

Fairmont State University Faculty

Senate Meeting Minutes

November 10, 2020

Called to order at 3:01

Members Present: Chuck Shields (President), Donna Long (Vice President, Humanities), Jason Noland (Secretary, Education), Tom Cuchta (Webmaster, Comp. Sci. & Math), Todd Clark (Ex. Comm., Social Sciences), Jim Davis (Ex. Comm., Business & Aviation), Paul Reneau (Ex. Comm, HHP), Jim Matthews (ACF), Steve Roof (Academic Affairs), Tim Oxley (Academic Affairs), Nina Slota (Behavioral Sciences), Gina Fantasia (BOG), Janet Floyd (Business & Aviation), Robert Niichel (Comp. Sci. & Math), Musat Crihalmeanu (Engineering Tech.), Tabitha Laffere (Engineering Tech.), Nathan Myers (Humanities), Molly Barra (Library), Rachel Cook (Natural Sciences), Stephen Rice (Natural Sciences), Denice Kirchoff (Nursing), Jennifer Satterfield (Nursing), Dan Eichenbaum (Performing Arts), Victoria Nichols (SG), Cassidy Greenwood (SG).

Guests Present: Susan Ross, Rick Stephens, Richard Harvey, Deb Hemler, Jan Kiger, Amanda Metcalf.

I. Reading & Approval of the minutes from the October 13, 2020 meeting

Motion to approve the minutes Reneau/Clark. Passed.

II. Reports of Officers, Boards and Standing Committees

BoG Representative, Gina Fantasia

- Meeting of BOG on Oct 15. Approved the two Curriculum Proposals related to Ed Leadership Post Masters.
- Bylaws committee offered, and BOG approved FOIA policy after public comment.
- Good and interesting report from enrollment, housing, student life. Not written but similar to what Dr. Martin said in the COVID forum that enrollment was steady or slightly up in most categories.
- Executive session discussed 3rd year 360 external review of president as discussed in Series 5 of HEPC. BOG is getting that process started. Open session authorized the Ad Hoc Evaluations and Goals committee to engage consultant to facilitate the process. I am not on the committee but attended the meeting and the process is underway. Engaged Dr. Ellen Chaffee from AGB to begin facilitating that review process. At some point an announcement will be made with more about that process. I am in the process of identifying faculty to interview. From Chairman Goldberg and Chaffee, assuming the Presidential Perception Survey comes out of the Faculty Senate that it will be included. That's about all I know.

Question: I didn't quite hear where the consultant is from: Association of Governing Boards. Nonprofit that does training for broad boards, has previously worked with the Foundation. There is an arm that does consulting, and I haven't seen the agreement. Dr. Chaffee was at the ad hoc committee and seems nice and competent, working with the committee to define the process and move along.

Question: You had a report from housing and student life but no written report. Is that

normal?

Response: I can't honestly answer that. Though the information was informative and seemed well done.

Comment: I know that when the president was at the last senate, she mentioned enrollment was looking good but she couldn't give us specific numbers. I didn't know if that had something to do with it.

Response: I don't believe that there are numbers that are circulating that define where we are in categories and departments, at least that I have access to.

Response: When enrollment management presents it is in Powerpoint so that is why it wasn't shared. They have gone to HEPC on Oct 14. We aren't allowed to put them out until HEPC has accepted them and questions answered. Last year, it was right about Thanksgiving. This year with COVID it may be December since they aren't working in their offices.

Comment: Thank you, I appreciate that.

Comment: Oct 15 there was a posting to the FSU webpage regarding enrollment with basic information, connected to what was presented at BOG.

Question: My understanding is that part of 360 review that there is a town hall, any idea when that will be scheduled?

Response: I don't know. I'm not on the Ad Hoc Eval and Goals committee. I know they are working on some process. Series 5 says there should be surveys, forums, and input from a broad spectrum of stakeholders. Exactly who the interviews will be with I don't know. Dr. Chaffee mentioned that she is charged with doing 25 interviews. I am in the process of working with the committee co-chairs (Jon Dodds, Rusty Hudson) to choose 5 faculty members. I believe they are also choosing 5 students and 5 staff. Mr. Goldberg did ask during the meeting about the PPS and since it will be out, he committed and Dr. Chaffee agreed that they would consider that. So, we will just see. I am sure there will be more discussion among the board. The parameters of her engagement, I don't know. I haven't seen the agreement and was not part of that discussion.

