

Faculty Senate Meeting Agenda
12:30-1:45 August 28, 2023

Fall FS meetings will be held [online](#).

Name	Department
Albert Jimenez	Educational Leadership
Christin Collins	Library Resources
Austin Brown	Math and Statistics
Cameron Greensmith	Social Work and Human Services
Carole Hollingsworth	Information Systems
Chandra Floyd	Inclusive Education
Sandee Chamberlain	Animation & Illustration
Yeol Huh	Instructional Technology
Dale Vogeliën	Molecular and Cellular Biology
Nicholas Green	Ecology, Evolution, and Organismal Biology
Daniel Rogers	Psychology
Melanie Holland	Sociology and Criminal Justice
David Bray	Finance
David Garofalo	Physics
Doreen Wagner	Nursing
Geza Kogler	Exercise Science and Sport Management
Glen Meades	Chemistry and Biochemistry
Heather Pincock	Conflict Management, Peacebuilding and Development,
James Davis	Theatre and Performance Studies
Yvonne Wichman	
Jeff Wagner	Electrical Engineering Technology
Jeffrey Yunek	Music Theory
Jillian Ford	Social Studies Education
Judy Reardon	Library Science
Victor Clincy	ComputerScience
Kent Altom	Accountancy
Lantz Holtzhowër	Construction Management
Lin Li	Systems Engineering
M. A. Karim	Civil Engineering
M. Harper	English
McCree O'Kelley	Dance
Michael Carroll	Architecture

Minhao Dai	Communication
Nicholas Ellwanger	Anthropology
Thierry Leger	Social Science
Scott Ritchie	Elementary and Early Childhood Education
Matthew Lyons	Health Promotion and Physical Education
Randy Stuart	Marketing
Rebecca Hill	American Studies
Sathish Gurupatham	Mechanical Engineering
Shelby Meek	
Snehal Shirke	Communication
Stephen Collins	Political Science
Sumit Chakravarty	Electrical Engineering
Susan Smith	Anthropology
Tom Okie	History
William Griffiths	Mathematics
Ying Wang	Mechatronics Engineering
Ying Xie	Computer Science
Michael Van Dyke	Chemistry and Biochemistry

Online Faculty Senate Meeting Expectations

1. Voting will be carried out electronically (link will be available in the chat window) and will be tracked. **Please only vote if you are a senator.** A non-senator voting will result in an immediate permanent ban from the faculty senate.
2. Use the “Raise your hand” feature in order to be recognized.
3. Motions will be preferred over discussion items so that we typically have action items on the floor.
 - a. To further promote discussion, the president of the faculty senate will begin by calling for dissenting opinions. If there are no dissenting voices, we will be able to call for a vote directly and increase efficiency in our meetings.
4. Please familiarize yourself with Robert’s Rules of Order:
https://assembly.cornell.edu/sites/default/files/roberts_rules_simplified.pdf

Welcome – Susan Kirkpatrick Smith (5 minutes)

1. old business (minutes)
2. report from buck study
3. search guidelines and academic freedom
 - a. Vote on new committee members for the committee on academic freedom
4. back to the start of the new business

Old Business

1. Approval of minutes from May (2 minutes) Susan Smith (12:36PM) Approved.
2. Buck Study Faculty Salary [Data](#) – Pam Cole (5 minutes)
The data has been posted on the website. Asked for market reference points. The Senate asked for a breakdown of the funds distributed—192 faculty who received adjustment (15% of people in the study). 2.1 MUSD was distributed. Out of the peer institutions used, 16 were R1.

New Business

Changing in Landscape(slides): A member of the search committee may want to step down, so changed language:” If you are serving in the committee, you cannot step down”

For tenured administrators, insert the process in the search guidelines.

Carmen Alexander: This informational Item is not subject to vote as changes are coming from BOR.

Sara Giodano: Not comfortable that this is not subjected to a vote.

David Bray: Language being removed on diversity and inclusion is supported; it should be done everywhere. How KSU will define “Sense of belonging”

Susan Smith: let's wait for the delivery of the information item; then, we can critique it afterward. By listening to it, we are not accepting anything.

Heather Pincock: agreed!

Carmen Alexander:

In April, BOR issued a statement of principles (1) affirming the 1940 AAUP Statement of Principles.

