The Faculty Senate meeting was called to order by Chair Ramey at 3:18 pm in the William Strickland Conference Room in I.G. Greer on Monday, March 16, 2009. Senators Brown, Davison, Mitchem, Sherman, and M. Williams were not in attendance. Senators Napiorski, Scharer, and Ulmer were excused.

I. Announcements:

A. Chair Ramey welcomed senators and asked visitors to introduce themselves. Visitors were Dr. Haney (Academic Affairs), Dr. Lorin Baumhover (Chief of Staff), Dr. Alan Utter (HLES/Student Research), Dr. Kate Brinko (Hubbard Center), Dr. Emory Maiden (ENG/Summer Reading), Mr. Mark Malloy (TEC), Mr. John Earwood (Attorney’s Office), Mr. Greg Williams (Distance Learning), Ms. Mykal Smith (Distance Learning), Ms. Sheryl Mohn (Academic Affairs), and Ms. Sarah Austin (Undergraduate Student).

B. Chancellor Advisory Committee meeting has been scheduled for Tuesday, March 17, 2009 at 3:00 pm in the Chancellor’s Board Room, B. B. Dougherty. Senators Carpenter, Fischer, Reesman, Short, and Chair Ramey will attend.

C. Chair Ramey reported that the meeting date for the special faculty meeting, initially scheduled for Friday, April 17, 2009, is not convenient for several departments. Chair Ramey asked Senators if the morning and/or afternoon of Thursday, April 30, 2009, Reading Day, would be a viable date. Several Senators indicated that their departments use Reading Day to conduct meetings, review students’ portfolios, perform final critiques, and attend workshops. Chair Ramey responded that the afternoon of April 30 or the morning of the faculty assembly in the fall semester might be options. Chair Ramey requested that Senators discuss these dates with their departments and then email him.

D. Chair Ramey welcomed Dr. Frank Aycock (COM) who is temporarily replacing Senator Monica Pombo for the remainder of the Spring 2009 semester since she teaches classes in Hickory on Mondays.

E. Chair Ramey noted that the composition of the Faculty Grievance Hearing Committee was increased to nine faculty members (Motion FS 08-09/11-35). Currently, there are six faculty members on this committee. The following individuals have agreed to temporarily serve on the FGHCC for the remainder of the year: Ms. Martha Marking (T&D) Full Professor; Dr. Steve Hageman (GEO) Associate Professor; and Dr. Libby Puckett (CHE) Assistant Professor. Senator W. Williams moved and Senator Newmark seconded to approve these nominations. Motion passed. (Vote #1).
II. Visitors’ Reports:

A. Mr. John Earwood (Assistant General Counsel) provided a PowerPoint presentation on “Regulation of University Contacts with Federal Government Officials”. The Lobbying Disclosure Act of 1995 provides broad disclosure of both legislative and executive branch lobbying activities. This act defines a lobbyist as (1) having more than one “lobbying contact” with covered officials; (2) “lobbying activities” constitute 20% or more of the services performed by that individual on behalf of an employer or client during any quarter; (3) “lobbying expenses” of $10,000 per quarter for employed “lobbyist” or $2,500 per quarter if an outside lobbying firm. A “lobbying contact” is an oral or written (including electronic) communication to a covered legislative or executive branch official regarding: (a) “formulation, modification, or adoption of Federal legislation (including proposals); (b) formulation, modification, or adoption of a Federal rule, regulation, Executive order; policy or position of the United States government; (c) the administration or execution of a Federal program or policy (including negotiation, award or administration of a Federal contract, grant or license); or (d) the nomination or confirmation of a person subject to confirmation by the Senate”. Mr. Earwood noted that “lobbying activities means lobbying contacts and efforts in support of such contacts, including preparation and planning activities, research and other background work that is intended, at the time it is performed, for use in contacts, and coordination with the lobbying activities of others”. Mr. Earwood emphasized the imposition of civil fines up to $200,000 and criminal penalties up to five years in jail for a knowing violation”. An eight page handout outlining Mr. Earwood’s PowerPoint presentation is available through his office.

Dr. Lorin Baumhover (Chief of Staff) discussed the “Regulation on Contacts with Covered Federal Government Officials” (Appendix A). As the Federal Relations Officer for the university, Dr. Baumhower is responsible for representing the campus in pursuit of Congressionally-directed grant funding and monitoring all lobbying activities on behalf of the campus and filing registration and quarterly reports to comply with the federal Lobbying Disclosure Act of 1995. Dr. Baumhower emphasized that the Act requires that “prior approval from the Chancellor or his/her designee is required before any campus employee may initiate contact with covered federal government officials on behalf of the University”. Dr. Baumhower strongly recommended that university personnel do not use university letterhead or other campus resources to conduct lobbying activities. Please contact Dr. Baumhower’s office if you have any questions, need further information, and to request approval for contacting Federal Government Officials.
B. Mr. Greg Williams, Distance Learning Services, provided an informative presentation on the availability and benefits of interactive video conferencing. His office provides a compact mobile unit that contains a Codec camera, computer screen, and microphones. His staff provides onsite technical assistance and operates the unit during transmission. Mr. Williams discussed the benefits of using video conferencing in classrooms, video-taping laboratory demonstrations, conducting interviews, and providing real-time interactive discussions with guest speakers from around the world.

C. Chair Ramey introduced the Registration and Calendar Committees proposal to cancel classes until 5:00 pm on Convocation and Student Research Days. Appendix B. Comments concerning cancelling classes on Convocation included (a) cancelling classes does not benefit students—eliminating a day of instruction dramatically reduces the amount of time that is needed to sufficiently teach required course material; and (b) cancelling classes for Convocation would increase the number of Thursday classes that are not held in the fall semester. Senator Raichle moved and Senator Rardin seconded to amend the proposal. Senator Raichle provided the following amendment: To add one instructional day to the academic calendar. Remarks concerning the amendment included (a) students might interpret a cancelled class as a holiday; (b) could Convocation be held on another day instead of Thursday?; (c) some senior level students view Convocation as an event for freshmen; and (d) it would be beneficial if the university offered structured events/discussion/activities in the afternoon following Convocation ceremonies that would be of interest to students. Motion to amend failed. (Vote #2). Senator Fischer moved and Senator Stoddard seconded to approve the proposal to cancel classes until 5:00 pm on Convocation Day. Motion FS 08-09/03-01 failed. (Vote #3).

