



**University Senate Meeting
Thursday, April 18, 2013 -- 3:45 p.m.
Faculty House**

Draft Minutes

Call to Order:

- Chair Mac McKerral called the regular meeting of the WKU Senate to order on Thursday, April 18, 2013 at 3:45 pm in the Faculty House. A quorum was present.
- **Current Members Present:** Cain Alvey, Darlene Applegate, John Bonaguro, Charles Borders, Kristi Branham, Chris Brown, Amy Cappiccie, Ashley Chance-Fox, Ismail Civelek, Christopher Costa, Bruce Crawley, Brittany Crowley, Patricia Desroiers, Robert Dietle, Cory Dodds, Amanda Drost, Marc Eagle, Gordon Emslie, Joseph Evans, Barbara Fiehn, Ron Gallagher, Steven Gibson, John Gottfried, Frederick Grieve, Peggy Gripshover, Jennifer Hanley Nancy Hulan, Angela Jerome, Guy Jordan, Jeffrey Kash, Jeffrey Katz, Randy Kinnersley, Ed Kintzel, Debra Kreitzer, Joan Krenzin, Alison Langdon, Alex Lebedinsky, Sonia Lenk, Qi Li, Ingrid Lilly, Kelly Madole, James May, Mac McKerral, Patricia Minter, Samangi Munasinghe, Matt Nee, Ngoc Nguyen, Kristin Polk, Shura Pollatsek, Matt Pruitt, Beth Pyle, Kelly Reames, Richard Schugart, Jonghee Shim, Beverly Siegrist, Mark Staynings, Janet Tassell, Evelyn Thrasher, Paula Trafton, Carrie Trojan, Rico Tyler, John White, Aaron Wichman, Mary Wolinski
- **Incoming Members Present:** Heidi Alvarez, Ingrid Cartwright, Yining Chen, Margaret Crowder, Anne Ferrell, Lloren Foster, Dean Jordan, Stephen King, Ling Lo, Gayle Mallinger, Sean Marston, Lauren McClain, Pam Petty, Tammera Race, Jeff Rice, Nancy Richey, Michael Smith, Adam West, Blairanne Williams
- **Alternates Present:** Janet Applin (Sam Evans), Eric Kondrotieff (Tamara Van Dyken), Gayle Mallinger (Dana Sullivan), Bryan Reaka (Shahnaz Aly), Martin Stone (Becky Gilfillen),
- **Absent:** Lauren Bland, Christa Briggs, Tucker Davis, Connie Foster, Mary Jane Gardner, Dennis George, Roberto Jimenez-Arroyo, Richard Keaster, Darbi Haynes-Lawrence, David Lee, Eder Maestre, Steve Miller, Gustavo Obeso, Keith Phillips, Gary Ransdell, Kateri Rhodes, Nancy Rice, Vernon Sheely, Janice Smith, Fred Stickle, Cheryl Stevens, Samanta Thapa,

