

FACULTY SENATE MINUTES 3/18/19

The twelfth regular meeting of the 2018-2019 Faculty Senate took place on Monday, 18 March 2019, at 3:10pm in 123 Hathaway Hall.

NAME	Attendance	Department	Office
Shawn Lucas		Ag, Communities, and Env	Academic Policies
Leigh Whittinghill	PRESENT	Ag, Communities, and Env	Chair, Curriculum
Richard Cristan	PRESENT	Ag, Communities, and Env	
Ken Semmens	EXCUSED	Aqu and Aquatic Sci	Vice Chair, Bud &Ac
Herman Walston	PRESENT	Fam and Cons Sci	Professional Concern
Erin Gilliam (Parliamentarian)	PRESENT	Soc and Beh Sci	Vice Chair, Acad Pol
Mara Merlino (Vice President)	PRESENT	Soc and Beh Sci	Professional Concern
Jyotica Batra	PRESENT	Math and Comp Sci	Academic Policies
Clifton Wise	PRESENT	Math and Comp Sci	Professional Concern
Caroline Gibson	PRESENT	Hum and Perf Arts	Chair, Prof Concern
Marlin McKay		Hum and Perf Arts	Chair, Acad Policies
Helen Smith (Secretary)	PRESENT	Hum and Perf Arts	Secretary, Curriculum
Dantrea Hampton	PRESENT	Library	Vice Chair, Curricm
Rene Desborde	PRESENT	Bus and Tech	Budget and Ac Sup
Jason Keeler	PRESENT	Edu and Hum Dev	Secretary, Acad Pol
Phillip Clay	PRESENT	Edu and Hum Dev	Chair, Bud & Ac Sup
Li Lu	PRESENT	Nat Sci	Vice Chair, Prof Con
Bruce Griffis	PRESENT	Nat Sci	Secretary, Bud & Ac
Rebecca McCoy		Nur and Health Sci	Curriculum
Lisa Turner	PRESENT	Nur and Health Sci	Budget and Ac Sup
Robert Griffin		At-large (Hum and Per)	Curriculum
Joe Moffett (President)	PRESENT	At-large (Hum and Per)	
Debbra Tate	PRESENT	At-large (Library)	Secretary, Prof Con
Allison Young		At-large (Ag, Coms, En)	Professional Concern
Swagata Banerjee	PRESENT	At-large (Bus and Tec)	Academic Policies
Non-Senator Committee Members			
Nkechi Amadife		Library	Academic Policies
Ken Andries	PRESENT	Ag, Communities, and Env	Curriculum
Changzheng Wang	PRESENT	Ag, Communities, and Env	Curriculum
William Welsh		Edu and Hum Dev	Budget and Ac Sup
Mike Unuakhalu	PRESENT	Math and Comp Sci	Budget and Ac Sup
Farida Olden		Ag, Communities, and Env	Professional Concern
Guests (in order of sign-in)			
Mary Henson	PRESENT	Nursing, Health Sciences	Coord. Academic Support
Lauren Graves	PRESENT	Academic Affairs	IE Director
Tierra Taylor	PRESENT	BSS	Chair
Buddhi Gyawali	PRESENT	Ag, Communities and Env	Faculty
Sheila Stuckey	PRESENT	Library	Director
David Shabazz	PRESENT	LLP	Chair
Fariba Bigdeli	PRESENT	Math and Comp Sci	Faculty
Erik Carlsen Landy	PRESENT	General Counsel's Office	Dir. Compliance Training
Kim Sipes	PRESENT	Academic Affairs	Deputy Provost
Beverly Schneller	PRESENT	AA	Vice Provost
Kirk Pomper	PRESENT	Ag, Communities, and Env	Dean
Nkechi Amadife	PRESENT	Library	Faculty
Abdul Turay	PRESENT	Business and Comp Sci	Interim Dean
Wilfred Reilly	PRESENT	BSS	Ombudsman

1. Call to Order: The meeting was called to order at 3:12 pm.
2. Approval of Agenda: The agenda was approved with these changes: BASC and PCC were removed from the agenda by request of their chairs. The Faculty Regent's report was moved to later in the meeting, below the committee reports.
3. Approval of Minutes of the 25 February 2019 Faculty Senate Meeting: The minutes were approved without change.
4. Office of University General Counsel – Erik Carlsen-Landy, Director of Policy, Compliance, and Training:

- Faculty Senate President Joe Moffett began the conversation by noting that some Senators had raised concerns that in a meeting with members of the Faculty Handbook revision group, General Counsel Lisa Lang had stated that the Faculty Handbook is “non-binding.”

