

NORTH CAROLINA STATE UNIVERSITY
Minutes of the Faculty Senate
Executive Summary

March 24, 2015

1. Call to Order

Chair Zonderman called the eleventh meeting of the sixty-first session of the NC State Faculty Senate to order at 3 p.m.

2. Remarks and Announcements

Chair Zonderman welcomed Senators and guests.

The next Faculty Senate meeting will be on Centennial Campus in the Monteith Research Center, Room 246.

3. Approval of the Minutes, Meeting No 10, February 10, 2015

A motion passed to approve the minutes.

4. Presentations

Disability Service Office

Mark Newmiller, Director of the Disability Services Office, discussed the impact of an increase in the number of students registering with the DSO and what they have done to respond.

DSO has responded with the following changes.

- Clockwork Database
- More than doubled the daily testing spaces available from 12 to 27
- Work with campus partners to secure additional space during final exams
- Request Departments and Colleges to check for available space before utilizing DSO
- Provide proctors to departments and colleges that have the space to provide testing accommodations for multiple students

Faculty Athletics Representative

Dr. Roby Sawyers, Faculty Athletics Representative, provided an annual report to the Faculty Senate on the academic performance of student athletes, equity issues surrounding Title IX along with various NCAA and ACC issues.

The report is available online at

http://www.ncsu.edu/faculty_senate/documents/FARAnnualReporttoFacultySenateMarch2015.pdf

5. Old/New Business

Election of Secretary of the Faculty

Chair Elect Moore reported that two names were submitted to run for Secretary of the Faculty and one person had to withdraw after being elected Editor of a National Journal. The one candidate left was Darby Orcutt, Assistant Head of Collection Management, DH Hill Library.

A motion was made and seconded to accept Senator Orcutt by acclamation. The motion passed without dissent.

Resolution to Recommend a University Standing Committee on Lectures and Speakers

The resolution was presented for a first reading and discussion.

The resolution will be presented for a second reading at the next meeting.

Resolution of Commendation for Dr. Betsy Brown

A motion passed to waive a second reading of the resolution.

The motion passed unanimously to approve the resolution.

Student Senate Resolution #42 – “Indigenous Peoples’ Day

A motion was made and seconded to endorse the resolution.

After much discussion the motion passed to endorse the resolution.

BOG Proposed Policy on Chancellor Searches

Chair Zonderman stated that the Board of Governors proposed some substantive revisions in the way Chancellor searches are conducted at all constituency campuses. The BOG wants to rewrite the policy, which will give them more of a day to day role in the Chancellor search process on each campus, whereas the current policy basically says that each campus runs the search and then presents candidates to the President of the System who in turn presents them to the Board of Governors to name a Chancellor.

The senators provided feedback on the issue. The Governance Committee will present a resolution at the next meeting.

6. Adjourn

A motion passed to adjourn the meeting at 4:50 p.m.

NORTH CAROLINA STATE UNIVERSITY
Minutes of the Faculty Senate
March 24, 2015

Regular Meeting No. 11 of the 61stth Session: Faculty Senate Chambers March 24, 2015

Present: Chair Zonderman, Secretary Daley, Chair-Elect Moore; Parliamentarian Fath; Senators Ash, Banks, Baumer, Bernhard, Bird, Borden, Bullock, Byrnes, Cubbage, Davidian, Fleisher, Fuentes, Gunter, Holden, Knopp, Laffitte, Orcutt, Sotillo, Williams

Excused: Provost Arden; Senators: Auerbach, Lunardi, Levy, Smith

Absent: Senators: Allaire, Bartlett, Brady, Devetsikiotis, Edwards, Heitmann, Krause, Moore, Nafh-Abbenyi, Scarce, Spontak, Steer

Guests: P.J. Teal, Chancellor's Office; Eileen Goldgeier, General Counsel; Louis Hunt, EMAS; Deborah Yow, Director of Athletics; Michael Lipitz, Sr. Associate Athletics Director; Diane Moose, Sr. Associate Athletics Director; Duane Larick, Provost Office; Roy Baroff, Faculty Ombuds; Betsy Brown, Provost Office; Josh Teder, Student Senate ProTempore; Jose Picart, Vice Provost; Mark Newmiller, Director, Disability Services

1. Call to Order

Chair Zonderman called the eleventh meeting of the sixty-first session of the NC State Faculty Senate to order at 3 p.m.

2. Remarks and Announcements

Chair Zonderman announced that the April 7th meeting will be held on Centennial Campus at the Monteith Research Center, Room 246.

