

Faculty Senate Minutes
Wednesday, April 29, 2015

Senators Present: Ajay Aggarwal, Lea Ann Alexander, Steven Becraft, Kristen Benjamin, Alan Blaylock, Victor Claar, Shannon Clardy, Debra Coventry, James, Duke, Vincent Dunlap, Emily Gerhold, Greg Gibson, Matt Gross, Dana Horn, Franc Hudspeth, Jana Jones, Travis Langley, Patricia Loy, Richard Miller, Holly Morado, Ingo Schranz, Brett Serviss, Suzanne Tartamella, Maggie Tudor, Allison Vetter (alternate for Joyce Shepherd), Peggy Woodall, Charlotte White-Wright , Meredith Wright

Others Present: George Finkle, Dan Fitzroy, Megan Hickerson, Wayne McGinnis, Vernon Miles, Mo Skinner, and Carmen Wells

1. Call to Order: President Brett Serviss at 3:15pm
2. Discussion with General Counsel, Ms. Elaine Kneebone
 - A. Ms. Kneebone discussed potential contract language and stated that changes would not be made at present. The conversation will continue into the fall semester. Ms. Kneebone discussed the need for consistency between contract language and language in the faculty handbook. In addition, the need to address consistency within the handbook itself and the need to quickly add language to the handbook regarding any legal issues as they arise was discussed.
 - B. Ms. Kneebone addressed the EthicsPoint software and clarified how it will work. The EthicsPoint software has been implemented as a response to audit findings. Ms. Kneebone stated that implementing EthicsPoint was a compliance issue, so it did not go through the Shared Governance Committee. It is simply another tool to report issues and to record their resolution. When a complaint is filed, it will be sent first to Ms. Kneebone who will determine how it needs to be addressed. Throughout the process, the person investigating the complaint can interact with the person providing the report.

Senators brought up concerns about misuse and potential malicious complaints. Ms. Kneebone and Dr. Adkison addressed the fact that students, faculty, staff, and community members currently file complaints. The complaints will continue to be addressed in a similar manner. EthicsPoint will be used as an additional

reporting tool and will be used to track the resolution of complaints. While complaints are on the EthicsPoint system, they are not subject to open records laws; however, should they be moved to campus (or placed in personnel files) they will be. Accusations can be deleted from the system, if they are found to be false. A policy for deleting complaints is needed.

Faculty stated concerns about “spying on one another” and lodging false complaints. Dr. Adkison assured senators that these complaints would be addressed in the same manner that email, paper, and phone complaints are currently handled.

Concerns were raised about the level of credibility given to anonymous complaints. Ms. Kneebone stated that the complaints will be given **attention** rather than credibility. The credibility will be assessed as the investigation progresses.

3. Discussion with Mr. Bobby Jones, VP Finance

- A. Mr. Jones discussed the Physical Plant outsourcing proposal. He stated that it has not yet been approved. The proposal will go through the Faculty Senate, the Staff Senate, Student Government Association, and the Shared Governance Committee before going to the Board of Trustees. Mr. Jones assured senators that, should the proposal be approved, Aramark will retain and train our current employees. He stated that the proposal had to be profitable and had to provide better service in order to be considered. A lively discussion followed including some of the following information and concerns.

Aramark would be given a one year contract with an option to renew annually for a period of 6 years at the end of that initial contract. There would be specific benchmarks set to determine the success of this endeavor. If the benchmarks were not achieved, 2% of the contract cost would be refunded.

If given the contract, Aramark will infuse money into the university in equipment, as well as contributing money toward scholarships. Upon beginning the contract, Aramark will give employees a 3% salary increase and campus meal plan.

Senators brought up concerns about the level of competition in the bidding process. Mr. Jones stated that 5 companies responded to the request for proposal and that, of the 5, 2 companies were selected to interview after in-depth evaluation by the RFP Physical Plant Outsourcing Taskforce.

Senators brought up concerns about how outsourcing could affect the “Henderson Family”, discussing library privileges, admission to sporting events, tuition waivers, and other benefits Henderson employees receive. We would like to see these benefits continue.