Senator Rardin moved and Senator Van Devender seconded to approve the Registration and Calendar Committees proposal to cancel classes on Student Research Day. Dr. Alan Utter (Office of Student Research) commented that the number of students who presented research projects has increased from sixty students in 1998 to 125 students in 2007. Senator Price expressed her concern that not all departments are included. Dr. Utter replied that all departments are invited. Last year, 25 departments participated. Presentations have included creative and artistic performances. Senator W. Williams asked if Student Research Day could be scheduled during two evenings thereby eliminating the need to cancel classes? Senator Newmark supports student research but noted that only a small number of students participate. He suggested tying student research into the new general education curriculum. Senator Waring commented that if the university focused more on student research, the number of student presenters and attendees would increase. Senator Fischer concurred stating that if departments were more involved and classes were cancelled, student participation would increase. Senator Reesman inquired whether faculty could require students to attend and/or allow attendance at the event to serve as the class period. Motion
FS 08-09/03-02 to approve cancelling classes on Student Research Day failed. (Vote #4).

III. Minutes:

A. Chair Ramey asked for a motion to approve the February 9, 2009 Faculty Senate minutes. Senator Newmark moved and Senator Price seconded. Motion passed. (Vote #5).

IV. Provost’s Report:

A. Dr. Aeschleman reported that the Board of Trustees approved the following changes to the Faculty Handbook (as approved by the Faculty Senate on November 10 and December 8, 2008): FS 08-09/11-01 and FS 08-09/11-02 (add gender identity, gender expression, political affiliation, and sex in Section 3.1 and updating the university’s EEO policy); FS 08-09/11-03, FS 08-09/11-04, FS 08-09/11-05, and FS 08-09/11-06 (revising Section 9.5, Faculty Responsibility During Fire or Other Emergencies; revising Section 9.5.1, Emergency Evacuation Procedures; revising Section 9.6, Employee Safety; and revising Section 9.6.1, Workers’ Compensation); FS 08-09/12-02 (revising Section 7.3.4.10 Registration and Calendar Committee); FS 08-09/12-03 (adding an additional faculty seat to AP&P and changing description of this committee); and FS 08-09/12-04 (updating Section 3.6.2.10 to clarify who should chair DPC when the personnel action involves the departmental chair).

B. Dr. Aeschleman distributed a draft policy on criminal background reports (Appendix C) that was prepared by Mr. Patrick McCoy (HRS) and Mr. Dayton Cole (University Attorney). All employment offers extended to faculty and staff on or after July 1, 2009 are contingent upon the university’s receipt of a satisfactory criminal background report. Human Resource Services will be responsible for initiating criminal checks via third party vendors. The policy states that “current faculty or staff members are not subject to a criminal background check unless the aforementioned qualification of a break in employment status is met”. If a criminal background check uncovers an adverse result, the Provost or his/her designee(s) will “assess the potential risk of each conviction in relation to the appointment being considered”. Moreover, the prospective faculty or staff member “will be given an opportunity to address the concerns/issues revealed in the criminal background report”. Dr. Aeschleman stated that he will establish a five member faculty advisory committee that he will consult with, at his discretion, should criminal checks reveal negative findings. The committee would consist of the Chair of the Faculty Senate, three faculty members, and the university’s Chief of Police (ex-officio). Chair Ramey commented that he will form an ad hoc Faculty Senate committee to formulate a response to the draft policy. This committee will report to the full Senate at the next scheduled Faculty Senate meeting in April 2009.
At the conclusion of Dr. Aeschleman’s report, Chair Ramey acknowledged Dr. Dave Haney’s request to change the order of the business to allow discussion of New Business, Item A, SGA’s proposal that the university construct a comprehensive religious absence policy. Senator Rardin moved and Senator Reesman seconded. Motion passed. (Vote #6). Please refer to page 7, Section VII: New Business.

V. Committee Reports (Committee Chair’s name is in caps.)

A. Academic Policies (REESMAN, Marland, Miller, Stallworth, Waring)

   No Report.

B. Agenda Committee (RAMEY, Carpenter, Price, W. Williams)

   No Report.

C. Budget Committee (WERTS, Geary, Newmark, Roggenkamp, Van Devender)

   No Report.

D. Campus Planning Committee (RARDIN, Brown, Mitchem, Pombo, Scharer)

   Senator Rardin informed the Senate that the AppState Alert System is being modified to automatically include students/faculty/staff’s campus email addresses and work telephone numbers. The Campus Planning Committee recommended a motion that would allow students/faculty/staff to opt-out of the AppState Alert System. Dr. Haney responded that the Alert System also includes the activation of sirens and updates on the university’s website. Moreover, in some incidences, the campus directory only lists the department’s main telephone number for faculty members. Dr. Haney recommended that the Committee investigate the legalities of this motion suggesting that it might not be legally permissible to opt-out of an emergency alert system. Motion FS 08-09/03-03 failed. (Vote #7).

   Senator Rardin moved that the “Faculty Senate support the University Council on the Safety of the Campus Community’s recommendation to automatically add students/faculty/staff’s campus email addresses and work telephone numbers to the AppState Alert System. Motion FS 08-09/03-04 passed. (Vote #8).

E. Committee on Committees (PRICE, Duryea, Sherman, Stoddard, B. Williams)
Chair Ramey provided an update on the upcoming elections for vacant university committee seats and departmental Senate elections.

F. Faculty Handbook Committee (RAMEY, W. Williams, Fischer, Gates, Marking, Carey).

1. Chair Ramey discussed the rationale for updating Section 7.3.3.1 (b) in the Faculty Handbook to properly reflect ex-officio members’ voting rights. Ex-officio members on university committees can vote unless otherwise stated. This is consistent with Roberts Rules of Order. Motion FS 08-09/03-05 passed. (Vote #9).

Approved Section 7.3.3.1 (b):

7.3.3.1 Periodically check the Faculty Handbook (Chapter VII: Faculty Senate, Committees, and Councils) to ensure that the committee is properly constituted and is operating according to the descriptions and guidelines given in Chapter VII, particularly in the following important respects:

(a) total membership;

(b) voting membership: Ex officio members have voting privileges unless otherwise noted. Invited consultants, experts and observers may not vote;

2. Chair Ramey discussed the rationale for updating Section 3.9.2.2 in the Faculty Handbook. The Faculty Grievance Hearing Committee consists of nine faculty members as defined in Section 3.9.3.8 and recently approved by the Faculty Senate. Motion FS 08-09/03-06 passed. (Vote #10).

