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Faculty Senate Agendas and Minutes

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2-21-2005

### 2005 February 21 - Faculty Senate Agenda and Minutes

Faculty Senate, East Tennessee State University

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**FACULTY SENATE AGENDA**  
**Monday, February 21, 2005**  
**2:45 PM Culp Forum**

NOTE TO SENATORS: Please share the Senate agenda, minutes, and any other enclosures with your colleagues prior to the scheduled meeting. Senate meetings are open to ALL faculty. Agendas, minutes, and attendance rosters are available on the Faculty Senate website at <http://www.etsu.edu/senate/>.

**AGENDA FOR SENATE MEETING**

**Call to Order:** President Stanley

**Approval of Minutes:** February 7, 2005

**New Business:** Dr. Roberta Herrin, Director, Center for Appalachian Studies and Services, will discuss the components and projects of CASS

Senator Stephen Patrick will introduce Tennessee Senate Bill 1117; President Stanley will lead a discussion of it..

**Old Business:**

**Announcements:**

**Adjournment to Committees:**

**Please Note:** Next meeting Monday, March 21, 2005, Meeting Room 6, 2:45 pm

*Please send information and notices of non-attendance to Kathleen Grover ([grover@etsu.edu](mailto:grover@etsu.edu) or 96672), Secretary, Faculty Senate 2004-05.*

MINUTES –February 21, 2005  
Faculty Senate – East Tennessee State University

UPCOMING MEETING: April 4, 2005 2:45 pm Forum, Culp Center	FOLLOWING MEETING: April 18, 2005 2:45 pm Forum, Culp Center
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*Present:* Baryla, Bennard, Bitter, Breese, Burgess, Champouillon, Chi, Coates, Collins, Cornett, Daniels, Davenport, Davis, Fisher, Grover, Hayes, Kelley, Kerley, Mackara, Morrow, Mozen, Mullersman, Nave, Shafer, Shuttle, Silver, Stanley, Stone, Wallace, Whitten

*Excused:* Chi, Fisher, Jungkeit, Li, Patrick, Schaller-Ayers, Singh, Wallace, Whitten

*Absent:* Blanton, Littleton, Thewke, Trogen, Zogyie

*Guests:* Dr. Roberta Herrin, Director of the Center for Appalachian Studies and Services, and Dr. Gordon Anderson, Dean of Arts and Sciences

**CALL TO ORDER:** A quorum being present, President Stanley called the meeting to order at 2:50 pm.

**APPROVAL OF MINUTES:** The minutes of February 7, 2005, were approved.

**NEW BUSINESS:** President Stanley introduced and welcomed Drs. Herrin and Anderson. Dr. Herrin explained that she would present a brief history of CASS, an update on its functions, and an explanation of its future projects. Twenty years ago, Drs. Tom Burton and Jack Higgs, now Professors Emeriti of English, and Dr. Richard Blaustein, then Director of the Institute of Appalachian Affairs, proposed that CASS be established as a Chair of Excellence combining the Reece Museum, the Institute, and the Archives of Appalachia. The Chair of Excellence was granted; CASS became a Regional Research Institute. It includes the Appalachian Teaching Project and the Appalachian Studies and Travel Program, now headed by Dr. Tess Lloyd, which will soon become a full-fledged exchange program with either Ulster or Glasgow. CASS also includes ETSU's Bluegrass Program with 92 enrollees who are pursuing a minor in bluegrass. ETSU's premiere bluegrass band just returned from Glasgow. The program has ten bands and its own recording label. In 2004, the bands presented 78 shows in different states and abroad. Jack Tottle, who heads the bluegrass program, is working towards establishing it as a major. Another important project of CASS has been the *Encyclopedia of Appalachia*. Its text has been submitted to UT Press, and publication is targeted for March 2006. CASS also oversees the Governor's School, which includes, among other

subjects, paleontology (with work at the Gray Fossil Site), historic preservation (with focus on Jonesborough), archeology (involving a prehistoric Native American dig at Rocky Mount), physics, and astronomy (with Dr. Gary Henson). Dr. Herrin announced that CASS's magazine, *Now & Then*, eliminated in 2003 because of budget cuts, has been re-established, with its first issue due April 2005. Its subject is the media in Appalachia, correlating with the Symposium on Appalachia being held April 14-15, 2005. The next issue will feature NASCAR and will correspond to the exhibit on NASCAR appearing in the Reece Museum late summer through Homecoming 2005. CASS has also sponsored a film series to celebrate its 20<sup>th</sup> anniversary and a lecture on the Civil War in spring 2005. Herrin pointed out that the Archives bring in the lion's share of grant funding for CASS from such groups as the National Film Preservation Society. This year, the Archives received 130 collections, including the manuscripts of Kingsport native novelist Lisa Alther. Two years ago, the Archives received the vast Smith LP collection.

Senator Bennard asked if entries written for the *Encyclopedia* can be updated; he submitted one several years ago. Herrin replied that deaths and new titles could be added, but little else can be changed.

