

2014-2015 Faculty Senate

MINUTES—April 6, 2015

Faculty Senate—East Tennessee State University

UPCOMING MEETING:	ANNUAL RETREAT:
April 20, 2015 2:45 pm Forum, Culp Center	August 18, 2015 TBA Carnegie Hotel

Present: Leila Al-Imad, Fred Alsop, Robert Beeler, Patrick Brown, Doug Burgess, Randy Byington, Kathy Campbell, Dorothy Drinkard-Hawkshawe, Joyce Duncan, Susan Epps, Lon Felker, Virginia Foley, Lee Glenn, Nick Hagemeyer, Tammy Hayes, Jill Hayter, Bill Hemphill, Helene Holbrook, Tod Jablonski, Karin Keith, Ken Kellogg, Dharendra Kumar, Fred Mackara, Anthony Masino, Tim McDowell, Bea Owens, Timir Paul, Jonathon Peterson, Kerry Proctor-Williams, Judy Rice, Thomas Schacht, Eric Sellers, Melissa Shafer, Darshan Shah, Kathryn Sharp, Taylor Stevenson, April Stidham, Kim Summey, Paul Trogen, Craig Turner, Jennifer Vanover-Hall, Liang Wang, Ahmad Watted, Robert White.

Excused: Bill Flora, Peter Panus, Jim Thigpen.

Absent: Beth Baily, Daryl Carter, Koyamangalath Krishnan, Guangya Li, Mary Ann Littleton, Jerome Mwinyelle, Deborah Ricker, Bill Stone.

Guests: Rebekah Cisney, Communications Studies Student; Vince Thompson, Information Technology Services Customer Support Manager

President Foley called the meeting to order at 2:48pm. She announced that the meeting would begin with information items and introduced Rebekah Cisney who requested time to present a proposal on Disability Services.

Ms. Cisney introduced herself as a student majoring in Communication Studies. She said that faculty senate has a unique opportunity to meet a need on campus, specifically, the availability, or lack thereof, for deaf and hard-of-hearing students to participate and succeed on ETSU's campus. She said this is a national issue. The Journal of Post-Secondary Education and Disabilities says roughly 13% of students with disabilities achieve a Bachelor's Degree or higher compared to 31% of their non-disabled counterparts. That 13% is reflected in our own student body. The US Census Bureau in 2001 said there are disproportionate barriers to both access and success for students with disabilities. Ms. Cisney stated

that in her interview with Libby Tipton, ETSU's Interpreter Coordinator, she said that a few of these specific barriers are a limited timeframe and a lack of ability to request an accommodation in advance. In the experience of the deaf and hard-of-hearing students on campus, the disability statement at the very end of the syllabus is the only mention about accommodations for those who are disabled. What is advocated for by Libby Tipton, among a number of other professors across the nation, are these four components: Teaching, Making Known, Explaining, and Accommodating, which altogether creates a proposed improvement called Universal Design for Instruction. The Journal of Post-Secondary Education in Disability says UDI is designed to anticipate the need and make learning more accessible. Universal Design for Instruction anticipates needs, making participation and success more accessible. Ms. Cisney said she would like to ask faculty to make a long term difference on ETSU's campus and to increase the availability to participate and succeed for students with deaf and hard-of-hearing issues.

Senator Schacht asked how much Universal Design costs in comparison to dealing with situations on a case by case basis. Ms. Cisney replied that it really only costs time as it is a thought process. Essentially what you're doing is setting up in advance any long term project that would need accommodation. For example, if you had an extra credit assignment to go see a play or musical outside of the classroom and outside of ETSU, Disability Services asks that the students request an interpreter or accommodation 5 days in advance. However, she said students say that oftentimes the professor doesn't assign those things until right before the event; therefore, there is not a lot of time to accommodate them, which leads to a decrease in availability. It doesn't cost anything but the time it takes to plan your course work.

Senator Masino said that they had a professor in the College of Business who had given an assignment that allowed students to work real time on a computer system. One student had vision problems. Disability services told this faculty member basically to do one-on-one homework with this student. It is a significant amount of time being requested. He said he wonders if this system will solve some of these issues. President Foley said that it might be a good use of our time to have disability services come and speak to us briefly next year.

Senator White commented that Universal Design for Learning has been around since 1979. It comes out of the field of architecture. If one retrofits a building to be accessible, it is much more costly than if it were built with access in mind from the start. He said at ETSU we should use the term Universal Design for Learning and put the emphasis on learning instead of instruction.

