

Chair-Elect Candidate Statement – Dr. Tom Dicke

I believe strongly in active faculty participation in University governance and that we all have the obligation to contribute to the process. I am now at the stage in my career when I have the experience and can devote the time to serve effectively and I thank the nominating committee for giving me this opportunity. Senate is the most powerful voice for faculty on campus and if elected I will work to the best of my ability to ensure that Faculty Senate remains our most useful forum for debate and a focal point for united action.

In my 27 years at Missouri State I have gained an understanding of the organization and operation of the University at a variety of levels that I believe will help make me an effective Chair. I have served on variety of Senate committees including Faculty Concerns, Graduate Council, College Council, Faculty Senate Rules, EPPC as well as University committees such as Faculty Handbook Revision and Higher Learning Commission Steering Committee. In addition, I picked up some administrative experience as Acting Head of the History Department for a few years. Together these and various other experiences have given me a both a broad understanding of how various parts of the University operate and interact as well as an understanding of the mechanics of the governance process.

I believe the main duty of Faculty Senate Chair is to facilitate the free and full debate on all issues of concern to faculty and then to ensure that faculty positions are clearly and fully articulated and that faculty are active participants in University governance. I believe this is a very much a collaborative effort occurring at multiple levels and I welcome the opportunity to contribute to the process.

Submitted by:
Dr. Tom Dicke
Professor, Department of History
Nominee for Faculty Senate Chair-Elect
Spring, 2017

Secretary of the Faculty Candidate Statement – Dr. Beth Hurst

This past year of serving as secretary of the faculty has been one of the highlights of my 22-year career at Missouri State University. It is honor to stand in the ranks of those who have served before me, and I am humbled to be nominated to serve again next year. The faculty governance process is the backbone of our university, so it is a privilege to take an active role, especially a role in the curricular process.

Although I have served three terms on Faculty Senate, this past year as secretary has been a wonderful learning experience into the details of the process and how it works. Serving as ex officio on the Rules Committee has also been a great learning experience that has given me a new appreciation for the important role of our Bylaws and organizational structure. Additionally, I have been the recipient of several benefits that came directly from Faculty Senate Resolutions such as the full professor incentive and an increase in tuition reimbursement, so I know first-hand the important outcomes that result from the hard work of this body.

I have served on many university committees including chair of the Education Preparation Provider Membership and Professional Development Committee, chair of my department's Reappointment, Tenure, and Promotion Committee numerous times, and chair of my department's Reappointment, Tenure, and Promotion Guideline Revision Committee several times. Additionally, I currently serve on the Faculty Center for Teaching and Learning Advisory Council, University Credit by Assessment Review Committee, and the Education Preparation Provider Conceptual Framework Committee. I have served on the Provost's Advisory Council on Promotion and Tenure, the Academic Personnel Review Commission, and the President's Task Force on Online Education and Alternative Credit. Thank you for your consideration of me for this important faculty position.

Submitted by:

Dr. Beth Hurst

Professor, Department of Reading, Foundations & Technology

Nominee for Secretary of the Faculty

Spring, 2017

Summary of Rules Charges for Voting

Charge 2: Establishes a 5 calendar day period during which the intent to challenge a Senate Action can be submitted, retaining the current 20-day period for the submission of the formal challenge.

Charge 3: Adds a description of the routing and evaluation process for non-substantive curricular proposals.

Charge 4: Establishes a formal process for submitting and evaluating proposals to add, delete, or modify degrees offered by Missouri State University.

Charge 8: Adds language to the Bylaws establishing the Study Away Advisory Committee.

Charge 9: Creates a new section in ART I called “Non-Senate Bodies in which Senate Plays a Role”. The current description of the Faculty-Student Judicial Commission is moved to this section, and new language describing participation in the University Hearing Committee is added.

Charge 13: Adds language requiring the Senate Chair to review all decisions made by the Committee on Judicial Review and to issue a charge to the Committee on Rules when deemed appropriate.

Charge 16: Updates the Academic Entities web page and adds language to the Bylaws describing the current practice for approving curricular proposals affecting Honors courses and the Honors Programs.

Charge 17: Aligns the description of the curricular process in the Bylaws with the online Curricular Action Workflow System by removing language allowing Councils to amend proposals and indicating that rejected proposals are returned directly to the originator.

Charge 18: Grants representation on Graduate Council to any department offering a graduate certificate.

Charge 19: Renames the Conceptual Framework Committee of the Educator Preparation Provider Council (EPPC) to the Guiding Principles Committee, at the request of EPPC.

April 2017 Curricular Actions

DEPARTMENT: Hospitality Leadership

New Program: Food and Beverage Operations Certificate

[Curricular Action Workflow](#)

DEPARTMENT: Mathematics

CGEIP Course Change: MTH130 Contemporary Mathematics

[Curricular Action Workflow](#)

DEPARTMENT: Geography, Geology & Planning

CGEIP New Course: GEO 200 Exploring Our Digital Earth

[Curricular Action Workflow](#)

DEPARTMENT: Theatre & Dance

Delete Program: Secondary Education/Speech & theatre-MSED

[Curricular Action Workflow](#)

CGEIP Diversity Committee Report

Essentially, our charge was to (1) define the phrase “meaningful diversity content,” (2) determine which General Goals include, or should include, meaningful diversity content, (3) determine to what extent meaningful diversity content exists, and (4) determine deficiencies of meaningful diversity content. The following report is broken into four sections addressing each of the four main parts of our charge. We also want to emphasize that this is a report based upon what our committee found with our methods, and as such, we by no means aim to disparage or criticize any class, instructor, or artifact.

