

***Minutes of the December Session
of the Faculty Senate
Missouri State University***

The Faculty Senate held its regularly scheduled meeting on Thursday, December 7, 2006, in Plaster Student Union, Room 313. Chair Mark Richter called the session to order at 3:31 p.m. Dr. Eric Shade served as parliamentarian.

Substitutes: Tom Wyrick for Terrel Gallaway, ECO; and Rhonda Ridinger for Rebecca Woodard, HPE.

Absences: Char Berquist, Graduate Council chair; Carmen Boyd, Instructor representative, BMS; Sean Cain, SGA; Roberto Canales, PAS; Jeremy Chesman, MUS; Andrew Cline, MJF; Joanne Gordon, CGEIP chair; Norm Griffith, Staff Senate representative; Teddy Heaton, GSC representative; Kevin Hughes, A&D; Dale Moore, Staff Senate representative; Rich Moore, MIL; Peggy Pearl, ECFD; Mark Trevor Smith, ENG; Rose Utley, NUR; Gary Ward, SMAT; and Cindy Wilson, Academic Relations Committee chair.

Guests: John Catau, Provost's Office; Art Spisak, Honors College; Melanie Grand, HRA; Neosha Mackey, LIS; Cherri Jones, LIS; Karen Horny, LIS; Bill Cheek, Provost's Office; Chris Craig, Provost's Office; Ronald Dattero, CIS; Gerald Udell, COBA; Dave Meinert, CIS; Nicole Rovig, Registrar's Office; Lois Shufeldt, MKT; Kim Bell, Enrollment Services; and Steve Koehler, Springfield News-Leader.

APPROVAL OF MINUTES

The minutes of the November Senate session were approved as distributed.

ANNOUNCEMENTS

1. Chair Richter announced that **FGB 150 Personal Finance** which has been approved by CGEIP as a new general education course in Social Sciences has been appealed by faculty in CHPA and CNAS. The appeal will be an agenda item on the January 18 Senate agenda.

VOTE ON BYLAWS AMENDMENTS PRESENTED BY THE RULES COMMITTEE

The Faculty Senate voted by secret ballot to delete ART I, SEC 8, B, (4), (a), gg - Committee on University Budget & Priorities from the *Constitution & Bylaws of the Faculty* (monitor MSU's outlay relating to KOZK). The amendment passed by the required two-thirds majority (28 in favor, 5 against) of the senators present and voting. It will go forward as **Senate Action 10-06/07**.

ACTION ON CURRICULAR PROPOSALS

Dr. Michael Hendrix, chair of the Budget & Priorities Committee, told Senate members the committee had no concerns with either of the new programs below.

1. *New major in Information Technology Service Management (Comprehensive), B.S.* - moved by Senator Nugent; seconded by Senator Haytko; discussed by Dr. Ron Dattero. The motion was approved by voice vote and will go forward as **Senate Action 11-06/07**.
2. *New Master of Business Administration - Executive Option (EMBA)* - moved by Senator Zhang; seconded by Senator Haytko; discussed by Dr. Dave Meinert. The motion was approved by voice vote and will go forward as **Senate Action 12-06/07**.

REPORT FROM HONORARY DEGREES COMMITTEE

Ms. Melanie Grand, chair of the Honorary Degrees Committee, presented the names of James R. Craig and Annie Busch as the Committee's choices upon which to confer honorary doctorate degrees in 2007. Senator Miller questioned whether the Senate should send forward just one name and hold the other one until next year. Senator Maunder moved and Senator Ridinger seconded a motion to confer James R. Craig with an honorary doctorate degree, and the motion was approved by voice vote. It will go forward as **Senate Resolution 14-06/07**.

Senator Maunder moved and Senator Coombs seconded a motion to confer Annie Busch with an honorary doctorate degree, and the motion was approved by voice vote. It will go forward as **Senate Resolution 15-06/07**.

RESOLUTION FOR NAMED PROFESSORSHIPS IN THE HONORS COLLEGE

Senator Nugent moved for approval and Senator Haytko seconded a resolution for named professorships in the Honors College (word "endowed" in the resolution changed to "named" for accuracy). Her resolution was approved by voice vote and will go forward as **Senate Resolution 16-06/07**.

REPORT FROM RULES COMMITTEE

In its report to the Faculty Senate, the Rules Committee recommended that (1) the word "meeting" be changed to "session" every place where it occurs in the *Constitution and Bylaws of the Faculty*, (2) ART I, Section 2, J, be modified in order to clarify when newly elected executive committee and senators take office and specify who is responsible for setting the agenda for the session (new wording: **"The new chairperson will be responsible for setting the agenda for that session"**); and (3) ART I, SEC 3, A, be amended to read, "Tenured faculty are eligible to apply for the position of Chairperson-elect or Secretary of the Faculty if by the time they assume office they will have completed at least one year of service (**may or may not be continuous**) in the Faculty Senate during the previous six academic years."

