

Fairmont State University Faculty Senate Meeting Minutes

Virtual Meeting (COVID-19)

April 14, 2020

Members in Attendance: Matt Hokom (President, L&L), Donna Long (Vice President, L&L), Jason Noland (Secretary, SoE), Tom Cuchta (Webmaster, Math), Harry Baxter (ACF, Ex. Comm), Todd Clark (Ex. Comm, Soc. Sci), Jim Davis (Ex. Comm, Business, Business), Nina Slota (Behavioral Sciences), Janet Floyd (Business), Mark Flood (Sciences), Stephen Rice (Sciences), Dan Eichenbaum (Fine Arts), Paul Reneau (HHP), Molly Barra (Library), Denice Kirchoff (Nursing), Steve Roof (Academic Affairs), Tim Oxley (Academic Affairs), Chuck Shields (Soc. Sci), Budd Sapp (BoG), Musat Crihalmeanu (Tech), Anna Hall (SG), Jennifer Satterfield (Nursing), Nathan Myers, (L&L)

Guests in Attendance: sZac Fancher, Rick Harvey (Provost), Deb Hemler, Laura Clayton, Cindy Curry (HR), Theresa Jones, Susan Ross, Jim Matthews, Deb Hoag, Jon Dodds, Jan Kiger, Cecilia Cotton-Elam, Jacqueline Sikora, Amanda Metcalf, Carol Tannous, Sara Quigley, Cameron Allen, Rebecca Giorelli,

Meeting Called to Order 3:00pm

A virtual meeting this size will have its challenges. Thanks to all who have offered suggestions.

For voting, we will try to do voice, if it is contentious, we will do chat

I. Minutes

Reading and Approval of Minutes of March 17, 2019 meeting.

Motion to approve Jim/Paul. Motion Passes.

II. Announcements/Information/Discussion

Core Curriculum Update

- **Only new thing:** You asked two months ago when the Core was approved about exempt groups from the First Year Seminar (FYS, SOAR). We have drafted a policy that defines which students would not be required to take the FYS as well as a fillable form and outlined that process.
- **Comment:** The revised form was sent out Sunday morning, it should be out there for everyone to look at. We will discuss it in Unfinished Business to approve or not later in the agenda. Any questions for now?
- **Question:** Wording in the 5th paragraph when discussing that the University recognizes there will be academic programs/new students that require or are eligible for. Should

read “require exemption, or are eligible for exemption”. It took a couple times for me to read that and understand.

- Comment: Any course that comes in that may or may not translate to a course in our Curriculum, discipline faculty are often asked if they are equivalent. This provides a mechanism for when the Registrar has questions or doubts.
- Comment: The Registrar usually makes first decision, just as any other course that transfers in.
- Clarification: The way this is set up is if a student has completed 30 credits, then it doesn't really matter, most people who will be exempted will not need the form. The form is there for only those few occasions it would be necessary and there would be doubt.
- Comment: It has been as long as I have been the Chair of General Studies that whenever a course has come in that is to be appealed for a substitution it has always been the faculty responsible for the discipline in which the course appears. So, we simply put the SOAR coordinator because freshman seminar is in the Education Department. Someone has already asked about Business/Honors. It is reasonable to extend the authority of making that decision. I do think it is consistent with what we have always done, though.
- Comment: The form isn't clear that only SOAR is exempted instead of also the Business and Honors equivalents.

Update on Nominating Committee and Committee on Committees

- Committees are at work. If someone from the nominating committee contacts you about serving, please give serious consideration. Let the Committee on Committees know if you'd like to serve on the Personnel Committee. They are seeking people to serve on that committee.
- Reminder will be sent to the Department heads, the Units also need to conduct elections for Senators. If your Unit has Senators up for election, that should be done by the May meeting.
- Typically, the nominating committee presents a slate of candidates for the Executive Committee, sometimes that lists passes, other times there are nominations from the floor and election is contested. This presents problems because the Constitution says it needs to be done by secret ballot. If it is contested, we will vote after the meeting electronically so the ballot secrecy can be preserved. This will be unorthodox since I do not know how to instantly set up a ballot during the meeting.

