

Faculty Senate Meeting

Wednesday, August 25 2010, 1:30 PM

Faculty Senate Chambers, JUB 100

AGENDA

1. Roll Call

2. Approval of May 3, 2010 Minutes

3. Treasurer's Report

4. President's Report

- a) Summer Updates – July 1 and July 27, 2010
- b) Standing Committees – unable to fill all vacancies?
- c) Speakers at upcoming Senate meetings:
 - Sept. 13 – Dr. Rich Rhoda
 - Oct. 11 – Dr. Charles Manning
 - Nov. 8 – Senators Bill Ketron and Jim Tracy
- d) Faculty Blackout tailgate – Oct 5, 2010

5. TBR Faculty Sub-council and TUFS Report

- a) Alfred Lutz

6. Old Business

- a) Letter of thanks to Diane Miller – delivered by Deb Belcher

7. New Business

- a) TUFS motions – need vote on each by MTSU Senate
- b) Changes to T&P policies – need to better involve and inform faculty
- c) Changes to Grade Appeal policies – updated to reflect college restructuring
- d) College of Business – need representative to Steering Committee
- e) Senate Parliamentarian – need volunteer

8. Adjournment

7/1/10

Faculty Senate News:

Deb Belcher has accepted the interim chair position in Human Sciences, effective July 1. Per Senate rules, she is no longer eligible to serve on the Senate. My many thanks to Deb for her years of service to the Senate, and best wishes in her new job.

Pat Wall will not be able to represent the College of Business on the Steering Committee. We need a current Senator from the College of Business to replace her. I would appreciate nominations.

Rich Rhoda, THEC Director, will meet with the full Senate at its September meeting. Charles Manning, TBR Chancellor, will meet with the full Senate at its October meeting. The purpose of their visits is to explain and answer questions regarding THEC and TBR's roles in the budget process, and the expected impacts of the Complete College Act on MTSU. I have asked Senator Bill Ketron, a member of the Senate Education Committee, to meet with the full Senate at its November 8 meeting (after the election), but have not received a response.

The Faculty Senate Retreat will be held on August 25. I have invited President McPhee, Brad Bartel, and Deb Sells to speak to us in the morning. Lunch will be in an on-campus cafeteria (cheaper than catered), followed by a meeting of the Senate to identify major agenda items for the coming academic year. There will be no afternoon reception.

Per Senate resolution, Deb Belcher sent a letter of thanks from the entire Senate to Dr. Diane Miller. Please let me know if you would like to see a copy of the letter. Deb also sent thank-you notes to all 2009-10 speakers at Faculty Senate events.

The second annual Past Presidents' Luncheon was held at the Heritage Center in late May. My thanks to Deb and Gay Johnson for doing all the work!

Other News:

New Academic Affairs Appointments – Please see President McPhee's July 1 email.

At its most recent meeting, TBR approved:

- faculty raises associated with promotion. No other raises were approved.
- a new undergraduate degree in Dance at MTSU (Congratulations to Kim Nofsinger!)
- a tuition increase, which will average ~ 7% for MTSU students.
- MTSU restructuring plan, as proposed by President McPhee

TBR will hold its Fall meeting at MTSU on September 23 and 24.

MTSU Graduate school applications are up for 2010-2011 as follows:

- 71% increase in international student applications
- 15.5% increase in applications overall

Undergraduate enrollment is projected to increase ~3– 4% in Fall Semester.

President McPhee would like for me to tell you that MTSU is on-target to meet its budget cuts for the coming academic year, and barring additional cuts no faculty layoffs are anticipated.

President McPhee also asked me to tell you that he has not forgotten that the faculty has not had a salary increase for three years, and that although it is not possible to grant salary increases now he will try to address the issue once we get through the budget crisis. Of course, he cannot make any promises regarding future salary increases.

TBR has reserved funds to support improvements in faculty research methodologies. The faculty will receive via email a survey from TBR regarding various statistical software packages. This primarily will apply to faculty in the social and natural sciences. Dr. Bartel has asked that TBR extend the policy to other disciplines.

