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2013 April 8 - Faculty Senate Minutes

Faculty Senate, East Tennessee State University

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Faculty Senate—East Tennessee State University

2012-2013 Faculty Senate

MINUTES—April 8, 2013

UPCOMING MEETING:	FOLLOWING MEETING:
Date, April 22 2:45 pm Forum, Culp Center	Date, 2:45 p.m. Forum, Culp Center

Present: Dave Arnall, Beth Baily, Sally Blowers, Patrick Brown, Doug Burgess, Daryl Carter, Bruce Dalton, Susan Epps, William Fisher, Virginia Foley, Allan Forsman, Rosalind Gann, Ron Hamdy, Rick Hess, Ken Kellogg, Dharendra Kuma, Tom Laughlin, Kurt Loess, Theresa McGarry, Lorianne Mitchell, Susan Rasmussen, Thomas Schacht, Melissa Shafer, Kathryn Sharp, Jerry Shuttle, Taylor Stevenson, Bill Stone, Kim Summey, Jerry Taylor, Paul Trogen, Jennifer Vanover-Hall, Shimin Zheng, Meng-Yang Zhu, Yue Zou, Ron Zucker.

Excused: Jim Bitter, Randy Byington, Sharon Campbell, Charles Collins, Mohamed Elgazzar, Emmett Essin, Evelyn Hammonds, Jill Hayter, Eric Sellers, Jim Thigpen, Teresa Wexler,

Guests: Fred Alsop, Steve Brown, Elisa Carbajo Toni Head, Diana Kuehl, Katherine Weiss

CALL TO ORDER: Vice -President Foley called the meeting to order at 2:45 P.M.

Vice President Foley called the meeting to order and introduced Steve Brown, Director of the ETSU Counseling Center and Diane Keuhl, Counselor and Coordinator of The Suicide and Violence Prevention Program.

Dr. Brown stated that he and Diane Keuhl came to enlist the support of the faculty senate. The Counseling Center’s goal is to lower risk factors, support protector factors, and recognize warning signs of suicide. He related statistics that show an upward trend in the rate of suicide and mental health issues among college student populations. At ETSU there were four completed suicides in fall 2012 semester and there were 88 emergencies and 18 students who were hospitalized. At any given point in time, there are one hundred students on campus who are seriously considering suicide. Dr. Brown stated that faculty members are the front line when it comes to dealing with students. If a student is disruptive, the faculty member needs to contact Associate Dean of Students Jeff Howard. Associate Dean Howard will ensure that the disruption is stopped soon and that they are seen at the Counseling Center. If the student is having a mental health issue, they need to be brought directly to the Counseling Center. He then turned the floor over to Diana Keuhl, Coordinator of the Suicide and Violence Prevention Program.

Counselor Keuhl said that some factors increase the likelihood that a student will attempt or commit suicide. These risk factors include the following: loss of relationship, substance abuse, mental illness,

hopelessness, prior suicide attempt, or practicing suicide. There are some risk factors that may increase the likelihood that a student will attempt or possibly die by suicide. Certain groups are higher risk, such as LGBT and veterans. African-American females are the lowest risk; female graduate students are the highest risk.

Counselor Keuhl then listed protection factors, which include the following: connection to either a biological family or family of choice, connection to friends, and skills in problem solving. She told faculty to use the words "I feel" when asking for a behavior change and asked faculty to walk students to the counseling center if the faculty thinks the student is at risk or advise them to call the counseling center if the student is not at risk but is troubled.

Senator Schacht asked if the counseling center can send people out. Dr. Brown said that they will go meet the student or sometimes public safety will be brought in; however, they try to minimize this. At the center, they do a screening and determine if there is risk and if the student needs to be hospitalized. That's the way to protect the students best, and overwhelmingly students are grateful for being hospitalized.

