President Owen McDougal called the meeting to order at 3:15 p.m.


Agenda Items:

2) Approval of Past Transcript/Minutes

   (a) 13 October 2009 Minutes:
   • These minutes were not approved at the 27 October 2009 meeting, as the exact wording of President Kustra was not depicted and there were objections from the Senate floor. The response to Senate objections to these minutes was a 10 page draft of a transcript providing President Kustra’s exact wording, instead of just an overview of the meeting. Senate President McDougal gave a reminder that the podcasts of Senate meetings contain exact wording, and in the future meetings will not be transcribed word for word.
   • Senator Klein proposed one correction under Faculty Senate Resolutions: Vice President Lynn Lubamersky: Furlough language. “Senator Klein seconded this” became “Senator Klein seconded the resolution presented by Vice President Lubamersky.”
   • Vice President Lubamersky moved to approve the transcript/minutes from the 13 October 2009 meeting. The motion was seconded by Senator Klein and unanimously passed by the Senate. There were no objections.

   (b) 27 October 2009 Minutes:
   • Due to the amount of time and work required to transcribe the 13 October 2009 Senate meeting, the 27 October 2009 minutes will not be available to the Senate for approval until the 08 December 2009 Senate meeting.

3) New Business

   (a) Policy 3130 Academic Grievance: Chase Johnson
   • At the request of the Academic Standards Committee, Policy 3130 was brought forth on 22 September 2009 to the Faculty Senate for approval. The policy went from the Faculty Senate to the Provost and the Vice President for Student Affairs
and then to ASBSU. ASBSU has provided recommendations into Policy 3130 based on what Academic Standards had originally provided.

- **Chase Johnson:** Presented ASBSU’s suggested revisions to the policy. Johnson stated that student grievances that reach the final level of the grievance process are of greatest concern, so those parties involved, especially students and faculty, should be involved in the process. Therefore, 2 students appointed by ASBSU and 2 faculty members appointed by the faculty senate would help comprise the Academic Grievance Council. The council would also be comprised of 1 Dean and the Vice President of Student Affairs or his/her appointed representative in order to keep certain aspects of the administration involved, and the ASBSU Vice President would chair the council.

- **Senator Klein:** Will there be an appeal board rather than a hearing board?

- **Johnson:** These matters are rare and ASBSU wants a lot of review, especially by peers.

- **Senator Stohr moved to return the Academic Grievance Policy to the Academic Standards Committee for further review. The motion was seconded by Vice President Lubamersky and unanimously passed by the Senate. There were no objections.**

(b) **BSU Research Agenda and Update: V.P. Mark Rudin**

- V.P. Mark Rudin stated:
  - BSU has the fastest growing university research program in the state
  - “The research office constantly strives to knock down barriers to allow faculty and students to do research.”
  - The establishment of the Research Committee was very important to this process. This committee “creates a forum for an exchange of ideas on how we better serve students and faculty to do research.”
  - The mission of the research committee should be to move all research creative activities forward. Rudin asked that individuals work with the committee members to “envision the membership of that group to sort of be the voice of their respective colleges and their respective units.”
  - One current initiative: Arts and Humanities Research Fellows Program
    - There is an institutional effort to support this competitive and beneficial program. The pilot year for the program will start in May. This program will provide teaching release for research.
  - Rudin would like to start periodically attending the faculty senate meetings to present materials and talk about issues the Research Office is facing. Rudin welcomes feedback from either the faculty senate or the Research Committee.
  - **Senator Rohn:** Sits on the Research Committee and stated that one of the committee’s goals is to take agenda items from the faculty to the Research Committee. Rohn encouraged senators and their colleagues to submit issues related to research to the committee, and the issue will be put on the committee’s agenda.
  - **Rudin:** Discussion of research park proposals (refer to podcast).
(c) Human Resources: Benefits (retirement/health), offspring tuition: Jane Buser

- Health insurance regarding part-time employees: The University was successful in negotiating with group insurance. In ensuring that all faculty are considered full-time faculty (including research faculty, clinical faculty, all faculty) not 9-months as faculty work throughout the summer on research even if faculty do not teach during these months.
  - Of 223 employees impacted by going to a more expensive tier, the university has narrowed the number down to 90 by extending some employee’s months and other employee’s hours to give them a less expensive tier. Insurance payments now being taken out twice, not once a month.
  - Of 223 employees impacted by going to a more expensive tier, the university has narrowed the number down to 90 by extending some employee’s months and other employee’s hours to give them a less expensive tier. Insurance payments are now being deducted from employee pay twice rather than once a month.
  - One of President Kustra’s initiatives is look into the possibility of forming a higher education consortium for health insurance. Jane Buser and V. P. Stacy Pearson have gathered a lot of good information so far, but there is still a lot of work to be done. This remains a work in progress.