(1) What is meaningful diversity content?

The processes of reviewing curricula and defining the phrase, “meaningful diversity content,” have been parallel, and have affected one another. Our current (working) definition of meaningful diversity content is as follows:

Courses with meaningful diversity content intentionally utilize an array of course design elements that emphasize intersections of the courses’ goals with cultural and social issues for the ultimate purpose of preparing knowledgeable leaders who are able and ready to be active members of local, national, and global communities. The readings, in-class assignments, projects, experiential learning, and/or special events featured in these courses are infused with learning objectives that expose students to greatly varied cultural and social perspectives, traditions, and experiences. In so doing, the instructor demonstrates a mindful approach to cultivating students’ critical self-reflection, ability to critically analyze (their role in) societies, and their ability to be actively engaged in the world as a person who is aware of the complexities and strengths of pluralistic societies. This is an expectation for all GEP courses.

(2) General Goals including meaningful diversity content

The General Goals that we have focused on in this report are: 8.1, 8.3, 8.4, 8.5, 9.4, 9.5, 13.1, 13.2, 13.3, and 13.4. They are included in Appendix A of this report. We found there is meaningful diversity content included in these General Goals, but there is room to make such content more explicit-specifically in General Goals 8 and 13.

General Goal 8 is worded in a way that allows for various interpretations. For example, 8.1 says, “...across a range of historical periods and cultures around the globe.” The phrase, “a range of cultures” could be interpreted as USA, Australia, and some different English-speaking countries in Western Europe, or it could be interpreted as a sampling of people groups from several continents. This wording could be modified to convey a wider range of diversity than it does. There are similar flexibilities in 8.3, 8.4, and 8.5. While we think that flexibility is good in general, we want to ensure that such leeway is not abused (even unintentionally) to allow for a lack of meaningful diversity content. Overall, these seem like they express some meaningful diversity content, but it could be made more explicit.

General Goal 9 is clearly worded to emphasize meaningful diversity content. To borrow directly from the wording of 9.4 and 9.5, students are interpreting, reflecting, and comparing aspects of different types of people. They also require understanding, which is more than just a rote

memorization of facts, as well as comparisons with the student's own cultural setting. This is key to helping the student humanize others, and not consider them as theoretical or hypothetical. This General Goal has a solid amount of meaningful diversity content. General Goal 13 also has meaningful diversity content. However, it seems to be a bit more unclear, and has the possibility of becoming more about categorization of experiences than the experiences themselves. These goals are stated in language that is less personal and more analytical than General Goal 9. For example, General Goal 9.4 asks if students have an, *"understanding of [...] perspectives,"* where General Goal 13.2 asks for students to, *"understand [...] the similarities and differences between their own [...] perspectives, and those of other cultures."* Again, this General Goal expresses meaningful diversity content, but could be modified to explicitly reflect deeper understanding.

(3) & (4) Determine to what extent meaningful diversity content exists, and deficiencies

Our charge was to determine (3a) which blocks have meaningful diversity content, (3b) whether or not the curriculum is designed in such a way that meaningful diversity content is unavoidable, and (3c) how this content can be highlighted and publicized. We were charged with finding (4a) deficiencies, should they exist, and (4b) tactics to address these putative deficiencies.

To do this, we created and refined a rubric (Appendix C) to estimate the amount of evidence we could easily find of meaningful diversity content in three blocks: US & Missouri Constitution, Cultural Competence, and Public Issues. The syllabi notes are in Appendix B. We did not look at Foundations or Natural World courses. We wish to be clear that this report reflects a review of evidence within syllabi that could be associated with meaningful diversity content. We recognize that syllabi alone do not fully communicate the content of courses, and therefore, recognize that this report cannot comprehensively describe or assess what is happening each day in courses. We encourage instructors to let the solid work they do around issues of diversity be reflected, to a greater extent, in their construction of course syllabi. We would encourage instructors to let their good content shine in the future. Although this is an internal review, it could be useful to have a codified way to demonstrate Missouri State's commitment to diversity and inclusion through syllabi.

In reference to point (3a), we found that students interested in meaningful diversity content should have no shortage of options in the Human Cultures and Public Affairs blocks. There are a variety of courses that address different types of diversity head on. However, there is always room to improve.

