AGENDA FOR
UNIVERSITY SENATE MEETING

(Meeting #2, 2011-12)

September 1, 2011
4:00 p.m.
TC 101

Approval of senate minutes of April 21, 2011

I. Announcements
   A. Reaffirmation of Standing Rules (Enclosure #1)
   B. In an effort conserve paper, and approved by the University Senate on 9/4/08, the Undersecretary will poll the membership regarding receiving electronic agenda materials ONLY. Hard copies of agenda materials will continue to be produced only once. Please take responsibility for bringing all appropriate materials with you to each meeting.
   C. Overview of Senate System – Amy Leahy and Eric Kelly
   D. Next Scheduled Meetings
      Senate Agenda Committee – Monday, September 19, 2011 (LB 104)
      University Senate – Thursday, September 29, 2011, TC (Teachers College), Rm. 101
   E. Schedule of Meetings in University Governance system (Enclosure #2)
   F. Program Information – Academic Posting 2010-11, Volume XLII-8
      Revised Programs
      College of Applied Sciences and Technology
         Department of Technology
         Master of Arts in Career and Technical Education
         Master of Arts in Technology Education
      Miller College of Business
         Department of Information Systems and Operations Management
         Master of Arts in Education Business Education
      College of Communication, Information, and Media
         Center for Information and Communication Sciences
         Master of Science in Information and Communication Sciences
   G. Notice of Change in Office/Department Name
      1. Current Name: Health Education
         Proposed Name: Office of Health, Alcohol and Drug Education
      2. Current Name: Office of Controller & Business Services
         Proposed Name: Office of University Controller
H. Board of Trustees Action
   Approved by Board of Trustees, 6/16/11:
   1. Policy on Academic Clemency
   2. Policy for Performing Outside Services Activities – Ghost Employment
   Approved by Board of Trustees, 7/22/11:
   1. Responding to Disruption in the Academic Setting
   Approved by President: does not require Board approval:
   1. Academic Calendar
   2. Contract Faculty Revisions to Faculty and Professional Personnel Handbook
   3. Graduate Faculty Policy
   4. Constitutional Amendments
   5. Student Code Revisions
   6. Quorum requirements to University Review Board
      Taken under advisement for further consideration, no further action required at this time:
      1. Resolution concerning Inclement Weather

I. Ball State Football – Coach Lembo (Tentative)


III. Committee Reports
   A. Governance and Elections Committee – Richard Bellaver, Chairperson
   B. Faculty Council – John Ledbetter, Chairperson
   C. University Council – Barbara Wills, Chairperson
   D. Campus Council – Kevin Thurman, Chairperson
   E. NCAA/MAC Annual Report – (Enclosure #3)

IV. Report by Chairperson of Senate – Eric Kelly (Enclosure #4 - Issues in the Senate System)

V. Questions Directed to the President

VI. Question and Answer Period

VII. Unfinished Business

VIII. New Business
   A. Membership of Councils/Committees in University Governance system (Enclosure #5)
   B. Proposed amendments to the Constitution – First Reading (Enclosure #6)

IX. Other Items

X. Adjournment

/mt
1. The meeting was called to order by the chairperson of the University Senate, Eric Kelly, at 4:45 p.m.

Roll Call was taken by initialing the roster located at the entrance to LB 125.


Substitutes:  Jeff Fry for E. Agnew, Ronald Hicks for C. Boyd, Cliff Stone for J. Green, Beth Terrell for C. Munchel, Peter Zapp for D. Shawger, Mike Miller for K. Thurman


2. Eric Kelly, chairperson of the 2010-11 Senate, yielded the floor to John Ledbetter, 2010-11 chairperson of the Governance and Elections Committee, who presided over the meeting for the purpose of conducting elections.

3. New Business

A. Elections – Senate Officers

A list of nominees for the election of Senate officers and Agenda Committee was presented.  (University Senate Agenda, 4/21/11, Enclosure #1)

Members received biographical sketch information for each nominee on today’s ballot. The presiding officer requested the nominees to stand prior to the elections of the office in which they were nominated.

1. Chairperson

Nominees:  Eric Kelly
David Pearson

The floor was opened for additional nominations for chairperson. There were no nominations from the floor. A motion was made and seconded (Crawley/Hanley) to close nominations.

The motion carried.

Eric Kelly was elected to serve as chairperson, by ballot.

