

Minutes of
THE FACULTY SENATE
OF
ARKANSAS TECH UNIVERSITY

The Faculty Senate met Tuesday, November 12, 2013, at 3:00 p.m. in Room 325 of the Ross Pendergraft Library and Technology Center. The following members were present:

Dr. Sherman Alexander	Dr. Sean Huss
Dr. Glen Bishop	Dr. Linda Kondrick
Dr. Carey Bosold	Dr. Timothy Leggett
Dr. Molly Brant	Dr. Eric Lovely
Dr. Ernest Enchelmayer	Dr. Kevin Mason
Dr. Marcel Finan	Dr. Johnette Moody
Mr. Ken Futterer	Dr. Michael Rogers
Dr. Beth Giroir	Dr. David Ward
Mr. Neal Harrington	Dr. Deborah Wilson
Dr. Annette Holeyfield	

Dr. Chris Kellner was absent. Dr. Robert Brown, Dr. John Watson, Ms. Pat Chronister, Dr. Malcolm Rainey, Dr. Sandra Smith, Dr. Jeff Aulgur, Dr. Carl Greco, and Dr. Jeff Mitchell were visitors.

- CALL TO ORDER** President Lovely called the meeting to order and asked for a motion in regard to the minutes of the October 8, 2013, meeting.
- APPROVAL OF MINUTES** Motion by Dr. Mason, seconded by Dr. Moody, to approve the minutes as distributed.
Motion carried.
- NEW BUSINESS:** President Lovely asked if the Senate had any motions concerning the submitted curricular proposals.
- CURRICULAR ITEMS** Motion by Dr. Huss, seconded by Dr. Ward, to approve the Behavioral Sciences proposal as follows:
- Department of Behavioral Sciences**
1. Change the course number for SOC 3173, Social Gerontology, to SOC 4183, and cross-list with SOC 5183, Social Gerontology.
- Motion carried.
- Motion by Dr. Wilson, seconded by Dr. Enchelmayer, to approve the Speech, Theatre, and Journalism proposal as follows:
- Department of Speech, Theatre, and Journalism**
1. Add TH 4091-4, Internship, to the course descriptions; and
 2. Change the title of JOUR (ART) 1163, Basic Photography, to Basic Digital Photography, and modify the course description.
- Motion carried.

Motion by Dr. Giroir, seconded by Dr. Brant, to approve the Agriculture proposal as follows:

Department of Agriculture

1. Add AGBU 2063, Principles of Agriculture Macroeconomics, and AGBU 2073, Principles of Agriculture Microeconomics, to the list of courses satisfying the Social Sciences General Education requirement

Motion carried.

Motion by Mr. Futterer, seconded by Dr. Enchelmayer, to approve the Emergency Management proposal as follows:

Department of Emergency Management

1. Modify the Curriculum in Emergency Management as follows: (a) change the courses listed in the 21 hours of Interdisciplinary Core as follows: AHS 1023, Basic Pharmacology with an Overview of Microbiology; AHS 2013, Medical Terminology; ART 1163, Basic Photography; ART 1503, Introduction to Graphic Design; ART 2213, Digital Skills for the Graphic Designer; BIOL 2004, Basic Human Anatomy and Physiology; BIOL 2014, Human Anatomy; BIOL 3074, Human Physiology; ELEG 1012, Introduction to Electrical Engineering; FW 2003, Elements of Fish and Wildlife Management; GEOL 3174, Computer Applications in Geology; NUR 2023, Introduction to Professional Nursing; NUR 2303, Nutrition; PHIL 2013, Religions of the World; PHIL 3023, Ethics; PHIL 3053, Philosophy of Religion; PHIL 3103, Logic; WS 1091, Fitness Walking/Jogging; and any CJ, SOC, or PSY course; and (b) change the 15 hours of Administrative/Professional Core as follows: Require ENGL 2053, Technical Writing; and allow 12 hours of any course from the College of Business (ACCT, BDA, BLAW, BUAD, ECON, and FIN); COMS, JOUR, MATH, and SPH; and HA (RP) 4113, Personnel Management in Parks, Recreation, and Hospitality Administration; PS 3023, Professional Communications; PS 3133, Applied Principles of Personnel Management; and SOC (PSY) 2053; Statistics for the Behavioral Sciences.

