

MINUTES OF THE FIFTH MEETING OF THE 2014-15 UNIVERSITY SENATE
Thursday, February 26, 2015

Members Present: 61

Members Absent: 7

The meeting was called to order by the chairperson of the University Senate, Amy Harden, at 4:00 p.m.

Roll Call was taken by initialing the roster located at the entrance to LB 125.

Members Present: S. Aegisdittor, E. Agnew, A. Beane, R. Bernot, J. Bolin, A. Brown, P. Buis, B. Byers, B. Canada, D. Caristi, B. Chang, J. Chapman, M. Chiuni, J. Christman, C. Corbin, R. Davis, P. Ferguson, J. Fitzgerald, J. Forbey, B. Frankel, J. Gruver, M. Hanley, A. Harden, J. Hesser, M. Holtzman, A. Hopper, J. Huff, J. Jemiolo, T. Jitpaiboon, J. Johnson, J. Jones-Hall, K. Kessler, T. King, K. Koch, R. Kovac, K. Kreamelmeyer, L. Lehman, I. Livshits, C. Luchs, M. Maggiotto, T. Mahfouz, S. McFadden, E. Nesson, C. Pak, S. Pattison, L. Pellerin, S. Rice-Snow, D. Singh, J. Stroh, C. Thomas, K. Thurman, D. Wheeler, R. Wijesinghe, N. Wilkey, S. Zhuk

Substitutes: Jean Marie Place for B. Brey, Payne Horning for Z. Huffman, Keith Kothman for E. Crawford, Ronald Hicks for M. Hill, Matt Stephenson for L. Julian, Glen Stamp for L. O'Hara

Members Absent: Shon Byrum, B. Collins, B. Kubel, T. Lewers, C. Munchel, L. Sullivan, B. Wagner

A motion was made and seconded (Forbey/Thurman) to approve the minutes of November 20, 2014.

The motion carried.

1. Announcements

Items I. A. (Next Scheduled Meetings), I. B. (Program Information-Enclosure #1), I. C. (Revision of membership of Events Programming and Scheduling Committee-Enclosure #2), I. D., (Revision of ex officio membership of Student Center Committee-Enclosure #3), and I.E. (Residence, Transfer, and Extension Work-Enclosure #4), were reviewed by the Senate membership.

2. There was a moment of silence to honor the lives of Frank Owens and Eugene Wagner.

3. Council/Committee/Student Senate Reports

A. Governance and Elections Committee – Chin-Sook Pak, Chair. Chin-Sook reported the committee met on January 8 and February 5, and discussed procedures relating to populating a new college (University Senate Agenda, 2/26/15, Enclosure #5). There are two steps involved.

First, the Academic Planning Task Force and Implementation Task Force are at work. Campus Open Forums have been scheduled. The Provost will submit a proposal to the senate who will in turn forward a recommendation to the President. The recommendation will be presented to the Board of Trustees and the Indiana Commission on Higher Education (ICHE).

The second step involves populating the new college. In the fall, 2015, each academic unit considering joining the new college will conduct an election within that unit. It will be under the supervision of the Governance and Elections Committee. All affected faculty within that college and having those units and programs will vote on the proposal to move. College faculty and administration from which the transfer will take place, will develop conditions and procedures for implementation.

The results of the voting will come forward to the Provost and the University Senate.

B. Faculty Council – Michael Hanley, Chair. Michael reported the council met on January 29 and discussed and passed the report of the academic titles task force. The Provost has offered to work further on the titles. They discussed and approved a new definition of Residence, Transfer, and Extension Work. It is an item in the announcements section of today's agenda. The Policy on Chronic Unsatisfactory Performance was postponed until a special meeting held on February 12. The meeting on February 12 consisted of a collegial discussion and the policy passed. It is an item on today's agenda, under New Business.

- C. University Council – Jennifer Jones-Hall, Chairperson. Jennifer reported the council cancelled their meeting on February 5, but will meet on March 19. President Ferguson will be in attendance to receive and discuss feedback from his State of University Address on February 6.
- D. Campus Council – Kevin Thurman, Chair. Kevin reported the council met on February 12 and passed the Student Code Revisions on today's agenda. The council will meet again in April and will be holding elections for 2015-16.
- E. Student Senate – Nick Wilkey, President of the Student Government Association, reported elections were held and Jack Hesser was elected president of SGA for 2015-16. The food pantry established during this academic year is proving to be too small and will be expanding.

4. Report by Chairperson of Senate – Amy Harden (University Senate Agenda, 2/26/15, Enclosure #6)

The issues in the senate system are moving forward. There were no questions.