- Retirement: Buser explained there is an amount on each paycheck that goes to PERSI if an individual is a member of ORP. Many people have asked about this deduction.
  - Back in the 1980’s, difficulty was faced in recruiting faculty because the university only offered a defined contribution plan, where all contributions and the interest they earn equal what the retirement annuity could be.
  - PERSI is a defined benefit plan which is based on a formula and has a vested interest in keeping as many people as possible in their system because of their contributions. But PERSI was not portable.
  - Buser negotiated to implement the ORP, but concessions had to be made to PERSI for perceived money that would be lost in the transition.
  - By not contributing into PERSI, it would have affected the unfunded liability. For this reason, the contributions to PERSI had to continue.
  - In 2015, the 3.03% contribution to PERSI was to expire. In order to increase our contribution rate to be competitive yet cost neutral, an extension of the AUL past 2015 to 2025 was negotiated resulting in an increase of the employer contribution rate to PERSI from 7.25% to 9.25%.
  - That is why the unfunded liability must be paid. This went into effect July 1, 2007 and will expire in 2025.

- Senator Baker: Question about the risk pool for insurance.
- Jane Buser: No statistical breakdown for our own employees from the State. Discussion of need for breakdown of risk pool information.
- Senator Rainford: Questions about part-time staff.
- Jane Buser: No current way to anticipate changes being put in effect by the Department of Administration.
- Senator Rainford: Question about alternative measures to help employees. Waving parking fees?

- Offspring Tuition: Was discussed 3-4 years ago and was brought forth to the senate but was unable to move forward.
  - Jane Buser suggested that if there is renewed interest on the part of the senate, the senate could draft a resolution to send to the administration in order to create an opportunity for the university to do some additional research on this matter.
    - Senator Klein: Can the resolution be as simple as saying the faculty senate supports tuition waivers for children of employees?
    - Jane Buser: Yes. Difficulty in transferring employee children tuition benefits between institutions.
  - President McDougal: Spoke with other faculty senate presidents and they thought it would be appealing to have their offspring be able to attend other Idaho institutions, and asked that we investigate the cost impact at other institutions, as well as here at BSU. Idaho State apparently has collected some data on this.
  - Senator Gregory: Question about creation of the policy governing reduced tuition for spouses get put into place? Could model offspring policy on that.
  - Senator McCain: In 1979 when he was first here, he argued for the policy.
  - Senator Ahten: Description of the way the waiver policy works.
  - Vice President Lubamersky volunteered to draft a resolution on offspring tuition, and will find and use the resolution that passed 3-4 years ago to do so. Perhaps taken from the ISU or the one passed earlier by the BSU faculty senate.

(d) Faculty Ombuds Annual Report: Rob Anson

- Anson reported on the current state of the Ombuds Office:
  - Has been going for 1 ½ years now, and has seen a total of 35 clients.
    - Benchmarking: ISU has had a Faculty Ombuds for 7 years, and has seen only 40 cases.
  - The plan at 2 years is to evaluate the office and decide whether or not to continue the position. This evaluation will take place in the spring and an advisory board is already in place.
  - Highlights: Have seen clients from every college (16 different departments), 2/3 have been tenured track, 1/3 have been non-tenured track (research faculty or adjunct faculty), ½ of the issues have been about dealing with evaluative relationships (chair/dean faculty), and ¼ of the issues have been about career progression (terminations, promotion and tenure, or tenure questions.). More specific statistics can be found in the report.
  - Anson stated in general, communication issues (i.e. being able to give bad news, being able to give feedback to one another and take it respectfully, etc.) were at the base of all concerns brought forth to the Faculty Ombuds.
Anson sees trends across campus and is developing ideas and policies based on these.

