#19

INDIANA STATE UNIVERSITY

FACULTY SENATE, 2019-2020

**EXECUTIVE COMMITTEE**

**April 14, 2020**

3:30pm, Via Collaborate

Members present: M. Chambers, K. Games, R. Guell, S. Kopaczewski, C. MacDonald, R. Peters, S. Phillips, V. Sheets, E. Wittenmyer

Absent Members:

EX-Officio Not Present: President D. Curtis

EX-Offico Present: Provost M. Licari

Guest: R. Gonser, B. Butwin

1. Administrative Reports:
   1. President D. Curtis – No report
   2. Provost M. Licari
      1. Congratulations to Liz Brown, Keri Yousif, and Robert Guell on being elected as the Senate Officers for the next school year. I look forward to working with you.
      2. A lot has happened since the last time we met. We have updated the plans for virtual commencement. We have also pushed it back a week to ensure that there is enough time to send out the graduation packets to the students. The new date will May 16 at 2 pm. We are trying to work out a synchronous tassel turn. The organization and shipments of these packets has been a monumental task, but we want to make sure that all students get their graduation material along with Alumni information and honors materials.
      3. We have moved New Student Orientation to an online format. We will start having students work with their advisors to create schedules and more of the other complex items that need to be done can be. We will hold a live virtual event to introduce a few people. Before the virus happened, we had been well ahead of our sign up for New Student Orientation goals for the start of next year. Since that time, we have lost numbers and are now behind our goals. Hopefully, we will get back on track with that.
      4. At this time the budget is unknown as the State of Indiana is under financial pressure. There are a lot of unknowns at this time all we know is that it isn’t going to be good regarding numbers. Just for a frame of reference, our economic region would normally only see twenty-five to twenty-seven new unemployment filings a week. In last couple of weeks there have been twenty-eight to twenty-nine hundred which is a lot more than the normal filings. This is also happening across the State so they are burning through its reserves. It had a stockpile and we don’t know what it will look like coming out of this. There will be a lot of pressure as tax revenues goes down. The uncertainty for us would ideally be offset by the Federal Government. The challenge for is that half of that help will go straight to the students that are also under financial challenges so it is great for them. The other half is linked to budget expectations on part of the State. In order for Indiana to claim the other five million dollars, the State would have to maintain our budget at the average of the last three years, so that the question is if they can afford to do that. So that potential life may not be there as the State contemplates budget reductions because they can’t spend money they don’t have. This is the basis of the discussion to pause hiring decisions until at least the middle of May because I don’t have enough information about the budget and I don’t want to accidently dig the hole any deeper. Summer will still go on as normal and I don’t believe there is no reason not to do it. The mind set needs to be revenue maximization. We don’t need to blow up the summer budget. Things are going to be challenging but I will be working with the officers on an approach to handle the situations as they arise.
2. Chair Report: C. MacDonald
   1. We are now in the home stretch there is only one more formal Exec meeting. This is often the busiest time of the year. And then the pandemic hit… so now we are even busier. Your officers continue to work with the administration to plan for how we can continue to operate in the future, both in terms of regularizing electronic participation, and in case the stay at home order is extended through the Fall. This is why you have Files 2 and 3 in front of you today. Since File 2 requires a change to the constitution and bylaws, if it passes today, it will need to be read at one meeting of the Senate and voted on at the following meeting, to be followed by a vote of the full faculty. Given that there is only one Senate meeting left this semester, I am going to suggest that it go to the Senate in the Fall, and that we adopt these as “general operating procedures” in the interim, and that these general operating procedures might be approved at the Senate meeting on April 30.
   2. File 3, the “Break the Glass” plan more directly deals with exigent circumstances that may arise, particularly over the summer, and into the Fall. Faculty governance, as a whole, does not traditionally operate over the summer, yet if the crisis continues, we may need to exercise our primary (and advisory) authority during this time period, and to do so in a timely and nimble way. This plan would allow for that.
   3. Regarding the budget, we will be asking the faculty for their input on our priorities in case we need to make substantial budget cuts. A Qualtrics survey will go out in the next Musings.
   4. I also want to congratulate the new Senate Officers for 20-21. The Chair will be Liz Brown, The Vice Chair will be Keri Yousif, and the Secretary will be Bob Guell. I hope you will thank them all for their service and leadership!
3. Approval of March 31, 2020 Minutes -- File #1

