

Minutes of
THE FACULTY SENATE
OF
ARKANSAS TECH UNIVERSITY

The Faculty Senate met Tuesday, February 14, 2012, at 3:00 p.m. in Room 325 of the Ross Pendergraft Library and Technology Center. The following members were present:

Dr. Ernest Enchelmayer	Dr. Cathi McMahan
Dr. Dan Bullock	Dr. V. Carole Smith
Dr. Eric Lovely	Dr. Tom Limperis
Dr. Susan Underwood	Ms. Jamie Earls
Dr. Sean Huss	Dr. Johnette Moody
Dr. James Walton	Mr. Ken Futterer
Dr. David Eshelman	Ms. Annette Stuckey
Dr. Sherman Alexander	

Dr. Alex Mirkovic, Dr. Robin Lasey, Dr. Jennifer Helms, and Dr. Penny Willmering were absent. Ms. Jennifer Fleming and Mr. Thomas Pennington were visitors.

CALL TO ORDER
APPROVAL OF
MINUTES

President Smith called the meeting to order and asked for a motion to approve the minutes of the December 6, 2011, meeting.

Motion by Ms. Earls, seconded by Dr. Moody, to approve the minutes as distributed. Motion carried.

OLD BUSINESS:
SOCIAL MEDIA
GUIDELINES

President Smith announced that Mr. Pennington, Associate Vice President and Counsel to the President, was present to address questions relating to the social media guidelines. Mr. Pennington stated his appreciation for the Senate's invitation to speak and indicated he would have a short presentation. With regards to Facebook, he stated he advocates five simple rules: post happy; do not threaten anyone; do not post about ex relationships; do not post on your personal Facebook at work; and do not post about work. Mr. Pennington indicated that the state of Arkansas is an *employment at will* state. Any private employee may be fired at any time for any reason. However, public employees have some protection from the *employment at will* doctrine. If the matter at hand is one of social, political, or community public concern, then it may be a protected speech/behavior. If it is not, then there is no protection, and the employee can be punished or fired.

Mr. Pennington cautioned faculty to be "transparent" when working on social media during the working hours. He maintained that faculty should not "friend" students on their personal Facebook pages but should keep a strictly professional relationship. A professional Facebook group might be set up to facilitate interaction for a class assignment, for example. When questioned about working on personal social media sites during the day since faculty do not have set 8 to 5 working hours, Mr. Pennington responded that faculty should definitely not post when they should be in class or when they should be holding office hours. He indicated possible issues with the public's perception of a public employee's job if personal posts to various social media occur during the regular working day.

Dr. Walton questioned the use of office computers for personal use. Mr. Pennington cited Executive Order 9804 which states that state property may not be used for private purposes, noting that this order was put into place before the internet. He cautioned, however, that

even though the state law has not quite caught up to current social media uses, faculty should still be cautious in using state equipment for any personal use.

Mr. Pennington accessed various websites illustrating how certain behaviors by employees had caused them to be terminated from their positions. Dr. Huss questioned whether statements placed on his personal Facebook account could be called into question by his employer. Mr. Pennington responded that employees can be held accountable for statements or actions portrayed on their personal Facebook pages as long as the speech or behavior is not a matter of public concern. Dr. Huss asked what actions might be taken against a faculty member; Mr. Pennington stated the actions could range from a caution by the department head or dean to dismissal.

Mr. Pennington noted instances where behavior is being caught on video using cell phones and then posted to YouTube. He stated faculty may want to ban cell phone usage in their classes.

Mr. Pennington then reported that higher education is about to be drawn into an area which before was primarily limited to public education. Employees of institutions of higher education will become “mandated reporters” of suspected abuse of minors. This could apply, for instance, to summer camps held for minors on campus in that an employee would have to report any suspected abuse of a minor. He is working to define specifically how this will affect the institution’s employees.

Additionally, Mr. Pennington stated that the sexual harassment policy needs to be reworked based on new guidelines. The purpose will be to make the policy simpler but also more specific as to what constitutes harassment. He stated he will send a draft to the Senate for review at their March meeting.

Mr. Pennington thanked the senators for their time and excused himself from the meeting.

UPDATE ON
RETIREMENT
POLICY AND
CHARGE TO
FACULTY SALARY,
BENEFITS AND
AWARDS
COMMITTEE

President Smith asked Dr. Bullock for an update, and he reported he met with the committee. Several suggestions were made, including looking into how other universities’ retirement plans in the state are structured and asking both a TIAA CREF representative and a Teacher Retirement Representative to campus. Dr. Walton, who is on the Faculty Salary, Benefits and Awards Committee, stated that he believed the Senate should invite the representatives. He also noted that speaking with an accountant might be beneficial. Dr. Bullock stated he would continue to follow up on this issue.

