

Approved: January 14, 2020

2019-2020: Meeting #3

**Michigan State University
Faculty Senate
Approved Minutes
November 12, 2019, 3:15 PM
Minskoff Pavilion, Multi Purpose Room**

Present: S. Anthony, A. Bennett, G. Benitez, A. Borcila, J. Bunnell, H. Cho, J. Cholewicki, L. Cloud, A. Contreras, A. Corner, M. Crimp, P. Crane, D. Ewoldsen, L. Fernandez, D. Foran, R. Fulton, G. Garrity, E. Gardner, S. Gasteyer, M. Ghamami, J. Goldbort, D. Gould, C. Grosso, J. Guzzetta, A. Hauser, B. Holtz, G. Hoppenstand, R. Isaacs, J. Jiang, J. Johnson, M. Johnson, M. Kingry, G. Hussey (for M Kiupel), M. Usiak (for M.H. Lee), S. Logan, J. MacKeigan, E. Marcyk-Taylor, L. Martin, M. Mazei-Robison, M. Mechtel, J. Meier, D. Mendez, M. Miklavcic, R. Miksicek, K. Miller, D. Moriarty, W. Nesbitt, F. Nunes, A. Olomu, N. Parameswaran, A. Pegler-Gordon, D. Polischuk, R. Root, E. Rosser, A. Ruvio, D. Sheridan, T. Silvestri, J. Slade, N. Smeltekop, G. Stone, T. Sullivan, Z. Szendrei, P.N. Tan, B. Teppen, S. Thobani, S. Valberg, M. Wallace, G. Wittenbaum, N. Wright, J. Yun.

Absent: B. Beekman, R. Bell, J. Dulebohn, A. Dunn, J. Felton, E. Frantz, L. Lapidus, K.S. Lee, L. McCabe, R. Ofoli, J. Rosa, S. Stanley, G. Swain, N. Teagan, A. Zeleke.

1. CALL TO ORDER

The meeting was called to order at 3:15 pm.

2. Approval of Agenda for November 12, 2019

The **agenda for November 12, 2019** was **approved as amended**, striking information Item in Item 7.5 to Action Item.

3. Approval of Draft Minutes for October 8, 2019

The **minutes for October 8, 2019** were **approved** as presented.

4. President's Remarks: Dr. Samuel L. Stanley (unable to attend)

5. Interim Provost's Remarks: Dr. Teresa A. Sullivan

Interim Provost Sullivan reported that she has been visiting Deans in their Colleges, and part of those conversations have involved workplace respect. She stated: "The Deans and I have had some recent discussions that I hope will be promising concerning workplace respect. It seems to me that a fair number of the grievances I've run across really come fundamentally

from a failure of respect. Sometimes it's related to a protected category. Sometimes it's just an inability to be respectful of other people in the workplace. We're going to continue those conversations and I'm going to return to that issue a little bit later below with the Associate Provost. I've been talking about issues of University-level communications, particularly our internal communications, which I believe could use some work and we've also discussed some other issues related to their portfolios.”

Interim Provost Sullivan stated that she has met with both COGS and ASMSU. She also noted that she heard an admissions update, as well as an update on the new SIS program to be phased in Fall Semester or 2020. In addition, she had updates on OIE, and NIH training grants.

Interim Provost Sullivan said that MSU possesses a great faculty and that MSU should be more willing to claim that. She added that one of the ways MSU can accomplish this task is by nominating our colleagues for prestigious awards and fellowships as they become available. She stated that she looks forward to celebrating the accomplishments of the newly-promoted full professors at a dinner on the 19th, and the University Distinguished Professor reception on the 21st.

Interim Provost Sullivan reported that she has received a list of demands from COGS and other student organizations, among which was a demand that all faculty and staff have mandatory training in racial and ethnic sensitivity, as well as implicit bias, which currently is not mandatory. She solicited recommendations about this possible process. She notes that many faculty members have been upset by what they have seen as a lack of accountability and transparency on the part of the Administration. She added that much is being done to address this issue, but that there are limitations placed by FERPA on this process.

Interim Provost Sullivan concluded her remarks by saying that in the spirit of greater transparency, she would like to encourage MSU’s colleagues to have a spirit of generosity about what administrators are trying to communicate. She asked if faculty can leave some of that cynicism behind, because that is not really going to be a good way for MSU to build the University, and to build going forward. Discussion ensued.

6. Chairperson’s Remarks: Professor Deborah Moriarty

Professor Moriarty welcomed the Faculty Senate members to the Minskoff Center venue. She welcomed people’s comments about the location for the Faculty Senate meeting. She also congratulated Dr. Gary Hoppenstand being given the Bartholome Eminent Scholar Award from the National Popular Culture Association, the highest award this Association gives.

Professor Moriarty reported that she had received an email from a group of Faculty Senators, who wished to take the January meeting of the Faculty Senate and use it to discuss the OCR report. She added that the Secretary for Academic Governance sent an email to the Steering Committee to see if it would be possible to put the OCR report on the agenda for the January meeting. She said that an email vote was taken, and the votes registered as seven “no's”, two “yes's,” and one abstention. She explained the vote by saying that everyone felt

that this was a very important subject for discussion, and that they had no problem with a meeting being devoted to it. She added that they had a problem with the January meeting being devoted to it, because there was already an agenda established, and they felt that people who had items put on the agenda and had gone through the channels (through the Steering Committee), should not be bumped for an item that was proposed much later. She said that this will be placed on the agenda of the Steering Committee in January of 2020.

