

**NORTH CAROLINA STATE UNIVERSITY**  
**Minutes of the Faculty Senate**

**November 15, 2016**

**3:00 p.m.**

**Regular Meeting No. 5 of the 63<sup>rd</sup> Session: Faculty Senate Chambers    November 15, 2016**

**Present:** Chair Moore, Associate Chair Orcutt, Parliamentarian Lubischer, Senators Ange-van Heugten, Ash, Argyropoulos, Auerbach, Banks, Barrie, Bernhard, Berry-James, Bullock, Carver, Fath, Feducia, Gunter, Havner, Hawkins, Hergeth, Huffman, Kotek, Parker, Pearce, Perros, Sannes, Sederoff, Thakur, Young

**Excused:** Chair-Elect Bird, Senators Bykova, Kuzma, Peretti, Rever

**Absent:** Senators Eseryel, Hergeth, Kathariou, Laffitte, Lee, Nam, Silverberg

**Guests:** Katharine Stewart, VP for Faculty Affairs; Marc Hoit, VC for OIT; Doug James, Assistant Director, Office for Faculty Development, Robinette Kelley, Associate Vice Provost OIED, Paul Nolan, Student Body President, David Perryman, University Human Resources, Becky Williams, University Human Resources, Lori Preiss, University Human Resources, Siarra Dickey, Graduate School Office of Postdoctoral Studies, Marie Williams, Associate Vice Chancellor, Human Resources

**1.     Call to Order** - *Jeannette Moore, Chair of the Faculty*

Chair Moore called the fifth meeting of the sixty-third session of the NC State Faculty Senate to order at 3:04 p.m.

**2.     Introductory remarks** - *Jeannette Moore, Chair of the Faculty*

Chair Moore asked guests to introduce themselves

Chair Moore asked the Senators to please be cognizant of the configuration of the room; voices can be heard across the room and be distracting to colleagues. She asked that everyone talk quietly and refrain from side conversations.

**3.     Announcements** - *Jeannette Moore, Chair of the Faculty*

Chair Moore referred the Senators to the committee activities and announcements.

Chair Moore reminded the group to see the second page of the agenda each week to view the announcements and committee activity. She reminded the Senators and guests that

NC State will celebrate “5 Years of Google” on Wed, Nov. 30 from 12:30 p.m. to 4 p.m. in the Talley Piedmont Mountains Ballroom. The keynote speaker is Jonathan Rochelle, director of Google Product Management. The event will also feature engaging “lightning talks,” various information booths, a video demo slam contest, and prizes. Register at [go.ncsu.edu/5yearsofGoogle](http://go.ncsu.edu/5yearsofGoogle).

Chair Moore then read an announcement from the Division of Academic and Student Affairs regarding the Leadership and Program review session. She stated, “If you are interested in being involved in the review of DASA, that will be 1:00 p.m. a week from today, on Tuesday, November 22<sup>nd</sup> in Talley Student Union Coastal Ballroom.”

**4. Approval of the Minutes, Regular Meeting No.4 of the 63rd Session, October 18, 2016**  
*Darby Orcutt, Associate Chair of the Faculty*

With no opposition or changes, a motion to approve the minutes as submitted was made, seconded, and passed unanimously.

**5. Provost's Remarks and Q/A - Katharine Stewart for Warwick Arden, Executive Vice Chancellor and Provost**

Dr. Stewart brought greetings from the Provost.

She stated that she is bringing two topics from the Provost; the first related to an email that the Provost sent last week to all faculty about resources that were available to students, faculty and staff regarding the election outcome. She continued, “The Provost has received feedback from a few faculty. The feedback has been split about 50/50; half were supportive of the email he sent, sharing those resources, and half expressed concern or had criticism regarding those resources.” She stated that the Provost wanted her to share just a little bit more about his decision to share those and what was contained in the email, in case you’re hearing from your constituents within your colleges and so you would know a little bit more about it.

Dr. Stewart continued by saying that the Counseling and other resources that were shared in that email were planned prior to the election, and were planned for the availability for students, faculty and staff, regardless of the outcome of the election. There were some messages that expressed a sense that perhaps those resources were created after the election, but in fact, they had been planned prior to the election. She stated that the Provost felt this was important for everyone to understand, that it was not done in a partisan way, but done to support students, faculty and staff regardless of their concerns or issues after the election.

She said one of the things the Provost also wanted to share was that he and the Chancellor have a commitment to supporting students, regardless of the reason for their need. She relayed the statement that the Provost made to her; “The Chancellor and I do not have a litmus test for the reason that students seek counseling; we provide that counseling to them without a litmus test for that reason.” She continued by saying that the Provost also asked her to share that the Counseling Service has been

overloaded since the election and in fact, we have had several students admitted for inpatient care since the election as well.