Motion carried.

Motion by Dr. Bishop, seconded by Dr. Giroir, to approve the Mechanical Engineering proposal as follows:

Department of Mechanical Engineering

1. Add MCEG 3333, Alternative Energy Systems, to the course descriptions.

Motion carried.

Motion by Dr. Mason, seconded by Dr. Enchelmayer, to approve the Professional Studies proposal as follows:

Department of Professional Studies

1. Add PS 4343, Community Development, to the course descriptions;
2. Add PS 4443, Professional Leadership, to the course descriptions; and
3. Add the Applied Leadership Concentration to the Curriculum in Professional Studies.

Motion carried.

IMPACT OF
AFFORDABLE
CARE ACT ON
STUDENT LABOR

President Lovely suggested postponing the discussion of the impact of the Affordable Care Act on student labor until Dr. Kellner was present.

Motion by Dr. Mason, seconded by Dr. Moody, to table further discussion until the December meeting of the Faculty Senate. Motion carried.

PRESIDENTIAL
SEARCH

President Lovely reported the website for the presidential search is now live and accessible from the university's homepage, and encouraged the faculty to review the information provided. He listed the members of the Presidential Search Advisory Committee:

Dr. John Watson, Vice President for Academic Affairs
Mr. David Moseley, Senior Vice President for Administration and Finance
Dr. Mary Gunter, Dean of the Graduate College
Dr. Eric Lovely, Faculty Senate Chair and Associate Professor of Biology
Dr. V. Carole Smith, Associate Professor of Middle Level Education
Dr. Ernest Enchelmayr, Associate Professor of English
Ms. Beth Gray, Associate Professor of Emergency Management
Mr. Jim White, President of the ATU Alumni Association Board of Directors
Ms. Theresa Fontaine, Registered Nurse Program Director, Ozark Campus
Mr. Dan Lovelady, President of the ATU Foundation Board of Directors
Mr. Clay Wyllia, President of the ATU Student Government Association
Dr. Jack Hamm, Distinguished Professor and Professor Emeritus of Mathematics
Ms. Judy Taylor, Community Member

President Lovely stated the information on prospective candidates will be posted to the website as it becomes available.

REPORT ON BOARD
OF TRUSTEES
MEETING

President Lovely distributed the memorandum which was taken to the Board of Trustees for consideration on October 17, 2013 (Attachment A). He reported, in addition to the three items voted on by the faculty at large during the spring elections, the memorandum also included an item regarding worker's compensation. President Lovely stated it was his understanding the Senate had requested clarification on the topic of worker's compensation from University Legal Counsel and, satisfied with the response received, did not request a submission to the Board for inclusion in the *Faculty Handbook*. He reported the Board of Trustees took no action on any of the proposed items from the Senate.

Ms. Pat Chronister, Assistant to the Vice President for Academic Affairs, asked to provide additional information on the contents of the memorandum. She stated at the December 4, 2012 meeting of the Faculty Senate, a motion was made by Dr. Kellner, seconded by Dr. Lovely, to recommend inclusion of the worker's compensation statement provided by University Legal Counsel in the *Faculty Handbook*, and the motion carried. Ms. Chronister explained, when possible, Academic Affairs updates the *Faculty Handbook* only once per year, and based upon the motion from the December 2012 meeting, this change was included as part of the packet of changes proposed by the Senate to the Board of Trustees.

Mr. Futterer asked if the Board of Trustees had any discussion over the proposed changes. President Lovely reported that the discussion centered on the worker's compensation issue and the Chairman, hearing no motions from the Board, moved on without action.