A. Approve March Minutes

- Approved

B. Reports:

1. Chair – Mac McKerral
 - Lots to get through; need to move quickly
 - Recognition and welcome to new senators
 - In your two-year term you will learn more about how this university works than you would have ever imagined
2. Vice Chair – Jennifer Hanley
 - New senators: please sign in and add your email
3. Coalition of Senate and Faculty Leadership for Higher Education Representative – Molly Kerby
 - Welcome and introduction to new senators
 - I do have news from COSFL, but I will let Dr. Minter address it in her report
4. Advisory:
 - a. Faculty Regent – Patricia Minter
 - Will post a complete report after the full Board of Regents meeting a week from tomorrow at 9 am in the new Alumni Center
 - In interest of time, I will report on three things:
 - Board of Regents Committee Meeting (March 29, 2013)
 - Tuition...I will let Dr. Emslie speak to this
 - Results discussed in President Ransdell's email
 - On behalf of the Board, Board Chair Higdon and Student Regent Dodds signed a letter to CPE, urging them to approve 5% tuition increase
 - Following week, on COSFL list, faculty representative of CPE invited comments from faculty defending their institutions' requests, Dr. Minter's response will be included in her report on Senate site. Faculty rep did her best to support our interests.
 - Drs. Kerby and Minter are your representatives to COSFL
 - Decision has been made. Don't think 3% is adequate
 - Thanks to faculty, staff, students, Board of Regents, and administration for collaborating to make sure voices are heard
 - Shouldn't be discouraged—there was a highly collaborative effort by all concerned to speak with one voice and be heard. I am proud of that effort.
 - Academic Affairs meeting on March 29:
 - Regent Dodds brought forth motion to discuss the Study Abroad Fee
 - This was appropriate—Board has fiduciary responsibility for all tuition and fees, and there have been questions in Faculty Senate and in Student Government about accountability and transparency
 - Some confusion followed: University council held that bringing a matter from the floor violated the Open Meetings law (Dr. Minter disagrees). Chair ruled the motion out of order according to bylaws at the time, the Study Abroad fee will be an agenda item in a future Board of Regents meetings.
 - Special called meeting of the Board on April 1:
 - Subject: Quorum of the Board approved moving to athletic Conference USA, effective July 1, 2014
 - Athletic Director provided information suggesting that move makes good financial sense
 - Faculty Regent suggested academic athletic program become self-supporting:
 - Should drop student athletic fee, or at the very least, stop escalating fee based on the Higher Education Price Index (HEPI)
 - President Ransdell was not highly receptive, but did state that it would be possible to discuss eliminating use of HEPI
 - Faculty Regent opposes approval of the Student Production Policy (1.3150)

- Board of Regents has fiduciary responsibility
- Argue that policy is unconstitutional for three reasons:
- Arguments in this policy have already been rejected by KY court of appeals, state supreme court, and federal courts
- It is a content-based policy, which are regarded as restrictions of freedom of speech
- WKU is a public forum, so its officials cannot regulate speech
- So we must protect WKU from breaking the law and getting us sued

b. Provost – Gordon Emslie

- Recommendations approved: Graduate Council, University Curriculum Committee, Program Review, Faculty Credentials, Clinical Faculty, Student Teaching (w/redaction approved in last senate),
- Mission statement revision will be presented Board of Regents July retreat
- Just returned from CPE
 - Approved tuition rate increase cap of 3%
 - Decision not taken lightly, spirited discussion went on for over an hour and a half; President Ransdell explained WKU's position
 - Only applies to resident, undergraduate, face-to-face tuition
 - Graduate and online tuition may be "market-based"
 - Currently evaluating the impact of this decision
 - Will be meeting (probably next week) to decide how to move forward
 - Protecting jobs is highest priority
 - Academic affairs will use an existing fund to institute a market equity plan to protect the lowest-paid
 - Will look at faculty pay in each department, and move the lowest-paid up
 - Deans will receive funds for this. Small but stepping in the right direction.
 - No frozen searches—staffing plan for next year will continue
- New program tentatively named the Kentucky Adult Higher Education Alliance (KAHEA)
 - Enrollment:
 - Traditional high school to college enrollment is slowing after years of growth
 - Employers are looking for specific skills and knowledge
 - Adult learners will become more important to higher education
 - Recognized by state and beyond
 - Grew from a tentative CPE proposal called Commonwealth College—an independent entity awarding degrees earned through classes attended at participating institutions
 - Target Population: Age 25-44, attended some college but did not graduate (over 1M in Kentucky alone)
 - President's council, January 23: New approach proposed: an alliance of higher education institutions rather than independent agency
 - Offer credentials adult learners need—and employers wish them to have—in an affordable mode attractive to students
 - Provost group discussed in March, assigned task force
 - Based on Great Plains IDEA—submitted to President's council recently, president's council endorsed and encouraged moving forward
 - Time to share with campuses, because this form seems like the one that will be used
 - Basic concept—alliance including all 8 Kentucky institutions will deliver academic credentials to adult learners through accessible modes (still vague at this point)
 - There will be a coordinator on each campus
 - Does not involve course transfers—this has worked well in the Great Plains system
 - Courses are awarded from home institution
 - Course development will be divided among multiple institutions; degree awarded from host college...courses will be split among campuses...home institution collects tuition
 - Student will get a degree from WKU
 - Many courses and instructors are from other campuses