3. Approval of the Minutes, Meeting No. 10, February 10, 2015

Minutes of the February 10th meeting were approved as submitted.

4. Presentations

Disability Service Office

Mark Newmiller, Director of the Disability Services Office, discussed the impact of increase in the number of students registering with the office and what they have done to respond.

Newmiller reported that as of 12/18/14 about 3% of NC State students are using accommodations, and 11% of undergraduates reported having a disability in 2003-04 and 2007-08, but not all of those students registered with the disability services office. That means there are more than 3,000 students who are on campus that may request accommodations at any time or register with the Disability Service office.

Newmiller stated that the demographics break down the disability categories by numbers and it also breaks down the numbers in each college. DSO data from previous years is also available on the Disability Services homepage.

Testing Statistics

2013-2014 academic year

- Provided testing accommodations for 953 students on behalf of 868 faculty members. Those numbers are for Summer I, II, spring and fall and there may be some repeats.

- Printed, administered, scanned and returned 3845 tests/quizzes and 1381 final exams students on behalf of faculty
- Provided AT and/or alternate format for over 93 exams

ADA Amendments Act of 2008

Newmiller, asked, “Why are so many students registering for DSO and utilizing accommodations?” The biggest one was significant changes to the ADA’s definition of “disability.” It removed the burden that was placed on people who have disabilities to prove that they have a disability. He said if a student has a disability the DSO is not going to argue the point, but instead they are going to assume that students have a disability if they have the documentation.

Awareness

The availability of accommodations in high schools—Newmiller stated that they are more present on campuses across the country. There is a lot more awareness.

Newmiller stated that with the ADA Amendments Act, the law changed, but we still require documentation to register with the office. All it means is that someone who has anxiety may not have necessarily met our definition of a personal disorder, but now anxiety is included in that definition.

Newmiller stated that DSO has responded with the following changes.

- Clockwork Database
- More than doubled the daily testing spaces available from 12 to 27
- Work with campus partners to secure additional space during final exams
- Request Departments and Colleges to check for available space before utilizing DSO
- Provide proctors to departments and colleges that have the space to provide testing accommodations for multiple students

Questions and Comments

Secretary Daley commented that he is more concerned about the availability of accommodations that the faculty can use to help the students. He has a blind student this semester and would like more information on a program called TOAST.

Newmiller explained the program as being a device where someone can hand draw bar graphs that are sent through a special “toaster” that prints software, which uses special ink to raise it up to help a student with low vision. The service is done through the Disability Services office. The document can be created in word so that a student with low vision or blindness can use a screen reader that will actually read the information.

Senator Knopp stated that about 3% of his class uses the Disability Office. He is concerned with the space that is being provided. He wants to know if there are any plans for expansion.

Newmiller stated that space is the highest commodity and there just isn't any space. He suggested that faculty check with their departments/colleges to see if there is space available, because sometimes there will not be enough room for everyone and in those instances, there will be that two times test. He said one solution is to create two tests, but what happens when you create two tests is now you are running into the liability of a student claiming that one test is harder than the other. Short term he doesn't know what the solution is.

Senator Borden stated that if you think about some of these larger classes, the issue is not even a second test because if you were going to have a second test then you have to collect the eight or nine people and get them to guarantee that they can all take it at the same time. Nobody is suggesting that we are going to make an individual test for each student. Therefore we need to forcefully say if we are mandated legally to provide this service then the university has the responsibility to develop the service. Chapel Hill has a building for testing. We need a building for testing. If the numbers are going to grow we need a facility that provides the ability for it to happen in a reasonable way.

Senator Williams stated that he usually has one or two students at the most. In the past, typically the student wouldn't specify taking it at the testing facility, instead they would work it out where he could accommodate that student. That seems to have stopped. Students now almost invariably will sign up for that space and he wonders if there has been some change in procedure or advice that he can no longer provide the space

Newmiller stated that they prefer that it be handled in house and the students also prefer it that way.

Chair Elect Moore stated that she is curious if the amount of time a student is given is something that is written into law, because when they take the exam at DSO the start and end time is recorded. She noted that her students almost always would have had plenty of time to take it in class, so is double time a requirement?

Newmiller stated that the time is based on documentation and the student's report. When a student request more time, we have to contact their doctor and talk with them. There are a lot of students who request double time or time and a half who probably if they were in the class would be the first person to finish. However, if they don't have the extra time, the anxiety over their disability doesn't allow them to take the test.

Faculty Athletics Representative

Roby Sawyers, FAR, introduced members of the Athletic Department.