President Foley introduced Vince Thompson and Randy Byington who were to present information on Microsoft Office 365.

Senator Byington stated that ETSU has the opportunity to move to Microsoft Office 365 which is a subscription to Office software rather than purchased software. Other TBR schools such as Memphis and MTSU have adopted this. Microsoft Office 365 allows faculty and students to be able to access Microsoft Office products no matter where they are. Microsoft Exchange would actually run in the cloud. The Microsoft email system, Outlook, would also be running in the cloud. One particular advantage is this increases the mailbox size from 1 GB to 50 GB without any cost to ETSU for storage. The cost of storage is a fairly significant part of any computer system. The Q:drive, ETSU's network drive,

supports 1.5 GB per person. If ETSU begins using the cloud or One Drive, that increases to 1TB of storage. He said we also gain the ability to store files out into a more readily accessible place that can be accessed from our phones, tablets, computers, etc.

Senator Hayter stated that the Q:drive is accessible from any computer on campus. She asked if that would be the case with Microsoft Office 365. Mr. Thompson said yes, it will appear in the drive list and your account will authenticate to Microsoft's website so that wherever you go, as long as you can log in to your account, it will integrate into the Office applications. He said that it won't apply to non-Microsoft applications. For Minitab or another program like that, the integration wouldn't be integrated into the application itself. But one could still access it.

Senator Hayter asked how the VPN is being bypassed. Mr. Thompson replied that since One Drive is off campus to start with you wouldn't have to go through ETSU's authentication method and firewall. You could go to Microsoft's website and log in and your files will be there.

Senator Byington said that with this system everybody is on the same email system. Currently the students are on gmail and faculty are on a locally run Microsoft product. One of the things that is an advantage to this is faculty and students could use the Microsoft scheduling to schedule advisement appointments.

Senator Schacht asked if this system will support encrypted email. Mr. Thompson replied that if you need to encrypt emails between yourself and one other person, it is possible. You can choose to have encrypted email through the system. The encryption is at a Microsoft data center off campus and everything there is encrypted and under lock and key. Senator Schacht asked if you have to specify that person in advance through the system. Mr. Thompson explained that if it is from one person at ETSU to another it is a simple checkbox. He said that if you're going to one person from on campus to another off campus, it gets a little more complicated because then you have to pass the encryption key or the unlock to that person. That is also going to be dependent on what mail system your target person is using. They may support it, they may not.

Senator Schacht asked if it is HIPAA compliant. Senator Byington replied that it is.

Senator Keith asked how well the interface works between the iPad, iPhone, and Microsoft. She said that currently hers are not syncing correctly. Mr. Thompson stated that she would have full Outlook on whatever device she wants to use. Since they're all connecting to the same source, as long as that connection is made, then the data will be the same regardless of platform.

Senator Sellers asked with regard to HIPAA compliance, what happens when you're going across to other email systems? Mr. Thompson replied that if you get outside the Microsoft box, there can be no guarantee. Senator Sellers asked if anyone worries about security in the cloud. If Microsoft 365 gets hacked then everything that Microsoft owns is out there. He asked how we are going to keep our data secure. If Microsoft is doing it for us is that NIH compliant? Senator Byington replied that it is. Microsoft provides certificates and they assume the liabilities.

Senator Mackara asked if support will move off campus so when we have a problem we will have to call some 800 number in Beijing. Mr. Thompson replied that all of the support structures will still be the same.

Senator Hemphill asked how much money ETSU would be saving. Senator Byington said that the current agreement with Microsoft is \$114,644 and to add this is \$0. Microsoft wants us to teach people how to use their products. He said that one upside is that students would be on the same version of the Microsoft products that faculty are on. He commented that he has a student right now who is trying to send him a word document in office '95 and literally does not understand why he can't edit functions and review and do the same things for that student that he could if that student was on the current version of Microsoft. Office 365 can also be downloaded by each faculty member to 5 mobile devices (tablets, phones) at no charge. Senator Byington continued that if an employee leaves or if a student graduates, then Microsoft notifies them that they are no longer of the ETSU network family and they have the opportunity to purchase the subscription at a commercial rate.

Senator Hemphill asked if the cost of this comes out of the TAF money. How does it work for the students? Mr. Thompson stated that the state funding model that's in place now would stay the same. TAF does pay for a campus agreement to cover the student side and the rest is covered by the university.

Senator Hayter asked how the calendar appointments differ from what we already have in Outlook Exchange. Senator Byington replied that currently we can't include students in the calendar scheduling as student Goldmail is on Google.