2. Vice Chairperson

Nominees:  Richard Bellaver

The floor was opened for additional nominations for vice chairperson. There were no nominations from the floor. A motion was made and seconded (Crawley/Kelly) to close nominations.
The motion carried.

Richard Bellaver was elected to serve as vice chairperson, by majority vote, with abstention.

3. **Secretary**
   
   Nominees: Amy Leahy  
   Scott Rice-Snow  

   The floor was opened for additional nominations for secretary. There were no nominations from the floor. A motion was made and seconded (Benkato/Crawley) to close nominations.

   The motion carried.

   Amy Leahy was elected to serve as secretary, by ballot.

B. **Elections – Committees**

1. **University Senate Agenda Committee** – THREE positions
   
   Nominees: Ralph Bremigan  
   Kip Shawger  
   Murray Steib  
   Lynda Wiley  

   The floor was opened for additional nominations for Agenda Committee. There were no nominations from the floor. A motion was made and seconded (Pearson/Crawley) to close nominations.

   The motion carried.

   Ralph Bremigan and Lynda Wiley were elected to serve a two year term, ending in 2013, by ballot.

   Kip Shawger was elected to serve a one year term, ending in 2012, by ballot.

The meeting adjourned at 5:00 p.m.

Eric Kelly, Chairperson  
Amy Leahy, Secretary

/mt
STANDING RULES FOR CONDUCTING SENATE BUSINESS

1. A member of the faculty or a student who is not a senator may initiate an agenda item by having a senator sponsor that item.

2. A member of the faculty or a student who is not a senator may initiate an agenda item by presenting the item to the Agenda Committee.

3. Senators may submit new agenda items in writing to the Agenda Committee.

4. The Senate will be called to order on the hour with sessions limited to one hour and twenty minutes.

5. Roll will be taken by the members initialing a roster.

6. Senators will be seated in a designated section of the room. Special areas of the chamber will be reserved for the seating of visitors.

7. The distribution of the minutes by mail will substitute for the reading of the minutes.

8. Announcements must be limited to Senate business and must be cleared through the Chair.

9. Scheduled meetings will include, following committee reports, a question-and-answer period not to exceed ten minutes in length, during which senators may request information from other persons present on matters of concern to the University community as a whole. The Chair shall rule out of order questions that are personal, departmental, or collegiate in scope or that do not pertain to University affairs.

10. The first time they speak at a meeting, senators will stand and identify themselves when addressing the Chair or the Senate.

11. Senators may, as a prerogative, address the Senate from the lectern.

12. Senate committees and councils must send minutes, reports, and recommendations to the Agenda Committee.

13. Committee reports should be brief (no longer than five minutes), official statements of the conclusions formally adopted within the reporting body.

14. Proposals must be framed as resolutions or as motions. A lengthy resolution or motion should be submitted in writing prior to the call to order of the meeting.

15. All motions will be put on the floor for debate by a Senator first stating their name followed by a second with a Senator stating their name.

16. When a motion appears on the Senate agenda, the chair of the sponsoring committee, or a representative, or the person sponsoring the motion must be present in the Senate to present the motion.

17. When a lengthy resolution or motion is being perfected, the Chair may request that an amendment be considered "in principle" if in the Chair's judgment this will expedite debate. If the principle is adopted, an editor or editorial committee appointed by the Chair shall draft appropriate language for ratification by the Senate at its next meeting.

18. A Senator may interrupt debate on an agenda action item by “move to return motion to committee or refer to another committee for matters of clarification”. This will require an immediate second, a debate and a simple
majority vote of the body of the Senate. A majority vote will send the item back to the appropriate committee for further work or clarification. If the motion fails, debate will continue on the original motion followed by a vote of the body.

19. Voting will be by voice vote unless there is a request for a division of the house or for a written ballot.

20. Voting procedures shall be “of the members present and voting” as defined in Robert’s Rules of Order. In this process, “yes” and “no” votes are counted, while abstentions are not counted in the total. Unless defined differently by the standing rules of the Senate or Robert’s Rules of Order, motions pass by a simple majority of the votes cast. Voting by proxy is disallowed in this process.