Dr. Sawyers stated that part of the Athletics Council's charge is to provide an annual report to the Faculty Senate related to the academic performance of student athletes, equity issues surrounding Title IX along with various NCAA and ACC issues.

Sawyers stated that it is a requirement for NCAA institutions to have a Faculty Athletic Representative. That person is appointed by the Chancellor for a six to eight year term and then can be renewed. The reason for this long term is to learn about the NCAA rules.

Sawyers explained that the FAR's charge is liaison between the faculty and athletics. Part of the charge is to also help the Chancellor and Athletics Director to ensure institutional control of athletics and academic integrity of our programs. In that regard the Faculty Athletic Representative is the certifying officer for the university. He certifies initial and continuing eligibility of all the student athletes. He also serves as the person outside athletics who will approve various waivers to the NCAA for all kinds of issues that may come up with student athletes in which we request a waiver of a normal NCAA rule.

The FAR serves on search committees for coaches and as well as serves as the Chair of the Council on Athletics. The Council includes thirteen faculty members of the nineteen total members. It also includes a couple of student athletes, a coach, a couple Wolf Pack Club members, but the majority of the Council members are faculty. Of that thirteen, seven faculty members are appointed by the Faculty Senate and the other six are appointed by the Chancellor, which includes the Faculty Athletics Rep. and the Chair of the Faculty Academic Committee. That group of faculty determines the academic eligibility and continuing academic eligibility of the student athletes and that has been an important role that NC State has done differently than a lot of institutions for a lot of years.

The Faculty Academic Committee and Council review whatever issues they choose to in regards to academics and student athletes. They can report to the Chancellor independently of the FAR.

Dr. Sawyers stated that he meets with his counterpart several times a year to deliberate various conference rules and regulations. For example, issues concerning intra conference transfers from one ACC school to another are limited in certain aspects and the FAR will agree or not agree to waivers that student athletes may face when they try to transfer from one ACC institution to another.

Student Athlete Population

Dr. Sawyers stated that there are student athletes in all majors across campus. He reported that the top 5 majors of student athletes are Parks, Recreation, and Tourism (25%); Business (12%), Engineering (10%) Biological Sciences (9%), and Communication (7%).

Dr. Sawyers reported on the academic performance of the student athletes over the last two semesters. He stated that the overall GPA's are pretty impressive. There are 13 teams out of 21 with a cumulative GPA of more than 3.0 and if you look at individual teams the GPA's tend to range between 2.5 and 3.5.

Senator Knopp asked, how does that compare with the general population?

Sawyers said he doesn't know, that is something he is going to have to look at.

Senator Fleisher commented that the GPA's seem to be trending down, is that correct?

Sawyers stated that the fall 2014 GPA was a little lower than we have had in the past. If you look back at spring the average GPA was a 3.04, one of the highest that we have had. Generally you will see a lower GPA in the fall than in the spring because you have a lot of kids that are playing football.

What is the difference between fall 2010 with fourteen teams and fall 2014 with nine teams with the greater than 3.0 GPA?

Sawyers responded that he doesn't know specifically what that fall off was.

Senator Fleisher commented that in watching all the basketball games and during the last two weeks assuming you start with the ACC tournament and make it to the NC AA tournament, how do the athletes make up all of those missed classes.

Sawyers stated that they try to minimize their missed class time as much as possible. They are on a lot of charter flights when they go out of town. He said they come back and forth in between times.

Debbie Yow, Athletics Director, stated that the basketball team has been in class Monday, Tuesday, and will be in class all day tomorrow. They chose not to leave until 5 p.m. to make sure they finish their classes. They have Thursday and Friday and they will come home on the charter Sunday night as long as the NCAA provides it. Last week was problematic because they played on Thursday and departed on Tuesday afternoon. They missed all of Wednesday, Thursday, and Friday.

Yow stated that they travel with an academic support individual who is assigned to men's basketball. The team is doing study tables and assignments on the road. She said it is not the same thing and we are as concerned about it as anyone. It is an issue that we have to watch.

Sawyers stated that during the regular season absences from class is something that is monitored closely.

Senator Bullock added that it impacts women's basketball as well. They got back at 2 a.m. and still have to be in class at 8 a.m. They might come in tired and exhausted, but they still have to get to class. It does impact women equally to men.

Sawyers reported that the graduation rate for our overall student body isn't great, they are not nearly as high as some of the other institutions in the ACC, but our student athletes graduate pretty close to the same rate as our student body as a whole. He provided dates for the six year graduation rate for 2003-2007 and noted that he doesn't have the data for 2008 yet.

