

NORTH CAROLINA STATE UNIVERSITY
Minutes of the Faculty Senate
November 29, 2016
3:00 p.m.

Regular Meeting No. 6 of the 63rd Session: Faculty Senate Chambers November 29, 2016

Present: Chair Moore, Parliamentarian Lubischer, Senators Ange-van Heugten, Argyropoulos, Ash, Banks, Bernhard, Berry-James, Bullock, Bykova, Fath, Havner, Hawkins, Hergeth, Huffman, Kathariou, Kotek, Kuzma, Lee, Parker, Pearce, Peretti, Rever, Sederoff, Young

Excused: Chair-Elect Bird, Associate Chair Orcutt, Senator Auerbach

Absent: Senators Barrie, Carver, Eseryel, Feducia, Gunter, Laffitte, Nam, Perros, Sannes, Silverberg, Thakur

Guests: Katharine Stewart, VP for Faculty Affairs; Meredith Biechele, Student Government Representative, Duane Larick, Senior Vice Provost for Academic Strategy and Resources Management, Marcia Gumpertz, Office of Institutional Equity and Diversity, Mike Mullen, Vice Chancellor for Academic and Student Affairs, Marjorie Overton, Office of the Provost, Roy Baroff, Faculty Ombuds

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

Chair Moore called the sixth meeting of the sixty-third session of the NC State Faculty Senate to order at 3:03 p.m.

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

Chair Moore asked guests to introduce themselves.

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

Chair Moore referred the Senators to the committee activities and announcements on page two of the meeting agenda.

Chair Moore announced that a nationwide injunction has been issued for the overtime law (FLSA) that we heard about during the 11/15/16 Faculty Senate meeting. Dr. Duane Larick will speak further to this topic later in the meeting.

Chair Moore spoke to the Faculty Senate about the incident at OSU – reported as an active shooter situation, actually a vehicle and knife. She reminded the Senators that any department can schedule to have campus police come in and provide active shooter training that is very good. She stated that this would really help faculty understand what to do if this situation were to occur.

Chair Moore also announced that she is trying to line up someone to come to the next meeting and talk about the electronic research administration system (ERA) and that there are currently focus group sessions that are available to all faculty. She stated that they Senators should have received this information through their department or college and they are encouraged to attend if available.

4. Approval of the Minutes, Regular Meeting No.4 of the 63rd Session, November 15, 2016
Jeannette Moore, Chair of the Faculty

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

5. Provost's Remarks and Q/A – Dr. Duane Larick, Senior Vice Provost for Academic

Dr. Larick brought greetings from the Provost, who is engaged in the 5-year leadership review for Dean Lund and the College of Veterinary Medicine at this hour.

Dr. Larick reminded the Senate that commencement is December 16th and the commencement speaker is President Margaret Spellings. He stated that there is a long history of Presidents of the UNC system doing the first commencement of their tenure at NC State.

Additionally, Dr. Larick spoke about the ongoing question about faculty numbers. He stated that they have been reconciling some of the data. Some of that includes:

- From 2005 – 2016:
There has been an increase in 65 Tenure Track faculty and a decrease of 18 on the administrative side.
- Most recently, from 2010-2016:
There has been an increase in 43 in Tenure Track faculty and 22 administrators

Dr. Larick pointed out that there was a large change between 2012 and 2013 because of change of definition. He stated that the University went from 141 down to 121 or 122. He clarified by saying that the decision was made at that point that if a person's appointment in job classification was as a director that they would not be considered administrators, but faculty.

Regarding the Chancellor's Faculty Excellence program:

- From 2012 through 10/31/16: 51 CFED faculty/four additional in January and two more in August 2017, which will bring the total to 57 – still have 25 to hire.

Questions/Comments:

Senator Huffman: In reclassification – what is the scale of that number?

Dr. Larick responded that out of 1340 Tenure Track Faculty, 141 of which were administrators and then we went to 122.