21. The Chairperson will appoint a parliamentarian for the Senate. The appointee may be a member of the Senate or from outside the body. An appointee from the body of the Senate will retain all privileges of a Senator, while an appointee from outside the body will have no voice or voting rights. It will be the responsibility of the parliamentarian to keep the Senate acting within the Standing Rules of the Senate and to interpret other issues by using Robert’s Rules of Order.

22. Any items remaining on the Agenda in the last meeting of the Spring will automatically be carried over to the Fall Agenda.

23. The Senate Agenda Committee will be empowered to act for the Senate during the summer on emergency items, pending acceptance by the Senate in the fall.

24. Timetables proposed by the Senate Agenda Committee will be subject to subsequent acceptance by the University Senate at their next meeting.

25. The Senate, the Agenda Committee and the Governance and Elections Committee may conduct official business electronically. This includes, but is not limited to, e-mail, electronic postings, websites, voting and meetings. However, the membership of the aforementioned groups must first develop policies and procedures for electronic voting and meetings within each group.

9/2/10
University Governance
Schedule of Meetings
2011-12

August, 2011
22 Senate Agenda Committee

September
1 Governance and Elections
  University Senate
8 Faculty Council
15 University Council
19 Senate Agenda Committee
22 Campus Council
29 Governance and Elections
  University Senate

October
6 Faculty Council
10 Senate Agenda Committee
13 University Council
20 Campus Council
27 University Senate

November
3 Governance and Elections
  Faculty Council
10 University Council
17 Campus Council
21 Senate Agenda Committee

December
1 Governance and Elections
  University Senate
8 Faculty Council

January, 2012
9 Senate Agenda Committee
12 Governance and Elections
19 University Senate
26 Faculty Council

February
2 Governance and Elections
  University Council
6 Senate Agenda Committee
9 Campus Council
16 University Senate
23 Faculty Council

March
1 Governance and Elections
  University Council
12 Senate Agenda Committee
15 Campus Council
22 Governance and Elections
  University Senate
29 Faculty Council

April
5 Governance and Elections
  University Council
9 Senate Agenda Committee
12 Campus Council
19 University Senate

ALL SENATE AND COUNCIL MEETINGS – THURSDAYS, 4:00 P.M.

University Senate, Faculty Council, University Council:  **Fall: TC 101, Spring: Letterman Bldg., Rm. 125**
Campus Council: 4:00 p.m., Student Center (SC) 303
**Senate Agenda Committee: Mondays, 8:00 a.m., Letterman Building, Room 104**
Governance and Elections Committee: Thursdays, 8:10 a.m., BL 301
Report of the Faculty Athletics Representative to the University Senate

To: University Senate
Athletics Committee, Provost King, President Gora
Date: April 15, 2011
From: James S. Ruebel, Faculty Athletics Representative

The Faculty Athletics Representatives Association (FARA) is the national organization for Faculty Representatives from all three divisions. The annual meeting and symposium in the fall provides various association-wide and division-specific sessions that enable FARs to do a better job by comparing practices across institutions and conferences, by reviewing basic functions (such as the various types and stages of student-athlete eligibility), and by panels and workshops on the nuts and bolts of the position. In addition, FARA arranges a review and discussion of pending legislation in each division. FARA is managed by an Executive Committee, which meets three times per year with monthly conference calls in between the meetings. I was elected to the Executive Committee in November 2010 for a term ending in November 2012.

NCAA Issues:

“Hot topics” for 2010-2012 are expected to focus on

- The weakened economy and its impact on collegiate sports at the institutional level, not only on the prospect of sports being eliminated, but also on gender equity concerns, possible increases in missed class time because of economies in team travel, and negative consequences on progress toward degree.
- Conference stability and re-alignments
- Amateurism issues: agents and “representatives”; allegations of payments to student-athletes or incentives provided to a prospects family; the fair use of a student-athlete’s image and likeness for promotional purposes (both while a student and later).
- Concussion-related issues (in both men’s and women’s sports, not only in football)
- Substance abuse
- Testing for sickle cell susceptibility
- “Voluntary” v. mandatory athletics-related activity (the number of mandatory hours is regulated by NCAA rule, but there is widespread misunderstanding of the meaning of the rule).
- Issues of academic integrity, especially plagiarism: many high school students do not understand the actual restrictions on use of sources; while all students face penalties upon violation of academic dishonesty, whether or not they “understand” the mechanics of the issue, violations by student-athletes can also have economic consequences for the institution (loss of eligibility or failure to graduate can lead to economic penalties and loss of scholarships).