We focused on the areas US & Missouri Constitution, Cultural Competence, and Public Issues, because these seemed most likely to be blocks in which every class would have meaningful diversity content to examine and address points (3b) and (4a). We chose not to investigate the Human Cultures block more carefully because some classes clearly have meaningful diversity content, such as AAS 101 – Intro to African-American Studies, or ENG 282 – Literature by Women, which center on cultural viewpoints distinct from the majority narrative. However, courses such as PHI 110 – Intro to Philosophy, MUS 241 – The Language of Music, or even courses on history or the history of art could easily be taught in such a way so as to focus on

relevant high quality material, but material that comes mostly from the narrative of the majority, excluding the varied cultural viewpoints characteristic of meaningful diversity content. In general, we saw that most of the courses in the Cultural Competence and Public Issues blocks had substantial evidence of meaningful diversity content in their syllabi, but there were a few classes in which the syllabi were either not very explicit, or in some instances, were altogether absent, raising some doubts. From what we found, it appears that if a student was intentionally trying to avoid meaningful diversity content as much as possible, they could take classes in each block that do not have much evidence of meaningful diversity content.

For example, as far as what we found in syllabi, a student could take HST 122 and PLS 101 for the US & MO Constitution block, and KIN 210 for the Public Issues block, none of which had much evidence of diversity content, in the bulk of the syllabi that we examined. Then, depending on the student's choice of Humanities courses, it is entirely plausible that the only meaningful diversity content they see is in one Cultural Competence course, and perhaps GEP 101. All of this depends on individual instructors, and we only have the evidence that we could find in the syllabi, but our conclusion is that it is possible to satisfy all of the General Education requirements and see only a small amount of meaningful diversity content.

Recommendations

In response to our findings associated with (3c) and (4b), we recommend that CGEIP, the Assessment Council, or some other body convene to determine the best actions to address the possible diversity gaps in our General Education program. It was generally agreed that it is too soon to make any formal substantial suggestions.

That said, one possible idea is designating some courses as Diversity Content courses, and requiring that, throughout a student's program of General Education courses, they obtain a certain number of hours of Diversity Content coursework. In this way, we wouldn't have to shoehorn meaningful diversity content into courses where it is not as easily presented.

This is not a new idea. For example, Mizzou had a Writing Intensive requirement, where each student had to take a certain number of hours of Writing Intensive coursework to graduate. This very idea is already being implemented to require students to interact with meaningful diversity content at Western Oregon University (6 hrs), University of Massachusetts-Amherst (6 hrs), and SUNY-Buffalo (one course). In addition to shoring up any possible shallow areas of content, we can also make the Diversity Content component a prominent part of our General Education requirements.

However, many members of CGEIP met this idea with concerns. There could be unintended consequences, such as negatively affecting the enrollment in courses that do not tout a Diversity Component. Also, this would require substantial oversight, meaning more work for someone. If a Diversity Content component is not feasible in the near future, we could always send out a memo to undergraduate advisors indicating that they should avoid such pitfalls for their advisees.

Also, in any future estimation of meaningful diversity content, members of CGEIP have recommended more in-depth assessments than syllabi. If possible, we would like to speak directly with instructors, and have samples of student work. In addition, perhaps the Assessment Council could provide expertise in assessing the quality and quantity of the meaningful diversity content already present. There is also a concern that with possible

mandated graduate requirement reduction, there could be a reduction to the amount of General Education coursework, making it even harder to guarantee that our students receive meaningful diversity content in General Education. Finally, if General Goals are made to explicitly contain meaningful diversity content, then the periodic reviews done by CGEIP could evaluate how well various courses present meaningful diversity content.

Summary:

We did not find glaring holes in the General Education General Goals or curricula, but there were clearly sections with thinner evidence than others. While any lack of evidence could just be because we looked in the wrong places, we feel that there is a need for improvement. We recommend that some committee convene to look into this more carefully, and possibly consider adding a Diversity Component to the General Education graduation requirements.

Appendix A: General Goals Referenced

General Goal (8): Students will be able to understand various institutions (e.g., cultural, political, economic, religious, and educational) and their historical backgrounds, as well as principles of human behavior and social interaction.

- 1. Explain and compare social institutions, structures, and processes across a range of historical periods and cultures around the globe.*
- 3. Use social science methods to explain or predict individual and collective human behavior and decision-making.*
- 4. Articulate interdependence of people and places around the globe.*
- 5. Understand and differentiate biological, cognitive, and social environmental factors that influence human behavior.*

General Goal (9): Students will cultivate their intellect, imagination, and creativity as they develop an understanding of how social, cultural, linguistic, artistic, religious, philosophical, and historical contexts have shaped the thoughts and actions of people worldwide.

- 4. Interpret texts and other cultural products in ways that reflect informed understanding of relevant contextual factors, including socio-cultural influence and cultural traditions, perspectives, and behavioral patterns.*
- 5. Analytically compare the influences of community, institutions, and other constructions such as class, gender, and race on the ways of thinking, believing, and acting in cultural and historical settings other than one's own.*

General Goal (13): Students will be able to recognize and consider multiple perspectives and cultures.