- **Senator Rohn**: Wondered if any of the issues were related to correspondence through email.
- **Rob Anson**: Has seen one case which dealt with an “escalating email flame-war”, and the problem grew with a series of emails. He stated that issues can be fueled by the way an individual writes emails and misunderstandings can happen.

Through the results of anonymous surveys returned by clients and from his personal observations, Anson feels the response towards the Faculty Ombuds has been positive, that issues have been getting resolved, and positive progress has been made.

- **Vice President Lubamersky**: What is the role of the Faculty Grievance Committee and have clients been referred to it?
- **Rob Anson**: Has recommended clients turn to the Faculty Grievance says that he tries to give people options and Grievance is an option. The role? I leave it up to the individual person and it does come up quite a number of times where formal promotion and tenure issues are concerned. Committee for additional options but leaves the decision up to each client.

(e) **Policy 4520 Annual Evaluation of Deans: Rob Anson**
- Presented recommended changes to the policy:
- **Minor change**: There is a hole in the policy where “the integrity of the dean’s evaluation process can be compromised”. The current process involves sending out a survey to faculty that includes a handwritten component and the Dean Evaluation Committee of each college receives these original surveys. The recommended change to the policy asks the (IIAR Institutional Research), as a neutral office, to compile both quantitative and qualitative comments and type the comments up so an individual’s handwriting cannot be recognized and anonymity can be maintained.
- **Senator McCain**: Question about what the faculty members of the committee actually do to the process?
- **Senator Rainford**: A watchdog function.
- **Senator Klein**: wording needs editing—shall to will.
  - **Vice President moved to send Policy 4520 to the Professional Standards Committee. The motion was seconded by Senator Stohr and unanimously passed by the Senate. There were no objections.**

(f) **Postdoctoral Fellowship Program: Vice President Lubamersky**
- This program has been in place in the University of California system since 1984. Vice President Lubamersky feels it attracts and attains a diverse faculty to the University of California system and would like to look into shaping a similar program here at BSU. Lubamersky stated Provost Andrews has supported this idea and asks that we try and move forward with it.
- **Senator Stohr**: How do we move forward?
• **Vice President Lubamersky:** We could draft what the program would look like at BSU, and we would probably need to work with V.P. Mark Rudin and the Research Committee to find funding for the program. We could look to the Diversity Committee to shape and evaluate a model program for BSU.

• **President McDougal:** Asks Sens. McDonald and Klein about appropriate committee assignment. Sen. McDonald says happy to take to Diversity.

• **Sen. Ahten:** Would attract people from both within and outside of the university? May allow people to move up in the system.

• **Senator Rainford:** Likes the program and feels BSU needs the program, but asks what is the role of the faculty senate on this matter outside of passing a resolution? Should we pass a resolution? Why is the senate involved?

• **Provost Andrews:** Responded by saying she would like guidance from the faculty senate as to what the program might look like.

• **Senator Gregory:** Works with post-docs who are funded by outside grants; we are already doing this at BSU, but not specifically targeting minorities.

• **Senator Rainford:** What role do we have beyond resolution? We do not create programs, that is what the provost’s office and president’s office do.

• **Pres. McDougal:** Senate can create model that would be instituted.

• **Secy. McCarl:** The senate initiated the diversity requirement in the first place. Decisions on curriculum and content are the role of the senate.

• **Senator Stohr** moved to take the issue to the Diversity Committee to come up with a model for a Postdoctoral Fellowship Program and a resolution or recommendation along with it. The motion was seconded by Senator Baker and unanimously passed by the senate. There were no objections.

(g) **Support Letter: NSF ADVANCE: President McDougal**

- A grant proposal to “increase diversity and equity among science and engineering faculty across campus” has been submitted and it has been requested that the faculty senate provide a letter of support, which President McDougal will sign if there is no opposition. There was no opposition from the senate floor.

(h) **Populating the Honorary Doctorate Committee: President McDougal**

- Called for volunteer representatives for:
  - Business and Economics: Senator McCain
  - Education: Senator Cahill
  - Library: Senator Folkner
  - Graduate: Senator McDonald

4) **Committee Business – Reporting Committee Membership**

(a) **Academic Standards – Mary Stohr:** Nothing to report, have not met again, will meet this coming week; have a new task on moving credit hours from 128 to 120 and will revisit policy 3130 regarding academic grievance procedure.
(b) **Core Curriculum and Core Reform Task Force – David Saunders:** The committee is meeting regularly. 3 courses have been accepted into Core. Will provide a full report at the next senate meeting.