- Governance:

Some progress was made on faculty representation on major leadership committees of the NCAA. Most conferences are now nominating faculty for a broader array of committees (not just the academic committees), including the major leadership committees; more progress needs to be made. This issue is one of the top priorities of FARA, as well as the sub-set of FARs known as “D1a FARs”.

Legislation: The most controversial piece of new legislation, in a year where there were a lot of proposals but not much controversy, was the promulgation of a draft of new legislation regarding transfers from two-year schools to
four-year schools. This new legislation, if passed in unemended form, will require more “core” classes taken at the two-year school with a higher and fixed GPA, while restricting the number of “phys ed” credits that can be used to meet the minimum transfer requirement. This legislation seeks to address the issue of transfers who are unable to remain eligible or – if they do – to complete the requirements for a four-year university degree. FARA has proposed some changes to the legislation to phase in some of the provisions and to avoid disadvantaging student-athletes whose background is already likely to be weak.

Personnel: Mark Emmert, former President of Washington University, was selected as President of the NCAA and is completing his first year in office.

Mid-American Conference Issues:

The MAC completed a series of strategic planning processes, to establish a series of benchmarks for the conference overall, as well as another series of planning groups to prioritize conference spending and investment of effort. These planning sessions included not only sport-related goals and priorities, but also a review of academic awards: their number and meaning, their individual dollar value (if any), and the process by which they are awarded.

Ball State Issues:

Ball State Athletics also finished its strategic planning process for the department.

In 2010-2011, Ball State has participated in Cycle 3 recertification by the NCAA; the last recertification process was completed in 2002. This process has taken place over the full academic year and involved a steering committee and a number of subcommittees, gathering and interpreting data and writing reports. A wide range of faculty were involved in all these subcommittees. The drafts of the reports was made public in early April; final rewriting is now largely finished. An NCAA site-review will take place on campus at the end of October, after which the NCAA site reviewers will issue findings and make recommendations.
Enclosure #4 – GANTT Chart

Enclosure #5 – Membership of Councils/Committees in University Governance system
Proposed amendments to the Constitution – First Reading

This is the first reading of the amendments. No discussion takes place at this meeting. Discussion and vote will take place at the September 29, 2011, meeting of the University Senate.

1. **Representation of contract faculty on University Senate**

   **Current:**
   A total of two contract faculty elected for staggered two-year terms by and from the full-time contract faculty with a minimum of three years of full-time, continual service to the university

   **Proposed:**
   A total of two contract faculty elected for staggered two-year terms by and from the full-time contract faculty.

   Page 6, Faculty and Professional Personnel Handbook

2. **Representation of professional personnel on Salary and Benefits Committee**

   9. **Salary and Benefits Committee**

      9.1 **Membership** – The membership of the Salary and Benefits Committee shall consist of the following:

      9.11 **Voting**

      9.111 Seven members selected by and from the membership of the Faculty Council, one representing each college, for staggered two year terms;

      9.112 **One Six** professional personnel (one representative from each of the six vice-presidential areas: Academic Affairs; Student Affairs; Enrollment, Marketing, and Communications; University Advancement; Information Technology; and Business Affairs), appointed by the University Council, **one of whom must be a member of University Council**, for staggered two year terms.

      9.113 One member appointed by and from the University Council’s Financial and Budgetary Affairs Committee, for a one year term.

      9.12 **Non-Voting**

      9.121 The Provost and Vice President for Academic Affairs, ex officio, or a designee.

      9.122 The Vice President for Business Affairs, ex officio, or a designee.

      9.123 One member appointed by and from the University Council’s Financial and Budgetary Affairs Committee, for a one year term.

9.2 **Responsibilities** – The Salary and Benefits Committee is responsible for the following initiatives and activities:

   9.21 To elect a Chairperson and a Secretary from its appointed **faculty voting** membership by majority vote of the committee, for one year terms;

   9.22 To forward minutes of each committee meeting to the Chairperson of the Faculty Council within a timely manner;
9.23 To monitor and evaluate faculty and professional personnel salary and benefit programs, including those concerning emeriti, and recommend appropriate changes and improvements.