Motion to approve R. Guell, M. Chambers: 8-0-1

1. Fifteen Minute Open Discussion
   1. Student enrollment goals
      1. R. Guell- Are we behind our goals or behind where we were at last year?
      2. M. Licari- We are behind our goals for the fall. We actually had been over what we had budgeted for before the virus hit. That fact compounds the frustration of situation as we are now behind. We are still creating incentives for students to enroll. We are hoping they work, so we do have encouragement moving forward, but as of today our numbers are still down.
   2. Hiring Pause
      1. R. Guell-Are we planning pausing renewals on all instructors or only those whose contract is up?
      2. M. Licari- For the pause it is actually only on any new action that needs to be taken.
      3. V. Sheets- This a follow up, what about the instructors that have already received letters from your office?
      4. M. Licari- If they have received their letter then those are done.
   3. Textbook rental returns
      1. M. Chambers- I was speaking with an advisee the other day and they asked about returning rental textbooks. This student is normally on top of things, so for her to not know means to me that there is some sort of disconnect. I know that we discussed that at a meeting but I didn’t have the information in front of me to tell them. Can a reminder be sent out to the students about what is happening?
      2. M. Licari- That message came out of the bookstore. I will follow up with them. Since the last time we talked there has been some changes made by the bookstore. They have extended the deadline to return the textbooks to the start of the fall semester.
2. GC item: Psychoeducational Assessment (new certificate) <https://indstate.curriculog.com/proposal:4352/form>

Motion to approve V. Sheets, R. Guell: 9-0-0

* 1. R. Gonser- This is a certificate program for professionals. Schools are hiring counselors and giving them different titled jobs because they don’t have a license. This is quick way to get the training without having a full degree in school psychology.
  2. C. MacDonald- To practice as a school psychologist, you need to be licensed. That requires more course work then what the certificate would do.
  3. R. Gonser- This would provide those students to take some courses so that they have some training to be able to sit in those positions. This also offers a chance for them to migrate to a degree program after they are certified.
  4. M. Chambers- In addition to having the certificate these students could transfer into degree seeking students down the road?
  5. C. MacDonald- That is correct. A large number of these courses would transfer right into an Ed.S. or Ph.D. in school psychology.

