

FACULTY SENATE
February 18, 2015
346 LEON JOHNSON
4:10 PM – 5:00 PM
MONTANA STATE UNIVERSITY – BOZEMAN, MONTANA
Minutes

Members Present: Adams for DeWeese (Art), Arnold (Ag Ed), Babbitt (Chair-elect), Babcock (Psychology), Branch (Eng), Bolte (Music), Brester (Ag Econ), Brown (JJCBE), Burrows (Ext), Cantalupo (Ext), Carucci for Swinford (Soc/Anthro), Davis for Greenwood (Math), Eggert (Emeritus), Gannon (Chem Eng), Hendrikx (Earth Sci), Herbeck (Ed), Herman (NAS), Kaiser (ECE), Kohler (Chem & Biochem), Larson (M&IE), Lawrence (Chem & Biochem), Lu (PSPP), McMahon (Ecology), O’Neill (Arch), Reidy (Chair), Qui (Physics), Ricciardelli (Film & Photo), Rossmann (Library), A. Smith (HHD), Wilmer (Poli Sci), Wiedenheft (IMID), Zabinski (LRES)

Others Present: Leslie Taylor, Seth Urick, Ron Larsen, Martha Potvin, David Singel, Chris Fastnow, Karlene Hoo, Chris Kearns, Dave Roberts, Billy Dove, Josh Soares, Matt Caires

Call to Order – Chair Reidy

- Chair Reidy called the meeting to order at 4:10 pm, and a quorum was present. Minutes from February 4, 2015 and February 11, 2105 were unanimously approved.

Announcements – Chair-elect Reidy

- Faculty Senate Chair-elect Position
 - It is a one year appointment that moves into the Chair position;
 - Very rewarding position that allows faculty to determine policies, curriculum and become involved in many aspects of the university not otherwise availed to them;
 - Candidate does not have to be a senator;
 - A 35% salary stipend is offered to be used for all activities faculty would normally be doing if they were not in senate leadership; and, a month of summer salary;
 - Sits on the Graduate Council and Curriculum & Programs Committee;
 - Interested parties may contact either Chair Reidy or Chair-elect Babbitt.
- Student Bill of Rights – Billy Dove, Josh Soares
 - In collaboration with Matt Caires, Dean of Students, the Student Bill of Rights is intended to precede the Student Code of Conduct and to present, in an easy to read format, the rights that students have under local, state and federal laws, as well as university and regent policies.
 - Some policies, however, are new and would need input from campus constituents.
 - Reidy called senators’ attention to the section in the document regarding student rights that faculty must live up to.
 - Legal Council will review.
 - The document is posted on the FS web site.
 - Comments may be sent to asmsusenatevp@montana.edu
- Courses and Program – Chair-elect Babbitt

- There are two undergraduate courses posted on the FS web site that the Steering Committee will vote to approve on Monday, February 23, 2015.
- APWG discussed the Sustainability and Business Certificates and will bring to CPC on Monday, February 23, 2015.
- APWG will bring recommendations re: Hospitality to CPC. Babbitt asked for faculty input. The program would include:
 - Lodging management;
 - Culinary value-added food option;
 - Farm-to-Table option;
 - Sport and Recreation admin option;
 - Three new administrators (3.0 FTE);
 - Three TT and three NTT faculty at MSU;
 - Start-up costs of about \$2M (does not include the hotel, which might come later);
 - Net revenues of about \$220,000/year if only 1.5 FTE for admin is included; including the full 3.0 FTE for administrators' salaries, would make reduce net revenue closer to \$24,000/year in revenues.
 - Gallatin College net revenues are projected to be minus \$42,000/year;
- Indicators for the Program:
 - Job growth in the management/hospitality industry;
 - Most of Bozeman job growth was jobs that require only high school;
 - There is some demand for Associate Degrees at the local level;
 - There is an increasing demand for a Bachelors degree in hospitality and other universities that offer such a program if Idaho, Oregon, and Washington et al are included; we are not sure what the Montana demand is however.
 - Enrollment is projected to be 100 students with 60 in-state and 40 out-of-state – would they come to MSU?
 - Many new courses are required to make this program feasible.
- Babbitt encouraged senators to send in comments (to him or FS web site).

Faculty Handbook – Chair Reidy, Chair-elect Babbitt

- Grievance Policy
 - From input from senators and JAGs, the document has been modified.
 - Timeline was modified.
 - Old language gave the grievant seven (7) days to respond the decision of the Provost.
 - New language provides the grievant fourteen (14) days from the date of notification by the Provost to file a Notice of the Intent to Grieve with the hearing board and then the faculty member will have an additional twenty (20) days to file the Statement of Grievance.
 - Faculty may have attorney assistance
 - Faculty may now have an attorney in an advisory capacity, as the process will remain non-judiciary.
 - Grievant will provide notification to administration that they will be using an attorney advisor five (5) days prior to the hearing; administration will have an attorney present, then, as well.

