The January 11 Faculty Senate meeting was called to order by Chair Neufeld, 3:20 PM in the University Conference Room.

I. ANNOUNCEMENTS
   A. VISITORS. Neufeld welcomed visitors and asked that they introduce themselves. (See voting sheet for visitors' names.)
   B. NEW SENATORS. Neufeld reported that a lot of responses were received to fill the seats for Linda Winkler and Len Bliss. After reviewing some statistical data on the composition of the current Senate, Neufeld recommended Sandie Gravett to fill the seat of Linda Winkler and Bill Barber to fill the seat of Len Bliss. Their terms are effectively immediately and will expire after the April 1999 Faculty Senate meeting.

   VOTE 1 19 yes 0 no 2 abstain The motion passed.
   Neufeld welcomed the new senators and thanked them for serving.
   C. NEW WELFARE AND MORALE COMMITTEE CHAIR. Neufeld asked the Welfare and Morale Committee to meet during the break to select a new chair for the Committee.
   D. FORUM ON UNIONIZATION OF FACULTY. Neufeld reported that the forum on unionization of the faculty will be Friday, March 26, 2:00-4:00 p.m., Greer Auditorium. Pat Shaw from AAUP will discuss the advantages of a union, and Tim Perri from Appalachian's Economics Department, will discuss the disadvantages of a union.
   E. FACULTY VOICE DEADLINE. Neufeld reminded senators that the deadline for submitting articles for the next Faculty Voice is February 15.

II. MINUTES
Hearing no corrections, Moore moved and Koch seconded to approve the minutes as written.

   VOTE 2 21 yes 0 no 2 abstain The motion passed.

III. GUEST SPEAKERS
   A. FACULTY GRIEVANCE HEARING COMMITTEE. Neufeld informed the Senate that it had come to his attention that if the Faculty Grievance Hearing Committee makes a recommendation that the Administration does not agree with, the recommendation of the Hearing Committee is never followed. Neufeld therefore invited members, past and present, of the Committee to discuss the issue. Polly Trnavsky, the current chair of the Committee, reported that as chair for the past two years, the Committee had heard two disciplinary actions and four requests for a grievance hearing. Trnavsky suggested that the Senate request a report from the Committee at the end of each year to review the progress of the Committee. She also reported that by the time a case comes to the Hearing Committee, the case has already been
hashed out and sometimes a decision made. Durham noted that facts of the case are not known until the Hearing Committee goes through the case.

Koch asked how long it takes to hear a case. Trnavsky replied that the Committee tries to hear it right away, sending their response to Durham. It could then take up to a year or more before the recommendation is sent through all the channels.

Weitz suggested checking with the Faculty Grievance Mediation Committee. She noted that she chaired that Committee a couple of years ago and that she found the Administration more flexible at the mediation level.

Hugh Hindman, also a former chair and member of the Hearing Committee noted that by the time the process gets to the Hearing Committee, the Administration and the faculty member's relation is somewhat adversarial. He noted that the relation between the Administration and Hearing Committee have been somewhat strained and that most of the cases heard were found in favor of the Administration. Hindman distributed to senators a copy of a report from UNC-CH entitled Special Report of the Committee on University Government. This report can also be found at:

http://www.unc.edu/faculty/faccoun/reports/R97UGV1

Included in the report is a resolution regarding procedures for discharge of faculty members.

Neufeld assigned the issue to the Welfare and Morale Committee.

B. DAYTON COLE. Cole reported that he serves on a committee within the UNC system that deals with computer usage. The committee was assigned to a new task which came from the Faculty Assembly dealing with the open law on the state's research documents (undisclosed information). Cole asked for input from senators regarding what problems they have had or might have in the future with this issue.

Neufeld asked Cole about the changes to chapters 3 and 4 of the Faculty Handbook. Cole said he is working on this and that he will bring a draft of the changes to the February Faculty Senate meeting. In addition to this, senators asked that Cole clarify which chapters of the Faculty Handbook are included as part of faculty contracts.