Dr. Jeff Mitchell, Professor of Philosophy, inquired if the Board of Trustees had asked President Lovely any questions during the discussion. President Lovely reported he was not asked any questions. Dr. Huss asked for the results of the faculty election.

President Lovely read the results of the election, with 60% participation from the faculty at large:

- I. Proposed change to the membership requirements of the Faculty Senate, requiring tenure to be eligible to serve; 70% of participating faculty voted “Yes”.
- II. Proposed change to eliminate appointed members on the Faculty Senate; 65% of participating faculty voted “Yes”.
- III. Proposed addition to the Faculty Senate constitution regarding the Faculty Handbook, stating the Senate serves as an advisory body on proposed changes to the Faculty Handbook; 91% of participating faculty voted “Yes”.

USE OF FACULTY EMAIL LIST

President Lovely provided an email he composed for distribution to the full-time faculty email list (Attachment B), and also included the response from Ms. Chronister regarding the procedure for use of the full-time faculty email list (Attachment C). President Lovely stated he was informed by Ms. Chronister that emails distributed by Academic Affairs using the full-time faculty email list must first be approved by Dr. Watson. He reported Dr. Watson did not approve the use of the email list for his letter to the faculty and stated he was unable to communicate to the faculty. In the past, the Senate chair has written to the faculty in this manner, and after following the provided procedure, President Lovely’s communication was not distributed. President Lovely asked that the minutes reflect the exact wording of his letter so there would be a record of the content that was rejected for distribution to the faculty.

Dr. Mason expressed the opinion that Dr. Watson’s decision to not distribute President Lovely’s letter was specific to that communication, and would not mean all communication from President Lovely to the full-time faculty would be denied. Dr. Mason also expressed the opinion that the Senate should cease further pursuit of this issue, as it was presented to the Board of Trustees, who chose to take no action. He stated he understood this decision by Academic Affairs, as the distribution of the letter to the full-time faculty could give the appearance the Senate is at odds with the Board, which he felt would not be prudent.

EXECUTIVE SESSION

Prior to entering executive session, Dr. John Watson, Vice President for Academic Affairs, inquired as to the purpose of executive session for the Faculty Senate. President Lovely explained that the intent was to conduct a discussion without record in the minutes.

Dr. Robert Brown, University President, stated there was no issue with holding a discussion without minutes, but explained when the Board of Trustees enters executive session, it is for the purpose of discussing personnel matters and all guests and visitors remove themselves from the meeting during that time. He added that all Faculty Senate meetings are open as stated in the *Faculty Handbook* (Note: In the By-laws of the Faculty Senate, Article III, Section 4: Attendance at Meetings states “Official meetings called by the Faculty Senate chairperson are open to the general university faculty and invited guests”).

Motion by Mr. Futterer, seconded by Dr. Rogers, to suspend the recording of minutes.
Motion carried.

Motion by Dr. Mason, seconded by Dr. Rogers, to resume the recording of minutes.
Motion carried.

OLD BUSINESS: SCHEDULING OF COMMITTEE MEETINGS

Dr. Bishop stated some faculty are concerned that committees have, on occasion, scheduled meetings during the class time of a committee member. He suggested meetings be scheduled during normal working hours, and if committee members have obligations off campus or on another committee, they would then choose which to attend. He stated it is important everyone has the opportunity to attend.

The ensuing discussion centered on the difficulty in finding a common meeting time in which each member is available. The suggestions given included the use of the online Doodle scheduling tool by committee chairs or setting a specific schedule for meeting during the term, at which time committee members could request their classes not be

scheduled.

REPORT ON
PROMOTION AND
TENURE ISSUES

Mr. Futterer reported the subcommittee reviewing promotion and tenure issues has not met, but he requested the item remain on the agenda. He explained the subcommittee was in the process of reorganizing the *Faculty Handbook* to combine sections discussing promotion and tenure in order to improve the presentation and flow of the information as written.

