

Western Kentucky University
University Senate Meeting
Thursday, May 12, 2016 -- 3:45 p.m.
Faculty House

A. Call To Order

1. A regular meeting of the WKU University Senate was called to order by Chair Kate Hudepohl on Thursday, May 12, 2016 at 3:49 PM in the Faculty House.
2. A quorum was present.
 - a. Members Present:
Cathy Abell, Heidi Álvarez, Farhad Ashrafzadeh, Dora Babb, Jim Berger, Barbara Brindle, Jill Brown, Barbara Burch, Thaddeus Crews, Laura DeLancey, Lisa Duffin, Marko Dumančić, Claus Ernst, Travis Esslinger, Ann Ferrell, Marilyn Gardner, Timothy Hawkins, Anne Heintzman, Don Hoover, Kate Hudepohl, Molly Kerby, Stephen King, Eric Kondratieff, Dominic Lanphier, David Lee, Fenghelen Liang, Ching-Yi Lin, Lames Line, Jeremy Madox, Kelly Madole, Gayle Mallinger, Sean Marton, Nolan Miles, Richard C. Miller, Patricia Minter, Kurt Neelly, Shura Pollatsek, Bryan Reaka, Jay Todd Richey, Julie Shadoan, Douglas Smith, Michael Smith, Rebecca Stobaugh, Liz Sturgeon, Dick Taylor, Rico Tyler, Adam West, and Dawn Garrett Wright.
 - b. Substitutes Present:
Michael Carini for Keith Andrew, Eric Reed for Erika Brady, Danita Kelley for Neale Chumbler, Julia Mittelberg for Pam Jukes, Michelle Trawick for Jeffrey Katz, Lawrence Alice for Nancy Ayers Rice, and Sue Lynn McDaniel for Sandy Staebell.
 - c. Guests Present who signed in:
Amber Scott Belt
 - d. Members Absent:
Kristi Branham, Susann Davis, Martha Day, Patricia Desrosiers, Robert Dietle, Richard Dressler, Loretta Dye, Sam Evans, Connie Foster, Dennis George, Said Ghezal, Barrett Greenwell, Frederick Grieve, Tom Hunley, Grace Hunt, Michelle Jackson, Muhammad Jahan, Dean Jordan, Hanna Khouryieh, Soleiman Kiasatpour, Thomas Kingery, Ling Lo, Joshua Marble, Lauren McClain, Doug McElroy, Andrew Mienaltowski, Megan Miller, Bella Mukonyora, Evelyn Oregon, Anthony Paquin, Katherine Pennavaria, Gary Ransdell, Jeffrey Rice, Tiffany Robinson, Jonghee Shim, Beverly Siegrist, Melloney Simerly, Larry Snyder, Cheryl Stevens, Heather Strode, Joon Sung, Kevin Thomas, Tamara Van Dyken, Tanya Vincent, Blairanne Williams, Elizabeth Winkler, and Zhonghang Xia.

B. Approval of April Minutes

1. A motion to approve the April meeting minutes by Bryan Reaka was seconded by Dick Taylor.
2. There was no discussion.
3. The April meeting minutes were approved unanimously as posted.

C. Officer Reports:

1. Chair – Kate Hudepohl

- An information item was received Friday through campus mail. It is President Ransdell's response to the senate motion. It was not received prior to the Senate Executive Committee meeting. Chair Hudepohl expressed appreciation that the President responds so quickly. There were no questions or comments from the floor on President Ransdell's response. This will be on the Senate Executive Committee's agenda for 2016-17.
- Chair Hudepohl thanked everyone for their work and participation on Senate. Faculty governance is important and it is good that our voices are heard. Chair Hudepohl specifically thanked the members and chairs of the standing committees, the advisory members (Regent Burch, Provost Lee, and Regent Richey), and the officers (Vice Chair Shadoan and Secretary Álvarez). She also thanked Vice Chair Shadoan and Secretary Álvarez for agreeing to serve again with her next year.
- There are still some at-large positions on standing committees that are still needed. Please consider sitting on these. Vice Chair Shadoan will say what these needs are.
- Chair Hudepohl thanked senators for their efforts and said that they matter.

