

#4

INDIANA STATE UNIVERSITY
FACULTY SENATE, 2015-2016

November 12, 2015

3:30pm, HMSU Dede III

Final Minutes

Members Present: A. Anderson, C. Ball, K. Berlin, L. Brown, B. Bunnett, J. Conant, E. Gallatin, R. Guell, D. Hantzis, M. Harmon, T. Hawkins, J. Kuhlman, A. Kummerow, K. Lee, C. MacDonald, S. McCaskey, C. Paterson, J. Pommier, V. Sheets, E. Southard, S. Stofferahn, H. Tapley, P. Bro, E. Hampton, S. Lamb, D. Malooley, M. Schafer, K. Bolinsky

Members Absent: K. Bolinger, B. Corcoran, T. Foster, N. Goswami, J. Kinne, I. Land

Ex-Officio Present: D. Bradley

Ex-Officio Absent: M. Licari

Guests: L. Spence, B. Whitaker, J. Powers

1) Memorial Resolutions

- a) Vote to approve resolution: 29-0-0.
- b) L. Brown: Dr. Carl Thomas Pitts was born on November 4, 1936 to Loren and Lucille Woodall Pitts in Vincennes, Indiana. He died on March 2, 2015 at his home in Terre Haute, Indiana with his wife Sharon at his side.

Dr. Pitts earned a Bachelors in Mathematics Education in 1961 and his Masters of Art in Mathematics in 1962, both from Indiana State College. He then taught mathematics at Wiley High School for two years where he served as an assistant coach for basketball, cross country, and track. He was then hired as the boys' basketball head coach at Brownsburg High School and served as the department chairman there.

In 1973, Dr. Pitts completed his Ph.D. at Indiana State University and joined the faculty in the Department of Mathematics. During his time at Indiana State, Dr. Pitts served on the ISU Athletic Committee, was President of the Indiana Council of Teachers of Mathematics, and was the faculty sponsor of Pi Mu Epsilon, the mathematics honor society. He presented at numerous National Council of Teachers of Mathematics conferences. Dr. Pitts was the first Title I math consultant for the Vigo County School Corporation.

Dr. Pitts was active in the community. In 1990, Dr. Pitts was elected to his second term on the Vigo County School Board, representing the West Terre Haute area, he was active in the Masons, serving as the Executive Secretary of the Scottish Rite from 1981 through 2006. He was a member of the Zorah Shrine, the Elks, the Strawberry Hill Cannoneers, Jesters Court 45, Kerman Grotto, Indiana Retired Teachers Association, and the Wabash Valley Central Labor Council. Dr. Pitts received the Margaret Banker Community Service Award, the Distinguished Hoosier Award, and the Community Leader of America Award.

THEREFORE, BE IT RESOLVED that the Faculty Senate of Indiana State University express to the Pitt's family its sincere sympathy and condolences, and that it further express its appreciation for the service, care, and dedication Thomas gave to his students, the faculty, and the university.

BE IT FURTHER RESOLVED that this testimonial be placed in the minutes of the Faculty Senate and that a copy be transmitted to his family.

2) Administrative Reports:

a) President D. Bradley

- i) I would like to bring you up to date with the Strategic Plan process. Key-question committees have progress reports due to the Strategic Planning office on Monday. I'm sure they will all get them in promptly. The Coordinating Committee will respond during the week. Final reports are due mid-January. I have asked a couple of the committees to make sure to consider diversity concerns. In particular, I want them to look at the goals that are enumerated in the #FreeISU material. Much of what they ask for can be divided into two pieces: what they would like to see and how they want to obtain it. We need to consider each separately. The committees will be asked to look at these issues.
- ii) Our audit has been completed. The Board of Trustees was told the audit was clean and there were no findings. Everyone is happy, and we can now move on to the next audit.
- iii) We had a final meeting on the Arena building project last week. The concept that was developed by the University and College of Health and Human Services was accepted. Architects were told to come back with drawings. Our hope is to put that to bid in late spring. We expect everyone to move into the addition of the building in December 2017. The existing north end of the building will then be remodeled.
- iv) A meeting is scheduled for December regarding the Hulman Center. We will look for a Memorandum of Understanding to proceed with an architect and a preliminary design. We also need to work out how the organization that will manage the Hulman Center will be set up and how it will be funded.