- B. Mr. Jones discussed the letter written by the Buildings and Grounds Committee. He stated his embarrassment at the poor building maintenance over the past few years. He clarified that General Improvement Fund money was used for the Garrison renovation; however, at the time of the renovation, the roof was not a problem. Mr. Jones assured senators that progress should be seen by the fall semester in making the much needed repairs. Mr. Jones requests that he be copied on specific requests sent to the physical plant and reiterated his support of the faculty.

4. Discussion with Patti Miley on the Shared Governance Proposal on Early Retirement

The early retirement plan is being examined because of a request made by the Board of Trustees to change, delete, or modify the 70 year rule. The proposal put forward by the committee will only affect new hires; all current faculty and staff would be grandfathered in. The committee recommended a minimum of 10 years of service to the university in order to receive the benefit. Senators discussed the concerns in changing the policy to include a minimum of 10 years of service. The 10 year rule was not in the original early retirement plans. The general consensus agreed that in grandfathering faculty, we should not change the rules.

The rules were suspended and a motion was made to support the Early Retirement Proposal without the 10 years of service requirement. The proposal passed unanimously.

The Early Retirement proposal from the Fringe Benefits Committee is included as Addendum II.

- 5. Minutes from the April 1st meeting were approved.
- 6. The President’s Report is included as Addendum I.
- 7. Shared Governance Update

- A. The Social Media and Media Relations recommendations were distributed to the Shared Governance Committee. Staff Senate and SGA endorsed our recommendations unanimously. Fred Worth, the chair of the Shared Governance Committee, will bring these recommendations back to the office of Marketing and Communication.
- B. A motion was made to accept the outsourcing proposal as it is. The vote passed with 21 in favor and 1 opposed.

8. Reports of Committees

- A. Executive Committee – No new items to report.
- B. Academics Committee –
The committee is currently developing a standardized policy on plagiarism and a student code of conduct to address concerns.
- C. Buildings and Grounds Committee – No new items to report.
The fire alarm in Reynolds is still broken.
- D. Finance Committee – No new items to report.
Recommendations from the Compensation Taskforce will be made shortly.
- E. Operations Committee -
Faculty Excellence Awards Committee guidelines were discussed. The matter was referred back to committee to develop more specific guidelines for the weighting of the award and to develop guidelines for award requirements.
- F. Procedures Committee – No new items to report.

9. New Business

- A. Jennifer Boyett will attend Faculty Senate in the fall to discuss the Henderson Foundation.
- B. The HLC Assurance Argument is in need of feedback and documentation from faculty. The Assurance Argument is due in the fall. Faculty Senate will be asked

to endorse this document in September. Please send comments and suggestions to hlcassurance@hsu.edu

- C. Guidelines for promotion and tenure were discussed. The matter of tenure and promotion was referred to the Academics Committee. They will reevaluate how the process works, the makeup of the evaluating committee, and guidelines for new faculty members.

10. The meeting Adjourned at 5:23pm.

Respectfully Submitted,
Shannon Clardy
Faculty Senate Secretary

Addendum I:

Report from the President Faculty Athletics Representative

Dr. Glen Jones stated that he would like to see the role of the Faculty Athletics Representative (FAR) be strengthened at the university. The primary role of the FAR is to ensure that student athletes and support systems for student athletes are consistent and in line with the academic expectations, requirements, and policies of the university. The FAR also functions as the direct liaison between athletics and academics. For additional details regarding the FAR position, please visit the following site: <http://farawebsite.org/welcome-to-farawebsite-org/about-fara/about-fars/>. Dr. Patrick Wempe, Professor of Recreation, is currently serving as the University's FAR.

EthicsPoint Reporting System

In response to concerns by faculty regarding the potential misuse of the EthicsPoint reporting system, Dr. Jones stated that the EthicsPoint system is managed by a third-party company and all reports are maintained confidentially on the third-party provider's secure server. Individuals can submit anonymous reports. Reports are received by the general counsel and sent to the appropriate vice president for investigation. During the entire process, the privacy of all parties is strictly maintained with access to the information limited to the individuals who are actively involved in the investigation.

Dr. Jones stated that the system was implemented as a communication tool that provides the protection of anonymity for individuals to report situations that may legitimately damage the university. Dr. Jones emphasized that the system has not been implemented as a means to monitor, discredit, or terminate university personnel. Implementation of the EthicsPoint reporting system occurred in part because after the university had investigated recent situations involving improper conduct, several employees came forward and stated that they had known about the situations for some time. Those employees stated that they did not know to whom they should report their concerns or stated that they were worried about the possible job or professional repercussions of reporting.