DEI Discussion

Principle2: Diversity of Intellectual thought

Principle 3: Focus on student success.

BOR policy 6.5.1 Academic Freedom(screenshots)

BOR Policy 6.5.1 Academic Freedom

As a public system of higher education, USG is committed to protecting the academic freedom rights of faculty and students in teaching, research, publishing, and other academic activities. All institutions within USG must vigorously promote the open exchange of ideas and protect academic freedom on their campuses.

USG values diversity of intellectual thought and expression for all. While faculty and students must be encouraged to exercise their rights to academic freedom, they must also understand that, along with those rights comes the responsibility to respect the individuality and beliefs of all. Members of the USG community should always seek to foster and defend intellectual honesty, freedom of inquiry, and instruction on and off campus.

Academic freedom is a bedrock of higher education, but it is not unlimited. Faculty academic freedom extends only to classroom material and discussions, research, publications, and other academic activities that are germane to the subject matter being taught, researched, written about, or presented. Faculty members must be careful not to introduce into their teaching controversial matters that have no relation to their subject.

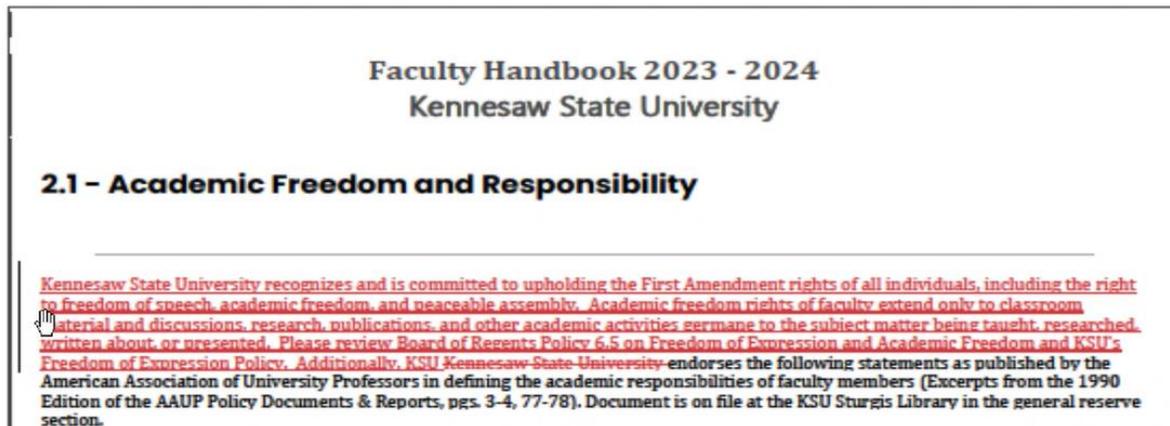
BOR Policy 6.5.1 Academic Freedom (con'd)

Students should be provided an environment conducive to learning, be free from faculty or institutional coercion to make personal political or social choices, and be evaluated based on their academic performance, not factors that are irrelevant to that performance such as their personal beliefs. **Similarly, faculty and staff have the right to be unburdened by irrelevant factors such as ideological tests, affirmations, and oaths, and should instead be hired and evaluated based on relevant factors such as their achievement and the success of students.**

Finally, faculty hold a special position in the community that carries both privileges and obligations. Because faculty are scholars and educators, the public may judge their profession and their institutions by their utterances. Therefore, faculty should always strive to be accurate, exercise appropriate restraint, show respect for the opinions of others, and make every effort when they are expressing their personal opinions to indicate that they are speaking for themselves as private citizens rather than on behalf of their institutions.

This commitment to protecting the academic freedom rights of all faculty and students, as well as ensuring that all faculty and students respect the academic freedom rights of others, is crucial to USG's mission of providing the best educational opportunities to all Georgians.

This causes the Faculty Handbook to be updated for BOR compliance, as:



Instructional Responsibilities

Kennesaw State University also endorses the following statement on professional ethics for college and university faculty as published by the American Association of University Professors (1990 Edition of the AAUP Policy Documents & Reports, pgs. 75-76). Document is on file at KSU Sturgis Library in the general reserve section.

