AGENDA SUMMARY:
(Full Agenda follows on next page)

(3:15 pm)  I.  Announcements  INFORMATION

(3:20 pm)  II.  Approval of the Faculty Senate Minutes  ACTION

(3:25 pm)  III.  Visitors’ Reports  INFORMATION

(3:35 pm)  IV.  Provost’s Report  INFORMATION

(3:45 pm)  V.  Chair’s Report  INFORMATION

(4:00 pm)  VI.  Committee Reports

   A.  Academic Policies Committee  INFORMATION

   B.  Agenda Committee  INFORMATION

   C.  Budget Committee  INFORMATION

   D.  Campus Planning Committee  INFORMATION

   E.  Campus Technology Committee  INFORMATION

   F.  Committee on Committees  INFORMATION

   G.  Faculty Governance Committee

      1.  Subcommittee-Academic Policies  ACTION

      2.  Combining Tuition Surcharge  INFORMATION
          Appeals Board & Tuition Refund Appeals Board

   H.  Faculty Welfare and Morale Committee  ACTION

      1.  Voting Rights Resolution

(4:30 pm)  VII.  Unfinished Business

(4:35 pm)  VIII.  New Business

(4:45 pm)  IX.  Adjourn (time approximated)
Appalachian State University
Faculty Senate Agenda
Second Session
April 25, 2016

(4:50 pm)  I. Welcome New Senators
(5:00 pm)  II. Acknowledgment of Departing Senators’ Service
(5:15 pm)  III. Installation of New Senators
(5:30 pm)  IV. Election of Officers
(5:50 pm)  V. Adjourn
I. Announcements
   A. Welcome and Introduction of Visitors.

II. Minutes
   A. Approval of April 11, 2016 Faculty Senate minutes. Available online at: http://facsen.appstate.edu/sites/facsen.appstate.edu/files/Faculty%20Senate%20Minutes%20unapproved%20April%202011%202016.pdf

III. Visitors’ Reports
   A. Susan Davies (Enrollment Management)

IV. Provost’s Report

V. Chair’s Report

VI. Committee Reports (Committee Chair’s name is in bold.)
   A. Academic Policies (Campbell, Crepeau, Ortiz, Osinsky, Waldroup, Wheeler)
      No report.
   B. Agenda Committee (Aycock, Frye, Gates, Spaulding, Provost Kruger)
      No report.
   C. Budget Committee (Dunston, Madritch, Mohr, Stallworth, Szeto)
      No report.
   D. Campus Planning Committee (Doll, Marshall, Hartley, Salinas, Stanovsky)
      No report.
   E. Campus Technology Committee (Cook, Fenwick, Reed, Rice, Shulstad, Spaulding)
      No report.
   F. Committee on Committees (Frye, Morehouse, Villanova, Weddell)
      No report.
G. Faculty Governance Committee (Frye, Gates, Howard, Koch, Rardin)


2. Combining Tuition Surcharge Appeals Board & Tuition Refund Appeals Board – Appendix B

H. Faculty Welfare and Morale Committee (Albinson, Erickson, Hester, McGaha, Peterson-Sparks, Pitofsky, Phillips)

1. Voting Rights Resolution – Appendix C

I. Welfare of Students Committee (Alexander-Eitzman, Fiske, Fitts, West, Westerman, Zrull)

(4:30 pm) VII. Unfinished Business

(4:35 pm) VIII. New Business

(4:45 pm) IX. Adjournment

Appalachian State University
Faculty Senate Agenda
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(5:50 pm) V. Adjourn
Appendix A

April 25 2016


Recommendations Summary 2015-2016

- Jon Beebe - Faculty Representative (AP&P)
- Rich Crepeau - Faculty Senate (Acad. Policy)
- Julie Hayes - AP&P Specialist
- Marie Hoepfl-Graduate AP&P
- Kristin Hyle - General Education
- Joe Klein - Faculty Representative (AP&P)
- Edgar Peck - Committee Chair
- Ben Powell - AP&P Chair
- Tina Proctor - College of Health Sciences
- Debbie Race - Registrar’s Office
- Robert Sanders - Graduate School
- Tara Strickland - Registrar's Office
- David Wiley - COE

CC: Paul Gates (Faculty Senate), Susan Davies (Enrollment Services), Mike Mayfield (Academic Affairs)

Meetings:
- Faculty Senate: April 11, 2016
- Graduate AP&P: April 18, 2016
- Undergraduate AP&P: May 4, 2016

Recommended Changes

2014-2015

1. Graduation-Commencement Walkers
   Committee recommends deleting this section of the Academic Governance Handbook.
   Information appears in the Undergraduate Bulletin (Fall 2015)

Nov 13th Meeting

2. Committee recommends changing the name of Academic Governance Handbook to the “AP&P Manual”.

3. Academic Load
   Committee recommends deleting this section of the Academic Governance Handbook.
   Information appears in the COE POS and COE Student Manual.
   Edits to the COE UG Bulletin and Grad Bulletin were considered, but are unnecessary.