- 1. Examine and articulate perspectives and behaviors they acquire in their homes, schools, and communities.*
- 2. Understand, critically examine, and articulate key similarities and differences between their own cultural practices and perspectives and those of other cultures, past and present.*
- 3. Identify the importance and best practices of developing skills for working/interacting with others.*
- 4. Analyze the role that different languages, cultures, institutions, and beliefs have in shaping individual and collective behavior.*

Appendix B: Syllabus notes

Course	Syllabus Score A	Syllabus Score B	Syllabus Comments
HIST 122-001 History of the U.S. Since 1877	3	4	Some diversity related things are listed in goals but not described in assignments. There are assignments but no explanation of content or if diversity is part of it.
HIST 121.10 Survey of U.S. History to 1877	8	9	There are assignments and lectures that are listed to cover something that relates to some diversity. It is frozen in time but it is a history class.
Political Science 101	5	6	Lectures and goals but no assignments.
PLS 101-301 American Democracy and Citizenship	4	5	Link provided for goals and a few lectures but no assignments.
PLS101-003 American Democracy and Citizenship	7	6	Goals listed and lectures plus a film but not discussion or assignment over film.
PLS101-007 American Democracy and Citizenship	7	6	Goals and lectures provided. One experiential learning for extra credit.
PLS101-? American Democracy and Citizenship	4	4	Was mention of reading a national paper for public issues, there are also study questions over topics mentioning diversity
PLS101-015 American Democracy and Citizenship	9	10	Goals and lectures provided. There are also 3 writing assignments called public affairs reports but no explanation in syllabus but it states they are provided on Blackboard.
PLS101-? American Democracy and Citizenship	6	6	Goals and Lectures provided but little to no explanation and no assignments .

PLS101-008 American Democracy and Citizenship	6	7	Goals and Lectures provided but little to no explanation and no assignments .
PLS101-896 American Democracy and Citizenship	9	8	Goals and lectures provided. There are also 3 chapter assignments but no explanation in syllabus.
ENG 289 – Literature, Culture, and Conflict	13	12	Plenty of evidence of solid diversity content in syllabus.
SWK 219 – Human Diversity	10	10	Goals provided, but don't line up with our SLO language.
ECO 101 – Economics of Social Issues	7*, average score (not enough clear evidence for two categories)	9, average score	This does look like it has meaningful diversity content, but there is not much explicit evidence to support that in the syllabi.
ENG 201 – Public Issues in Popular Culture	13	13	This is a great example of a syllabus that has plenty of evidence of meaningful diversity content.
ENG 222- Writing for Social Change	11	11	Looks pretty good on paper, but all of the content listed is susceptible to being “frozen in time.”
PHI 105 – Critical Thinking	4* (not enough clear evidence for three categories)	4* (not enough clear evidence for three categories)	The syllabus does not provide clear evidence of meaningful diversity content, but also does not give the impression that the class lacks meaningful diversity content
PHI 115 – Ethics and Contemporary Issues	5*, average score (not enough clear evidence for two or three categories)	5*, average score (not enough clear evidence for two or three categories)	Goals and lectures provided. There are also 3 chapter assignments but no explanation in syllabus.
SOC 152 – Social Problems in the Community	13	12	SLOs were not clearly linked, but otherwise, this was an outstanding syllabus.
KIN 210 – Healthy Lifestyles:	1	1	This syllabus is minimal for our requirements, but it looks like it's coded to fit guidelines for another type of assessment

Preventive Approaches			
LLT 180 – The Heroic Quest	6	7	
MCL 200 – Global Perspectives on Languages and Cultures in Society	12	12	This is a fantastic example of what we are looking for. Also, clearly links SLOs.
MTH 121 – Multicultural Perspectives from the History of Mathematics	12	12	GE goal 13.2,3, 4 and 14.1, 3, 4 are explained. Potential assignments and lectures directly associated with GE goals are listed.
REL 100 – Introduction to Religion	9	8	GE goal 13.1 – 13.4 and 14.1 – 14.4 are listed and explained and included in course goals. GE website is also provided. Figure with GE is also presented. Numerous assignments both in and outside of class
REL 210 – Paths of World Religions	16	16	This is an outstanding syllabus!

	A (4)	B (3)	C (2)	D (1)	Not Satisfactory (0)
Course Description					
General Education Goals	Goals are listed and further comments from the instructor help the students understand the importance of GLO's	Goals are listed but no further comments from the instructor to help the students understand the importance of GLO's	MSU GLO's are mentioned , but no description is provided.	MSU GLO's are not listed but a website is provided	No GLO's are posted.
Lecture/Content/Readings	Multiple lectures covering multiple aspects of diversity	3 lectures covering multiple aspects of diversity	2 lectures covering multiple aspects of diversity	1 lecture covering multiple aspects of diversity	no lecture covering multiple aspects of diversity

