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Faculty Senate, East Tennessee State University

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2012-2013 Faculty Senate
MINUTES—2/25/2013
Faculty Senate—East Tennessee State University

UPCOMING MEETING:	FOLLOWING MEETING:
Date,3/25/2013 2:45 pm Forum, Culp Center	Date, 4/8/2013 2:45 p.m. Forum, Culp Center

Present: Dave Arnall, Beth Baily, Jim Bitter, Patrick Brown, Doug Burgess, Randy Byington, Daryl Carter, Charles Collins, Bruce Dalton, Don Davis, Susan Epps, Emmett Essin, William Fisher, Virginia Foley, Allan Forsman, Rosalind Gann, Ron Hamdy, Evelyn Hammonds, Jill Hayter, Ken Kellogg, Tom Laughlin, Kurt Loess, Theresa McGarry, Jerome Mwinyelle, Susan Rasmussen, Thomas Schacht, Eric Sellers, Melissa Shafer, Kathryn Sharp, Taylor Stevenson, Bill Stone, Kim Summey, Jerry Taylor, Jennifer Vanover-Hall, Shimin Zheng, Yue Zou, Ron Zucker.

Excused: Sharon Campbell, Mohamed Elgazzar, Rick Hess, Dharendra Kumar, Lorianne Mitchell, Alan Peiris, Jerry Shuttle, Jim Thigpen, Paul Trogen,

Guests: Doyle Brinson

CALL TO ORDER: President Byington called the meeting to order 2:48PM.

President Byington introduced University School Director Doyle Brinson who came to speak about the University School.

Guest Brinson began by explaining the history of the University School, which has been in existence for 102 years. The school has been in its current building for 84 years. The University School is the only K-12 public laboratory school in the country and is funded by the Washington County School System. It is a year round school with 38 faculty members, the majority of which have Masters Degrees and 2-3dozen student teachers training there at any given time. Admission is open to any Tennessee resident but they must supply their own transportation. The majority of students are from Washington County and Johnson City; however, there are students from other counties as well. Students are selected via a lottery. Children of faculty members at University School are given first priority and siblings of children who already attend University School are second priority. The students score very well on standardized tests, and a big part of that has to do with being a choice school. At any given time, there are approximately 60-70 students in dual enrollment at ETSU. In the state of Tennessee, according to last year's data, on average only 13% of high school senior students were college-ready. University School reports a 47% college-readiness. Director Brinson would like the goal to be 80-90% college-ready. Senator Bitter asked Director Brinson if he thought of the University School as a really good school that happens to be housed at the university or if he thought that it was an actual laboratory school where new approaches to education are being tested. Director Brinson said that, as far as laboratory work goes, they do better at the K-5 level than they do at high school. This is in large

part because of the support they are receiving from the College of Education in early elementary and elementary education.

Senator Bitter then asked if he felt that University School tries and tests methods whether or not those methods are effective as an approach to education in general. Director Brinson said that University School is more receptive to try out new approaches and is better at it. At the high school level it is more difficult due to curricular needs and preparation centered on testing that limits experimentation. Therefore, University School is better at testing out new methods at the lower grades than it is at the high school level.

Senator Sellers asked what percentage of kids in the lottery actually get in and if there are some grades where they are more or less likely. Director Brinson responded that they currently have over 100 applications for 18 slots at in the Kindergarten class, so it is very competitive. They take 25 new kids at the high school in 9th grade. Odds there are 1 in 2 students are selected.

Senator Hayter asked if priority is given to siblings and children of faculty, is there any fixed percentage of slots left for the public? Director Brinson said there is no fixed percentage. What is open to the public is whatever is left after the siblings and children of faculty.

Senator Hayter inquired if there is some type of interview or screening after the lottery. Director Brinson said that there is extensive screening at the high school and middle school levels.