Approved Section 3.9.2.2:

3.9.2.2 The Faculty Due Process Committee shall be composed of five members and an alternate, all to be elected by the faculty. The composition and membership of the Faculty Grievance Hearing Committee shall be as specified in Section 3.9.3.8 below. Nomination and election shall follow procedures for other at-large faculty elections. Membership of the Faculty Due Process Committee shall be composed of faculty with permanent tenure, regardless of rank. The term of office of a member of either committee shall be three years; provided that the first election shall be for staggered terms, with two persons to be elected to three-year terms, two persons to be elected to two-year terms, and one person to be elected to a one-year term; the alternate shall be elected to a three-year term; as the respective terms of the first class of committee members expire, their successors shall be elected to regular three-year terms.
G. Welfare and Morale Committee (DAVISON, Carpenter, Horst, Wangler)

No Report.

H. Welfare of Students Committee (WINN, Mamola, Sanders, Short, Ulmer, M. Williams)

No Report.

VI. Unfinished Business

A. None

VII. New Business

A. Chair Ramey provided a brief overview of the processes and actions that preceded SGA’s recommendation that the university develop a formal policy concerning religious absences. The current wording in the Faculty Handbook, or lack thereof, is insufficient in terms of providing an explicit policy or procedure concerning students/faculty/staff rights concerning religious absences. The Faculty Senate’s Welfare of Students Committee reviewed SGA’s proposal. Senator Winn, chair of Welfare of Students Committee, remarked that the committee is reviewing this issue. They discussed adding religious holidays on the university calendar and/or mandating that all syllabi include a statement concerning the observance of religious holidays. Senator Rardin suggested that the policy require that students notify their professors prior to their anticipated absence from class in observance of religious holidays. Chair Ramey remarked that other universities require individuals to submit written notification. Senator Winn stated that the committee will submit their recommendation to the Faculty Senate for their consideration at the April 6, 2009 meeting.

B. Senator Reesman (Faculty Senate liaison on AP&P) introduced AP&P recommendation that the university adopt a policy regarding the use of electronic devices in the classroom as follows:

"All electronic entertainment devices are to be turned off during class. With the exception of medically necessary assistive devices, approved emergency communications and warning devices operated by authorized law enforcement officers, firefighters, emergency medical personnel, "first responders," or other emergency personnel, and cell phones registered with APPSTATE-ALERT, all personal electronic communications devices in the possession of students will be turned off during class. Cell phones registered with APPSTATE-ALERT must be placed in vibrate or silent mode during class. Failure to comply with this policy may result in disciplinary action. Such action may, at the discretion of the instructor of record, include a warning, dismissal from class for the day of the
infraction, a reduction in the grade for the class, or referral to the Office of Student Conduct. No part of this policy is intended to conflict with established policies of Appalachian State University or a student's right to due process as stated in the Code of Student Conduct, the Student Handbook, the Appalachian State University Undergraduate Bulletin, or the Appalachian State University Graduate Bulletin."

Responses to this proposal included whether the university can or should require that faculty include this policy, or similar wording, on their syllabi and the possibility of requiring faculty to have their cell phones on during class to receive AppState-Alert System announcements. Senator Reesman moved and Senator Roggenkamp seconded to refer this proposal back to AP&P to develop a policy concerning the use of electronic devices in classrooms. Motion passed. (Vote #11).

VIII. Adjournment

Chair Ramey asked for a motion to adjourn the meeting. Senator Marland moved and Senator W. Williams seconded. Motion passed. (Vote #12). The meeting was adjourned at 6:05 pm.
## Appalacian State University

**FACULTY PRESENT AND VOTING SHEET for March 16, 2009**

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<td>To approve the following faculty members serving temporarily on the FGHC for the remainder of the year: Ms. Marking, Dr. Hageman, and Dr. Puckett. Motion passed.</td>
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<td><strong>Motion FS 08-09/03-01</strong> to approve Registration and Calendar Committees proposal to cancel classes until 5:00 pm on Convocation. Motion failed.</td>
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<td>6</td>
<td>To change the order of business to allow discussion of SGA’s proposal that the university construct a comprehensive religious absence policy. Motion passed.</td>
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<td>7</td>
<td><strong>Motion FS 08-09/03-03</strong> to approve Campus Planning Committee’s recommendation to allow students/faculty/staff to opt out of the AppState Alert System. Motion failed.</td>
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<td>Motion</td>
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<td>8</td>
<td>Motion FS 08-09/03-04</td>
<td>to support University Council on the Safety of the Campus Community’s recommendation to automatically add students/faculty/staff’s campus email addresses and work telephone numbers to the AppState Alert System. Motion passed.</td>
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<td>9</td>
<td>Motion FS 08-09/03-05</td>
<td>to update Section 7.3.3.1 (b) in the <em>Faculty Handbook</em> to reflect that ex-officio members can vote on university committees unless otherwise stated. Motion passed.</td>
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<td>10</td>
<td>Motion FS 08-09/03-06</td>
<td>to update Section 3.9.2.2 in the <em>Faculty Handbook</em> to be consistent with Section 3.9.3.8 concerning the Faculty Grievance Hearing Committee. Motion passed.</td>
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<td>11</td>
<td>Motion</td>
<td>to refer AP&amp;P’s proposal concerning a policy on using electronic devices in classrooms back to AP&amp;P. Motion passed.</td>
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<td>12</td>
<td>Motion</td>
<td>to adjourn. Motion passed.</td>
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Regulation on Contacts with Covered Federal Government Officials

This regulation governs all University contacts with covered federal government officials. This regulation applies to employees who in their official capacities interact with covered federal government officials and is intended to assist these employees and the University in presenting an authorized, accurate, and persuasive presentation.

1. OFFICIAL POLICY POSITIONS AND CONTACT ON BEHALF OF THE UNIVERSITY
   The President shall initiate a collaborative federal agenda development process to determine the federal priorities of the University on an annual basis called the Unified Federal Agenda. The Unified Federal Agenda shall consist of the University’s “Federal Policy Priorities” and “Federal Appropriations Guide.” Upon Board of Governors approval, the Unified Federal Agenda shall serve as the basis for all official federal lobbying efforts. Campus-based Congressionally-directed funding requests shall be at the discretion of the individual campus. When federal policy questions that are not on the University’s Unified Federal Agenda arise, the President will determine the official position and the priority of the policy issue on behalf of the University. Under direction from the President, the Vice President for Federal Relations shall have primary responsibility for representing the University with the federal government.

