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2016 April 4 - Faculty Senate Agenda and Minutes

Faculty Senate, East Tennessee State University

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Faculty Senate Agenda

April 4, 2016

Culp Center, Forum (Room 311)

- I. Information Item
- II. Old Business
 - a. Approval of Minutes for March 21, 2016
 - b. Academic Freedom—Free Speech
 - c. Code of Ethics
 - d. Progressive Discipline
- III. Action Item

Motion to modify Faculty Senate By-Laws to establish procedures for election of Faculty Representative on Local Governing Board
- IV. New business
- V. Updates
 - a. Executive Committee with Dr. Bach
 - b. Interim University Council
 - c. Meeting with Dr. Collins—Susan Epps and Virginia Foley
- VI. Announcements/Other Business
 - a. Faculty Senate Officer elections April 18
 - b. Budget presentation April 18, Drs. Calhoun and Collins
 - c. Predicting student outcomes –Tom Schacht
 - d. Memorial Service
- VII. Guest Comments
- VIII. Adjournment



FACULTY SENATE MINUTES

Meeting Date:	04/04/16	Time:	14:45 -	Location:	Culp Center, Room 311
Next Meeting:	04/18/16	Scribe:			Eric Sellers
Present:	Dilshod Achilov, Fred Alsop, Robert Beeler, Patrick Brown, Doug Burgess, Randy Byington, Heidi Campbell, Kathy Campbell, Jackie Church, Erin Doran, Dorothy Drinkard-Hawkshawe, Joyce Duncan, Susan Epps, Tavia Flanagan, Bill Flora, Virginia Foley, Katherine Hall, Tammy Hayes, Stephen Hendrix, Thomas Kwasigroch, Fred Mackara, Mildred Maisonet, Anthony Masino, Tim McDowell, Theresa McGarry, Lorianne Mitchell, Shunbin Ning, Peter Panus, Kerry Proctor-Williams, Eric Sellers, Melissa Shafer, Darshan Shah, Candice Short, Bill Stone, Paul Trogen, Craig Turner, Ahmad Watted,				
Absent:	Lon Felker, Nick Hagemeyer, Howard Herrell, Koyamangalath Krishnan, Guangya Li, Mary Ann Littleton, James Livingston, Timir Paul, Deborah Ricker, April Stidham, Liang Wang, Robert White				
Excused:	Leila Al-Imad, Lee Glenn, Bill Hemphill, Tod Jablonski, Karin Keith, Bea Owens, Jonathan Peterson				

Agenda Items	Responsible
Meeting called to order 14:50	Dr. Foley
1. Information Session	
2. Old Business	
2.1 Approval of Minutes	Dr. Foley
2.2 Academic Freedom – Free Speech	
2.3 Code of Ethic	
2.4 Progressive Discipline	
3. Action Item – Motion to modify Faculty Senate By-Laws to establish procedures for election of Faculty Representative on Local Governing Board.	
4. New Business	
5. Updates	
5.1 Executive Committee with Dr. Bach	
5.2 Interim University Council	
5.3 Meeting with Dr. Collins	Dr. Epps/Dr. Foley
6. Announcements/Other Business	
6.1 Faculty Senate Officer elections April 18	
6.2 Budget presentation April 18, Dr. Collins and Dr. Calhoun	
6.3 Predicting Student Outcomes, Dr. Schacht	
6.4 Memorial Service, Dr. Jerome Mwinyelle	
7. Guest Comments	
8. Adjournment	



DISCUSSIONS

1. Information Session – (Foley)

- On several occasions the Faculty Senate (FS) president has been told that FS does not represent the faculty. Here are several examples of how the FS has served the interests of the faculty: (1) After Dr. Schacht performed a salary study, salary equity became a priority for the administration, which has resulted in salary increases over the last several years. The faculty senate was represented on a Salary Equity Committee. Dr. Schacht discovered that the administrator peer group was a different peer group than the faculty and Dr. Noland subsequently capped administrator raises at the same level that faculty would receive. (2) Dr. Bitter proposed to the TBR that lecturers should be able to earn rank, and it was eventually adopted by TBR. (3) The administration had asked faculty to work for less than full pay to teach low revenue generating summer school courses. The FS fought against this plan and was able to ensure all faculty would receive full pay for all summer teaching. (4) The FS has drafted a progressive discipline plan to help make sure that faculty are not dismissed without due process.