- Carlsen-Landy replied that he could not speak for Lang, but he assumed that she was referring to our legal rights as faculty members. There is not a lot of law in the Handbook. The rules that are binding on faculty are their contract of employment, their statutory rights like tenure, and their constitutional rights, like academic freedom and freedom of speech. University policy would outweigh a Handbook; the Handbook is not the highest ranking authority for faculty members.

- A Senator stated that she has worked on revising the handbook for years, and one issue is the matter of faculty appointments: the difference between ranks/positions. We still seem not to be very clear with respect to what those positions are. For example, visiting professor status is supposed to be a three-year position. Does the Handbook language cover those positions? Where is the information about those positions?

- Carlsen-Landy replied that he would have to find where those definitions are and **at** how other universities are defining those positions. If they are in the Handbook, an HR policy can override those definitions. Protections for those people may be in policy or in law but not in a Handbook.

- Moffett responded that all faculty have or know about is the Handbook. That's the concern. He said that Carlsen-Landy is mentioning outranking policies that we don't know exist. The issue is transparency.

- Another Senator pointed out that when Senate makes a change to the Handbook, it has to be approved by the Board of Regents. If the Handbook is not binding, why does it have to go through so much approval? Carlsen-Landy responded that he was not able to answer this question. Moffett said that he was not sure that Handbook changes do indeed have to be Board approved. Carlsen-Landy stated that Moffett could email the legal office and ask them that.

- A Senator asked why the university even has a Faculty Handbook if it's non-binding. Carlsen-Landy responded that a Handbook is an “extension” document that elaborates the policy, to explain in greater detail what the policy means.

- Moffett stated that the problem is that the Handbook has instead become a repository for policy.

- Carlsen-Landy replied that the university is bringing in a consultant, Sheila Trice Bell, to address these and other policy issues. She is an attorney and former general counsel at two universities, nationally recognized for her work.

- A Senator asked, from which part of the university budget will this consultant be paid?

- Carlsen-Landy replied that he did not know.

- A Senator stated that we need clarification: does Human Resources define the different faculty rankings? Carlsen-Landy replied that, if at this university, it was HR's authority to establish rankings, a Faculty Handbook could list those rankings, but HR policy would supersede the Handbook.
- A Senator asked, how do we find out who has that authority over policy?
- Carlsen-Landy replied that he would follow up on that question; he noted that it seems many people are unclear on this issue.
- A Senator requested that, before the faculty make further revisions on the Handbook, we have the answers to all these questions so that we are not repeating this revision work over and over again. It would be a far more efficient use of valuable faculty time to know the answers to these questions before the revision process continues.
- A Senator asked, where is the list of causes for termination? We are not allowed to discuss specific personnel issues, but there have been cases of faculty contract terminations on this campus without an explanation of cause, which provokes anxiety among faculty.
- Another Senator reiterated the same question: all we know is the policies in the Handbook. It is scary not to know what one might get fired for. We want to know what the written policies are – not the oral policies someone is telling us or the policies in a non-binding Handbook. There must be written policy. Can it be put on the university web page? Give us the webpage address so that we can consult that, instead. Knowing this information would make us feel comfortable so that we can do our job, which is teaching, not worrying about whether we're about to get fired or not.
- Carlsen-Landy replied that HR does have a policy manual, and he will email it to Moffett.
- A Senator asked how soon we would get information to address our concerns.
- Carlsen-Landy responded that it is hard to say how long it will take. He asked Senators to send Moffett a list of questions to forward to him so that he can have all the questions addressed. He stated that he would be able to respond with answers in a couple of weeks.

5. Executive Committee Action Items: Moffett explained that the Senate Executive Committee is helping APC work through some items. The following two have been developed and approved by the Executive Committee:

- EC 18-19-01: Proposal for Aligning Staff and Academic Calendars: This calendar proposal makes staff and faculty holidays the same. There will be a loss of two instructional days in the fall and two in the spring. This loss will not take us too low in instructional hours to meet federal guidelines. Moffett conceded that we will lose more Monday classes, but concerned faculty can move to TR classes or hybrid courses in which some of the instruction is done online.

