

**AGENDA FOR  
UNIVERSITY SENATE MEETING**

*(Meeting #4, 2015-16)*

**January 21, 2016  
4:00 p.m.**

***LB (Letterman Building) Room 125***

Undergraduate GPA – Nancy Cronk, Registrar and Executive Director of Enrollment Services

University Use of Personal Data

President Ferguson  
Bernard Hannon, Vice President for Business Affairs  
Loren Malm, Interim Vice President for Information Technology

Approval of senate minutes of December 3, 2015

I. Announcements

A. Next Scheduled Meetings

Senate Agenda Committee – Monday, February 8, 2016, 2:00 p.m., Letterman Building (LB), Rm. 104  
University Senate – February 18, 2016, 4:00 p.m., Letterman Building (LB), Rm. 125

B. Notice of Change in Office/Department Name

Current Name: Immersive Learning

Proposed Name: Office of Entrepreneurial Learning

Current Name: Fisher Institute for Wellness and Gerontology

Proposed Name: Fisher Institute of Health and Well-Being

II. Recognition of Deaths

Charles Edward (Chuck) Guemple

Assistant Professor Emeritus of Men's Physical Education

Retired, 1984

19.5 years of service

III. Committee Reports

A. Governance and Elections Committee – Karen Kessler, Chairperson

B. Faculty Council – Andy Beane, Vice Chairperson and Acting Chairperson, Spg., 2016

C. University Council – Derek Berger, Chairperson

D. Campus Council – Rachel Johnson, Chairperson

E. Student Government Association – Jack Hesser, President

IV. Report by Chairperson of Senate – Amy Harden (Enclosure #1 - Issues in the Senate System)

- V. Questions Directed to the President
  - VI. Question and Answer Period
  - VII. Unfinished Business
  - VIII. New Business
    - A. Revision to Special Assigned Leave Policy (Enclosure #2)
  - IX. Other Items
  - X. Adjournment
- /mt

MINUTES OF THE THIRD MEETING OF THE 2015-16 UNIVERSITY SENATE  
Thursday, December 3, 2015

Members Present: 54

Members Absent: 14

1. The meeting was called to order by the chairperson of the University Senate, Amy Harden, at 4:00 p.m.

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

Members Present: J. Becker, D. Berger, R. Bernot, A. Brown, B. Chang, J. Chapman, J. Christman, A. Crow, W. Donoher, J. Fitzgerald, B. Frankel, J. Gruver, M. Hanley, A. Harden, M. Hill, J. Hesser, M. Holtzman, S. Hsieh, J. Huff, J. Jemiolo, T. Jitpaiboon, J. Johnson, R. Johnson, L. Julian, K. Kessler, J. Khubchandani, T. King, K. Koch, R. Kovac, R. Kraus, C. Luchs, M. Maggiotto, T. Mahfouz, C. Marlow, K. McCauliff, S. McFadden, E. Nesson, C. Pak, S. Pattison, S. Rice-Snow, K. Ritchey, S. Shim, Z. Taylor, C. Thomas, B. Wagner, M. Warter, J. Wells, D. Wheeler, R. Wijesinghe, S. Zhuk, E. Zygmunt

Substitutes: Don Nicholas for S. Aegisdottir (Fall, 2015), Dom Caristi for M. Lee, Brian Meekin for C. Munchel

Members Absent: R. Aby, K. Ajayi, E. Agnew, A. Beane, M. Chiuini, P. Ferguson, J. Fugate, I. Livshits, A. Loudon, M. Quick, K. Rosenberger, M. Smith, J. Sponseller, K. Warren-Gordon

A motion was made and seconded to approve the minutes of September 3, 2015.

The motion carried.

2. Announcements

I. A., Overview of Senate System, was presented by vice chair of senate, Karen Kessler. (University Senate Agenda, 12/3/15, Attachment #1). Senator duties, the structure of the senate, basic procedures, and committee responsibilities were covered. She reiterated that the Senate's job is to advise the President and Board of Trustees. Vice President Kessler covered term limits for the voting membership and students. She reiterated the Senate officers and introduced those members. She also provided an overview of the campus, faculty, and university councils. The councils have various committees which consider specific items before going through the general council. Once something has been approved by any of the various councils, it will be considered by the Senate. Vice President Kessler reiterated that if anyone wants to have the Senate consider an item that it needs to go through the Senate Agenda Committee.