(c) **Curriculum – Anne Gregory:** The committee meets every week and is waiting for Academic Standards to send the credit hour issue (from 128 to 120) to Curriculum. Also, the Ad Hoc Constitution and By-laws Committee will meet for the first time next Friday and is taking suggestions for change to the existing documentation.

(d) **Diversity – Tedd McDonald:** Will meet on Thursday to review proposals for additions as diversity courses in addition to the new task of providing a recommendation for a postdoctoral fellowship program at BSU.

(e) **Financial Affairs – Gary McCain:** Deferred report to Old Business on the agenda.

(f) **Faculty Grievance – Lynn Lubamersky:** Nothing to report.

(g) **Professional Standards – Lynn Lubamersky:** Nothing to report.

(h) **Graduate Council – Will Rainford:** Committee has met and curriculum has been discussed. A new requirement has been discussed that will make it standard that all graduate dissertations and theses must have an abstract.

(i) **Nominating – Lynn Lubamersky:** Committee has ended.

(j) **Research Committee – Joanne Klein:** Committee has met twice and a chair has been elected. Has discussed two policies, Intellectual Property and Research Institute Policies, and is looking into faculty compensation for research.

(k) **Sabbatical Leave – David Saunders:** Will not meet until January.

(l) **Student Affairs – Tom English:** Senator English is out on medical.

5) **Old Business**

(Brief summary by Pres. McDougal and Provost Andrews)

(a) **SBOE Policy Changes: Faculty Financial Affairs Committee: Senator McCain**

- **Senator McCain:** Distinction between board policy---SBOE policy. The FAC was invited to submit a proposal regarding less than financial exigency situation. The Financial Affairs Committee presented the changes they made to the SBOE Policy to the faculty senate on 27 October 2009, where some points were argued as unacceptable. What the FAC presented was an unfinished draft, so the FAC was charged to address the wording of that SBOE policy proposal. Question was do we want to participate in the revision in the first place. The committee had to decide whether or not to participate in having a say in the language of the proposal as it came through and the committee decided yes “with the understanding that not everybody believed that that proposal in any form was desirable.”

- Senator McCain reviewed with the senate the most recent changes made to their draft of the policy proposal. The revisions consistently require that any decision-making process during a financial crisis be carried out according to “institutional” policy. The mindset was to put limitations on the proposal to restrict institutions. Therefore the financial crisis can be defined by the institution and dealt with accordingly. This draft also includes due process that was removed in the earlier draft. Another key change was removing the word “informal,” so that any redress would be dealt with as a structured, formal appeal.
• Senator McCain: This draft was not sent as a faculty senate policy. We decided we would rather have these things in the policy than not. Much discussion as whether we should participate in this or not. The institution’s input had to be wrapped up on the day the FAC met to address the policy. The FAC decided to include its revisions in the version of the policy that was sent out to faculty for review. We also discussed what the other institutions had done including UI, whose response was sent out by their chief financial officer. The policy went from the FAC into Provost Andrew’s hands, and then on to President Kustra and Kevin Satterlee, who polished the policy into its current form. The members of the FAC voted on the policy as to whether or not they would consent to participating in moving the policy forward. As of 4 November 2009, FAC involvement in the matter ended.

(b) SBOE Policy Chronology: Provost Andrews
• The timeline handout reflects what has occurred to her knowledge, but accurately reflects when things started with the policy.
• Provost Andrews: Back on 30 October 2009, the State Board office sent out a communication saying if the institution wanted input into the draft SBOE policy that would be presented for the first read in December, the university had until 03 November 2009, which is the same day as the FAC meeting.
  o The FAC came up with a draft which was then shared with President Kustra and legal counsel where revisions were made. The revisions were then sent back to the Financial Affairs Committee for a response.
  o The following morning, the administration made a decision, with the support of the FAC, to send the draft of the policy to the Office of the State Board.
  o The administration made it clear to the State Board that this submission of a draft did not reflect the decision of the faculty senate and that the senate would be meeting on 10 November 2009 and additional changes might be proposed between then and the first reading of the policy in December. However, these changes might not make it into the State Board’s agenda and would need to be presented at the State Board meeting.
  o The University of Idaho was the only other university which submitted draft changes that were submitted without the endorsement of the administration or faculty senate. Other faculty senates refused to participate in revisions and rejected the proposal. Since this time, U of I faculty have come to some agreement on the draft language that they proposed.
  o The President’s Council met on 10 November 2009 and incorporated the proposed draft from U of I and the proposed draft from BSU into the final version of the draft to be read in December. President’s Council agreed with the BSU draft, with modifications. Minor revision by PC. So that is what the SBOE will see in December.