2. Old Business

2.1 Approval of Minutes

Motion: Epps Second: Stone Approved: Yes

2.2 Academic Freedom – Free Speech (Foley)

- Epps: The content of the MN Free Speech statement has more positive language which creates a culture of what we should do as opposed to what we should not do.
 - Alsop: Agrees and suggests that our current statement is too restrictive and the Chicago statement is too broad.
 - Masino: Also in favor of the University of MN free speech statement.
 - **Motion: Byington - endorse the language used by the University of MN replacing it with ETSU and that language will be entered into the faculty handbook. Second: Epps**
 - DISCUSSION
 - Panus: The text may be copyrighted and we will need to make sure we can use it.
 - McDowell: We should give credit to MN.
 - **Move to table: Brown ; Second: Epps**
 - The issue is tabled until the April 18, 2016.

2.3 Code of Ethic (Masino)

- Foley: Once the FS has agreed on the code of ethics policy it will be sent to the entire faculty to be adopted. It is important that we have a code of ethics in place when the Local Governing Board (LGB) is established.
 - Masino: A five-member subcommittee was formed to revise our code of ethics policy. Faculty were divided in two groups, one group favored a very detailed code of ethics, and the other group favored a more generic all-encompassing statement. The subcommittee decided to approve the AAUP statement with an additional provision that ETSU as well as the tenured faculty member can provide the Termination Committee with up to two other examples of code of ethics that they think are more applicable to the specific situation. The examples submitted by ETSU and the faculty member cannot be more punitive than the AAUP standard. The standards must be submitted to the Termination Committee at least 10 days before the hearing. The Termination Committee will notify ETSU and the faculty member what standards they will use at least five days before the hearing. Thus, the decision making, flexibility, and conflict approach will be selected by the members of the committee.
 - Peterson: Does this mean that the committee would have up to five codes of ethics to choose from.
 - Masino: Yes, the committee will choose one and specify why the one they selected is most appropriate.
 - Beeler: Are we currently operating under five different codes of ethics?
 - Masino: We are currently not operating under any code of ethics. We are proposing that the AAUP would be the default.
 - Foley: We would be offering the faculty the opportunity to choose their own code of ethics because one group of people wants a very specific definition and another group wants more open-ended statements.
 - Byington: Is there a reason why each side can bring up to two additional code of ethics statements (as opposed to some other number)?
 - Masino: Limiting to one is too restrictive in terms of employment law. However, the punishment cannot be harsher than that proposed by the AAUP standards.
 - Flora: The subcommittee has done a good job of reaching middle ground on a difficult issue. Can this be written up to be included in an action item for our next meeting?
 - Foley: Executive Committee will work on a final draft next Monday. The resulting document will be sent out to the FS for review, and then to the entire faculty for a vote.



DISCUSSIONS

2.4 Action Item – Progressive Discipline Policy (Byington)

- The idea of a two-phase procedure was taken to Academic Council. The first phase was to make procedural changes to the termination of tenure policy, in order to make the policy more clear. The policy was modified accordingly and was endorsed by FS in September 2015. Phase two was to develop a progressive discipline policy, which is the document we are currently discussing. A subcommittee was established to write the policy and it included several faculty and two deans. The policy has also been reviewed by Human Resources, and University Counsel. The committee forwarded the draft to the Council of Chairs for comments, and their comments were considered and the document was modified.

Brown: motion to accept as drafted. Second: Church

DISCUSSION:

- Epps: why does it not apply to adjuncts?
- Byington: Progressive discipline may take longer than a semester.

Motion passed unanimously. The proposal will be sent back to University Council.

3. Action Item – Motion to modify Faculty Senate By-Laws to establish procedures for election of Faculty Representative on Local Governing Board.

Flora – Motion:

Propose that the process for amending the ETSU Faculty Senate By-laws be formally initiated by the ETSU Faculty Senate through the process of determining a procedure for selection of a faculty member to the ETSU Local Governing Board (LGB).

Second: Burgess

Motion passed unanimous.

DISCUSSION:

- Brown: We will now begin the process of writing the by-law for determining the selection of a faculty member to the ETSU LGB.

First discussion item:

“A ballot of nominees will be prepared at the annual Faculty Senate retreat in those years that the faculty representative position on the governing board is open (biannually) according to TN HB 2578”

- McDowell: Using the meeting to prepare the ballot is problematic because many people are unable to attend the meeting. Also, it is not clear who would vote at the meeting given that many of the representatives are either beginning or ending their terms.