2. Vice Chair – Julie Shadoan

a. Committee Lot Draw Results

- Alternates were drawn by lot at the SEC meeting by Vice Chair Shadoan.

- The alternates for the Advisory Council on Promotion and Tenure are: Reagan Brown, Andrew Duf, Rezaul Mahmood, Jill Sauerheber, and Stacy Wade.
- The alternates for the Faculty Grievance Committee are: Erika Brady, Mirella Gravitt, Georg Kontos, Holly Payne, and Donald Speer.
- Richard C. Miller will be in touch with the alternates.

b. At-Large Members on University Senate Standing Committees

- From the caucus, the at-large appointed are:
 Academic Quality: Francesca Sunkin, Heather Strode
 Budget and finance Committee: Eric Reed, Shura Pollatsek
 Colonnade: Julie Shadoan and Marilyn Gardner
 Faculty Welfare: April Murphy, Patricia Minter
 UCC: Beth Pyle, Jerry Daday, Leslie Plumlee.

3. Secretary – Heidi Álvarez

- No report.

D. Faculty Leadership Reports:

1. Coalition of Senate and Faculty Leadership for Higher Education – Molly Kerby

- Molly Kerby said that COSFL has had some activity on the list serv comparing how universities in Kentucky handle voting. They will be forming a subcommittee.

2. AAUP President - Margaret Crowder

- Margaret Crowder is not here. There was no report.

E. Advisory Reports:

1. Faculty Regent – Barbara Burch

- Regent Burch's report is posted. In terms of the Presidential search, she thanked those who attended the sessions. The search committee appreciated it and recorded it so the search firm can review it. The

committee and the search firm will meet on June 3 to develop the profile and job description.

- At the last Board of Regents meeting, programs were approved. Pathways will report to Provost Lee. Enrollment and International Enrollment Management will be part of Academic Affairs. Salary increase is 1% this year, and next July 1 on a recurring basis. It is part of WKU's share of equity funding. The rest depends on the 2017-2018 budget. Regent Burch expressed disappointment on the student legal services piece – the president said it did not get used – and Regent Burch is sorry this was part of the budget cut. In how much of cuts come from DELO dollars, Regent Burch thinks this is discretionary funding that should not be pulled from. Julie Shadoan clarified that Student Legal Services is not closing; it is house under Academic Affairs. She said she thought this was inappropriate. Student Legal Services is still active and still has student clients – it is not closing.

2. Provost – David Lee

- Provost Lee said there are seven separate commencement ceremonies. Enrollment management is coming back to Academic Affairs. The research component came back in January 2015. The size and scope have changed considerably. He will be looking at what the implications of this are. Two new distinguished professors were recognized: Tom Richmond in Math and Betsy Schoenfelt in Psychological Sciences. They will be outstanding additions to this group.

3. SGA President – Jay Todd Richey

- Jay Todd Richey noted that it is his third time speaking this semester. He will look forward to working and standing together another year. Though there was not a formal report, he said there is much to work on this summer.

F. Committee Reports and Recommendations

1. Graduate Council: Kurt Neelly (Report posted; Endorsed by SEC)

- Kurt Neelly made a motion for the endorsement of the April 14 Graduate Council Report. There were no questions or comments. The April 14 Graduate Council Report was endorsed unanimously.

2. Undergraduate Curriculum Committee: Liz Sturgeon (Report posted; Endorsed by SEC)

a. April Meeting

b. May Meeting

- Liz Sturgeon made a motion for endorsement of two reports, the April 21 and the May 5 Undergraduate Curriculum Committee Reports. There were no questions or comments. Both the April 21 and May 5 Undergraduate Curriculum Committee Reports were approved unanimously.

3. Colonnade General Education Committee: Marko Dumančić (Report posted; Endorsed by SEC)

- Marko Dumančić made a motion for endorsement of the Colonnade General Education Committee report. There was no discussion. The Colonnade General Education Committee Report was approved unanimously.