As stipulated in the *Constitution and Bylaws of the Faculty*, the above *Bylaws* amendments discussed in this Senate session will be voted on by secret ballot without discussion in the January Senate meeting

REPORT FROM AD HOC COMMITTEE ON GEP 397

Senator Bosch, chair of the *ad hoc* Committee on GEP 397, presented the committee report (see Attachment 5 to December Senate agenda) and moved for approval of the Committee's resolution on review of the GEP 397 capstone course (seconded by Senator Swearingen). Rhonda Ridinger, substituting for Senator Woodard, moved to amend the last paragraph of the resolution (seconded by Senator Nugent) to read, "Resolved, that the Faculty Senate recommends that the Committee on

General Education & Intercollegiate Programs (CGEIP) consider the elimination of GEP 397 and work with the Administration to determine the most viable alternative as outlined in the Final Report of the Committee.” By voice vote, the motion to amend was approved. In answer to a question by Senator Miller, Chair Richter said GEP 397 would not be eliminated until CGEIP has made a final decision. After discussion, the main motion, as amended, was approved by voice vote. It will go forward as **Senate Resolution 17-06/07**.

REPORT FROM ACADEMIC RELATIONS COMMITTEE ON BACKGROUND CHECKS

Chair-elect Kane, also a member of the Academic Relations Committee, moved for adoption of the Academic Relations Committee report on background checks (see Attachment 6 to the December Senate agenda). His motion was seconded by Senator Nugent. Chair Richter said at the September Board meeting, faculty were asked to prepare a report on their views of this issue. At present, the Board of Governors is still in data collection mode. Steps have already been taken to strengthen the internal process MSU uses when hiring individuals. As an added step, they now go through University legal counsel as a check. Only full-time positions would be involved in background checks. After discussion, the motion was approved by voice vote. It will go forward as **Senate Resolution 18-06/07**.

UNFINISHED BUSINESS - There was no unfinished business.

NEW BUSINESS

Senator Nugent if there were any procedure to evaluate IDS 110 along with GEP 397. Chair Richter said it looked like the same committee that evaluated GEP 397 was going to be asked to evaluate IDS 110. Senator Ridinger questioned having a separate committee other than the Committee on General Education and Intercollegiate Programs (CGEIP) evaluate the IDS 110 course as she felt it was way outside curricular procedures. She asked that the course evaluation of IDS 110 be charged to CGEIP where these types of things should be discussed.

ADJOURNMENT

Chair Richter adjourned the meeting at 4:13 p.m. The next regularly scheduled Faculty Senate meeting will be on Thursday, January 18, in Plaster Student Union, Room 313.

Edward J. DeLong
Secretary of the Faculty

Right of Challenge Expires January 10, 2007

***Amendment to Bylaws - ART I, SEC 8, B, (4), (a), gg
Committee on University Budget & Priorities***

Delete this section from the *Constitution & Bylaws of the Faculty*:

- (gg) ~~Shall monitor Missouri Sate University's outlay relating to KOZK, including but not limited to salaries, costs of programming, grant matches, interest in indebtedness, and retirement of revenue bonds, and shall report its findings to the Senate on an annual basis.~~

Senate Action 11-06/07

Adopted by Senate on December 7, 2006

Right of Challenge Expires January 10, 2007

***Major in Information Technology Service
Management (Comprehensive), Bachelor of Science***

A complete copy of the above curricular proposal can be viewed in the Faculty Senate office.

Senate Action 12-06/07

Adopted by Senate on December 7, 2006

Right of Challenge Expires January 10, 2007

Master of Business Administration - Executive Option (EMBA)

A complete copy of the above curricular proposal can be viewed in the Faculty Senate office.

Resolution Conferring Honorary Doctorate Upon James R. Craig

WHEREAS, James R. Craig has grown up as a native son of the Ozarks; and

WHEREAS, Mr. James R. Craig, also known as the good humor man, has crafted stories which describe and convey the values and character of this region; and

WHEREAS, Mr. Craig has shared his sense of place with audiences at conventions and gatherings in all 50 states; and

WHEREAS, Mr. Craig has served the University and region as a citizen of character and humble leadership; now, therefore, be it

RESOLVED, that Mr. James R. Craig be awarded an Honorary Doctorate of Humane Letters at Missouri State University.

Resolution Conferring Honorary Doctorate Upon Annie Busch

WHEREAS, Annie Busch has a long record of implementing innovative services which provide open access of information; and

WHEREAS, Annie Busch has exceeded her role as Executive Director to create a nationally acclaimed public library system; and

WHEREAS, Annie Busch has served on numerous state and local advisory boards for civic betterment; now, therefore, be it

RESOLVED, that Annie Busch be awarded an Honorary Doctorate of Public Affairs at Missouri State University.

