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


President McDougal: Requests that any items to be included on the agenda of a faculty senate meeting must in the future be submitted at least five days in advance of a scheduled meeting.

- Announcement: Senator Adrian Kane will be replacing Senator Alicia Garza for the Arts and Letters seat.

Agenda Items:

2) Approval of Past Minutes

(a) 27 October 2009 Minutes:
   - Senator Klein moved to approve the minutes from the 27 October 2009 meeting. The motion was seconded by Senator McCain and unanimously passed by the Senate. There were no objections.

(b) 17 November 2009 Minutes:
   - Senator McCain moved to approve the minutes from the 17 November 2009 meeting. The motion was seconded by Senator Marker and unanimously passed by the Senate. There were no objections.

3) Old Business

- To be presented with committee reports.

4) New Business

(a) Update on Yanke/Park Center Building: V.P. Mark Rudin
   - Presented a map and shared the design plan of the new Yanke Building with the Senate. The building contains 8000 square feet of space and it will house some pure research activities and some entities devoted to community involvement. Currently, the project is in the middle of Design Phase 1 that will house Extended Studies/BSU Radio/Bioengineering/space for future
research activities. Additional areas for various policy centers now located across campus.

- **Senator Rainford:** Do these policy centers already have grants?
- **VP Rudin:** Yes, all four centers are “grant active”, but this was not a prerequisite for the centers to get in the building.

(b) Core Reform Task Force update on core proposal: **Tony Roark**

- This project began in December of 2008 when Provost Andrews formed the Core Reform Task Force (CRTF).
- The CRTF was active in the spring and has been very active this fall.
- CRTF is currently working on this proposal and will continue gathering feedback from faculty, staff, and students and refining the policy to be brought to the Senate in March.
- Wanted feedback from the Senate on how to make the policy efficient and effective and opened the floor for discussion.
- **Senator Klein:** For supporting data, it would be helpful to include examples of General Core Curriculum from other institutions in the opening couple of paragraphs to compare ours to.
- **Senator McCain:** How is the matrix different from what we are doing now?
  - **Roark:** The matrix is a “barest bones” structure/outline. For example one proposal is to distribute outcomes across disciplines so that each discipline will have its own writing course to reinforce the need for critical writing skills as a part of the baccalaureate.
- **Senator Gregory:** Is there a plan for involving students and gathering their input? Can we create something web-based for faculty who have been unable to attend Senate discussions?
  - **Roark:** Two ideas: to form student focus groups by hand selecting students and to have an electronic instrument, i.e. a survey, to engage students. There is a website for the CRTF with a feedback mechanism for feedback from faculty.
- **Chase Johnson:** Is willing to present this to the Student Senate for student input.
- **Senator Rainford:** Would like to see a model that matches up the core classes that meet the ULO’s.
- **Senator Klein:** Might we get focus groups of faculty who teach core classes for feedback?
- **President Mc Dougal:** Important to consult the people—adjuncts and special lecturers who are actually teaching these core courses.
- **VP Lubamersky:** It would be important to compensate adjuncts for their time taken to evaluate whether our core courses go with the ULO’s.
- **Roark:** How much time is needed for input? Senate needs to see the draft by February, so will give the Senate one month to deliberate.
- **Senator McCain:** Would be very useful to see where these proposed changes would require more resources. When you change the curriculum model, you also are changing the distribution of resources.
• **Roark:** The proposal will include philosophy, staffing, resources and a timeline including how this might be phased in.

• **President McDougal:** Possible to have this by February.

(c) **Request to seek Attorney General opinion: Daniel Harkness**

• **Pres. McDougal:** There has been a request to question the legality of the SBOE changing the policy and seek legal counsel from the Attorney General. McDougal provides short history of issue---draft of alternatives by university attorneys, agreement by faculty senate to draft alternative policies for financial crisis in spirit of shared governance. Issue is the policy itself and how protections are maintained; or to not participate and demand that current policies remain in effect. This question asks that the state attorney general determine the legality of these changes. Concerned that this issue is taking up valuable time and the BSU Faculty Senate needs to attend to other business without losing sight of the importance of the issue.