Items I. B. (Next scheduled meetings), I. C. (Academic Posting, 2015-16, Volume XLVII-1 and 2-Enclosure #1), I. D., (Editorial Revision of ex-officio membership of Teaching Evaluation Committee-Enclosure #2), I.E. (Notice of Change in Office/Department Name), were reviewed by the Senate membership.

Item I. F., Study Soup, was presented by Deputy Associate Provost, Debbie Rodgers (University Senate Agenda, 12/3/15, Enclosure #3 and email attachment). The goal for this presentation is to educate those involved and not punish students. Students are being recruited through social media to become a notetaker and submit notes to be purchased by anyone they can recruit to buy their notes, study guides, and versions of tests (by placing them on 3x5 cards on some sites). Students are then paid when someone purchases their notes. The issue came to light when a student posted a message on Ball State's Blackboard site offering her classmates the opportunity to purchase her notes. It was suggested that faculty consider placing a note on their syllabus regarding their thoughts on Study Soup and other similar services.

There are several issues involved: 1) posting of copyrighted materials from textbooks is not legal, and 2) using Ball State's technology and infrastructure to further their own cause and make money is also not legal.

After discussion, the chair of the senate reiterated this was for faculty information only, as most faculty are not aware of this happening. It is only for informational purposes as this point and she encouraged senate members to share this information with their departments/areas. The UC Santa Barbara statement offered and suggested for course syllabi is also a good statement to add to your own syllabus.

3. Recognition of Deaths

There was a moment of silence to recognize the deaths of Lee Engstrom, Joseph P. Goodwin, Lathrop P. Johnson, and Jon Lewis.

4. Committee Reports

- A. Governance and Elections Committee – Karen Kessler, Chairperson. Karen reported the committee met today and are in the middle of attending department/school meetings to conduct voting for populating the College of Health. The final department vote is Wednesday, December 16. The final college will be voting the first week of spring semester, 2016.
- B. Faculty Council – Michael Hanley, Chairperson. Mike reported the Council did not meet in November, but will meet next week, December 10.
- C. University Council – Derek Berger, Chairperson. Derek reported the Council did not meet in November, but are scheduled to meet on January 14, 2016 and will discuss the university's brand initiative.
- D. Campus Council – Rachel Johnson, Chairperson. Rachel reported the Council did not meet in November, but scheduled to meet on January 28, 2016.
- E. Student Government Association – Jack Hesser, President. Jack reported SGA is working on a bike/share program and bringing the issue of gender-neutral bathrooms on campus for further discussion.

5. Report by Chairperson of Senate – Amy Harden (University Senate Agenda, 12/3/15, Enclosure #4)

Amy reported there is lots of activity in committees and expects to be busier this spring because of issues coming up through the committees.

A. Final Report – Task Force on Use of Personal Data (University Senate Agenda, 12/3/15, Enclosure #5)

Michael Hanley, chair of the task force, reported representatives of Information Technology and the President will be attending the January senate meeting to discuss the issue further. Over the summer of 2015, the administration addressed some of the issues and the senate agenda committee believed there were some points not addressed or answered. He reported the task force was formed in September and met in early October. Both administration and faculty were involved in the discussions. At the October meeting, administration (Payroll and ultimately Business Affairs) put together a chart regarding vendor relationships. The university has less than five. This chart lists the vendor, as well as the type of personal/employee information sent forward to these vendors. Administration will share more information in January.

6. Questions Directed to the President

President Ferguson is in downtown Muncie at the grand opening of GearBox, a think tank involving Ball State and the city. Terry King, Provost and Executive Vice President, reported the College of Health will be up and fully operational as an administrative academic unit by fall, 2016. At some point there will be a new building, but there will be no new large relocation of people at that point.

The Conflict of Interest/Conflict of Commitment statement will be coming forward as we work toward complying with federal rules and regulations.

There will be information coming forward regarding contract faculty members and giving them opportunities for advancement and promotion as well as extended contracts. Currently, sixty-five percent of our contract faculty members have been here less than seven years. There is a large group who have been here decades and are important faculty members. We need to make them know they are an important part of our faculty.

A member of the senate asked if these revisions to contract faculty would take place with the current review of contract faculty by departments. His department is presently working on the salary document for contract faculty. Provost King responded that salary and merit procedures should be the only categories to be applied to contract faculty at the present time. There is no policy for promotion, except in the handbook it states there may be a possibility of promotion. This new policy will not be completed before the deadline for salary documents are to be completed by departments this year.

