Each trustee will be appointed to serve on at least two committees and the Chairperson will be ex officio member of all committees. The committee head and membership of the committees shall be determined by the Chairperson.

**Section 4: Quorum**

The act of a majority of the members of a committee present at a committee meeting shall be the act of the committee.

**Section 5: Rules**

Each Committee may adopt rules for its own government not inconsistent with these Bylaws or with rules adopted by the Council.

**ARTICLE V. PRESIDENT**

**Section 1: Appointment**

The Council shall establish a committee to conduct a search for a president in accordance with the guidelines established by the Board.

**Section 2: Evaluation**

Evaluation of the President shall be conducted in accordance with the procedures of the Board.

**ARTICLE VI. ORGANIZATION OF THE UNIVERSITY**

Rules and regulations for the exercise of its powers may be promulgated, amended and repealed by the Council either upon its own initiative or upon the recommendation of the President.

**ARTICLE VII: UNIVERSITY SENATE**

There is established a University Senate composed of faculty, students and administrators, and governed by a Constitution subject to approval by the Council upon recommendation of the President. The University Senate shall, to the extent not inconsistent with any applicable collective bargaining agreement, recommend the establishment, alteration, and abolition of academic programs and courses and shall have such other responsibilities as may be delegated by the Council.

**ARTICLE VIII. AMENDMENTS TO BYLAWS**

These Bylaws may be altered, amended or repealed and new Bylaws may be adopted by:

- a. The majority vote of the Council (six or more members) at any regular meeting of the Council;

or

- b. The majority vote of the Council (six or more members) at any special meeting of the Council, if at least three days written notice is given of intention to alter, amend or repeal, or to adopt new Bylaws at such special meeting.

**Attachment H2****Section 20-2004-A. Board of Governors**

- (a) The System shall be governed and all of its corporate powers exercised by the Board of Governors, which shall consist of twenty (20) members to be appointed as follows:
- (1) The Governor, or his designee.
  - (2) The Secretary of Education, or his designee.
  - (3) One (1) senator appointed by the President Pro Tempore of the Senate.
  - (4) One (1) senator appointed by the minority leader of the senate.
  - (5) One (1) representative appointed by the Speaker of the House of Representatives.
  - (6) One (1) representative appointed by the minority leader of the House of Representatives.
  - (7) Fourteen (14) members shall be appointed by the Governor with the advice and consent of the Senate of which initially six (6) shall be selected from the citizens of the Commonwealth. Three (3) members of the fourteen (14) shall be students whose terms shall expire upon graduation, separation, or failure to maintain good academic standards at their institutions, however, no more than one trustee representing a constituent institution. the student members shall be selected from the presidents of the local campus student government associations, or their local equivalent.

**Attachment H3**

SUMMARY OF A NATIONAL STUDY OF PARTICIPATIVE GOVERNANCE BODIES  
JOSEPH E. GILMORE, JR.  
VICE PRESIDENT FOR STRATEGIC PLANNING, GEORGIA TECH  
MARCH, 1990

Below are the highlights and major points on a national study on participative governance which was completed during the 1989-1990 year:

1. Universities from 10,000 to 20,000 students had university senates with a mean membership of 48. Fifty-nine percent had administrators and approximately one quarter included part-time faculty, professional staff and undergraduate students.
2. Sixty-eight percent of the senates met monthly and 15 percent convened by-weekly.
3. Seventy-four percent of the universities with enrollments greater than 10,000 had a budget for their university senate.
4. Seventy-three percent of the governance bodies surveyed had an executive committee with an average of eight seats.
5. The principal responsibilities of an executive committee were to prepare an agenda for the governance body and to meet with the president or academic vice president.

6. Sixty-seven percent of the faculty governance bodies surveyed were chaired by an elected officer.
7. The areas in which the governance body had standing or ad hoc committees in more than 66 percent of the cases were in the following areas: curriculum, degree requirements, course approval, new education programs, admissions, calendar, faculty affairs, student affairs, budget and planning.
8. Twenty-one percent of the institutions surveyed had a collective bargaining unit. The presence of such units were more prevalent in institutions between 10,000 and 20,000 students, where 35 percent had such an organization. In 60 percent of the cases where there was collective bargaining, the governance body was recognized by the contract.
9. The major problems with participative governance units as indicated by the respondents were that individuals were not sufficiently rewarded for service to the governance body, that operating budgets were inadequate, most able faculty were not attracted as members and they did not operate efficiently.
10. The study revealed that a key variable differentiating participative governance body structure was institutional size. The study did indicate that collective bargaining and governance bodies can coexist.