

Faculty Senate Meeting Minutes

March 10, 2021

3:10pm-4:30pm

WebEx

Name	Represents	Attended
Brody, Michael	Chair	x
Watson, Bradford	Chair-Elect	x
Amende, Kevin	EN/Mechanical & Industrial Engineering	x
Anderson, Ryan	EN/Chemical Engineering	x
Blaker, Amanda	Gallatin College	x
Brookshire, Jack	AG/Land Resources	x
Carson, Robert	EHHD/Education	x
Coffey, Jerome	Emeritus	x
Dale, Catherine	AR/Film & Photography	x
Dratz, Ed	LS/Chemistry & Biochemistry	x
Ellis, Colter	LS/Sociology & Anthropology	x
Gao, Hongwei	EN/Electrical & Computer Engineering	x
Gedeon, Tomas	LS/Mathematics	x
Haynes, George	Extension/On Campus	x
Herman, Matthew	LS/Native American Studies	x
Hill, Andrew	AG/AgEcon & Econ	x
Izurieta, Clemente	EN/Computer Science	x
Jeon, Minjee	ART/Art	x
LeClair, Chere	NTT	x
Little, Jeannie	AR/Music	x
McPhee, Kevin	AG/Plant Sciences & Plant Pathology	x
McMilin, Colleen	EHHD/Health & Human Development	x
Neumeier, John	LS/Physics	x
Ruff, Julie	Nursing/On campus	x
Schmidt, Ed	AG/Microbiology & Immunology	x
Scott, Brandon	LS/Psychology	x
Thompson, John	LS/Modern Languages	x
Van Emon, Megan	AG/Animal & Range Sciences	x

Walter, Mat	Extension/Off campus	x
Young, Scott	Library	x

ALTERNATES	Represents	Attended
Black, Laura	JJCBE	x
Geyer, Lukas	LS/Math Sciences	x
Lachapelle, Paul	LS/Political Science	x
Maher, Rob	EN/Electrical & Computer Engineering	x
Sally, Moyce	Nursing/On Campus	x
Reidy, Michael	LS/History & Philosophy	x

OTHER ATTENDEES	Represents	Attended
Adams, Dean	Center for Faculty Excellence	x
Beck, Carin	Student Success	x
Bigelow, Daniel	AG/AgEcon & Econ	x
Caires, Matt	Dean of Students	x
Fastnow, Christina	Planning & Analysis	x
Glad, Jennifer	Legal Counsel	x
McEvoy, Jamie	LS/Earth Sciences	x
Mokwa, Robert	Provost	x
Peters, Martha	Provost Office	x
Rehberger, Richard	Gallatin College	x
Sobek, Durward	Provost Office	x
Swinford, Steve	Provost Office	x

- I. Approval of FS Minutes from February 24, 2021
 - a. Tomas Gedeon moves to approve. Brandon Scott seconds. None opposed. No abstentions. Approved.
- II. Information Updates:
 - a. Student Voluntary and Involuntary Leave of Absence (Matt Caires & Jennifer Glad)
 - i. Jennifer Glad
 1. Associate Legal Counsel, five months in
 2. Came from California University System
 3. Private practice
 - ii. Retroactive Withdrawal process