Biddle asked about the DPC process at Appalachian and explained that Laura Gasaway, at the last Senate meeting, told the Senate that Appalachian is the only UNC school that she knew of that did not allow all faculty members in departments to see job applicant files and restricted full faculty participation in faculty searches and hires. Cole replied that he knew Gasaway, and that he would speak to her about it.

C. DAVID LARRY. Larry distributed a handout with answers to questions the Senate had regarding copyright law and related issues.

Q1. DO FACULTY MEMBERS OWN THE COPYRIGHT TO INTELLECTUAL MATERIAL DONE IN THE COURSE OF THEIR EMPLOYMENT? THAT IS, DO THEY OWN THEIR LECTURE NOTES, PRESENTATION MATERIALS, ETC?

A) Copyright Act: 17 U.S.C. 201(b). Ownership of copyright Works Made for Hire
   (b) Works Made for Hire - In the case of a work made for hire, the employer or other person for whom the work was prepared is considered the author for purposes of this title, unless the parties have expressly agreed otherwise in a written instrument signed by them, owns all of the rights comprised in the copyright.

B) UNC Policy (The Administrative Manual of the University of North Carolina Including the Board of Governors Policies and Administrative Memoranda, available on the Internet at:
   http://www.ga.unc.edu/publications/admin_manual/)

1. V-B-7
XII. COPYRIGHTS
As a general rule, all rights to copyrightable material are the property of the creator. The distribution of royalties, if any, is a matter of arrangement between the creator and his publishers and licensees. Different treatment may be accorded by the institution in case of specific contracts providing for an exception, in cases where the constituent institution or sponsor may employ personnel for the purpose of producing a specific work, where different treatment is deemed necessary to reflect the contribution of the institution to the work, as in the case of software or audiovisual material, or where a sponsored agreement requires otherwise.

QII. WHO OWNS EMAILS? IF COPYRIGHT LAW SAYS THAT WHATEVER A PERSON CREATES ON A TANGIBLE MEDIUM IS THEIR COPYRIGHT, CAN THE UNIVERSITY SUPERCEDE THAT AND ARGUE THAT THEY OWN IT?
A) See UNC Policy on Copyrights.
B) State property shall not be used for personal convenience...and must be limited to official use only. Faculty Handbook 6.4. Similarly, person associated with the University in any capacity shall use for his or her own...personal purposes University facilities or property. ASU Policy Statement (PS) 0.1 (Policy on the Use of University Facilities and Property), 1.03.
C) Users [of University computers] must not use the computer systems to violate any rules of the University Staff Handbook, Faculty and Student Handbooks or any local, state, or federal laws. Appalachian State University's Computer Usage Guidelines, Section IV.F. The Policy on the Use of Computers and Data Communications is posted on the Internet at: http://www2.acs.appstate.edu/computer.htm
D) In connection with inquiries into possible abuses of University computers or systems, the University reserves the right to examine files, programs, passwords, accounting information, printouts or other computing material without notice. Id., Section IV.

QIII. WILL ASU WORK TO DEVELOP A SYSTEM-WIDE COPYRIGHT POLICY WITH THE GA AND OTHER SYSTEM INSTITUTIONS? The response was, yes.

IV. STANDING COMMITTEE REPORTS
A. ACADEMIC POLICY COMMITTEE
No report.
B. AGENDA COMMITTEE
Policy on Information Gathering. Since no editorial comments were received from senators via the listserv, Neufeld asked the Senate to vote on the proposed motion. Durham clarified that there is no intent to limit access to the administrators, but that it will help senators access those administrators with the best knowledge about a concern. After some discussion, Neufeld tabled the motion until it becomes an issue.
C. BUDGET COMMITTEE
No report.
D. CAMPUS PLANNING COMMITTEE
Committee report. Caton distributed to senators a copy of a report on the status of concerns his Committee had received and that Jane Helm addressed and the current status of major capital projects (see attachments 1 and 2 respectively). He noted that the next meeting with Jane Helm is January 25 at 3:00.
Neufeld asked the Committee to look into why snow removal was not started over the weekend and delayed until after faculty and staff returned on Monday 1/4.

