



Faculty Assembly/Senate
Dr. Rasoul Saneifard, Chair
Dr. Vera Hawkins, Vice Chair

Dr. J. Kenyatta Cavil, Secretary
Dr. Lalita Sen, Treasurer

Dr. Emiel Owens, Parliamentarian
Dr. N. Saha-Gupta, Editor

FACULTY ASSEMBLY/SENATE MEETING MINUTES

Thursday, October 2nd, 2014, 3:00 pm
Hannah Hall, Room 111

Senator Members Chair & Vice Chair

Dr. Rasoul Saneifard (Chair) College of Science and Technology
Dr. Vera Hawkins (Vice Chair) School of Communication

Senate Members Present

Akpaffiong, Macaulay	Senator, College of Pharmacy & Health Sciences
Anadu Ndefo, Uche	Senator, College of Pharmacy & Health Sciences
Bloom, Collette M.	Senator, College of Education
Cavil, J. Kenyatta	Senator Secretary, College of Education
Chilakamari, Kiran	Senator, The Graduate School
Hill, Cassandra	Senator, Thurgood Marshall School of Law
Holmes, Roderick	Senator, College of Science & Technology
Khosrovani, Masoomeh	Senator, School of Communication
Ojode, Lucy	Senator, Jesse H. Jones School of Business
Owens, Emiel	Senator Parliamentarian, College of Education
Sleem, Aladdin	Senator, College of Science & Technology
Smith, Jacqueline	Senator, College of Education
Tymczak, Christopher J.	Senator, College of Science & Technology
Saha-Gupta, Nina	Senator Editor Faculty Speaks, College of Education
Sen, Lalita	Senator Treasurer, Barbara Jordan-Mickey Leland School of Public Affairs
Solitare, Laura	Senator, Barbara Jordan-Mickey Leland School of Public Affairs
Woldie, Mammo	Senator, Jesse H. Jones School of Business
Yousefipour, Zivar	Senator, College of Pharmacy & Health Science
Zeitler, Michael	Senator, College of Liberal Arts & Behavioral Science
Zidaru, Lucian	Senator, College of Liberal Arts & Behavioral Sciences

Senate General Council Present

Carrington, McKen TM School of Law - (Faculty Senate General Council)

Senate Members/Colleges Absent

Desselle, Bettye	Senator, Jesse H. Jones School of Business
Georges-Abeyie, Daniel	Senator, Barbara Jordan-Mickey Leland School of Public Affairs
Mosley, Erma Dianne	Senator, College of Liberal Arts & Behavioral Sciences

Senate Members/Not Present (Alternative Representative)

Broussard, Shanna College of Education

Guest from Faculty Assembly or University

Shivachar, Amruthesh College of Pharmacy & Health Sciences

Call to Order

C = Comments, R = Response, and Q = Question



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Senator Chair Rasoul Saneifard called the September 2014 meeting of the TSU Faculty Senate to order at 3:10pm on Thursday, October 2, 2014.

Approval of the 4 September 6 2014 Senate Meeting Minute

The minutes from September 4, 2014 meeting in 2014 were reviewed. A motion was made by Senator Vice Chair Vera Hawkins and seconded by Senator Mammo Woldie as subject of any modification sent by emails to Senator Secretary Kenyatta Cavil

Announcement

C: Senator Parliamentarian Emiel Owens: Stated the parliamentary procedures document that was disseminated was inappropriate and the individual that placed the documents in folder was out of order. He will not enforce the 3-minute rule. It is the role of the parliamentarian to disseminate such material for the order of the meeting.

R: Senator Chair Rasoul Saneifard: Requested, further clarification on the Senator Parliamentarian Emiel Owens.

C: Senator Parliamentarian Emiel Owens: Stated the Faculty Senate understood his comments.

C: Senator Chair Rasoul Saneifard: Suggested a social meeting for the Faculty Assembly.

R: Several Senators: Suggested a meeting for 3:00-5:00pm Thursday or Friday once a month.

C: Senator Chair Rasoul Saneifard: Stated on the last Friday of every month a social meeting from the 2:00-5:00pm for the Faculty Assembly.

C: Senator Chair Rasoul Saneifard: Provided an overall review of the Dean's Council meeting.

R: Several Senators: Suggested Senator Chair Rasoul Saneifard to ask for more detail information on the number of faculty receiving overload payment.

C: Senator Chair Rasoul Saneifard: Stated the Provost will revisit the Workload Policy.