1. Option 1: The student experienced a mental or physical illness, injury or other extraordinary circumstances that significantly limited their capacity to withdraw or request a leave in a timely manner
2. Option 2: The student experienced a mental or physical illness, injury or other extraordinary circumstances that significantly limited their capacity to withdraw or request a leave in a timely manner
3. Refund schedule
 - a. If before first day of class, 100% refund
 - b. After first day, 90% refund
 - c. 75% after day 6
 - d. After 16th day of class, you get 0% refund
 - e. After day 60 they can't drop with a W
4. Types of Leave-Proposed
 - a. Retroactive Withdrawal
 - b. Voluntary Medical Leave of Absence
 - c. Involuntary Leave of Absence
5. Federal Law (ADA)
 - a. Reasonable Accommodations: Universities must provide reasonable accommodations to students, which may include leaves of absence
 - b. Legitimate Safety Requirements: Universities may impose legitimate safety requirements necessary for the safe operation of its programs and activities
 - c. Direct Threat to Others: Universities may address students who present a "direct threat" to others.
 - i. Those who pose a threat to self, are not included here.
6. OCR Guidance and Best Practices
 - a. Involuntary leaves are a last resort
 - b. Conduct an individualized analysis
 - c. Policies just be non-discriminatory and equally applied to students with and without disabilities
 - d. Be cautious in using discipline to address self-harming students
 - e. Narrowly tailor requests for medical information and have qualified personnel review medical information
 - f. Decisions must be made based on actual risks, not mere speculation, stereotypes, or generalizations.
7. Voluntary Medical Leave of Absence
 - a. Students may request a voluntary medical leave of absence if they
 - i. Experience a significant mental or physical illness, injury or other extraordinary circumstance that limits their ability to function as a student; or
 - ii. Experienced an abrupt health or safety emergency or other extenuating circumstance within their immediate family or equivalent.
 - b. Undergrads
 - i. Review-Dean of Students
 - ii. Approve/Deny-Dean of Students
 - iii. Appeal-VP Student Success
 - c. Grads

- i. Review-Grad Dean
 - ii. Approve/Deny-Grad Dean
 - iii. Appeal-Provost
- 8. Involuntary Leave of absence
 - a. Students may be placed on an involuntary leave of absence if:
 - i. The student poses a significant risk to the health or safety of others
 - ii. The student is unable to unwilling to carry out substantial self-care obligations
 - 1. Pose risk to their own safety
 - iii. The student's behaviors severely disrupts the University environment
 - iv. Student will be offered a voluntary medical LOA first
 - b. Initial Notice
 - i. Reasons an involuntary leave is being considered
 - ii. List of student resources
 - iii. Copy of the policy
 - iv. Opportunity for student to respond
 - c. Individualized Assessment
 - i. Potential accommodations or modifications that eliminate the need for an involuntary leave (e.g., ADA, Voluntary leave, housing)
 - ii. Consideration of documentation from student's medical providers
 - iii. Consultation with MSU personnel (e.g., UPD, medical, counseling, legal)
 - iv. Does the student meet criteria for imposing involuntary leave?
 - d. Notice of Decision
 - i. Notice will include:
 - 1. If student is placed on leave (or not)
 - 2. Basis for the decision
 - 3. Timeframe for the student to leave
 - 4. When student is eligible for return
 - 5. Any conditions or requirements to remain on campus or for their return
 - 6. List of student resources
 - 7. How to appeal the decision
 - e. Undergraduate and Graduate Students
 - i. Review-Dean of Students
 - ii. Approve/Deny-Dean of students
 - iii. Appeal-VP Student Success
 - f. Returning from Leave procedure
 - i. Student submits documents and statement
 - ii. University evaluates information and consults
 - iii. Student provided with written decision
- 9. Grounds for Appeal All Leaves

- a. Any new info not previously available to student that may change the outcome of the decision?
 - b. Were there any procedural irregularities that materially affected outcome?
 - c. Were there any procedural irregularities that materially affected the outcome?
 - d. Was the decision supported by the information and documentation provided?
10. Tuition and Fee Refund-All Leaves
- a. Students may be eligible for a full or partial refund of tuition and fees depending on:
 - i. Whether the student experienced a mental or physical injury/illness/extraordinary circumstance that limited their ability to function as a student
 - ii. Whether the student left the University abruptly due to a health or safety emergency within their immediate family or equivalent
 - iii. Prior reductions or refund of tuition or fees due to previous approved leaves
 - iv. Other relevant facts and circumstances.
- iii. Coming from JED(?) report-Specialists in issues around suicide
- 1. Called out that we didn't have these policies in place and recommended that we do that.
 - 2. Doesn't make sense to discipline those students who are struggling mentally. This is a more humane way to help the student to take a break and become well.
 - 3. Policy is available for review
- iv. Questions:
- 1. Ed Dratz: COVID anxiety and fatigue. What is the process?
 - a. Reported to the Dean of Students office-CARE team
 - i. Suicidal
 - ii. Homicidal
 - iii. Struggling with transitions, homesickness, don't know their resources
 - 2. Matt Herman:
 - a. Definition of immediate family
 - i. "Nuclear family, or equivalent"
 - b. Faculty rights and responsibilities to make accommodations.
 - i. Refer the student to the office of Disability Services
 - ii. If a student does a voluntary leave, or we place them on the involuntary leave that would take them out of the semester. There would be no "incompletes" given and it doesn't make sense for them to come back mid-semester.
 - 3. Jack Brookshire
 - a. What are the objective legal criteria we are to use to determine if a student is not meeting "self-care obligations"?
 - i. Has to be so severe that they cannot function as a student on campus