- Wiedenheft asked for justification for bringing an attorney to a hearing. Kohler remarked that as an institution and as colleagues, we have an obligation to do everything maximally correct and to always operate in the spirit of fairness. If a faculty member believes that having an attorney is what they want during a traumatic time in their career, we should allow them that courtesy.
- Brown, former chair of the Committee on Grievance, reminded senators that grievance is a process whereby faculty believe they have been damaged by an element of the FH that has not been appropriately applied to them and that they may have been violated to their detriment. Disinterested faculty judge their peers.
- Reidy asked for Taylor's view on the presence of an attorney advisor. When used in the student arena, and usually involving expulsion, an attorney has everything written out and the student reads the script; it changes the environment. Taylor has not been involved with anything to do with faculty, and she believes it might be difficult for an attorney to remain inert during the hearing. Going forward, she stated that academia is a different environment and most attorneys will not be acclimated to it.
- Zabinski inquired if having an attorney might alter the way faculty function/speak on different committees (P&T, Grievance). Emeritus senate member Eggert stated that he believes having an attorney present would be a foreign experience that would change the environment.
- Brown stated that in his capacity as either chair or participant on the Committee on Grievance, settling grievances on our own was a noble endeavor. He is impressed by the diligence and attention disinterested faculty demonstrate. Faculty, familiar with their own traditions, procedures and FH context therein, would know better than an attorney about the grievance process.
- Leslie Taylor stated that she would be representing the university, and asked senators to ponder that once one lawyer is present, others may ask for their own representation, as well. Larson observed that the previous grievant version did not preclude subsequent action if the grievant felt the action was warranted.
- Taylor stated that other grievance procedures at other universities may cover a termination which is different than a denial of tenure, and they may not have the subsequent levels of review – you would need to weigh that. If there were a termination for cause proceeding that would not be handled under this procedure, there is a BoR procedure; in that case, you are allowed to have an attorney.
- Kohler researched, specifically, tenure denial and many institutions do not place restrictions. The goal, here, is to initially avoid such a procedure. Should it occur, the process, by not allowing faculty a choice of having a lawyer, seems suspicious and unfair by design.
- Motion to change the timing in the document to read thirty-four (34) calendar days → seconded → unanimously approved.

- Motion to approve the original policy version whereby a grieving faculty member may have the assistance of a non-attorney advisor at the pre-hearing; faculty who are non-practicing attorneys make act as advisors. Lawrence moved to withdraw the original motion →seconded→approved.
- Wiedenheft asked if the process might be simplified and vote to approve, or not, the updated the policy language as Chair Reidy has presented to senators.
- Motion to vote on the option to accept new language whereby a faculty has the option of having an attorney advisor present →seconded→unanimously approved.
- Motion to pass the entire document with the two noted changes →seconded→unanimously approved.
- Appointment of Faculty – Research Faculty (RF): Babbitt
 - How should we appoint research faculty? Questions that should be asked:
 - Where are the research faculty at MSU - rank, how many and in which departments?
 - Are research faculty expected to advise and supervise students?
 - Should a research faculty member be devoid of an educational or outreach mission, then?
 - Grant criteria often deter research faculty from helping students and stipulate that non-research activities will not be funded.
 - MSU has vacillated between having RF serve and not having them serve on committees over many years.
 - The current document must have language that either:
 - Includes language allowing RF to mentor and supervise students and be chairs on committees; or,
 - Does not allow RF to engage in any of these tasks.
 - As of fall 2014, MSU has 48 research faculty spread throughout campus; 9 full, 8 associate and 31 assistant research.
 - Two ways universities approach using sponsored research to supervise a student:
 - Negation approach– If the student’s activity is not part of the research grant, RF cannot supervise the student or chair a committee.
 - Positive approach – Mentoring a student related to RF research is appropriately included in their effort charged to their sponsored research; if it is not part of sponsored research, it cannot be included.
 - What do other universities think research faculty should be doing? From a random sampling of four other institutions, Babbitt found:
 - That RF may serve on committees; Depends on what the dept and grad school say.
 - One says that if RF are not mentoring and teaching, then they will not advance.
 - After interviewing six (6) dept heads at MSU, they responded:

- Dept heads should be responsible for overseeing their own RF with general guidelines.
- RF at the level of associate/full should be able to share as chair of committees if allowed by departmental policies.
- A solution might be to develop a graduate faculty, and they could chair a graduate committee.
- Arguments for RF on committees:
 - Advancement in their careers;
 - Should have the most knowledgeable person on the committee; and,
 - Advisor should be the faculty member involved in the research;
- Against having RF on committees:
 - Research faculty could leave;
 - They are not TT faculty and should not be chairing committees;
 - Are not familiar with university policies; and,
 - Will put research goals ahead of student interests.
- Three of these objections could be said of TT faculty, as well.
- The Interim FH and CBA addressed TT faculty; however, nothing since the old FH has addressed RF – is that still in effect or not?
- A rough draft document was presented for discussion only. It was an iteration of the JAGs document, with language added back in from the old FH:
 - RF are NTT appointments;
 - Except as limited in the handbook, RF carry all the faculty and campus privileges, which means they are faculty members. Departments may handle them as they please in terms of voting for things.
 - Research have educational responsibilities, including but not limited to supervising grad students, serving on committees, may give seminars and conduct courses.
 - These activities if not allowed by funding source must be funded in another way.
 - Evaluations of RF should depend on the contributions to research, education, and service mission of the university.
- Babbitt separated RF from research scientists (RS) and language was taken from the old FH.
- The document will be taken back to JAGs and then a new document will be posted on the FS web site.

As there was no further business, the meeting adjourned at 5:00 pm.

Signature,
Michael Reidy, Chair

Signature
Randy Babbitt, Chair-elect