Dr. Stewart said that the Provost wanted to reiterate that the sharing of these resources will continue for students, faculty or staff who need it, and they will be supporting students irrespective of where they fall on the political spectrum. She continued, "The election was contentious, the election raised a lot of tension for a lot of people, and a lot of our students voted for the very first time and felt very strongly about it." She stated that with that, the Provost feels that this is appropriate.

Additionally, she stated that in his email, the Provost asked the faculty to be aware of the value of encouraging respectful dialogue in their classes or in conversations with students, feeling that needed an emphasis because of reports that the Provost's office has been receiving of incidents of students being fairly disrespectful to one another in both directions. She pointed out that blame was not being placed on either particular viewpoint, but this is about respectful and civil conversation. The Provost's message is that the campus is a place for students to learn a way to engage in disagreement in a respectful civil way, and that it is a place to listen to differing views and he encourages faculty to think about how they might promote that in their classrooms wherever appropriate and possible.

The second topic raised by Dr. Stewart, speaking for the Provost, is that there have been some questions and requests from the Senate to talk about faculty numbers; specifically, the number of tenure track faculty and non-tenure track faculty and how those have changed over time. Duane Larick and Marjorie Overton will bring much more detailed information to the Senate in two weeks. The Provost asked Dr. Stewart to share that they've got the preliminary data. The gains in tenure track faculty since 2010, as he reported, is approximately 40 folks and that looks to be what she has found. There have been significant gains in the last year and the Provost's office wants to make sure they are reporting those accurately and are separating out individuals who are identified as administrators versus individuals who are fully faculty. Those data will be presented in two weeks.

## **Questions**

*Senator Berry James* wondered if anyone was keeping track of some the challenges that the University is experiencing on campus before and after the election. She relayed a story about a distraught student. She wanted to know when the faculty would be informed regarding the scope of the issues and problems.

Dr. Stewart responded that she is not aware when those data might be shared but the proper group to hear these concerns is likely DASA and the Bias Incidence Response Team (BIRT). She encouraged the Senator to reach out to these groups. She continued that the information is being steadily relayed to the Provost and Chancellor but she is not aware of what type of summary information is being put together. Dr. Stewart stated that she would communicate to the Provost that the Faculty Senate would like to hear the data.

**6. Changes in the Federal FLSA (Fair Labor Standards Act) Marie Williams, Associate Vice Chancellor for Human Resources and Members of the Human Resources Staff**

Associate Vice Chancellor for Human Resources, Marie Williams, and members of the Human Resources staff presented updates and important information regarding changes in the Fair Labor Standards Act as it relates to Post-Docs, Graduate Students, Staff, Student Workers, or Temporary Employees and how it will affect all of these groups.

Dr. Williams brought greetings to the Faculty Senate and introduced herself and shared a bit about her background prior to joining NC State on July 1, 2016. She shared that she has met with many units across campus to learn some of the things Human Resources does well and also those things that need to be improved. She spoke briefly about recruiting and retaining initiatives that are being explored and discussed and other programs and pilots that Human Resources will be rolling out within the next year; i.e., an online training module and online timekeeping capabilities.

David Perryman, Assistant Director - Talent Solutions, Human Resources presented the FLSA Overtime Rule information to the Faculty Senate. He pointed out that effective December 1, 2016, the US Department of Labor has increased the minimum salary threshold for exemption and that there were a good number of Post-Docs, Graduate Students, Staff, Student Workers, or Temporary Employees on our campus that will be affected. He stated that this is a huge change and communication was essential.

The presentation continued with other members of the Human Resources team relaying an in-depth summary and explanation of the changes that would potentially affect members of our campus community.

This information can be accessed at the following website: <https://hr.ncsu.edu/flsa/>

Additionally, anyone with questions regarding the FLSA changes can contact members of the Human Resources team; David Perryman, Lori Preiss, Becky Williams and Siarra Dickey.

**Questions**

*Senator Carver asked if she gets to decide whether the time worked is comp time or overtime.*

Response: This differentiation really depends on the college. Some colleges will opt to pay out on a monthly basis but others use comp time to “burn off.” Typically, the default should be to award comp time in order to avoid impacting the fiscal state of the college, but it is a decision that should be made at the individual college level.

The HR team also pointed out that employees have 12 months to use the comp time before it has to be paid out and that you are required to use comp time before taking annual leave time.

*Senator Huffman stated that the biggest thing is in regard to emeritus faculty who works just a few weeks a month or per year and now has to be limited as to what they can do and will be subject to completing timesheets. Their summer salary during their retirement will be impacted by this very valuable group of teaching and mentoring faculty. This will cause them to be treated like hourly employees.*

Response – The HR team responded by saying that about 55% of this group will qualify for the teaching exemption and will not be impacted. In cases where there was not enough information to evaluate this properly or thoroughly, those cases can definitely be re-evaluated. The HR team encouraged those in this situation to please contact them with additional information and concerns as it relates to this issue.