REPORT ON
ACADEMIC
DISHONESTY

Dr. Rogers reported there has been no further action on the honor code.

REPORT ON
FACULTY
DEPENDENT AID

Mr. Futterer stated the subcommittee met via email and has recommended the removal of the review of faculty dependent financial assistant for campus study from the agenda as a change in policy does not seem to be in order at this time.

RECOMMENDATION
ON NON-
DISCRIMINATION
POLICY

President Lovely reported the Senate's motion recommending the expansion of the university's non-discrimination policy was forwarded to Dr. Watson. Dr. Watson stated the recommendation has been sent on to University Legal Counsel and he has not yet received a response.

RECOMMENDATION
ON H1-B VISA
POLICY

President Lovely stated there was nothing further to report at this time in regard to the H1-B visa policy.

RECOMMENDATION
ON FACULTY
HIRING POLICY

Dr. Huss reported the quantitative results from the faculty hiring survey were posted to the Standing Committees website:

www.atu.edu/standingcommittees/FacultySenate/archive/2013FacultySurvey.doc

He stated he is in the process of removing all identifiers from the comments received through the survey, so those could be available for review by the faculty at large as well.

OPEN FORUM

Dr. Holeyfield expressed her appreciation to Dr. Brown for his willingness to work with the Faculty Senate and encouraged the Senate chair to take advantage of this opportunity.

Dr. Rogers suggested the Senate work with the administration in determining the best method to resubmit the proposed changes to the *Faculty Handbook* for approval by the Board of Trustees.

Motion by Dr. Rogers, seconded by Dr. Kondrick, to form a subcommittee to collaborate with the university administration on the resubmission of the proposed changes to the *Faculty Handbook* as voted upon by the faculty. Motion carried.

Dr. Rogers, Dr. Kondrick, Dr. Giroir, and Dr. Huss volunteered to serve on the subcommittee.

Mr. Futterer indicated the majority of the items of "Old Business" the Faculty Senate is currently pursuing involve changes in policy which would require action by the Board of Trustees. Mr. Futterer asked Dr. Brown if he felt these current tasks were practical for the Senate to continue to pursue.

Dr. Robert Brown, University President, responded he did not foresee an issue with the additional verbiage to the non-discrimination policy, as long as the verbiage was in accordance with Arkansas state law. He then stated the Board of Trustees is not in favor of adding a tenure requirement for faculty serving on the Senate, and expressed that the Board felt this would disenfranchise the untenured faculty.

On the topic of H1-B visas, Dr. Brown stated the federal government requires a university, when hiring an international faculty member, to certify there is not a U.S. resident available and willing to teach in that discipline. He reported, over a year ago, he was unable provide such a certification within the discipline of a particular faculty member whose visa was expiring. Dr. Brown stated the resulting controversy eventually led to the university ceasing all visa sponsorship for international faculty. Dr. Brown noted he was willing to revisit the issue, but reminded the senators that the university can pay between \$5,000 and \$7,000 for such sponsorship, without having any guarantee a sponsored faculty member will remain at this university. Dr. Brown welcomed any advice the senators had to offer.

Dr. Carl Greco, Professor of Electrical Engineering, stated his department currently has one faculty member requiring H1-B visa sponsorship and had recently offered a position to a candidate requiring sponsorship who ultimately decided not to come to Arkansas Tech based on the existing practice to not provide sponsorship. Dr. Greco also stated the university is financially responsible for less than \$500 and H1-B visas are non-transferrable. Dr. Brown replied the university provides legal representation which can raise total expenses to between \$5,000 and \$7,000. Dr. Greco mentioned universities around the state have different practices which result in a lower cost to the institution. Dr. Brown responded, in his consultation with attorneys, he had been advised otherwise.

ANNOUNCEMENTS/
INFORMATION
ITEMS

President Lovely announced the upcoming meeting of the Faculty Senate would be held on Tuesday, December 10 at 1:00 p.m. in room 325 of the Ross Pendergraft Library and Technology Center.