2. UNIVERSITY AND CAMPUS FEDERAL RELATIONS PERSONNEL
   The Vice President for Federal Relations and the Director of Federal Relations shall serve as Federal Relations Officers for the University at large as well as the General Administration, and shall at a minimum have the following duties and responsibilities:

   - Represent the President and the Board of Governors with the federal government;
   - Represent the President and the General Administration on the University Federal Relations Council;
   - Coordinate General Administration and Federal Relations Council activities in support of the University’s approved Unified Federal Agenda;
   - Represent the President and the Board of Governors in pursuit of Congressionally-directed grant funding;
   - Assist the Vice President for Research in the pursuit of contracts, grants and cooperative agreements with federal government agencies;

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1 Covered federal government officials include any member, officer, or employee of Congress or the President, Vice President, officers and employees of the Executive office of the President, and various high-level officials and uniformed officers in the executive branch outlined in the “Plum Book.”

http://www.gpoaccess.gov/plumbook/index.html
• Assist the Vice President for Research in the proper training of campus research personnel for compliance with the Byrd Amendment (31 U.S.C. 1352);
• Coordinate visits between covered federal government officials and the Board of Governors, General Administration personnel, constituent institution personnel and affiliated entity representatives;
• Manage external consultants engaged in a federal lobbying capacity on behalf of the General Administration;
• Work with the University’s General Counsel to educate General Administration employees and the Federal Relations Council on their role in and the obligations of the campuses to comply with the federal Lobbying Disclosure Act of 1995 (Pub. L. 104-66; 2 U.S.C. 1601, et seq.), as amended; and
• Monitor all lobbying activities on behalf of the General Administration and file registration and reports as appropriate to ensure full compliance with the federal Lobbying Disclosure Act of 1995, as amended.

**Federal Relations Officer Designation**
Each Chancellor shall designate a campus officer to carry out the function of Federal Relations Officer (FRO). The duties and responsibilities of the campus Federal Relations Officer shall be, but are not limited to:

• Represent the campus on the University’s Federal Relations Council;
• Coordinate campus activities in support of the University’s approved Unified Federal Agenda;
• Assist the campus research officer in pursuing contracts, grants and cooperative agreements with federal government agencies;
• Assist the campus research officer in the proper training of campus research personnel for compliance with the Byrd Amendment (31 USC 1352);
• Coordinate visits by covered federal government officials to the campus or affiliated campus program;
• Represent the campus in pursuit of Congressionally-directed grant funding;
• Manage external consultants engaged in a federal lobbying capacity on behalf of the campus;
• Work with the campus attorney to educate all campus employees on their role in compliance, and the obligations of campus personnel to comply, with the Lobbying Disclosure Act of 1995 as amended; and
• Monitor all lobbying activities on behalf of the campus and file registration and quarterly reports as appropriate to ensure full compliance with the federal Lobbying Disclosure Act of 1995, as amended.

3. **Federal Relations Council**
The Federal Relations Council (FRC) shall serve as a coordinating body in support of the following activities:

• Development, strategy, and advocacy in support of the University’s Unified Federal Agenda;
• Training of FRC members on lobbying best practices, federal policy and funding trends and activities;
• Compliance with federal lobbying disclosure requirements.

Composition
The FRC is composed of one representative, the Federal Relations Officer, from each of the seventeen constituent institutions of the University of North Carolina, as well as the Vice President for Federal Relations and the Director of Federal Relations from the General Administration. Additional representatives or alternates may be named as ad hoc members to the FRC.

Meetings
Official FRC meetings shall be conducted on a semi-annual basis. The Vice President for Federal Relations and Director of Federal Relations will organize FRC meetings and develop the agenda based upon current federal issues and input from the FRC. At each FRC meeting, lobbying and ethics compliance guidance and best practices will be provided. Additional meetings may be arranged to enable information sharing on specific topics.

4. CONTACT BY UNIVERSITY EMPLOYEES WITH COVERED FEDERAL GOVERNMENT OFFICIALS
Prior approval from the Chancellor or his/her designee is required before any campus employee may initiate contact with covered federal government officials on behalf of the University. The Chancellor may delegate this responsibility to the Federal Relations Officer. The following scenarios specifically require advance approval by the Chancellor or the Federal Relations Officer:

• Appearances on behalf of the University before federal bodies, including testimony before Congressional Committees or participation in meetings with White House personnel. Note: When University employees appear before such bodies as representatives of other agencies, such as professional societies, it is requested that they notify the campus Federal Relations Officer prior to the appearance.
• Any request on behalf of the University to a covered federal government official, particularly requests for Congressionally-directed funding, support of grant proposals or nominations to federal advisory councils.
• The delivery of materials, University publications, and periodicals to covered federal government officials.
• Any verbal or written statement made on behalf of the University that concerns federal policies, legislation or regulations.
• Invitations to covered federal government officials to visit campus in an official capacity. Note: The visit should be coordinated by the FRO.
• Responses to requests for information, reports, and statistics from covered federal government officials and their staffs, including responses to inquiries from investigative congressional committees.
• Participation in press events with covered federal government officials intended to promote federal policy or funding priorities.
• Any planned University event to honor a covered federal government official including but not limited to, the naming of a building or endowed chair, conferral of an honorary degree, or hosting of a meeting, retreat, conference or other similar event in the name of the official.

After contacts or visits have been made with covered federal government officials by a person on behalf of the University, a short report on the contact should be made to the campus Federal Relations Officer.

5. EXTERNAL CONSULTANTS
Chancellors may retain external consultants to assist the campuses in securing Congressionally-directed grant funding for special projects. No State or federal funds may be used for this purpose. Consultants shall never engage Congress, covered officials at the agencies, or White House personnel on policy matters on behalf of the University. Care should be taken to ensure that all external consultant expenditures are reported as “lobbying activity” as appropriate.

6. PERSONAL AND PROFESSIONAL SOCIETY CONTACTS
Personal and professional society contacts by University employees with elected officials or governmental agencies, whether in person or in writing, must be done in the name of the individual or the professional society. University letterhead may not be used. In each instance, the employee is obligated to make clear that the contact is not made on behalf of the University. Nothing in this Regulation shall prevent faculty or staff from expressing personal views on personal time, with personal resources.