***Resolution for Named Professorships
in the Honors College***

WHEREAS, a generous gift from Richard and Doris Young will establish three named professorships in the Honors College at Missouri State University;

WHEREAS, named faculty positions are a direct investment in academic programs and faculty and help to support core functions in teaching, research and service;

WHEREAS, named faculty positions are a reflection of confidence in Missouri State University and its faculty;

WHEREAS, named faculty positions help to attract and retain the best faculty and lead to greater educational opportunities for students; therefore, be it

RESOLVED, that the Faculty of Missouri State University expresses its heartfelt gratitude and appreciation to Richard and Doris Young for their generous gift of three named professor positions; be it further

RESOLVED, that this resolution be presented to Richard and Doris Young, the Administration of Missouri State University, and the Board of Governors of Missouri State University.

Resolution on Review of GEP 397 Capstone Course

WHEREAS, Acting Provost Einhellig requested that the Faculty Senate evaluate GEP 397 (Capstone Course); and

WHEREAS, the Chair of the Faculty Senate appointed an AD-HOC Committee on GEP 397 comprised of both Faculty and Students to recommend the fate of GEP 397; and

WHEREAS, the *ad hoc* Committee on GEP 397 has evaluated the current status of the GEP 397 Capstone Course and potential alternatives; therefore, be it

RESOLVED, that the Faculty Senate recommends that the Committee on General Education and Intercollegiate Programs (CGEIP) consider the elimination of GEP 397 and work with the Administration to determine the most viable alternative as outlined in the Final Report of the Committee.

Statement on Background Checks

Report from Academic Relations Committee Adopted by Faculty Senate

The Faculty Senate appreciates the concerns expressed by citizens and state legislatures about the background of individuals employed at public institutions of higher learning. The issue of background checks must be researched and addressed carefully in crafting university-wide policies relating to hiring decisions. Policy decisions should be driven by clearly identifying a problem and then determining the best solution for solving the problem. In this particular case, is the primary issue student safety? If so, then a full analysis of threats to student safety should be completed. Based on that analysis, threat to safety should be prioritized, and then resources should be allocated to address the most serious threats. This inquiry would reveal the degree of relevance of background checks for faculty hires in addressing student safety. The resulting process would provide the appropriate background for policy changes.

We find the following report published by the American Association of University Professors (AAUP) to be thorough and thoughtful: "Verification and Trust: Background Investigations Preceding Faculty Appointments." It can be viewed on-line at <http://www.aaup.org/AAUP/About/committees/committee+repts/CommA/verification.htm>. In the report, the AAUP specifies criteria that should govern background investigations, including proportionality, fairness and accuracy. For example, the AAUP urges caution in policy development:

Our primary recommendation is that the principle of proportionality prohibits the adoption of a general policy of searching the criminal records, if any, of all applicants for all faculty positions. The mere fact of an applicant's having been swept up into the criminal justice system is not, by itself, relevant to his or her suitability for a faculty position. For example, many faculty members, as students, were convicted of civil disobedience during the civil rights struggle, and others were later arrested in protest of the Vietnam War. (Page 2)

The AAUP report also urges universities to consider the frequency and extent of the actual problems to be resolved by background check policies:

... sensational incidents [such as a faculty member being discovered with a criminal past] are fortunately few, and almost all can be avoided if faculty search committees exercise reasonable care. (Page 1)

Background checks cost time and money. They send a message about an institution's culture, one that new hires may view as contrary to the principles of privacy, autonomy, and shared governance that are valued deeply by faculty. Background checks may not help our efforts to recruit top faculty members, and may be detrimental in our efforts to attract talented faculty as we compete against a large proportion of peer institutions that do *not* perform them. All of these costs must be weighed against a small benefit, since there are very few individuals with questionable backgrounds, and fewer still whose questionable backgrounds are sufficient cause for non-employment. Has Missouri State University experienced a significant number of personnel problems that could *only* have been prevented by background checks?

Giving false information on the Employment Authorization form is grounds for immediate dismissal. Unless the current policies and practices at Missouri State University are insufficient to deal with threats associated with hiring faculty members, the Academic Relations Committee endorses the AAUP guidelines and recommends against full background checks on all individuals for employment unless the nature of the *particular* appointment justifies an investigation. For example, we support the

continued use of background or record checks for “security sensitive” positions – those involving contact with young children, dangerous or addictive substances and financial matters.

Before expanding faculty background checks, we recommend a thorough review of security threats to student safety.

We support the steps the Administration is proposing to be sure that when a conviction or other specified behavior is indicated on the Employment Authorization Form, the University legal council review the application before a decision to interview and/or hire is made.

We also support reviewing both the hiring process and current University practices to be sure that appropriate steps are taken to ensure fairness, accuracy and success in attracting highly talented faculty.