President Martin

- She e-mailed and said she has a previously scheduled meeting that could not be changed. Requested to convey her sincere appreciation for the faculty efforts during this unprecedented period of time.

Provost Harvey

- My update is that it is raining outside and is a little chilly
- I have a few updates. It's good to see everyone's faces
- You might imagine that I am getting a lot of comments/complaints from faculty and students about the current situation. I am very happy to report that it has been minimal. A nominal number. All the ones that have come to my attention, anyone I was made aware of, have all been addressed and resolved. Very pleased with how well things are going right now in these difficult circumstances. Things are going very well.
- Other item has come up a few times in those occasions. You can check course reports in Blackboard. I will be sending information about how to go in and draw out that information and track the student activity. How many minutes they are online, their footprints through the course, what pages they looked at, how much time on each page, etc. We discussed this in Deans/Chairs last week. The comment was made that if we are not careful that it looks a little big brother-ish. We want to preface the message to the faculty with a message to the students. That message came out this morning to students and faculty. We wanted to spin it in as positive. We wanted it to be another tool that faculty can use to gauge student connection/interaction in Blackboard courses.
- Comment: I thought that during the Mandatory training session week that we could have spent more time in Blackboard and its features that were mentioned v. the sessions we had. Then, an email comes out on Sunday that says the platform we need to use is Blackboard because we don't support the other things. I thought the week of training could have been better served if it was more of a Blackboard boot camp like we had in the past. That is my comment.
- Response: I don't disagree. You and I remember the Blackboard boot camps, and I have already had conversations with Joy about having those again once the term ends. Also confirmed with IT that course reports have never been part of the training before so it will now be added.
- Comment: Obviously this is a crazy situation and I make a new mistake every day. I think the key is to learn from those mistakes and move on, do better next time.

BOG Representative, Prof. Sapp

- BoG has been receiving updates in regard to COVID and what is going on around campus from Dr. Martin. Dixie got in touch with me yesterday via text. She said she wanted me to share with faculty and others that she really appreciates all the effort and time that faculty and staff are doing related to addressing the situation and putting some action steps in place, and also all the faculty effort putting into teaching remotely and doing everything you can to teach. Continuing our focus on teaching and student learning at the forefront.
- Combined Academic Affairs and Enrollment committee meeting on April 27 virtually
- April 29 combined Bylaws and Finance committee meeting

- Matt has emailed me related to the Academic Honesty policy and Dixie says that will be on the Bylaws committee agenda on April 29. Whatever comes out of that meeting I will share with Matt who can share accordingly.
- BoG next full meeting scheduled for May 14.
- Question: Does the Academic Honesty policy need a 30 day comment period?
- Response: I don't know the answer, I will check.
- Comment: Related to the 30 day comment period. I did send an email today related to the newest policy 16. Normally when we receive a policy with comment period we have a policy that has markouts or strikethroughs and edits. They said we could go and look at the current policy and compare to what was emailed as an attachment because they thought it would be too confusing related to strikeouts and edits. Thought it would be more efficient to do a new policy. Current policy should be on the website. Policy link was also emailed.
- Question: can we get a copy of the meeting dates to circulate? They are in the Chat

ACF representative, Prof. Baxter

- Couple things: Blackboard, an email was sent around March 30 from VP Hatch that said there would be Blackboard training every day at 1:00pm. I actually took advantage of that, because I had never done a test on Blackboard. I actually was the only person in the audience at a 1-hour session and it was very helpful. I have put a test together. It does take a lot more time than a paper copy test, but, that was incredibly helpful. I was thinking of using WileyPLUS but that is not the way I've ever tested before. I have them doing that to help them get ready for the test. I guess even they said they would end it on April 9. Cody said there would be people there the rest of the semester 24/7 if you need help or assistance.
- ACF I am going to retire at the end of the academic year. Someone needs to finish the second year of my 2-year term.
- There will be an ACF meeting on Friday the 17th. We are going to do that through Zoom. I will probably have some information for the next senate meeting.