Depth & Engagement

Assignments Or In-class Activities	Multiple class assignments that were later discussed in class or on a discussion board that focuses on various aspects of diversity	3 class assignments that were later discussed in class or on a discussion board that focuses on various aspects of diversity	2 class assignments that were later not discussed in class or on a discussion board	1 class assignments that were later not discussed in class or on a discussion board	No mention of any course assignments that focused on diversity
Projects <i>Or</i>	Actively engaged, students have major	Actively engaged, students have minor	Actively engaged, students have minor	Minimal engaged of the students in	Passive, no formal assignments, no

	project that comprises an issue related to diversity	project that comprises an issue related to diversity	project that comprises an issue related to diversity	a minor project that comprises an issue related to diversity	guidance on the subject of diversity
Experiential learning	Informal experience or tour/trip that is required and is worth 20% of the course	Informal experience or tour/trip that is required and is worth 15% of the course	Informal experience or tour/trip that is required and is worth 10% of the course	Informal experience or tour/trip that is only for extra credit and not emphasized in the class	Passive, no formal experience outside of class, no guidance on the subject of diversity

0-5 = students will not gain an appreciation for diversity; 6-7 =exposed; 8 or greater – students should have an appreciation for diversity; 10 or greater = should be applauded for effort.

The Faculty Concerns Commit Survey report is in a separate attachment.

Faculty Handbook Revision Committee (FHRC)

The FHRC was asked by the Faculty Senate Chair to consider the possibility of adding language specific to bullying in the Faculty Handbook. This came about because of the concern that section 8.1 Prohibition of Discrimination and Harassment does not adequately address bullying. This item was discussed during the February and March meetings of the FHRC. The Committee reviewed the current policy in the Policy Library (Op1.02-8 Prohibition of Discrimination and Harassment Policy) and reviewed bullying policies at institutions for higher learning. The FHRC concluded that current language does not adequately address bullying and recommends the following proposed changes to the Faculty Handbook.

8. PROFESSIONAL ISSUES

8.1. Prohibition of Discrimination and Harassment Policy

Current Language

The University recognizes the human dignity of each member of the Missouri State University community and believes that each member has a responsibility to promote respect and dignity for others so that all employees and students are free to pursue their goals in an open environment, able to participate in the free exchange of ideas, and able to share equally in the benefits of the University's employment and educational opportunities. To achieve this end, the University believes it should foster a learning, working, and living environment free from discrimination and harassment on any basis not related to the applicable educational requirements for students or the applicable job requirements for employees.

It is policy of Missouri State University to maintain the campus as a place of work and study for faculty, staff and students free from discrimination and harassment in violation of the University's policies and in accordance with federal and state law and the Missouri State University Nondiscrimination Policy. Discrimination or harassment against any member of the University community will not be tolerated at Missouri State University.

The University will respond to instances of discrimination or harassment in accordance with the Complaint Procedures of the Office for Institutional Equity and Compliance and will respond appropriately to those who violate this policy, up to and including dismissal from the University or termination of employment.

8.1 Prohibition of Discrimination, Harassment, and **Bullying** Policy

Proposed language

The University recognizes the human dignity of each member of the Missouri State University community and believes that each member has a responsibility to promote respect and dignity for others so that all employees and students are free to pursue their goals in an open environment, able to participate in the free exchange of ideas, and able to share equally in the benefits of the University's employment and educational opportunities. To achieve this end, the University believes it should foster a learning, working, and living environment free from discrimination, harassment, **and bullying** on any basis not related to the applicable educational requirements for students or the applicable job requirements for employees.

It is policy of Missouri State University to maintain the campus as a place of work and study for faculty, staff and students free from discrimination, harassment, **and bullying** in violation of the University's policies and in accordance with federal and state law and the Missouri State University Nondiscrimination Policy. Discrimination, harassment, or **bullying** against any member of the University community will not be tolerated at Missouri State University.

Bullying is defined as repeated and/or severe verbal or nonverbal behaviors to intimidate or intentionally hurt, control or diminish another person, physically or mentally (that is not speech or conduct otherwise protected by the First Amendment) that lead to a hostile work environment. Members of the University community should contribute to a professional environment that supports academic freedom, freedom of expression, professional discourse, inquiry, and respect for the academic rights and professional expertise of others.

The University will respond to instances of discrimination, harassment, or **bullying** in accordance with the Complaint Procedures of the Office for Institutional Equity and Compliance and will respond appropriately to those who violate this policy, up to and including dismissal from the University or termination of employment.

Faculty Handbook Revision Committee (FHRC)

The FHRC respectively submits the following proposed changes to the Faculty Handbook. Sections 6.6.6, 6.6.7, 6.6.7.1, and 6.6.7.2 would be updated. In addition, three new sections are proposed; 6.6.7.3, 6.6.7.4, and 6.6.7.5.

Regarding the proposed changes, the FHRC adapted language from multiple sources.

- 1) Current Faculty Handbook
- 2) Faculty Senate Action March 2016 regarding accrual of sick days for creditable service to MOSERS retirement
- 3) President's Taskforce on Family Leave and Support, December 2015
- 4) Faculty Senate Ad Hoc Committee on Faculty Benefits, 2015

Regarding the proposed changes, the FHRC sought input from multiple sources.

