



ROBERT HOLLAND FACULTY SENATE

Uncorrected Minutes of October 4, 2019

The Robert Holland Faculty Senate of Mississippi State University held its regular monthly meeting in the Grisham Room of Mitchell Memorial Library at 2:00 p.m. on Friday, October 4, 2019.

Members absent and excused were: Kathleen Alley, Brian Baldwin, Marina Denny, Darrin Dodds, Robin Fontenot, Charles Freeman, Stacy Haynes, Patty Lathan, Rebecca Long, Angela Savage, Brad Trinkle, Chinling Wang, Samuel Winer, and Molly Zuckerman.

Members absent were:

The meeting was called to order by Senate President Randy Follett.

President Follett asked for any corrections to the minutes of the September 13, 2019 meeting. President Follett, hearing no corrections, accepted the minutes as presented.

GUESTS

Dr. David Shaw, Provost and Executive Vice President

Dr. Shaw said there are eight committees in some stage of formation. There are a lot of things that the University has to take a hard look at.

The Bachelor of Applied Science degree (BAS) is moving forward. Lots of momentum, enthusiasm, and questions have been created as a result. Dr. Shaw gave the example of the initial thought being that the BAS degree would fit well with the mission of MSU-Meridian. As a result, the intent was to house this degree program on the Meridian campus. Almost

immediately, the community colleges approached the University and said they have students that want to complete their technical associate degrees and move directly to MSU's main campus. This brought about the question of, will they be considered Meridian students, campus one students, or Distance Education students. This will also determine the tuition rate that is required. Dr. Shaw said this is just one example of the issues that we need to address. Peter Ryan will be chairing a committee to examine these issues.

Dr. Shaw said another topic being discussed is recruitment strategies for the future. Demographic trends show that the 18 year old population is declining in the state of Mississippi. It is projected to continue to decline for at least the next ten years. To be able to sustain and protect our budget as effectively as possible, we need to cast a broad net and think about differences in recruiting strategies. He said this discussion even involves looking at curriculum being offered and ensuring we are nimble enough to look at new directions we need to be taking. John Dickerson will chair this committee.

A team is already in place to examine retention and graduation rates. The committee has already met two times and is going to continue to meet.

Dr. Shaw said he just started a group to look at what is happening outside of the spring and fall semesters. This committee started from a conversation on how to make summer school stronger. He said we need to have more courses and have more students that have the option to take those courses. This led to a conversation about maymester and winter intersession. A number of institutions are also offering half-semester courses. Dr. Shaw said this discussion has led to multiple questions about the benefit that half-semester courses will provide. Will these courses help a student who wishes to extend an internship a half semester? Will this allow a student struggling in a course to drop that course and still maintain the hours required for a scholarship?

Dr. Shaw said the call for nominations has been issued for the Clinical/Instructional Faculty Task Force. This committee will make sure we are using the clinical positions appropriately and determine how we can capitalize on the opportunities these positions can create to meet the needs of the students and the instructional needs of the University.

Dr. Shaw said the graduate school enrollment has dropped again slightly this semester. Dr. Peter Ryan has been asked to work with the Graduate Council and the Associate Deans Council to look at what we are doing and if there are other things we could be doing to strengthen enrollment. Dr. Shaw said the discussion will also include identifying any structural impediments which are causing potential students to not take a second look. Dr. Shaw said Dr. Keenum mentioned in the General Faculty Meeting whether or not it was still appropriate to require the GRE of all students in a particular area.

Jeff Dean is continuing to lead the Teaching Evaluation Committee. The committee, as a whole, has met once and three sub-committees have been formed to look at specific areas.

Dr. Shaw said several years ago a committee was formed to examine faculty performance evaluation as-a-whole. This committee's work was never completed. Many different documents are used across campus. Dr. Shaw said the documentation that goes behind the evaluation documents is all over the map. A committee is being organized which will look at this issue. The committee will be composed of faculty and department heads.

Dr. Shaw said there is a lot of activity with these eight committees and he does not want this to be a lot of wheel-spinning. He said he is having many conversations stressing the importance of this work to the chairs and the committee members to ensure that they produce what this institution needs.

Senator Yu said that she supports the half-semester course offering. Dr. Shaw thanked Senator Yu for her comment and said feedback like this, whether for or against, is needed. He said some faculty may have taught at institutions that offer courses like this and their feedback could help the committee reach a decision and formulate how something like this could be implemented.