Counselor Keuhl said that the most important step is to ask about suicide, and the question needs to be direct and use the words kill or suicide, not harm. She said that the number one cause of suicide is untreated depression. Counselor Kuehl continued that the Center has counselors on call 24/7 accessed through public safety dispatch because it's the only 24 hour dispatch on campus. Students can simply call in and ask to talk with a counselor, they leave a number, and the counselors call back. The Center is working on putting a 24/7 hotline in place.

Senator Stone asked if they had any knowledge of which students had bi-polar disorder.

Dr. Brown said that the ages 18-24 are when most bi-polar and schizophrenia symptoms emerge. There has been an increase in the number of those cases being seen, but there is no way to get the records of students without the student's individual permission. When the center finds out there is an issue, they do their best to get the student's permission to access the records.

Vice-president Foley thanked Steve Brown and Diana Keuhl for making time to present to faculty senate.

Senator Epps made an announcement about the National Student Athlete Day which took place on Saturday. This past fall semester the overall ETSU student athlete GPA was a 3.18 and the non-athlete undergraduate was a 2.99. 81% of student athletes earned Atlantic Sun Conference all academic honors. 27 student athletes had a 4.0, which ties as the record high for a semester. 10-14 of our athletic programs earn team GPA's of 3.0 or higher. 72% of our student athletes are on Buccaneer honor role. 85 of 269 (32%) are on the Dean's list, which requires a minimum 3.7 GPA. She then turned the floor over to Tori Head, a member of the women's soccer team, to speak about her experience as a student at ETSU.

Guest Tori thanked the faculty senate for allowing her to be there and said that it was an honor to stand in front of faculty senate and tell them about her academic experience. Many athletes remember what happened on the field, but not in the classroom. For her, one aspect of her college career that has made it the best experience of her life is getting the opportunity to get closer to her teachers. She has had the opportunity to sit in on many different committees through athletics and it all comes back to the teachers – to what faculty members do for students in the classroom. She then thanked the faculty for all of the hard work they put in.

Vice-President Foley then turned the floor over to Dr. Katherine Weiss.

Dr. Weiss introduced a letter signed by 84 faculty members which was submitted to TBR declaring that the football implementation occurred without any feedback from faculty. The faculty and student body feel left out of the process and that the process should be asked to start over from the beginning with open forum discussions. She then turned the floor over to a graduate student, Elisa Carbajo, who has written a student petition with over 800 signatures.

Guest Carbajo said that the petition was begun about two months ago. Initially 20 students were working on it, and it now has 800 signatures; but there needs to be 10% of the student body, or 1500 signatures, to force a student vote. The SGA would not accept her petition and said that that was too small of a student population. She believes that the student voice has been silenced. They are not an anti-football group, but if student fees have to be raised \$125 a semester, they should have had a say in this.

Vice-president Foley asked for approval of the Senate Minutes from March 25th. Senator Zucker moved to accept. Senator Taylor seconded. The minutes were approved without dissent. The floor was then given to Senator Burgess for the report on Disciplinary Procedures.

Senator Burgess explained that there has been a committee of people made up of faculty senators, Human Resources Director Tammy Hamm, and Dr. Mary Jordan, Special Assistant to the President, working on a consistent progressive disciplinary process at the university. It was shown to Dr. Bach two weeks ago and he said that it should be presented to the Academic Council.

Senator Schacht moved that this be forwarded to the Academic Council specifically with the request that they form a working committee to do this. Senator Taylor seconded the motion, and it was approved.

Vice President Foley asked for any legislative updates.

Senator Carter said that State Legislature will adjourn April 18th. TCRS is moving forward and is likely going to become a reality. It will begin for all new hires after July 1, 2014. THEC was renewed.

Senator Fisher stated that the state Senate has passed a resolution to go to the voters on reference to preventing a state income tax, but he has seen nothing that has been done by the house.

Senator Schacht then said that ETSU has just hired a legislative liaison, Bridget Baird, who used to work for Senator Corker. He suggested that she be invited to the senate retreat. He commented that essentially, we now have an on-campus lobbyist.