Question: What is the status of the resolution the Senate passed regarding the arts programs on campus?

Response: In the last FS meeting I committed to ask the Academic Affairs committee to consider it. We haven't had another meeting – that is next week.

a. ACF Representative, Jim Matthews

No report. Our first post-election meeting is next Friday, I am sure I will have a lot after that.

b. Presidential Perception Survey Committee

Elizabeth Savage (Chair): We received surveys until 4pm Oct 30. There were 3 ways to submit, in person, mail in, and by proxy. We had 54 in person, 2 mail in, and 5 proxy. 1 survey was turned in past the deadline and we agreed to not even open it. We met in the Skylab the following Monday. Present via webex was Joe Riesen and Pam Pittman. In person was Elizabeth Savage, Troy Snyder, Charlie Hively, Gina Fantasia, and Phil Yeager. Jan Kiger and Deb Hoag were teaching. We opened the ballot box, counted the envelopes, separated the hand written comments from those that were typed. Those comments were transcribed and married to the scanned written copies so they would appear in a uniform way.

The process of compiling the data was straightforward but routinized. One read from the likert scores aloud, Phil repeated it as he put the data into the computer program, and we had it up on a screen so if there were errors we could catch it as it was happening. Phil compiled the likert scores and graphs that you had, we proofread the comments to check for duplicates or bad copies/scans and sent them on to Chuck Shields last week.

Question: What percentage of faculty participated?

Response: 37%. last year was 48%. We had 75/154 last year, 61/164 this year. We understand from the statisticians among us, but also look to others that are here that anything over 30% is a statistically strong sampling. Despite the decrease in numbers, certainly attributable to COVID, and the many who are off campus we are pleased we had the results we did.

Comment: Thank you, give our gratitude to the committee. It's lots of work.

III. Reports of Ad Hoc Committees

a. COVID Committee

Couple things have come up. We meet weekly and discuss things ranging from the dashboard, reporting, what it's like in the classroom, best practices, etc. First issue that I would like to raise on behalf of the committee concerns the COVID dashboard and is directed toward Rick. We put a proposal up last month that sought to address the categorizations on the dashboard. You had said that was up before the ELT, you and the Deans had provided input on a better way to report elements. What is the status of that?

I would say that the thing that changes on the dashboard almost daily are the categories of active v. recovered cases. That is where our focus is. Breaking it down to the sub categories or demographics is a time issue given everything else that's going on. So, that daily reporting thing is limited to what we have in terms of active v. recovered cases. The rest of the information that is being generated is not going through the dashboard but to individual faculty when students have a COVID event or are being permitted back into class. Nudging on it, but trying to find enough time in the day to fill in the blanks.

Question: My understanding was that you [Dr. Stephens] and the Deans had submitted a proposal to the ELT to make it more granular. Did you do that?

Response: I have talked about it, but also not insisted on the granularity. Quite frankly, the more you ask for you are asking people who are already busy with other things to tend to that. The bottom line, number of students who are active is what is updated on a routine basis.

Question: Do you made recommendations to ELT on this?

Response: I didn't make a full recommendation, we just talked about it.

Question: They didn't take it up for consideration?

Response: No, we discussed it, and said let's do what we can do. That is taking it up for consideration. I asked for as much information as we can.

Comment: I track the numbers every day, there are anomalies that deserve question, but there are avenues that FSU set up for that so I'm not that concerned about that. We know there is a second wave out there and we are going to get hit, but overall, we have fared quite well compared to the southern part of the state and other colleges where things have happened like Halloween parties that resulted in at least one school having to go virtual. We will probably

see a spike in numbers. It will initially be gradual, then probably spike. Thank you, Rick for your input.

Question: I would be remiss if I didn't mention there was concern about PPE for next semester. The issue being questions about facemasks and face shields. Are we going to be getting anything new as far as January? Many of ours are wearing out. I don't know what the position is of the administration what we should expect come January?

Response: I can't give you a particular answer, but that is a good question and I can get back to you on if there will be more provision or general advice.

Question: Given what appears to be the lack of action on the dashboard, you will let us know if you are going to put back on the table the request from last Senate meeting, the recommendation whether it needs action? You may want to take that back to the committee before you decide. If what we need is more information and we aren't getting it, that recommendation through the senate might be worthwhile.

Comment: I think that rather than making a spot call on that, I would feel more comfortable taking it back to the committee. We did pull it off the table with the expectation that ELT would consider it, I didn't realize that nothing more granular would be done. I will have them consider it next week.