R: Senator Vice Chair Vera Hawkins: Stated there were concerns about the faculty representation on the Workload Committee. The committee as currently constituted only consists of one faculty member, Senator Chair Rasoul Saneifard.

Q: Senator Aladdin Sleem: Questioned, what prompted the need to revisit the Workload Policy?

R: Senator Chair Rasoul Saneifard: The Deans and several faculty members have concerns with the Workload Policy.

C: Several Senators: Suggested there are issues with accreditation. There are issues with the Workload Policy in terms of practice and enforcement.



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C: Senator Chair Rasoul Saneifard: Academic Affairs is hiring a new web administrator, we're going back to the paper evaluations, and the Provost says we have too many interim positions.

C: Senator Roderick Holmes: Stated that we are given up too quickly on the online faculty evaluation process.

R: Senator Chair Chair Rasoul Saneifard: Stated the current form will be used in a non-online process.

R: Senator Anadu N. Uche : Stated that enough time has not gone by for students to get adjusted.

C: Senator Roderick Holmes: Stated a concern with the new 30-day policy on Authority to Travel Documents.

R: Senator Chair Chair Rasoul Saneifard: Stated that he believes there are exceptions to the rule.

C: Several Senators: Stated examples on issues with the 30-day

C: Senator Chair Chair Rasoul Saneifard: Stated the Spring 2015 Schedule has been completed. You have the right to ask for your schedule.

C: Senator Chair Chair Rasoul Saneifard: Stated the TELAC has been closed.

R: Senator Vice Chair Vera Hawkins: Stated she believes the Faculty Senate should have a response to the closure of TELAC.

Q: Senator Roderick Holmes: Questioned, how long was the TELAC open?

R: Senator Vice Chair Vera Hawkins: Stated three years. She believes the Faculty Senate should put together a response that supports the work that TELAC offered the past 3 years, and supporting future endeavors for the professional support of the faculty, which was part of TELAC's purpose.

Q: Senator Collette Bloom: Questioned, was the TELAC funded from Title III funds and have all Title III funds from the university been exhausted?

R: Senator Vice Chair Vera Hawkins: Stated yes TELAC was funded from Title III funds and the university has not exhausted all of its Title III funds.

C: Visitor Mohsen Javadian requested the floor to speak

R: Senator Chair Rasoul Saneifard: Stated that we have to stick to the agenda and give senator precedence.

C: Visitor Mohsen Javadian: I object. I am a former senator and I should have been put on the agenda.

R: Senaor Aladdin Sleem: (to Visitor Javadian) It is on the agenda.

C: Senator Chair Rasoul Saneifard: With all due respect this is a senate meeting, and the individual is not on the Senate Agenda and the individual is not allowed to speak until we get to that part of the Agenda.



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C: Senator Chair Rasoul Saneifard: General Council McKenn Carrington has arrived so let us now discuss the Agenda Item in reference to the Dean of COLABS.

C: Faculty Senate General Council McKen Carrington: The problem here is that there is a lack of institutional control. The Dean was allowed to terminate a tenured faculty member, because another office (Human Resources) enforced and did the actual termination process. Someone from HR should have sounded the alarm. Understanding that the University procedures had not been followed. That makes them culpable as well. Stated the faculty is the administrators of the academic instruction. The Dean is in the position of managing the organization. Stated we are dealing with an issue that is still not resolved in the Dean of the COLABS. A letter was sent to chair of the faculty removing from their position and then a letter was sent by the Dean to terminate a tenured faculty. The Provost stated the faculty member would be paid to end of the month and the university has ignored the recommendation of the Provost. The University has ignored the recommendation of the General Counsel on this issue, as well. The faculty member is back on the payroll and acting as tenured professor.

C: Senator Treasurer Lalita Sen: What kind of response can you refer us to give on behalf of the Faculty considering the current climate? What would the measure of a strong message be for the total violation of academic procedures?

C: Senator Macaulay Akpaffiong: What are you asking the Senate Body to do?

C: Faculty Senate General Council McKen Carrington: This is the point where I take the Senate's instruction.

C: Senator Vice Chair Vera Hawkins: Did Dr. Ward come back and re-instate this person?

C: Faculty Senate General Council McKenn Carrington: Yes

C: Senator Vice Chair Vera Hawkins: So now the person has been reinstated but there needs to be some type of redress?

C: Faculty Senate General Council McKenn Carrington: You cannot terminate faculty members without due process.