7. DISCLOSURE OF LOBBYING ACTIVITY
Employees who engage in approved lobbying activities shall report issues lobbied upon, officials contacted, time spent, and an estimate of expenses on a quarterly basis to the Federal Relations Officer. Consistent with federal law, even those University employees who do not qualify as lobbyists must report all lobbying activities with covered officials to the Federal Relations Officer. For purposes of this Regulation, the phrase “lobbying activities” shall be defined in accordance with the definition set forth in the Lobbying Disclosure Act of 1995, as amended. ²

² Lobbying activity is defined as “lobbying contacts and efforts in support of such contacts, including background work that is intended, at the time it was performed, for use in contacts, and coordination with the lobbying activities of others.” 2 U.S.C. 1602 (7)
No University of North Carolina employee, administrator, faculty member, or other individual retained to provide outside assistance shall engage in activities that require registration with the United States House of Representatives or Senate under the Lobbying Disclosure Act of 1995 without prior review and approval by the respective Chancellor and the President.

8. **TICKETS TO UNIVERSITY EVENTS**

University events that require tickets for which there is a charge to the public may be extended to Members of Congress and their staff free of charge. Invitations to free University events are also appropriate and may be extended to Members of Congress and/or other covered federal government officials. Invitations to Members of Congress and/or covered federal government officials must be extended by the President of the University, Vice President for Federal Relations, Chancellor, or campus Federal Relations Officer.

Erskine B. Bowles

Date: **November 4, 2008**
To: Patrick Rardin, Chair, University Calendar Committee  
    Michael Ramey, Chair, Faculty Senate

From: Dave Haney, Vice Provost for Undergraduate Education  
      Alan Utter, Director, Office of Student Research  
      Emory Maiden, Director of Summer Reading Program

CC: Stan Aeschleman, Mark Ginn, Brooks McLeod, Susan PettyJohn

Date: 8/17/2009

Re: Proposal to Cancel Classes on Convocation and Student Research Days

(Approved by Calendar Committee 2/18/09)

Summary Comment:

This proposal comes jointly from the Summer Reading Program and the Office of Student Research. Canceling classes on both Convocation Day in the fall and Student Research Day in the spring would enable us to involve much more of the campus in these important academic events. With the entire freshman class reading the summer reading selection in First Year Seminar, and with an increasing number of students involved in student research endeavors, devoting two days to these activities would support academic programs while providing valuable out of classroom experiences for a large number of students. In each case the proposal is to cancel classes until 5:00 p.m. on the day in question. If approved, this would become part of the university calendar beginning fall, 2011.

While the proposal stands on its own merits, it would have some corollary benefits for balancing the schedule:

- Fall TR classes would not have a different number of class days depending on whether the class is in the morning or afternoon, as is the case with a half-day of canceled classes for Convocation
- With MLK Day shortening MWF schedules by one day in spring semester, TR classes would also lose a day if Student Research Day was held on a Tuesday or Thursday, thereby balancing out the schedule.

Summer Reading Proposal:

On November 20, 2008, the Summer Reading Program (SRP) committee unanimously passed a recommendation that the Calendar Committee cancel classes for the entire day of the fall Convocation.
Background

Since 1997, incoming freshmen at ASU have been asked to read a book as part of their orientation to Appalachian. By participating in the Summer Reading Program, students establish a common experience with other new students that encourages a sense of community within their new environment and introduces them to a part of the academic life they are beginning at Appalachian. This program is an exciting facet in Appalachian's orientation of new students to life on our campus. Though first-year students comprise the primary audience for Summer Reading, many others in the university and regional community also participate.

Many schools across the country continue to model their reading programs after Appalachian’s program. The Time magazine article in September 2001 highlighting Summer Reading (among other freshman programs) provided wonderful national publicity and many of the inquiries received are a result of that article. Additionally, Appalachian’s program was mentioned in The Chicago Tribune in September 2004. The 2006 Summer Reading materials won an award from the Graphic Design USA’s annual In-house Design Competition. The Director and Assistant Director receive inquiries from throughout the U.S. (and recently one from Canada) about how Appalachian’s program operates and requests for sample materials. This past summer a team from Northern Illinois University came to campus to talk with the Director and others about setting up a summer reading project on their campus. There is no greater compliment than to have a successful program emulated by other institutions and for those institutions to give credit publicly to Appalachian for the concept and for the motivation to begin similar programs on their own campuses.

How Students Benefit

By participating in the Summer Reading Program, new students enter Appalachian with at least one intellectual experience in common. Comparing ideas about the book offers a way for new students to begin conversations with other new students and to establish a common academic community. The reading and discussions actively engage students in their first academic activity of their university career. In addition, this experience reinforces communication skills and serves to remind students of how strongly Appalachian values the intellectual and academic development of its students. By completing the reading, students will be prepared for assignments they may have in one or more of their fall classes.

How It Works

When students arrive for Phase 1 Orientation during June, they receive a copy of the Summer Reading Program book and supplementary materials. Students are expected to read the book by the time they return to campus for the fall semester. Under the present plan, as part of Phase 2 Orientation, students participate in a discussion of the book that simulates the manner in which many university level discussion classes are conducted.
During this past fall semester, the book was required reading in all First Year seminar classes as well as other courses. Students participate in a number of events and activities related to the book and its powerful themes.

For example, the 2008 book was *The Glass Castle* by Jeanette Walls. An award winning journalist and memoirist, Ms. Jeanette Walls spoke at Convocation on campus. Several high school groups, West Wilkes High and Watauga High among them, made trips to see the event. The Chancellor's Office sponsored a luncheon for all of the leaders of the book discussion groups and Ms Walls. In addition to Convocation, Ms. Walls participated in an open Question and Answer forum with students, and signed books. She also did a reading and book signing the same evening, co-sponsored by the University’s Visiting Writers Series. Ms. Walls met with first generation college students engaged in the CAP and SSS programs which identify at-risk students—a group with whom she shared early challenges. And Ms. Walls wrapped up the University events associated with her visit with a reading at the main branch of the Watauga County library.

While the Summer Reading program is widely viewed as a model for integrating students into a challenging academic atmosphere, the Summer Reading Committee believes that several benefits may accrue to an already successful program if we cancel classes for the day of Convocation.