Senator Hayter asked if there was any priority given to children of ETSU faculty. Director Brinson explained that during Dr. Stanton's presidency, he had Dr. Knight do set asides for new faculty for recruiting purposes. There was 1 set aside in each grade.

Senator Gann asked if there were set asides for administration. Director Brinson replied if Dr. Noland were to call and tell University School that they are going to have Dr. Bitter's child there, then he will get in as long as there is a spot available.

Senator Stone asked if a voucher system were to be implemented, would that promote more interest in University School becoming a private school. Director Brinson said that it is unclear what impact a voucher system would have and that, for now, they are still a true public school. Senator Bitter asked if University School makes money, loses money, or breaks even. Director Brinson said that they do not make any money and that they break fairly close to even. Senator Bitter asked what the monetary contribution is from ETSU. Director Brinson said that ETSU pays the light and water bills.

President Byington then moved on to the next agenda item. In the last senate meeting of the fall semester some revisions to the faculty handbook relating to the policies on seating a search committee for a department chair was discussed. The handbook committee came to the senate with a recommendation that excluded students from the process. The senate voted to make the inclusion of students in the search process at the discretion of the department. It was presented to academic council one week ago and the academic council did not agree with it and plans to appoint two deans to review the matter further. President Byington has asked David

Champouillon and Tom Schacht, both members of the handbook committee, to be the representatives of the senate and work with the representative deans to try to resolve the issue. Senator Burgess asked who the representative deans are. President Byington said that they do not know yet.

Vice President Foley said that Mrs. Noland requested that the faculty senate be involved in the relay for life this year on April 19th in order to increase faculty involvement. She repeatedly hears from students that although Relay for Life is a student driven event, they wish faculty would participate and show support. Foley requested that senate members go back to their constituent groups and when the information for Relay for Life is announced, senators let faculty know that the students would like their attendance and support.

President Byington discussed the senior staff meeting that was held that morning. There were updates on the amount of construction that has gone on over the last five years. The majority of construction has been renovation, upgrades to heating systems, windows, roofs, and other things of that nature. The second item discussed has not been officially adopted, but it is about a policy on serving alcohol. The presence of alcohol under certain conditions at TBR schools is not taboo. Ed Kelly and some other folks are currently examining this and patterning our policy after that one of Austin Peay, where alcohol could be served at specific functions. Alcohol will not be sold on campus, but it can be served at a function and whoever is serving alcohol has to be licensed and bonded.

Senator Fisher presented a couple of informational items from the state legislature. The Tennessee State Senate has approved the amendment to have on the ballot in 2014 no state income tax on wages and salaries; this will have to go to the house. A second item is that, as of today, state treasury will propose for a new retirement program and it is listed for state employees. In the past, faculty members of ETSU were considered state employees, but that should be watched. As soon as the bills are introduced and the council looks it over, there should be more information.

Senator Carter added to what Senator Fisher said saying that the proposal for retirement accounts will be for future hires beginning at July 1st. He continued that legislature regarding the issue of Affirmative Action in January has been whittled down to two bills. One was delayed for vote until this week. Many of the public university presidents here in Tennessee along with the Chancellor to TBR have spoken privately with various legislators in Nashville and have not been received warmly, especially within the senate education committee because they are opposed to anything regarding diversity efforts. There is a pent up demand which THEC and TBR are trying to deal with in regard to the governor's budget. His proposed budget came approximately a month ago where all the institutions after 4,5, or 6 years of really tight budgets is now clambering to get every dollar they possibly can. THEC had made news in the last week that there are two programs under consideration at ETSU for either elimination or some type of reprimand. Those programs are Theatre and Women's Studies because they do not meet benchmarks in terms of enrollment and graduation. For Theater, the main issue is graduation. For Women's Studies, the issues are both enrollment and graduation. They are increasingly looking at the issue of program distinctiveness in regard to how they are evaluating various programs across the state.

Senator Burgess asked what the two bills regarding Affirmative Action are.