- Home institution collects tuition, but redistributed to the campus where instruction took place via some central agency
 - Would be teaching overload—not considered part of normal course load
 - Considerations
 - Market research, do we need the new course? Or is it unavailable? Is there a demand from the adult learners?
 - Research could be based on many criteria, age, number of credits, etc.
 - Need to consider modes of instruction
 - Courses might be set up in modular fashion, and student could complete modules on their own schedules
 - Need to make sure technology is compatible, seamless across the system
 - Need to have dependable prior learning assessment—this is working its way through committees on WKU campus now—the ability to do portfolio-bases learning assessment
 - Pricing structure needs to be determined...perhaps employers may contribute, or the state may contribute funds
 - Another problem: who counts the graduates when several campuses have contributed course & instructors?
 - Also, need to keep these courses separate from the regular WKU courses...we are not trying to replace the mission of the university. This is just an addition. We need to determine how this works with existing students and existing degrees.
 - Tentative timeline: looking to start fall 2014
 - Question: Would the courses still have to be approved through normal means?
 - Yes. And the courses may be based out of more than one campus.
 - Q: Undergraduate only?
 - Yes currently, but could be graduate as well eventually
- c. SGA President – Cory Dodds
- Hopes graduate assistant teaching evaluation policy is approved
 - Moved in Academic Affairs Board Committee to discuss Study Abroad fee
 - Will be on agenda for June special meeting of Board
 - Hopes to get answers to several important
 - Production Policy
 - Speaking as SGA President, Student Regent, and student, strongly oppose any policy limiting free speech on campus
 - In past two years, I have seen egregious mishandling of student speech by administrators
 - History shows importance of student ideas at campus, state and national levels
 - Improper for students, faculty, administrators, donors, or others to determine what is important
 - I urge the senate to oppose this policy, and I will do so in each of my roles
 - This will be one of my last Senate meetings as Student Body president
 - Thank you for opportunity to serve, have learned much about the importance of shared governance, I will always be committed to defending shared governance against all challenges and I hope you share this commitment as well, especially as it relates to student government autonomy. A challenge to student government should be seen as a challenge to all aspects of shared governance

C. Standing Committee Reports and Recommendations

1. [Graduate Council: \(Report Posted: Endorsed by SEC\)](#) Kirk Atkinson
 - Minor exception: p. 2, action items, 2nd area, change of course number (mistake)
 - Approved
2. [UCC Report/Policies: \(Report/Policies Posted: Endorsed by SEC\)](#)

- Question
 - Concerning course referred to as Psychology 407/407g, understood that number of course was to be changed to avoid confusion with existing Psycho-linguistics course, but this is not reflected in report
 - Answer: Will speak to course sponsor, sure we can work out any problems
 - Approved
3. Academic Quality: No Report
4. [Faculty Welfare : Faculty Work life Survey \(Report Posted\)](#)
- Comment from Faculty Senate Chair
 - Faculty Work life survey is posted
 - Was sent to President Ransdell about a week ago — have not heard back
 - Also sent to chair of Board of Regents
 - Question: Can the previous surveys be posted?
 - Answer: They will be posted under the documents section of senate website
 - They will be under
5. General Education: No Report

.E. New Business:

1. [Student Production Policy 1.3150 \(Posted: No recommendation from SEC\)](#)
- Chair yields control of floor to vice-chair in order to speak about this policy as Senator for Journalism and Broadcasting
 - Comment
 - Policy is of particular importance to me; teaching in Journalism and Broadcasting
 - First Amendment posted prominently in MMTH
 - First Amendment is critically important, particularly with the journalism department, and Potter, aware of sanctions impressed on historians, philosophers, and certainly those in creative and performing arts
 - Spent 30 years working to protect free speech in all forms
 - Much of this work related to free speech on college campuses
 - Long standing opposition to policies of this nature
 - This policy at its core is no different than a pre-publication policy that might be foisted on student media--unacceptable
 - Language overly broad, vague, left to broad interpretation and in my opinion patently illegal
 - Language pulled from sedition laws and a narrowly-defined Supreme Court ruling (Hazelwood Case, early 1990s) that should only apply to high school student press — this ruling is often used to punish students off-campus, using social media
 - I bring this up to show that policies like this never go away, and they always expand
 - I am not a lawyer, but I contacted Jon Fleischaker, among top attorneys in First Amendment law. He believes this policy is riddled with problems, is broad and vague, and he “really questions the motivation of the administration.”
 - If I were certain that this policy would be used very narrowly I might feel more comfortable about it ...but I don't.
 - Like many policies that affect free speech and expression, it is gussied up in the word “safety”. It plays on fear. Concerning fear and the First Amendment, I turn to another Kentuckian, Justice Brandeis: “Fear of serious injury alone cannot justify oppression of free speech and assembly. Men feared witches and burnt women. It is the function of speech to free men from the bondage of irrational fears.”
 - How irrational is this fear? Maybe in recent days it seems more rational. But this policy will not make this campus one iota safer.
 - Friend of mine was killed by student, because that student failed his Press Law class. I have taught the same class many years and never thought of being shot because of it.

