

Faculty Senate Meeting Minutes
January 26, 2016

Senators in attendance: Rachna Prakash, Kris Belden-Adams, Patrick Curtis, Brice Noonan, Robert Doerksen, Sasan Nouranian, Greg Tschumper, Ahmed Al-Ostaz, Brad Cook, Tossi Ikuta, Richard Gordon, Ann Fisher-Worth, Mary Hayes, Jay Watson, Andrew O-Reilly, Yang-Chieh Fu, Oliver Dinius, Darren Grem, Noell Wilson, Jim Lumpp, Stacey Lantagne, Lorri Williamson, Ashley Dees, Savannah Kelly, Kristin Rogers, Dwight Frink, Milam Aiken, Lifeng Yang, Sasha Kocic, Heather Allen, Amy Fang-Yen Hsieh, Adam Estes, Michael Gardiner, Mary Roseman, Meagan Rosenthal, Travis King, James Bos, Breese Quinn, Ben Jones, Danielle Maack, Jody Holland, Marcos Mendoza, Allan Bellman, Joe Sumrall, Michael Barnett.

Senators Excused: Antonia Eliason, Amy Fisher, Feng Wang

Senators Absent: Charles Ross, Tom Garrett, Robert Magee, Dennis Bunch, Tejas Pandya, Michael Repka, Minjoo Oh, Mark Ortwein.

-7:03 Meeting called to order by Michael Barnett, and quorum is present.

-December 8th Minutes approved, no comment

-Michael asks for a volunteer to serve on the search committee for Director of Internal Audit: Stacey Lantagne volunteers

-Volunteer to serve on the search committee for Director of Institutional Research, Effectiveness and Planning: Brice Noonan volunteers

-Presentation by Anne Kligen and Jimmy Ball Regarding Instructional Material Accessibility

- The standing committee on accessibility is providing resources to faculty members so that they don't have to be experts at accessibility. We don't want you to have to work hard at this. When you need help or have a question, email accessibility@olemiss.edu. Examples of resources include captioning all videos for deaf students. Assistance can come in the form of workshops, in-person meetings, phone conversations, etc. You can also email Anne Kingen at annek@olemiss.edu.
- Question: Do they target these students beforehand or wait until a student approaches a professor?
- Answer: We can't reach out ahead of time because of federal laws, but after Student Disability Services certifies that a student has a disability, the student usually has a conversation with their teacher to make sure their needs are accommodated.
- Question: Are there similar resources for online teaching?
- Answer: Yes.

- Question: Can online professors just hand their course to the accessibility staff and say, “here’s my class!”?
- Answer: No, it’s a partnership. There is a cost to providing these services, but we’re covering all online classes.
- Michael encourages everyone to reach out to his or her departments as soon as possible and spread the word about accessibility@olemiss.edu.

-Presentation by Dr. John Bentley Regarding Proposed Revisions to the Sabbatical Leave Policy

- In the UM 2020 planning initiative there is a line that says “make the process for awarding and reviewing sabbaticals stronger and more rigorous.” Our subcommittee was charged with reviewing current sabbatical leave policy and making any necessary recommendations for changes. We analyzed policies from other universities. There aren’t a whole lot of changes. The sabbatical leave policy revision task force endorsed recommending that this proposal be forwarded through the approval process. Part of this process is receiving feedback and approval from the Faculty Senate. The changes include replacing the paper system with an online system. We would like past reports posted and made more accessible. One issue with the paper system is that there is very little feedback from previous sabbaticals. There were several constraints to implementing this so this language was removed from the proposal that was distributed to all of you. However, there is a commitment to get this done even if it doesn’t show up in the amended version distributed. There was language added about who could access these reports. There is new language clarifying the purpose of sabbaticals. What it should be used for and not used for. For example, it’s not a time to catch up on the work or research that faculty are supposed to be doing anyway during the academic year. There are more requirements for the application. We’ve added minor changes to the flow and subheadings. We’ve added the sentence: “In order for the Sabbatical Leave Review Committee to review proposals without knowledge of whether replacements are needed should a sabbatical leave be granted, such information and requests should not appear in written evaluations of sabbatical applications by department chairpersons and academic deans, but rather should be transmitted separately from the chairpersons and deans to the Provost/Vice Chancellor for Academic Affairs.” We’ve clarified that a faculty member must wait 12 semesters until they can take another sabbatical. We thought about having three levels of recommendation (ex. Strongly Recommend, Recommend, Don’t Recommend), but we decided ultimately not to include a third level of recommendation. We’ve added: “must comply with all university policies and procedures while on leave.” Some names of people need to be changed, and department names need to be updated as well. For example, Art has been renamed Art and Art History.
- Question: On page two, what does “if applicable” refer to?
- Answer: If you’ve been on sabbatical before
- Q: Why was a sentence removed from the original document in the purpose section? (“The Sabbatical Leave Program is the University's major organized

effort at maintaining and enhancing the academic vitality of the individual as well as the institution.”)