**SUMMER READING PROGRAM EVENTS: Description and potential impacts if classes were cancelled for the full day.**

Currently, the Summer Reading Program organizes and hosts a number of events surrounding Convocation in relation to its yearly book and author. Following is a description of those events along with the potential benefits a full day of cancelled classes would offer for each.

1) **Campus-wide Sunday Discussion Groups:**

   On a Sunday afternoon just prior to the beginning of the fall semester, the Summer Reading Program currently coordinates with Student Leadership to host a set of (lately) more than 100 discussions across campus centered on the Summer Reading Program book. These meetings have been a successful way to bring first year students together with University faculty and staff from all over campus. These hour-long discussions, led by a one volunteer faculty or staff member and one or two student Appolcorp leaders, introduce students to a wide variety of responses and points of view that reflect the diversity of perspective most university communities strive to represent. Faculty and staff members are offered training and materials for this discussion during the summer months prior. As powerful as these discussions are and as popular as they may be, organizing volunteers, finding meeting spaces and getting first year students to attend...
these late afternoon events (just before classes begin) have always been
difficult challenges.

The Summer Reading Program Committee sees potential for intensifying the
value of the discussion events if classes were to be cancelled for Convocation
day; we have discussed the possibility of developing a series of afternoon
sessions, modeled on but not held as part of Phase 2 Orientation. Discussion
groups could be moved to the afternoon of Convocation, capturing the momentum
of Convocation for what would perhaps be a more organic time for discussion by
keeping the events surrounding the book more unified for faculty, staff and
students. We could hold these as afternoon sessions that would follow up on the
Convocation speech, the ground work already done in First Year seminars and the
panel discussion. And, these afternoon break out sessions, perhaps, may offer a
satisfying conclusion to the class discussion of the SRP choice. There have been
exploratory discussions of FYS teachers inviting other staff and faculty to meet
with their classes in an open and informal pursuit on new perspectives. Of course,
not all discussions need to be organized around existing FYS sections. Having
afternoon time available may allow for other groups on campus to offer
workshops or information sessions, such as the ACT’s excellent discussion of the
price of poverty as a follow up to Jeanette Walls’s appearance this past
September.

Attendance at Convocation and for the Chancellor’s Luncheon, an occasion to thank
those who help plan and staff events, already benefit from classes being cancelled until
2:00 pm.

2) Panel:

Following the luncheon on Convocation Day, the Summer Reading
Program hosts a panel discussion (usually 2-3:15 p.m.) at which the author
and three to four faculty members engage in a question and answer session
that also includes audience questions surrounding the issues raised by the
book.

While the traditional intimacy of the gathering is certainly valuable, this is
perhaps another one of the missed opportunities that a class-free Convocation Day
would make more of. The panel setting offers a forum where the speaker can
connect personally with audience members in a manner Convocation cannot offer.
Canceling classes would make the panel more available to students and faculty
and would allow greater participation of both faculty and students in the
discussions. And too, since the author may be on campus for as little as 24 hours
and because the university community expends a good deal to have the writer
present, making the panel available to more of its citizens may be seen as deriving
more value from the university’s investment.

3) Visiting Writers Series Reading and Book Signing:
The Summer Reading Program traditionally shares its author with the
Visiting Writers Series on the evening of Convocation for a reading and
book signing.

As it was with the Q & A panel, the value of this event to the university community could
be heightened if students and faculty were released from evening classes to attend.

Conclusion: Summer Reading already offers a variety of excellent events surrounding the
Convocation celebration. The request to cancel classes for the whole day would allow us
to increase the attendance at and the impact of a variety of already successful attempts to
engage and inform.

Membership --Summer Reading Program Committee, 2008-2009

Rachel Forrester, English Dept.
Donna Devereux, Advising
Kelly McBride, Belk Library and Information Commons
Victoria Ajemian, Student
Jeanne Lawrence, University Recreation Center
Kay Taylor, Communications Dept.
Maude Henson, Advising
William Pillow, Bookstore
Sarah Smith, Student
Claire Mamola, Secondary Education
Howard Neufeld, Biology Dept
Janet Nicholson, New Bureau
Janet Beck, Special Services
Elizabeth Cramer, Belk Library and Information Commons
Sarah Mosseller, Student
Lynn Sanders, Coordinator, First Year Seminar
Adam Griffey, Advising
Nikki Crees, Orientation
Gary Nemcosky, Art
Evelyn Johnson, Watauga County Library
James Street, Student Leadership
Edward Gaither, University Print Shop

Emory Maiden, Chair of SRP Committee, English Dept.
Student Research Proposal:

The Office of Student Research (OSR), with the approval of the OSR advisory board, proposes that the University cancel classes for the Annual Celebration of Student Research and Creative Endeavors Day held in the spring semester.

History: Office of Student Research (OSR):

The Office of Student Research (OSR) was established in 2005 to expand the opportunities for undergraduate and graduate students to engage in research and mentored scholarship at Appalachian State University (ASU). Students who understand how discoveries are made in their chosen fields are well-prepared to address the unsolved problems of the future. The OSR has a variety of resources, including financial support, to help research become a distinctive feature of the undergraduate and graduate experience at Appalachian.

The mission of the Office of Student Research at Appalachian State University is to support and promote learning through mentored research experiences with Appalachian State faculty and other national and international scholars and professionals. We believe that these special collaborative relationships are among the most rewarding experiences for both faculty members and students.

In the first two years of operation the OSR has funded over 500 undergraduate and graduate student research and travel grant applications totaling approximately $120,000. The number of ASU students engaging in research and creative endeavors increased by 40% during this time period. It is our impression that there will be continued growth in students engaging in research and creative endeavors as new Faculty are hired and current Faculty continue their extensive involvement in mentoring student research and creative endeavors.

Rationale to Support Student Research and Creative Endeavors at Appalachian.

Consensus could probably be reached regarding the importance of continued scholarly activity to the life of a professional in virtually any discipline, and the significance of this concept certainly is reinforced in academia. At Appalachian this concept has been broadened to include engaging undergraduate students in research, as we traditionally have done with graduate students. Such endeavors are valuable examples of engaged learning because they involve active participation by both the students and Faculty.