4. Academic Quality: Jeremy Maddox (No Report)

5. Budget and Finance Committee: Claus Ernst (No Report)

a. <https://wkumoney.wordpress.com/>

- Laura DeLancey showed off the new Budget and Finance Committee website that is updated with new information and is more user friendly. It contains a condensed version of the 15-page report.
- Please contact the committee with any additions, changes, and feedback. The email goes to Laura DeLancey.
- Sections include expenditures, revenue, budget cuts (still under development), issues section (athletics funding, building, compensation), discussion section (budget committee report, Herald and Talisman articles, responses from the President).
- Patricia Minter asked Laura DeLancey and Kate Hudepohl when the salary information will go up. Chair Hudepohl said she will do this after grades are posted in May. She will also add a link to the state website and the flow chart. Chair Hudepohl said she has not yet received salary

information from the President. Laura DeLancey said it will be under salaries in budget on the website.

- Chair Hudepohl thanked the Budget and Finance Committee for their work.

6. Faculty Welfare and Professional Responsibility: Patti Minter (Report posted; Endorsed by SEC)

a. Consensual Relationships Benchmark Information

- There is one information item and one action item.
- Patricia Minter thanked the 454 people for filling out the survey; this number is greater than last year. A more complete report and graphs will be sent through Faculty All. The aggregate dates will be on the Senate web page.
- Patricia Minter reported that David Oliver and the Campus Police Department had an Active Shooter Training meeting last week. The video is still being edited. Those at the meeting previewed the material and gave feedback to make a tighter presentation. The Council of Academic Deans will review it this summer. The training will be face-to-face and building specific prior to the fall 2016 semester. Minter said she was happy with the interaction and that student voices were on the committee.
- There is one action item for consideration, the amended consensual relations policy. There is one revision after lengthy discussion – the new wording “and therefore are discouraged.” Patricia Minter made a motion for approval.
- Jim Berger asked what the changes are from the language in the 2011 proposal. Academic Affairs made the yellow changes to make it Title IX compliant. The committee made one further edit: “and therefore are discouraged.” This was accepted by Provost Lee at the Senate Executive Committee meeting as a friendly amendment. Berger asked, regarding the May 2015 amendment, are those changes from this year or last year? Which changes are being brought to this body? The May 2015 highlights are to make it compliant with Title IX. The committee amended those works. The whole thing is up for approval. Amber Scott Belt clarified that this comes from the regular rotational update of policy (policy review). Chair Hudepohl said she was also confused about the date. It came in the fall, went through Faculty Welfare in the Spring. May 2, 2015 was prior to Provost Lee. Amber Scott Belt clarified that it is a typo; it would be May 2, 2016, and this will be corrected. The Title IX Coordinator recommended the change on the five-year review. There is a motion to accept the recommended changes. Patricia Minter added that the Senate Executive Committee voted to send it forward but there are also referring it back to the Faculty Welfare

committee for the Fall 2016 semester because they still want to see stronger language. She agrees that it is stronger than it was, but will be looking at it again in the fall. Chair Hudepohl recommended that we look at the whole report now.

- There was no more discussion on the Faculty Welfare report. It was unanimously endorsed (the action and the report).
- Doug Smith brought up the section of the newspaper article that reported the missing faculty worklife data. He stated that he has 1998 to 2001 on his hard drive, and he can send it to the University Archives. In two cases, he administered the survey. Two were in the old Faculty Senate room – he coded and analyzed them.
- Chair Hudepohl said that student workers have loaded a lot of stuff on “Senate Documents” on the Shared Drive. Some is slowly being recovered and scanned. She has questions about where documents actually end up. Some parts are supposed to be confidential. Five years ago, documents were scanned. The blue binders were sent to University Archives.
- Patricia Minter said she is delighted that effort has been made to recover these items, as it is fully compliant with Kentucky statute and the spirit of transparency.

7. Faculty Handbook Committee: Margaret Crowder (Report posted; Endorsed by SEC)

a. Substantive Change - 01a-2016 Continuance Documentation Flow

b. Substantive Change - 04-2016 Graduate Faculty

c. Substantive Change - 05-2016 Criteria for Individual Ranks

i. 2016-NSa Outline III.C. reformatting

d. Substantive Change - 06-2016 Criteria for Promotion, Areas

e. Substantive Change - 07-2016 Criteria for Promotion. Levels

f. Substantive Change - 08-2016 Procedures for Recommending Promotion

g. Substantive Change - 09-2016 Tenure Appointment, Areas of Performance

- Shura Pollatsek made a motion to approve 01a-2016 Continuance Documentation Flow. The motion was seconded by Dick Taylor.