- 1) Faculty who were key players in the development of committee and task force reports, specifically items # 2, 3, and 4 from above.
- 2) Faculty Senate Chair and Chair-elect
- 3) Faculty Senators during the February 2017 meeting
- 4) University officials including President Smart, Provost office, Human Resources, Administrative Services, and General Counsel.
- 5) Sister institutions in MO

CURRENT LANGUAGE

6.6.6. Short-Term and Extended Sick Leave

Normally, absences due to short-term illness are handled informally within the academic departments and are granted without loss of compensation. Requests for extended sick leave for fulltime faculty members (leave extending for more than six consecutive weeks for one disability) may be authorized for up to one semester by the Provost after receiving recommendations from the Department Head and college Dean. For extended sick leaves, the faculty member must provide a physician's statement containing the approximate length of time that the employee, on medical advice, cannot or should not perform the typical duties of his or her job. Sick leave due to pregnancy or childbirth is treated as any other short-term or extended-sick leave. In these cases colleagues who perform required professional duties for a faculty member on extended sick leave may be compensated on an overload basis or per-course. Instructors may be retained for the period of the leave.

For illnesses beyond the one-semester limit, FMLA (Section 6.6.7) may be accessed.

6.6.7. Family and Medical Leave

In compliance with the Family and Medical Leave Act (FMLA) of 1993, full-time faculty members of the University shall be entitled to a total of 12 work weeks of unpaid leave during any 12-month period if requested by a faculty member for one or more of the following reasons:

1. The birth of a child and to care for the newborn child within one year of birth
2. The placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement
3. To care for the employee's spouse, sponsored dependent, child, or parent who has a serious health condition

4. A serious health condition that makes the employee unable to perform the essential functions of his or her job
5. Any qualifying exigency arising out of the fact that the employee's spouse, sponsored dependent, son, daughter, or parent is a covered military member on "covered active duty"

FMLA also provides up to twenty-six workweeks of leave during a single 12-month period to care for a covered Service member with a serious injury or illness if the eligible employee is the Service member's spouse, sponsored dependent, son, daughter, parent, or next of kin (military caregiver leave).

The University has the legal authority to consider an employee's absence as family and medical leave when it has sufficient evidence that the absence is due to an FMLA qualifying reason even if the employee has not applied for family and medical leave.

The following provisions shall apply to family and medical leave:

6.6.7.1. Request for Family Leave

A faculty member requesting family leave under this leave provision should complete a standard Request for Leave form or letter and submit it to his/her Department Head. When leave is foreseeable, an employee must give the University 30 calendar days' advance notice. In addition, when foreseeable leave is for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt the University's operations. If it is not possible to provide 30 calendar days' notice, as much notice as is practicable must be provided. The Department Head will forward the request to the Office of Human Resources. Upon receipt of the request, the Office of Human Resources will provide the faculty member with the Family and Medical Leave Provisions and a leave questionnaire for him or her to complete. FMLA regulations require documentation from a medical provider.

6.6.7.2. Status During Family Leave

During leave, the faculty member is required to report regularly on his/her status and intent to return to work. The University shall continue to pay for the faculty member's individual insurance coverages, including medical, dental, life, long-term disability, and accidental death and dismemberment during family leave on the same basis as if the individual had been actively at work. The University shall return the faculty member to the same or an equivalent position and employment benefits upon return from approved family leave.

PROPOSED LANGUAGE

6.6.6 Faculty Sick Leave

All full-time faculty members are eligible to accrue paid sick leave at the rate of eight (8) hours per pay period (i.e., one (1) day per month, times 12 months, for a total of 12 days of paid sick leave per year). For purposes of this Section 6.6.6, "full-time faculty" includes 12-month faculty, and 9-month faculty. This benefit accords the faculty member with sick leave hours for professional service rendered to the University during the summer, regardless of the nature of the service. Professional service includes not only teaching activities, but also advising, mentoring, committee work, theses/research, and all other service rendered on behalf of the University.

Sick leave may be used for an illness, pregnancy, injury, or for medical/dental appointments. Faculty may also use sick leave due to an illness or injury of the faculty member's spouse, sponsored dependent, children, parents, mother-in-law, father-in-law, or other family members who require the faculty member's personal care and attention.

Normally, absences due to short-term illness are handled informally within academic departments and are granted without loss of compensation. As noted in section 8.3, each department has procedures for handling and recording such faculty absences. Faculty members must consult with their department heads regarding these procedures. Additionally, all sick leave taken by a faculty member shall be recorded on the faculty member's leave report. The leave report is available at the faculty member's account at <http://my.missouristate.edu>. The Office of Human Resources maintains leave records for all faculty members.

There is no limit on the number of sick leave hours that may be accrued or carried forward during a faculty member's years of service. This system allows employees the opportunity to accumulate a substantial amount of paid sick leave in the event of an accident or long-term illness. For faculty members who are vested in the Missouri State Employees' Retirement System ("MOSERS") upon bona fide retirement from the University, Missouri state law requires that the University report the number of unused sick hours that a faculty member has accrued at the time the faculty member terminates employment with the University. If the faculty member is vested in MOSERS at the time of termination of employment, MOSERS will convert the reported accrued, unused sick leave hours into retirement service credit. (Note: 168 hours equals one (1) month of service credit). When the faculty member applies for retirement at some future date when he/she is qualified to retire, MOSERS will include those months of service in the calculation of the retirement benefit amount.