VOTE: unanimous yes with no abstentions

- EC 18-19-02: Proposal for Updating the Faculty Handbook: Moffett explained that the problem with revisions is that there has not been a designated person responsible for updating the Handbook, so it hasn't been getting done regularly. This item proposes that at the end of the year, the Senate President will update the Handbook for the next Senate coming in in August. If he/she is not able to complete this

revision, the job would fall to the Secretary. The “revisions” are just updating the Handbook with what has passed Senate.

- A Senator stated that we must have the policies and procedures in our hands before we revise the Handbook. Otherwise, revision of the Handbook will just be busywork. No further work should go forward on the Handbook until we have the binding policies, specifically. What is the point of making changes to the Handbook if those changes are not policy. The administration needs to get us the policies.

- Moffett replied that he would send our questions to Carlsen-Landy for answers, but this action item is just about Senate policies going into the Handbook—policies such as the revised Academic Calendar that we just passed.

- Another senator asked, what is involved in the Senate President revising the Handbook? Is it major revisions or just archiving policies?

- Moffett replied that, until we have a website or some transparent location for policy, we need to put these Senate changes in the Handbook as a repository. The Handbook will remain in place as guidance, as an archive of Senate decisions.

- Guest Beverly Schneller, Vice Provost, stated that the revision work which Academic Affairs has been engaged in involves updating some of the descriptions/definitions of employment types, etc. Academic Affairs is not adding any policies or additional information. We have tried to use the Handbook for accreditation, but we find that there are inconsistencies in the Handbook. Regarding the “non-binding” issue, the language of the General Counsel is different from the language that we use. What we are trying to do, fundamentally, is to get all policy that is now in effect consistently stated and then try to verify it across the Catalogue, across policy locations. This Action Item designates a person responsible for adding Senate decisions relevant to policy to go into the Handbook. Right now, there is no repository for these Senate decisions. Our work is purely and clearly editorial and focused on alignment and transparent. Items like the Academic Calendar and the university organization chart that should go in a handbook are not currently in ours. We need to fix this.

- 10 minutes were added to the discussion.

- A Guest noted that the last person officially designated to update the Handbook was former Administrative Assistant Melanie Halliday. Then the task went to the Senate President to add Items from PCC into the Handbook. This new Action Item legitimizes what Senate has been doing by default already.

VOTE: unanimous yes with no abstentions

6. Curriculum Committee: Chair Leigh Whittinghill reported on the following issues:

- **CC 18-19-28: ENG 101 R**: This course would combine ENG 103: College Reading with ENG 101: Freshman Composition. The combined course is currently being piloted this semester, and its feasibility and student progress in the course are being assessed. If the pilot is deemed successful, ENG 101R would be added to the schedule this Fall, and students who placed into ENG 103 would be put in this “R” section of 101, fulfilling both their 101 and 103 requirements upon passing the course. This is a four credit course. The other students will take the regular ENG 101.

- A guest asked if “A” could be used instead of “R,” as “R” might be mistaken for “Remedial.” A friendly amendment to this effect was accepted and passed.

VOTE: unanimous yes with no abstentions

- CC 18-19-29: ENV 506: Experimental Design and Applied Statistics: The College of Agriculture has been assessing the Environmental Studies program and looking to improve students’ use of statistics. They have designed this course in experimental design and applied statistics for this purpose. This course will help students doing field work run their own statistics. The course will combine lectures on learning to use “R,” the open-source statistical program. Upon passing the course, students can decide what stats to run when doing their own studies.
- A Senator asked who will be teaching the course. Whittinghill replied that she and Dr. Cristan will be the instructors.
- Guest Kim Sipes, Deputy Provost, asked if these faculty are appropriately credentialled to teach these classes.
- A Senator responded that many institutions have professors who teach stats within their divisions who are perfectly qualified to teach in their own departments. If a PhD in stats is required to teach stats, there are very few people here at KSU who can fulfill that requirement.
- Sipes replied that she was referring to the 2018 revised SACS guidelines, which are fairly new revisions regarding faculty qualifications.
- A Senator noted that there are two math faculty with the requisite graduate hours in statistics, but there is a big difference between applied and theoretical stats. The students here need applied stats.
- Moffett noted that this is an important conversation to have, but up for discussion at the moment is this new course.
- Schneller noted that because of the new revisions to SACS, we do want to be careful and start looking at the curriculum review process. The Curriculum Committee needs to work with the Dean to make sure there are qualified faculty to teach a new course being proposed. If we do put forward a new course like this, we need to make sure there are qualified faculty. This is not a KSU rule but a SACS mandate, and all the SACS schools are now under the gun to respond to this new and more stringent standard.
- Moffett replied that this is an issue that should be addressed by the departments and Deans.
- Schneller responded that the question needs to be asked *before* the item reaches the Senate floor; departments submitting new course proposals must verify they have qualified faculty or can get them before the courses go to Senate.
- Whittinghill replied that she has made notes to revise the Course Proposal forms accordingly.