Senator McDowell stated that his reservation is that Microsoft products tend to be terrible when they're rolled out. He said he uses a Mac and historically they have a lot of problems communicating back and forth. If we are on their current software, he suspects we are going to be using their newest versions of everything all the time. He said sometimes they're really not very good products. Mr. Thompson said that he didn't want to get into a Mac vs Microsoft discussion, but ETSU will control the updates - including the Office applications itself. He said if they come out with a newer version that is getting bad reviews and we don't like, we don't have to roll that out.

Senator White commented that this isn't a new product. He said that his previous university migrated to Microsoft Office365 and it seemed pretty seamless. Mr. Thompson said that the biggest difference here will be migrating the mailboxes off of our servers and onto Microsoft's exchange servers. Senator Peterson asked if there was an exit strategy if we want to get out of it. Mr. Thompson replied that we would re-export our exchange environment which is really just a conversion of servers back down to our architecture and we would lose access to the One Drive. It would be a bit of a trouble, but it wouldn't be a long problem. Senator Byington added that Microsoft also provides data back up and redundancy.

Senator Brown asked what the projected timeline is. Senator Byington said he thinks it will be piloted sometime this summer with a fall rollout. Senator Epps asked who would be part of the pilot. Mr. Thompson replied heavy usage people such as researchers and advisors.

President Foley thanked Mr. Thompson and Senator Byington for their presentation.

President Foley asked if there was a motion to approve the minutes from March 23rd. Senator Epps moved to approve with corrections. Senator Brown second the motion. The minutes were approved without dissent.

President Foley announced that the next item on the agenda is a report from Senator Schacht on the implications of the merger of Wellmont and MSHA. Senator Schacht distributed several documents. He said that the proposed merger of MSHA and Wellmont systems would create the 9th largest non-profit health system in the US. He said that this is tremendously relevant to this institution for a number of reasons. First of all every person on campus probably has their own health insurance through BlueCross BlueShield which has to negotiate with the hospital systems for rates. Those rates translate directly into the premiums that we pay.

Senator Schacht said we also have an interest in the circumstances of employment for our graduates. We are the flagship healthcare institution of the Board of Regents. We have more health related programs than any other university in the US except Ohio State. He said we have to consider what impact this might have on prospects for our graduates to the extent that a merger and a monopoly will put pressure on wages or will result in reductions in staff and employment.

He continued that another issue has to do with the impact on those programs at this institution that involve professional practice by faculty. The College of Medicine is one such program, but there are others. He said that one of the documents he distributed is a statement of federal and state law with respect to anti-trust. In order for this merger to go through, there will be a requirement for what is called a Certificate of Public Advantage. This is essentially an exemption mechanism from the antitrust laws that operates on the basis of active state supervision of the merged entity. The Certificate of Public Advantage statute is also contained in the handout material. The law allows the Attorney General in Tennessee to hold public hearings. There is also provision in the law for what is called intervener status. He said that if you ask for intervener status, part of what it means is that the Attorney General's office will register you, you get legal standing to speak and participate in the process and you will be kept informed as the hospital submits documents and so forth, they will automatically be sent to you as part of what is going on. You're not just getting your info from the newspapers.

Dr. Schacht stated that another set of documents distributed were copies of two Memoranda of Understanding between our medical school and Holston Valley Hospital. He said that if we look at the highlighted text in these documents, we will see that our College of Medicine agreed essentially not to compete in certain areas.

The last document that Dr. Schacht distributed was a draft of a proposed resolution that cites some of these concerns and then makes a couple of recommendations. One is to ask the Attorney General to hold public hearings. The second is for this body to request intervener status so that we will be kept informed as this goes forward.

Senator Glenn asked if there was any chance the two hospitals can function as a cooperative network, reducing cost for everybody and also living up to their statuses as not for profit institutions. Senator Schacht replied that he didn't know. But if this kind of merger occurs, the details, the terms under which it occurs will be spelled out in the certificate. It is possible for that certificate to include provisions that could be very beneficial to this institution. He said that won't happen unless we're at the table and we're part of the process.

Senator Burgess commented that should the resolution have the support of the senate he assumes we would need to create ad hoc committee to keep us updated on the documents. Senator Schacht said that he thinks this would be relevant to those among us who have an expertise in healthcare, business, and who understand the financial organizational aspects of this.

Senator Hemphill said that item number 2 of the resolution is specifically limited to the College of Medicine. He asked is there any particular reason why? Senator Schacht replied that he didn't research the mission statements of every other health related program at ETSU. This wording was taken from the College of Medicine mission statement but it would be perfectly reasonable to broaden it.