E. CHANCELLOR ADVISORY COMMITTEE
Neufeld noted that the spring meeting dates are being worked on.

F. COMMITTEE ON COMMITTEES
Committee report. Domermuth reported that (1) Weitz had requested the Committee to help with the elections process by providing names for the ballot.

Neufeld reported that the O. Max Gardner Award had fallen through the cracks—that the Teaching Enhancement Committee did not wish to handle the nomination because the award was not a teaching award. Neufeld charged the Committee on Committees with coming up with a process/committee to handle the award and to revise the Faculty Senate Guidebook with that procedure.

G. WELFARE AND MORALE COMMITTEE
No report. The Committee will select a chair during the break. (Barber will be chair.)

H. WELFARE OF STUDENTS COMMITTEE
Academic Integrity Code. Abbott noted that this is still be worked on and that he would get a revised copy to the Senate for February’s meeting by February 1. Abbott requested feedback from senators about the code.

The Senate took a break at 4:40 and reconvened at 4:50.

V. OLD BUSINESS

A. REVISION OF THE MISSION STATEMENT FOR THE ADMISSIONS COMMITTEE. Neufeld charged the Committee on Committees with looking into the Admissions Committee’s mission statement and to possibly revise it to reflect more closely what they do (it was implicated that the Committee acts as an advisory board for Joe Watts.)

B. LETTERS REGARDING THE SITUATION OF BAHÀ’IS IN IRAN. A draft copy of the letters were distributed to senators via their listserv; no editorial changes were received. Moore moved and Abbott seconded that the letters be approved as written.

VOTE 3 21 yes 0 no 2 abstain The motion passed.

VI. NEW BUSINESS

A. FACULTY CONCERNS.
1. Teaching loads. Neufeld reported that he received a memo from Claudie Mackey, Chair of the Faculty Assembly’s Academic Freedom and Tenure Committee, asking input from UNC campuses regarding an issue that was referred to their Committee. The issue dealt with the fact that on one campus, faculty who teach courses that require labs are penalized in that the lab hours are not counted in the teaching load hours. Mackey requested what resolution, directive or request should the Academic Freedom and Tenure Committee discuss.

2. Chancellor’s Performance Review. Neufeld reported that he has received a copy of the Chancellor’s Performance Review and that the Faculty Senate will look into putting the report on its webpage.

3. Board of Trustees minutes. It was asked that a copy of the Board of Trustees minutes be provided to the Library and that the Senate office be provided with a copy of the
minutes in a medium that can be sent to a webpage. Durham replied that he would look into this.

B. COMPUTING DIRECTION OF THE UNIVERSITY. A copy of a report by Ed Greer was distributed to senators. A copy of this report will be added to the Links area of the Faculty Senate’s webpage.

C. SETTING UP A CAMPUS-WIDE BUDGET ADVISORY COMMITTEE. Neufeld distributed the annual report from the UNC-CH University Priorities and Budget Committee and a copy of Priorities for UNC-CH as presented by the University Priorities and Budget Committee. Neufeld assigned the Budget Committee with looking into the possibility of establishing a campus-wide budget advisory committee here at Appalachian.

D. DPC REFORM. Neufeld charged the Academic Policy Committee with dealing with the DPC reform issue, specifically (1) should the search and hire process be separate from DPC (2) deal with promotion and tenure (3) whether untenured faculty should serve on DPCs--both benefits and disadvantages.

E. UNIONIZATION AT CLEVELAND STATE UNIVERSITY. Neufeld reported that Cleveland State University had unionized and that one non-financial benefit was binding arbitration. Arbitration is going to be considered by the Faculty Assembly in February.