Question: So the COVID committee requests for clearer, more specific requests were discussed in the chat. The other comment I would have regarding PPE, hopefully we will have new students coming to campus and even returning students the expectation that they are going to take care of them even as well as the rest of us try, new PPE at least for students, please.

Comment: So, for what it's worth I have only received one report that has said the administration has said the state has not authorized expenditures for new PPE. I don't know how that funding line works. We did not address new students. I don't know what the administration's plan is to support the new students as they come in.

Rick: The question as far as PPE, a mask is part of PPE that is a decision that we can make as an institution. We have had a recent discussion in ELT about ordering more masks. These come up all the time and we tend to them as they arise. It is a good question about PPE as an item for next term, I will ask specifically about that.

Question: Do we know about testing for next semester? Is there a venue to report issue with complications from the nasal testing?

Rick: Next semester is up in the air. It is going to depend on what happens with the further spread of Corona in our region and locale. It is going to depend on what the Governor says as far as comprehensive testing (all students and employees). Those are all things that are contingent at the moment. We have between 3-5 sorts of planning possibilities as we have talked about these. Obviously we are doing weekly surveillance testing, as well as nasal swabs. We are even looking at testing wastewater as a surveillance test. There has also been a lot of development both in terms of the speed of testing results and the reduction in price of testing units themselves. We have been looking at a variety of providers. Depending on what we are required to do, and ought to do. All of those are contingent upon each other at the moment. I have a feeling we will have something that looks a bit like a staggered start like we had in the fall. By that, all classes starting on January 11, but not every residential student will have returned to campus necessarily. We wouldn't invite upperclassmen back yet, we would stagger that by a week like we did in the fall. All of those are impacted by how we

choose or are required to do testing. It's hard to do when everyone is back all at once. IT is nearly impossible given our resources. One of the other things is that as we have been promised resources from the state to cover testing, in some instances the resources haven't come and we had to swallow the cost. It is an uneven circumstance. We will do our best to communicate, especially throughout December on what we are looking at. We are literally looking at 3-5 plans.

Question: That is actually something rolling around in my head. The COVID presentation in BOG referenced 4 scenarios. Could you give us some idea about what the scenarios are so as people are preparing, they have different scenarios in mind?

Rick: I will do my best, but, I am not on the Task Force myself that is meeting all the time. For a generality: it's possible with the spike we may be told by the state that we can't open. In a sense we are behaving as we did last March when we shut down (one possibility). As we said in the beginning of last summer, we need to be prepared for that possibility because we are in deeper now than we were in August in terms of the spread. Especially after students go home and have been exposed, exposing, etc. Another possibility is that it will be more gradual, maybe virtual for multiple weeks. Once you go enough weeks (maybe Spring Break) wouldn't we just finish out that way? Because if students couldn't already have been on campus, trying to get them back for half a semester is a nightmare scenario. The gradual opening is what is most likely right now, if things stay steady and we stay better locally we will probably be at the staggered start. There are probably a couple others permutations about that.

Question: In the absence of state guidance does the University reserve the right to make its own decision based on local conditions? If conditions in Marion County was not good, but state had not issued guidance, does FSU reserve the right to make their own decision on if we go virtual?

Response: Short answer, yes. We will talk to the Health Department and medical community, they are part of our decision making process for any case.

IV. Announcements/Information/Discussion

President Martin

Unable to attend.

Interim Provost Stevens

Believe it or not, there are things other than COVID that are happening. I would put almost everything speaks to a routine of life at any University. A few things I will mention, happy to take questions. I did ask Merri if she would be here because there are some detail questions I would butcher.

A few things, we are hurdling toward the end of the semester and finals. I live in a dorm, I talk to students. Most of them seem to be pretty adapted to this, I am amazed at how adapted most faculty seem to be. If not, you're hiding your anxiety well. One of the items I sent a note out about and there were questions is that if a student tomorrow goes into quarantine and they are in that 5-14 day period of quarantine, we will be sending residential students home but what that means is they will serve out their quarantine at home. We have lots of other students that are commuters and already live at home. It does mean it is possible that we will have a larger number of students than typical be not on campus or in face-to-face classes at the point of a final exam. Question I have received is can faculty provide Incompletes for them? My answer is an incomplete for a student who can't be here for medical reasons, even if aren't violently sick but in