15 minutes were added to the discussion

VOTE: unanimous yes with no abstentions

- CC 18-19-30: Minor in Cultural Competency: This minor is from BSS. It contains 21 credit hours of existing courses. The goal is to increase student employability.
 - A Senator noted that nationwide, there are degrees and certificates now in cultural competency. How will this minor be different from those programs, especially if the courses in this Minor are already existing courses? Also, how will faculty be qualified to teach cultural competency? Do they need certification in cultural competency to be qualified to teach it?
 - Schneller responded that it would be preferable that a faculty member would have additional training. However, the courses in this minor could be revised to have different learning outcomes. But the challenge is that you can't teach the same course under a new cultural competency code without changes.
 - Whittinghill replied that this item needs to go back to the drawing board.
 - Schneller noted that the department has to be able to justify the faculty member's ability to teach cultural competency; the teacher should have a certificate or coursework in this area.
 - Another Senator asked, who is culturally competent and what is the standard for cultural competency?
 - Schneller responded that an example is foreign language instruction: just being fluent in a language does not mean that one can teach it.
 - A Senator pointed out that it's an interdisciplinary minor, so students are looking at the topic from many disciplines, bringing all of them together.
 - Schneller suggested a postponement on the item so that BSS faculty can work with Academic Affairs on this minor and the courses in it. She added that, from the administration's perspective, multidisciplinary programs are a bit more challenging to prove academic qualifications. They might reach out to Dr. Silver for some clarity on dealing with multidisciplinary courses. The institution has to demonstrate to SACS that faculty are qualified to teach within that track and not just in their department. We want to be sure to present this in such a way that it will stand.
 - This Action Item was tabled.
- CC 18-19-38: AFE New Courses in Fermentation and Distillation: These are four new courses: AFE 118, 130 (cross-listed with CHE 108), 359 and 459. These courses are being added for the creation of a Certificate in Fermentation and Distillation Technology. The AFE department has worked with chemistry faculty on this proposal. The introductory course will be a survey course, where students will tour breweries and distilleries. The second class will be either taught by a new hire in AFE or a current chemistry faculty member. This course covers beer, distilled spirits and fermented foods. There are prerequisites for the fermentation course (CHE 101 or the food safety course that is offered in AFE). There are faculty on campus qualified to teach these courses.

VOTE: unanimous yes with no abstentions

- Whittinghill reported that the newly revised CC documents are now on the Senate website.

7. Academic Policies Committee: Chair Marlin McKay was absent, so there was no report.
8. Faculty Regent Report: Faculty Regent Elgie McFayden was absent, so there was no report.
9. Faculty Ombudsman Report: Ombudsman Wilfred Reilly reported on the following issues:
- He has resolved some faculty cases but cannot discuss the particulars.
 - He has met with Moffett about what is needed to get the KSU Intelligence Center on board.
 - His last meeting with University President Christopher Brown had to be rescheduled due to SACS. He will meet with Brown after the SACS site visit.
 - He does not have a hard deadline for distribution of the late Tenure and Promotion letters. Several procedures seem to be running behind due to the focus on SACS and departmental accreditations.
 - He praised Dr. Swagata Banerjee on his work with China's South Central University for Nationalities to develop a student exchange program. He added that he plans to brief President Brown on the progress of this program at their upcoming meeting. SCUN, the university of registered minorities in China, has signed a Memorandum of Agreement with KSU, Ohio State University and University of Louisville.
12. Other Business:
- A Senator asked, what is the start date for fall semester? Moffett replied that it should be on the current Academic calendar.
 - A Senator asked about summer session. Moffett replied that the summer calendar needs to be set. The dates have not been set yet, apparently. In Wired, the link for summer term is still inaccessible.
13. Adjournment: The meeting adjourned at 4:37pm.

-Minutes respectfully submitted by Helen M. Smith, Faculty Senate Secretary.