4. Admissions Policies-Exceptions
   Committee recommends deleting this section of the Academic Governance Handbook.
   Information appears in the Undergraduate and Graduate Bulletins.

5. Catalog Adoption
   Committee recommends deleting this section of the Academic Governance Handbook.
   Information appears in the Undergraduate and Graduate Bulletins.

6. Student records-Policies and procedures concerning the release of student information
   Committee recommends deleting this section of the Academic Governance Handbook.
   Information appears in sections 105 and 800 of the Policy Manual.
7. Grade Changes
   Committee recommends deleting this section of the Academic Governance Handbook. Edits will be made to the Faculty Handbook to include this information. The Faculty Senate will vote on edits to the Faculty Handbook in the April 2016 meeting.

8. Independent study
   Committee recommends deleting this section of the Academic Governance Handbook. Edits will be made to the Faculty Handbook to include this information. The Faculty Senate will vote on edits to the Faculty Handbook in the April 2016 meeting. Student information appears in Undergraduate and Graduate Bulletins.

9. Individual study
   Committee recommends deleting this section of the Academic Governance Handbook. Edits will be made to the Faculty Handbook to include this information. The Faculty Senate will vote on edits to the Faculty Handbook in the April 2016 meeting. Student information appears in Undergraduate and Graduate Bulletins.

10. Awarding degrees posthumously
    Committee recommends deleting this section of the Academic Governance Handbook. Edits will be made to add this information to the Policy Manual. The Chancellor’s Cabinet will vote on the addition of this policy in the April 2016 meeting.

11. Nov 30th Meeting
    11. Selected topics course – guidelines
        Committee recommends editing this section of the Academic Governance Handbook.

12. Scheduling of courses to be offered for credit
    The committee recommends editing this section of the Academic Governance Handbook.

13. Jan 25th Meeting
    13. Change of course
        Committee recommends deleting this section of the Academic Governance Handbook. Information appears in the drop/add, dropping a course section of the UG and Grad. Bulletins.

14. Jan 25th Meeting
    14. Leave of absence
        Committee recommends deleting this section of the Academic Governance Handbook. Information appears in the Graduate Bulletin.

15. Feb 29th Meeting
    15. Instructional Assistance Program
        The committee recommends deleting this section of the Academic Governance Handbook. Information appears in the Academic Regulations portion of the Undergraduate Bulletin. Information appears in the Numbering of coursework portion of the AGH.

16. Feb 29th Meeting
    16. Numbering of coursework
        The committee recommends editing this section of the Academic Governance Handbook.

17. Feb 29th Meeting
    17. Academic Governance
        The committee recommends editing this section of the Academic Governance Handbook.
18. The Academic Policies and Procedures Committee
   The committee recommends editing this section of the Academic Governance Handbook.

19. Curriculum Approval Process Flow Chart
   The committee recommends editing this section of the Academic Governance Handbook.
   Information appears on the AP&P website

Pending Changes 2016-2017
1. Centers and Institutes
   Deletion of AGH section will be recommended in the future if edits are made to the Policy Manual.
   The committee recommends editing and adding this section to the Policy Manual.
   Alan Utter is working to edit this document and propose addition to the Policy Manual.

2. Change of major
   Deletion of AGH section will be recommended in the future if edits are made to UG Bulletin.
   The committee recommends editing and adding this section of the AGH to the UG Bulletin.
   Information appears in the Graduate Bulletin.
   Proposal has been submitted to edit the Undergraduate Bulletin (Fall 2017).

3. Incomplete grades
   Deletion of AGH section will be recommended in the future if edits are made to UG Bulletin.
   Information appears in the Undergraduate Bulletin-Academic Regulations.
   Information appears in the Graduate Bulletin-Incompletes-No edits are required.
   Committee recommends editing the Undergraduate Bulletin.
   Proposal has been submitted to edit the Undergraduate Bulletin (Fall 2017).

4. Request to take coursework at another school
   Deletion of AGH section will be recommended in the future if edits are made to UG Bulletin.
   The committee recommends editing this section of the UG Bulletin.
   Proposal has been submitted to edit the Undergraduate Bulletin (Fall 2017).