- Kelly Madole stated broad concerns that if the Handbook procedure becomes difficult to follow, the integrity of the Handbook falls apart. She stated that as a department head, she does not see that it is possible to do, particularly with the graduate policy. She spoke of specific dates for this year; the point is that there is not adequate time to meet, make the memo, approve, and revise the document. Four days is not enough for it to happen pragmatically. The idea is that every faculty member on the committee approves the memo that goes forward. The department head omits anything that puts the university at risk. If a faculty member writes something, is it the committee chair's responsibility? It puts a difficult position. What does it mean that every member of the committee has to approve the memo?
- Shura Pollatsek said that on behalf of the Faculty Handbook Committee, the goal is to clarify the policy, not to change it. Some departments interpret it differently. The Committee is trying to make the procedure more standardized from department to department and from faculty member to faculty member.
- Aaron Wichman asked what it means that the committee has to approve it? Shura Pollatsek said this wasn't discussed on the committee. This is a legitimate point to address. Heidi Álvarez said perhaps this can be looked at next fall. Richard C. Miller said it might not be a unanimous decision. The committee approves the document, not the decision. Kelly Madole said that the committee chair will be in a difficult position if someone wants to include something in the memo that the entire committee is not happy with. The chair is supposed to accurately represent the committee. Richard C. Miller asked if she is asking to clarify "approve" and "revise and resubmit." Kelly Madole said it could result in a silencing of faculty. Jeremy Maddox said he is not afraid of this policy change. Patricia Minter suggested we cannot approve it and improve it later. It doesn't change employment practices. We either get it right or don't approve it at all. Bad practice in certain departments is not solved by something that will silence faculty. It is well intentioned but cannot work in practice. Minter said she concurs with Molly Kerby and Kelly Madole that it will silence rather than promote transparency. Patricia Minter urged the University Senate to vote it down at this point, saying "don't send something forward unless it is perfect." Shura Pollatsek said that the committee discussed this over several meetings. Richard C. Miller met with the committee and pointed out that the committee memorandum is actually available through open records laws. Claus Ernst suggested that the deadline can be worked around; he said that the department can move the dates up (earlier) – nothing prohibits meeting earlier. The chair writes the letter, the committee can edit it. The comments can have a deadline and those who want to edit it can. He stressed the fact that no handbook can fix problems within a department. There was no more discussion.

- The vote on 01a-2016 Continuance Documentation Flow passed. The votes were divided -- 20 “yes” and 19 “no” – 01a-2016 Continuance Documentation Flow will go forward. Aaron Wichman asked again what this means.
- Gayle Mallinger made a motion to endorse 04-2016 Graduate Faculty. The motion was seconded by Molly Kerby.
- Kelly Madole argued that it takes the faculty member out of it. It makes it easier for the department chair but it is against faculty governance and AAUP. The administrator gives graduate faculty status and this does not keep departmental input.
- Molly Kerby said if it is tied to continuance, doesn’t continuance have a faculty voice?
- Kristen Wilson said the chair’s policy change for graduate council is the Dean forwards the recommendation to graduate council. A one-page list of names is voted on. It is vetted through the hiring process. This proposes that the search committee gives input to the chair and then to the dean. From their view, it gives faculty voice and disciplinary knowledge to the process.
- Following vote, 04-2016 Graduate Faculty passed -- with three nays.
- A motion to bundle the Pedagogical 05-06-07-08-09 (items C, D, E, F, G) -2016 by Gayle Mallinger was seconded by Julie Shadoan. There was no discussion. The motion to bundle items C, D, E, F, G passed.
- A motion to approved the bundled items by Marko Dumančić was seconded by Molly Kerby.
- Mike Carini asked the committee to clarify the emphasis on “no expectation of research/creative activity” and he asked how can teaching be improved without research/creative activity. Shura Pollatsek said the updating of the policy is there because pedagogical faculty members already exist. She understands the question, but the issue is whether or no to include research at all was discussed. This has to be approved for all faculty who are teaching. Mike Carini said he is concerned because the intent was for faculty focused on teaching and focused on improvement – going to conferences and gaining an international reputation as a teacher. He is worried that it could lead to complications. Kate Hudepohl said that pedagogical faculty have a heavier teaching load and have less expectation of research/creative activity. Julie Shadoan said that faculty have been hired with explicit expectations that do not include that; it would be a conflict with their contract. Shura Pollatsek said it is impossible to define research for all of our fields. It is a giant can of worms. Doug Smith said that in looking at other university sites, there is a difference between substantive research and pedagogical research. Either that, or mentoring students – this is a distinction.