1. Electronic Participation Language (145 & 146) -- File #2

Motion to approve M. Chambers, S. Kopaczewski: 9-0-0

* 1. M. Chambers- I am looking at this and the break the glass plan. We have different ways in which to handle email voting between them. I was wondering if we wanted to try to make them more consistent.
  2. C. MacDonald- Where do you see the differences?
  3. M. Chambers- We have one week for voting under Break the Glass after 72 hours of email debate. There is nothing about that 145.4.1.1.3 (it actual has a typo and says 146 but should be 145).
  4. C. MacDonald- During the summers we don’t have regular meetings and it was necessary to specify timelines.
  5. R. Guell- My thoughts were sequential and I wrote this (145) a week before I wrote Breaking the Glass. I was the first author on both of these ideas. Randy’s email to the officers and M. Licari that questioned what we did last month being called a meeting and the confusion on what we were voting on originally was what prompted both documents. Everything that we did was in good faith and I thought were completely legitimate in the process. If we are going to do something outside Robert’s Rules of Order we need to be able to have a process that doesn’t just let people vote and remove votes whenever they want. We need to have a period of email discussion before a period of voting after. I would propose a motion to move the provisions from Break the Glass into 145.
  6. C. MacDonald- So you are motioning to move ‘In such a case, not less than one week of time for voting shall be allowed. Voting will not be allowed until the question has been debated for 72 hours via email. All comments should be directed to the entire Senate membership,’ into 145.4.1.1.3 Emergency Circumstances.
  7. R. Guell- That is what I am recommending and I will make it a motion.
  8. V. Sheets seconded the Motion. 9-0-0
  9. R. Guell- I imagined a possibility of what we are going to try to do on Thursday, which is at a sequential meeting after an emergency vote to codify it. The events of me authoring these was out of order. In my mind let’s vote on the amendment to make email voting better then working on how to make all of this legitimate.
  10. M. Chambers- I know we don’t normally have meetings over the summer and there are items that sometimes will need to be taken care rather quickly. Should we change one week to five days? It could be longer depending on what the situation is.
  11. R. Guell- I think that Mike is correct that we might need to take care of something quickly and that five days is a good start. We can still keep the seventy-two hour provision.
  12. S. Kopaczewski- Are we considering email exchanges a contemporaneous meeting? Would the rule of the email vote be different with the contingency of the contemporaneous meeting that is in the handbook language?
  13. C. MacDonald- No, they would not be considered a meeting. Contemporaneous meetings are meant to capture what we are doing here or if someone is out of state for a conference they could still attend the meeting. The vast majority of us would be in one group while a few people would join via a web conferencing platform.
  14. S. Kopaczewski- They would be voting contemporaneously too, do we need that time frame to be part of the language?
  15. C. MacDonald- The language only applies to the emergency circumstances.
  16. R. Guell- Erik Southard asked last year if there was a way to make it possible for people to attend meetings via a web platform. Passing this would also allow faculty that teach out of state to be part of the Senate for the first time in our history. The emergency voting has a higher standard as we won’t always be able to get a quorum to meet at the same time during a scheduled break. During that time, something remarkable might happen that might need for us to call a question on primary authority. We have seen some emergency circumstances and they have been legitimate, but we have been playing with fire by not having a procedure in place.
  17. V. Sheets- Did we alter the dates for the meeting?
  18. M. Chambers- We have not made a motion yet.
  19. R. Guell- I will ask unanimous consent to change one week to five days.
  20. M. Chambers- Where would we place those three sentences?
  21. C. MacDonald- I would assume at the end.
  22. R. Guell- That makes the most sense.
  23. R. Peters- I understand emergencies arise but we need to understand that we are violating the deliberative process that is in Robert’s Rules of Order. I sent the officers quotes from the new version of the Robert’s Rules of Order that are in print. I just think that has to be a different way to take vote. Maybe we change the amount of Senators that need to be present and that would still have us in accordance to Robert’s Rules of Order. This would still be following a deliberate process. I am worried that some of the emergency circumstances can cause us to not to be deliberative about our process and not have debates.
  24. R. Guell- I do have not ability to disagree with Randy because he is correct. I do think that is the ability to repair the issue is to tack on the phrase at the end of emergency circumstances statement. ‘The result of the vote does not constitute a meeting, but will be transmitting to the administration a sense of the faculty and will be voted on at the next regular senate meeting’. So that would allow us to provide our primary authority input in the best way possible in circumstances that we have no other choices. So as to not to get crossways we would bring it up at the next meeting and vote on the matter. This would allow the administration to act in good faith with the known information on the emergency. The actions would be its own actions and we would not reverse them. At the next senate meeting we would decide if it was a proper action or something that should not have been done. The administration would have the ability to call a Board of Trustees meeting with or without our input and create an emergency change without us. By doing this, it gives us a say on primary authority.