2015-2016 Subcommittee Meeting Minutes
November 13, 2015

November 30, 2015

January 25, 2016
Proposal for the Tuition Appeals Committee

Offered by Susan Davies, Associate Vice Chancellor for Enrollment Management

March 25, 2016

Since 2010 a Tuition Surcharge Appeals Board (TSAB) has existed to review the student appeals of tuition surcharge. This TSAB is a required component of the North Carolina state law on tuition surcharge. The TSAB has been chaired by the Associate Vice Chancellor for Enrollment Management and has included one Associate Dean, two faculty (appointed by Deans) and three staff representatives – one each from the Learning Assistance Program, Office of Financial Aid, and Office of Transfer Services.

Beginning in 2014, UNC FIT required that each university have a refund appeals process. This process had not previously existed at Appalachian. A form was created and students began to appeal; however, no formal committee was created. During the 2015-2016 academic year, an ad hoc appeals board was formed that includes the Registrar, University Treasurer, Controller, Dean of Students, and Director of the Office of Disability Services.

This proposal is to combine the two appeals boards into one, which will meet once/month to review any student appeal of tuition charges.

Committee members shall serve a three-year term.

Proposed text in the Faculty Handbook:

TUITION APPEALS COMMITTEE

- **Members on Committee:** 7 members consisting of 4 faculty and 3 staff. Four faculty shall represent four different colleges. The three staff shall represent the Learning Assistance Program, Office of Financial Aid, and Office of Transfer Services. Five representatives shall serve as ex officio non-voting members, one each from the following offices: Registrar’s Office, Student Accounts, Office of Disability Services, Health Services, and the Office of the Dean of Students. The Associate Vice Chancellor for Enrollment Management and Associate Vice Chancellor for Business Affairs will convene the first meeting and facilitate the selection of a chair, or co-chairs, from among the voting members of the committee.

- **Report to:** The Provost and Executive Vice Chancellor.

- **Areas of Responsibility:** Review and make decisions on appeals for tuition surcharge and tuition and fee refunds based upon evidence of “Other extraordinary hardship—“Hardship of any kind which, despite responsible handling, resulted in the substantial disruption or interruption of the student’s pursuit of a degree.”
Resolution Text

Whereas, Faculty Senate is considering organizing a full meeting of faculty to consider changes to the Faculty Constitution, and

Whereas, a pressing need to update the Constitution in regards to voting rights for special faculty members was identified in the 2015 University Non-Tenure Track Annual Report, and

Whereas, waiting any longer to update the Constitution would further marginalize full-time faculty members on this campus; therefore, be it

Resolved, That the Appalachian State University Faculty Senate include amendments to the Constitution that would address Article I - Composition of the Faculty to include clinical, research, and senior lecturer ranks so that these faculty may have the right to hold faculty offices and to vote in faculty meetings and faculty elections and in departmental and college committees on which they serve except as noted in Article II, Section 3.

Background for Resolution

Note that this language:

may have the right to hold faculty offices and to vote in faculty meetings and faculty elections and in departmental and college committees on which they serve except as noted in Article II, Section 3.

Is lifted directly from section 2 of article I. Here are articles I & II of the Constitution:
I’m also including the specific recommendation from the NTT report and a copy of the letter from general counsel regarding this issue on the next page.

The 2015 NTT report contained a recommendation (recommendation E beginning on page 11) which is summarized below:

*Full-time faculty members with the “clinical” and “research” prefix should be afforded the same voting privileges as other NTT faculty (lecturers and senior lecturers). In order to accomplish this, the Committee recommends a full faculty vote to revise the Faculty Constitution.*

*Note that in the resolution I added “senior lecturers” since this specific rank is not mentioned in constitution either.*

Finally, beginning on the next page is a copy of a memo from general counsel regarding this issue:
The question has been raised whether individuals designated as "clinical faculty," "research faculty," or "adjunct faculty" may: (1) hold faculty offices and vote in faculty meetings and faculty elections and in departmental and college committees on which they serve; or (2) serve on and participate in election of members to departmental personnel committees.

The answer is no on both counts.

The governing principles are stated in the Faculty Constitution and the Faculty Handbook.

Article I of the Faculty Constitution ("Composition of the Faculty") states that: "The faculty shall consist of those persons employed by Appalachian State University who hold the rank of instructor, assistant professor, associate professor, professor, and lecturer; and also those persons appointed as emeriti faculty and adjunct faculty."