7. Question and Answer Period

A member of the senate asked if there has been any follow-up on the extension of the two-year protection from Anthem? Provost King thought this would be an excellent question for the members of administration attending in January concerning the university's use of personal data as members of Business Affairs and Information Technology will be present.

8. Unfinished Business

There was no unfinished business.

9. New Business

There was no new business.

10. Other Items

There were no other items.

11. Adjournment

A motion was made and seconded to adjourn. The meeting adjourned at 4:40 p.m.

Respectfully submitted,

Rachel Kraus, Secretary

/mt

ISSUES IN THE SENATE SYSTEM, 2015-16

Issues	Committee	Start	End	10%	20%	40%	50%	60%	70%	80%	90%	100%	
<b>FACULTY COUNCIL</b>													
Telecommuting (On Hold until Fall, 2016)	Salary&Benefits, to Business Affairs	11/19/12 3/19/13		[Cross-hatched]									
Special Assigned Leave Policy	Special Leave	11/4/13		[Cross-hatched]									
Policy on Consensual Sexual Relationships	Academic Freedom & Ethics	6/16/14		[Cross-hatched]									
Undergraduate GPA	Postponed	3/12/15											
Issues	Committee	Start	End	10%	20%	40%	50%	60%	70%	80%	90%	100%	
<b>UNIVERSITY COUNCIL</b>													
Telecommuting	Salary&Benefits to Business Affairs	11/19/12 3/19/13		[Cross-hatched]									
Evaluation of Online Courses	Distance Education/ Teaching Evaluation	9/16/13		[Cross-hatched]									
Responsible Conduct of Research	Agenda to Research	9/15/14		[Cross-hatched]									
Issues	Committee	Start	End	10%	20%	40%	50%	60%	70%	80%	90%	100%	
<b>CAMPUS COUNCIL</b>													
Issues	Committee	Start	End	10%	20%	40%	50%	60%	70%	80%	90%	100%	
<b>AGENDA COMMITTEE</b>													
University Use of Personal Data	Faculty S&B, PP S&B, VP for Business Affairs, General Counsel TF on Personal Data	11/6/14  10/1/15	6/15/15	[Cross-hatched]									
Per diem rates	To Business Affairs	11/23/15											
HLC – minimally qualified faculty	Provost’s Office for task force to review	11/23/15											
Issues	Committee	Start	End	10%	20%	40%	50%	60%	70%	80%	90%	100%	
<b>GOVERNANCE AND ELECTIONS</b>													
College of Health-voting by departments/schools	Ongoing – to be completed 1/16			[Cross-hatched]									
Professional Staff reorganization	President’s Cabinet	11/5/15											

## Revision to Special Assigned Leave Policy

### LEAVES AND ABSENCE FROM DUTY<sup>60</sup>

#### **I Special Assigned Leave With Pay Program<sup>61</sup>**

1. Purpose
  - 1.1 The purpose of the special assigned leave with pay program is to enable the faculty and professional personnel to carry out with increased effectiveness teaching, scholarly productivity, and public service.
2. Eligibility
  - 2.1 All tenured ~~and tenure-track~~ faculty and those professional personnel (including contract coaches) who are in their fifth or subsequent year of full-time employment at the University are eligible to apply for a special assigned leave with pay. An individual may not receive a special assigned leave with pay more often than once within any five year period, but may apply for his or her special assigned leave with pay during the fifth year of full-time employment or fifth year since a previous special assigned leave with pay.

Faculty and Professional Personnel Handbook, Page 119

Notes from Meeting of Special Leave Committee:

As to the thinking, that would differ a good deal from person to person. We discussed this issue twice this semester. Several points raised were:

The first time we discussed it, there were several members who just don't like the idea of giving leave to people without tenure, and see it as a reward that one should have access to after one reaches tenure.

The Provost raised the issue originally, and expressed concern about the current five-year system, in which someone could take leave in their sixth year and then not get tenure.

I proposed making pre-tenure people apply in their sixth year to address this problem. I still would have preferred that to the solution we settled on. But at our final meeting it was clear that the will of a majority of the committee was behind simply making leave only available to people after they have been tenured. Past cases in which someone was granted leave and then left BSU immediately--and negotiated his or her way out of the pay-back requirement-- were also raised.