Senator Daniels asked whom to contact to arrange for other showings of the films in this year's series; Herrin replied that Norma Myers or Bradley Reed could help. Bennard asked if the NASCAR exhibit will be up in time for August's races and how it will be publicized. Herrin said the exhibit will be ready for the races and asked that ideas for publicity be sent to her or to Blair White.

Senator Bitter expressed concern that if Reece develops a strong Appalachian focus it will lose its function as a fine arts museum serving a wider public. Herrin replied that she sees the proposed Performing Arts Center as fulfilling the function of a fine arts museum. When Reece was folded into CASS 20 years ago, administrators and the director regarded it as a major Appalachian resource. She does not see its functions as a fine arts venue and an Appalachian museum as mutually exclusive. Slocumb fills the need for student and faculty exhibits. One gallery of Reece could be reserved for rotating exhibits that are not Appalachian. She added that much Appalachian art transcends regionalism—for example, the works of Suzanne Stryck and Andrew Moore. Since the museum uses 28% of CASS's budget, it must serve CASS's needs. Also, it is up for accreditation and has been criticized for not fulfilling its unique regional mission.

Senator Burgess asked if Herrin saw other shortcomings. Herrin replied that the Frontier and Music Rooms need re-examination. If the museum is not to serve CASS primarily, perhaps Provost Bach and Dean Anderson would entertain a proposal to separate it from CASS, but its budget would also need to be removed from CASS.

Senator Champouillon wondered if the proposed Performing Arts Center is supposed to be primarily for the performing or the visual arts, adding that its function could influence the future mission of the Reece Museum.

President Stanley thanked Dr. Herrin for her informative presentation and discussion; she also thanked her and Dr. Anderson for attending the Senate meeting.

President Stanley next brought up the matter of Tennessee Bill 1117, proposed to “protect the academic freedom of higher-education students.” Senator Collins moved that the Senate accept Senator Mackara’s response to the bill; Senator Kerley seconded. In discussion, Senator Bitter asked that the response qualify a situation in which a student holding a view diametrically opposed to a course’s subject matter refuses to deal with the material. Senator Stone said that the bill conflicts with the Tennessee State Constitution and read aloud the Constitution’s relevant passages. Senator Mozen identified the bill’s originator as David Horowitz, who has a website designed to identify the political affiliation of every professor in the nation. She read the AAUP’s statement opposing the bill. Senator Morrow expressed strong support for Mackara’s statement with the modifications suggested by Bitter, Stone, and Mozen. Collins asked that the modifications be made quickly and the response sent to Paul Short of the TBR and well as to our state representatives.

Senator Shuttle said that students at UNC were able to get a book on Islam they did not want to study removed from a reading list. Stanley said she had heard of similar responses to other books.

Collins called for the question; the motion passed unanimously.

Mozen reported that another bill, 0126, asks for a salary bonus of \$1200 for all UT and TBR faculty.

OLD BUSINESS: None

ANNOUNCEMENTS: None

ADJOURNMENT: President Stanley adjourned the meeting to committees at 4:12 pm.

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*Please notify Kathleen Grover (grover@etsu.edu or x96672), Secretary, 2004/05, of any changes or corrections to the minutes. Web page is maintained by Doug Burgess (burgessw@etsu.edu or X96691).*

**Irwin, Ned L.**

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**From:** Grover, Kathleen H.  
**Sent:** Thursday, February 17, 2005 7:37 PM  
**To:** Kim Blevins; Ned Irwin; Lena Eklof; Baryla, Edward A.; Bennard, Bruce; Bitter, Jim; Blanton, Hugh; Breese, Ute; Burgess, Doug; Butler, Murray; Champouillon, David; Chi, David; Coates, Tom; Collins, Lattie; Cornett, Cher; Daniels, Lee; Davenport, Mary Jo; Davis, Jason; Fisher, William; Fred Mackara; Grover, Kathleen H.; Hayes, Patricia; Jungkeit, Patricia; Kelley, Jim; Kerley, Linda; Li, Chuanfu; Littleton, MaryAnn; Morrow, Brent; Mozen, Diana; Mullersman, Jerry; Nave, Jerry; Schaller-Ayers, Jennifer; Shafer, Melissa; Shuttle, Jerry; Silver, Ken; Singh, Krishna; Stanley, Bonny; Stephen Patrick; Stone, William; Thewke, Douglas; Trogen, Paul; Wallace, Steven; Whitten, Barry; Zoggyie, Haakayoo  
**Subject:** FW: proposed TN Senate Bill 1117  
**Importance:** High

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**From:** Patrick, Stephen A.  
**Sent:** Thursday, February 10, 2005 10:46 AM  
**To:** Stanley, Isabel B.; Bitter, James Robert; Grover, Kathleen H.; Mackara, Warren F.; Burgess, William Douglas, Jr.; Blanton, William H.  
**Subject:** proposed TN Senate Bill 1117  
**Importance:** High

I received a copy of this bill on Monday afternoon just before the Senate meeting. I gave a copy to Bill Fisher and to Kathleen Grover at that time. This is something we need to discuss at the Executive Meeting and possibly at the following senate meeting.

