The University of Southern Mississippi
Faculty Senate Meeting Minutes
Friday, March 6, 2020, 2:00 p.m.
North Academic Building, Room 101 (Gulf Park)
IVN to Scianna Hall, Room 1043 and
Stennis Building 1020, Room 118


Absent: Shinhua Liu, John Miller, Bonnie Harbaugh, Robert Leaf, Whitney Martin

1.0 Organizational Items
1.1 Call to Order The meeting was called to order by Susan Hrostowski at 2:05.
1.2 Roll Call
1.3 Recognition of Quorum (22)
1.4 Recognition of ⅔ membership for voting on Bylaws and Resolutions (29)

2.0 Adoption of Agenda
• Approved unanimously by voice vote.

3.0 Program

3.1 Dr. Eye, Dean of Libraries
• This year is the last of a five-year contract with Elsevier. We will soon begin negotiations with Elsevier for a new contract. We plan to ask for a 5% cut in titles to keep the cost the same (which is currently approximately 475,000). If Elsevier is not willing to negotiate, we need another plan. Many universities are moving away from these large packages and only subscribing to the titles that they need. We are considering adopting such an approach if we’re not able to negotiate with Elsevier. We will still have access to the other titles; only, the access will be delayed, anywhere from five minutes to a couple of days.
• Adopting this approach may be wise for our institution because USM traditionally has only used a small portion of what Elsevier offers in our package (typically 1/3). If we do not continue with Elsevier, we would have a larger budget to dedicate to certain and specific resources for each school/faculty members. Senators questioned if Dr. Eye
believes the money would be reallocated to other resources on campus or if it would remain in the library budget. Dr. Eye was positive through his talks with the Provost, libraries would not lose the budget.

- Dr. Eye would like an opinion from the senate regarding moving away from the package if necessary. A decision from faculty by July 1st would be most preferable. President Hrostowski iterated that Faculty Senate would discuss and possibly develop a resolution on this.

3.2 Allison Gillespie, Assistant Provost for Academic Affairs

- Dr. Gillespie came to speak regarding faculty evaluation process and timelines. In Digital Measures, Workflow has been used successfully for T&P reviews. Senators asked about the difficulties when downloading reports. Dr. Gillespie indicated that it cannot be done right now but they can look into that possibility.

- Beginning in Spring, 2020, Evaluation Kit will be used for student evaluations, which will allow evaluations to feed directly into Digital Measures. Fall and Spring 2019 evaluations will need to be uploaded as a PDF document. Any older evaluations will remain in SOAR.

- Regarding our annual evaluation process, all faculty should ensure that their information is up to date in Digital Measures. There is a block for narratives, including summary of year, goals, etc. There is a recall function if you need to correct/update after submission.

3.3 Cengage

- Sara Easterling, local sales rep for USM, Blake Greenhaw, business development director, Bobby Tutor, District Manager, and Corby Townsend, Senior Engagement Manager all presented to discuss a possibility to deal with the rising cost of course materials. Cengage Unlimited offers a digital subscription service that includes complete access to a vast library of content and technology, including 22,000 digital learning products across 675 courses (most being undergraduate courses). Pricing is as follows: $119.99/semester, $179.99/year, $239.99/2 years for students.

- Research says that affordability in educational content and technology is most important to students.

- If this program is adopted, nothing would change for faculty if they are currently using a Cengage product.

- Cengage is fully ADA compliant.

- It will be synced with our LMS (Canvas).
• Updates to textbooks can be done almost immediately, much faster than with traditional textbooks.
• If the university adopts Cengage Unlimited, faculty members will not be required to use Cengage textbooks (this may change based on university specific policies in the future).
• Senators questioned if students would be able to keep textbooks throughout their academic career. With Cengage Unlimited, students have the opportunity to purchase inexpensive loose-leaf books.