Senator Berry-James: What does racial ethnic profile/gender profile look like for those faculty?

Margery Overton responded that some of these data can be found online. Go to strategic planning website at <https://strategicplan.ncsu.edu/>.

Additionally, College annual review data are also available and these are reported there as well. She added that a paper copy is also available if needed.

Dr. Overton and Dr. Larick provided the following numbers:

2016: Total of 1500 tenure track faculty roughly, and 116 of which are administrators. Breakdown is:

Female: 2010-11 to 2015-16; from 379 to 435

Hispanic: 45 to 55

Asian: 126 to 153

African American: 57 to 65

It was pointed out that a few Faculty identify as two or more went from 6 to 15 and the unknown classification went from 45 to 55. They further stated that this is self-reported so we don't know why we see a change in unknown numbers from 10-55; it may be that they don't want to report or one who considers their ethnicity to be two or more. That number has gone up significantly.

Marcia Gumpertz added that there have also been changes in the way the reporting is done and in the people are hired; the onboarding process is trying to make it more obvious when hired that this section is there and should be completed.

Dr. Larick pointed out the big change in the numbers for International faculty and asserted that the reason is the change in how the University handles resident aliens; they were once classified one way but now that classification is different. He also pointed out that if we look generally at the raw numbers, we have had an impact with female faculty and under-represented faculty but we are not making the progress that we would like to be making with African American faculty.

Dr. Larick continued that with the Chancellor's Excellence in Faculty program, the University was very intentional in training and working with committees to insure a diverse candidate pool. He stated that the University will keep working in that direction going forward.

Senator Berry-James: Do you have some diversity numbers, in reference to race and gender, in the Chancellor's Faculty Excellence program?

Dr. Larick responded by saying that when we finished phase I, we were able to say that compared to the University population, we were more successful in enhancing diversity. He added that they have hired 13 people in phase II. Dr. Overton added that 20-25 additional hires are yet to be made.

Senator Pearce: Do you know what the changes are by college in tenure track faculty?

Dr. Larick responded that he did not bring those numbers but can confirm that there was a big change in two years, from 1361 to 1394, in tenure track faculty.

Senator Pearce: Are these numbers on the web now?

Margery Overton responded that the total numbers for 2016 are not up yet but the numbers have been used in presentations., etc. She stated that the data is still being vetted but that in last year's cycle we hired a lot of tenure track faculty – 30 more than previous years; about 90 tenure track faculty this past year. She stated that she does not currently have this breakdown by College.

Dr. Larick continued by saying that in this year alone there has been an increase, with 94 hires and 56 separations. He asked the Senators to keep in mind that we have an aging faculty and so we are having a challenge to keep up with the process in order to get this net increase of 38.

Senator Argyropoulos: Would you have access the number of staff surrounding administrators, seeing that there are large numbers of support staff on the administrative level. How do they fare from year to year?

Margery Overton responded that this data is also online in the personnel data that is broken out by numbers.

Senator Perretti: Do we have a way of knowing how are we perceived?

Dr. Larick responded that we don't have any way in a university database to determine if we were able to attract a first, second, or third candidate choices, but Marcia Gumpertz responded that the data may be possible to retrieve.

Senator Fath: What is the increase and decrease in non-tenure track faculty?

Dr. Larick provided the following information:

2010-2016

722 non-tenure track to 780 (increase of about 58)

Senator Berry-James: Some progress made with re: to the faculty excellence program with females and Hispanics with the effort on campus to increase minorities. What are the breakthrough practices that really get us the type of faculty that can make NC State better?

Dr. Larick responded by pointing out the intentionality of the efforts. He stated that his office worked with Human Resources in regard to advertisements, saying how can we improve the diversity pools and where else can we advertise? He added that at each step they were implementing best practices and now it's just a matter of continuing to push.

Senator Berry-James: Do you have some breakthrough ideas?