- A: When we rewrote the purpose, we thought other words had the same sense and captured that sentiment.
- Q: Can you explain the intent of the statement “Periods between sabbatical leave shall be the same as the period for eligibility.”?
- A: That language was in the old policy; we just moved it around. The eligibility section states that there has to be at least 12 semesters between sabbaticals.
- Comment: That explanation is not clear in the text.
- A: Would it help if we put “12 semesters” in parentheses after that sentence?
- Comment: We can bring that up as an amendment later.
- Q: In the last sentence of the last paragraph in the purpose section (“For example, they should not be used to catch up on unwritten papers, to develop the syllabus for a new course, or to fulfill obligations stemming from serving in an elected office in a national or international association.”), can you tell us about the discussion that went on behind this?
- A: There are two schools of thought: The first one is that we work really hard, and maybe we’re not compensated as well as we should be, so the sabbatical should be something that everyone is guaranteed. The second school of thought is that this is a mechanism to enhance our careers but also based on the potential for success. It is a resource that the university uses to support our development. We wanted to stress that developing a syllabus for a new course for example is not an appropriate use of a sabbatical.
- Comment: I was worried specifically about those of us in Humanities fields, where sometimes it takes a sabbatical in order to sufficiently develop an academic monograph for example. I’m afraid that this language would prohibit this, and perhaps there should be language about making exceptions for this type of work.
- A: The path to scholarship is very different for every discipline. The intent was not to say that if you’re doing a monograph, a sabbatical is not an appropriate way to do that. If you have ideas of how to better clarify that, I’d love to hear them.
- Comment: The list of examples in the purpose section where it says “sabbatical leave activities includes, but are not limited to,” bothers me because giving specific examples like that tells me that developing a new syllabus is not acceptable, when sometimes it takes that kind of time and new experiences to develop material for a whole new curriculum. It also makes me think that if you are not traveling, you are not using your sabbatical appropriately, but I’m a poet, and just because I work from home, it doesn’t mean that my sabbatical isn’t appropriate.
- A: That is why the “but is not limited to” language is in there. Again, the path to scholarship is very different. But I think departments have to allocate their resources to make sure that developing new courses can be part of a faculty member’s duties in the academic year. Is a sabbatical the most appropriate path to do that?

- Comment: Another part of that statement that is problematic is the part that says, “fulfill obligations stemming from serving in an elected office in a national or international association.” I’m sure the intent is to say that you can’t take a sabbatical to serve as treasurer for your professional society, but in my field of Physics, there are international experimental collaborations that have many people, and the leaders of those experiments are elected by those international associations, and so a sabbatical can be serving as the spokesperson for an international research experiment, which seems like a very good use of a sabbatical to me. This language specifically prohibits that. I am very uncomfortable with that in there as well.
- Comment: In Section D, Benefits and Responsibilities, it says, “Persons on sabbatical leave are expected to devote their full energies to the purpose of the leave.” Does this mean that a person cannot do regular duties of their job? If you’re on a committee, and you would like to remain on the committee, can you do that?
- A: Perhaps the phrase is misworded; if you go on sabbatical, your energy should be focused on the reason for your sabbatical.
- Comment: With the purpose section, I think that there are so many words, and they can be misconstrued or interpreted in so many ways. It’s very subjectively applied with so much wording. Perhaps instead of a list of examples, there should be language saying that this is very dependent on what discipline is.
- Comment: Application Section F is new, correct? What was the reason behind adding this?
- A: There was no intent that we say if you don’t travel, you get dinged.
- Comment: Purpose section, “coulds” and “should nots” are the problem words. When it comes to expectations about productivity, there will be people who don’t feel protected by the document. You’re just risking real problems by listing examples.
- Q: Benefits and Responsibilities- in Section D, the last two lines (“Faculty members, however, may receive compensation from other sources provided the total amount of sabbatical pay and other sources pay does not exceed the salary which such faculty member would have received during the sabbatical year had he/she not been granted the leave.”) Given the broad disparity in pay between faculty on campus, if I were to be offered a design job on Broadway, I would not be able to take a sabbatical for that major opportunity because a Broadway job most certainly would pay me more than working a semester at the university. So what is the rationale when a faculty member who makes \$170,000 a year is able to accept better paying jobs than someone who makes \$48,000 a year? How does it justify making sure I make less money? This may be an IHL policy; I’m not sure.
- A: It’s sort of a prevention of double dipping. The IHL prevents staff employees from taking other jobs that interfere with their job at the institution. The Form 9 exists so that faculty on the other hand can accept professional consulting jobs. I would want to get a legal interpretation and then give you feedback.