4.0 Approval of November February Minutes
• Approved unanimously by voice vote.

5.0 Officer Reports

5.1 President
In the Executive Cabinet meeting this month, we heard a presentation from Marcia Landon about the grant preparation and submission process. The most important part of her presentation was the need for faculty to contact ORA early in the process of grant and contract proposals. Many time, faculty notify them too close to the submission deadline. Dr. Anderson discussed the Infectious Disease Emergency Response Plan which includes maintaining dormitories, food service, Counseling Center, and Moffett Center services. Dr. Bennett spent a good deal of time talking about recruiting, enrollment, and retention. He described prospective students and their parents calling his office after their call to schools and faculty members were not answered or returned. He also described situations in which faculty members were extremely rude. Senators should emphasize the need for faculty members to be polite and responsive to prospective students and their parents.

5.2 President-Elect: No report
5.3 Secretary: No report
5.4 Secretary-Elect: No report

6.0 Decision / Action Items
7.0 Standing Committee Reports

7.1 Bylaws: No report
7.2 Elections:
Tom Rishel has requested the spreadsheet of faculty from Institutional Research to begin the process of identifying which faculty are eligible as candidates for faculty senate and eligible to vote for senators.
There were two proposals submitted to the University Handbook Committee by Jeremy Scott:

1. The Faculty Senate moves that the following section:

   4.5.2 Faculty Evaluation Meetings
   The annual evaluation process offers an opportunity to review activities from the previous year, for faculty to discuss professional objectives and goals for the year ahead, and to request necessary resources with their directors.
   Evaluation meetings should be scheduled annually between June 1st and August 31st. Two distinct meetings are generally necessary to complete the annual evaluation process for each faculty member: (1) review and discussion of the previous year’s activities and (2) establishment of professional objectives and workload allocation for the year ahead.

   Have its language changed to:

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   Evaluation meetings should be scheduled annually between June 1st and August 31st September 30th. Two distinct meetings are generally necessary to complete the annual evaluation process for each faculty member: (1) review and discussion of the previous year’s activities and (2) establishment of professional objectives and workload allocation for the year ahead.

   Rationale:
   The deadline is extended one month to allow faculty to perform annual evaluations during the contract period. The August 31st deadline serves no logistical purpose since all workloads have been assigned and classes have already begun by that date.

2. The Faculty Senate moves that the following section:
3.1. Introduction
Faculty members have three kinds of responsibilities: those deriving from their research/creative activities; those related to their role as teachers, and responsibilities stemming from their relation to the University and their disciplines. Each is addressed below.
Faculty are expected to fulfill their responsibilities promptly and conscientiously throughout their contract periods, University holidays excluded, even when classes are not in session.
The University’s Code of Ethical Conduct includes statements of general principles regarding respect for governance, others, information, and property as well as statements regarding conflicts of interest and commitment.

Have its language changed to:

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The University’s Code of Ethical Conduct includes statements of general principles regarding respect for governance, others, information, and property as well as statements regarding conflicts of interest and commitment.
Faculty are expected to fulfill their responsibilities promptly and conscientiously throughout their contract periods, University holidays excluded, even when classes are not in session. Due to the diverse nature of faculty and faculty responsibilities, presence away from campus while performing faculty functions is not to be considered an absence. Additionally, obligations outside of the specified contract period shall neither be compulsory nor be subject to compensation, absent a prior agreement.
Faculty members have three kinds of responsibilities: those deriving from their research/creative activities; those related to their role as teachers, and responsibilities stemming from their relation to the University and their disciplines. Each is addressed below.

Rationale:
Flipped the first and third paragraph. Faculty that are performing university functions off of campus should not be held to the four days a week on campus policy. Faculty should not be required to work outside of contract. Faculty that
volunteer for work outside of their contract should understand that they are not entitled to compensation.

7.5 Academics: No report

7.6 Administrative Evaluations
The surveys are ready to be distributed. However, the committee recommends that we wait until faculty evaluations are done before the surveys are distributed for fear of retribution. Senators recommended that the subcommittee sends the evaluations out now but wait to distribute the results to administration until after faculty evaluations are completed.