quarantine, an incomplete should not be our first option. I do understand there are some, not the majority, but some courses that it is necessary for a student to be right there manipulating things and doing things in person. If that can't be done virtually then faculty can exercise the range of options available. It should not be the first option, though. Do your best to accommodate. The volume of requests I have received for various accommodations have fallen off a cliff. The first weeks I got lots, I just don't get them anymore. It is the case that some students will tell faculty they have had a COVID event and they aren't 100% truthful. Students need some documentation. If they don't provide that, route them back to student health or Tina Mascaro. Tina is diligently sending emails to everyone letting them know the status of students. Just as I have advised before, when a student indicates something, we need to push back, ask for information, documentation, etc. I don't have a hard and set rule, just general guidance.

We are engaged in safe college training, there is a deadline of the 20th. If you are like me you haven't done many and will try to cram them all in on the 19th. Waving that flag, it is regulatory and we need to accomplish it.

Another related item, faculty appointment letters that went out last spring, it's amazing how many haven't come back. We are attributing it to the pandemic. Faculty will get new letters. We are trying to follow up and get the documentation "yes, I intend to teach in the fall" even if you are already here, please get it back to us.

Jason Noland worked with me, we managed to get the Faculty Development awards rolled forward and funded at last year's levels.

Winter Term is upcoming. We have 60ish courses offered. Number is creeping up, we are at 209 enrolled as of this afternoon. I did send a note to all faculty listed as teaching, there is a point that I need to make. Compensation is based on the enrollment after the refundable add/drop period (2 days). A student can drop later, but they don't get a refund. If they want a refund it has to be within the first 2 days. That is the basis for the compensation. 5+ full rate, less than 4 \$100/credit/student. I asked faculty to indicate to their Deans by the 23rd that they would be teaching their course at whatever enrollment it is. Students need to know by the 23rd if you are teaching a class and it has 4 students and you don't want to do it, they need to know so they can re-route their enrollment somewhere else.

Question: You mentioned new appointment letters and they will be the same. In the Spring they were sent to our home address, in the past they were sent to campus. Do you know where they will be sent this time?

Response: I don't know. I would hazard a guess that Cindy will send those to the campus mailing address. Rick, I would suggest we ask Cindy tomorrow.

Question: Winter term, if a student is graduating at the end of December, will they get a May diploma or will they have January diplomas from now on. This year, it is going to be a May graduation. There was a question on this earlier today in my email. Right now, our winter graduation is what is happening in November. Winter term goes beyond so the next time for graduation is may.

To clarify, the Registrar only confers degrees 3x a year, end of Spring, end of Summer, and end of Fall. Right now, we don't have a need to confer a degree at the end of winter term, we can revisit that if/when the time comes.

Question: The number of winter term courses, are they all being taught by FSU faculty?

Response: Yes, combination of full time faculty and adjunct.

Question: My question is, at one point when we first talked about Winter Term as a possibility you had mentioned about if we didn't have enough faculty who were qualified to do it online we could reach out to non-FSU faculty. I was wondering if we had done that.

Response: No, there was no need with 60+ courses. At least this time around also no anecdotal or other information need for a particular course we aren't offering.

Question: Appointment letters, when appointment letters were sent out in the spring, there was a fair amount of information added to it that concerned many faculty. I don't have my letter in front of my so I don't have verbatim language, but had to do with "if we want you to teach more than 12 hours, you will" kind of thing, there was more but that was one of the issues. Because faculty were concerned with the new language that had never before appeared in letters people asked Cindy, she said it is not a contract, it is a letter of appointment, you don't need to sign it or do anything with it. So, are we receiving them in the spring because FSU is notifying us of our teaching schedule, or because people didn't return them before?

Response: My understanding from Cindy is that a fair volume of them weren't returned, so she is trying to close the loop on that.

Comment: She specifically told us it didn't matter if we returned them or not.

Response: I can't speak to that, I can only speak to what I was made aware of recently. I'm just saying people should expect to get another letter from HR.

Question: Offering high demand courses over winter. Assuming at some point in the future there is such a course and no one in the corresponding is willing to teach it, will it be the practice to confer with the appropriate department as to whether the course will fit into a particular program?