- A: Provost Stocks: Something that makes me uncomfortable about this discussion is I can think of many examples where we granted exceptions to these rules. It's with the goal of promoting success among the faculty.

Motion to approve the amendments in the proposed Sabbatical Leave policy, seconded

- Amendment: In the purpose section, strike everything from Examples to international association (the end of the purpose section).
 - Comment: Now I'm afraid we're back to what can a sabbatical be used for and what it shouldn't be used for. I feel strongly about giving the committee guidance on what a sabbatical should be used for and what it shouldn't. I think the committee needs that guidance.
 - All in favor: 43 yes, 0 opposed, 3 abstentions
 - Passed
- Amendment: Add back: "The Sabbatical Leave Program is the University's major organized effort at maintaining and enhancing the academic vitality of the individual as well as the institution" to the beginning of the document.
 - Comment: I am in full support of it because it is consistent with our values.
 - All in favor 45, 0 opposed, 1 Abstention
 - Passed
- Amendment: I don't think there should be a blanket statement about the previously mentioned section about compensation (Benefits and Responsibilities Section D). There may be some people who know how to get around this and some people that are at a disadvantage because they don't know.
 - Q: Would you like to add something to the effect of "without special dispensation from the Provost office"?
 - A: Yeah, that'll work.
 - Friendly amendment: Just strike it.
 - I don't want my colleagues to not apply just because they think that they can't.
 - Friendly amendment: The following sentence needs to be struck as well if you're going to strike the previous sentence.
 - I will be voting against because I think it's important that faculty be aware that this could possibly cause issue with their application.
 - All in favor: 35 Opposed: 8 Abstentions: 3
 - Passed
- Proposed Amendment: Delete the beginning of V. Benefits and Responsibilities Section D, the first sentence: "Persons on sabbatical leave are expected to devote their full energies to the purpose of the leave."
 - I agree. That would lead me to believe that I should ignore my graduate students during my leave.
 - All in favor: 43 Opposed: 2 Abstentions: 1
 - Passed
- Proposed Amendment: Application Section F: Insert "If travel is planned' the location..."

- It may be good to keep as it so that faculty know that they should include an explanation of why they'll be working in the area.
- There needs to be flexibility because this is causing a difference between people who have the money and opportunity for travel.
- If you were planning to stay, you wouldn't answer that anyway in the application. Again, the intent was not to say that those who travel are more likely to receive a sabbatical.
- All those in favor: 3 Opposed: 41 Abstentions: 2
- Motion not passed.
- Proposed Amendment: Delete "Applications for sabbatical leave will be disapproved when financial or other considerations may make such action necessary."
 - This language was in the original document.
 - I suppose that this statement was written to protect the institution in the situation that it was not financially stable enough to grant sabbaticals.
 - I am more concerned about the "other considerations." This is very open-ended.
 - One "other consideration" could be if a faculty member dies, and the department is short staffed, and they need the faculty member up for a sabbatical to stay.
 - There isn't really an extra cost for granting someone a sabbatical. They would be paid the same amount of salary if they go or don't go.
 - Actually, the cost comes into play when the department doesn't have a large amount of faculty, and they need to hire someone else to replace you for that time. Then they are paying you and the new person.
 - All in favor: 22 Opposed: 16 Abstentions: 5
 - Passed
- Friendly Amendment: Add "(twelve consecutive semesters)" after "Periods between sabbatical leave shall be the same as the period for eligibility"

Proposed Sabbatical Leave Policy as a whole to accept these proposed amendments:

- All in favor: 42 Opposed: 0 Abstentions: 4
 - Passed

-Senate Committee Reports

- Executive Committee:
 - Transition Advisory Committee: Michael is serving on sub committee for the First Five Plus
- Academic Affairs: Nothing to Report
- Academic Support:
 - Revision to E-mail Storage Capacity and Security: Kristen met with IT staff in December. The committee explored storage space across all SEC schools. The average was 3GB. If we moved employees to Google, we

would have to pay per employee. Employees can get Google accounts for instructional purposes.