Margery Overton responded that the training of search committee members was key – training from HR and OIED, which focus and discussions of unconscious bias. She added that the search committees all had diversity training and discussion about unconscious bias and that they kept in contact with the search committees throughout the entire process to talk about diversity. This was a priority. Additionally, we also worked very closely with the department heads to determine if there were dual career couples and if so, we encouraged them to help facilitate that process of identifying opportunities for them.

Marcia Gumpertz pointed out that program called recruiting diverse faculty has been developed, and that program is modeled on the process that was started with the Chancellor's Faculty Excellence program. She stated that this program is optional for departments, but anyone can contact her and they will meet and do the training on any level as well as tracking.

Dr. Larick pointed out that Dean Solomon was and Dean Braden is very involved in the training. They have made faculty realize the importance of such a program by making it a priority.

Dr. Larick then spoke about the FLSA and recent changes. He reported that on 11/22/16, a Federal District Judge in Texas issued a temporary injunction on the changes that were supposed to take place on 12/21/16. Consequently, he stated, this is now all on hold.

He stated, "We have been directed to pause all actions related to the FLSA for EHRA employees But we have been told that those institutions that were planning to make changes as related to post-docs could proceed." He continued by saying, "We had a list of 139 people who are EHRA employees who were scheduled to receive a pay increase on 12/1/16 and they were in one level or another of getting that increase. In fact, some of them have received raises even before 12/1/16 and now what? Some were received 10/1/16. Some people received letters that said from an equity and competitiveness standpoint it justifies raising your salary – without mention of FLSA. So the question is could we continue with that?"

Senator Argyropoulos: Does the injunction apply to postdocs?

Dr. Larick responded by saying that the University has been committed to increasing the minimum salary for post-docs regardless of the FLSA, so it is his understanding that we will go forward with the minimum salary increase. He continued by saying, “We know how many postdocs we have and how many are in the system. We have a lot of post docs on our campus who are being paid over that and many are in the system to be raised. We have 75 out of 480 that their salary was not going to be increased so they were going to be classified as non-exempt, which would mean timesheets, overtime, etc.”

Senator Argyropoulos: I agree that the University needs to increase. Will they do that immediately? Will they receive comp time or and increase? Will we implement that all PIs are given comp time instead if they don't have the money?

Dr. Larick responded that accommodations have been made for all but 75 post-docs so in the system they have been given raises as of 12/1/16. He stated that since this is now being implemented as an NC State action, will there be a time where all postdocs will be brought to the minimum salary requirement? That would cost \$672k across the board, and so far, those additional funds have not been found. He continued, “The University is moving forward regardless of injunction, but this plan has not been signed off on. This is the latest information available to us, and an official memo will be out to the campus by Friday.

Senator Perretti: If we found the money, why are we not implementing this unilaterally? The message we are sending is if we're not forced to pay you more, we won't. (EHRA)

Dr. Larick responded by saying that with EHRA, even though we have a mandate from GA, is this the right thing to do? He stated that the conversation has been when you have a memo from President Spellings and the Chief Legal Counsel at GA that says pause, how far can we push that? He said that we have a few that we're already paying so we're going to keep doing it, but what about those who have been promised a raise because of the FLSA?

6. Old and New Business

Governance and Personnel Policy Committee Report Beth Fath – Committee Co-Chair

Co-Chair Fath stated that this committee has had two issues of concern this semester.

a. Faculty duties that support personnel once did

The committee put a survey together to get data around the increased work burden that faculty now have to do. She encouraged the Senators to please take the survey and encourage their colleagues as well. Ms. Fath reported that to date, 453 surveys have been completed with 80

surveys still in progress. A reminder email will go out today or tomorrow

b. Social Media incident

The committee met with Paul Cousins in the office of student conduct, and with Lisa Zapata to see what changes are being made and what's already happening. The committee learned that overall, there are very limited protections because of free speech and there are very few incidences that are going to rise to the level of "actionable". Mr. Cousins told the committee that his office has been working with students on a behavioral basis to help them understand why what they did was not the best thing. They have had some good success over the years but they cannot promote this or advertise it.