It looks as though the State will be able to fund the proposed supplemental longevity payment, and continue funding the \$50 retirement plan match.

TBR is conducting a search for a new Chancellor. It appears that TBR is leaning towards a candidate (Deputy Governor John Morgan), who holds a bachelors degree, but does not hold a graduate degree. Alfred Lutz, our TBR Faculty Sub-Council representative, will report on this issue at the Aug. 25 Senate retreat.

Rick Moffett will step down as Assistant VP for Academic Affairs at the end of Fall Semester. Dr. Bartel requests faculty feedback on the possibility of turning this position into a rotating fellowship for faculty interested in moving to administration. Also, responsibilities of the Assistant VP for Academic Affairs no longer will include General Education.

Graduate School applications are up, but some graduate programs are turning down qualified students due to limited numbers of faculty in those programs.

There are changes being made to the student grade appeals policy. According to the Provost's Office, these are changes in language only and do not affect the grade appeals procedures or content. (Please see the attached file.)

The position of Vice Provost for International Affairs will be re-advertised. The new search will begin in August.

A search for a permanent Dean of the Library will begin in August.

Approval of the Parking Garage is final. The Student Government Association president supports construction of the parking garage.

The name of the Department of Academic Enrichment has been changed to the Department of University Studies.

Faculty Senate Updates (7/27/10)

The Provost is aware that some faculty are feeling overwhelmed for not being compensated for supervision of dissertations. This is especially a problem during the summer. Dr. Bartel's position is that faculty should in some way be compensated for their work.

The Provost and VP for Student Affairs are concerned that there is not campus-wide support for enrollment of freshmen in UNIV 1010.

Dr. Terry Whiteside has accepted a two-year appointment as Dean of the College of Behavioral and Health Sciences.

Dr. John Omachonu has accepted the position of Interim Vice-Provost for Academic Affairs. A national search to permanently fill this position will be held this academic year.

President McPhee would like to emphasize his commitment to shared governance, active engagement of faculty, and exchange of ideas between the faculty, his office, and Academic Affairs.

The MTSU Institutional Profile has been sent to THEC for approval. (Please see the attached file.)

President McPhee is confident that efforts to 'shift down' MTSU's mission are so far not successful. However, the most recently proposed version of the new funding formula would give MTSU \$7 million less than the old (current) funding formula, assuming that the formulae are fully funded. However, because the new formula is outcome-based, it allows for increases in funding based upon successful achievement of specific outcomes. (Note: There is confusion among the faculty regarding this and related issues, such as how MTSU's Carnegie classification does/does not impact faculty salaries. This might be a topic we want to ask Dr. McPhee and Mr. Cothorn to discuss at the senate retreat.)

Stephen White has been named Director of Financial Aid.

Dr. Sheila Otto has been named Director of General Education.

Dr. Mark Byrnes has been named Interim Dean of the College of Liberal Arts. A national search for a permanent dean will begin this fall.

Promotion and Tenure:

- MTSU's promotion and tenure guidelines were recently updated to bring them into compliance with TBR's guidelines. An email was sent to the faculty regarding the updates. Dr. Bartel received numerous emails from faculty requesting clarification of the changes, and there is some confusion as to whether all the updates were brought to the Faculty Senate for discussion. Accordingly, Dr. Bartel is concerned that when changes are made to important policies and guidelines, such as Promotion and Tenure, that the faculty is assured that the proposed changes are discussed in the Faculty Senate and by all other appropriate university personnel.
- TBR is receiving a greater number of system-wide tenure and promotion appeals, many of which are a result of candidates not following P&T guidelines. Dr. Bartel encourages the faculty to carefully read the TBR P&T guidelines so that nobody is turned down for this reason. (Note: This might be an issue we would like to discuss in more detail with Dr. Bartel at the retreat.)

