President Owen McDougal called the Faculty Senate to order at 3:20 p.m.

1) Roll Call: Present
President: Owen McDougal
Senators: Alicia Garza, Anthony Marker, Stephen Crowley, Russell Willerton, Cheri Folkner, Gary McCain, Lynn Lubamersky, Troy Rohn, Scott Lowe, John Ziker, Barbara Allerton, Nader Rafla, Mary Ann Cahill
Representatives: Chase Johnson, Jim Stockton
Guests: Cody Finney, Kris Collins, Kimberly O'Brian, Martin Schimphf

Announcements:
Kris Collins, Registrar’s Office: Conditional registration will be eliminated in the fall.

President McDougal: Spoke with president Kustra regarding administrative approval of the faculty constitution. President Kustra will support the constitution. President McDougal will meet with Kevin Satterlee, Vice President/General Counsel for Boise State University to explore any issues that may be present with the constitution from a legal perspective.

Representative Johnson: A new task force has been formed to consider the creation of an activity fee to fund student research activities.

Agenda Items:
2) Approval of Past Minutes
(a) November 9, 2010
   • Motion to address minutes by McCain. Seconded by Senator Allerton.
   • Senator Ziker: Strike the last sentence on Senator Ziker’s last comment on page 3.
   • Motion to approve minutes as amended by Senator Marker. Seconded by Senator Willerton. Motion carried unanimously.
(b) November 30, 2011
   • Motion to address minutes by Senator Garza. Seconded by Senator Marker.
   • Motion to address minutes by Senator McCain. Seconded by Senator Rafla.
3) New Business
   (a) Faculty Senate Panel Discussion
      • President McDougal: Was the panel a good way to convey the activities and events discussed by Faculty Senate to the faculty? Should be consider a spring update on an annual basis?
      • Senator McCain: Feedback from the president is necessary because of the events occurring in the spring semester. It was useful because of the specific topic that was being discussed.
      • Senator Allerton: Faculty did think it was useful. It gives them the opportunity to provide input.
      • Senator Ziker: Positive comments were made on what the Faculty Senate is doing on the constitution but not on the panel.
- **Senator Crowley**: Feedback towards the end of the semester seems more productive so that the event of the legislature may be announced.

(b) **Constitution**

- **President McDougal**: How should we move forward with the faculty constitution? The suggestion was a survey and a vote. Is this the version of the constitution that we want to move forward with for the vote?
- **Senator Rohn**: Faculty were upset that adjunct faculty were not included in voting in the Constitution because they did not understand the fact that they are on yearly contracts and would have difficulty speaking out against administration because of this contract.
- **Senator Willerton**: The changes mentioned on the cover sheet are very appropriate to the changes of the University. Personally, I am ok with academic freedom language but it is difficult for others. It might be better to separate the language and come back to it at a different time and work separately on the constitution.
- **Senator McCain**: Rather than not have it there, leave it and address it as an amendment as we wish to strengthen or modify it. We would rather have something that we can change than nothing at all.
- **Senator Allerton**: An option would be to include both copies of the constitution with an option of the two academic freedom language statements and an option for neither.
- **Senator Crowley**: We need a 2/3 majority and having three options makes it difficult to achieve this.
- **Senator Lubamersky**: It would be good for faculty to be able to choose between the two. The language that prohibits the teaching of controversial matters will restrict academic freedom.
- **Senator Ziker**: Not all controversial topics are eliminated from being eligible for discussion. The inappropriate controversial topics are the ones that don't pertain to your area of teaching or expertise. For the vote, we should not have an abstain option.
- **Senator McCain**: Opposed to providing alternate versions of the constitution for a vote.
- **Senator Folkner**: Library faculty have expressed concern with the phrase regarding teaching controversial matter which has no relation to their subject. Often library instruction classes teach how to find information on controversial topics that are relevant to the subject the students are studying but might not be considered relevant to library science.
- **Senator Marker**: I am in favor of an up or down vote on what we have now and coming back and fixing it if need be.
- **Senator Cahill**: We already made our decision in our last vote and we are representing our constituents.
- **Senator McCain**: Do we have any concerns using Qualtrics for voting? The concern is that we may not get 60% of the faculty voting let alone a 2/3 majority. Are there mechanisms to enhance the response rate to faculty?
- **President McDougal**: Emails will be sent to faculty and if they haven't voted, a reminder will be sent out.
- **Senator Rafla**: There should be an area for comments so the faculty can explain why they voted no and so the Faculty Senate can fix the changes.
President McDougal: An idea would be to pre-survey the faculty to add the changes in before the real vote.