The committee also spoke with Linda McCabe Smith, Vice Provost for OIED, regarding the difference in free speech and creating a hostile environment. She spoke with them about the BIRT team (Bias Incident Response Team) and how they will work with offender to help them understand their behavior was offensive and why.

Questions

Senator Young: In a classroom environment, if the agenda for the class is diversity in the office place, and if one student argues in favor and one student argues out of their own volition that diversity is a crock and a viewpoint that this faculty member deems has the appearance of being racist, at what point am I chilling the conversation in the room? How do I make that judgment call that between guiding the classroom to the best standards of diversity and civil rights versus chilling the free speech and discourse in the classroom? What are best standards?

Marcia Gumpertz responded that perhaps a professor might want to develop ground rules at the beginning for the entire class. She also stated that there is a workshop on this topic related to a common reading that might spark these conversations; three faculty members from NC State talk about this issue, how to manage the classroom with these difficult conversations. She pointed out that this workshop was recorded and is online through the Faculty Diversity website. She stated that she will forward the information to Chair Moore.

Senator Berry-James: Is there a faculty code of conduct?

Committee Co-Chair Fath responded that there is already a code of conduct for faculty and that there is no movement as far as adding on to that at this time.

Senator Berry-James: Where is the faculty code of conduct found?

Dr. Katherine Stewart responded that there is not one of which she is aware. She stated that we have rules that apply to all. She continued, "What we don't have is one overarching "code of conduct" for faculty." She stated that the handbook has since been replaced by PRRs.

Resources and Environment

Co-Chair Kimberly Ange van-Heugten

Co-Chair Kimberly Ange van-Heugten presented three issues from the committee.

a. Login ID issue

Some personnel requested to have their Unity ID changed. This issues have now been resolved with the help of Marc Hoit. (Detailed in committee minutes from 9/27/2016.)

b. Transportation

The committee met with Kathy Reeve regarding various issues surrounding parking and transportation. This also became the topic for the Fall General Faculty meeting. Kathy Reeve was very responsive and addressed the issues brought from the committee.

c. Centennial Campus Information

This committee felt they were being excluded from important conversations regarding events and changes made on Centennial Campus. They met Kevin McNaughton (since replaced by Doug Morton), Jeff Bandini and Scott Douglass to relay their concerns. The meeting was very productive and it was made clear that this group is very eager for the committee to be involved and has already reached out to see if they can speak to the Faculty Senate to get ideas surrounding communication and involvement. The committee was very satisfied with the positive response they received.

Academic Policy

Co-Chair Alton Banks

Co-Chair Banks stated that there was not much new information to bring from the committee since Co-Chair Ash reported on their activities as the previous Faculty Senate Meeting.

a. Graduate School Application Fee

He discussed briefly the Graduate School application fee concern, which might be seen as a barrier to students applying. Dr. Banks stated that Peter Harries addressed the committee on 11/8/16 and gave us information about what the graduate school does for students, which is extensive. He continued by saying that some of the activities they are engaged in include managing the application system, addressing issues with international students, answering emails, hand-holding and trying to make sure that all the software talks to all pieces. He reported that there is a 3:1 ratio of international to domestic graduate students, which is more labor and time-intensive. Dr. Banks told the Senate that, according to Dr. Harries, the Graduate School application and NC State is commensurate with 15-20 other peer institutions.

Questions

Co-Chair Ash added a point that with the graduate school application, research has actually shown that if you lower the cost you appear to be less desirable.

7. Issues of concern

None reported

Faculty Issues of Concern can be submitted at any time to a senator or to 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.

8. Adjourn

The 6th meeting of the 63rd session of the NC State University Faculty Senate was adjourned at 4:15 pm

.