- I. *Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.*
- II. *As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.*
- III. *As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.*
- IV. *As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.*
- V. *As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.*

The principles of Academic Freedom and Instructional Responsibilities highlighted above require diligent processes in order to create the conditions in which faculty are free to pursue knowledge as they deem appropriate, and to protect the integrity of the faculty/student relationship. The practice of Academic Freedom may include, but is not necessarily limited to, freedom from the following:

1. external and internal political pressure
2. undue interference in course content
3. retaliation or reprisal for expressing unpopular perspectives related to research, curriculum, pedagogy, and organizational procedures
4. undue interference in grading and assessment criteria

All are part of long-standing case laws:

Academic Freedom: Faculty

- Academic Freedom protects classroom speech, but the speech must be germane to the subject matter of the course. See *Keyishian v. Board of Regents*, 385 U.S. 589, 603 (1967), *Bishop v. Aronov*, 926 F.2d 1066, 1069 (11th Cir. 1991)
- Faculty are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties. See *Levin v. Harleston*, 966 F.2d 85, 87 (2d Cir. 1992)
- Academic Freedom *does not protect* against harassment, defamation or verbal abuse of students or colleagues. *Buchanan v. Alexander*, 919 F.3d 847, 850 (5th Cir. 2019), cert. denied, 140 S. Ct. 432, (2019)
- Faculty have the authority to assign grades to students, so long as there is justification for the grade. *Nicholl v. Olens, No. 1:17-CV-4518-AT*, 2018 WL 8949446 (N.D. Ga. May 8, 2018)

Updated Human Resource policy for hiring and employment:

Key Points: HRAP Employment Recruitment Policy



- Institutions must have recruitment procedures that include standards for recruitment and screening, and guidance on who can make hiring and compensation decisions on behalf of the Institution.
- The standards must be developed by the Chief Human Resources Officer (CHRO) and be approved by the President in consultation with Legal Affairs and other appropriate (VP level) leadership – in compliance with BOR, state, and federal policies, regulations, and laws.
- Recruitment procedures shall be free of ideological tests, affirmations, and oaths (including diversity statements).
- Hiring, promotion or tenure decision must be purely based on the Institution's ability to achieve its mission and strategic priorities in support of student success.
- The screening process should not extend beyond the stated mission and values of the Institution and functional expectations of the departmental unit.
- Departmental units are not allowed to develop mission or value statements that are not aligned with the overall Institutional mission and values.

Implication:

What does this mean?



Search guidelines have been updated for both faculty and staff to comply with the policy



All searches need to follow the approved search guidelines related to postings/position descriptions, questions, rubrics and training



Job postings cannot require a statement regarding diversity as a component of the application



Interview questions and decision-making **must** be position related. Examples of permissible and not permissible interview questions are listed as an appendix in search guidelines



Any required training for conducting searches must be reviewed and approved prior to implementing.

Key Points – HRAP General Criteria for Employment Policy



- Mandatory training should be limited to that which complies with the Board of Regents (BOR), state and federal policies, regulations and laws
- No institution training may include affirmations, ideological tests, or oaths (including diversity statements)
- Individual units and departments are not permitted to mandate training for departmental employees beyond that which is approved by the institution's President and CHRO

Extend time for discussion (15 minutes): Proposed by Sarah Giordano (39 votes in favor) Passed.
Heather Pincock: Motion to speak for vote, on the proposed revision on faculty handbook
Motion passed.

Heather Pincock: No faculty committee was involved in making changes to Faculty Handbook, which is not acceptable. The changes by BoR are not endorsed by AAUP.

Amy Donahue: Reinforce what Heather was saying.

Minhao Dai: 1. Procedural proposal, Academic freedom issue and removal of DEI. They should be taken separately. BOR policy's are not law, so legal should not be involved.

Jeff Yunek: I read it as no longer freedom from external influence and retaliation on curriculum policy and in grading and assessment.

Bill Griffiths: Oppose the changes; let's vote on this.

David Bray: let's vote on this as well; my faculty supports removing changes.

Vote: (41 vote no, 1 yes)

Jeff Yunek: 4 minutes left.

Heather Pincock: Vote on faculty search guidelines.

Sara Giordano: I agree with Heather Pincock.

Scott Ritchie: As a white man, I am a minority; many feel this may not be suitable.

William Griffith: Let's vote, second Jeff Yunek.

Amy Donahue: Forma faculty senate committee to invite Carmen.

Jeff Yunek: We should vote first—voice vote.