Senator McCain: Response to a survey changes the respondent. A former yes may be changed to a maybe when they see all the possible areas that may be problems.

Representative Johnson: If the faculty know that the constitution will be reviewed every few years, they may be more inclined to vote yes knowing that it will change soon.

Senator Lubamersky: The survey needs to be absolutely anonymous or people will be less likely to vote again.

Senator Crowley: We should have the option that if no then have options to express their concerns. If they vote yes then there are no other options.

Senator Marker: We need to consider survey fatigue. Senator Crowley's idea is a good one, an up or down vote with room for comments.

Senator Garza: I agree with Senator Crowley and Senator Marker, one survey, up or down.

Senator McCain: Because it asks why you say no, it will make people feel like they've been tracked. There should be a very strong disclaimer stating that the survey is not being tracked.

Senator Willerton: There should be feedback regardless of the response.

Senator Lowe: We've already discussed this. I am comfortable presenting the faculty constitution as it is and then revising after the fact.

Senator Rohn: It seems that we could just modify the one area of controversy in the constitution.

Senator Folkner: At the last meeting we discussed many options for the wording but nothing made it better and we didn't want to make it worse.

Senator Ziker: Replacing “not to introduce” with “about” would be a good option.

Senator Lubamersky: Would just stating that faculty are entitled to academic freedom in their teaching be a good option?

Senator Allerton: The academic freedom language addresses obligations and limitations. Whether we like it or not responsibility is inevitable in teaching. Deleting it would not be a good option.

Senator McCain: We are demonstrating that we know there are limitations. By deleting the wording on controversial matter in teaching, we are presuming there are no limitations. We have already voted on this and I think we need to move on because there has been no new discussion.

Motion to send the constitution in its current form to the faculty for a vote by Senator McCain. Seconded by Senator Ziker.

Vote 10 for - 0 against – 2 abstain. Senator Crowley and Senator Lubamersky abstained.

President McDougal: How do we proceed? One option is Qualtrics. This would be an electronic email survey to Official Faculty.

Representative Johnson: Qualtrics raised concern related to anonymity. ASBSU is using a private firm that would increase anonymity.

Senator Lubamersky: A more anonymous option would be Survey Monkey. Qualtrics contains an identifier that is of concern.
• Senator Ziker: After some work, I was able to see who voted yes or no in a Survey Monkey survey.

• Senator McCain: I have no affection for either source. Anyone qualified enough will be able to track the votes. The issue is more in confidence rather than the possibility.

• Senator Marker: A paper ballot would be another option as well.

• Senator Allerton: We want the best return rate that we can. It needs to be secure and have a good return rate.

• Senator McCain: An internet survey would most likely have the highest return rate because of the ease of voting.

• Representative Johnson: From my knowledge, Qualtrics is an opinion gathering model not a voting model.

• Senator Marker: I would like to see a survey with an up or down vote both with the option for comments and a preamble or cover sheet.

• President McDougal: Will investigate survey options. Is the current cover sheet adequate?

• Senator Lowe: The change as stated in the policy cover sheet should be directed to the section of the constitution where the change has been made.

• Senator Ziker: In the survey email, there should be a link to the constitution so that you do not have to scroll through the list of changes to get to the link for the actual vote.

• Senator Cahill: Changes should be specified in the email to faculty and not just provided in a policy cover sheet document that is attached to the email.

• Senator Garza: Academic freedom language needs to be cited.

• Senator Lubamersky: Academic freedom language in the constitution is not the language recommended by AAUP and should not be referred to as such in the policy cover sheet.

• Senator Marker: Motion to poll faculty electronically on the issue of the faculty constitution that would include an up or down vote and an opportunity to comment. The poll would provide appropriate access to the policy cover sheet and the original (1998) and amended constitution in an email. Seconded by Senator Allerton.

• Vote 12-0-0.

• President McDougal: Requested to clean up the final version of the constitution and go through it with Senator Willerton. A polished version will be provided at the next Senate meeting.

4) Adjournment

• Motion to adjourn by Senator Marker. Seconded by Senator Garza. Faculty Senate adjourned at 4:45 pm.