At 3:17 p.m. on August 20, 2001, Chair Weitz convened the Faculty Senate meeting in the University Conference Room (224 Greer Hall).

I. ANNOUNCEMENTS

A. VISITORS. Weitz welcomed visitors and asked that they introduce themselves. (See voting sheet for visitors' names.)

B. SGA VISITOR. Rachel Bowling, an SGA representative, noted that she hoped that SGA and Faculty Senate could work together this year on student issues.

C. INFORMATION TECHNOLOGY ADVISORY COMMITTEE. Weitz asked for a volunteer to serve on this Committee to replace Bill Dobson and provide feedback to the Senate. The Committee meets the second Friday of the month at 1:30 p.m. Yaukey volunteered to serve.

D. AAUP CONFERENCE. Weitz asked for two volunteers to attend this year's AAUP conference on shared governance October 12-14 at Howard University. This year's conference is Mission & Governance: Integrating a Shared Vision. Weitz asked that senators email her to volunteer.

E. CHANCELLOR ADVISORY MEETINGS. This semester's Chancellor Advisory Committee meetings will be September 17 and November 5 at 3:15 in the Chancellor Conference Room. Weitz suggested that maybe an entire senate committee attend. The Welfare and Morale Committee will attend the September 17 meeting. The Budget Committee will attend the November 5 meeting.

F. POTENTIAL MEETINGS. Weitz noted that she has listed on the Agenda potential meeting dates for the various Senate committees.

II. GUEST SPEAKERS

A. ALAN HAUSER/MARY QUINN. Hauser and Quinn spoke to the Senate about graduation rates of student athletes at Appalachian. Hauser introduced two reports, one prepared for the NCAA, another for the UNC system. Hauser noted that athletics consistently have emphasized mainstreaming student athletes because student athletes are students first and athletes second and a primary objective is getting an education and graduating. Hauser said he would provide the Senate a report due in October that compares ASU to other UNC schools. He concluded that Appalachian athletes do very well academically.

B. LEN JOHNSON. Johnson spoke to the Senate regarding the state health plan and health care options. He reported on the significant changes the State has made regarding the health plan. He distributed a summary of the benefits and a flyer advertising the Health Benefits Open House for faculty and staff on August 27. He asked senators to share this information with people with their departments. Weitz asked if there are other tactics that could be tried to get better health care for state employees. Johnson replied that there has been discussion about whether the University System as an entity could establish its own health insurance independent of the rest of the state. Butts asked if there was any way to track the number of university employees who dropped either the family or child health coverage as a result of the exorbitant increase. Johnson replied yes. Johnson noted that those who tend to drop the coverage are often younger and healthier thus driving up the cost for those who keep the coverage. Rardin asked if one drops
their coverage, is there a certain amount of time that they have to reenroll with someone else. Johnson noted that there are rules about changing plans, and about returning to the state plan. Weitz noted she received an email from someone on the Faculty Assembly regarding a walkout on November 6 by State Employees to show their disapproval of the state health plan.

**C. GREG BLIMLING.** Blimling spoke to the Senate regarding University Highlands (formerly Campus Courtyard). Weitz asked what the relationship of the Highlands is to Appalachian, especially in regard to policies and procedures. Blimling noted that University Highlands was created about two years ago and is a 501-C3 corporation. It is a charitable corporation just like the ASU Foundation. University Highlands is totally owned and operated by the Appalachian Student Housing Corporation and all profits go to Appalachian. Nobody who is a member of the board or anybody connected to it owns anything (stock, bonds, etc.), neither do they receive remuneration. The Highlands was built to help alleviate the housing problem on campus. By 2010, Appalachian will be enrolling around 13, 400 students. Current residence halls are around 30 years old and in desperate need of repair. With the expected enrollment increase and housing decrease, Appalachian was planning ahead for student housing since the University has a responsibility to house students. Housing at the Highlands is available only to college students. Mostly transfer students live there and a few Caldwell Community College students live there. Blimling noted that Ron Branch is the general manager. He and the five other employees are employees of the Appalachian Student Housing Corporation. Any profits go to the Housing Corporation to retire bonds and maintain the property.