- v) The Provost is at a conference in Seattle, Washington.
 - b) Provost M. Licari: none.
- 3) Chair Report:
- a) C. MacDonald: We've got eleven class days left in the semester. Let me remind you to encourage faculty to attend commencement. Winter Commencement is always shorter than the spring. It is a very nice experience.
- 4) Support Staff Report: R. Torrence
- a) Last week the Council held a Murder Mystery event. We raised over \$300 for the Campus ministry. Thank you D. Bradley for letting us use you as the victim. We are working with Community Engagement to develop service leave. The Employee Relations Committee is working on a textbook library for staff to help save on tuition costs. And, M. Reed, the Vice Chair, will be the student speaker at December's Commencement.
- 5) SGA Report: V. Cheeks
- 6) Temporary Faculty Advocate: M. Muyumba
- 7) Approval of October 15, 2015 Minutes
- a) Motion to approve as amended (A. Anderson, C. Ball) Vote: 28-0-1.
- 8) Fifteen Minute Open Discussion
- a) S. Lamb: I see today we are dealing with facilitating the movement of some of our regular non tenure-track faculty to senior-instructor rank. I have heard in the past about a potential bump in salary when individuals do achieve that rank/position. I was wondering if there are any additional thoughts about the increase.
 - i) D. Bradley: There is a 10% pay increase.
 - ii) R. Guell: That was established by J. Maynard.
 - iii) D. Bradley: Since there is no CUPA equivalent, we probably need to think about how we adjust the salary and benchmark it.
 - iv) R. Guell: I have done consultations for other institutions. The CUPA data includes the title of instructor, but the definition is unclear. I hope we don't use it until the definition is where we want it.
 - v) D. Bradley: My guess is it's where we want it. I was thinking senior instructor.
 - vi) R. Guell: I agree we should peg it to something else.
 - b) L. Brown: You should have all received an e-mail from the Provost's office. We sent a survey regarding faculty retention. This is for tenure-track, tenured, and part-time instructors. Please encourage your colleagues to fill it out. We have gotten over 112 responses in the past two hours.

- 9) Notification of Minor Changes to the Handbook (per 245.9.1.4)
- a) C. MacDonald: Essentially, the Senate's role in this is that you are notified once the Executive Committee has certified that these are in fact minor changes. There are three here: 1. Updating the language for the temporary faculty advocate in 246.5.1.3; 2. In 922.9 there was a misalignment between "nine" and its numerical equivalent, here shown as (12), so we brought them to agreement by replacing "nine" with "twelve"; 3. finally, the change to 305.1.9 was supposed to go on the agenda for the Board of Trustees, but it was never voted on. The Board will take it up in December, and the change will be official.

10) FAC items:

- a) Progressive Discipline (Amendments to 246 and 350)
 - i) Motion to approve: (S. Lamb, L. Brown). Vote: 29-0-0.
 - ii) R. Guell: Last year when we were dealing with multiple issues associated with the departmental-success taskforce, a discussion emerged over faculty misbehavior. Regarding discipline, you go from a letter of admonishment to termination. There is nothing in between. FAC considered whether there should be something in between. Rather than create something new, FAC used the existing dismissal process and added a middle step. The changes add discipline elements to the Dismissal Committee in 246.13.
 - iii) C. MacDonald: The Executive Committee made only minor changes to what we received from FAC. The most substantive change was adding "up to" a semester without pay in 246.13.6.5.
 - iv) R. Guell: Suspension with pay is from the Provost's office. Suspension without pay is not in the Handbook.
- b) Anti-Bullying (creation of 906)
 - i) Motion to approve (J. Pommier, J. Kuhlman) Vote: 29-0-0.
 - ii) R. Guell: This was motivated last year by the proposed Whistleblower Policy that was making its way through the system. The Executive Committee wanted to use that for situations where a chairperson or a dean may have violated a university policy and retaliated as a result. The President was vehement that he would not support that interpretation of the document. Therefore, Exec agreed that a narrow interpretation would be acceptable if we could bring a new policy forward to describe the kinds of behavior enumerated here. It should be noted this will be a university-wide policy. Thus, the Staff Council would need to weigh in on the document as well. The President remains skeptical. Even if it passes here, this does not mean that the document will go to the Board of Trustees in the same form. Let me also note that this language largely came from a policy passed by the University of Wisconsin-Madison.
 - iii) C. MacDonald: From that language, Exec omitted one line. We found that it doesn't matter if the behavior "does not further the University's academic or operational