• **Harkness:** wants to seek opinion on the SBOE, we need to know where we stand if we are going to embark on negotiations. The Faculty Senate should be concerned about this issue because it does involve tenure and in order to engage in any negotiation we need a clear legal footing.

• **Pres. McDougal:** Legal Counsel Kevin Satterlee will assist the Senate in drafting the proper questions to ask the Attorney General. The Faculty Financial Affairs Committee (FAC) worked with Kevin Satterlee to draft language for the provisional changes in the policies. These issues are beyond the legal abilities of the FAC and therefore we must rely on the expertise of legal counsel to the University. Kevin Satterlee has said that he would assist in drafting the questions to the AG, but at that the same time we should be mindful of the unsuccessful request on this issue brought forward by Idaho State. Finally, if this issue continues beyond this level, then any other notion of litigation would then take place outside of this body.

• **Senator Klein:** Litigation may or may not be the only option ultimately to this question. It is important that the AG understand that all of the faculties in the state are concerned about this question. Suggested to skip going through Kevin Satterlee and take Harkness’s Discussion Draft questions straight to the Attorney General.

• **Senator Rainford:** Asked over the last three months whether there are any linkages in the salary/tenure protection inherent in this policy; secondly, we did hear from the university attorney—who I trust—who has said that in fact the SBOE and the university presidents both have a right to do what they are doing; and third, the faculty must consider the plight of professional and classified staff with regard to looming budget cuts and we need to work with the administration to avoid as much as possible the impact of any cuts on people in these positions. We may not have time for this to be sent through the AG’s office for an opinion.

• **Senator McDonald:** There are a number of people who do not want to engage in this discussion and think it’s a bad idea. The AAUP has made it clear that this is an issue, that by engaging in a discussion of revision we open ourselves
up to a host of other potential problems and possible abuses in terms of policy. So many people in the faculty and the Senate oppose engaging in this discussion of revision for that reason.

- **Pres. McDougal**: Are we in favor of pursuing the Attorney General’s opinion?
- **Senator Lubamersky**: May be some question as to whether or not the AG’s office can make a ruling on this question.
- **Senator McCain**: Difficult to determine if these questions would result in the protections we seek if they were ruled favorably by the AG.
- **President McDougal**: When the questions for the AG were received from Professor Harkness, President McDougal met with K. Satterlee and he said that he would help draft the question and it is appropriate for me as Senate President to present it. President McDougal expressed confidence that he will be able to get an AG opinion on this prior to second reading of policy at SBOE. Important that this take place now.
- **Senator Gregory**: Question whether this is the most effective way to test the legal legitimacy of the policy changes. Perhaps better to wait until SBOE has ruled.
- **Senator Klein**: There are both legal and financial concerns here and need to get Mr. Satterlee’s input and send it forward to the AG’s office. Also important that these changes can affect staff positions as well.
- **Senator Rainford**: Important to keep in mind this is not about the specifics of negotiating a contract; it is about the policies that shape how contracts can be created and changed.
- **Pres. McDougal**: Important to keep in mind that we are asking two things: what are the questions being raised and secondly, which is the proper body to hear the questions. Will these questions result in reaching closure on this issue?
- **Senator McCain**: Would like to see the final draft to the questions before they go forward.
- **President McDougal**: Important to clarify that there would then be two tracks to this issue—1) we are moving forward with negotiations on changing the language in the current financial exigency policy and 2) sending forward to the AG’s office (were this to pass) asking for a legal opinion about the language in these proposed changes.
- **Sens. Marker and Rainford**: (unclear) discussion of whether or not the questions reflect the actual will of the senate on these issues?
- **Senator Lubamersky**: Draws attention to specific language in the Harkness draft about implications of the question.
- **Senator Rainford**: Confused about the motion.
- **President McDougal**: Important that we frame the questions in a way that is legally clear and also reflect what the Senate and the faculty want to know? That would require the assistance of university counsel.
- **Senator McCain**: Not sure that the questions are clear in the Harkness draft.
- **VP Lubamersky**: We have already agreed to changes that affect the nature of our contracts and employment protections.
- **Pres. McDougal**: Maybe we should send this to Professional Standards?
Sen. Marker: Not sure that even when the opinion comes back that it arms us with the information we need to deal with these changes.