- ii. This should be rare, based on individual
 - 4. Michael Brody
 - a. Will this come to FS for a vote?
 - i. Open for public feedback. Taking questions and suggestions
 - ii. Will go back to University Council in April. Michael and Bradford attend those meetings. They can take your questions and suggestions.
 - b. Outreach and Engagement Grants (Bradford Watson)
 - <https://www.montana.edu/calendar/events/37321>
 - i. July 1st
 - ii. Has funded some amazing work
 - c. Commencement Ceremony <https://www.montana.edu/commencement/>
 - i. We will have commencement in the stadium
 - ii. Will be safe and welcoming
 - d. BOR Meeting 3/11/21 <https://mus.edu/board/VirtualMeetingPage.pdf>
 - i. Next meeting is in May
 - 1. Plan is for the BOR to have a public discussion and proposal in regard to gun safety on campuses
 - 2. Between now and that meeting is the time for faculty to have the greatest opportunity to think about this
 - 3. Submit public comment to aunsworth@montana.edu
 - 4. You can do it personally at the meeting, but you need to register <https://mus.edu/board/VirtualMeetingPage.pdf> and indicate you want to make public comment
 - 5. It is a time to be heard and become part of the public record.
 - 6. Faculty Senate leadership will be meeting with the BOR tomorrow
 - e. Nominations for Chair-Elect (Vote on April 7th)
 - i. Bradford Watson: If anyone is interested, or want to discuss it please reach out to Michael or Bradford
- III. Old Business
 - a. Undergraduate Course and Program Approvals (Second Reading)
 - i. [EBME 410: Fundamentals of Bioelectronics for Bioinstrumentation](#) (2/17/2021)
 - ii. [HEE 222: Home School Program Practicum](#) (2/17/2021)
 - iii. [MCH 109: Mathematics for CNC Machining](#) (2/17/2021)
 - b. Graduate Course and Program Approvals (Second Reading)
- IV. Graduate Course and Program Approvals (Second Reading)
 - a. Undergraduate Course (First Reading)
 - i. [BGEN 106 : Career Readiness & Professional Development](#) (3/4/2021)
 - ii. [EBME 102 : Introduction to Biomedical Engineering Research](#) (3/4/2021)
 - iii. [ELCT 100 : Introduction to Electricity](#) (3/4/2021)
 - iv. [FILM 341 : Special Effects Makeup for Film](#) (3/4/2021)
 - v. [HSTA 334 : American Myth, Memory and Monuments](#) (3/4/2021)
 - vi. [HVC 110: Introduction to HVAC-R](#) (3/1/2021)
 - vii. [HVC 115:Trade Tools and Test Equipment](#) (3/4/2021)
 - viii. [MUSI 113 : Choir: University Tenor Bass Choir](#)(3/4/2021)
 - ix. [NRSNG 116 : Introduction to Professional Nursing](#)(3/4/2021)
 - x. [OSH 110 : OSHA 10 Safety Training for Construction Trades](#)(3/4/2021)

