

Special Faculty Senate Meeting

Webex

5/12/2021

9:00am-10:00am

Name	Represents	Attended
Watson, Bradford	Chair-Elect	x
Amende, Kevin	EN/Mechanical & Industrial Engineering	x
Anderson, Ryan	EN/Chemical Engineering	x
Blaker, Amanda	Gallatin College	x
Brookshire, Jack	AG/Land Resources & Environmental Sciences	x
Carson, Robert	EHHD/Education	x
Coffey, Jerome	Emeritus	x
Dale, Catherine	AR/Film & Photography	x
Ellis, Colter	LS/Sociology & Anthropology	x
Gao, Hongwei	EN/Electrical & Computer Engineering	x
Gedeon, Tomas	LS/Mathematics	x
Haggerty, Julia	LS/Earth Sciences	x
Haynes, George	Extension/On Campus	x
Herman, Matthew	LS/Native American Studies	x
Hill, Andrew	AG/AgEcon & Econ	x
Izurieta, Clemente	EN/Computer Science	x
Jeon, Minjee	ART/Art	x
McPhee, Kevin	AG/Plant Sciences & Plant Pathology	x
Miller, Zachariah	AG/Research Centers	x
Schmidt, Ed	AG/Microbiology & Immunology	x
Scott, Brandon	LS/Psychology	x
Thomas, Amy	LS/English	x
Walach, Michael	AG/	
Walter, Mat	Extension/Off campus	x

ALTERNATES	Represents	Attended
------------	------------	----------

Black, Laura	JJCBE	x
Geyer, Lukas	LS/Math Sciences	x
Maher, Rob	EN/Electrical & Computer Engineering	x
McKelvey, Hannah	Library	x
Moyce, Sally	Nursing/On campus	x
Olson, Bret	AG/Animal & Range Sciences	x
Reidy, Michael	LS/History & Philosophy	x
Tillack, Peter	LS/Modern	x

OTHER ATTENDEES	Represents	Attended
Burrows, Mary	Plant Sciences & Plant Pathology	x
Richards, Abigail	Chemical & Biological Engineering	x
Weber, Liz	Chronicle	x

- I. Approval of minutes
 - a. Peter Tillack moves to approve. Clemente Izurieta seconds. None opposed. No abstentions. Approved.
- II. Lawsuit
 - a. Updates
 - i. MUSFAR voted in favor of becoming a plaintiff in the suit.
 - ii. Jim Goetz, local lawyer, will be the legal representation for the suit, representing MUSFAR. If Senate choses to join, he would represent us also.
 - iii. Suit will be filed later this month. No specific date yet.
 1. Opportunity for filing an injunction on those bills that have already been signed into law.
 - b. Addresses three bills
 - c. About the Legislature's overreach of the BOR and their constitutional rights.
 - d. Also will affect future bills that overreach.
 - e. Psychological harm
 - f. Could impact the subject matter taught in the classroom
 - g. Overstep of the legislature directly effects the campuses.
 - i. Faculty are specifically harmed by the presence of firearms
 - h. Discussion
 - i. Ryan Anderson
 1. Jim Goetz explained it very well.
 2. This is our chance to show our faculty voice.
 3. My faculty was strongly in favor of joining the suit.
 4. Fear of the long-term implications of this.

5. Motions for MSU faculty senate to join the suit that . Kevin Amende seconds.

- a. Michael Reidy: Agree with Ryan that it is important. More I talk to faculty the more I understand Jerry's concerns from last week. Administration is staying absolutely nothing. Pushing us out in front of the bus. Problematic that the injured body is the BOR. We don't know what they're doing but we are expecting they will NOT join the suit as a body. The ones with the authority and the ones getting "harmed" are sitting back and letting the faculty take the brunt. Recognize those acting in good faith, the faculty, and those who are not, our administration.
 - i. Could make another motion to demand to know the standing of the BOR and the Administration of the university.
 - ii. Bradford Watson: BOR does not make a decision on policy unless they are in their full meeting (26th, 27th). Jim Goetz did state that once this is filed, if they determine the BOR needs to be involved they would be named a plaintiff/defendant.
 - b. Franke Wilmer: My faculty is in support. I am a plaintiff in the case, separate from the Senate. Like Michael said, I think it should be a separate motion.
 - c. Andrew Hill: My department responded more on the other side of things. Not sure it's the right thing to do to insert ourselves in this.
 - d. Peter Tillack: Faculty were overwhelmingly positive, in favor of the suit.
 - e. Sally Moyce: Overwhelmingly positive response in favor of being part of the suit.
 - f. Amy Thomas: English also supports.
 - g. Clemente Izurieta: Faculty would support moving ahead.
 - h. 20 in favor. 3 opposed. 3 abstentions. Motion passes.**
- ii. Julia Haggerty: Morale is extremely low from feeling neglected. This could be an important resolution. Would like to hear from Steering what they think.
 1. Bradford Watson: President and Provost are in support of the Faculty's fight to protect our rights. There is also a different relationship there that I would have to defer to legal counsel on. Faculty vs Administration and what they are allowed to speak to. BOR cannot make any decision until they are all together, so they will not say anything until then. My understanding is that the first time we hear about this would be when they meet in public on the 26th and 27th.
 2. If we could ask the Administration to step forward in support of our safety on campus, that would be important.