Weitz asked a two-part question. The first part concerned Appalachian not actually owning University Highlands, but that at some point it will. Blimling noted that once the bond is paid off (25-30 years) several things can happen. One is that the Corporation could decide to sell the property and give all the proceeds to the University. Others are that the Corporation could decide to gift the property directly to the University or it could continue to operate the property, giving additional revenue to the University.

Weitz then asked what the relationship is in terms of policy in running the Highlands and dorms on campus. Blimling responded that there are different sets of policies. The policies for dorms do not necessarily apply to University Highlands. One example is that freshmen are not allowed to live at the Highlands. In terms of how Highlands is run, they are run very similar to the way other apartment complexes are run. Repairs are made by local contractors not by the Physical Plant.

Koch asked the status of the Highlands tax exemption. Blimling responded that in lieu of paying taxes, an agreement was struck with the Town of Boone that Appalachian would pay the Town a flat fee for services such as fire protection. Blimling noted that we pay the Town of Boone for services such as snow removal, sewage treatment and fire protection. In terms of the County, the question is whether Appalachian is tax exempt. Because the equitable title to the property is a University corporation, which only benefits the University, the property legally should be tax exempt. The County Commissioners have disagreed.

Weitz charged the Welfare of Students Committee to pursue any issues that still need to be addressed.

### III. MINUTES

A motion was made and seconded to approve the April 30 minutes as written.

VOTE # 1  
21 yes  
0 no  
0 abstain  
The motion passed.
IV. STANDING COMMITTEES PRIORITIES SETTING

Weitz asked that Committees gather to discuss their goals and set an agenda for the year, including the date that they expect to report to the Senate.

V. STANDING COMMITTEE REPORTS

A. EQUITY OFFICE/GRIEVANCE PROCESS AD-HOC COMMITTEE

   Final Report. Weitz noted that the Committee submits the report, which was distributed at the April 30 Senate meeting, as a motion to accept its recommendations. The recommendations were separated into two separate motions. Discussion followed on the Recommendations for the Equity Office in regards to whether the Equity Office acts as an advocate or if they objectively investigate a complaint. It was noted that it is not the intent of the Equity Office to act as an advocate while some senators noted that it would be easy for the Office to do such. It was suggested that the Senate, at another meeting, address the issue of what the Equity Office role should be in regards to disciplinary action against a faculty member. Weitz then tabled the motion regarding the Equity Office until there was discussion on the motion regarding recommendations for the Faculty Grievance Process.

   The motion regarding recommendations for the Faculty Grievance Process was then discussed. There was some concern that the point all grievances (except disciplinary actions) first go through a facilitated discussion with a mutually agreed upon third party would essentially do away with the Faculty Grievance Mediation Committee and that there would not be a third party equipped to handle items that now come before the Mediation Committee--most are legal matters. There was concern about the informal nature of the discussion among administrators and the faculty member (where information/allegations are exchanged) in a context where things may be said and done that are not recorded and a person cannot be held to. There was also concern with the all in all grievances (except disciplinary actions).... The faculty member should be given a choice to meet with a third party. It was also suggested that the mediator not be a part of the hearing, if there is one.

   There was some discussion on the meaning of the point, Require that all Grievance Hearing Committee members obtain comprehensive training, including that from a lawyer. Weitz noted that it is to help the Committee have some kind of background of the legal implications of things and what their obligations are. After some discussion, the wording was changed to, All Grievance Hearing Committee members will participate in a workshop sponsored by the University. Discussion followed on the point, The Hearing Committee will have access to an independent lawyer suggested by a General Administration lawyer. It was pointed out that using an attorney from one of the other UNC schools not only provides the Hearing Committee with free legal advice, but access to an attorney who knows and works with state/university policies. It was suggested that it be included that any attorney used from another UNC school must be bound by an attorney/client privilege.

   Discussion followed on the phrase, Require that at the pre-hearing, all pertinent information/files be exchanged. It was asked what is pertinent? It was suggested that a statement regarding new information obtained by either party after the pre-hearing be included.