Senator Carter said that both of the bills are relatively the same. Once bill basically says you cannot have any type of a diversity offices, officers, etc. Second, you cannot take any type of data regarding race in the state of Tennessee. This includes public universities. President Byington then asked about the bills regarding counseling.

Senator Bitter explained that it is targeted toward Counseling, Social Work, and Psychology but it will also essentially effect any other helping professions from Human Services right on through to Psychiatry. Essentially, it is based on the Ward Case out of Michigan in which a young woman in a Counseling education program refused to counsel anyone who was considering an abortion or a divorce or who were gay or lesbian because it was against her religious beliefs. In response, the counseling program said that it is part of their ethical code and professional practice and therefore they dismissed her from the program. Originally the judge who heard the case upheld that but it went appeal and the court essentially said there is merit to it and took the position that it amounted to reverse discrimination. Based on that, a bunch of other states, Tennessee being one of them, are putting in to the process these laws. Senate bill 514 essentially says that a student in a Counseling, Psychology, or Social Work program cannot be disciplined or discriminated against for refusing to offer services based on religious grounds. The Tennessee Counseling Association, the American Counseling Association, and the American Psychological Association have all said that this is a problem from their standards of professional practice, from their standards of ethics. Various faculty members are going to Nashville to talk to legislators. It's a socially conservative issue and in a state that is locked down in that area, the probability that this bill is not only going to come up but is going to pass in the next few weeks is very high.

President Byington said that has been referred to Dr. Robert Acuff and it has also been referred to David Gregory.

Senator Schacht said it has implications that go far beyond the three professions that are targeted here. He elaborated that the Ward case in Michigan what the faculty did when Ms. Ward said 'I don't know if I want to counsel this person', they took the position that they were going to require her to actively affirm the client's homosexual lifestyle. She viewed that as an infringement upon her religious freedom. Requiring that she as a person affirms something is different from saying you as a counselor should be able to support the client's effort to self-affirm. That distinction never got made in that case. The Michigan case turned into a religious freedom case unfortunately. The bill that is in the hopper now in Tennessee basically says the legislature is going to require that faculty in a professional training program subordinate their judgment as to the selection and training of candidates to the student's conscientious objector status based on what the student says he or she has a sincere religious belief that prevents him or her from doing what the curriculum says he or she is supposed to do. This becomes a problem because students would have power to refuse any assignment or training on religious grounds, and faculty would be forced to graduate those students, regardless of what assignments or training they opted out of.

Senator Bitter said that the other pragmatic side of it is that it will put all of the energy into the admission process and the ETSU Counselor Education Program is sitting right next door to a brand new counseling program at Milligan that is essentially based on religious philosophy. ETSU will wind up taking the position that it has to be careful not to discriminate against anybody with religious values so ETSU will start to have to ask questions at admissions about what their religious beliefs are and what they feel they can and cannot do.

Senator Gann asked Senator Carter if diversity officers, affirmative action, and similar issues are federal matters.

Senator Carter said yes and no. States from Michigan to California have passed voter referendums on this issue. Other states have taken steps to limit the issue of affirmative action and diversity. Since 1978, there has been a conservative effort to limit, if not eliminate, affirmative action, but TBR is an affirmative action system. However, they are also subject to the state of Tennessee. It becomes very tricky and every year there is a number of bills in congress to eliminate this. On the bills before the state assembly, they may pass but they will most likely be watered down to a certain extent for the simple reason of business. When the Clinton Administration in the 90's underwent a massive investigation, not only federal programs, but also the policy in general, Fortune 500 Companies by the dozens were sending letters in support of Affirmative Action. When the Michigan cases came ten years ago, numerous business interests were opposed. If the state does this there is concern in Nashville that it will further stigmatize the state.

President Byington then moved on and asked for the approval of the amended set of minutes. Senator Bitter moved to accept. Senator Forsman seconded. All approved

President Byington then said that the executive committee talked quite a bit at the last meeting about sort of wrapping up some loose ends. Two years ago we did a faculty survey; he wonders if it is a good idea to do follow up survey. The last survey produced strategic direction, especially in regard to equity. About 530 faculty members responded out of a little more than 700 faculty members.