6.6.7 Faculty Leave under the Family Medical Leave Act ("FMLA")

6.6.7.1 Unpaid FMLA Leave.

In accordance with federal law, the University provides leave to eligible employees in accordance with the Family Medical Leave Act of 1993, as amended ("FMLA"). FMLA provides eligible employees who work for covered employers the right to take up to 12 weeks of unpaid, job-protected leave during a rolling 12-month period for absences due to a qualifying event. (NOTE: The FMLA provides up to 26 weeks of unpaid, job-protected Military Caregiver Leave, as defined below, to eligible employees.)

In order to be eligible for leave under the FMLA, an employee must:

- (a) have worked for the University for at least 12 months;
- (b) worked at least 1,250 hours during the 12 months prior to when the leave will commence;
- (c) have not already exhausted all FMLA leave in the 12 months prior to when the leave will commence; and
- (d) experience a qualifying event as defined by the FMLA.

Under the FMLA, a qualifying event includes:

- (a) The birth of a child and to care for the newborn child within one year of birth;
- (b) The placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
- (c) To care for the employee's spouse, sponsored dependent, child, or parent who has a serious health condition;
- (d) A serious health condition that makes the employee unable to perform the essential functions of his or her job; or
- (e) Any qualifying exigency for an employee's spouse, sponsored dependent, child, or parent on active military duty or being called to active military duty
- (f) To care for a spouse, sponsored dependent, child, parent, or next-of-kin who is a member of the Armed Forces and who is undergoing medical treatment, recuperation or therapy for serious injury or illness suffered in the line of duty on activity duty ("Military Caregiver Leave").

6.6.7.2. Request for Unpaid Family and Medical Leave

A faculty member requesting family leave under this leave provision should complete a standard Request for Leave form or letter and submit it to his/her Department Head. When leave is foreseeable, an employee must give the University 30 calendar days' advance notice. In addition, when foreseeable leave is for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt the University's operations. If it is not possible to provide 30 calendar days' notice, as much notice as is practicable must be provided. The Department Head will forward the request to the Office of Human Resources. Upon receipt of the request, the Office of Human Resources will provide the faculty member with the Family and Medical Leave Provisions and a leave questionnaire for him or her to complete. FMLA regulations require documentation from a medical provider.

6.6.7.3 Paid FMLA Leave

While the FMLA only requires that covered employers provide eligible employees with unpaid, job-protected leave, as a matter of University policy, all full-time faculty members (as defined by Section 6.6.6) are eligible for up to one (1) semester of paid leave, contingent upon recommendation by the faculty member's Department Head and college Dean, and approval by the Provost. (For information regarding the procedure for requesting this benefit, please refer to the Office of the Provost website: <https://www.missouristate.edu/provost/medleave.htm>).

Faculty members may also use paid FMLA due to an illness or injury of the employee's spouse, sponsored dependent, child(ren), parents, mother-in-law, father-in-law, or other family members who require the employee's personal care and attention. Subject to University discretion and approval, a faculty member may also be granted up to one (1) semester of paid sick leave in order to provide care to a family member who requires the faculty member's personal care and attention due to illness, injury, childbirth or adoption. A proposal for such paid leave must be made by the college Dean, who should give due consideration to the fiscal constraints of the college and the staffing needs of the department. All requests for paid leave must be approved by the Provost, whose determination is final.

6.6.7.4 Status during Paid or Unpaid FMLA Leave

During paid or unpaid FMLA leave, the faculty member is required to report regularly on his/her status and intent to return to work. The University shall continue to pay for the faculty member's individual insurance coverages, including medical, dental, life, long-term disability, and accidental death and dismemberment during FMLA and or paid leave on the same basis as if the individual had been actively at work. The University shall return the faculty member to the same or an equivalent position and employment benefits upon return from approved family leave.

6.6.7.5 No Right to both Paid and Unpaid FMLA Leave

As noted in Section 6.6.7.1, the FMLA only requires that covered employers provide eligible employees with a period of unpaid, job-protected leave. As delineated in Section 6.6.7.3, the University has established a process whereby faculty members may be granted paid leave which is more generous than the requirements of the FMLA. Faculty members are not, however, entitled to combine unpaid FMLA leave and paid FMLA leave within a rolling 12-month period for the same qualifying event. If continued leave is necessary after a faculty member has been granted a semester of FMLA leave, the faculty member will be referred to the Office of Resources in order to pursue long-term disability or other unpaid leave options as outlined in the Faculty Handbook.

Date: March 21, 2017

To: Michael Foster, Faculty Senate Chair

From: Michael R. Hammond, School of Accountancy (SOA) Faculty Senate Representative

Re: New Business Agenda Item

I have been asked to respectfully request the faculty senate review and, if needed, clarify faculty's role in complying with applicable federal and state laws with regards to all digital, electronic and web-based instructional materials, used in Missouri State University courses, which must be accessible to individuals with a disability.