Senator Felker asked if senate passes this resolution, should a lawsuit arise, would we be entering into that lawsuit. Senator Schacht replied that if we have intervener status, then according to the statute, we have certain rights under the Uniform Administrator Procedures Act.

President Foley stated that this was on the agenda as an information item. She said that we will bring this back up at the meeting on the 20th as an action item. She recommended that senators take the time to study the documents, make notes, and come prepared with thoughts for the next meeting. She said that wordsmithing will happen at some time, so if there are comments as we peruse the resolution, please email them to Tom and her.

Senator Beeler brought forth an item for New Business. He said that the university has an FN grade on the books which essentially means failure for not attending. However, it is not clear what the policy is to assign an FN grade. Some people believe you assign an FN grade only if the student has never shown up to class. Some assign an FN grade for a student who is failing but at some point stops showing up for class. Still others assign an FN grade when the student fails the class and they have missed a certain percentage of classes. He said that the second problem is the FN grade doesn't seem to have any teeth. He has assigned FN grades in the past and when he has checked on the student's transcript later, the FN grade has been changed to an F. Senator Burgess commented that the FN was put on the books for administrative purposes not to appear on a transcript. Senator Taylor added it is especially relevant for the GI bill as they will pay for the class if you fail it, but they won't pay for it if you never show up. Senator Byington asked if we could have some clarifications of what the FN criteria are. Senator Keith added that there is also a need to clarify for online classes how attendance is determined.

President Foley stated that there was another information item. She said that Dean Van Zandt read our minutes from February 23rd and saw Dr. Bach had said that the library had gotten an additional 500,000 dollars from the TAF money. She's provided this clarification. "For several years the library had an appropriation from TAF funds of \$200,000 to support the purchase of electronic materials. I'm not sure

when this began but it was in place at least for fiscal year 2010 budget cycle. In fiscal year 2013, this appropriation increased to \$500,000 dollars, however, for the same fiscal year, the library acquisitions budget decreased from \$730,590 to \$430,590, so there was no net gain from the TAF increase. For fiscal year 2015, the acquisitions budget was reduced by an additional \$39,030 because a campus wide 1.5% budget reduction. To clarify, the budget for acquisitions including TAF funds in fiscal 2010 was \$930,590 dollars. The acquisition budgets including TAF funds for fiscal year 2015 was \$891,560 dollars.”

President Foley moved to the action items on the agenda. She said that the easiest one to deal with will be to the second addendum she sent out - the approval of committee appointments. Senator Byington stated that Theresa McGarry has agreed to continue serving on the Classroom Utilization Committee, Robert White has agreed to serve on GEAC, and Patrick Brown has agreed to serve on Instructional Development Advisory committee. He moved that senate accept the reappointments. Senator Epps second the motion. The motion passed with no dissent or abstentions.

President Foley announced that the next action item was the motion from the ad hoc committee on faculty training. Senator Brown moved that a university wide Committee for Faculty Excellence be created. President Foley said that if the senate approves the motion, the next thing that would happen is that this would go before Academic Council. Senator Peterson second the motion.

Senator Schacht commented that in terms of getting this through other levels of review and approval, it might be helpful if somewhere there was a statement that this is intended in part to fulfill the expectations of the TBR policy that specifically says we are required to have a faculty development program. President Foley asked if that was a friendly amendment. No one objected to the friendly amendment. The vote was taken and the motion passed with no dissent or abstentions.

President Foley stated that there was no Senior Staff meeting and therefore no Senior Staff updates. She stated that the next agenda item is the discussion on Summer School pay. She said that when the executive committee met with Dr. Bach, he gave us the information she imbedded into the agenda. She said that this proposal is in place and the administration has asked TBR for permission to offer faculty the opportunity to work for less than 1/32 pay for summer school.

Senator Alsop stated that for those who were here in 2007, this is déjà vu all over again. A pilot program was put together after summer school had started, just before the first term began after the intersession which the exact same thing happened and permission was granted temporarily by TBR for the provost to be able to do this. He said he would like to see this taken to the Faculty Salary Equity Committee. The second part also deals with what was the ‘tax’ is now a flat rate. Not too long ago, that was 2 million dollars. Now it’s 3.5 million. The faculty who get dinged the most are the ones who have the small classes with students who are trying to graduate and are those who are senior faculty who 1/32 per hour costs more than younger faculty’s 1/32 per hour. Those are the classes that get dropped first.