Student Government

- Our terms are extended because we are moving elections to the Fall. So, we won't have a new Senate Rep until September
- Senior Campaign still going on, we are going to put the rest of our budget into the Senior Campaign
- They asked me to ask about the Committee emails sent out.
- Response: Senate constitution says students can serve on committees, does not specify if it has to be Student Government members or just students. Student Government seemed to be the natural place to organize that.
- Question: If faculty want to donate to the campaign, how do they do that?
- Response: I'm pretty sure there is a link somewhere, I don't know right on the top of my notes. I will get that information to you so you can send it out.
- Question: What is the senior campaign this year?

- Response: We are going to have Hammock Hangouts around campus. Students can check out a hammock in the Falcon Center.
- Also relay how much we appreciate the understanding and flexibility of faculty. A lot of my professors have understood circumstances are quickly changing.

Grading Policy

- I have had requests for this discussion. I would note that the email was sent out on the 7th from URM explaining what the policy would be and the rationale. There have also been questions on the why's and wherefores.
- Any further questions or comments on the grading policy for this semester?
- Is there something specific we should know?
- I have received questions about why not Pass /No Pass? WVU is using High Pass/Pass/No Pass, how did FSU decide on this policy? I suppose this would be for Rick more than anyone. How did FSU decide on the policy?
- Dr. Harvey: It was an Executive Leadership Team decision to basically stay with our same process for a variety of reasons, one being grad school admission later, professional schools, etc. the fact that so many students need a real letter grade. Nursing can't move forward without letter grades. There were 3-5 reasons why it made sense to use letter grades. Compromise was to go with letter grades, but, no suspensions. Anyone on probation would be on "Special Probation". We will be doing our grading process as per normal.
- Question: Is the registrar pushing the deadline for reporting grades?
- Response: I think the answer will be that it will be what we typically do.
- Comment: we will probably get a lot of grade appeals.
- Question: Since we have been on closure since break, is there going to be any problem with a professor who decides to give Incompletes to students who haven't been able to reach out as often or use the internet on the regular? Usually we give incompletes if they miss one assignment or the final. Given the circumstances, can we give Incompletes to students who may have not responded since break?
- Response: It is typically 75% of the course completed, as always in this situation, typicals are out the window. I think it is instructor discretion. If they want to do that, it's fine. It does mean more work later on to clear the class and clear the incomplete. I would not be opposed, but, be careful since many students might request that.

Hiring of Foreign Nationals

- There have been questions on hiring of foreign nationals. In part come out of a Language & Literature search for a Spanish professor. The committee received and vetted interviewed candidates, then we were told they couldn't hire a foreign national. This is upsetting since they went through the trouble of going through and interviewing, over half were foreign nationals. In order to avoid this in the future, is there a policy on hiring of foreign nationals that is campus wide? What is going on?
- Dr. Harvey: Yes, there is a policy. Cindy is online to answer the question.
- Cindy Curry: I can understand that people would be upset to have gone through the process and couldn't hire the person you wanted. We have had this in place 10 years simply because there are several cost factors and legal factors behind it. Anyone we would hire needs an H1B visa which is set forth in immigration and the Department of Labor. We

are responsible for several things that cost money, hiring of attorney for the person to go through the process – which adds \$8-12k per year for legal fees. Another big consideration is that we have to pay what the Department of Labor says is the prevailing wage, which is always higher than what we pay. It would cause severe salary equity issues. If we want to pay \$50k, then the Department of Labor says you have to pay \$67k to that person. That amount goes up every year. Also, an H1B is typically someone who has a Bachelors and extraordinary skill or ability. I'm not saying teaching Spanish is not an extraordinarily skill. You can only use it if you can't find a US citizen to do the job. Why don't we rule them out before we send them to you? We can't do that. We don't know if they need sponsorship. We ask that on the application, but they don't necessarily reply. In all fairness, we don't rule them out because of name, where they come from, etc. We hope someday we might be able to do that.