- Since his death, I think about it all the time. There were many laws, policies and ordinances in place that day.
- Boston Marathon—how many laws, statutes, rules, policies, etc. were in place? Yet here we are, baffled by senseless killing. It happens; it's the world we live in. I'm convinced that there's no preventing it if someone really wants to do it.
 - Because of Boston we'll have new ordinances about back-packs and pressure cookers. Backpacks are already regulated—many school districts don't allow them anymore. Some that do require that they are made of clear plastic. But we have shootings at schools.
 - More important than the intent of the policy—if safety is the intent—is the bad things that can come from well-intentioned policies.
 - Suggestions for alternatives to this policy:
 - Support the marketplace of ideas and the freedoms ensured by our Constitution
 - We can be great teachers in every discipline, which is a way to turn a person's life in the right direction and keep it that way.
 - Manage ourselves and make wise decisions about what we and our students do inside and outside the classroom, and I think we can.
 - So I oppose policy.
 - Motion to disapprove
 - Question to Provost Emslie: We understand that the Administrative Council might go forward with this policy despite the wishes of the SGA and the Faculty Senate. Could you speak to the rationale for this decision, if in fact this is the case?
 - Response from Provost:
 - Policy requires that a responsible officer for a policy—and that is me...
 - I did not write this policy; it was written by faculty in Journalism and Broadcasting, in reaction to an event that occurred about a year and a half ago. Students were screaming and yelling about a sniper, telling people to get down, running around with shotguns, and so forth. As administrators we had no idea whether this was real or staged. As it turned out it was, fortunately, staged. That was the intent of this policy.
 - General Counsel for WKU put this together, and worked with faculty from Journalism and Broadcasting in drafting this. And that's where it stands.
 - The procedure moving forward: I don't know, depending on how the vote goes, whether we would present this to the Academic Council. I could still present to AC for approval, but I would—by policy—be required to produce documents from CAD and from Faculty Senate stating the extent to which they concur with or do not concur with provisions of the policy and AC would consider all of this in totality. All academic affairs policies must be referred to the Senate—not for approval or disapproval—but to express the degree to which they concur or not concur with the policy.
 - Question: In light of that, would it be possible for us to take a vote of the Faculty Senate today....?
 - Response from Provost: the request I made of the SEC, which didn't pan out, was that they clarify the intent of this. I understand the concerns I'm hearing. We have tried to make clear that this only requires notification; it does not involve approval, no one is going to stop you from doing any of these things, as long as we are clearly notified of the nature of whatever it is. That is the intent. If that's not clear...we had asked that we might work together to create something that does provide prior notice of events that might be understood, not to stop them from occurring, but so that we might know what's going on when it happened. That was the intent.
 - Chair:
 - Before questions I want to clarify a couple of things. I anticipated the school's endorsement of the policy would come up, and that is a patently false statement. It was discussed among two or three faculty members with an interim director, and they were under the impression that they didn't have a choice but to provide

language. I spoke with the new director, who said that he met with the Dean a few months back, and he told the Dean that he's fine with the policy. It was never discussed at a full faculty meeting. That our director would support a policy like this is disappointing, and I told him that. We don't have any problem talking with each other.