ADJOURNMENT

The meeting adjourned at 4:00 p.m.

Respectfully submitted,



Eric C. Lovely, Ph.D., President



Marcel B. Finan, Ph.D., Secretary

Attachment A

Memorandum

Vice President

Office of Academic Affairs

TO: Dr. Robert C. Brown
President

FROM: Dr. John Watson 
Vice President for Academic Affairs

RE: *Faculty Handbook* changes

DATE: October 11, 2013

The Faculty Senate has proposed changes to the *Faculty Handbook* relating to membership of the Senate, its role in reviewing changes to the *Handbook*, and faculty eligibility for workers' compensation benefits.

During their November 13, 2012, meeting the Senate voted to amend the Faculty Senate Constitution and membership of the Senate as follows: (1) add tenure as a membership requirement; and (2) remove the appointive membership. These changes were presented to the faculty at large during their April spring committee elections, and were recommended by the majority of the faculty participating in the elections.

*Faculty
164/270
60%*

ARTICLE II: MEMBERSHIP AND TERMS OF OFFICE (*page 95 of the 2013 Faculty Handbook update*) (*addition is underlined; deletion is struck through*)

Section 1: Elective Membership – One Senator shall be elected by each of the Colleges of the University upon obtaining a minimum of fifteen full-time faculty members. A College shall be eligible for one additional Senator for each twenty full-time faculty members or additional portion thereof. A College entitled to multiple Senators may elect no more than two from any one department. Any College or independent Academic Unit that has less than fifteen full-time faculty members will be combined into a Supernumerary voting block operating under the above delineated rules. Faculty who are tenured or will receive tenure effective with the first year of their three-year term are eligible to serve.

Section 2: ~~Appointive Membership~~ — ~~The President of the University shall appoint one Senator; the Vice President for Academic Affairs shall appoint one Senator.~~

Dr. Robert C. Brown – June 14, 2013

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The December 4, 2012, Faculty Senate minutes recommend inclusion of the following statement in the *Faculty Handbook* relating to the eligibility of faculty to receive worker's compensation benefits if injured on the job. The statement was drafted by Mr. Thomas Pennington, Associate Vice President and Counsel to the President, and would be included in the "Faculty Benefits and Privileges" section of the *Handbook*:

Faculty members who are injured while acting within the scope of their employment will be eligible to file for Worker's Compensation insurance.

Lastly, the Faculty Senate recommended at their April 9, 2013, meeting that the Senate serve as an advisory body in reviewing proposed changes to the *Faculty Handbook*. This Faculty Senate constitutional change was also recommended by the faculty at large during the spring elections.

ARTICLE I: NAME AND PURPOSE (*page 95 of the 2013 Faculty Handbook update*)
(*addition is underlined*)

Section 2: Purpose: The Faculty Senate shall act for the faculty in all curricular matters other than those involving changes in general academic policies and for the faculty or the ~~administration on matters referred to it for action; it shall serve as an advisory body to the~~ faculty on matters involving academic policies; it shall serve as an advisory body to the faculty and administration on proposed changes to the *Faculty Handbook*, and to the administration or the faculty, as appropriate, on any other matters of general concern to the University.

Additionally, a statement would be added to the *Handbook* section "Selected Administrative Procedures Affecting the Faculty" as follows:

Proposed changes to the Faculty Handbook are reviewed by the Faculty Senate when feasible before revisions are incorporated into the Handbook and distributed to the faculty at large.

If these recommendations are approved, Academic Affairs and the President's Office will determine implementation dates and procedures.

JW:pc

Attachment B

Dear Faculty,

I have the pleasure of serving as the Chair of the Faculty Senate this semester. As Chair of the Faculty Senate, I try my best to represent the faculty and faculty interests, as do all of your elected Faculty Senators. Unfortunately, we now find ourselves in a situation that requires me to ask for your feedback directly. Put simply, I need you to tell me how you would like the Faculty Senate to respond to a recent event. Here's what has happened...