Faculty Handbook Section 3.4.2.8.2 governs Special Faculty Appointments of "[f]aculty members who are appointed as visiting faculty members, adjunct faculty, lecturers, artists-in-residence, writers-in-residence or other special categories. . . ." Section 3.4.2.8.2 emphasizes that "[s]uch an appointment characterized by any of the foregoing title designations is appropriate for one who has unusual qualifications for teaching, research, academic administration, or public service but for whom neither the professorial ranks nor the instructor rank is appropriate because of the limited duration of the mission for which the appointment is made, or because of concern for continued availability of special funding for the position, or for other valid institutional reasons."

Although "lecturers" and "persons appointed as adjunct faculty" are part of "the faculty" for purposes of Article I, none of the other categories of "special faculty members" is included in "the faculty." In other words, persons appointed as visiting faculty members, . . . artists-in-residence, writers-in-residence or other special categories are not part of "the faculty" for purposes of Article I.

The term "clinical" appears in the Faculty Handbook only once in Section 4.4.2.2 (re: part-time faculty appointments). Section 4.4.2.2 provides (among other things):

Appointments may be made to fixed-term faculty ranks with title designations including, but not limited to, "lecturer," "artist-in-residence," "practitioner-in-residence," "writer-in-residence," and any of the faculty rank designations provided in sections 3.4.2.4
through 3.4.2.7 with the prefix-qualifier "adjunct," "clinical," or "research," under the conditions and with the incidents herein provided. . . .

However, if a person is appointed as "clinical faculty" (e.g., clinical assistant professor) or "research faculty" (e.g., research assistant professor) on full-time basis (i.e., not on a part-time basis), such an appointment necessarily will be a "Special Faculty Appointment" within the meaning of Section 3.4.2.8.2, and "clinical" and "research" (in the context of Special Faculty Appointments) necessarily are two of the "other special categories" referenced in Section 3.4.3.8.2. Indeed, as in Section 3.4.2.8.2, Section 4.4.2.2B in identical language B states that "[s]uch an appointment characterized by any of the foregoing title designations is appropriate for one who has unusual qualifications for teaching, research, academic administration, or public service but for whom neither the professorial ranks nor the instructor rank is appropriate. . . ."

Thus, the appointment of a full-time "clinical" or "research" faculty member is a special faculty appointment pursuant to Section 3.4.2.8.2, and such persons are not members of the faculty for purposes of Article 1 of the Faculty Constitution.

Article II, Section 2, provides that: "[a]ll members of the faculty, excluding emeriti faculty, adjunct faculty, and part-time faculty teaching less than six (6) hours per semester, have the right to hold faculty offices and vote in faculty meetings and faculty elections and in departmental and college committees on which they serve except as noted in Article II, Section 3." Because "clinical" and "research" faculty members are not members of the faculty pursuant to Article I, they may not "hold faculty offices and . . . vote in faculty meetings and faculty elections and in departmental and college committees on which they serve. . . ."

Article II, Section 3, provides that: "[t]hose eligible to serve on and participate in election of members to departmental personnel committees are full time faculty in the ranks of lecturer, instructor, assistant professor, associate professor, and professor." Because "clinical" and "research" faculty do not hold one of the specified professorial or instructor "ranks," and because they are not members of the faculty pursuant to Article I, they may not "serve on and participate in election of members to departmental personnel committees." Indeed, pursuant to Faculty Handbook Section 3.4.2.8.2 (or Section 4.4.2.2B), they are persons "for whom neither the professorial ranks nor the instructor rank is appropriate."

Likewise, adjunct faculty are excluded by Article II, Section 2, from "hold[ing] faculty offices and . . . vote[ing] in faculty meetings and faculty elections and in departmental and college committees on which they serve," and they are excluded by Article II, Section 3, from "serve[ing] on and participat[ing] in election of members to departmental personnel committees" because they are not "full time faculty in the ranks of lecturer, instructor, assistant professor, associate professor, and professor."

Finally, the foregoing analysis applies to preclude Article II, Section 2 and 3 voting rights with respect to any persons (other than lecturers) who do not hold one of the faculty ranks specified in Article I. Conversely, a person whose appointment is to an Article I faculty rank may have any sort of modifier preceding his or her rank (other than "adjunct" or "emeritus") without altering voting status. Thus, the
"Brand X Distinguished Professor of Marketing" may vote if that person an Article I professor, but not otherwise. The modifier "Brand X Distinguished" is a title, not a Title I faculty rank. For purposes of deciding whether a person may vote under Article II, Sections 2 and 3, faculty rank, not title, is determinative.