The HR team also acknowledged that this is a challenge for our university and all of higher education much more significantly than other industries. The team has spent a great deal of time with the individual colleges and departments to make sure this is absolutely right. We will be audited at some point because its impact is so significant. Your concerns are warranted and are not lost on our team.

Marie Williams also stated that General Counsel and internal auditors have been engaged to also be involved in this process. That review has been thorough but we will continue gathering additional information. The University is taking a collaborative approach to these changes. She stated that the team is happy to look at anything you'd like for us to, but in many cases, changes will not be possible.

*Associate Chair Orcutt asked for clarification regarding comp time and can it be required or demanded that comp time must be taken.*

Response – The HR team responded that yes, comp time must be taken and it is the supervisor's responsibility to make certain that is happening. There will also be improved reporting tools and capabilities so this is a simpler task for supervisors. There are many new tools available to help facilitate the management of this change.

*Senator Hawkins asked if we will receive additional information about the teaching exemption and what is that comprised of and if there is an aspect of your post doc that is teaching. Can you talk more about this?*

Response - The HR team stated that this type of job would have to be primarily teaching or research assistants and those are considered exempt from doing timesheets. For research personnel, it has to be determined whether or not these individuals are meeting the duties test **and** the salary test. The team reported that they began reviewing over 250 of these cases this summer and have reduced that amount to 75-80 non-exempt statuses at this time which they are still reviewing.

*Senator Berry-James asked about hiring graduate students over the summer on grant-related projects, does overtime kick in then?*

Response – The HR team stated that it would depend on what type of work they are doing. If it is a RA position it will be treated as it would during the academic year. Additionally, if they are enrolling in fall classes, they will be considered in the exempt group.

*Senator Huffman asked about the Post-Docs and said that his understanding is that overtime cannot be paid when being paid on grants. So who is responsible for paying overtime on grants? Who is responsible for paying out comp time?*

Response – The HR team responded that ultimately the department – any research portion that’s being funded off of a grant. They are working with Contracts & Grants to see if there is an additional pool of money but there may not be. At this time, it would be non-discretionary funds from the department. They will provide clarification regarding this issue when it is received.

## **7. Old and New Business**

Sarah Ash, Co-Chair of the Academic Policy Committee presented information regarding the Syllabus Tool. The Committee invited Lou Harrison to the committee meeting to discuss. He is with Education Technology Services, the team that created this tool. Mr. Harrison talked about the tool and syllabus regulation, in addition to possible enhancements. Dr. Ash reviewed some of the enhancements that may be possible, which would cost approximately \$100,000.00 (which is highly dependent upon number of users):

- Syllabus 2.0 – could have sections directly linked to the bookstore
- Could link grading guidelines to Moodle and communicate with Moodle
- Could link outcomes and other common features – to have same outcomes
- Could house schedules for future semesters
- Could provide an easy way for SACS to access syllabi
- Could connect directly to systems
- Could provide information on registering or a class – this might be a way we could extract that info

### **Questions/Comments**

*Senator Auerbach* stated that this is a very useful tool, especially the mapping features, and felt this was a good deal for the money if there was more buy-in by the faculty and utilization increased.

*Senator Pearce* stated that he felt Moodle would be a cheaper way to do it all of this.

*Senator Parker* pointed out that through Moodle, students are currently able to “see” what a professor and /or class does, with the exception of exams.

*Senator Pearce* pointed out the uselessness of the syllabus tool if this could be done through Moodle.

*Senator Berry-James* asked if there have ever been any surveys from faculty to see why they don't use the syllabi tool to see if this is helpful. Utilization seems low.

*Chair Moore* stated that this tool, which was originally created by DELTA, she felt was a very clunky and cumbersome tool and parts of the tool just do not apply.

*Associate Chair Orcutt* stated that he felt this was just not a good system and having to choose from the options when none were applicable was frustrating and cumbersome.

### **Other business**

*Senator Auerbach* reported that the survey on the issue of concern of faculty burden has been finalized. It is a very short survey and should be released 11/21 to all faculty. He asked that everyone here please fill it out and urge your colleagues to fill it out as well. They are hoping for a huge response. He further stated that the survey is based on a concern that surfaced last year about duties staff used to do that now faculty have to do and the burden it presents to them. He reiterated that this is a very useful survey.

### **8. Issues of concern**

None mentioned.

Faculty Issues of Concern can be submitted at any time to a senator or to [Faculty\\_Senate@ncsu.edu](mailto:Faculty_Senate@ncsu.edu). Minutes from each Faculty Senate committee (Academic Policy; Governance and Personnel Policy; Resources and Environment) are posted so progress on issues/discussions can be monitored by all.

### **9. Adjourn**

The 5<sup>th</sup> meeting of the 63<sup>rd</sup> session of the NC State University Faculty Senate was adjourned at 4:15 pm