C: Senator Chair Rasoul Saneifard: Called for a vote

Motion Carries (Yes 21, No 0, and Abstain 2)

See Appendix A:

Committee Reports

C: Senator Lalita Sen: Stated that she sent an email on the issue on university salaries. There was no response to the email.

Q: Senator Kiran Chilakamari: Stated, what is the mechanism for chair rotation?

C: Senator Christopher Tymczak: Stated the Faculty Manual states the faculty chair rotates every three years. Is there a mechanism in the Faculty Manual to initiate process and at what time?



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Old Business

N/A

New Business

N/A

Adjourn Meeting

C: Senator Chair Rasoul Saneifard: Ask for the question. Senator Parliamentarian Emiel Owens moved the meeting be adjourned. It was seconded by Senator Mammo Woldie.

Meeting Adjourned 5:00pm



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Appendix A

NOTICE OF VOTE OF NON-CONFIDENCE

Date: October 6, 2014

To: Dr. James Ward, Interim Provost & Vice President for Academic Affairs; Dr. John Rudley, President, Texas Southern University; and Texas Southern University Community.

From: Faculty Senate, Texas Southern University

Re: Vote of Non-Confidence in Dr. Danielle Taylor, Dean of the College of Liberal Arts & Behavioral Sciences.

At a regularly scheduled Faculty Senate meeting on Thursday, October 2, 2014, there came to be considered the knowing and willful violations of the Board of Regents' rules by Dr. Danielle Taylor, Dean of the College of Liberal Arts & Behavioral Sciences.

UNDISPUTED FACTS ON DEAN TAYLOR'S ACTIONS

On August 21, 2014, Dean Taylor sent a disciplinary letter to a tenured member of the Department of Sociology, one of the departments that reports to her.

In the letter, she wrote as follows: "This letter is your formal notification that your employment with Texas Southern University is terminated, effective August 22nd 2014."

Furthermore, Dean Taylor directed the following actions: 1) barred the professor's access to his office; 2) stopped payments to the professor; 3) removed the office computer; and 4) packed personal items, etc.



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FACULTY SENATE AUTHORITY

Faculty Constitution Part II Faculty Senate Article I: The Faculty Senate shall serve as the executive body of the Faculty Assembly. It derives its power from the Faculty Assembly and is responsible to the Assembly. It shall have power to discuss and to adopt resolutions upon matters relating to university life.

Inasmuch as Dean Taylor terminated a tenured faculty member overnight, the Faculty Senate conducted a fact finding as well as a legal inquiry to determine whether Dean Taylor's actions: 1) violated the rules of the Board of Regents; 2) violated the Faculty Manual and, if so, whether it should adopt resolutions consistent with its authority.

FINDINGS ON DEAN TAYLOR'S RULE VIOLATIONS

The Faculty Senate found that Dean Taylor violated twelve rules that have been adopted by the governing board of the University. Four of the rules are set forth in the Board of Regents' Policy on Academic & Student Affairs and eight are found in the Faculty Manual. The rules are set forth immediately below:

APPLICABLE RULES OF THE UNIVERSITY'S BOARD OF REGENTS:

(EMPHASIS ADDED)

21.07 Faculty Dismissal - Dismissal is the termination of employment of a tenured faculty member, or of a probationary or non-tenured faculty member before the term of appointment has expired.

21.07.1 Assurances

University policies and procedures for faculty dismissals must assure that:

A. the rights of the individual to due process are protected;



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- B. dismissal shall not violate the constitutionally protected rights of an individual and shall not be used to restrain faculty members in their exercise of academic freedom;
- C. dismissal procedures provide for timely written notice of impending dismissal that specifies the grounds on which dismissal is sought;
- D. a faculty member notified of impending dismissal has the option of a hearing before an impartial faculty tribunal designated by the established procedures of the university; and
- E. the burden of proof in dismissal proceedings rests with the university/school/college seeking the dismissal.

21.07.2 Justifications

Dismissal may be justified by one or more of the following:

- A. **Adequate Cause.** Termination of employment for adequate cause may include:
 - 1. grounds related to **dishonesty**, or to demonstrated **professional incompetence** in teaching or research;
 - 2. grounds related to substantial and manifest **neglect** of professional or academic responsibilities; or
 - 3. grounds related to actions that would result in a **general condemnation** of the faculty member by the U.S. academic community.