  25. R. Peters- In principle, I thank you for your idea. I still don’t understand, even with this last emergency, with the all of the tools that are already in place in the Constitution to call a meeting without much notice, why it wasn’t done. There could have been a discussion for a certain time frame then a synchronous meeting could have been held with at least audio to collect the votes. I feel like we could have handled the last emergency circumstance differently. I don’t feel that this gets us to that to the point that we need to be at. So if we have that type of vote then we have the regular meeting and the Senate vote against whatever the emergency was. That is my consternation.
  26. C. MacDonald- I understand your consternation but I do believe what Bob has constructed will get us around most of those issues that happened during our imperfect session. I know one of our issues is around making a quorum and you did touch on that, but I don’t think reducing our numbers is the right way to approach that.
  27. S. Kopaczewski- I am with Randy. If the Board can schedule an emergency meeting then why can’t the senate schedule something? If there is a discussion for five days that should allow for enough time to schedule a meeting. This would allow enough time to have a deliberative process. The conversations over email and in person would be quite different. If there is a way to have a meeting then we should.
  28. M. Chambers- I have the Robert’s Rules of Order open. I am looking at it. There needs to be a chance to have a meeting like this. Not to collect the votes but to have the discussion. It might be possible to call an emergency meeting and set a time limit, but have the votes collected by email afterwards. Robert’s Rules of Order is saying that there needs to be oral communication among participating members. We could call a meeting and if quorum is an issue we will have to touch on that. We could collect votes through email and I don’t believe that would violate Robert’s Rules of Order. The key point is the discussion orally.
  29. V. Sheets- I disagree that I could not be deliberative through email based on the information that has been provided. I would argue that I could be more deliberative in an email setting the when pressed in an oral circumstance. We already do lots of voting via email. We are voting for Executive Committee members now without having an open discussion with stating the value of representing every college. I understand we want to follow Robert’s Rules of Order, but we should be able to modify those to meet our circumstances.
  30. K. Games- Can we modify our own procedures or are we 100% bound to Robert’s Rules of Order?
  31. C. MacDonald- We have to look that up.
  32. M. Chambers- Robert’s Rules of Order: “Therefore, a group that attempts to conduct the deliberative process in writing (such as by postal mail, e-mail, "chat rooms," or fax) -- which is not recommended-- does not constitute a deliberative assembly. Any such effort may achieve a consultative character, but it is foreign to the deliberative process as understood under parliamentary law."
  33. R. Peters- A discussion can be moved by the tone of a voice. A person can get more out of an oral conversation then out of an email. I agree with Mike we need to have opportunities to have discussion so we can make a better determination before voting.
  34. R. Guell- So Randy, the clause that is Senate may conduct a vote of the Faculty Senate when no other means of conducting business on a matter primary authority exists. If one of these meetings is possible then that is what we would do. Is it enough that both the Provost and the Chair of the Senate have to agree that there is not another way possible for a meeting?
  35. R. Peters- I understand. I also realize that was written in response to the circumstance that we just had. If we would have to do it again would it be differently?
  36. R. Guell- If we would have thought about it a little longer we might have done things differently. We might have said let’s try a senate meeting on the Friday of Spring Break and scramble to get a quorum.
  37. C. MacDonald- I am going to interject here. We did what we thought was best given the time constraints we had and given that it was Spring Break. Many people might have had other commitments during this time. Going forward we can try to schedule meetings by asking for RSVPs first then if I have enough I will schedule a meeting or I will have a discussion followed by an electronic vote if I didn’t get enough. I did what I did because I didn’t think we could get a quorum.
  38. V. Sheets- I read what Mike put forth from Robert’s Rules of Order and to me it was what Bob has written into the language. I am willing to accept that the Faculty Senate Chair and the Provost can jointly make a determination when that circumstance exists. I am in favor of this.
  39. R. Peters- I will say this. I get it. I will vote for it. I hope that we can convey what we are saying today with the incoming Chair.
  40. C. MacDonald- All I can do is give you my would that I will share this information with the incoming Officers.
  41. R. Guell- Do we want to add the sentence “The results of the vote shall not constitute a meeting but will constitute the sense of the Senate and will be subject to a vote at the next regular senate meeting.” Randy do you need that added?
  42. R. Peters- That would make me happier.
  43. C. MacDonald- The one part that was left out was “and will be transmitted to the administration,”
  44. R. Guell- Consider that part of the motion as well.
  45. Kent sent via chat “The results of the vote shall not constitute a meeting and will be transmitted to the administration, but will constitute the sense of the Senate and will be subject to a vote at the next regular senate meeting” through chat.
  46. M. Chambers second: 9-0-0
  47. C. MacDonald: This won’t be able to go into the handbook until this goes through all of the further stages. I would recommend that this be voted on as our operating procedures in the interim.
  48. M. Chambers second: 9-0-0