7.7 Awards
The subcommittee members are currently reviewing applications.

7.8 Finance
We will meet with Allyson Easterwood next Friday, March 13th at 2 pm.

7.9 Governance
The Faculty Senate Governance Committee had been considering how to respond to the Provost about the Faculty Contractual Obligations policy (Employee Handbook section 3.11). At the same time, we became aware that the USM Chapter of the AAUP was also preparing a response to the policy. The Governance Committee discussed electronically if we should continue to prepare our response independently or in conjunction with the AAUP. We decided to work with the AAUP and have both groups respond with the same document. The focus will not be on the substance of the policy as much as the gross violation of shared governance in the manner in which the policy was developed, submitted and approved with absolutely no involvement by the faculty. The joint response will request that the Provost issue an apology to the faculty for violating the foundational policy of shared governance.

7.10 Gulf Coast
The Gulf Coast Faculty Council did not meet last month. Tom Rishel, Chair of GCFC, contacted David Holt about concerns expressed in the February faculty senate meeting re: Dr. Holt’s representation of Gulf Coast faculty positions on the University Faculty Handbook Committee. Dr. Holt’s response was copied to the president of faculty senate, Susan Hrostowski, and to the faculty senate’s representative on the University Faculty Handbook Committee, Jeremy Scott. I am including Dr. Holt’s response in the appendix to this report.

Mr. Rishel also contacted Casey Maugh-Funderburk for an update on the response to the Coastal Operations Leadership Team report and recommendations. On February 11, 2020 Dr. Maugh-
Funderburk responded, “. . . you can pass along that I have not heard anything from Dr. Moser nor Bennett at this time about our COLT report. Still waiting....”

Sincerely,

Tom Rishel

Appendix

All,

I am responding to Tom Rishel’s request concerning 2 items: comments from Faculty Senate by Jeremy Scott and authority of Handbooks. I am cc-ing President Hrostowski (ex officio member of GCFC), Senator Scott (person named in response request), and Mike Forster (chair of FHC) in an effort of full transparency.

Respectfully,

David Holt

Gulf Coast Faculty Counselors,

I will address the Faculty Handbook vs Employee Handbook first. Simply stated, the reason the university dumped the old faculty handbook and re-wrote the new faculty handbook (FHB) is that it cause litigation against the university through internal conflicting language and conflicting language concerning the employee handbook (EHB).

Now to the documents. In the current EHB preamble it states:

“This handbook is not the only document containing personnel-related and other policies of The University of Southern Mississippi. Approved policies are published on the USM website and in other handbooks and manuals, including, but not limited to, the Faculty Handbook. In addition, college, school, departmental, and divisional policies, procedures, or guidelines may exist and must be followed by employees as appropriate. The policies and procedures in this handbook take precedence over any and all other policies that might exist throughout the University, except as supplanted by specific provisions of the Faculty Handbook applicable to faculty only.”

So, the statement in yellow shows that EHB is important, but can be supplanted by the FHB with specific provisions. However, the opinion of university counsel is that there should not be any conflicts between the two (thus the new FHB).

In the current FHB there is a comment in the opening “notice”:
“In the event of conflicts between the Faculty Handbook and either the IHL Policies and Bylaws or the Employee Handbook, the latter documents are controlling and take precedence.”

If you notice here, EHB or IHL wins if there is a conflict. HOWEVER, a new proposed language has passed second vote (but not yet approved) is as follows (Changes in Yellow, Area of interest in Green):

The Faculty Handbook is a guide to University offices, activities, and policies that affect members of the Faculty, as defined herein. The Faculty Handbook is not a comprehensive, self-contained policy document, and neither is it a contract of employment. The Faculty Handbook is not intended to be a comprehensive guide to all policies governing the faculty, nor is it contract of employment. However, it does provide guidance for the relationships between the University and the faculty. Material in the Faculty Handbook does not replace, amend, or abridge approved policies of the Board of Trustees of State Institutions of Higher Learning (“IHL Policies and Bylaws”) and the Policies and Bylaws of the IHL therefore take precedence and control in any conflict with the policies of the Faculty Handbook. The University of Southern Mississippi Employee Handbook (“Employee Handbook”). In the event of conflicts between the Faculty Handbook and either the IHL Policies and Bylaws or the Employee Handbook, the latter documents are controlling and take precedence. Policies outlined in the University of Southern Mississippi Employee Handbook also apply to the faculty. The policies and procedures in the Employee Handbook take precedence over any and all other policies that might exist throughout the University, except those supplanted by specific provisions of the Faculty Handbook applicable to faculty only.

