FACULTY SENATE
MARCH 7, 2012
LEON JOHNSON 346
4:10 PM – 5:00 PM
MONTANA STATE UNIVERSITY-BOZEMAN, MONTANA
Minutes

Members Present: Bolte (Music), Caton (Business), Chen (Res. Cntrs), Eitle (Soc/Anthro), Gerlach (ChBE), Greenwood (Math), Herbeck (Ed), Hostetler (GCP), Lansverk (Eng), Letiecq (HHD), Lynch (Psych), Martin (Mod. Lang), Mokwa (Civ Eng), Moreaux (A&RS), Neumeier (Physics), Hatch for Newhouse (Art), Ricciardelli (Film & Photography), Rossmann (Library), Schachman (Nursing), Varricchio (Earth Sciences), Zhu (CS)

Others Present: Ron Larsen, Martha Potvin, Larry Carucci, Dave Singel, Becky Mahurin, Pam Merrill, Diane Donnelly

Chair Lansverk called the meeting to order at 4:10 PM. A quorum was present.

Chair's Report:

MUSFAR met with faculty reps, CUF, regents, presidents during a breakfast at the BOR in Dillon. Two new regents, Mayor Krauss (slated to visit FS) and Congressman Williams, were introduced. The regents read the AAUP article Lansverk present (about the role of faculty at four-year institutions) and discussed its contents. They also discussed the Compensation Focus Group and the difficulties faculty face, hiring, types of institutions, different types of faculty. Regent Robinson was engaged in increasing interaction with faculty and OCHE and BOR and invited faculty to come with specific priorities, issues to be discussed in the future. Feedback from variety of places indicated that the meeting was well received, including working together with AFMSU.

Among the legislative priorities, compensation is one (1) among seven (7). ASMSU and MAAS have ranked their three (3) top priorities; faculty compensation is one of the top priorities. MUSFAR still needs to run its own prioritization process, however. Lansverk stated that he spoke on FS's behalf a number of times.

Both Commissioners Stearns and Christian were present. Stearns' retirement celebration dinner was festive and she will be retained, on salary, until the end of the year. Academic bodies need to be more organized than ever and available to work with OCHE. Lansverk invited Commissioner Christian to come, trying to schedule that.

Intellectual Property (IP) Policy Update – Rebecca Mahurin

Currently MSU employees, at time of employment, by signing their letters of hire, agree to abide by MUS BOR policies. The letters of hire state that "…you hereby agree to abide by . . ." The BOR policy on IP requires that you assign your IP (when appropriate – significant use of facilities/equipment, if sponsored research agreement so states, if related to your work assignment) to MSU. Then we provide you with a specific technology assignment at time of invention disclosure (after invention is conceived). The Supreme Court has ruled that this leaves an opportunity for an intervening party to take assignment to IP, as with Stanford v. Roche. If that happens, both the university and the inventor forego any monetary compensation for their IP. In order to protect both the University and the inventor, universities across the nation, including MSU, are requiring inventors to "hereby" assign future IP that already falls under policies. There is no change in what is assigned to the university, only when. If the inventor leaves MSU's employment, this no longer is in effect. (Again, there is no change to BOR policy as to what is assigned – only timing of that assignment.) Again, what faculty have previously signed binding you is your employment agreement. Almost all universities had similar procedures and are now closing the loop in order that the university and the faculty member are protected.

Make-up Policy for Students Missing Class on Behalf of MSU:

The FS discussion at the March 4, 2012 meeting was whether the policy gave too much power to the student to require an accommodation. From that point and while viewing the policy in PPT, discussions ensued:

- FS member: "If the student is in good standing:" This language has been softened and offers guidance and preserves faculty's rights to say "no" to any special accommodation. It also makes it clear that the student *may* request an accommodation and is not "entitled."
- FS member: Most faculty make accommodations any way.
- FS member: Some, however, as a blanket policy, do not.
- Admin: Fix contradiction (310.00) that a student must take an exam when scheduled, yet they must ask for an accommodation (310.01). It is paradoxical.
- Admin: For the student who is representing the university, the language should not state "strongly encourage"; it should state "be required."
- FS member: Have the students do their part to set up plan so the professor can set up an accommodation.
- FS member: In some cases, students do not know, 10 days in advance, if they are to participate in an event, but wording could finesse that situation.
- FS moved that the policy be moved forward as written, but subject to amendment→seconded.
- FS member: "Students shall provide notification as soon as possible"….should be changed to "before the event, preferably 10 days in advance."
- FS member: Language change "may request" to "may expect" in the sentence "Students representing MSU…."
- FS member: If the student makes a request and the request is denied, what do you expect the student to do? In this soft version (which telegraphs a cultural leaning), there is nothing the student can do. If FS make it stronger, then thehave recourse.
- Potvin: Instead of putting the burden on the student, perhaps the wording should indicate that the burden be placed on the instructor "instructors should make accommodation…."
- Larsen: In the last sentence of the 310.01 paragraph, it should read: "Instructors are expected to accommodate such students' request when students have provided official notification of scheduled activity (ies) at least 10 days in advance of any specific event and if the student is in good standing."

Lansverk made the executive decision to hold the policy for next week, send out new language as discussed to FS members, and vote on it at the March 21, 2012 FS meeting.

Adjunct Representation on Faculty Senate:

After the first discussion of this policy last October/November and FS members queried whether ASMFU had been consulted, Faculty Affairs, after extensive research with other universities, explored different methods to have adjuncts represented in FS. This new language was added:

> In addition, colleges with at least five (5) adjunct faculty (.5 FTE and above), including Extension, may select one adjunct faculty representative for each thirty (30) adjunct faculty in their college. Each member is elected for a one (1) year term by his/her constituency, with adjunct faculty voting for representatives separately from tenurable faculty.

Discussions ensued:

- This new policy would bring in 8 new faculty members with adjunct status, if every college took advantage of this and brought in a rep.
- Between 5 and 30 adjuncts, provides eligibility. L&S have 58, so they would be on the verge of 3. However, Ag has 4; Library has 3. If they added a couple, they would be eligible for one adjunct rep.
- The adjunct reps would be to provide an at-large adjunct voice during deliberations that concern them.

- We have an Adjunct Faulty Caucus. However, since adjuncts are not paid to do service, would there be a cohort to serve in these roles?
- University Studies, Big Sky Institute have a lot of adjuncts that teach, but how do they fit into this representation scheme? University Studies is not a department, so how would you accommodate those adjuncts?
- Consider the .5 adjuncts and logistical details, such as adjuncts who are hired annually or semester-by-semester.
- FS would like more info on adjunct breakdown, college representation.
- How would adjunct representation affect the FS's ability to represent a quorum?
- It was suggested that reps might be "adjuncts-at-large." Or, have adjuncts on three-year contracts be the at-large reps on FS.

The Faculty Senate meeting ended at 5:00 pm, as there was no further business.

Signature
Marvin Lansverk, Chair
John Neumeier, Chair-elect

Minutes were transcribed by Gale R. Gough, Administrative Associate, Faculty Senate.