To: MTSU Faculty Senate

From: Alfred Lutz

Subject: Report on recent meetings of the TBR Faculty Sub-Council (July 23, 2010) and Tennessee University Faculty Senates (August 6-8, 2010)

Date: August 12, 2010

For those of you new to the Senate, let me introduce you to the composition and purpose of the TBR Faculty Sub-Council and Tennessee University Faculty Senates (TUFS).

TBR Faculty Sub-Council: TBR Policy 1:03:04:00 establishes “five sub-councils to the Joint Presidents' Council. These shall be the Academic Affairs, Business Affairs, Student Affairs, Technology Centers, and Faculty Sub-Councils.” The Faculty Sub-Council is composed of one representative each from the four-year institutions and the community colleges. The council holds quarterly meetings. It has “the opportunity to present reports and recommendations to the Chancellor through the Joint Presidents' Council.”

Tennessee University Faculty Senates (TUFS): Founded in 2008, TUFS brings together, for the first time, representatives from the Senates of the UT system (UTK, UTC, UT-Martin, UT-Health Sciences Center) and the four-year TBR institutions (MTSU, Memphis, ETSU, TSU, APSU, and TTech). This association has as its purposes: “(1) To facilitate communication and cooperation between the various Faculty Senates and Councils of the State of Tennessee’s public universities; (2) To foster the role played by the Faculty in the shared governance of Tennessee’s public universities; (3) To represent the missions, accomplishments and needs of public universities to state agencies and to the general public of the State of Tennessee” (TUFS Constitution).

TBR Faculty Sub-Council Report:

1) The following motions were passed:

a) Faculty Representation on Chancellor Search Committee (<http://tinyurl.com/27j6q4z>)

As you know, the TBR chancellor search committee (as opposed to similar committees in the UT system) does not include a single faculty member. Both Chancellor Manning and Dr. Short, VP for AA, indicated that they believe that the TBR faculty should have representation on such committees. (This view is supported, by the way, by Senator Andy Berke, who is a member of the Senate Education Committee.)

b) Requiring TBR Institutions to Include Faculty Senates in the Approval Process for the THEC Master Plan (Public Agenda for Higher Education) (see above link)

- 2) **Bonus:** A supplemental longevity payment (this replaces the 3% bonus discussed earlier this year) will be made to state employees in the amount of \$50/year, with a minimum of \$150 and a maximum of \$1250 **IF** by October 1, state revenues, as determined by the State Funding Board, have increased by an additional \$50,000,000.
- 3) **Action item:** The council voted against approving the **A-100 Guideline** (redesign of the former Developmental Studies Program).

TUFS Meeting Report:

- 1) TUFS passed the following motions:
 - a) TUFS supports the legislative plan that the one-time bonus [see #2 above] be based on longevity.
 - b) TUFS will contact the national office of the American Association of University Professors (AAUP) regarding the procedures used in the selection of the TBR Chancellor and for possible investigation and evaluation.

Since the TUFS Constitution stipulates that motions passed at the meetings of the association have to be approved by the majority of the member senates, these motions will come before the Senate.

- 2) Senator Berke invited TUFS to meet with the Senate Education Committee this fall. Would you please be so kind as to pass on to me issues that you think should be addressed at that meeting.
- 3) **Academic Freedom after *Garcetti v. Ceballos*:** According to *Academe*, the bi-monthly magazine of the AAUP, the Supreme Court majority ruled in *Garcetti* (2006) “that when public employees speak ‘pursuant to their official duties, the employees are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline’, regardless of whether the speech implicates matters of public concern” (*Academe*, November-December 2009, 67). Since the *Garcetti* ruling, courts have reached wildly disparate conclusions in cases affecting academic freedom issues. It might be a good idea to request that MTSU’s and/or TBR’s legal counsel inform the faculty what, if any, repercussions *Garcetti v. Ceballos* has for faculty members.