Senator Schacht also pointed out that the last survey was timely in relation to the presidential search. Every candidate got a copy of it and every candidate made it a centerpiece of discussion that they had on campus about what they would do if they came here. Dr. Noland has a copy of that previous survey. This would give him an update, which Schacht believes he would be interested in.

President Byington made a suggestion that a group get together to look at the original survey and see what needs to be changed or what is no longer relevant. Senator Epps then made a motion that a working group be developed to address the faculty survey. Senator Schacht seconded. The motion passed with one opposed and one abstention.

Senators Zucker and Bitter requested that academic questions be put on the survey, not just work quality questions.

President Byington then asked for volunteers for the workgroup. Ron Zucker, Tom Schacht, Virginia Foley, and Bill Stone volunteered. He told the senate members to send any ideas or areas they would like to be addressed on the survey to Vice President Foley.

Vice President Foley also asked that senate members give a consensus of what they feel has been addressed and can be omitted and what members feel should be kept. President Byington suggested that the faculty club and the IRB in relation to either impending or assisting students as a progress to graduation be added.

President Byington then said that March 25th is the next faculty senate meeting and Dr. Noland is scheduled to come to the senate. He asked what topics senate members would like to be covered.

President Byington reminded the senate that the 125 committee Town Hall Forum is Wednesday night. There will be a brief opening statement or some kind of welcome by Dr. Noland. Then there will be a break out area for each of the task forces. The chairman of each task force will be there. President Byington is hoping a number of the faculty members who actually participated in the task forces will also be there.

Senator Collins would like to know what kind of feedback Dr. Noland wants from the faculty.

Senator Gann would like Dr. Noland to discuss the equity pay increases and the formula that have some differences between faculty and administration.

Senator Arnall said that he would like an update from Dr. Noland on the retirement plan and whether it is a lateral program with some minor changes, or if it is less of a retirement program, or if it is more complete and improved. He would also like to know how it will affect those already in the system or if it is only for new hires. Arnall then added that due process is always an issue and he would like that to be discussed.

President Byington asked if there is something specifically about that process senators would like to be discussed.

Senator Bitter said that he would like Mark Bragg to not have the ability to check everyone's computers at all times of the day or be able to take action on it.

Senator Burgess said that he sent out a revised draft two weeks ago to Mr. Kelly and to everybody on the Ad Hoc committees. The people who have responded have said it looks fine as it is. Also, Burgess has the termination of tenure policy redrafted and that's a separate issue.

Senator Bitter would like an update on football. He would like to know about the stadium, facilities, and what extent faculty will have a say in this. He would also like an update on the performing arts center.

Senator Schacht said that, since they are going to be designing a survey, he would like to know if President Noland has any questions he would like to be asked.

Senator Hayter would like to discuss the cost of football, what revenue it will generate, and what kinds of analyses have been done that examines that.

President Byington said that that had been discussed in the last meeting with him the executive committee. Noland said he would forward to us the pro forma income statement as soon as there were about one or two items nailed down. He said that it was complete within about 150,000 dollars on the total pro forma, but he would give that to us. It should be here before the 25th and TBR votes on the student fee on the 29th.

Senator Bitter said that he heard the students might try to do a survey or push back against football. He wanted to know where that is going.

President Byington only knows what he read in the Kingsport paper. To have a referendum on anything from an SGA's constitution standpoint, it requires a certain percentage of the student body to sign a petition asking for referendum. Then once that is certified, it goes on to the next general student election which according to the paper wouldn't occur until like April.

Senator Schacht motioned to adjourn and Senator Foley second.

ADJOURNMENT: The meeting was adjourned at 4:30 p.m.

Please notify Senator Melissa Shafer (shaferm@etsu.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).