Over the past 20 years, mentored student research programs (especially undergraduate) have grown both at the disciplinary and the institutional levels (Kierniesky, 2005), many of them seeking assistance from professional organizations like the Council on Undergraduate Research (CUR) in becoming more effective (Karukstis and Rowland, 2005). While much of the literature appears to be based in the sciences (Ball, 2004), a growing body of work demonstrates the significant benefits of participation in

Proposal to Cancel Classes on Convocation and Student Research Days, p.6
undergraduate research in all disciplines (Lopatto, 2003 & 2005; Bettison-Varga, 2006; CUR/NCUR, 2005). In a compelling piece, Page et al. (2004) lists the attributes of a well-rounded undergraduate and/or graduate research program. Among these benefits, from the student perspective, are:

1) a better understanding of research methods,
2) the opportunity for co-authorship on publications and presentations,
3) increased chance for success in researched based graduate programs,
4) elevated self-confidence in academic pursuits,
5) personal/professional gains,
6) thinking and working like a scientist,
7) gains in various skills,
8) clarification/confirmation of career plans (including graduate school),
9) enhanced career/graduate school preparation and shifts in attitudes to learning and working as a researcher,
10) gain empowerment,
11) to be involved in a creative endeavor,
12) apply knowledge from class, and
13) experiences and relationships formed (especially with the Faculty Mentor)

Learning through involvement in research and creative work has many additional benefits. Many research and creative endeavors involve work in teams that may include faculty members, graduate students, and undergraduate students working on a project together. This is the very kind of collaboration that is being demanded and expected by future employers and graduate programs (Master’s or Ph.D.) today. Many students find that engagement in research provides a context and meaning to their academic program. For these students course material makes more sense once a connection to the real world is recognized. Students who engage in research and creative endeavors persist in their pursuit of an undergraduate degree at a higher rate than comparison groups (Nadga, 1998). Through experiencing student research, students learn about their personal strengths and interests, making future career choices easier. Student research experiences will inevitably expose students to faculty and others who can serve as valuable guides and counselors. Those who have endorsed student research, scholarship, and creative endeavors have experienced directly its efficacy in advancing student learning, including the knowledge, skills, and dispositions critical to academic success.

**History: Appalachian’s Annual Celebration of Student Research and Creative Endeavors Day.**

The first Celebration of Student Research and Creative Endeavors Day at ASU was held on April 30, 1998, organized by Dr. Judy Domer (Former Dean of the Graduate School) and Dr. Edelma Huntley (Current Dean of the Graduate School). In the first Celebration of Student Research and Creative Endeavors Day: 41 graduate and 19 undergraduate students presented and 14 Faculty served as Mentors. This past year served as our 10th Anniversary of the Celebration, and throughout this time the event has experienced significant growth.
In our Tenth Annual Celebration of Student Research and Creative Endeavors on April 17, 2007, a total of 115 Abstracts were submitted: 73 from undergraduates and 42 from graduate students. Also, 81 Faculty Advisors, representing 24 Academic Departments, participated. The event has also grown with respect to content. Activities found at last year’s celebration included: posters presentations, oral-slide presentations, coffee-shop style creative readings, artistic and musical performances, robotic demonstrations, and short films. It is our expectation that this event will continue to grow as it has over the last ten years, benefiting not only the students and faculty presenting, but also the students who attend out of curiosity about student-based research and creative endeavors.

**Rationale for cancelling classes during Appalachian’s Annual Celebration of Student Research and Creative Endeavors Day.**

After surveying all 16 UNC system universities it was found that while most have a Celebration of Student Research and Creative Endeavors Day, only one university does not hold classes on that day (UNC-Ashville). If we at ASU make a decision to not schedule classes until 5:00 p.m. for our Celebration of Student Research and Creative Endeavors Day (which is typically held on the third Thursday in April) we are making a strong statement from both the Faculty and Administration that we value the educational and instructional benefit of student-based research and creative endeavors. It is the hope of the OSR Advisory Board that by not scheduling classes for the day will enable more students and Faculty to either present at the event or simply attend for both the educational and/or instructional benefit of teaching and learning how new knowledge is created.

As our event continues to grow, having enough physical space to hold the Celebration is becoming more challenging. The Celebration of Student Research and Creative Endeavors Day is typically held in the Student Union which is currently at maximal capacity with respect to room allocation for the Celebration. The anticipated continued growth of the event, coupled with suspended classes will allow us to have more flexibility to schedule presentations and performances at a variety of venues across campus. In addition, the First Year Seminar (a required course in the proposed General Education Curriculum) includes a number of common expectations, one of which is to involve students in problem-based learning with a research component. Considering the number of students (~2,750) who will be required to register for the First Year Seminar, it is certainly possible that some of these will be inclined and encouraged to submit their creative-inquiry research projects for presentation at the Celebration of Student Research and Creative Endeavors Day. This in itself would require us to have additional space to hold our Annual event. By not scheduling classes during the event may also allow more students to attend because they would not have class conflicts with presentation times. Both undergraduate and graduate students undeniably benefit from early exposure to research (Dannelly, 2002). Equally important, is exposing students to the work of their peers at different levels as a way to provide them role models and to encourage them to get involved with research and creative endeavors themselves. Students will learn from their peers when they attend the presentations that are given at the Celebration of Student Research and Creative Endeavors Day. This environment provides unique learning
experiences for students that are highly effective for promoting instruction on how new knowledge is created and discoveries are made.

Office of Student Research Advisory Board Members:

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<th>Name</th>
<th>Department</th>
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<tr>
<td>Dr. Nicole Bennett</td>
<td>Chemistry</td>
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<td>Dr. Kelly Clark-Keefe</td>
<td>LES</td>
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<td>Ms. Shari Galiardi</td>
<td>Student Programs</td>
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<td>Dr. Joseph Gonzalez</td>
<td>Interdisciplinary Studies</td>
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<td>Mr. David Huntley</td>
<td>Watauga College</td>
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<td>Dr. Bob Johnson</td>
<td>Graduate School</td>
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<td>Mr. Eric Koontz</td>
<td>School of Music</td>
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<td>Dr. Eric Marland</td>
<td>Mathematical Sciences</td>
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<td>Dr. Lisa McAnulty</td>
<td>Family &amp; Consumer Sciences</td>
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<td>Dr. Jeff McBride</td>
<td>HLES</td>
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<td>Dr. Tanga McDaniel</td>
<td>Economics</td>
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<td>Dr. Ozzie Ostwalt</td>
<td>Philosophy &amp; Religion</td>
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<td>Dr. Jammie Price</td>
<td>Psychology</td>
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<td>Mr. Jay Sutton</td>
<td>Associate Athletic Director</td>
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<td>Dr. Rahman Tashakkori</td>
<td>Computer Science</td>
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<td>Dr. Shea Tuberty</td>
<td>Biology</td>
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<td>Ms. Cindy Wallace</td>
<td>Student Development</td>
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<td>Dr. Mark Zrull</td>
<td>Psychology</td>
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OSR Director: Alan C. Utter Ph.D, M.P.H.
Criminal Background Reports