Response: Good question, I have not insisted on any course to be taught during Winter Term, or any other time I have administered it. Most department have their ear to the ground on those things on their own. There are a variety of reasons why faculty may not want to/be able to teach during a winter term. There may be some courses that don't fit well into that time also. I will say that courses people thought didn't fit 8-9 years ago because of teaching methods have changed over the time and they decided they do fit. I can't imagine there would be a tug of war over this in particular. But, the importance of teaching a high demand course that can be taught at a level of quality we find acceptable is important to Satisfactory Academic Progress for students. Quite frankly it also helps us financially on bottom line and the opportunity I have expressed to create an academic development "slush fund".

Comment: My concern is that the statement that the administration could decide to offer a course and possible insist the course be accepted as elective credit for a particular program in general studies when it has not been approved.

Comment: Sure, the Provost gets to badger faculty about these things on occasion. We talk about

it and present our cases, but the senate has a curriculum process. It will go through that process.

Question: Yea, I'm comfortable as long as it's a process that is intended to be collaborative in that sense it is one thing. If the faculty aren't given some sort of veto power over a course they simply can't accept as part of their program. Is that still in your mind when you are thinking about it?

Response: Nothing has changed, but, the Provost does get to ask and nudge around.

Question: My question is do faculty still get to say no?

Response: Sure. But, I may ask why and we have a discussion about it. In my case, I'll be around for at least one more Winter Term and we will see how it goes. We will debrief at the end and solicit feedback from students and faculty. We will learn something from this one, and apply it to the next one.

Question: Why is HR sending appt. letters, is there any anticipation there will be changes in the appts? I understood that you said it is to close the loop and follow up on what was not received.

Response: When I say a new letter, I don't mean a different letter.

Question: If folks have returned them, will they get another?

Response: I don't think so, but, if they do, check with Cindy.

Question: Question about the confidentiality agreement sent earlier. Is that different from its predecessor?

Response: (Rick) I don't know. I saw it as you did.

Response: (Merri) It's all dealing with all of our new FERPA requirements. Some faculty have one on file when they were hired in the last few years. It is different because Cindy was able to work with URM to make it electronic. We are required to have one on file for everyone. Jacki worked with Lori's team to rewrite our FERPA.

Question: Could you clarify, I think what I hear you saying is it is a confidentiality agreement that deals with FERPA?

Response: It is because of FERPA that we have to have this on file for everyone. There is a radio button that has the option that you don't agree. I don't know what happens if you click that option.

Student Government

Want to let everyone know that we recently passed Fairmont State day,

November 4 SGA has partnered with Marion County Schools for Christmas with a Falcon, anyone wishing to donate can visit the Foundation Webpage.

Question: Who is the SGA Rep to the Faculty Senate?

Response: Cassidy Greenwood

Faculty Development Week Clarification (Monday & Tuesday)

Rick: The question probably came up about grades being due Monday and Tuesday. Joy sent out a schedule. There are functions specific to each school/college throughout the week that is identified. SoE on Monday, Nursing on Tuesday. It will be virtual. We aren't expecting people to crowd into a conference room.

Question: I will just ask, the expectation is that finals run through Wednesday before Thanksgiving, so we should do our grading through the holiday?

Response: That is one way of putting it, yea. There are other phraseologies that you could use. It is also the case that some faculty already know what the grades will be by that time in the semester. It varies.

Comment: The faculty who have reached out to me who are concerned have papers and projects they are grading and are supposed to have them in by noon Monday, are in trainings from 8:30-3 Monday. It doesn't make good sense to me. I am concerned that our Provost feels like you can make light of the work that we do. Please do not do that. My understanding is that the schedule is set up because Merri prefers small groups. I prefer having time to give my students the appropriate attention they should have when I am grading my students' papers.

Merri: I asked for small group settings, I offered to change the date. I offered to the Dean, and faculty decided not to take us up on it.

Comment: I am going to speak up, my school is meeting on that Monday. I don't recall being asked if we wanted to change off that Monday. I'm just throwing that out there.

Response: I pulled the two department chairs and asked them, it was a consensus that we would not choose to wait until a week later to have that day, that faculty would prefer to leave sooner. I'll be happy to send it to the faculty.

Response: I will just say, if the chair was asked to poll the faculty and did not, I would not be a happy camper.

Response: I will be happy to send it out to the school, not a problem.

Chuck: As I understand it, those who would not want to have to attend PD on that Monday, will have the option to move it to the following Monday.

Response: Yes, since the others were already scheduled, we provided the option to move it to the next week.

Comment: I will suggest that we don't change it now since plans have been made, but going forward faculty should be asked.

Promotion & Tenure Recommendation Letter Procedures (who do we give them to?)