Dr. Jones also emphasized that the employment of the EthicsPoint reporting system is not intended as a "witch hunt." It is simply a tool to be used to allow the university to quickly address and minimize the negative impact of serious misconduct that may occur. Dr. Jones acknowledged that an individual may attempt to use the system maliciously; however, unfounded reports will be dismissed as such. The appropriate vice president will always consult with a person accused of misconduct in order to get his/her side of the story. Every report will be thoroughly investigated, not just taken as truth. Dr. Jones stated that all investigations that occur will be conducted discretely and professionally.

Organization of and Access to University Policies

Dr. Jones stated that the university is in the process of compiling all current policies to a centralized repository in order that university personnel may have access to them. Policies may be accessed at <http://www.hsu.edu/policies/index.html>. This page will be routinely updated as new policies are created and/or as current policies are revised.

Dr. Jones mentioned that university policy, or any change thereto, is communicated to the campus at-large through a variety of venues, including the shared governance process, periodic reports from his office, and directly from the vice presidents or general counsel.

Report from the Provost/VPAA

Retention Update

Dr. Steve Adkison stated that the proposed Retention Committee is still planned; however, determination of the precise charge and committee composition must wait until some reorganization occurs in Student Affairs and Academic Affairs.

Dr. Adkison also stated that following on the heels of the Conditional Admissions contract discussed below, over the course of the next year, we need to move toward requiring mandatory advising and registration for all new students.

Current Policy Regarding Conditional Student Admission

Dr. Adkison stated that the policy regarding conditionally admitted students has recently changed and this change went into effect on April 17, 2015 (see associated attachment for current policy; statements 1, 3, 5, and 7 were retained from the previous policy). As the current policy states, conditional students (those students that score from 17 to 19 on the ACT—below a 20 composite score) will only be admitted to the university provided that they agree to and fully comply with the new policy. The new policy will be considered a contract between the student and the university, and any violation of the contract by the student, including failure to accept and sign the contract initially will result in dismissal from the university. Based on our current policy for conditional admission, which may be viewed on pages 22-23 of the 2014-2016 Undergraduate Catalog, no student with a composite score of 16 or lower on the ACT will be admitted to the university. Dr. Adkison is working with the Admissions Office and Student Affairs to ensure that university admittance policies are followed.

Dr. Adkison also stated that this policy must be readily accessible online and will be posted on pertinent web pages, such as future students, admissions, and academics.

EthicsPoint Reporting System

Dr. Adkison mentioned that one of the reasons for implementation of the EthicsPoint reporting system was as a result of the 2014 audit of the English as a Second Language (ESL) program by the Arkansas Division of Legislative Audit. One of the recommendations of the

audit findings was for the university to implement some type of anonymous reporting system in order that employees may have a means of communicating observations or complaints anonymously. The audit process also revealed that multiple university employees were aware that infractions were occurring with the ESL program, but were uncomfortable filing a report because of no guarantee of anonymity.

Dr. Adkison also mentioned that under the current parameters of the EthicsPoint system, there is no way for any university personnel to determine who filed a report, unless the individual filing the report chooses to purposely provide his/her identification. Anonymity is a built-in component of the EthicsPoint reporting system. Ms. Elaine Kneebone, General Counsel, distributed the attached FAQ sheet in her email on February 23, 2015, announcing the EthicsPoint system.

Administration of Online Course Proctoring

Dr. Adkison stated that Ms. Jennifer Holbrook, Director of Instructional Technology and Multimedia Learning Center, will be responsible for coordinating a pilot run of ProctorU (proctoring system for online course examinations) during the fall 2015 semester. No commitment to the use of ProctorU will occur until after the pilot run has been completed and the efficacy of the system evaluated. It is also likely that at least two services which just entered the higher education arena will also be evaluated and their services compared to those of ProctorU prior to a final decision being made. The pilot will cost the university about \$3,500 dollars. A call will be sent out to faculty in late summer to solicit faculty volunteers for the pilot evaluation.