Kate Hudepohl said in the policy version, some have already been hired. Amber Scott Belt said that H2BC2 is existing policy. Mike Carini asked without publishing and presenting, how can a pedagogical faculty member gain an international reputation? Shura Pollatsek said this policy is already in place. Chair Hudepohl said she will bring this up in the fall to refer to a committee for consideration. Provost Lee asked Shura if a pedagogical faculty member seeking promotion should have a record of publication. Shura Polletsek responded “no” to this question. Provost Lee said it is a crucial distinction. There are two directions: (1) the person can talk about pedagogical issues within a department and ideas about how to do things better in the classroom; (2) doing something different (ie. more time with this, that, or the other. This makes it clear that faculty with different rules would still be OK for promotion. Regent Burch said there is a whole body of knowledge on scholarship in teaching; she thinks it allows people to do this. In making changes to something that appears to not be understood, there are multiple ways of being involved in scholarship. Shura Pollatsek brought attention to 07-2016 – at the bottom of the page in yellow – this is a quote from the policy. The committee is working with this policy as it exists. If we don’t vote it forward, there is no tenure policy for pedagogical faculty. Julie Shadoan said we should have had this conversation before the policy was passed. We cannot change directions mid-stream. If it is not passed today, nothing exists. The faculty on campus need to have direction on what they need to do to be promoted. Jill Brown said it kind of fits in with pedagogical faculty – it has to do with scholarly activity – the person doesn’t do research but goes to conferences about teaching or leadership. She added that publishing a workbook or textbook counts for her. There was no more discussion.

- The bundled items C-G passed unanimously with one abstention. Chair Hudepohl noted that these concerns will be on the fall agenda.

8. University Committees - Reports from Senate Appointees

a. University Benefits Committee (Claus Ernst for Eric Kondratieff): Report attached

- This report is informational only. Claus Ernst reported for Eric Kondratieff. Claus summarized how the plan works. The changes do not affect what is covered and it doesn’t affect prescriptions. The network is still Anthem. There is a slight profit of \$300,000. In terms of usage, some numbers were looked up since the SEC meeting. Utilization in terms of ___ is down 6%. Prescriptions, 1%. The report contains the basic numbers. In terms of HSA and HRA accounts, there is no way of knowing how much money is left. WKU increased its contribution by \$1 million. Employee premiums, employee additional costs... Braces and dental work do not run through the plan. The analysis of who benefited is not known because the amount spent in HAS and that which is not

covered are not known. There were 2,373 contracts -- only those covered for a two-year period and no change of tier. More spend less (68%) than those who spend more. Claus Ernst said he believes it was a good, successful year. Next week, the meeting will go more in depth.