Chuck: There was some concern by faculty, and it may be mute at this point.

Merri: I am happy to tell you what I told the faculty and Personnel Committee. When workflow was created in Digital Measures for promotion and tenure, the previous Provost who helped me create it put it in there so that when the faculty chose their reviewers, and when the chair chose theirs they would upload it. Previously it went to the provost. It was changed because the chair starts the process first. So, we settled that by allowing the faculty who were doing the colleague reviews to send it directly to Department Chair to upload, that's how we solved it this go-round. In previous years, it was asked to do a peer review one for promotion and one for tenure, that was not communicated to my office, we were told one would be fine for both. Committee said they would work on it, we can change it for next year after they decide what they want.

Comment: Just so I am clear, so there is no issue this year, everyone has followed the process

and whatever they submitted will be considered?

Response: Yes. I have worked with faculty who offered questions, and offered group Q and A's. There is also a Q&A coming up for the AFR on Friday.

Question: What is the plan moving forward as far as submitting peer evaluations?

Response: I'm not sure I know the plan, I think it makes sense to me that they would go to the chair or Dean to be uploaded so the Provost can see them. Sometimes, on occasion we have had evaluators who weren't keen on the person being evaluated and they were truthful in their assessments. It may have caused hard feelings if it had been sent to the person.

Comment: I can tell you, I was doing a peer review, I had no problem with the colleague, but it seems to be an issue about the integrity of the process if some programs are saying they need to be sent to the person being reviewed. How can we ensure uniformity? I had nothing to say bad about my colleague, it just didn't make sense that we would send them to the individual. Default needs to be about the integrity of the process.

Question: Merri have these been resolved, and how?

Response: It's easy to resolve, we just need to be in agreement. The previous Provost just felt that if you chose your Peer reviewer there wouldn't be an issue. If it's a problem we can change it so the chair uploads all of them. The chair has the most to say in these evaluations, usually. But, I will do whatever the Senate and Provost would like to do. I just need to be told definitively.

Question: Does that need to come from the Personnel Committee?

Response: I would prefer that, since they brought it to my attention.

Comment: I agree that in academia you waive your right to see them, if you want to give them a copy that's up to you, but for the integrity of the process it should be confidential.

Response: Everyone does it differently, and I'm okay to do whatever is decided.

Comment: We will forward this to the Personnel Committee

Academic Calendar

Some people were concerned that faculty weren't consulted, no input was sought, not that we would expect veto power. Concern that there was no input sought.

Comment: I addressed that last time because I mentioned the calendar was developed. One of the members indicated we hadn't received it ahead of time. I said okay we'll do that next time. Subsequent to that, I presented the calendar.

Question: Does the ELT develop the calendar? What's the process?

Response: I will tell you that we harassed Merri into doing half a dozen or more calendars as we were trying to adjust to all the changes we were experiencing, accelerating start and end dates, find time for finals, etc. Which isn't something you can have a large group try to weigh in on

other than producing it and saying do you see a specific problem with this? I think the idea of making sure we try to communicate the calendar that is proposed as early as possible to Senate, we will try our best to do that.

Clarification for next semester

Largely been addressed in his opening statement by Dr. Stephens

Sabbaticals

Is there a plan to reintroduce sabbaticals into the University, if not, why?

Rick: After I was asked by Chuck about it I dug around. I do understand what I believe to be fiscal reasons sabbaticals were suspended. Right now, there is not a plan for reinstatement. Not to say that they won't be, there's just not a plan. I have inquired about it, and assume I will have ongoing conversations about it. I need to hear from the President, ELT, and Chuck has asked about it, so I need to move some information around. I value sabbaticals. I think there ought to be a plan to reintroduce, but at the moment there is not a plan in place to be shared.

Restoring Faculty Access to All Faculty List Serve

At some point, last year sometime the ability to faculty o email all faculty was taken away and only a few of us have that ability now. There has been questions all along about why or even more so is there a possibility to restore that to faculty?

Comment: Let me chime in, I have no authority over list serves. We have been told there is no issue to sending email, just in using the list serv. If someone wanted to, we could create our own. Someone would just need to run it and maintain it.

Question: That would be okay for the Senate, would all faculty have access to that?

Response: You could, you could create groups in 365 and let everyone use it.

Response: and that wouldn't have to be Senate only, you could let anyone participate

Question: would that require a motion?

Response: Probably

Question: would that require an item of business next meeting?