   It was noted that the point regarding witnesses was not very clear. Weitz replied that everyone in the ASU community needs to know that they do not need to testify. Secondly, when someone does decide to testify, both sides are allowed to interview that person. Dr. Durham added that this is true as long as the witness chooses to speak with both sides. Weitz noted that in re-
working this document, an attorney will be contacted for legal wording. Discussion followed about whether a face-to-face verbal discussion between the Hearing Committee and the Chancellor is needed. It was decided to leave the wording as. Durham noted that in a non-disciplinary case, the report goes to the Provost first. The grievant will also be notified at the same time the Committee’s recommendation goes to either the Chancellor or the Provost.

At this time, discussion resumed on the motion regarding recommendations regarding the Equity Office. It was noted that one of the perceived problems with the current structure of the Equity Office is the apparent conflict of interest between acting as a facilitator of discussion, as an advocate for a party that might have been wronged, and as a prosecutor of that wrong. Since it would be difficult for one office to do all of these, it was suggested that there be three separate offices that handle these three separate issues. Investigation and advocacy should be handled separately. There was discussion that the Equity Office should have the role of being a mediator. It was then decided that the report would go back to Committee for rewording.

Weitz noted that the Faculty Assembly is looking into who investigates the alleged wrong-doing of a faculty member and how. Their report is due out this year.

B. ACADEMIC POLICY COMMITTEE
1. Chairs whose terms are up. Dr. Durham provided a list of chairs whose terms will expire. Those chairs include Tom Rhyne, Lorin Baunhover, Randal Edwards, Unal Boya, Leroy Baruth, Sammie Garner, Vaughn Christian, Mark Estepp, and Susan Cole. He noted that there have been questions about the interpretation of the new policy and that deans will be consulted next.

2. Intellectual property report. Weitz reported that she had received an email last spring from Gretchen Bataille regarding an intellectual property document. Weitz noted that she would like this policy available to faculty and asked Drs. Ward and Parker where it can be found. Parker responded that the document has not been finalized and that the document Weitz received was a draft.

C. COMMITTEE ON COMMITTEES
University committees recommendations. Butts reported that the Committee will meet next week to go over recommendations to fill university committee vacancies and Faculty Senate vacancies.

D. WELFARE AND MORALE
No report.

E. WELFARE OF STUDENTS COMMITTEE
No report.

F. CAMPUS PLANNING COMMITTEE
No report.

G. BUDGET COMMITTEE
No report.

H. FACULTY HANDBOOK COMMITTEE
No report.

I. AGENDA COMMITTEE
No report.

VI. OLD BUSINESS
A. FS0102/08-02 - Motions to Amend the Senate Guidebook/Faculty Handbook. Weitz noted that if these changes to the Guidebook were passed, that would mean a change to the by-
laws in the Faculty Handbook. A vote by the whole faculty would need to take place.

**08-02a** - Change the representation of and term of the Faculty Senate. Anderson noted that in spirit she agrees with representation from department/areas but from personal experience was unsure if someone from every department would be willing to serve on the Senate. Weitz noted that the rationale for this motion is to try to improve the communication of Senate business within departments/areas. It was thought that if each department/area had their own representative, faculty would know who that person is and that there would be more interaction. There was concern about department politics. Weitz responded that the Senate would still oversee the elections and solicit nominations, not the department chairperson. Rardin noted that if more than one person from a department decided to run, then department politics would then be in effect. Also, it might raise concern at a chair’s influence on the senator. Butts noted that he saw two problems with the motion. One would be the special burden placed on smaller departments. The other is that the current Senate election process is one where faculty are extracted from the territoriality of departments. Abbott added that it is difficult to represent the faculty of an area and not the area as a whole. Allen added that it may prove to be an undue burden to new faculty, especially in a small department, because they may be asked to run for the Senate because everyone else has had their say.

Weitz asked then, how could communication be improved? Rardin responded that that question should not be answered with the proposed motion, but with information technology. Allen suggested that a senator attend a department meeting once a year. Weitz then asked how do we solve the problem of getting faculty interested in running for the Senate? Simon noted that as the Senate becomes more representative of university issues, it will give the Senate a more positive image and faculty will become more interested.

VOTE 2  2 yes  18 no  1 abstain  The motion was not carried.