- Question: Can it not be part of the job announcement that we don't hire foreign nationals? Or if you don't meet these criteria?
- Comment: No, EEOC would not be happy with us
- Jacqui: We need to go through the interview process to see if a US citizen is qualified for the position, so it would be impossible to screen out someone with a potential visa concern until we know if a US citizen would qualify. So in order to not have to do two sets of interviews, and not violate anti-discrimination laws, we do not pre screen.
- H1B visas are dual intent visas- a person who asks for sponsorship intends to take the path to become a US citizen. There is the possibility of doing a non-dual intent visa for citizens of Mexico and Canada, these people would only intend to work in US for a while, and do intend to return to their home country.
- Comment: All that would be very helpful to know ahead of time when you are conducting interviews and looking at applicants.
- Question: When you say a qualified US citizen must be hired first, does that mean anyone who is qualified must be hired, over a clearly best person that is a foreign national, we have to hire the lesser qualified person?
- Response: The H1B is restricted that if a US citizen is qualified for the position, it is not an option to hire a foreign national unless there was an exemption. That is the intent of that statute, to ensure that US employees who are qualified are not denied employment and the foreign national visa process be used to do that (Jacqui).
- Comment: I would recommend that whenever a search happens that the committee knows that up front.
- Comment: I don't know why I know this, but, this was something we knew off the bat. I thought there was an email that came out once. We have made a search manual in our department that includes that.
- Cindy: It's in the search guidelines that HR prepared. It's more of a cautionary note. You never want to say never, either. What if we had a job that required such things that we can't get in a US citizen? Sometimes a decision is ultimately made to hire someone foreign. Right now, we don't have the funding to do that.
- Comment: The institution is required, by statute, to bear the cost. The applicant cannot be asked to pay the fees.
- Question: Does the application ask for US citizen status? Is a Green Card holder considered a US citizens?
- Response: Green Card holders are considered US citizens.

- Comment: It may be something we need to keep an eye on, especially with searches like Spanish. I think 75% of our pool was foreign nationals.
- Question: For clarification, refresh my memory when someone applies at FSU, does the application ask if they are a US Citizen and what their status is?
- Response: It asks if the person would require sponsorship if they were selected for the job, but, often you won't get an answer for that question. Folks have learned not to answer in hopes to get an interview. You are in your right to ask that neutral question in an interview.
- Comment: I think it is really important to point out that if you do go to the FSU HR page and search that the manual is there. It is particularly useful when conducting searches and was recently updated.
- Documentation of this policy can be found here (page 14):
 - https://www.fairmontstate.edu/files/institutionalforms/formrepo/FSU%20search%20guide_revised%2001%202019.pdf.
- From the main Fairmont State webpage; select Faculty/Staff Resources" from the top horizontal maroon banner;
- Under "Administration" select "Human Resources";
- From the left-hand menu, select "Current Employees";
- From the left-hand menu, select "Hiring Manager's Toolkit";
- Scroll down and select "Online Position Descriptions and Employment Process";
- Select "Search Committee Forms and Information";
- Click on "Search Guide."

Future of Foreign Languages

- There is some concern about the future of foreign languages on campus. Erin is leaving, as of now we don't have a replacement. That leaves us with 1 non-tenure track Spanish professor. There are concerns with some of the majors. Most B.A. programs require foreign language. There is concern that if we only have 1 non-tenure track professor are we able to offer the language classes that are required for an English major or B.A. degrees. I don't know who the best person to answer this is.
- Dr. Harvey: It is something we need to discuss and think about the long-term strategy for that. I don't have an answer. Do I have a concern? Yes. I don't know the way forward right now.
- Comment: The problem for English majors and others is that they require 2 years of a foreign language. We have to support them in that requirement unless we decide no one has a foreign language requirement – which would be a travesty- it needs to be on the radar and the University at large needs to be aware of, that is dire and impacts a lot of majors.
- Dr. Harvey: I assure you it is on the ELT radar, and Dr. Martin and I have specifically addressed this topic.
- Comment: I want to make sure it stays on the radar. I am optimistic about the person we are bringing in, hopefully it bodes well
- Question: With Erin going away, I will certainly miss her, she filled a really important role as foreign language coordinator, the NSI program, French/Spanish

are not of International importance. Erin played a crucial role in getting Arabic offered to FSU students, who will fill that role when she leaves?