F. ESTABLISHING CRITERIA FOR FACULTY LISTSERVE USAGE. Due to a request from Rodney Duke to put a statement on the faculty listserve regarding the ASU Faculty/Staff Christian Fellowship, it was decided that criteria for putting something on the faculty listserve needed to be established. Neufeld charged the Welfare and Morale Committee with establishing such criteria.

Dobson moved and Koch seconded to adjourn the meeting.

VOTE 4 22 yes 0 no 0 abstain The motion passed.

The meeting adjourned at 5:25.

Respectfully submitted,
Mike Moore
/msh

=================================================================

APPALACHIAN STATE UNIVERSITY
FACULTY PRESENT AND VOTING SHEET
January 11, 1999

VOTING SYMBOLS: Y=YES  N-NO  A=ABSTAIN  ABSENCE
<table>
<thead>
<tr>
<th>NAME OF SENATOR:</th>
<th>VOTE 1</th>
<th>VOTE 2</th>
<th>VOTE 3</th>
<th>VOTE 4</th>
<th>ABSENCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABBOTT, RICHARD</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>ANDERSON, STELLA</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>ARNHOLT, ALAN</td>
<td>Y</td>
<td>Y</td>
<td>A</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>ARNOLD, EDWIN</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>BARBER, BILL</td>
<td>A</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>BIDDLE, NICK</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>BORTZ, JEFF</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>EXC</td>
</tr>
<tr>
<td>BOYD, JOHN</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>BUTTS, JEFF</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>UNEXC</td>
</tr>
<tr>
<td>CAMPBELL, KATHLEEN</td>
<td>Y</td>
<td>Y</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CATON, DAN</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>DOBSON, BILL</td>
<td>A</td>
<td>A</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>DOMERMUTH, DAVE</td>
<td>Y</td>
<td>Y</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EDWARDS, DEBRA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>UNEXC</td>
</tr>
<tr>
<td>GATES, PAUL</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>GAYNOR, PATRICIA</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>GRAVETT, SANDIE</td>
<td>A</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>KOCH, ANDREW</td>
<td>Y</td>
<td>Y</td>
<td>A</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>MCGARRY, RICK</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>MCKINNEY, HAROLD</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>MOORE, MIKE</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>NEUFELD, HOWARD</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>SPEER, CHARLIE</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>TRUETT, CAROL</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>WEITZ, GAYLE</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>WINEK, JON</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>WYATT, TONI</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

VOTE 1: New senators recommendation
VOTE 2: Approve the December minutes as written
VOTE 3: Approve Bahá'í letters recommendation
VOTE 4: Adjournment
attachment 1

Report on Faculty Senate Campus Planning Committee meeting held 12/10/98
(Updated with Jane Helm 1/11/99)

1. Parking -
   - What is being done? Answer: Geotechnical exploration for parking deck near CAP--mostly rock, which is OK (explored to see what kind of rock and whether the dirt is OK). Also will pave lot behind CAP--going out to bid in February.
   - Closure on the number of cars coming into Boone? Answer: Cannot prevent students from bringing cars, so solution is remote parking and AppalCart.
   - Exceptions to freshmen parking rules? Answer: see above
   - Where is parking money going? Answer: Currently invested until parking deck begins.

2. College Street - crosswalks, speedbumps needed near turn at Raley? Answer: There are being planned near stairs, and one on Appalachian Street, in curve near Administration Building.

3. Library - parking, location. Answer: Plan right now is Whitener lot (/bldg?). Requesting (again) planning money this session (premature to do Rankin Phase II [renovation] until expansion done).
   - drive-thru book-drop possible? Answer: Do-able but on new library (?)

4. Who is responsible for cleanliness of building entries? Seems dirty, like this no-man's land is neither the responsibility of Grounds or Housekeeping? Answer: Will check into these areas should be kept clean.