- xi. [PSYX 428 : Integrated Mental Health Practices](#)(3/4/2021)
- xii. [HONR 494-001: The Art and Science of Medicine in the Humanities](#), (3/3/2021)
- xiii. [HONR 494-002: The Art and Science of Medicine in Social Sciences](#), (3/3/2021)
 - 1. These were held up in workflow in error
 - 2. Will be reviewed in tandem with CPC. If they come forward with any issues or changes, we will let you know
- b. Undergraduate Course Changes (First Reading)
 - i. [EQUUS 423 : Equine Nutrition](#)-Change from 2 credits to 3 (3/8/2021)
 - ii. [MCH 230 : Tooling and Work Holding for CNC](#)-Change from 2 credits to 3 (3/8/2021)
 - iii. [ARTZ 109RA : Visual Language: Comprehensive Foundation](#)-Change from 4 credits to 3 (3/8/2021)
 - iv. [ARTZ 110RA : Visual Language: Ideation and Creativity](#) Change from 4 credits to 3 (3/8/2021)
 - v. [ASTR 373 : Extragalactic Astronomy](#)-Credit change from 4-3; title changed from Stars, Galaxies, and the Universe (3/8/2021)
 - vi. [BMGT 240IS : Business Analytics](#)-Title changed from Business Research Methods (3/8/2021)
 - vii. [BMIS 211 : Data Analytics I](#)-Title changed from Spreadsheet and Database Skills (3/8/2021)
 - viii. [KIN 370: Exercise Prog for Older Adults](#)-Changing to numbers from 270 to 370 (3/8/2021)
 - ix. [HORT 310 : Topics in Horticulture](#)-Changing from Turfgrass Management; updated learning outcomes (3/8/2021)
- c. Undergraduate Programs: none at this time
- d. Undergraduate Program Changes
 - i. [ECCD-BS : Bachelor of Science in Human Development & Family Science - Child Development option](#)-Name change from: ECCD-BS : Bachelor of Science in Early Childhood Education and Child Services - Child Development Option (3/8/2021)
 - ii. [HEHE-BS : Bachelor of Science in Kinesiology - Exercise Science Option](#)-Name change from: HEHE-BS : Bachelor of Science in Health and Human Performance - Exercise Science Option (3/8/2021)
- e. Graduate Courses and Programs (First Reading)
 - i. [HDFS 535: Contemporary Issues in Human Development](#) (2/23/2021)
 - ii. [MTSI 503 : Optical, Electronic, and Magnetic Properties of Materials](#) (2/23/2021)
- f. Graduate Course Changes
 - i. [HHD 501 : Research Methods in HHD I](#) (2/23/2021) TITLE CHANGE
 - ii. [HHD 501 : Research Methods in HHD II](#) (2/23/2021) TITLE CHANGE
 - iii. [FILM 560 : Advanced Post Production: Info Design](#) (3/9/2021) TITLE CHANGE
- g. Graduate Programs
 - i. [Agriculture-CERT: Certificate in Plant Disease](#) (2/23/2021)
 - ii. [PSPP-CER: Certificate in Crop Breeding and Biotechnology](#) (2/23/2021)
- h. Graduate Program Changes
 - i. [FFPO-MS: Master of Science /in Family Financial Planning](#) (2/23/2021) TITLE CHANGE
- V. Policies from JAGS (Joint Academic Governance Steering Committee)
 - a. Policies up for Revision

- i. [Annual Review Revisions 12/30/2020](#)
 - ii. [Post Tenure Review 12/30/2020](#)
 - iii. [Grievance Policy 9/30/20](#)
 - 1. "Tenure track faculty are governed by the faculty handbook and accompanying policies and procedures."
 - 2. Non-tenure track faculty at MSU are governed by the collective bargaining agreement.*
 - 3. Please share the draft policies with your faculty for their input.
- VI. Faculty Senate Bylaws; revisions
 - a. Clarification and clean up
 - b. Will send to you a full version of the bylaws
 - c. Three areas
 - i. Article I, Section 2: Eligibility for Election to Membership
 - 1. Want to change the language to read "generally" it will be a TT faculty member
 - ii. Section 3 Chair-Elect of Faculty Senate
 - 1. Removing the statement: "among the membership of Faculty Senate" and changing it to "all faculty."
 - iii. Section 4: Past Chair of Faculty Senate
 - 1. Adding duties in that would help the Chair and Chair Elect
 - iv. Old committees referenced that need to be cleaned up
 - v. Will send out the full document after today's meeting
 - d. Questions/Thoughts:
 - i. Andrew Hill: Chairing Faculty Affairs committee, that would be third year in a row of admin activities.
 - 1. One course buyout for the position, but less of a service workload than FS Chair or Chair-Elect
 - a. Oversee approval of sabbatical applications
 - b. University Promotion and Tenure Review
 - 2. Steve Swinford-Past Faculty Affairs Chair
 - a. Also sit on JAGS
 - b. Is a smaller lift than the other positions?
 - c. Nice to have continuity
- VII. Senators Discussion
 - a. Thoughts about the Concealed Carry Law
 - i. Other campuses have similar concerns
 - ii. Meeting with BOR tomorrow
 - 1. Number of talking points
 - 2. Everyone seems to be on the same page
 - 3. Encourage you to make a public comment at the BOR meeting
 - iii. Tomas Gedeon: What are the parameters? There is a law being signed. How much leeway do we have?
 - 1. Want to the BOR to challenge the constitutionality of this
 - 2. If that doesn't happen, then what? The law is not well defined.
 - a. Carrying
 - b. Holsters
 - c. Want to see a management plan including training, but who is going to do it? When? How to they prove their training?