REPORT BY
SUBCOMMITTEE
ON FACULTY
HIRING PRACTICES

President Smith asked for an update. Dr. Huss reported that he had not received comments on the draft questions/statements presented at the last meeting. Several indicated they had not received those. Dr. Huss stated he would send the proposal to the Senators again and asked them to let him know of changes or suggestions.

STUDENT
EVALUATIONS
PROCEDURE AND
FACULTY
HANDBOOK
CONFLICT

President Smith asked Mr. Futterer for a report. Mr. Futterer noted the primary concern with the new method of conducting course evaluations was that the paper copies were being shredded by Institutional Research and not returned to the faculty member as per the *Faculty Handbook*. It was noted that IR changed their procedure in the fall and is now returning the paper copies of the evaluations to the departments for return to the faculty member. Dr. Walton noted the ease of using ClassClimate where the scanned evaluations are stored; however, Dr. Lovely reported that the quality of some of the scanned copies was poor, making it difficult to read some of the comments. He also stated that, in his department, additional calculations were made using the evaluation forms, and this was made more

difficult by only having electronic versions. The senators agreed that, with the return of the paper evaluations, the conflict with the *Faculty Handbook* was resolved.

Additional concerns centered on making sure grades were turned in before the evaluations were made available to faculty (a timing issue) and the poor return of electronic surveys for the totally online courses. Several asked that the instructors be notified when the online surveys are going to be sent to students so they can follow up with the students and encourage them to participate. President Smith stated that Mr. Wyatt Watson may need to meet with the Senate on these concerns.

COLLEGIALITY
AND
ADMINISTRATORS

President Smith asked Mr. Futterer for comments. He stated that, due to missing the last meeting, he had time to consider this issue more carefully. He distributed a proposal with a motion advocating yearly evaluations of several administrators by the faculty.

At this time, Dr. Enchelmayer excused himself from the meeting.

Mr. Futterer stated that the faculty are in a unique position to be able to evaluate different services on campus, particularly student services and the finance area. Discussion centered on whether the faculty should “evaluate” the administrators or whether faculty should instead be given the opportunity each year to respond to a satisfaction survey type instrument.

Mr. Futterer read his motion as follows: The Faculty Senate of Arkansas Tech University respectfully requests that beginning Fall 2012, faculty participate in yearly evaluations of all Program Directors, Department Heads, Deans, the Registrar, all Vice Presidents, and the President of the University, with those evaluations being forwarded to the appropriate oversight individual(s) or body. Seconded by Dr. Lovely.

Dr. Eshelman stated his reluctance to vote on this proposal without having time for further consideration. Additionally, formation of a subcommittee to review the proposal was suggested.

Motion to table and form the subcommittee by Dr. Eshelman, seconded by Dr. Huss. Motion carried.

Mr. Futterer, Dr. Huss, and Dr. Lovely volunteered to serve on the subcommittee. President Smith asked for a report no later than April.

NEW BUSINESS

President Smith noted no new business at this time.

OPEN FORUM

President Smith asked for any additional discussion items. As an item of information, Dr. Lovely distributed a copy of an excerpt from an internet article indicating a change in rules by the University of Central Arkansas’ Board of Trustees. The rules change allows representatives from the faculty senate, the staff senate, and the Student Government Association to ask questions during the board meetings concerning agenda items.

Dr. Bullock noted a recent incident on campus concerning a student with a gun and a fight. He stated he did not receive a text alert concerning the incident and questioned why not. The consensus was that the incident had been resolved quickly with the offenders being caught before even exiting campus. Dr. Bullock noted complaints by students that they had not received text alerts and questioned the protocol for using the text messaging system. Dr. Bullock stated he would invite Ms. Nicholson to the next meeting to discuss this issue.

President Smith reported she had received a resignation notice from Dr. Mirkovic, asking to be relieved of his responsibilities with the Faculty Senate.

Motion to table this resignation request by Dr. Walton, seconded by Dr. McMahan. Motion carried.

ANNOUNCEMENTS/
INFORMATION
ITEMS

President Smith announced that the last meeting of the year will be on May 1. She asked if the senators would once again like to try to schedule a lunch with Dr. Brown on that day at noon with the meeting to follow at 12:30 or 1:00 p.m. All present were in favor. President Smith stated she would check on this possibility.

President Smith announced that the next meeting will be on March 13, 2012.

ADJOURNMENT

The meeting adjourned at 4:27 p.m.

Respectfully submitted,



V. Carole Smith, Ph.D., President



Daniel W. Bullock, Ph.D., Secretary