New Academic Affairs Policies

Dr. Adkison mentioned that he has been in the process of drafting a policy for student classroom conduct and academic integrity that will be combined with the academic grievance policy passed by the Faculty Senate in 2010. Dr. Adkison also stated that he has asked the Faculty Senate Academics Committee to discuss the development of university statements dealing with plagiarism, student decorum, and proctoring of online examinations. Such statements would reflect the larger student conduct and academic integrity policy in a summary form for students and would be available for faculty to use at their discretion in their course syllabi, although no one would be required to do so.

Report from the Vice President for Finance

Location of New Intramural Field, Resurfacing of Baseball and Softball Fields, and Construction of New Parking Areas

Mr. Bobby Jones stated that the location for the new intramural field has been decided and it will be constructed over the football practice field behind the Formby Athletic Center. The practice field will be resurfaced with artificial turf, and lighting and restroom facilities will

be erected on site. The baseball and softball fields are also scheduled to be resurfaced with artificial turf. New terraced seating will be erected around the baseball field. Drains will be placed under the fields to help prevent standing water from accumulating. Mr. Jones also mentioned that new parking areas will be constructed adjacent to the baseball and softball fields, along with a new student parking area on Wilson Street. The total cost of these endeavors will be 2.9 million dollars and will be funded from a portion of the 33 million dollar bond issue, the funds of which may only be used for auxiliary funding purposes.

Addendum II:

FROM: Dr. Patti Miley, Chair

Fringe Benefits Committee

RE: Fringe Benefits Committee Recommendation for changes to Henderson State University's current plan known as "Early Retirement - 70 year rule".

DATE: March 2, 2015

Current retiree participants and retirees who become participants on or before June 30, 2015, will be grandfathered into the current "Early Retirement - 70 year rule" plan effective July 1, 2015.

New employees hired on or after July 1, 2015, will no longer be offered extended health and life insurance coverage during retirement.

All health insurance eligible employees employed on or before June 30, 2015, will continue to be eligible to request health insurance and life insurance during retirement if they are at least age 55, their continuous years of service at HSU plus their age equal at least 70 AND they have worked a minimum of 10 consecutive years of service in a health insurance eligible position at the university. IF the retiree becomes employed elsewhere and is eligible for health insurance through the new employer, the retiree will lose their health insurance through HSU.

Timeline for changes:

July 1, 2015: All current health insurance eligible employees as of June 30, 2015, are *grandfathered eligibility to request retirement with continued health insurance (if they qualify under 70 year rule)* until Medicare eligible per the federal age requirement and life insurance until age 65. Until the stated age limits, premiums for health and life insurances are payable at the same rate as paid by active employees. *The option to continue family coverage at the same rate as 12 month employees is also available.* Life insurance coverage may be continued to age 70 if the retiree pays the premium in full.

July 1, 2015: Insurance plan retiree participants who retire on or after July 1, 2015, and go to work for another company that offers health insurance must report their eligibility status for new coverage to HSU HR. *If the retiree is eligible to enroll in their new employer's health insurance program, the retiree and their covered dependents will no longer be eligible for Henderson's retiree health insurance, even if they lose the other coverage before they become Medicare eligible.* When the retiree is no longer eligible to participate in Henderson's retiree health insurance, only life insurance coverage will remain available through Henderson's group plan to age 70 if the retiree has continuous participation and pays the premium in full.

January 1, 2017, (to correspond with January 1 date of health insurance plan year and give employees time to make retirement decisions): *HSU employees (employed on or before June 30, 2015) must have worked a minimum of 10 consecutive years of service in a health insurance eligible position, be a minimum age of 55, and must have continuous years of service plus age to equal at least 70 to request health and life insurance coverage as a retiree.*

Rational for FBC recommendation:

It was brought up several years ago (summer of 2013) at a Board of Trustees Budget Workshop based on the annual expenditure that was (\$78,356 in FY2013) and is still (\$112,876 projected for FY2015) being made to this fringe program. The FBC was told to analyze this and make a recommendation to either change or continue this benefit. Concern was raised by the Board of Trustees not only about HSU's history of annual expenditures but also the rising national costs of health insurance, changes in the health insurance industry and laws, and changes companies and competing institutions might be making to their retiree health insurance offerings. The recommendation is a result of the FBC's endeavors to answer this charge.