I am including a copy of the proposed bill and correspondence from other TBR schools I've received to date on the issue.

Dr. Paula Short would appreciate feedback, as well as copies to TBR Chief Counsel Chris Modisher.

**Responses I've received are cut and pasted below:**

Dr. Short,

Per your request, the MTSU Faculty Senate Steering Committee discussed SB1117 at our meeting on Monday of this week.

The Steering Committee has concerns about the first clause (section A-1) regarding student academic freedom. The primary concern is about how academic freedom is defined for students. We have great understanding of how academic freedom is defined for faculty, but have concerns about how this applies to students. Another concern is who will determine what the student's exact rights are regarding academics and the measures that may be used to determine if the student's rights have been violated.

Some course work is indeed controversial whether by its nature or by instructional design. In some cases, it is necessary to discuss views that may be in opposition to student political and/or religious opinions in order to thoroughly investigate the course content (assuming it is a balanced discussion). The introduction of seemingly unrelated material is often necessary to provide foundations of understanding and/or context.

2/21/2005

With this in mind, we feel this concept of student academic freedom interferes with faculty academic freedom. We feel that this clause, as currently written, may potentially interfere with instruction and violate faculty academic freedom. We also feel that this may place inappropriate restrictions on course content and instructional methodologies. In addition, we feel that the revised policy regarding faculty academic freedom adequately addresses this area for students.

In summary, the MTSU Faculty Senate Steering Committee advocates the deletion of section A-1 of SB1117, but supports the rest of the proposed bill.

I'll be happy to provide further information if needed.

Thanks,

Dan

Daniel Pfeifer  
Professor and Prod/Tech Internship Coordinator Department of Recording Industry  
P.O. Box 21 Middle Tennessee State University Murfreesboro, TN 37132  
(615) 898-5944 FAX (615) 898-5682

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The Volunteer State Community College Faculty Council convened this afternoon and this proposed legislation was on the agenda. For all intents and purposes we agree with our colleagues at MTSU, both in terms of their recommendation and their arguments in support. We would also like to point out that our college has a published grievance procedure for students in place. We feel this current procedure could be used for the issues SB 1117 addresses. Finally, the faculty of Vol State also would like to state for the record that they would abhor any situation where faculty abused their authority in the classroom. Thanks for the opportunity to comment.

-Len Assante  
Faculty Subcouncil Rep  
Volunteer State CC

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At the February 9<sup>th</sup> meeting of Pellissippi State's Faculty Council, Council unanimously passed a motion calling for the drafting of a letter to the authors of both Senate and House versions of the "online moratorium" bill. It will also be sent to all members of the Senate and House Education Committees. The letter is to briefly outline common concerns arising from consideration of the bill, and to invite Senators to a called meeting of Pellissippi State faculty so that they might directly discuss implications of the bill.

When the letter is completed, I will post a copy here.

2/21/2005

Thanks for your time,

Dave

Dave Vinson

SENATE BILL 1117  
By Finney

AN ACT to amend Tennessee Code Annotated, Title 49,  
Chapter 7, relative to higher education.

WHEREAS, the General assembly of the state of Tennessee recognizes students' rights to academic freedom and rights to freedom from discrimination on the basis of political or religious beliefs; and

WHEREAS, students enrolled in state postsecondary educational institutions have the right to information concerning grievance procedures for the protection of their academic freedoms; and

WHEREAS, it is determined to be in the best interests of the state to direct the governing board of state postsecondary educational institutions to adopt a grievance procedure for use in enforcing students' rights; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following as a new appropriately designated section:

49-7-1( ).

(a) Students enrolled in state postsecondary educational institutions shall have the following rights:

(1) The right to expect that their academic freedom will not be infringed upon by instructors who create a hostile environment toward their political or religious beliefs or who introduce controversial matter into the classroom or course work that is substantially unrelated to the subject of study;

(2) The right to expect that they will be graded solely on the basis of their reasoned answers and appropriate knowledge of the subjects they study and that they shall not be discriminated against on the basis of their political or religious beliefs;

(3) The right to expect that their academic institutions shall distribute student fee funds on a viewpoint neutral basis and shall maintain a posture of neutrality with respect to substantive political or religious disagreements, differences, and opinions; and

(4) The right to be fully informed of their institutions' grievance procedures for violations of academic freedom by means of notices prominently displayed in course catalogues, student handbooks, and on the institutional web site.

(b) State postsecondary educational institutions shall publicize the statewide institutional grievance procedure by which a student may seek redress for an alleged violation of any of the rights specified in this section in course catalogues, student handbooks, and on the institutional website.

SECTION 2. Tennessee Code Annotated, Section 49-7-202(c), is amended by adding the following as a new appropriately designated subdivision:

( ) Develop, monitor, and enforce a statewide institutional grievance procedure by which a student may seek a redress of grievance for an alleged violation of any of the rights specified in this act.

SECTION 3. The commissioner of the Tennessee higher education commission is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, title 4, chapter 5.

SECTION 4. This act shall take effect upon becoming law, the public welfare requiring  
it.