- Bryan Reaka said that the self-insured is a critical mass; will we be able to establish and maintain balance with the critical mass next year? Claus Ernst responded that more people are better than less. Self insured losing 200 will still have enough people. The numbers are not large enough to guarantee stability from year to year. Very few high-cost cases affect it. There is no way to protect this. 2015 made \$300,000 – this is a great success. Consultants cannot give a prediction or accuracy and cannot give numbers on that.
- Marko Dumančić also mentioned at the Senate Executive Committee meeting that the success in terms of the dollars saved merits discussion of why it is not being utilized. Because of high cost, people might not be using the services.
- Dick Taylor asked why we cannot get the aggregate number spent from the employer? This might give an idea for compensation. Claus Ernst said that this is a question for Kari Akins. Kari Akins responded that this was requested. We are looking to have mass distribution to the employer. We are required to know that in order to do a mass transfer.
- Eric Kondratieff said that there are other issues with this information. He stressed that this is only on 1,500 accounts. There are 800+ people that we do not have data on. Marko Dumančić believes there should be an attempt to see about the behavioral component, because of those who do not have enough money to pay upfront. Eric Kondratieff said because people are paying the first dollar, they may be saving for something big or because they do not have the money to pay upfront costs. Eric Kondratieff asked if the Faculty Welfare Committee can look at this. He has heard anecdotally that some do have an issue with this. He does not think that this behavior stimulus against using a doctor is a good thing.
- Kari Akins said she has asked for the number participated based on original projections. The inpatient and outpatient numbers are the same. Office visits went down. Human resources is watching this and will talk with Anthem next week.
- Kate Hudepohl said that getting blood drawn with no consultation might be a part of this. Kari Akins said that the on site preventative does not count toward annual wellness; a person can still go to the doctor in addition.

b. Budget Council (Indu Chhachi / Eric Reed): Report attached

- The activity was discussed at the Senate Executive Committee meeting by Eric Reed, who is not present today.

c. Athletic Committee (Craig Martin): Report attached

- Craig Martin is not here, but he presented a summary of topics in his written report. One committee member sent information about athletics at WKU. This was sent to the Budget Committee by Chair Hudepohl.

d. The Legislative Committee did not meet.

- There were no questions or comments.

D. Old Business

There was no old business.

E. New Business

1. Policy 1.1012, Consensual Relations Between Faculty and Students

- Molly Kerby made a motion to approve Policy 1.1012 Consensual Relations Between Faculty and Students. The motion was seconded by Marko Dumančić.
- This policy includes the change approved as action “and therefore are discouraged.” The May 2, 2016 typo will be updated.
- Aaron Wichman proposed an amendment to the last paragraph. He feels there is wiggle room in “immediately.” He proposed the wording “disclose the consensual relationship to his/her immediate supervisor before any additional evaluation, advising, grading, or supervision takes place.”
- Provost Lee said he would like the group’s feedback. If the group wants, he can accept it as a friendly amendment.

- Aaron Wichman made a motion to add the amendment. The motion was seconded by Dick Taylor.
- Chair Hudepohl clarified that the motion on the floor is to revise the last paragraph on page one. This is a secondary motion within an existing motion, so there is no discussion.
- The immediate vote to revise the last paragraph on page one passed with a vote of 21 yes and 10 no.
- Dick Taylor asked if we had quorum. Chair Hudepohl said “no.”
- The meeting stopped at New Business – we did not cover #1, 2, or 3 under new business due to a loss in quorum. Dick Taylor called quorum at 5:40. Vice Chair Shadoan confirmed that there were 34 senators counted and we have to have 39.
- Policy 1.1012 Consensual Relations Between Faculty and Students is not going forward due to a loss of quorum that was confirmed by both Chair Hudepohl and Vice Chair Shadoan.
- Patricia Minter asked faculty to please put any suggestions to Faculty Welfare by September so it will be the first order of business in September.

2. Policy 1.1112 Faculty Credentials

(This Policy was not covered due to loss of quorum.)

3. Policy 1.2190 Tuition Waiver Program for Part-time Faculty

(This was not covered due to loss of quorum.)

F. Information items

1. President Ransdell Response to Motion and Resolutions

- a. Motion Regarding BOR Policies**
- b. Budget and Finance Committee Resolution - Prioritizing Wage Increase**
- c. Budget and Finance Committee Resolution - Restricting Building Projects**

G. Motion To Adjourn

1. Dick Taylor called quorum at approximately 5:40.
2. Vice Chair Shadoan confirmed that there were 34 senators counted and we have to have 39.
3. Dick Taylor made a motion to adjourn due to a loss of quorum. The motion to adjourn was seconded by Marilyn Gardner.
4. The meeting adjourned at 5:40 P.M.

Respectfully Submitted,

Heidi Álvarez, Secretary