- interests”. If it is hostile or intimidating, it is still bullying and needs to be stopped. The Executive Committee also added the last sentence that the President may also impose discipline if necessary.
- iv) S. Lamb: I would like to support the policy. When I first reviewed it, I was fearful that it would be misused. It is the case that all present and former chairs have seen so many instances where bullying has occurred. If it affects an unprotected class, even if it is severe, our hands are tied. The language here, I think, is such that it addresses severe cases. Yet, it also protects academic freedom. And, it protects people when they are reasonably upset with each other—as we all can be. It is intended for persistent and deliberate bullying. I think it’s extremely well written.
 - v) C. MacDonald: It doesn’t create any new policies. It follows the existing grievance policies.
 - vi) R. Guell: Could V. Sheets repeat what he said at Exec?
 - vii) V. Sheets: Basically, the idea is that oftentimes dysfunctional departments can be dysfunctional for many reasons. However, frequently a negative culture develops, the faculty adapt to the culture, and it persists into the next generation. We do not have a way to tell such a department that they are wrong. This allows us to tell faculty that their culture is wrong. Faculty can start filing reports on one another. But, this makes it more likely that individuals will come forward with real grievances.
 - viii) C. MacDonald: This shows we are serious about having an atmosphere of courtesy and respect on campus.
 - ix) B. Bunnett: We’ve heard the arguments for this. The President was skeptical. Why?
 - x) D. Bradley: I have not come prepared to give an explanation. The Provost, K. Butwin, and I need more time to talk about it. Because of the timing, I won’t be able to take anything to the Trustees until February. I will come back with an explanation.
 - xi) D. Hantzis: This became a topic of discussion several years ago. It evolved out of a need for people to address problems that did not have an outlet. I think it’s grown into an even better conversation. I appreciate FAC and D. Bradley’s concerns. In particular, we need to look at our grievance procedures and make sure our policies are what we need for 2015-16. We need to keep moving forward. It is not 1990. I applaud that.
 - xii) D. Bradley: I do like that it is a university-level policy.
- c) Window for Promotion to Senior Instructor
- i) Motion to approve (S. Lamb, D. Hantzis) Vote: 29-0-0.
 - ii) R. Guell: In his wisdom, S. Lamb raised the issue at the beginning of the semester. The charge to FAC focused on the meaning of 305.11.2.2. FAC took the spirit of the long-time Instructor and the position they were in years ago. We decided to create a window for them to apply next year for promotion to Senior Instructor.