Response: Probably to be on par with Robert's Rules I don't think it's appropriate to raise a motion as a result of a discussion.

Comment: I am certainly amenable for creating a list serv that is fully available to all faculty, but it still doesn't answer the question about why we don't have access to the faculty list serv. We have never had an answer beyond we don't want anyone sending a spam message about a lost dog. I'm sorry, if someone has a lost dog I'd like to help out. I also don't remember getting any emails about that. So, we don't know why that was rescinded, restricted, and why it cannot be reinstated. I'd like to know.

Comment: just to reiterate, unless I am wrong, we haven't received a written explanation about why it was terminated.

Response: Correct, that happened sometime last spring and I'm not sure exactly why or when. I don't think we received any written explanation. We have had some discussion, but not written explanation. To follow up, who could tell us why? Rick, can you?

Rick: I do not know. I can only speculate. Schools vary as far as access to different kinds of list, so, I don't know. I will try to find out.

Comment: I will speak to the Executive Committee, we will try to find an answer.

Recording Classes

Some concern about recording classes.

Comment: I had a faculty member concerned that we were told we have to record our classes and it is causing students to take the approach they don't have to go to class because it is being recorded. They want some direction on can I be made to record it?

Response: (Rick) I kind of referred to that a little bit earlier. The student is not in charge of if they come to class. They can have an excuse, but faculty have a lot of latitude on most other kinds of things. If a student says "I just want to take my class from my room" faculty need to say "no, that's not how this is working". But, we are recording classes because we are trying to reduce density. We are recording classes because there are students who simply can't be here for various reasons, and we have some faculty who aren't here. Recording classes is something we can say we are going to do for academic purposes. But, the solution is not to stop recording, but is to say no you have to be there. If the faculty can't handle it, there are structures, Deans, Chairs, and Provosts who can. I have sent some emails to students that have said "get to class". If someone is uncomfortable with that have them come talk to me.

Question: about recordings, when I record a class, do I own it or does the I own it? For example, when I create course materials the professor often owns them, like a book, I assume professors own copyright over the courses we record.

Response: I think it varies. Ownership of the materials is one thing, the delivery is a different thing. Whether it's different enough to also have different ownership is another. I don't know. Comments in chat: BOG copyright policy 55. I can't imagine this is not settled law. There has been online delivery long enough that someone surely has sued and settled the question of who owns what.

Comment: In the law, it is always "it depends" I don't think it's a question we can answer in this meeting.

Suggest this topic remain on the table so EC can look into it and continue discussion at next senate meeting.

V. Unfinished Business

a. Major Items

i. Academic Forgiveness Policy (second reading)

Motion to approve Long/Niichel

Comment: second bullet under conditions says “course substitutions are not permitted...previously been applied”. It appears vague. Does it mean if you have received Academic Forgiveness you can’t get any course substitution. Even though you may need one to graduate? It needs clarified

Question: Does this policy apply only to UG or also to Grad students?

Response: (Susan)does not apply to graduate courses (in chat)

Susan’s microphone was not working

Motion to Table Long/Cuchta. Passed.

Susan’s microphone started working

Susan: Course can’t have academic forgiveness when they have already had it applied. One of the things Donna brought up last time was the procedure for returning. After returning to FSU has to complete 12 graded. The question was can they take more than 12 hours, the Registrar needs to certify they have taken at least 12 credit hours.

Comment: My question was actually, can they take more than 12?

Response: They are not restricted to 12.

VI. New Business

a. Major Items

b. Minor Items

- i. Charge to Faculty Welfare Committee to work with Provost and others to recommend a process for passage and implementation of policies

Saam: The Faculty Welfare committee wants to ask about an issue involving the way policies are created at the University. There is no set process for how a policy is created or vetted and I have 4 points of concern we discussed:

1. The University needs a clear process for how to propose, revise, or adopt a policy that is written and published so a committee or body is working on one they know what to follow. It seems to be that process is improvised every time and can change depending on who is involved, and can change mid-stream if people involved change.
2. Issue last year with the academic honesty policy that the Welfare Committee put forward, we followed what we thought was the process but it was nixed last minute. Reason was it had to go through BOG. BOG 50 does discuss policy on policy. Any policy with Institution wide effect must be approved by BOG. What constitutes, who makes determination, who is asked?
3. Timelines: Academic Honesty policy was sent to GC office in January and has not reemerged, our concern is an admin can kill a policy by ignoring it. So, we need a timeline so there is a progression through time.
4. Shared governance. There is a statement in BOG 50 that if there is a policy that needs adopted, amended, repealed, that people that are interested parties will be solicited for comments and suggestions. In that process we need to enumerate who gets asked about what, how do you decide who is an interested party, etc. Because

we have had many instances about policies impacting faculty that we don't see until the public comment period, which according to Policy 50 is later in the period than we should see it.