• President McDougal: The faculty senate has the opportunity to provide additional input for Financial Affairs if there are concerns with this policy. President McDougal will be attending the State Board meeting and would be able
to provide the faculty senate’s input on the policy at that time at the December meeting of the SBOE.
  o There will be a second reading on the policy in February and there has been talk of an all-faculty vote. President McDougal requests that we draft institutional policy between now and February to provide faculty with knowledge of what protections are in place within the institution.
  o If there is an all faculty vote, the faculty has a complete version of the actual proposals.
- Senator Saunders: Important to keep in mind the differences between SBOE, state board policy and institutional policy.
- Secy. McCarl: SBOE intends to change the exigency policy. Their motivation is to give the state board the ability to make financial changes without following protections of exigency. I voted for it. Appreciate new info from AAUP and some conversations with faculty about the position of LCSC, we need to force SBOE to hold to protections that exist during exigency. Can go either way. Amending a policy or if protections will not disappear---unanimity could support that as well.
- VP Lubamersky: Might not be able to give the consensus at BSU without an all faculty vote. Too important.
- Pres. McDougal: Intent was to update the faculty and get an all faculty vote before the February SBOE meeting.
- Sen. Klein: Wants to go back to the pre-existing exigency policy. New revision may be an opportunity to insert that language into the new plan. Then you have all of your protections there within the “financial emergency.” Get consultation with the faculty first.
- Senator Rainford: Did the entire committee endorse the policy?

• Senator Rainford moved to endorse this FAC policy draft to be presented to the state board. The motion was seconded by Senator Saunders.
  - Senator Stohr: This is too big of a policy that affects everybody’s right, the whole faculty should vote on it, and we cannot endorse it with so many absent.
  - Senator Gregory: Could we hold a special senate meeting outside of the calendar schedule to devote to the SBOE policy and the FAC and senate response.
  - Senator Ahten: FAC knew that this was just a rough draft. We should take the opportunity to revise it. When this is presented we need to detail clearly what kinds of protections we intend in university policy.
  - Pres. McDougal: FAC already scheduled to meet on Tuesday, perhaps the full senate could follow that meeting?
  - VP Lubamersky: We should meet as a senate.
  - Sen. Klein: The FAC should also consider the necessity of reinstatement rights in any policy of this nature. What occurs once the financial crisis is over?
  - President McDougal: Most important to make a decision on what to present to SBOE by the December meeting.
  - VP Lubamersky: What document will SBOE see?
  - Provost Andrews: They will see the FAC draft document, but any alternative positions and amendments can be made for the first reading only.
- Sen McCain: Important to keep in mind that this came to us from the university counsel. We should view this as something we can change as we desire even to the point of rejecting it.
- Pres. McDougal: I can present whatever the will of the senate demands.
- Sen. Stohr: What is meant in the policy by the term administrative “unit.” This also reveals that there needs to be more specificity in the language of the policy.

- Senator Rainford was willing to table his motion providing that the Senate will meet next week to deliberate and vote on his motion.
- Senator Rainford moved to hold special Senate session next Tuesday at 4 pm to have the Financial Affairs Committee present their deliberations from their discussion of the senate followed by discussion and an endorsement. The motion was seconded by Senator Gregory and unanimously passed by the senate. There were no objections.

Senator Rainford moved to adjourn the meeting. The motion was seconded by Senator Gregory and unanimously passed by the senate. There were no objections. The meeting adjourned at 5:30 p.m.

The next faculty senate meeting is scheduled for November 17, 2009 from 4-5 p.m. in Hatch C/D of the BSU SUB.