Pres. McDougal: Feedback from university counsel was that the AG’s office could get a legal opinion back before the second reading of the proposed policy changes.

Sen Saunders: Not opposed to the AG opinion, but reaffirms our need to draft our own protections and stand by them. If we draft and pass our own protections, the SBOE must abide by them.

Sen. Ahten: Important to seek the opinion as a pre-emptive move to determine if these changes are indeed legal. Also important to put our BSU policy protections in place as soon as possible.

Sen. Rainford: Would support sending to AG the question as to whether or not the SBOE can change the existing policy?

Senator Klein moved to present Harkness Discussion Draft with current questions to Kevin Satterlee to be put in proper form and brought back to the Senate. The motion was seconded by Vice President Lubamersky and passed the Senate by a majority vote. There were a few objections.

(d) Degree requirement; 128 → 120 credit hours: Provost Andrews

- The 128 credit requirement originated in a 1965 decision.
- There are legitimate reasons for moving to 120 credits.
- A minimum of 120 credits are not required for every major, some programs might require students have more than 120 credits to graduate. This change in requirement will allow departments to look into their curriculum and make adjustments accordingly.
- This change in credit requirement would be easy to do from the registrar’s point of view.
- There will be no rush to do this all at once. Some departments would need more time than others to decide on changes in their credit requirements. All changes would need to go through the curriculum committee.
- SBOE policy would not need to be changed if this degree requirement decrease is approved.
- Research has not indicated that programs have suffered at other Universities because they only require 120 credits to graduate.

Senator Gregory moved to send the degree requirement change from 128 to 120 to the Curriculum Committee for discussion. The motion was seconded by Senator Saunders.

VP Lubamersky: Does this have to go to the curriculum committee?

Senator Gregory: Yes, we ratify all curriculum adjustments.

VP Lubamersky: “The Academic Standards Committee is responsible for all matters of policy governing undergraduate academic standards,” and so is the appropriate committee to see this proposal.

Provost Andrews: The Curriculum Committee would see any proposal programs have to reduce their credit requirements. You might want to make that a clear division of labor between the two committees. The current
The proposal of reducing the requirement from 128 credits to 120 credits is to endorse the ability for a program to reduce their credits but they would need permission from the Curriculum Committee to do so.

- The motion was passed by the Senate. Senator Klein objected.

(e) Policy 4520 Evaluation of Deans: Vice President Lubamersky
- Made one minor change to page 2, letter b. Otherwise same changes as previously shown to the Senate.
- Senator McCain moved to approve the changes made to Policy 4520. The motion was seconded by Senator Rohn.
- Provost Andrews: Either the terms “units” or “colleges” should be consistently used throughout the policy. Also, the evaluation of Deans involves more than official faculty input, so it is not a true statement that all deans are evaluated only by official faculty. Should it read “evaluated by the Provost”, as the Provost does the evaluation with the input from official faculty?
- There was confusion surrounding which marked-up version of the policy was being considered, as it seems different copies were being discussed.
- Senator Rohn amended to send Policy 4520 back to Committee.
- Senator McCain: Would like to see a single, clean version of the policy from the original to a proposed version.
- VP Lubamersky: Would like to see a Word version of the original document to be reviewed for accuracy.
- The motion was seconded by Senator Brown and the motion was unanimously passed by the Senate. There were no objections.

(f) Employee dependent benefit resolution: Vice President Lubamersky
- VP Lubamersky moved to table this resolution. The motion was seconded by Senator Marker.

5) Committee Business – Reporting Committee Membership
- Did not reach this agenda item.

Senator Brown moved to adjourn the meeting. The motion was seconded by Senator Klein and unanimously passed by the Senate. There were no objections. The meeting adjourned at 5:16 p.m.

The next Senate meeting is scheduled for January 26, 2009.