Motion to charge Faculty Welfare to work with the Provost and others to Recommend a process for passage and implementation of policies Cuchta/Reneau. Passed.

Question: Are you referring to academic policies, student policies, etc.? What specific policies are you referring to?

Response: I think that's part of the issue, there is no clear way to delineate. So, is a policy the purview of Academic Affairs for Provost to decide, or is it student life? Or is it faculty senate?

Directive from Senate for distribution of PPS

PPSC Has completed their work, it is done, tallied, etc. She sent to me and was shared with EC the likert scale conclusions of the survey and now the EC would like direction from the Senate on what to do with it. Historically what we have been asked to do with that is that the likert has been sent to all faculty and then the comments have been reserved for President and the BOG. Looking for direction from Senate because bylaws don't specify what happens so we have asked Senate historically.

Move that EC distribute likert results to all faculty, and likert scale and comments to President and BOG via email. Niichel/Long. Passed.

Comment: I think we need to clarify how. Last year it was put on senate website, and it was taken down by administration.

Question: what is the dissemination history of the comments?

Response: It has been that the comments have been reserved to be disseminated to President and BOG not to faculty as a whole.

Question: So, is there anything that has been written to that respect from a FS perspective?

Response: To my knowledge, nothing in constitution and bylaws but that is the precedent that has been done in the past.

Question: Why has that been?

Response: I can't speak historically beyond me, but I can tell you in general in terms of 360 reviews it is not typical for comments to be distributed widely, because people are candid. Some times the comments disclose personal information and is generally, in my experience, not the pattern and practice even beyond what we do in FS for them to be disseminated beyond the individual being reviewed and whoever their manager/supervisor/reviewers are.

Comment: Point well taken, thank you.

VII. Open Forum

Todd Clark is sharing screen of Confidentiality agreement. It references FERPA as Merri said, but not all of it relates to FERPA. There is relevant provisions of HIPAA. Look at it carefully,

and tell your constituents to look at it carefully. I am not sure that some of the bullets only apply to FERPA. Also, not the italicized bit.

The reason I mention this is that if you look at the email, it says they are due no later than Friday November 20. It doesn't say what happens if you refuse to sign, or if we have questions. We only have 10 days which is why I raise this now.

Question: Is there not a provision on the bottom to not accept.

Comment: Robert and Jason both had the option to click a do not consent button

Comment: Merri did elude to the radio button to not accept when she spoke of it earlier.

Comment: it is not showing now.

Comment: Wondering why there is a difference now between some faculty and not others.

Merri: I can't even get in to answer your question right now. We will have Cindy address it for you.

Comment: If anyone clicks the option to not opt in, if you have any of that text please send it to me (Todd).

Comment: I will say that the verbiage included something that it wouldn't make a difference under your contract responsibilities.

Comment: I don't know if I have that position or not. I am loathe to say I agree to something that says "but not limited to these criteria" how can I say I understand it and agree to it when I don't know what those other things might be?

Question: If it's not limited to what is written, what does that mean?

Comment: I recommend at the least we get an extension until at least the December meeting so we can have a meaningful dialog before it expires.

Question: Can we take a vote on this? One problem is that the language is different for different people, and the vague language.

Comment: You could charge the EC to do this, but the issue with that is that it is due by November 20.

**Motion that FS request an extension by 30 days to the acknowledgement of Confidentiality Agreement pending clarification and standardization of language that is received, and also concerning the terminology addresses but "is not limited to the following". Clark/Long.
PASSED**

Comment: If I could make a suggestion, we aren't going to be able to answer this right now, but the kinds of questions to be asked of Cindy is what is important. Funnel your specifics to Chuck. At this moment, what we have is "we don't know the answer" but in some cases we aren't even sure what the question is. I would encourage that kind of direction on this.

Motion to adjourn 5:37

Next Meeting: December 1, 2020 3-5pm

***If you have items for the agenda please send your request to the Faculty Senate President (Charles.Shields@fairmontstate.edu) by Tuesday morning November 24, 2020 for consideration by the Executive Committee.**