Additional Items:

- 1) Several weeks ago, MTSU announced, via e-mail, that several policies, among them the T & P policies, had been updated. The message provided links to the updated policies but not the superseded versions. This made it virtually impossible for faculty members to compare the two versions. It may be worth adding that the faculty was not involved in the process of revision. It seems to me that this is not acceptable, and I propose that we consider suggesting the following: (1) The intent to change an MTSU policy will be communicated to the Senate; (2) The faculty will be represented in the process by a senator or another faculty member appointed by the Senate; (3) The proposed revision(s) will be routed through the Senate; (4) The revised policy will be distributed to the entire faculty with changes highlighted; (5) The superseded version of the policy will be archived for at least 5 years. (Access to older versions of a policy may be important in grievance cases.)

Thank you, as always, for allowing me to represent you on these bodies.

Best wishes,

Alfred Lutz

Professor, English Department

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TUFS - Motions to be considered for approval by the MTSU Faculty Senate

1. TUFS supports the legislative plan that the one-time bonus be based upon longevity. (Passed by TUFS: 9 yes, 0 no)

2. TUFS should contact the national office of the AAUP regarding the procedures used in the selection of the TBR Chancellor and for possible investigation and evaluation. (Passed by TUFS: 9 yes, 0 no) NOTE - See attached file : AAUP email 8.13.10

3. As the THEC Public Agenda is being implemented, member Senates utilize TUFS for consolidating the response from those member Senates so that a consolidated voice can be given to legislators. (Passed by TUFS: 9 yes, 0 no)

4. As TUFS has been asked to make a presentation on the THEC Public Agenda to the Tennessee Legislative Education Committee, each Senate should propose to the TUFS Executive Committee discussion points, concerns and strategies for the presentation. (Passed TUFS: 9 yes, 0 no)

5. In matters that are time sensitive, after consulting with the Executive Committee of TUFS and the faculty senate presidents of all of TUFS membership institutions, the president of TUFS is authorized to communicate to the public the consensus of those consulted. (Passed TUFS via email vote: 8 yes, 2 no response)

6. TUFS endorses that the APSU Senate pursue a change in Tennessee law (TCA 8-50-925) to expand faculty sick leave banks to faculty family leave banks with the local legislator who serves on the House Higher Education Subcommittee. (Passed TUFS 6 yes, 2 no on 4/10/10)

From: Coley McGinnis <coleymac@comcast.net>
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Subject: Search process

A week ago the Tennessee Board of Regents, which oversees the sixth largest system of higher ed in the country, concluded a search process for a new chancellor which explicitly excluded faculty from representation. (In fact, the board appointed its student member to the search committee but refused to include the faculty representative.) The appointee is someone with no experience in higher ed and who possesses only a bachelor's degree. In fact his entire career has been in state government. (A bill had been introduced into the legislature last spring to eliminate the requirement for both system-level and campus-level heads to have terminal degrees. It was widely speculated at the time that the individual now appointed TBR chancellor was the primary reason for the bill. Though it was withdrawn, TBR removed that requirement on its own and proceeded with the search. Of the six finalists, only one was interviewed. The others were deemed "not qualified.")

Several of our members have raised questions about whether AAUP has any policies regarding searches for system-level searches that might have been violated in this process. It is highly unlikely that this decision can be reversed, but, ironically, the state's other system, the University of Tennessee, is also conducting a search for its president, and though there appears to have been some effort to ensure a faculty voice in the process, there is a real concern that similar political forces may come into play. A legislative committee is going to look into the TBR decision this fall, and we may be asked to provide input. Is this anything the National office would be interested in exploring if the opportunity presents itself? Are there specific AAUP policies that have been violated?

I would appreciate any help you might be able to provide. We are treading carefully here, because the new chancellor is very well connected politically and could be of help if we could gain him as an ally. We don't want to appear to be attacking him personally. But the process certainly left a lot to be desired and could be a very unfortunate precedent.

H. Coleman McGinnis, President and Director of Government Relations
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