President Foley asked if the Salary Equity Committee talked about this. Senator Schacht replied that the point of discussion that was brought to the committee was a proposal that if the administration was going to do something like this, that it only apply to faculty who were at or above their equity target.

However, that was outside the scope of the immediate current charge of the Equity Committee which had to finish its work by April 1st. One part of the recommendation that has gone forward from the committee to Dr. Noland is that the committee continues its work on a broader scope to look at compensation issues more generally - not just equity. This is one of the issues that is on the list that the committee asked him to charge the ongoing committee with.

Senator Burgess stated that there are a lot of younger faculty who might normally take the summer to work on research and feel undue pressure to teach a class of 4 people for lower pay to remain in good graces. There is additional pressure here.

Senator Beeler said that if you have a class that is close to being cancelled but not necessarily going to be cancelled, \$4500 may be better than nothing.

President Foley said that Dr. Bach referred to this as a profit model. She asked Senator Stevenson to repeat his comments about it being a profit model. Senator Stevenson said he doesn't understand why the profit has to come off the top rather than the bottom. President Foley said that Dr. Bach also said that last year they got 3.6 million. She asked him what percent that 3.6 million was last year and he couldn't remember but the colleges had the information. She said that she asked Dean Lewis what percent was taken and the reply was 53%: 50% percent was for the general fund, 3% was for summer school, and the college got the rest. Senator Epps's dean said Academic Affairs got 69.6% and 30.4 was returned to the college.

Senator Sellers asked if senate had heard the term McVee model. The McVee model worked for Psychology last year and all but two of the faculty were able to teach a summer course. The university made more money than it would have under current practice. The dean wasn't crazy about this because somehow he got \$27,000 less than he would have. Dr. Noland was under the impression that the entire university was going to run that model this year. President Foley said that is what they said in Academic Council.

Senator White said if we were in an equitable situation, it would be fairly straight forward. If we need 8 people to make a class, or ten people to make a class, and we had shared governance where everybody was valued equally, we would say we didn't quite make 8, but something is better than nothing so you take your pay cut and we take our pay cut. He asked if TBR was putting forward this pilot. President Foley replied no, ETSU is.

Senator Byington said that piggybacking on Senator Stevenson's example of tax, the current model ETSU is using applies the sales tax prior to the sale, not afterwards. He said it is the most illogical thing he has ever heard.

Senator Holbrook said that the College of Nursing offers a 12 month program with faculty largely on 9 month contracts. She said we need some sort of accommodation for 12 month contracts. Senator Alsop commented that in Biology there are some courses that can only be taught in the summer time. Senator Beeler added that Math is another subject that needs to have classes in the summer simply

because how the sequences line up. If someone gets off of sequence, then the summer is the time for them to get caught back up in order to take the right classes in the fall.

Senator McDowell stated that it seems that the two biggest problems is that there is such opaqueness in the way this has been handled that people don't really know how much the administration is taking with this so called tax. It has never been a transparent consideration. The other thing which has been mentioned is it is not a profit sharing. It is not even a loss sharing. The losses that have to be taken are suggested to go to the faculty. The profits if they are to be had, are suggested to go to the administration. It seems that the administration with regards to the summer school payments has been taking increasing portions of the income and has not been transparent about their method or their amount. So it is been very difficult for the faculty to say what do we prefer, is this a good idea?

President Foley said that we have no resolution but we need to bring it to everybody's attention. She asked senators to share this with their colleges and departments. Senator Beeler asked if we could get answers to these questions that haven't been answered so far. President Foley said that the next time we meet with the president we can ask him.

President Foley reminded the senate that Mike Krauss has been rescheduled for April 23rd.

Senator Epps announced that Welcome Week is the first week of school and the Campus Round Up and Student Organization Fair will be Thursday August 29th.

Senator Al-Imad asked if President Foley was able to find out how many foreign students we have attending ETSU. President Foley replied that she would ask again.

President Foley reminded the senate that at our faculty senate meeting on April 20th we will be electing officers: VP, Secretary, Treasurer, and Chief Operating Officer. She asked for a motion to adjourn. Senator Brown moved to adjourn. Senator Epps second.

ADJOURNMENT: The meeting was adjourned at 4:45 p.m.

Please notify Senator Melissa Shafer (shaferm@etsu.edu or 9-5837, Faculty Senate Secretary, 2014-2015, of any changes or corrections to the minutes. Web Page is maintained by Senator Doug Burgess (burgess@etsu.edu or x96691).