9.24 To initiate reviews and assessments of market conditions periodically and make appropriate recommendations for adjustments regarding incremental money distributed for market purposes;

9.25 To review the administration of faculty and professional personnel salary programs annually, working with the President or the Provost and Vice President for Academic Affairs, to assure compliance with established policies;

9.26 To review for approval all criteria and processes regarding faculty and professional personnel salaries for all units.

9.27 To act in an advisory capacity to those who administer faculty and professional personnel salary and benefit programs for the University and to represent the interests of the faculty and professional personnel in discussions with such persons.

9.3 There shall be two standing subcommittees of the Salary and Benefits Committee: The Faculty Subcommittee and the Professional Personnel Subcommittee. The Salary and Benefits Committee, comprising both subcommittees, will address issues which affect both faculty and professional personnel.

9.31 Faculty Subcommittee Membership – the membership of the Faculty Subcommittee shall consist of the following:

   9.311 Voting
      9.3111 The members of the Salary and Benefits Committee selected by the Faculty Council;

   9.312 Non-voting
      9.3121 One professional personnel, appointed by the membership of the Professional Personnel Subcommittee;
      9.3122 All non-voting members of the Salary and Benefits Committee identified in section 9.12.

9.32 Faculty Subcommittee Responsibilities
   9.321 To elect a Chairperson and a Secretary from its voting membership by majority vote of the Subcommittee, for one year terms.
   9.322 To forward minutes of each Subcommittee meeting to the Chairpersons of the Salary and Benefits Committee and Faculty Council within a timely manner.
   9.323 To address issues which affect only faculty. Issues which affect only faculty shall be the exclusive purview of the Faculty Subcommittee.

9.33 Professional Personnel Subcommittee Membership – the membership of the Professional Personnel Subcommittee shall consist of the following:

   9.331 Voting
      9.3311 The members of the Salary and Benefits Committee appointed by the University Council;

   9.332 Non-voting
      9.3321 One faculty, appointed by the membership of the Faculty Subcommittee;
      9.3322 All non-voting members of the Salary and Benefits Committee identified in section 9.12.

9.34 Professional Personnel Subcommittee Responsibilities
   9.341 To elect a Chairperson and a Secretary from its voting membership by majority vote of the Subcommittee, for one year
9. Salary and Benefits Committee

9.1 Membership – The membership of the Salary and Benefits Committee shall consist of the following:

9.11 Voting

9.111 Seven members selected by and from the membership of the Faculty Council, one representing each college, for staggered two year terms;

9.114 Six professional personnel (one representative from each of the six vice-presidential areas: Academic Affairs; Student Affairs; Enrollment, Marketing, and Communications; University Advancement; Information Technology; and Business Affairs), appointed by the University Council, one of whom must be a member of University Council, for staggered two year terms.

9.12 Non-Voting

9.121 The Provost and Vice President for Academic Affairs, ex officio, or a designee.

9.122 The Vice President for Business Affairs, ex officio, or a designee.

9.123 One member appointed by and from the University Council’s Financial and Budgetary Affairs Committee, for a one year term.

9.2 Responsibilities – The Salary and Benefits Committee is responsible for the following initiatives and activities:

9.21 To elect a Chairperson and a Secretary from its appointed voting membership by majority vote of the committee, for one year terms;

9.22 To forward minutes of each committee meeting to the Chairperson of the Faculty Council within a timely manner;

9.23 To monitor and evaluate faculty and professional personnel salary and benefit programs, including those concerning emeriti, and recommend appropriate changes and improvements.

9.24 To initiate reviews and assessments of market conditions periodically and make appropriate recommendations for adjustments regarding incremental money distributed for market purposes;

9.25 To review the administration of faculty and professional personnel salary programs annually, working with the President or the Provost and Vice President for Academic Affairs, to assure compliance with established policies;

9.26 To review for approval all criteria and processes regarding faculty and professional personnel salaries for all units.

9.27 To act in an advisory capacity to those who administer faculty and professional personnel salary and benefit programs for the University and to represent the interests of the faculty and professional personnel in discussions with such persons.

9.3 There shall be two standing subcommittees of the Salary and Benefits Committee: The Faculty Subcommittee and the Professional Personnel Subcommittee. The Salary and Benefits Committee, comprising both subcommittees, will address issues which affect both faculty and professional personnel.

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   9.343 To address issues which affect only professional personnel issues which affect only professional personnel shall be the exclusive purview of the Professional Personnel Subcommittee.