Senator Arnall inquired about the statement by Jim Bitter stating that MSHA might no longer be a recognized medical care provider for BCBS. He asked the reason for denying a large hospital system access to the insurance.

Vice-president Foley stated that it happens frequently that hospital organizations will decide that a particular insurance company no longer reimburses at the rate in the speedy fashion or whatever and will stop accepting that. That is not an uncommon thing.

Senator Forsman stated that the problem with this though is, last year MSHA stopped CIGNA. So we had to change. This year they are stopping Blue Cross Blue Shield, so most of us if we need to go to the hospital need to head to Bristol or Kingsport. That's a problem because half of our physicians, ETSU Family Medicine etc., are associated with MSHA. Yet the majority of the university's employees can no longer go there unless they straighten it out in the next month and a half.

Senator Schacht added that MSHA is not just playing this brinkmanship with insurance companies. They are also doing it with the university. Over the next several years ETSU is going to lose 50 residency positions between MSHA and Wellmont. That is going to potentially threaten the existence of one or more residency programs because we may not have enough slots to meet the minimum critical mass of students necessary to have an accredited program. MSHA's reason for doing this is entirely financial. The one residency that they have exempted from this slashing is a new one they want to have in orthopedics because orthopedics will make them a lot of money. Before we start blaming the insurance companies or the state, you might want to have a look at MSHA's own finances. They're over a billion dollars in debt which they have acquired through a shopping spree of acquisitions.

Senator Stone stated that the physicians are by large in favor of MSHA accepting Blue Cross Blue Shield. The problem is with MSHA not the physicians. MSHA has problems of not paying their bills at this point which is causing billings to not proceed.

Vice-president Foley then gave the floor to Senator Schacht to give an update on the Code of Ethics.

Senator Schacht stated that at the recent meeting of TUFs we learned from the representative of the University of Tennessee that faculty at that institution discovered in October that they were subject to a new Faculty Code of Conduct that had been adopted without their knowledge. UT did this because their lawyers identified a provision in the federal criminal code that applies to organizations. Organizations can commit crimes just as an individual can. There are a set of federal sentencing guidelines for when an organization is found guilty of something. This might be for example, wholesale research fraud or something like that. Those federal sentencing guidelines specifically include provisions that place some weight on the question of whether or not an organization has taken explicit steps to establish affirmatively a culture of ethical behavior. So UT's lawyers in connection with the administration simply said 'we've got to have this Faculty Code of Conduct in place to protect ourselves in the event that we

get in trouble with the feds'. If TBR's lawyers decide to jump on the same bandwagon, we could easily find ourselves in the same situation where the administration will be getting instruction from TBR's legal council to create a Faculty Code of Conduct. If that happens, it would seem that our choice is either to preempt that process and do it ourselves, or sit back and have the same experience UT's faculty had.

Vice-president Foley wondered if it is time for to reconvene a task force to look at this and look at what was imposed on UT.

Senator Trogen commented that when he was president in 2007-2008 he charged a committee in the fall of that year to do exactly what Tom is talking about now. We had a short version, a long version, and no one could decide which version to implement.

Vice-president Foley commented that it probably is time to start again. We could look at the short version and the long version that was created in the past and what was recently imposed on UT.

Senator Schacht guessed that this made it onto UT's radar because of the enormous size of their federal grant portfolio and their connection to Oak Ridge.

Senator Stone stated that most of the ethical requirements that we have that relate to research are already in place. We have HIPA training on a regular basis, work with clinical investigation, have investigation training, bio-safety issues, those are all in place and mandated so probably the bulk of what might be used of by federal agencies is already handled.

Senator Schacht pointed out that financial-aid fraud was not covered by research.

Senator Kellogg suggested that if a committee were to be formed to look at this, the committee's main task would be trying to interpret the federal criteria and that is a potential can of worms. He asked if there is an expert that we could bring in to talk to us and basically summarize what those federal criteria are so that we can then have an idea about how much we would have to manipulate our ethics document to make it satisfy the federal criteria.