- Dr. Harvey: I don't know the answer at this time.
- Question: Who will cover study abroad?
- Response: That will be Amanda Steinmetz out of the International office.

III. Unfinished Business

Approval of exception policy to the Core curriculum

- Jim described the revised exception policy so we need to decide are we going to approve it or not. Any more discussion?
- **Motion to bring to the table Long/Cuchta. Passed**
- Dr. Harvey: I do have a concern about the Dean of the School of Education, Health & Human Performance being the one that reviews Carol's decisions. I would suggest to modify that. Yes, Carol is in that school and Amanda is her direct supervisor but not necessarily the SOAR course. Carol should look at it first, the second level could be the Provost or sent back to Jim and his committee [Core Curriculum/General Studies]. I heard that comment before and kind of agree with it, nothing against Amanda.
- Comment: There are a couple balls in the air, the revised Exemption Policy, and a few suggestions to revise the revised policy. Time is starting to become an issue. Some of these need to be resolved in the near future. We need to make some decisions. Are we going to send this back to Jim's committee with suggestions for another revision? Do we want to amend it now and vote on it?
- Comment (Susan): What is on the table right now is the policy, I think what Rick is referring to was referring to the procedure, that would be much different. What the Faculty Senate would be voting on is the policy not the procedure, at least in my understanding.
- Clarification: The Exemption Policy is the first page, the second page is the Exemption request form. So, you can accept one but not the other. We meet Thursday (General Studies Committee) so any instructions you give we will act on quickly. I think it sounds like the procedure is the area in question. If the procedure is the problem, remove those first two lines. What we need right now is the list of students who are exempted.
- **Motion to approve the exemption policy with revisions (1st page) discussed in the meeting and removed the procedure (second to last paragraph on first page, second page) to be dealt with separately for first reading: Reneau/Sapp.**
- Comment: It seems to me the initial question was the one line "Dean of the School of Education" it seems to be that line is the issue, can I suggest we take it out, approve it, and then send it back.
- Comment: That was only put in there because it was deemed the program would be housed in an academic unit.

- **Amend the motion to only delete the sentence “Dean of the SoE will review appeals (second sentence, next to last paragraph) accept first page except the one sentence. Accept the form (second page) for first reading. Reneau/Sapp. Passed.**
- Question: Would it be expeditious to waive the time period?
- Response: It would depend on the process for freshman registration. Up until the last few weeks, I was under the understanding that we needed to get this as quickly as possible. I think getting the list of students would be helpful for everyone.
- **Motion to waive the rules for second reading Sapp/Root, Passed.**
- **Motion to accept for second reading the bullet point list of primary reasons a student may be approved (6 bullet points). Cuchta/Sapp. Passed.**
- Question: Jim, does that give you what you need to move forward?
- Response: Yes. We will talk about the procedure and get it back to you.
- Question: Is the first reading status of the rest of it maintained?
- Response: I assume so.
- Comment: Why wouldn't it?

IV. New Business

ACF vote

- In the past, Faculty Senate President would solicit nominations for interested parties. In the past, Harry was the only one interested. If there is more than one candidate we would have an election by the end of the semester. Is that still a reasonable procedure? Are there suggestions?
- Comment: Seems reasonable
- Clarification: Code says it has to be by election, even if only one person is interested.
- Comment: Unless I hear otherwise I will try and solicit volunteers/nominees in 1-1.5 weeks, then another 1.5 weeks for a vote.

Curriculum Proposal 19-20-15 Behavioral Sciences, first reading

Curriculum Proposal 19-20-16 Data Science, first reading

Curriculum Proposal 19-20-19 Nursing LPN to ASN, first reading

Curriculum Proposal 19-20-20 BSSL, first reading

Curriculum Proposal 19-20-21 ISM, first reading

Curriculum Proposal 19-20-22 Aviation, first reading

Curriculum Proposal 19-20-23 Education 2200 and 2200L, first reading

Curriculum Proposal 19-20-24 Minor in Nutrition Science, first reading

Curriculum Proposal 19-20-25 College Success AIMSS, first reading

Motion to approve CPs as listed on the agenda as a group for first reading Long/Cuchta. Passed.