- iii) C. MacDonald: Exec did two things: in 305.11.2.2 we added “consecutive” after “five or more”; and, in 350.11.2.7 we added in the phrase “following the calendar...” that existed in 305.11.2.2.
 - iv) S. Lamb: It should be noted that there is an “or”. E. Gallatin, how long have you been teaching here?
 - v) E. Gallatin: Sixteen years.
 - vi) D. Malooley: Does it matter what kind of appointment this is? One year? Three year?
 - (1) C. MacDonald: As long as they are full time. Now, they are multiyear.
 - (2) R. Guell: And, they are an Instructor who has taught for sufficient years. E. Gallatin is in the second year of a three-year term plus he has 14 years of full-time status. The clause would go away after the 2018 academic year.
 - vii) S. Lamb: The individual has to apply and go through the regular process.
 - viii) R. Guell: It would set a fire under those departments that don’t have a process for current instructors.
 - ix) D. Malooley: Where does it define in the document that they must be on a multiyear contract?
 - x) D. Bradley: By definition that is now what Instructor means.
 - xi) D. Hantzis: It is any serving Instructor.
 - (1) C. MacDonald: If you are not an Instructor now, it doesn’t apply. You can’t go from Lecturer to Senior Instructor.
 - xii) D. Malooley: Okay, because I’m already getting questions on this.
 - xiii) R. Guell: They have to be an Instructor right now, today.
 - xiv) A. Kummerow: Do you have to apply?
 - xv) C. MacDonald: Yes.
 - xvi) J. Kuhlman: What if they are in the second year of a three-year appointment?
 - xvii) S. Lamb: We have specifications in the Handbook about those going through the tenure track. They are evaluated each year. I don’t think it will be a hardship to define what is required to become a Senior Instructor. If you have a track-record, it won’t be hard.
- d) Interpretation of Handbook Elements
- i) Motion to approve (A. Anderson, L. Brown). Vote: 28-0-0.
 - ii) R. Guell: Four of us here have served as the chairperson for this body. Four of us have at various times claimed that the interpretation of the Handbook is as important as the writing of the Handbook. It has been frustrating when individuals or a group of individuals have misinterpreted the language. Part of our frustration has resulted from the fact that we were not asked what the Handbook meant. Instead, people felt empowered to interpret it as they liked. So, FAC took up the question of how interpretations would be made and formalized. FAC’s position was that the Constitution and the Bylaws are owned by the faculty. During the Executive Committee’s discussion, we agreed to make a concession to the Administration and

- use the language from 399.1 for the Constitution and the Bylaws, also. I believe FAC would endorse that as a reasonable compromise to ensure that an interpretation is forthcoming from the Chair of the Senate and the Provost. We do not want grievances based upon misinterpretations of the Handbook. This would prevent that level of misery. The President would be the breaker of ties if the Provost and Chair of Senate cannot come to terms. A final interpretation could motivate a discussion to rewrite language.
- iii) D. Hantzis: I think this is a good idea. I am concerned about policies not in the Handbook, like the Biennial Review. There are many policies that are not in the Handbook, and I hope for something like this for them, too.
 - iv) D. Bradley: Thank you for that. I have charged K. Butwin to collect what we call “procedures”. We do not have policies that are not in the Handbook. K. Butwin is going to bring them all together. What I have asked her to do is to assume they are official and go through them to see if any are problematic. I’m sure an interpretation section somewhere will be required. Procedures are all over the place. Hopefully, by the end of the year we will be further along.
 - v) C. Paterson: As I read 245.10 and 246.16, the thing that struck me is what if we have a situation with a conflict of interest or a situation where a person who is interpreting has a conflict of interest.
 - (1) C. MacDonald: If it were my conflict, I would assume that if the Provost doesn’t agree with me the President would be there to resolve it.
 - (2) D. Bradley: Any group can petition the Board of Trustees to intervene. This is meant for cases that require quick resolution.
 - (3) R. Guell: My hope is that it prevents conflict based upon misinterpretation.
 - (4) D. Bradley: If we are looking for an impartial voice, the Chair of Senate and Provost are probably it.
 - vi) B. Bunnett: In the wording that has been crossed out, that was the previous iteration?
 - (1) D. Bradley: There was no previous policy.
 - (2) R. Guell: That was the language that passed FAC.
 - vii) B. Bunnett: The FAC language had an appeals process that is not included here. If an individual disagreed with the decision of the Chair, President and Provost, there is no option for an appeal?
 - (1) R. Guell: Not immediately. It could go back to governance for a reconsideration of the policy.
 - (2) D. Hantzis: That language was more important when the idea was that the Chair of Senate would make a decision without consultation. Now, interpretations are made in consultation with the Senate officers and Provost.

11) Adjournment: 4:27pm.