Senator Schacht wondered if we could ask someone from the US Attorney's office to come speak to us.

Vice-president Foley stated that she has made a note to see if we can get somebody to come and talk to us at the retreat.

Vice-president then made several announcements. She reminded everyone that elections for the senate officers will be held on April 22nd. Dr. Bach will also be at the April 22nd meeting. The Executive Committee is hoping to send someone to the AAUP conference in July, which will be in Seattle. If anyone is interested, please contact President Byington or Vice President Foley. The Pellissippi State Faculty Senate endorsed the ETSU Resolution on Partner Benefits as opposed to crafting their own. She then moved on to any new business.

Senator Schacht introduced the resolution which he emailed the senate prior to the meeting. He stated that the resolution created an expectation that the faculty senate would receive each year prior to

implementation the proposed budget for the athletic program for us to review and comment upon. There would be an expectation that we would get an audited financial statement of the revenues and expenses of athletics so that if promises are not being kept about where money is coming from and so forth, we would be able to see that and immediately respond to it. Likewise, there would be other reporting expectations to the senate from the athletic department with respect to things like student progress and various educational policies. In the earlier draft of this there was some language that spoke to recent positive publicity and so forth, which has been scrapped in respect of concerns that were raised by some people to the effect that this thing could be perceived as an endorsement of football. Certainly the football thing has provided a context, but it is not in any way the intention here to make a statement about football. He also added two things to the end of the document. One is he attached as an appendix to the resolution this entire AAUP document as a way of saying to the administration this is what the faculty expect here at ETSU in terms of involvement in athletics. The other thing that he put into the resolution was a specific expectation that we will be given an annually audited financial report of revenues and expenses in sufficient detail that we will be able to understand if the promises that have been made about how football financing is going to occur have been kept.

Several senators raised issues with the document stating that it almost seemed to be a thank you to President Noland. The document is confusing because faculty are far from happy about the way President Noland has handled the expansion of athletics, and they see no need to either congratulate or thank him.

Vice-president Foley said that the spirit of this document is to capture in writing that no academic money will go to football.

Senator McGarry asked why, then, this document is burying that issue instead of stating it.

Senator Schacht said that he wants to memorialize the administrator's verbal commitment to funding this in ways that do not encroach on academic programming. This is a request to make sure that this promise be kept in the future.

Senator McGarry asked why this is not phrased as a request to the president or the administration for clarification and a signed commitment instead of a congratulations and thank you.

Senator Kellogg said that he understands this approach because you can get farther with flattery. He did agree with Senator Zucker that the paragraph that starts with "ETSU Faculty Senate thanks" should be taken out. This document should basically say that we realize that there is nothing we can do about this, but the administration needs to live up to their promise.

Senator Gann said that there is a difference in being polite and being disingenuous. For many senators, thanking President Noland would be extremely disingenuous.

Senator Schacht said that he would like withdraw the resolution at this point in time. He will modify it to removing all references to thanking anybody and instead draft a resolution that will simply represent a request from the senate for accountability and transparency consistent with the AAUP guidelines. He will then circulate that back to the senators to can send out to their faculty as a revised version.

Vice-president Foley said that she is disappointed that faculty didn't take the opportunity to give feedback to the 125 Taskforces electronically. She was also disappointed that no one expressed opposition at the town hall meeting. Processes need to be looked at so that they can be more transparent. She advised faculty to look at these committees and their suggestions.

Senator Forsman motioned to adjourn. Senator Epps seconded.

ADJOURNMENT: The meeting was adjourned at 4:20 p.m.

Please notify Senator Melissa Shafer (shaferm@esu.edu or 9-5837), Faculty Senate Secretary, 2012-2013, of any changes or corrections to the minutes. Web Page is maintained by Senator Doug Burgess (burgess@etsu.edu or x96691).