I. Purpose

Appalachian State University is committed to providing a safe and secure environment for its students, staff, university visitors, and constituents, as well as a setting in which the university’s assets are protected. To that end, it is the policy of Appalachian State University that all employment offers (regardless of status as full or part-time, temporary, SPA, EPA Faculty, or EPA Non-Faculty) are subject to the university’s receipt of a satisfactory criminal background report, in order to facilitate informed hiring decisions.

II. Policy

It is the policy of Appalachian State University that applicants to whom employment is offered on or after July 1, 2009, have a criminal background check completed prior to beginning employment. This policy applies to all vacant positions of all categories, including faculty and staff, voluntary and temporary positions, and positions with direct and unsupervised contact with students and/or minors.

NOTE: An offer of employment may be extended to an applicant prior to the completion of the criminal background check, but the offer must be explicitly contingent on receipt of a satisfactory criminal background report by Appalachian State University officials.

- Criminal background reports will only be used to evaluate candidates for employment reasons, and will not be used to discriminate on any basis prohibited by law or other university policies.

- In order to ensure consistent application of this policy, Human Resource Services (“HRS”) will conduct (and/or contract with third-party vendors) criminal background checks in accordance with the Fair Credit Reporting Act and any other pertinent laws.

- Previous criminal conviction will not automatically disqualify a candidate from employment at Appalachian State University. However, should a background report indicate conviction or plea, hiring officials from the job posting’s home division and Human Resource Services will jointly consider the following factors with regard to the eligibility of the candidate:
  
  a) the relevance of the crime or misconduct to duties and responsibilities of the selected job;
  b) the nature of the crime or misconduct;
  c) the time that has elapsed since the conviction or other determination;
  d) the circumstances surrounding the crime or misconduct;
  e) the existence, number and type of other incidents of crime or misconduct;
  f) the actions and activities of the candidate since the date(s) of reported crime(s) or misconduct;
  g) the rehabilitation record of the candidate;
  h) any related information;
  i) the honesty of the candidate in disclosing and/or explaining the crime or misconduct;
  j) any professional opinions about the possibility or likelihood of the candidate's future criminal behavior or other misconduct; and
  k) explanations and/or other information provided by the candidate.
• Background check records are considered to be part of the application document and will be maintained in the applicant’s personnel file. In accordance with North Carolina employment law, these application documents and related materials are considered to be confidential and will not be subject to public release except as required or allowed by applicable provisions of the North Carolina State Personnel Act (N.C.G.S., Chapter 126).

• Applicants who refuse consent to a criminal background check will be considered to have withdrawn their application for employment at the university.

III. Exceptions

• Faculty or Staff members being considered for reappointment, promotion or tenure are not subject to criminal background checks. However, Faculty and/or staff members who have had a break in employment status will be subject to a criminal background check.

• Current Faculty or staff members are not subject to a criminal background check unless the aforementioned qualification of a considered break in employment status is met.

IV. Procedure

1. When candidates are selected for interviews, the hiring official should have prospective employees complete a "Disclosure/Authorization Statement" form. Once a prospective employee has been selected for hire, the hiring department should immediately forward or fax a copy of the completed "Disclosure/Authorization Statement" form to:

   Human Resource Services  
   Attn: Criminal Background Check  
   Department of Human Resources  
   [Phone: 262-3186] [Fax: 262-6489]

2. An HRS Employment Services staff member will initiate the criminal background check once the necessary information regarding the recommended prospective employee has been received. All job offers will be considered to be conditional until the criminal background report is reviewed and approved.

3.  
   • A) The Human Resource Services Employment designee will review the results for all staff (SPA) and EPA administrative or non-teaching background reports to determine the appropriateness of the prospective employee to work at Appalachian State University. Should an applicant’s background be in question, the Director of Human Resources, or a designee from Human Resource Services, will discuss the decision with the Vice-Chancellor or specified designee(s).

   • B) The Human Resources Services Employment designee will initially review the background reports of faculty candidates (including adjunct and lecturers) in Academic Affairs to determine if any potentially adverse results exist that may question the appropriateness of the applicant to work at Appalachian State University. Should an adverse result appear, Provost or his designee(s) will assess the potential risk of each conviction in relation to the appointment being considered.

4. To ensure that false or erroneous information has not been transmitted in the criminal background report, and to comply with the Fair Credit Reporting Act (FCRA), the following measures shall be taken:
• The HRS Employment Services designee will inform the prospective employee of the background report if withdrawal of an employment offer is being contemplated. The HRS Employment Services designee will, at this time, provide the prospective employee with a copy of the individual's report and a copy of “A Summary of Your Rights Under the Fair Credit Reporting Act.” The report and description of rights will be sent via certified mail, return receipt requested.

• The prospective employee will be given an opportunity to address the concerns/issues revealed in the criminal background report. The HRS Employment Services designee and/or hiring division representative must wait five (5) business days from the date the return receipt is signed, or ten (10) business days from the date the copy of the report is mailed, if the return receipt is not signed, before making an employment decision.

5. Once the specifics of the conviction(s) have been discussed, if it is determined that the prospective employee should not be extended an offer of employment or that an offer will be withdrawn, the hiring authority will be notified of the decision and asked to select a more appropriate prospective employee for the position. If a conditional offer of employment has been extended, the HRS Employment Services designee will notify the prospective employee that the offer of employment is withdrawn. This notification must be sent certified mail, return receipt requested, and contain the following information:

- The name, address, and phone number of the Consumer Reporting Agency (CRA) that provided the report, including a toll-free telephone number if the CRA compiles and maintains files on consumers on a nationwide basis.

- A statement that the CRA did not make the adverse decision and is unable to give specific reasons why the adverse decision was made.

- Notification that the applicant has the right to:
  - Obtain a free copy of the criminal background report
  - Dispute the accuracy or completeness of any information in the report