5. Rebid phone system? Answer: No plans as this time to do this.
   - how did Physical Plant get voice mail? Answer: They had it when Jane arrived--not liked but difficult to dislodge; they maintain it for efficiency.
   - conference calling: >3 parties needed! (Especially for Distance Learning). Answer: We should already have the ability to more than 3-party conferences--check into--special instrument (phone) needed?

6. Why are student organizations using classrooms after hours? Answer: Student Union is already heavily booked. Greg Blimling sent a letter to ?? -- on weekends students are to use Union since no housekeeping.

7. Courtesy phones for new buildings (CAP)? Answer: Already in progress.


9. Sundial? Answer: Suggested replace defunct fountain at Library (Astronomy + Art Department project?) -- Jane will check into this possibility.

10. Faculty/Staff Club? Answer: We can do this, in east end of Welborn cafeteria, at minimal cost. Could require a modest membership fee, which would depend on level of desired service (morning coffee? Newspapers? Evenings? Cash/honor system?) Next step is to survey what we would want and she can estimate costs.

11. Deliveries at Raley Hall blocking road. Answer: Jane checked with Ken Peacock -- they will
try to reroute to loading dock.
12. Selling merchandise on the Mall. Answer: Jane still needs to look into this to see if it is controlled.

Next meeting with Jane Helm rescheduled to 1/25/99 at 3:00 in Business Affairs conference room.

attachment 2

Current Status
Major Capital Projects
12/4/98

Appalachian Convocation Center - ($37,947,300)
Due to the exceptionally favorable weather, progress on the Center has accelerated approximately 1-2 months ahead of the now scheduled August, 2000 completion. The project remains solidly on budget.

Living Learning Center - ($10,748,300)
The Design Development drawings for this 320 bed residential component of the eventual residential-academic complex are under review. Construction is scheduled to begin in April, 2000.

Rankin Science Addition - ($6,276,500)
Project funding was approved by the 1998 General Assembly. The process of selecting a short list of potential architects has been initiated. The project will provide approximately 30,000 square feet of additional space for Biology, Geology, and Geography and Planning.

Welborn Dining Facility Renovation - ($6,159,700)
Approval has now been received to proceed with the development of design and bid documents for the complete renovation and possible minor additions to the central dining facility.

Bookstore Renovation and Addition - ($3,710,200)
A number of field trips were recently conducted to view state-of-the-art bookstores in preparation for the development of a program and plans for a major addition to and substantial renovation of the existing facility. It is anticipated that construction could commence as early as Fall, 1999.

Police Building - ($1,000,000)
The schematic drawings for an 8,000 square foot building to accommodate the campus police operation in a central location on Rivers Street are under review. Construction is now scheduled to commence in the summer of 1999. As a part of this project, a new architectural cap will be installed on the steam plant tower.
Central Parking Deck - (est. $7,000,000)
A study including extensive geotechnical exploration and budget estimating is currently in progress to determine the feasibility of construction and financing a 500-600 space parking deck in a central location.

D.D. Dougherty Renovation - ($2,100,000)
A project construction award has been recommended for approval to the Office of State Construction and scheduled to commence in December, 1998, and to be complete by January, 2000. The renovated facility will provide approximately 24,000 square feet of modern, functional space for the General Studies and associated academic counseling programs.

Chapell Wilson Hall Renovation - ($1,000,000)
This project is designed to provide substantially upgraded facilities for the departments of Theatre and Dance and Sociology and Social Work and is scheduled for completion by March, 1999.

Ongoing Repair and Renovation Projects
   Belk Library Reroofing
   B.B. Dougherty Central Lobby Renovation
   B.B. Dougherty Window Replacement
   B.B. Dougherty East Entrance Construction

Self Liquidating Projects
   Student Union Renovations
   Intramural Fields Restroom Construction
   Residence Hall Sprinklers Systems Phase I
   Legends Night Club
   Winkler Hall Elevator Improvements