On March 9, 2017, the SOA office received an email from the bookstore with an attachment that was a "Campus-wide mandate from the Disability Office". The bookstore email read:

"Please share with your Department Heads and any instructors who typically use digital materials. Any new materials need to follow this campus-wide mandate from the Disability Office."

The SOA office forwarded the email to all SOA faculty. The Disability Office mandate is attached to this memo. As you would expect, the email generated a significant number of questions / comments. Questions 1 through 9 are some examples of questions / comments that concern the bookstore course materials:

- 1) Does anyone know what materials are, or are not, "Any new materials?"
- 2) The last sentence in the first paragraph in the mandate does not make any sense.
- 3) Does this directive require the individual faculty member, rather than the University, to ensure publishers are following the law as outlined in the first sentence of the first paragraph of the mandate?
- 4) How are faculty able to keep up with applicable federal and state laws?
- 5) How would faculty know if they are in compliance, or not in compliance, with Missouri State's striving for accessibility of all digital, electronic, and web-based instructional materials used in University courses?
- 6) Is there personal faculty liability, rather than University liability, for any deemed non-compliance of the law?
- 7) If publisher's materials are deemed to not be in compliance, for example due to an update during the semester, are faculty required to immediately drop that publisher's materials in the middle of the semester as, it appears, if faculty continue to use non-compliant materials, faculty may be violating this Disability Office mandate?
- 8) What happens if a publisher's materials become non-compliant, and faculty are not aware of this? Are faculty liable for the continued use of non-compliant materials in the course?
- 9) Per the mandate, the publisher should provide faculty with a Voluntary Product Accessibility Template (VPAT) that is to be forwarded to the Access Technology Center

for review. What if the publisher believes their materials comply with federal and state laws but the Access Technology Center does not agree with the publisher? Does the Access Technology Center have the authority to direct the faculty not to use that publisher's materials?

Questions 10 through 12 are some questions / comments that address general course materials used based on the Campus-wide mandate from the Disability office. Part of the mandate is as follows:

“Missouri State University strives for accessibility of all digital, electronic, and web-based instructional materials used in University courses. By law, all digital, electronic and web-based instructional materials used in Missouri State University courses must be accessible to individuals with a disability.”

- 10) Does the mandate require all course materials to be compliant with federal and state laws even if students in the class have not been to, or accessed the services of, the University Office of Disability Services?
- 11) Faculty that are using Blackboard are using “digital, electronic and web-based instructional materials”. If faculty add a new assignment (non-publisher but faculty created) to a course's Blackboard, how are faculty to ensure the assignment is accessible by a student with any disability (sight, hearing, inability to type responses, etc.)?
- 12) What resources are available to the faculty to ensure faculty, and university, compliance with the “Campus-wide mandate from the Disability office?”

SOA faculty and bookstore personnel corresponded via email. The bookstore personnel were very helpful and quickly responded to a few of the questions and / or concerns. Also, bookstore personnel indicated we would receive more information from the Office of the Provost to the department heads in the next few weeks.

The bookstore personnel also provided some history on this issue in an email message. It reads in part as follows:

“A couple of years ago, the Bookstore partnered with Disability Resource Center, Access Technology Center and the Office of the Provost to provide some direction for faculty on how to talk with publishers regarding accessibility issues when choosing, especially, new digital products. This is simply an updated, revised version of that original info sheet.

This document actually comes out a collaborative Task Force led by Dr. Chris Craig in the Office of the Provost. In addition to the DRC and ATC, there is representation from Legal Counsel and the Bookstore. It is believed there will be more information coming down to the Dept. Heads and Faculty through a presentation at the next AAA meeting. Faculty are simply being asked to have a conversation with the publisher reps and help them connect them with our Disability Resource Center.”

The bookstore response addresses some of the bookstore course materials questions / comments. However, it does not address the general questions / comments generated by the Campus-wide mandate from the Disability Office.

Thank you for your consideration of this request.

The Campus-wide mandate from the Disability Office.

Adoption of Accessible Digital, Electronic and Web-Based Instructional Materials

Missouri State University strives for accessibility of all digital, electronic, and web-based instructional materials used in University courses. By law, all digital, electronic and web-based instructional materials used in Missouri State University courses must be accessible to individuals with a disability. Accessibility ensures that individuals with disabilities are able to independently acquire the same information, engage in the same interactions, and enjoy the same services within the same timeframe as individuals without disabilities, substantial modifications to the original content.

When assessing your instructional materials for accessibility, please consider the following:

- Ask your publisher if the instructional materials meet all the WCAG2.0-AA standards (<http://www.w3.org/TR/WCAG20/>). If the publisher meets all these standards, the product is compliant with accessibility standards.
- Ask your publisher for its direct contact for concerns regarding complaints of material not being accessible to individuals with disabilities.
- Ask your publisher for the support it provides to institutions who receive complaints that the publisher's materials are not accessible to individuals with disabilities.

The publisher should provide you with a Voluntary Product Accessibility Template (VPAT) to be forwarded to the Access Technology Center (ATC@MissouriState.edu) for review.

Please inform your Department Heads of any concerns regarding the adoption of course material which may not be accessible to students with disabilities.