- Vault storage gives you 5GB, and when you get close to 5, you get bumped up to 10GB, and so on. It already takes 17 hours to back up all of the accounts in the Vault. Security issue: email is not going to be secure no matter what. If you want secure document exchange, use the Box. Academic Support Committee is meeting tonight, and we're meeting with IT again in the near future. They're getting ready for their email upgrade and are very interested in what the Faculty Senate has to say.
- Question: Why do we have to apply for the Vault access?
- Answer: If every employee automatically got 5GB, there would be a lot of wasted space.
- Question: Did you ask them about cost? Storage is not that expensive. If you give everybody 3GB, you don't have to buy Vault access to 5GB.
- A: That is one of the questions that is going to IT when we meet again.
- Finance:
 - Exploration of the Relationship Between the University and the Local Metro Narcotics Unit: There's been a lot of movement on this. We're trying to figure out exactly what that progress has been. We want to wait to get more information before we go to a full committee review.
- Governance: Nothing to Report
- University Services: Nothing to Report

-Old Business

- Statement on Commitment to Freedom of Expression
- Proposed Amendment: accept change: "ensure that 'activities do not interfere with the University's mission and operation or with the rights of others,'"
 - All in favor: 46 Opposed: 0 Abstentions: 0
 - Amendment Accepted
- Proposed Amendment: Accept change: "to freely examine and exchange diverse ideas both inside and outside the classroom."
 - All in favor: 46 Opposed: 0 Abstentions: 0
 - Amendment Accepted
- Proposed Amendment: Accept change: "as defined by University policy"
 - All in favor: 46 Opposed: 0 Abstentions: 0
 - Amendment Accepted
- Proposed Amendment: Accept change: "interfere with the University's mission and operations or with the rights of others."
 - Comment: Is this the exact language from the beginning?
 - All in favor: 46 Opposed: 0 Abstentions: 0
 - Amendment Accepted
- Proposed Amendment: Accept change: "facilitate robust debate and the free exchange of ideas."
 - All in favor: 46 Opposed: 0 Abstentions: 0
 - Amendment Accepted

- Proposed Amendment: Accept change: “of producing strong thinkers capable of becoming effective agents of change in society.”
 - All in favor: 46 Opposed: 0 Abstentions: 0
 - Amendment Accepted
- Proposed Amendment: Accept change: “deny others’ ‘access to the University’s resources and opportunities,’ or deny ‘others a suitable working, living, or educational environment.”
 - All in favor: 46 Opposed: 0 Abstentions: 0
 - Amendment Accepted
- Proposed Amendment: Include Quotations from University Policy
 - All in favor: 46 Opposed: 0 Abstentions: 0
 - Amendment Accepted
- Friendly Amendment: At the beginning, University is missing the second quotation mark
 - All in favor: 46 Opposed: 0 Abstentions: 0
 - Amendment Accepted
- Friendly Amendment: Change interim Chancellor and Interim Provost because we no longer have interims.
 - All in favor: 46 Opposed: 0 Abstentions: 0
 - Amendment Accepted
- Comment: I still don’t see why we need this statement. I think the document is much improved after these changes. But, I think that now if we pass it, it could send the wrong message, but also if we don’t pass it, it could send an equally bad message. That is why I think it should be postponed indefinitely.
- Motion to postpone indefinitely, seconded
- 9:00 Motion to extend meeting 10 minutes
 - All in favor: 45 Opposed: 1 Abstentions: 0
- Discussion about postponing indefinitely
 - I would be amenable to postponing until next meeting but not indefinitely.
 - I oppose postponing indefinitely because I think we’ve had enough time to look at this, and it’s time to vote.
 - I feel uncomfortable about putting our name on a very good document from another university when we’ve changed parts of it.
 - I think that this is like when a football team releases a statement denying considering firing a coach, and then in a week he’s fired. You don’t release statements unless there actually is a problem, and if we already handle free speech as you say better than any other institution, then endorsing this statement makes it seem like there actually is a problem here. You’re talking about instances that have happened across the country, not at Ole Miss.
- 9:10 Motion to extend meeting another 10 minutes:
All in favor: 43 Opposition: 2 Abstentions: 0