The Faculty Handbook may be amended from time to time in accord with the bylaws of the Faculty Handbook Committee. University policies referenced herein may be obtained from the University’s Institutional Policies webpage; Board policies referenced herein may be obtained from the IHL website. The Faculty Handbook is not intended to be a comprehensive guide to all policies governing faculty. Information about employment benefits and policies that apply to all employees of the University, such as those regarding harassment and discrimination, can be found in the Employee Handbook or obtained from the University’s Department of Human Resources.

Note that the line about IHL policy and EHB has been modified to state that FHB wins if there is a conflict. This has not been approved by the President yet (I suspect resistance because the line about IHL is struck, but I do not know). If it IS approved, then FHB wins over EHB in issues directly concerning faculty. CURRENTLY, IHL and EHB wins if there is a conflict (which is the position of University Counsel from my understanding). The language above has been sent to the President for review after passing a second vote through FHC.

Final comments on the authority issue are interesting. The EHB clearly states there is a situation where the FHB “supplants” EHB by “specific provisions”. The current language of the FHB clearly states that EHB and IHL “documents are controlling” (i.e., EHB and IHL win). The new language to FHB, if adopted, is attempting to align with EHB with FHB winning in certain circumstances. You can see there is a conflict of language here. So, the true joys of FHC - lay bare.
As a side note – I am aware of and interested why the workload policy added to the EHB that is faculty specific and not in the FHB (nor vetted through FHB). But, that is for another moment, just know it is on FHC RADAR.

Concerning the first part of the request about Faculty Senate. Firstly, I spoke with Senator Scott this morning to clarify the statements and go to the source. Scott recalls the context a bit differently (cc’ed om this message). Scott stated he felt he was being bombarded as the only FHC member and that if another senator disagreed with the policy they should contact their representative. Scott is not the only FHC member. So, my understanding is that if someone on the coast disagreed with the language of one of my proposals, they are indeed obligated to contact me, and in that light, I would not be representing the coast faculty properly.

Now, specifically addressing the issue of 3.1 (faculty obligations). Proposals are starting points for new language. The onus of my drafting new language is twofold: primo, the FHC is working from a master laundry list of all things that need to be addressed this year and language needs to be developed to meet those needs (I have attached the original “to-do” list with 97 issues and the original proposal for editorial changes with 100 changes to this email response); and secondo, several faculty have listed concerns about the lack of language protecting 9-month employees being obligated over the summer and “working off contract”. The summer obligations are even more problematic when these actions do not get counted toward the contract period. I can give many examples and relayed several to Tom Rishel, who gave several more examples. The point being: language has to be developed and vetted into the handbook. I am attempting to develop language that works by obligation. I may not always agree with the policy that needs the language, but I am drafting it as a starting point. This process is slow, but you need language to work with. Senator Scott did state in Senate that the proposal for 3.1 with the concerning language was delayed to allow for new language (subsequently, the new 3.1 proposal has been further delayed after Monday’s meeting – we are still trying to find the right language to meet the needs).

I have talked to Senator Scott and confirmed that the intention of the comment in last Friday’s senate meeting was to encourage communication between myself and any coast faculty. If anyone feels I am not representing the interests of the coast and the university, I encourage them to talk to me. If you wish for outside opinions, Dr. Marco Wolf is on the FHC and he can address questions. Dr. Lance Hopkins was Marco’s proxy on the January meeting where 3.1 language was discussed.

I hope this adequately meets your call for a written response. I am willing and able to discuss any of these issues further at your request.

Respectfully,

David Holt, Historian, Faculty Handbook Committee and FHC representative from Coastal Operations.
7.11 University Relations and Communication: No report
7.12 Welfare and Environment: No report

8.0 Outside Committee Reports
9.0 Reports from Other University Advisory Bodies
10.0 Consent Items
11.0 Unfinished Business
12.0 New Business
13.0 Good of the Order
    • Projector light bulb costs have been passed on to schools. The president indicated that she will follow-up regarding this new process.
    • Women’s History Month.
14.0 Announcements
    14.1 Next Senate Meeting April 3, Scianna Hall, room 1043 and usual IVN’s
15.0 Adjourn