[Source: April 29, 2011, ADOPTED – ACADEMIC AND STUDENT AFFAIRS/
http://www.tsu.edu/PDFFiles/about/administration/board/Sec_II_Academic_and_Student_Affairs.pdf

SUMMARY OF DEAN TAYLOR'S BOARD POLICY VIOLATIONS

- 1. **21.07.1 A.** The rights of the individual to due process were not protected;



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2. **21.07.1 D.** The faculty member notified of impending dismissal was not given the option of a hearing before an impartial faculty tribunal designated by the established procedures of the university.
3. **21.07.1 E.** The burden of proof in dismissal proceedings rests with the university/school/college seeking the dismissal.
4. **21.07.2** Dismissal may be justified by one or more of the following:
 - A. **Adequate Cause.** Termination of employment for adequate cause may include:
 1. grounds related to dishonesty, or to demonstrated professional incompetence in teaching or research;
 2. grounds related to substantial and manifest neglect of professional or academic responsibilities; or
 3. grounds related to actions that would result in a general condemnation of the faculty member by the U.S. academic community.

The Faculty Senate's fact-finding found the following:

- Dean Taylor denied the professor due process;
- Dr. Taylor gave no notice of a hearing and therefore, never intended to give one;
- No proceeding was undertaken; and
- No adequate cause was found.

DEAN TAYLOR VIOLATED FACULTY MANUAL RULES BELOW

4.9 Tenure Award



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Tenure denotes a status of continuing appointment as a member of the faculty, with service terminated only for good cause, as defined in Section 7 of this *Manual*, and subject to due process in the determination of such cases.

7.0 Termination of Regular Instructional Faculty

Termination of the employment of a regular instructional faculty member who is on the tenure track or who has been granted tenure before the expiration of the stated period of his/her appointment, except by resignation, retirement, or, pursuant to the promotion and tenure process, shall be for good cause.

7.1 Good Causes

....

Prior to any recommendation that the faculty member's conduct deserves a termination, the dean must confer with the provost, general counsel, and Office of Human Resources. The provost will determine if such action should be administered and will inform the faculty member in writing of the proposed disciplinary action.

7.3 Immediate Dismissal

In cases of good cause where the facts are admitted in writing by the faculty member to the president, or the individual has been convicted for an offense which constitutes



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good cause for termination under this section, the president may immediately dismiss the faculty member.

SUMMARY OF DR. TAYLOR'S VIOLATION OF FACULTY MANUAL

- The Provost of the University, not the Dean of a college “has the duty to inform the faculty member in writing of such an action.” Dean Taylor acted beyond the scope of her authority.
- Neither the Provost nor the Dean is permitted to immediately terminate a tenured professor. Thus, Dean Taylor acted beyond the scope of her authority. Only the President of the University may effect an immediate termination and under prescribed circumstances.
- None of the prescribed circumstances for immediate termination is present in this case.
- Neither the President, Provost, HR, General Counsel nor Dean may effect the termination of a tenured faculty member without a finding of good cause.
- Dr. Taylor committed all the above.

LACK OF INSTITUTIONAL CONTROLS

Given the fact that only the President of the University can effect an immediate termination, Human Resources should have rejected the Dean’s actions. So, too, should every other administrative unit. The same goes for the lack of action by the Provost. Without hearing from the Provost’s office, payroll should not have stopped the pay of the professor.

FACULTY SENATE RESOLUTION



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WHEREAS,

BE IT RESOLVED, with no opposing votes and only two abstentions, the Faculty Senate hereby declares a Vote of Non-Confidence against Dr. Danielle Taylor due to the violations outlined above.

Senator	College/School
Dr. Akpaffiong, Macaulay	College of Pharmacy and Health Sciences
Dr. Anadu Ndefo, Uche	College of Pharmacy and Health Sciences
Dr. Cavil, Jafus	College of Education
Dr. Bloom, Collette M.	College of Education
Dr. Chilakamari. Kiran	The Graduate School
Dr. Hawkins , Vera Walker-	School of Communications
Dr. Hill, Cassandra	School of Law
Dr. Holmes, Roderick	College of Science and Technology
Dr. Khosrovani, Masoomeh	School of Communications
Dr. Ojode, Lucy	JHJ School of Business
Dr. Owens, Emiel	College of Education
Dr. Saha-Gupta, Nina	College of Education
Dr. Saneifard, Rasoul	College of Science and Technology
Dr. Sen, Lalita	School of Public Affairs
Dr. Sleem, Aladdin	College of Science and Technology
Dr. Solitare, Laura	School of Public Affairs
Dr. Tymczak, Christopher J.	College of Science and Technology
Dr. Woldie, Mammo	JHJ School of Business
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Cc: Professor McKen Carrington, General Counsel for Faculty Senate