Comment: (in summary) The fact is that there is a problem. Just a short while ago,

we had students at Ole Miss calling to impeach ASB senators for holding opinions with which they do not agree, which is not the appropriate course of action. That is essentially calling for the criminalization of holding dissenting opinion. Also, a recent Yale survey found that more than half of all college students nationwide support the government doing more to censor speech, and a third of college students could not identify the 1st Amendment as the source of freedom of speech protection. We should endorse this statement in order to teach our students on campus about the importance of free speech and also to set an example for our peer institutions.

There have been more instances at other institutions, and they need someone to strongly and publicly remind them of the importance of freedom of expression to a university, and lead them back in that direction. A wide and diverse spectrum of voices have called on institutions to defend and show support for freedom of expression while dealing with issues of inclusive environments and respect for marginalized groups:

- ACLU:
 - Doug Bonney, chief legal counsel with the ACLU in Kansas, said the efforts to oust the student leaders raise First Amendment concerns. “What’s the remedy? The remedy is not probably to remove them. That seems to be possibly – and maybe likely – unconstitutional,” Bonney said. “The remedy is more speech... The answer is not ‘kick them out.’ ” 11/16/15
 - Dennis Parker, Director, ACLU Racial Justice Program: “I applaud those who speak in favor of speech that makes people uncomfortable, but I would remind them to remember that what is good for the goose applies equally to the gander.” 11/13/15
 - American Civil Liberties Union of Missouri : "Mistakenly addressing symptoms — instead of causes — and doing it in a way that runs counter to the First Amendment is not the wise or appropriate response." 11/12/15

- APLU:
 - Peter McPherson, president, Association of Public and Land-grant Universities:
 - “Thus universities have a unique responsibility to protect free speech, especially when ideas are unpopular, and to encourage all views to be expressed and heard. If this exchange of ideas cannot happen at our public university campuses, where can they happen?” “I am confident that public university leaders hold to the core value of working to create the open, inclusive, and safe environment that students need to learn, grow and flourish. Such an environment requires fostering vigorous, constitutional and respectful speech and a space where views are not only expressed but also heard. These core values should complement each other, though at times they can work at cross-purposes and challenge university leaders and their communities in the process.” 11/16/15

- NEW YORK CIVIL RIGHTS COALITION:
 - Michael Meyers, president “We are increasingly alarmed—and distressed—by the failure of public university officials to support free speech and diversity of opinion on campus,” “Somebody has to speak up for free speech.” 10/9/15

- PRESIDENT OBAMA:
 - “But we also have these values of free speech. And it’s not free speech in the abstract. The purpose of that kind of free speech is to make sure that we are forced to use argument and reason and words in making our democracy work. And you know, you don’t have to be fearful of somebody spouting bad ideas. Just out-argue ’em, beat ’em.”
 “And I do worry if young people start getting trained to think that if somebody says something I don’t like if somebody says something that hurts my feelings that my only recourse is to shut them up, avoid them, push them away, call on a higher power to protect me from that. You know, and yes, does that put more of a burden on minority students or gay students or Jewish students or others in a majority that may be blind to history and blind to their hurt? It may put a slightly higher burden on them. But you’re not going to make the kinds of deep changes in society — that those students want, without taking it on, in a full and clear and courageous way.” 11/12/15 USA TODAY, WALL STREET JOURNAL, THE ATLANTIC, etc.: with similar editorials

All of these voices are pleading for institutions to stand up for freedom of expression – the foundational value of a university - , and show that being inclusive and having respect for marginalized groups cannot occur without freedom of expression for all, and freedom of expression cannot truly exist without respect for the views of marginalized groups. Those two values must coexist or neither one can exist. There is no other institution that is in a better position to make that case with more credibility than Ole Miss. After last October’s votes, no one can legitimately claim that this body or institution is trying to send the wrong message of trying to suppress anyone’s views by making a statement in support of freedom of expression for all. We have a duty and responsibility to our students and fellow institutions to speak out on this.

- All in favor of postponing indefinitely: 23 Opposed: 19 Abstentions: 0
 - Motion is postponed indefinitely.

-Meeting Adjourned 9:17 p.m.

-Next Meeting: Tuesday, February 9th, 2016 at 7:00 p.m.