5. Questions Directed to the President

President Ferguson commented on the following:

- Congratulated Jack Hesser and the Atlas team on their successful election. It was confirmed this election provided the highest turnout of voters in recent years.
- Appreciated the turnout for the State of the University Address on February 6. There were between 800-900 in attendance at Emens and about that same number online. This was a cooperative effort between the president's office and media faculty to include as many constituencies as possible. He was briefed today by the student media group and appreciates their work.
- The Strategic Planning Leadership Team will be meeting tomorrow. Please forward all ideas/concerns, etc., to him.
- He was in attendance at the special meeting of the Faculty Council on February 12 and heard a very strong and deep commitment to excellence and self-governance. The concern has been, "is Ball State, are the faculty, committed to accountability?" Many of you may know that conversation came up publically with the Board of Trustees. They wanted to understand where the faculty were on the policy. The President supported Provost King's leadership and fully supports and endorses the conversation at the meeting. What happened at the meeting is what should happen at a university – we must share our concerns, grievances, etc.

6. Question and Answer Period

There were no questions.

7. Unfinished Business

There was no unfinished business.

8. New Business

A. Policy on Chronic Unsatisfactory Performance (University Senate Agenda, 2/26/15, Enclosure #7)

A motion was made and seconded (Hanley, Kessler) to approve the policy.

Joseph Chapman, University Senate member, expressed concerns from some faculty in the Miller College of Business (MCOB). He believes the standards are not the same from the three departments within MCOB. He suggested research not be a component of the standards for the MCOB faculty. He also believes phased retirement should not be included in this policy.

Provost King responded to the concerns expressed by the senate members.

- With regard to phased retirement, their contract specifically states their load, which more than likely is just teaching.
- With regard to load policies, each department has an appeals policy and this can be utilized by the faculty member.

- He yielded the floor to Sushil Sharma, Associate Dean of the Miller College of Business, who confirmed faculty in that College have to have two general publications and five other intellectual contributions over a five-year period to meet the standard for satisfactory performance.

Discussion ensued. It was confirmed by a senate member that we have reviewed these concerns at the Faculty Council meeting on February 12. The departments and subunits have the power to set standards for each subunit. This would take care of their faculty and the different kinds of loads they are doing. There are many ways to do this to take care of faculty. The senate member feels there is a fear of accountability and that we need to embrace the idea of being accountable.

A senate member requested clarification concerning the location of this policy in the Faculty and Professional Personnel Handbook. In this section, it mentions both faculty and professional personnel. It is not clear how these revisions apply to professional personnel. If it applies to professional personnel, there has been no review by the University Council nor the professional personnel salary and benefits committee.

It was confirmed this applies to tenured faculty only.

A motion was made and seconded (Hanley/Kessler) to revise the first sentence in 2.5 to read:

“Two consecutive unsatisfactory evaluation years or three unsatisfactory evaluations in five years for a tenured faculty member trigger a remediation process.”

The motion carried.

Another faculty member of the senate voiced their concern over unintended consequences, such as 1) we are advisory to the president and if this does pass we need to be aware of things may happen that are unintended, 2) the thought of this leading to unionization. AAUP was contacted earlier and they found problems with this policy. This is not something we want; 2) would this discourage tenure-track faculty from coming to Ball State; 3) would this promote age discrimination; 4) would this further damage the reputation of the university given the investment problem we had a couple of years ago.

The Provost responded that AAUP’s concern was over a post-tenure policy. This policy is conforming to acceptable performance levels of those involved and doing their job. He is also sensitive to the age discrimination issue. He urged the senate to vote positively in favor of this policy.

There was a call for the question.

By hand vote (Aye – 28, Nay – 14), the motion carried to end debate.

By paper vote (Aye – 37, Nay – 19), the motion carried to approve the policy.

B. Student Code Revisions (University Senate Agenda, 2/26/15, Enclosure #8)

A motion was made and seconded (Thurman/Hesser) to approve the revisions.

Mike Gillilan, Director of Student Rights and Community Standards, was present at today’s meeting to review the revisions to the policy. The revisions pertained to leaves of absence by students, the grade appeals policy, and the academic ethics policy. The last two policies will be handled by the newly appointed Associate Dean of University College, Debbie Rodgers. The term, “dishonesty” was replaced with “misconduct,” which retains the idea of dishonesty. There was further discussion in the policy about intentionality within dishonesty. There was other revisions in language – “guilty, innocent, and punishment,” were replaced with “responsible, not responsible, and consequences.”

Discussion ensued. A question was raised about including medical leave as a leave of absence since pregnancy is included. Mike replied the committee will be reconvening to look at language associated with military leave and will also be looking at medical leave.

Another question arose as to whether the pregnancy leave of absence pertained only to the student or also includes pregnant family members? Mike replied this only applies to pregnant students.

The motion carried to approve the revisions to the Student Code.

9. Other Items

There were no other items.

10. Adjournment

A motion was made and seconded to adjourn. The meeting adjourned at 4:50 p.m.

Respectfully submitted,

Lisa Pellerin, Secretary

/mt