**08-02b** - Add an advisory group to the Faculty Senate. Koch stated that he was opposed to the motion. He noted that it is in the by-laws that Senate can call an emergency meeting to discuss issues and that the motion would further the legitimacy problem that the Senate already has. It was added that no Senate chair should make decisions without the consensus of the Senate. Discussion followed on possible rewording of the motion. Moore noted that the Faculty Senate chairperson can do anything that he/she wishes to facilitate getting business done, so why not drop the motion and leave it up to the by-laws to take care of it. A vote was taken.

VOTE 3  1 yes  18 no  0 abstain  The motion was not carried.

**08-02c** - Add an additional duty for the standing committees. To help improve communication, Weitz suggested keeping senate committees business in a public forum for the public and others to access.

VOTE 4  19 yes  0 no  0 abstain  The motion passed.

Motion 08-02c - Add an additional duty for the standing committees - In addition to maintaining paper records of committee activity and filing a year-end report (as per the current Faculty Senate Guidelines), committee chairs will also provide a monthly update (at the Faculty senate meeting) on committee business to be posted on the Faculty Senate Web page (agenda,
minutes, etc.)

Rationale: Providing this information on-line improves communication with faculty, administration, staff, and students.

Note: To prevent overloading the part-time Faculty senate staff secretary, these monthly updates should be e-mailed as attachments by the agenda deadline date of the Faculty Senate meeting.

**08-02d** - Add an additional duty for some standing committees. In an effort to help with communication, this motion was brought forth. Senate committees should keep up and share information with committees doing related business. After some discussion, Woodworth moved to table the motion and Barber seconded.

VOTE 5  18 yes  0 no  1 abstain  The motion was tabled.

**VII. NEW BUSINESS**

A. 2001-2002 FACULTY SENATE TASKS

Weitz asked committees to leave their prioritized list with her or email them to Michelle.

B. FACULTY CONCERNS

Tuition increase. Butts asked Durham if there is a possibility that the increased tuition for the purpose of raising faculty salaries passed by the Senate and the Student Government Association will not available to be spent for that purpose. Anderson added the Senate only supported the tuition increase for a specific purpose and had the Senate known that we would be in this spot, and that we might not have control over the purpose of those funds, that the Senate would not have supported the motion. Durham responded that he spoke with Clifton Metcalf, Associate Vice President for State Governmental Affairs at UNC, who said that if the legislature folded together all special tuition raises and passes an across-the-board salary rise, i.e., $625 for all faculty, then the tuition collected for raises could not be used. If that turns out to be the case, Appalachian would ask for a special use permission to use the rise for salaries. If that request were denied, then the money would be refunded. Moore asked if the money were refunded, would it include any interest accumulated. Durham said he thought it would. Durham concluded that it was uncertain how the legislature was going to mandate the tuition increase whether it would be used for faculty salaries, other budget items, or refunded back to the students. Koch asked Durham that if the legislature does in fact tie the money and refunds it back to the students, are we prepared to go back to the Board of Governors and request all over again the tuition increase for faculty salaries. Durham responded sure. Marking asked Durham what happens with promotion money. Durham responded that if it is mandated that an across the board raise be implemented, then we cannot give out promotion and tenure dollars and that it would have to be carried over to the next year. If and when increases may be given, the following schedule will be implemented:

- Promotion from Assistant to Associate Professor - $1,000
- Promotion from Associate to Professor - $2,000
- Awarding of Tenure - $1,000

Rardin moved to adjourn and Simon seconded.

VOTE 6  18 yes  0 no  0 abstain  The motion carried.
The meeting adjourned at 6:43 p.m.

Respectfully submitted,
Mike Moore

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**FACULTY PRESENT AND VOTING SHEET**  
**AUGUST 20, 2001**

**voting symbols:**  
Y = yes  
N = no  
A = abstain

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VISITORS: Rachel Bowling, SGA; Anthony DeBetta, The Appalachian; Alan Hauser, Philosophy and Religion; Len Johnson, Human Resource Services; Nikki Nelson, The
VOTE 1: Approve April 30 minutes as written
VOTE 2: FS0102/08-02a - Motion to change the representation of and term of the Faculty Senate
VOTE 3: FS0102/08-02b - Motion to add an advisory group to the Faculty Senate
VOTE 4: FS0102/08-02c - Motion to add an additional duty for the Senate standing committees
VOTE 5: FS0102/08-02d - Motion to add an additional duty for some Senate standing committees
VOTE 6: Adjourn