- a. Meeting next week, will be discussing firearms on campus in depth. Will be bringing people in with expertise is the issue.
- iii. Amy Thomas: Assuming that the Administration could be in fear of losing funding, etc. based on their stance. Can Franke Wilmer help us understand this fear?
 - 1. Franke Wilmer: Yes, it is about the retaliation. No one would SAY that, but it wouldn't be good for the Administration. There may be other reasons, but that is likely one of them. Not sure to what extent there is room for descent in those bodies. I think it is a State constitutional violation.
- iv. Clemente Izurieta: Saw the MUS policies that came out regarding how we handle guns on campus. Have they made their decision already, or is this preemptive work?
 - 1. Bradford Watson: Policies on firearms: Draft recommendation for the BOR to consider on the 26th and 27th. They cannot make the decision until they are together. They may elect the recommendation, modify it, etc.
- v. Listening sessions are today at 3pm. You need to preregister. Michael Brody sent around that information last week.
- vi. Do we want to have further discussion with our faculty? We will know more after the meeting today.
 - 1. Michael Reidy: We've gotten an email from the Foundation with a "bribe" of a million dollars, and an email from the President. That's not enough for me. We could make a motion that DEMAND that the BOR and/or the Administration join the suit. Probably not the best route. Some statement about safety on campus being paramount, guns are not part of that. Want them to make some sort of public face, or we move forward without them because we know this isn't right, it's illegal and has huge implications down the road. Support Julia Haggerty's idea.
 - 2. Sally Moyce: Could we invite the President/Provost to the meeting next week to have a conversation about that.
 - a. Bradford Watson: Yes, we are hoping they will join us next week.
 - b. Sally Moyce: This lawsuit is about much more than just the guns on campus. How did they respond to this lawsuit in particular, regarding the constitutionality of this bill?
 - 3. Amy Thomas: The level of fear and silence on campus is high. The way the Administration is bound, goes back to the heart of the BOR failing to control their campuses.
 - a. Franke Wilmer: The safety is the most immediate issue, for our students as well. If the precedent is allowed to stand, who knows what else will happen. They very well could end tenure.
 - 4. Julia Haggerty: We've all been at meetings where the Provost has attended. They have not revealed a whole lot. We could predict what

that will look like. If we have specific issues that need addressed before making this decision, maybe we need to put something in place to record that. We could collect our thoughts and frame some talking points before asking the Provost questions. Anonymity is important for those asking questions.

5. Tomas Gedeon: Guns are one issue. Constitutionality is the other. We should address the constitutionality. Not sure how much it matters that we have the Administration on board. We have most of the faculty in the state of Montana on board. Administration are employees of the BOR. They are afraid of losing their positions. Don't know how much us pushing them will help us.
6. Franke Wilmer: Have we talked about how Faculty Senate is bound by public discussion?
 - a. Bradford: We can go into executive session. Would have to look into the rules around that, but we could entertain it.
 - b. Franke: Concerns about the listserv is that the public meeting law affects the Faculty Senate. We should get clarification before doing that. We do regulate the privileges and responsibilities and that makes us susceptible to the public meeting rules.
 - i. Bradford: No decisions are made that effect our constituents are done outside of a public meeting. I will reach out to Legal Counsel for clarification.
 - c. Andrew Hill: Talk last week about public opinion. Is there a word from the Alumni Foundation, or other groups that are perceived as a NON-faculty group on campus? Someone more persuasive? It's a divisive issue.
 - i. Bradford: There are other plaintiffs, but I am not at liberty to say who they are. ASMSU strongly opposed some of the measures and they did go to Helena.
 - ii. Franke: Students and parents will ask questions about open carry on campus. These folks will not come to campus if we allow it.
 - iii. Kevin McPhee: Have heard from our Dean who hear from campus who would encourage students not to come because we limit their access to guns. There are two sides to this.
 1. Given the draft policy, "mental anguish" of HB 102 going into effect. Would like to know why that would not relieve some of those fears that exist.
 - a. Bradford: May not be a concern of some, but those who I've spoken to are in fear of their ability to have those

crucial conversations around certain subjects

- b. Kevin McPhee: Education. I'm in favor of education of gun carriers. I would like to know what those educational plans are. Important to know what that policy will do before deciding if it will be effective or not.
 - i. Bradford: They have been developing that. We might be able to get an idea of what that might look like.
 - ii. Amanda Blaker: Education is a hunter's safety course that my young son took. It's not about high stress situations, or how to handle a situation with a gun.
 - iii. Amanda Blaker: Oregon does allow open carry on campuses, but Oregon universities have put into place rules that you cannot have guns in their buildings. So, they've gotten around the laws.

vii. Bradford will gather information and make sure we have everyone on board that we need to talk to.

III. Public Comment

- a. Jerry Coffey: Have looked at what has happened in Idaho. The policy about freedom of expression is a vague law, but it looks like faculty member who challenges a student who is talking about things like "flat earth" could be in trouble because of that law. In Idaho, they've already attempted to defund the university because there is a right-wing group that wants to say anyone who teaches "social justice" is out of line. One got in trouble for saying the US is a racist society. Encourage you to look into what is happening in Idaho. It is scary. Freedom of expression is for the students, and faculty can get in trouble for challenging them.

IV. Adjourn

- a. Thank you for your dedicated service to our faculty.
- b. Tomas Geon moves to adjourn. Peter Tillack seconds. Meeting is adjourned at 9:57am.