

# Faculty Meeting 22 Nov 2019

Uvalde, TX, with broadcast to Del Rio and Eagle Pass

Attendance: Efrain Adames, Tiffany Culver, Daniel Foley, Monica Gutierrez, Jorge Hernandez, Thomas Matula, Veronica Mendez, Edison Moura, Miriam Muniz Quiz, Michael Ortiz, Gina Stocks, Audrey Taylor, Timothy Wilson, Wesley Wynne, Kevin Young.

Called to order: 10:11 AM

## Approval of Minutes

- Motion to approve, seconded. Carried unanimously

## Officers' Reports

- President's report and other commentary
  - Need to select 3 full professors to serve on the Tenure and Promotion Committee with Alpine faculty. Should have been part of committee and council process, but we missed that.
  - Higher Educational Summit that was going to be hosted by SRSU, then cancelled, then held anyway.
    - Last winter President Kibler approached faculty about hosting the summit. We understood the goal to be to hear from regional leaders and stakeholders and allow them input on where our university was going.
    - We had 7 faculty on the main committee. They helped craft the invitation document and were tasked with contacting targeted attendees in the region to spread awareness. A good part of summer was spent meeting with leaders, attending workforce board meeting and development council meetings, etc. We shared with a lot of leaders about the summit.
    - A group of people of our region took a trip to the Board of Regents meeting in Alpine to describe what we felt were needs of the region. I presented to them as a citizen, not as a rep of the senate.
      - We contrasted the resources in Alpine to the resources in the RGC campuses and the great disparity. Several people presented. We were favorably received by the regents--they seemed appreciative of our message and several said they really had no idea of our conditions.
      - President Kibler reiterated the fact we were holding a Higher Education summit Sep 27 as a listening meeting to the community. In my comments I praised the president for planning this summit.

- The president was facing criticism from a number of our community leaders, and ended up canceling the summit in response--he decided he would craft a plan and let the communities know.
  - The community leaders felt it was not the university's prerogative to cancel, so they held a summit anyway and had more than 60 people in attendance--mayors, judges, school superintendents, faculty, Middle Rio Grande Development Council & Workforce Board, etc.
  - Growth trends of region and enrollment trends of our school were contrasted to other places. It was emphasized that in our 3 counties we have a population of about 135,000 people, or 175,000 if you include 9 counties in service region. In Piedras and Acuna we have a population of hundreds of thousands. The junior college has an enrollment of about 7,000. In contrast, Alpine and MRGC enrollment has been declining.
  - Data presented at summit: RGC enrollment and Alpine enrollment have fluctuated together over the years rather than RGC tracking population or tracking SWTJC.
    - SWTJC has grown 112% since 1995; RGC has grown 18%; Alpine declined 22%
- In response to faculty attendance at unspecified events, President Kibler sent memos to the 7 faculty responsible for planning the summit, warning them that they were violating their contracts in a way not protected by free speech. These were received before the summit. The precedent is a court case, Garcetti, concerning a state employee who disagreed with his employer. It was ruled that he was not protected by free speech. The Supreme Court noted that it should be applied differently to academia than it would be to another state agency. Nevertheless, the precedent was applied to several university cases.
  - A report was written about the history of academic freedom and how it has been impacted by this court case. Protecting an Independent Faculty Voice: Academic Freedom after Garcetti v. Ceballos.
    - Academic freedom is separate from constitutional law and is not based simply on free speech rights.
    - AAUP wrote a report in 1940 that is quoted extensively by university policies, including by TSU system, but is now out of date, as it does not cover the Garcetti issue
    - Academic freedom includes freedom in teaching, research and publication, and also freedom as a citizen of the institution.
    - The university is not like a corporation. A faculty member does not act as an employee of a corporation, but as a citizen of the university system.

- Academic freedom includes speaking and writing *without institutional discipline* on matters of public concern, including university governance.
- Have communicated with the president of the AAUP on this matter.
- Discussion regarding who received this warning and what exactly the warning entailed. Concerning to have Garcetti invoked in a preemptive way by a university president. This is something the AAUP is very interested in.
  - Wynne: anyone who received that letter would have some legal standing to file a lawsuit if disciplinary action was taken against them.
- Several meetings have been scheduled very quickly recently, such as a Wednesday morning meeting recently with the president; a public meeting regarding tuition increase; a meeting for the VP search process (supposed to be open to the community but announced only by e-mail on a Thursday afternoon and held on a Monday), the campus master plan meeting (not announced), the faculty meeting last Monday (announced with only a few days' notice, with no opportunity for RGC faculty to submit questions until the last minute, and only at my request)
  - Hernandez: ever since 2000 there have been squabbles and confrontations. There has never been retaliation by the administration. There was a shouting match with the president once. In 2008 I pushed for RGC to be independent and there was no retaliation. If the faculty are not speaking up, I think it is probably just because they don't want to. Why were questions asked anonymously instead of face to face?
  - Ortiz: one thing more I wanted to mention: I visited the faculty senate in Alpine, by invitation, and told them basically what I have told you. A number of them shared they have fears of speaking up; there is an atmosphere of fear of retaliation; that if they criticize the administration it does not go well for them. I shared our last meeting when we issued a statement about Dave Gibson, and they had also criticized him heavily. They have concerns about being able to speak up about administrative issues. They are worried about enrollment, but they are told they don't have a strategic enrollment plan yet because they are working on one for us first. My perception is that the concerns are largely university-wide. My visit and the ensuing discussion seems to be what prompted Monday's meeting. The way that meeting was conducted was another case in point--the question submission was first

only to Alpine faculty; the questions were vetted and the administration had time to respond. There were handouts that we did not receive in advance. It was just another example of being reactive. We did not know the agenda of the meeting, it was called on short notice, we were not provided with the documents, we did not have time to ask questions, etc.

- Culver: you have probably seen announcements for April 20 research symposium. They are asking for us to nominate our students to present research. There will be a bit of a boot camp to help them prepare. It's a great opportunity--please nominate students.
  - Ortiz: I think it would be great to have a colloquium down here as well. We could present to each other, let students present, etc.

#### Committee and Council Reports

- Matula: last week I was part of the committee for the Institutional Research. They hired a good candidate. Academic Integrity Committee meeting held yesterday; Kevin Young and myself participated--there is room for more.
- Taylor: for Student Services fee advisory got moved under the scholarship committee. They seemed very confused regarding where the fee advisory committee reported to--it was thought it was under the budget committee

#### New Business

- Motion to move into executive session. Motion passed.
- Vote of no confidence in SRSU President William Kibler: 9 for, 1 against, 2 abstentions; motion passed.
  - Will be communicated to the chancellor and board of regents.

Meeting adjourned at 12:24.