Susan Smith: Vote for opposition to change in search document. (One aye against it).

Heather Pincock: Motion to extend the time. Seconded by Albert Jiminez.

Vote: passed.

Heather Pincock: Resolution on the floor and ask Todd Harper to speak.

Todd Harper: Call on the standing committee on academic freedom, where the committee does the study and presents in the December 2023 meeting.

Whereas the BOR approved a new policy on Academic Freedom at the end of the Spring 2023 Semester and set a deadline for compliance by September 1, 2023,

Whereas the KSU administration worked quickly over the summer to meet this deadline by revising Faculty Handbook policy and HR guidelines for faculty searches,

Whereas revisions to the Faculty Handbook and HR guidelines were not made in consultation with members of the Faculty Senate or the Faculty Senate Executive Committee,

Whereas changes to KSU policy and guidelines have created considerable confusion among faculty, especially since the interpretation of the guidelines and policy have been left up to individual deans and chairs, who have interpreted these documents in very different ways,

Whereas Academic Freedom is grounded in scholarly expertise and faculty should be determining what is "germane to the subject matter" in their various disciplines,

The KSU Faculty Senate resolves the following:

The Standing Committee on Academic Freedom shall make recommendations regarding implementation of the revised BOR Policy 6.5 Freedom of Expression and Academic Freedom and 6.5.1 Academic Freedom to help establish consistency among colleges and departments regarding Academic Freedom and Faculty Searches.

The committee shall complete its work and put forward its recommendations by the

Judy Reardon: The library faculty members should also be included in the discussion.

Heather Pincock: The committee on academic freedom can take a broader look into the set of practices. AAUP chapter's reading that the implementation has not been uniform and the committee can make recommendations on how to improve the process.

Jillian Ford: The college of education has been direct to do so as a directive.

Susan Smith: Vote for Todd Harper's motion: Motion passed.

The academic freedom committee has 2 members now, nominations: Andy Piper and Mariel Myers.

Vote to accept the new members: Approved.

Carmen Alexander: We do intend to comply with the directives and will incorporate the changes of the BoR. The faculty handbook changes will be reviewed, but the faculty hiring guidelines must be incorporated.

Susan Smith: The meeting is officially adjourned; the rest of the participants will get the opportunity next time.

Willian Griffiths: We can have a supplementary meeting if necessary. Please get us your business items.

Remaining Business

1. Registrar updates – Paul Parker (10 minutes)
 - a. FERPA Violation Process
 - b. Schedule Building Dates and Deadlines
 - c. Commencement dates and deadlines
2. [UITS Updates](#) - Christina Coronado (10 minutes)
 - a. New instructor roles in D2L
 - b. New software download site - Adobe checkout licenses
 - c. Kaltura Mediaspace automatic captioning
 - d. Teams calling plans
 - e. Internet2
 - f. Getting help with IT
3. Provost's Athletic Oversight Committee – Susan (3 minutes)
4. Timeline for course evaluations – Carmen Skaggs (5 minutes)
5. Search Guidelines and Academic Freedom - Pam Coles and Carmen Alexander (30 minutes)
6. Provost's Update – Ivan Pulinkala (5 minutes)
7. President's Update – Kat Schwaig (5 minutes)

Consent Agenda

August 17th, ADC Meeting Summary

Submitted by Minhao Dai, Ph.D

The Academic Dean Council (ADC) met virtually between 9:00 and 11:00 on August 17th. The primary agenda items are briefly summarized below.

- FERPA violation procedures, presented by the Registrar, were discussed. The procedures will be presented to the Faculty Senate during the August 28th meeting.
- There will be continued robust collaborations between academic units and KSU Athletics.
- Jeff Delaney gave an update on Adobe licenses, especially related to the newly negotiated three-year USG-wide contracts. The details will be included in the Provost's letter in September, and Jeff invites impacted units to brainstorm creative solutions to more effective and equitable distributions moving forward.
- CETL will lead the efforts in nominating candidates for six Regent's awards across the USG.
- The Council had a robust discussion regarding Carry Forward funding policies.

- Provost Pulinkala wrapped up the meeting with an update on two Dean searches, first-year convocation, and new faculty onboarding. The provost also encouraged all deans to attend Faculty Senate meetings and hold shared governance meetings in their units.