- Brown: We will change the selection of nominees to the FS's first full meeting of the academic year.
- Panus: The last scheduled meeting of the year could include a call for nominees.

Second discussion item:

“Any active member of Faculty Senate who has been a full-time member of the faculty for no less than six (6) years is eligible to seek a nomination.”

- Turner: Is this six total years or six consecutive years?
- Brown: It should be changed to six consecutive years because we want the representative to have some institutional history.
- Burgess: Would it be possible for the representative to have a course release? (The recommendation will be put on the agenda for the next Executive Committee meeting with Dr. Noland.)
- Flora: The discussion item should read “in good standing” instead of “active” because faculty may be active without being an active member of FS.
- Drinkard-Hawkshawe: Only a member of the faculty senate is eligible to run for the position? Many faculty members who are not members of faculty senate are very familiar with the basic issues on campus and could be very good representatives.
- Brown: This is correct, if someone wants to become the representative, they must be a member in good standing of the FS for one year prior to running.
- McDowell: What is the number of faculty members in clinical positions? How many faculty are primarily teaching and how many are non-teaching?
- Foley: There are 187 faculty members in the COM. 78 are tenured, 9 are tenure track, 84 are clinical track, 16 are research track.
- McDowell: Do the clinical track faculty have the same involvement as other faculty?
- Panus: Having a clinical appointment does not indicate that someone does not have as much familiarity and interaction with the university as someone with a teaching appointment.



DISCUSSIONS

- Champoullion: The representative should not be required to be a member of the FS for at least one year prior to running for the position. All faculty should be eligible. Moreover, serving on FS for one year does not qualify them for the position.
- Brown: We do not want someone who wants this position who has no idea what is going on in regard to the university. It is important for the representative to have prior experience in shared governance and this is a mechanism to ensure that anyone who is considered would have at least one year of experience. Is anyone else opposed to the representative being a member of FS for at least one year?
- McDowell: We should further discuss whether or not it is a good idea to include the requirement that the representative be a member of FS. There is a widely perceived feeling that the FS is not representative of faculty and this should be addressed.
- Flora: Having experience with prior institutions, it is typically the case that the representative to the LGB is the FS President. If we do not choose to have the president of FS represent us, we should at least make sure they are a member of FS because when we enter into this new level of shared governance the FS will have an unprecedented amount of authority, and to go beyond FS would undermine our authority.
- Brown: How many people are opposed to the requirement of the representative being a member of FS for at least one year? (Three people were opposed.)
- Mitchell: A quick "show of hands" vote may not provide us with a true sense of what people are feeling.
- Brown: People who have other concerns send an email after you have had some time to reflect on the issue.

Third discussion item:

"A position on the ballot is secured by the assent of a simple majority of those senators present at the senate retreat."

Fourth discussion item:

"The final ballot, with short biographies of all nominees, will be presented to the faculty at-large who will decide from among the nominees who shall be the faculty representative to the governing board"

McDowell: In addition to a bio, a statement of intent should be included.

Fifth discussion item:

"The faculty representative to the governing board will be determined by:

- o Simple majority? (might necessitate a run-off)
- o Plurality? (whoever gets the most votes)
- o Borda-count/Hare system? (takes an average)"

Brown: A Survey Monkey poll will be sent out tomorrow for the FS to vote on the preferred method.

Sixth discussion item:

"Once elected, the faculty representative to the governing board becomes an *ex-officio* member of the Senate Executive Committee"

4. New Business

5. Updates

5.1 Executive Committee with Dr. Bach

5.2 Interim University Council

5.3 Meeting with Dr. Collins

6. Announcements/Other Business

6.1 Faculty Senate Officer elections April 18

6.2 Budget presentation April 18, Dr. Collins and Dr. Calhoun



DISCUSSIONS

6.3 Predicting Student Outcomes, Dr. Schacht

6.4 Memorial Service, Dr. Jerome Mwinyelle

7. Guest Comments

8. Adjournment

Meeting Adjourned at 17:05

Please notify Senator Eric Sellers (sellers@etsu.edu or 9-4476, Faculty Senate Secretary, 2015-2016, of any changes or corrections to the minutes. Web Page is maintained by Senator Doug Burgess (burgess@etsu.edu or x96691).