Sawyers stated that the GSR (Graduation Success Rate) holds colleges accountable for student athletes that transfer into your school, but doesn't penalize you for student athletes that transfer out like the federal rate does.

Chair-Elect Moore: What is the difference between the GSR and the federal graduation rate?

Sawyers responded that it is just a matter of how it's measured for the most part. The federal rate penalizes you for students that transfer out of the program that may graduate elsewhere, but you are penalized because they didn't graduate from your institution. At the same time you have a student coming in you are not responsible for them under the federal graduation rate because the federal graduation rate just looks at students that start and finish at NC State.

Does the NCAA also include students who leave to play professional sports?

Sawyers responded that he doesn't think the GSR does.

Monitoring Student Athletes

Dr. Sawyers stated that for many years they have had a robust process for looking at courses that the athletes take and monitoring the grades that are earned. Once a year they look at the number and percent of student athletes and non-student athletes, not just in a class but in each section of a class and they limit the athlete student population to no more than 25% of the total students enrolled in the section of a class. They look at GPA's for non-student athletes and student athletes in each section. He noted that he receives a daily report of grade changes for student athletes.

What percent of the student body are student athletes?

Sawyers responded that approximately 2% of the student body are student athletes. He stated that every semester, members of the faculty academic committee review student athletes' transcripts and degree audits as part of determining whether they are academically eligible to compete both post season play and the next semester.

Title IX Participation Ratio Variances

Dr. Sawyers stated that Title IX looks at a couple of different measures, for example, participation ratio variances. For 2013-14 there is about a 3% variance, which means if you look at the overall undergraduate enrollment about 44% were women and if you look at student athletes about 41% were women. They also look at scholarships to see if scholarships are allocated according to the percent of men and women participating as well. In that scenario about 42% of scholarships are given to women student athletes.

NCAA Duties

Dr. Sawyers reported that the FAR participates with the Chancellor in proposing and setting NCAA rules and policy. In addition to the institution that has one vote per institution out of the 65, we also have 15 student athletes, 3 from every conference that now vote for or against these proposals that are brought by the "power five" conferences.

The O'Bannon Decision

Dr. Sawyers stated that the O'Bannon Decision is where the basketball player at UCLA brought a suit against the NCAA and it is currently being appealed. As it stands before appeal, it allows schools to pay the full cost of attendance as part of their grant and aid, which is different from what we have done in the past and for NC State that would require us to pay to be competitive about \$2600 per year to every student athlete on top of the normal financial aid they receive for tuition and fees. This is an institution by institution number and it is intended to account for personal expenses of students to go back home and that sort of thing. The problem is that these numbers vary a lot across the country and across the ACC, from \$2000 to \$6000, which introduces sort of a disparity.

O'Bannon also provides student athletes a trust fund of \$5,000 per year that they compete. It would be paid to the student athletes either when they graduate or exhaust their eligibility. These are all new things that athletics have to deal with. It is important to remember that the Department of Athletics is not state funded, it does use student fees (approximately 8%), but it is an issue for the athletic department.

5. Old/New Business

Election of Secretary of the Faculty

Chair Elect Moore reported that two names were submitted to run for Secretary of the Faculty and one person had to withdraw after being elected Editor of a national major journal. The candidate left was Darby Orcutt, Assistant Head of Collection Management, and DH Hill Library.

Darby Orcutt gave brief remarks on why he would like to serve as Secretary.

A motion was made and seconded to accept Senator Orcutt by acclamation. The motion passed to accept Senator Orcutt as Secretary of the Faculty.

Resolution to Recommend a University Standing Committee on Lectures and Speakers

Chair Zonderman stated that one of his personal goals has been to encourage the administration to eliminate committees that are not necessary and it has also been his idea that where a committee is needed you shouldn't be afraid to make a recommendation. It has occurred to several faculty that the university struggles with two things when it comes to lectures and speakers and one is that we have an incredible shortage of lectures and speakers for a university of our size and statue. The other is we do a bad job as a campus of letting folks know about speakers on campus. His hope is that the Senate will pass the resolution, which will then encourage the creation of a committee which will do both of those functions.

Senator Fleisher stated that the implications are also that there will probably be a representative from each college on the committee. This would be a focusing mechanism and an expansion mechanism and hopefully do something that we agree needs to be done.

The resolution will be presented for a second reading at the next meeting.

Resolution of Commendation for Dr. Betsy Brown

Dr. Brown will be retiring from her position as Vice Provost for Academic Affairs at the end of this academic year.

A motion passed to waive a second reading of the resolution.

The motion passed unanimously to approve the resolution.