- Finally, yesterday, I sent an email to 25 voting faculty members in the School of Journalism, with a copy of the policy. I asked them to read it, and to respond to me how they wanted me to vote. I received 18 responses, all asking me to vote no. That's the School of Journalism's position, nothing else.
- As far as the SEC's charge, when this first surfaced, to come up with better language — that task was given to myself and another senator. We fiddled with it, but when you are dealing with bad policy, it can't be fixed. These kinds of policies have consistently surfaced, and have consistently been ruled illegal. There is no fixing it. We don't like it, and we're not going to be party to trying to fix it. That's why we returned it and said bring it forward the way it is, and let the senate make its decision.
- Comment:
 - You can post cautions about elements of performance.
 - We do this in Theatre & Dance for elements such as gunshots in the performance, or the use of strobe lights (which can injure someone with epilepsy). We post notices in the hall.
 - This is standard behavior, and we teach this to our students. One would hope they would absorb it. If they are trying to alarm someone, that would be perfectly within their rights, but If they did not wish to alarm someone, they would hopefully follow these procedures. We have not written this anywhere, but we teach our students appropriate behavior, and one would hope this would go for the university over all.
 - You can't necessarily legislate good behavior.
- Policy unanimously rejected

2. [Academic Program Coordinator Policy 1.5050 \(Endorsed by SEC\)](#)

- Question: would this large workload addition affect faculty evaluation? It seems almost department-head-like.
- Answer from chair:
 - As a program coordinator myself, these things are all concerns. The coordinator positions are extremely time-consuming. In my own department we are extremely fortunate in that our director does generally give us a course reduction. That said, it does not take care of all our needs. There is no additional compensation. There are a labor of love. These positions are bestowed and taken away by the director. This policy does not address any of those things.
- Comment from Provost Emslie:
 - This policy is a requirement by SACS—we must identify a program coordinator for each program.
- Comment:
 - I want to echo the previous comments; I was a program coordinator; I did this without compensation and without a course release, worked over summer break...extremely labor intensive. I think the issue of compensation for this long list of responsibilities should be addressed.
 - Also, in section 3A.last page, appointment procedure--what does is mean when it says that the position is "generally appointed by the department". How is "generally" interpreted? Is it possible that the program faculty can elect or nominate the program coordinator, to be approved by department head.
 - Answer from Provost Emslie: that language is there in order to allow the department head to be the program coordinator
 - When accreditation is begin discussed this workload
- Comment:

- I would like to point out this is the first document that actually recognizes the position of Program Coordinator position at this university. Previously it was an in-house appointment at the will of the department head. You had no rights, nothing. This documents the actual job responsibilities and gives you something to use in discussions with your department head.
 - I encourage you to vote for this, regardless of how you feel about some of the provisions, so we get this in print.
- Comment:
 - Echo the previous statement, and point out that no policy is terminal. After approval of this document, improvements can be made through Faculty Welfare or other means.
 - Approved
- 3. Colonnade Implementation Committee — "Explorations" category: [ANTH 120](#), [ANTH 130](#), [FLK 276](#), [GEOG 121](#), [GWS 200/200C](#) and [RELS 102](#) (Robert Dietle)
 - Should also have included RELS 102C
 - Approved
- 4. [Handbook Committee proposed amendments — substantive \(Posted\)](#) (Kelly Madole)
 - Two errors identifying sections
 - Approved
- 5. Proposed amendment to Study abroad fee is going to be refunded
 - Proposed fee for study abroad will not be collected for 2013—money will be refunded, but currently only to students in faculty led study abroad. There are many other students studying abroad under other arrangements who will face charges.
 - Proposal changes wording to make sure that fees will not be charged to any students studying abroad
 - Comment:
 - From the original discussion on the floor of the Senate it was obvious that our intent was to safeguard all WKU students. In fact, the original announcement of the fee itself made it clear that the fee was never intended for anyone outside of the Study Abroad programs.
 - approved
- 6. Election of officers for 2013-2014
 - Secretary
 - Heidi Alvarez (unopposed)
 - Vice Chair
 - Jennifer Hanley (unopposed)
 - Chair
 - Margaret Crowder (unopposed)

G. Information items:

1. [Bundling of Recommendations for New Degree Type \(if applicable\) with Recommendations for New Degree Programs \(Posted\)](#)
2. [Handbook Committee proposed amendments — non-substantive \(Posted\)](#)

Meeting adjourned 5:30 pm