Question: Do we need to waive the time period?

Response: 19-20-20 BSSL is a new degree program and needs to go to BOG and then the State. It does not apply to minors or small curricular changes. Then, FS is final approval.

Clayton: 19-20-19 also is important, it has to go to the accreditors who need 4 months to approve it, so we need to get this through today.

Motion to waive the time period for second reading for the bundle. One minor typo which will be pasted to comments. Kirchoff/Flood. Passed.

Motion to approve the bundle for second reading. Sapp/Baxter. Passed.

V. Open Forum

- Comment (Todd): Want to thank Rick for sending out a very clear policy on those deploying. The Guard/ Reserve component for Active Duty. I had students volunteer for active duty, I thank you for clarifying the policy concerning their grades. In my case, I prorated those grades, knowing the student will not be involved in courses for the rest of the academic year. Please be sensitive to those in the military.
- Dr. Harvey: I forgot to mention, Sam Spears and I are trying to arrange a virtual faculty social hour in the near future. Based on the success of this senate meeting, we will see how that goes. It's clear only one person can talk at a time so we will see. It's clearly BYOB. Look for announcements coming out soon
- Molly: The library will be doing an online trivia night Weds April 22 at 6pm. If you want to do a family trivia night and join. email Molly to register. It will be done through WebEx.
- A letter to the COOPT was shared on the screen that contained a number of concerns that have been expressed over the University's response to COVID-19. It was e-mailed to Jacqui Sikora and Dr. Harvey following the meeting so a response could be given.
- Jacqui Sikora mentioned that the letter contained a lot of assumptions and mis-statements
 - Tim McNeely's contract had expired with the University, Jacqui Sikora is temporarily taking on his duties in the short term.
 - COOP met daily in the beginning of the crisis, then moved to 3x a week to address concerns with ResLife and dorms at the forefront
 - The University did put out multiple requests for students to seek alternative housing if possible. At first we did not have a full understanding of how many students may need to return to campus since it was Spring Break.
 - As the Government increased restrictions, we revisited our obligations, and we revisited the topic of moving off campus when possible for students still on campus because of the high risk of infection spread in dorms.
 - Once there was a positive case in the dorm the Administration became exceedingly concerned. They knew they could not remove everyone from campus but had to create a process that created the best environment for as few people to contract the illness as possible.

- The Marion County Health Department and Mon General did frequent conference calls with us to discuss best practices, particularly with what they learned from the Sundale nursing home.
- Once the positive came in, all residents were confined to their rooms until contact tracing interviews could be conducted.
- The option to walk to get food was shut down with the University Police hand delivering portions of food to those still living on campus.
- Panhandle Cleaning & Restoration came and cleaned the Falcon Center & University Terrace so they could be ready for the students who were at low risk of being exposed were released from confinement to their rooms.
- On Saturday/Sunday those with low risk were contacted and told they could stay but that it was not in their best interest if they had different options. Many expressed they were ready to go once a positive test was on campus.
- During this period the Marion County Health Department contacted the students twice daily to check on them.
- After the initial 14-day quarantine was required, some students were identified that did not require that long. Some of them left, some didn't and now are following the stay-at-home orders.
- Proud to say that in the most recent conference call there were no further recommendations from the health officials.
- Chief Swain and Officer Lloyd have been staying in Pence 24/7 since the positive came back to ensure the students were cared for, and their own families are not potentially exposed.
- Marion County Health Department made the decisions about how we would handle the situation, and we followed their direction.
- A couple students described their experiences while living in University Terrace after the University closed.
- Mixed messages were described from various University employees about mandatory evacuations, timelines, and the response following a student still living on campus testing positive. The students were frustrated that they were told to leave campus before they were able to be properly tested and quarantined, potentially bringing the virus back to their family.
- It was suggested that they write up their experiences, perceptions, and suggestions for improvement should this situation occur again.
- It was stressed that the focus needs to be on problem solving right now.

Next Meeting*: May 5, 2020, 3:00 - 5:00

*If you have items for the agenda please send your request to the Faculty Senate President by Tuesday morning April 28, 2020 for consideration by the Executive Committee.