Student Senate Resolution #42 – "Indigenous Peoples' Day"

A motion was made and seconded to endorse the resolution.

After much discussion a motion passed to endorse the resolution. The vote count was 9 yes, 8 no, and 1 abstention.

BOG Proposed Policy on Chancellor Searches

Chair Zonderman stated that the Board of Governors has proposed some substantive revisions in the way Chancellor searches are conducted at all constituency campuses. The BOG wants to rewrite the policy, which will give them more of a day to day role in the Chancellor search process on each campus, whereas the current policy basically says that each campus runs the search and then presents candidates to the President of the System who in turn presents them to the Board of Governors to name a Chancellor.

The Governance Committee is going to work on a resolution before the next meeting. Senator Fleisher is co-chair of the committee and would like faculty to send him feedback.

Feedback

Secretary Daley stated that having served on a Chancellor Search Committee, all of the committee members really did know this institution. If you have some nominees from the Board of Governors, you are not going to be assured that they have an understanding of whichever university they are doing this search for. Plus what is the role of the Board of Trustees now? Since you are going to have the Board of Governors' people sitting on that committee, are we going to have the trustees kind of being shown the door in reality? With this proposed process you are going to have three unranked nominees go to the President, but instead of the President sending one candidate forward he will be required to send three. The BOG will be choosing who they want and that name may not be the person that the President thinks is best for the system or the Trustees from that particular university, but that is the one they will select.

P J Teal said she knows that they asked the Board of Trustees for comment as well and the three biggest changes is the Board of Governors member on the committee, which some trustees saw as a positive because that person can also serve as an advocate. They felt the three unranked, sometimes the third candidate is a distant third so by sending three unranked candidates you put your institution in jeopardy. The trustees felt that if you are going to say three unranked candidates that you ought to let the Board of Trustees chair who has set through all the discussions as well sit alongside the Board of Governors when they are discussing the three unranked candidates, but there was also some trustees who felt that these people have been through a very deliberative process and why discredit that process by not taking their word for the ranking of the candidates.

The third big change is that it used to be that you brought in the person and the next day it was announced and now they want this period of time between bringing in the person and announcing it and when you do that it introduces the issue of someone who wants their name to be held in confidence, which there is no way, you barely can keep it in confidence overnight, so to keep it in confidence for a month is impossible. You will lose candidates who are at an institution that can't afford to have their names dangling out there.

Senator Orcutt stated that if the campus is putting forward three names, they want to make sure that they like all three of those names, so it is probably going to mean bringing more people to campus.

Senator Williams stated that this is a mole to be put into the process to influence it in ways that he doesn't think the Board of Governors should allow themselves to influence the process. This is a process that belongs on the campuses because each campus is a different animal. He is not sure that the Board has enough understanding of each campus to even select the appropriate board member to participate in this Chancellor search.

Senator Williams stated that local knowledge is very important. This doesn't improve the process, and has only in my view to damage the process.

Chair Elect Moore stated that one thing significant is that they are not only recommending the non-voting person but they are also recommending two members of the committee.

Senator Knopp stated that one of the roles of the Chancellor is to be our fund raiser, then it is really important that the person is able to represent us and who best determines that. We could make an argument about financial burden, that if we don't get someone who really is consistent with NC State that person is not going to be efficient at raising money for NC State and then we are hurt financially.

Secretary Daley stated that one of the advantages of our trustees is that they have the ability to understand that financial aspect in depth. When they are looking at the Chancellor candidates they are sizing up that person in terms of whether that person will be able to fit in to the institution in question and handle that financial burden. This process is not like a dean search where 3 finalists are presented and we all get to see and hear from them. We find out who the Chancellor is on the morning news.

Chair Zonderman suggested that the Governance Committee work on a resolution for the next meeting and the Senate can decide what happens at that point.

Senator Baumer recommended that the faculty find ways to get along with the Board of Governors.

Senator Borden stated that a way to get along might be to say that we disagree with the notion that there should be mandatorily 3 unranked candidates. We would like to see the committee have the liberty of forwarding the number of excellent candidates that they think are appropriate.

Chair Zonderman agreed that the tone should be as constructive as possible.

Senator Williams stated that in terms of confrontation, we didn't start the confrontation. This is a confrontational proposal, basically saying, "We don't trust you anymore. You have done this for "X" number of years and we haven't, but now we are going to tell you that this is the way you ought to do it." Now at least if they want to be supportive they need to listen to what we have to say and then we can watch what they do. "If they basically say, thanks but no thanks, then I think we should be confrontational."

7. Adjourn

A motion passed to adjourn the meeting at 4:50 p.m.