1. “Break the Glass” Plan – File #3

Motion to approve S. Kopaczewski, S. Phillips: 9-0-0

* 1. R. Peters- Do we need to make this align with the emergency procedures?
  2. C. MacDonald- We need to change it to five days and add “The results of the vote shall not constitute a meeting and will be transmitted to the administration, but will constitute the sense of the Senate and will be subject to a vote at the next regular senate meeting.”
  3. R. Guell- Randy thank you for making us look at our own rules and to follow them. I would like to thank Chris for all that she has done this over this last month. She has done an excellent job. My concern was that we needed to do the right thing and make sure it gets done, and Randy has made sure that we did in a proper way.
  4. C. MacDonald- I concur.

1. Liaison Reports
   1. AAC: No report.
   2. CAAC: Approved two minor programs.
   3. FAC: We met last week and we will meet again on the 23rd. We have a question regarding the charge for the conflict of interest policy. What was the situation driving this?
      1. C. MacDonald- This would be that the current policy says it is okay for a professor to sleep with their students as long as they tell their chair. Katie is working on this.
      2. V. Sheets- One of our thoughts was that it was related to the sports betting policy. What I am taking from this is that we don’t actually need to be working on this until Katie is done with what she is creating.
      3. C. MacDonald- Yes. She has shown me a draft and I have given her some feedback
      4. K. Butwin- This is an important thing we need to do. The plan will be to separate the sex part from the money part and have different approaches. We all started with the amorous relations policy about six years ago.
      5. C. MacDonald- Without going into the whole history, this is currently part of that is the conflict of interest. We need to pull out amorous relations then tighten it up.
   4. FEBC: Meets tomorrow. The topic of conversation will be related to summer teaching. I would like to ask Mike Licari a question so they won’t generally be wasting their time. They are contemplating the stage of compensations. They would like to move it towards a per head compensation style to help avoid budget games being played.
      1. M. Licari- So are you saying they want to link compensation to class size?
      2. R. Guell- I am going to say they are think something along the lines of $500 per head which is about half of what the class would make. This would be instead of the percentage they make per class which would generally be about half of the tuition. This would help get rid of some of the game playing.
      3. M. Licari- What you are trying to do is present a linear relationship between class size and pay rather than this lumpy thing we have now. The philosophy of that is okay but the devil is going to be in the details. I have talked with the Senate Officers that we need to find a new approach to summer school to get away from the game playing.
      4. C. MacDonald- I agree that attention need to be in the details. I can see problems on both ends. We might want to put a cap a class size, because there might be people that want to teach large sections of their class just to make big bucks.
      5. M. Licari- That makes sense, there are classes that can pack in a lot of students then there others that can only get so many students in the class. We need to think about how to draw that relationship.
      6. C. MacDonald- I am also thinking about programs that only have so many students, and that is a natural cap to the class size. It seems unfair to penalize those professors by paying them less then ones that can pack students in.
      7. R. Peters- I have a situation where I am asked to not let certain professors teach summer classes, even though it is their program, due to cost. I am sometimes forced to replace them with a teacher that is less qualified then the one that needs to be teaching the class.
      8. R. Guell- There are a number of games out there and we need to find a new way to approach summer school. I don’t see this happening before the 2021 summer session.
      9. M. Licari- Like I said the devil will be in the details.
   5. GC: Not much to report. We had a meeting last week, however there was a miscommunication regarding the meeting time and I missed a portion of the meeting. So I am waiting on the minutes to give a full report.
   6. SAC: Has not met.
2. Adjournment 4:50 pm