Professor Moriarty proposed that there are three possibilities regarding this situation, and if there are more possibilities from the Steering Committee, she would be happy to hear them. She added that the possibilities would be to devote the entire February meeting to this issue, that there would be nothing else on the agenda except for this issue. The second possibility, she said, would be to hold a special meeting of the Faculty Senate to discuss this issue. She stated that the third possibility would be to put it on the January agenda, along with one of the other subjects that was going to be on the January agenda, which would entail a very short and compact report. She invited all the Faculty Senators who signed this email that, if they are available to come to that Steering Committee meeting, to please attend to participate in this discussion. She added that the Steering Committee would like to hear what people have to say about which of these options is the best, and if there are other options.

7. NEW BUSINESS

7.1. University Committee on Curriculum (UCC) Report, Dr. Marci Mechtel, UCC Chairperson ([Long Report](#) - click on link)

Dr. Mechtel reported that the UCC met at the end of October and approved the following: there were no new programs to report; eight program changes were approved, and no deletions. Additionally, she stated, nine new courses were approved, 22 course changes were approved, and two deletions. She added that there was one more moratorium to report: an extension of an existing moratorium on International Business. Master of Science, which is now effective through Spring Semester of 2024.

A motion was made and seconded to approve the report. **The motion carried.**

7.2. Discussion of Human Research Protection Program (IRB) Approval Procedures, Kristen Burt, Director, Human Research Protection Program and Dr. J.R. Haywood, Assistant Vice President for Regulatory Affairs

Director Burt and Dr. Haywood reported on the survey that was conducted, adding that the processes of the Institutional Review Boards are being reviewed, along with the processes throughout Regulatory Affairs. Dr. Haywood stated that discussions with groups around Campus are being conducted, adding that he thinks that getting positive results, “to get to a good end game,” that he needs faculty help.

Dr. Burt reported on an overview of the IRB review and approval process. She said that for the protection of human subjects, there are Federal regulations that provides certain

standards for review and approval within those regulations, adding that for the protection of human subjects, basic requirements are needed, either IRB approval, or a determination that the research is exempt from the requirement for IRB approval. So, she added, within the regulations, they provide certain categories of activities that, if the research meets those categories, it is exempt from IRB approval. She discussed issues including engaging Departments and Colleges in the IRB process, research that involves MSU students, research that involve sensitive topics, and recruiting IRB membership. Discussion ensued.

A motion was made and seconded on whether a task force of five Faculty Senators should be created to examine the student “listening zone” issue, and that this issue should be sent to the Steering Committee for vetting. **The motion carried.**

A motion was made and seconded to form an IRB task force of three individuals to draft a statement that will be forwarded to the Faculty Senate to help inform the IRB and to invite the IRB back at end of next semester and report on changes being made. **The motion carried.**

7.3. Formation of an Ad Hoc Subcommittee from Faculty Senate for the Organizational Restructuring of the Secretary for Academic Governance Position, Professor Deborah Moriarty

Professor Moriarty reported that the Faculty Senate now has information about what the other Big Ten schools do in terms of the Secretary for Academic Governance office, and the structures. She noted that MSU is an outlier in its SAG structure and should look at making the Secretary for Academic Governance office more vital regarding more people involved and having a full-time position for the Secretary for Academic Governance position. She noted that this process should be accomplished with a task force from the Faculty Senate, which was a suggestion made by an ad hoc committee, as well as by various At-Large Steering Committee members. Professor Moriarty said a recommendation needs to come back to the Faculty Senate and to the Steering Committee, and then to the Faculty Senate. A timeline was proposed regarding this decision and when it would return to the Faculty Senate. She added that an ad hoc subcommittee would be formed by January of 2020, that a report would come to the Faculty Senate in February, at which point a job description would be posted; it is hoped that someone would be in place this Summer Semester. Discussion ensued.

A motion was made and seconded to form this ad hoc sub-committee to give a recommendation on the restructuring of the Office of the Secretary for Academic Governance to the Faculty Senate.

The motion carried.

7.4. Recommendation Regarding Faculty Senate Special Meeting Procedures, Tyler Silvestri, Chairperson, University Committee on Academic Governance (UCAG)

Tyler Silvestri discussed the issue of Faculty Senate Special Meeting Procedures. Discussion ensued.

A motion was made and seconded to create a one-step process regarding the percentage of faculty required to call for an emergency meeting, as well as approve the emergency meeting simultaneously. The specific language has yet to be developed for this process, as well as the specific percentage of faculty needed to call an emergency meeting. Discussion ensued. **The motion carried.**

7.5. Proposed Faculty Senate Resolution (Waiver of Confidentiality), Brian Quinn, Acting Vice President for Legal Affairs and General Counsel

Brian Quinn offered a report about the Waiver of Confidentiality, and the issue of attorney/client privilege at MSU. Voice was granted to Julie Briggsy who stated that she is a State Representative representing the 69th district. Discussion ensued.

A motion was made and seconded regarding the following: "In the interest of transparency and full disclosure, the Faculty Senate recommends and encourages President Stanley and the Board of Trustees to waive attorney/client privilege overseen, if necessary, by a special master process to release all information relating to the abusive and criminal behaviors of Larry Nassar during his term of employment at Michigan State University, and to facilitate investigation of this episode including actions of Nasser's supervisors, the MSU Board of Trustees, and the University Administration, that were taken in response to reports of this inappropriate and criminal behavior. These actions are deemed necessary to promote the healing of victims of Larry Nassar, to provide an accurate record of these events, and to avoid any repetition of similar tragedy in the future." Discussion ensued.

A motion for a friendly amendment was made and seconded to modify slightly the language of the above statement. Discussion ensued.

The amended motion carried.

The motion then carried.

8. Comments from the floor

9. ADJOURNMENT

A motion to adjourn was made and seconded. **The motion carried.** 5:43 pm.