- d. Management: What does “carry” mean, what is a “holster”
- iv. Paul Lachapelle: Are their guns allowed in our person campus offices? The classroom?
 - 1. Faculty does not have the prerogative to tell students they can’t bring them to class. Anywhere that students are allowed to go, they can bring guns.
- v. Jack Brookshire: Can faculty make a statement of discouragement in regard to bringing guns to class?
 - 1. No.
 - 2. Faculty would not be in charge of enforcing the management plan
- vi. Andrew Hill: Concealed carry vs open carry. My understanding is that it is open carry. That’s a big difference.
 - 1. It is both. You can carry any way you want to.
- vii. Ed Schmidt: The administration is probably aware that this could have a big impact on MSU’s reputation and our ability to recruit.
 - 1. Provost Mokwa: Suggest that we take this opportunity to take our concerns to the BOR very seriously. Carefully organize your thoughts. This is the best opportunity faculty will have to bring forth their concerns. The administration has not had the opportunity to meet with the Board. This will be the first time they have come together to talk about it.
 - a. Will provide guidance to our campuses in May
 - b. Goes into effect in June
 - c. We, as administration, do not have any more information than you do.
- viii. Michael Brody: We have a list of issues that we will bring forward
- ix. John Neumeier: Many faculty are going to be worried about students carrying guns. There ill be fear. It will impact and change the culture and “feeling’ on campus
- x. Michael Brody-Mental Health: This is a big issue for us. We really don’t have the mental health resources to deal with mass shootings, suicides, etc.
 - 1. When you add in training and management needs, we need to ask the Board where this money is going to come from. Our argument is that it should come from the legislature.
- xi. Michael Brody: Let’s say there’s a shooter on campus and six people pull out their guns, and then the cops show up. How do we know who is who?
- xii. Laura Black: There are some questions in the chat
- xiii. Rob Maher: Do regular members of the public have "standing" to challenge the law in court, or does legal counsel say that it must be the BOR itself?
- xiv. Megan Van Emon: Do you also have any data on gun violence at those universities after the gun laws were passed?
 - 1.
- xv. Matthew Herman: Under this law, can an eighteen-year-old high school student walk into their classrooms carrying weapons?
 - 1. We are the only state to allow 18-year-olds to carry on campus. Not sure how that translates to high school
- xvi. Ed Schmidt: What freedom do faculty have to move to remote learning for their own safety.

1. We haven't had any discussion on that as we've been waiting on more info from BOR.
 2. Provost Mokwa: We are waiting for campus guidance. We cannot discriminate against those who are legally carrying on campus. There are vague areas, and we need guidance from the BOR before we can put protocols in place.
- xvii. Michael Brody: Please use the link and register for public comment tomorrow at the BOR meeting. https://mus-edu.zoom.us/webinar/register/WN_MmrDAi-TRX6vsFJ7h7x-tQ

VIII. Public Comment

- a. None

IX. Adjourn

- a. Ed Dratz moves to adjourn. Tomas Gedeon seconded. None opposed. Meeting was adjourned at 4:35.