You may remember that last spring semester we held a faculty election where you were asked to elect faculty members to various committees and you were asked to vote on proposed changes to the Faculty Senate Constitution and membership. The proposed changes are as follows (note that 164 of the 274 of the total faculty voted on these issues):

1. **Require Tenure for Service on Faculty Senate:** This change was proposed to help guarantee that members of the Faculty Senate would be somewhat insulated against retribution for expressing opinions, bringing issues forward, or voting in a manner not approved by the administration. (70% of faculty responding voted "Yes" to approve this change)
2. **Eliminate Appointed Members from Faculty Senate:** As you may or may not know, some members of the Faculty Senate are appointed by administrators. The goal in making this change was to make the Faculty Senate a fully elected representative body. (65% of the faculty responding voted "Yes" to approve this change)
3. **Faculty Senate Advise on Faculty Handbook Changes:** This change was to give the faculty some input on changes to the Faculty Handbook by making the Faculty Senate an advisory body that reviews and makes recommendations on such changes. ~~To be clear, the Faculty Senate would not have control over the Faculty Handbook, but would instead have advisory input on changes before they are sent to the Board. (91% of faculty responding voted "Yes" to approve this change)~~

At the last Board of Trustees meeting (Oct 17, 2013), these items were on the Board's agenda for approval. But, at this meeting, the Board did not take any action or discuss these items and I do not anticipate it will be brought up again without Faculty Senate action. The Board's lack of action in the face of the faculty vote leaves us with an important question: What should we do next?

The Faculty Senate represents you, and we want to do our best to represent the faculty. So I am writing to ask you how you would like us to proceed in dealing with this situation. If you feel we should let the issue drop, then we need to know. If you feel that we should inquire as to why it was not discussed or voted on, let us know. The bottom line is that we need to hear from you. If you care about this issue and want to help us decide where to go from here, then please come to our next Senate meeting. It will be held in Pendergraft Library 325 on Tuesday November 12 at 3:00. Please attend our meeting and let us know how you feel about this situation and what we should do if anything. If you cannot attend the meeting, then please email me with recommendations or concerns. No matter what, we want to hear from you.

Thanks,

Eric Lovely (elovely@atu.edu)

Attachment C

Date: **Tue, 22 Oct 2013 21:56:22 +0000**
From: "Pat Chronister" <pchronister@atu.edu> **Block Address**
To: "Eric Lovely" <elovely@atu.edu>
Cc: "Jana Crouch" <jcrouch4@atu.edu> "John Watson" <jwwatson@atu.edu> "Pat Chronister" <pchronister@atu.edu>
Subject: **RE: RE: RE: RE: FW: Draft of October Minutes**

Dr. Lovely,

Academic Affairs does maintain a full time faculty email list. This list was compiled solely for use by Academic Affairs in communicating with faculty about deadlines, processes, procedures, commencement dates, etc. We do not share the email list with other entities on campus as it is a fluid list.

True to that policy, we have only allowed a small number of communications to the full-time faculty email list from other entities. Most recently, we did send out an email to that list from Kevin Solomon in Student Services requesting participation by the faculty in a survey concerning the new orientation process (a collaborative effort between Academic Affairs and Student Services) begun this summer. ~~The email was first reviewed by Dr. Watson before it was sent out.~~

Therefore, if you have an email you wish to send to the faculty campuswide, please send that email request to Dr. Watson. If he approves, then we will be glad to send to the faculty at large.

Thanks,

Pat

From: Eric Lovely [mailto:elovely@atu.edu]
Sent: October 22, 2013 4:15 PM
To: Jana Crouch
Cc: Dr. Lovely; Pat Chronister
Subject: Re: RE: RE: RE: FW: Draft of October Minutes

Dear Jana and Pat,

Please send me a list of the full faculty emails as it currently stands. Please try to get this to me ASAP.

Thanks,

Eric Lovely