Senator Bora said he saw the memo from the Provost's Office about the BAS degree which made some recommendations about gen ed and the options for different departments. He said he felt we should be asking the community colleges what they are doing in AAS because the gen ed is too much for the BAS degree. He said we need to look at what we can supplement to make it a better fit for the BAS degree here. Dr. Shaw replied Dr. Terry Dale Cruse has been meeting with the community colleges and Dr. Keenum spoke to the community college presidents organization and received ringing endorsements of the idea. Dr. Shaw said the community colleges are interested in matching individual programs with BAS opportunities through some kind of articulation agreement. Senator Bora said he used to teach at a technical college with an AAS to BAS 2+2 program. He said he thought this model may fit well here. Dr. Shaw replied that the model does fit well. He said a major obstacle faced when this first came up was SACS-COC accreditation. He said we are relying on the community colleges to certify the credentials of the faculty they use to instruct. This has never been done with the technical courses before. The original feedback from both IHL and SACS-COC sounded like we would need to certify the credentials of the instructors of the technical courses even if it was taken 20 years ago. Clarification of this was sought and it was determined that as long as an articulation agreement of some kind, such as a 2+2 or pathways program, is in place, we can rely on the community colleges to certify the instructors so long as they are SACS-COC accredited. Dr. Shaw said in two weeks there will be further discussion of this at the IHL Chief Academic Officers meeting.

Dr. Steve Turner, Faculty Athletic Representative

Dr. Turner said President Follett had mentioned there were some questions at a previous meeting about the recent NCAA infraction case which was recently adjudicated. He said he will focus his presentation on this case.

Dr. Turner said the NCAA infraction involved academic misconduct with several student-athletes. It went through the normal university process for academic violations. Last year there were 404 honor code violations at MSU. Twenty-seven of those violations involved student-athletes.

Dr. Turner presented a PowerPoint presentation which can be found at the end of these minutes.

After the presentation, Dr. Turner said further monitoring has been instituted to avoid such incidents in the future. One of these additional measures is receiving a report at the beginning of each semester which outlines the number of student-athletes in any one class.

Senator Wipf asked how this incident was discovered. Dr. Turner replied he was unsure of who first reported the incident to the compliance office. He said once the notification occurred it was investigated and the findings showed that submissions for the 11 students involved came from one IP address. Dr. Turner said Senator Wipf's question brings up an important point. If anyone hears something about a situation like this, it should be reported immediately. He said if this had not been reported it could have gotten out of hand very quickly.

Senator Pelaez asked what the penalty was for the tutor involved. She said the tutor amassed multiple honor code violations. Dr. Turner replied he was unsure of what the tutor received on her transcript.

Senator Ridner said the news outlets seem to be reporting that this was an act of the tutor and did not seem to place responsibility on the student-athletes themselves. She asked if this information was presented this way from the University, or if it was just the way the news media chose to present it. Dr. Turner said he places the responsibility on all of the parties involved. He said Dr. Keenum feels the same way. Dr. Turner said some respondents made it seem different. He said it is unfortunate the way the incident was reported in the media.

Senator Wipf asked if the fact that the tutor was receiving payment for this constituted a criminal case. Dr. Turner replied it did not.

Senator Stewart asked if the course was online or distance. Dr. Turner replied he believes the course was an online course.

Vice President Jones asked if the students were paying the tutor, or if someone else was paying the tutor on behalf of the students. Dr. Turner replied the students were paying the tutor directly.

REPORT OF THE FACULTY SENATE PRESIDENT

Once again, we have a short turnaround between senate meetings, resulting in a shorter than normal report from me. Several discussions are underway with regard to studies and work on different aspects of operations at MSU, as can be seen in some of my committee reports. We are about to get started with an election process to get faculty representation on a committee to study the current and preferred practices with regard to clinical faculty and the potential for a new instructional faculty category. (You should expect to see notices regarding nominations and elections within the week.) There is also a new task force being put together that will work on a fresh look at summer school, intersessions, and regular semester coursework. The basic idea is to consider as many opportunities as possible for engaging with students in a variety of course settings. More to follow as that gets started up.

Status of AOPs:

The following AOPs are not under review to the best of my knowledge, but are past the four-year review cycle:

AOP	Title	Date
10.05	Nepotism	12/5/2012
12.01	Academic Add-Drop	7/23/2015
12.04	Final Examination	7/23/2015
12.22	Undergraduate Student Courseload	8/25/2015
13.09	Credentials for Teaching	7/27/2015
12.23	Cooperative Education Program	6/9/2013
13.22	Guidelines for Adjunct Faculty, Visiting Faculty, Visiting Scholars/Scientists and Visiting Executive Appointments	3/6/2015
31.02	Legal Resident Status	2/5/2013

Reports from committees on which I serve:

Athletic Council – has not met since my last report

Diversity Council – has not met since my last report

Executive Council – has not met since my last report

Executive Enrollment Management Committee – This committee last met on September 24. The primary focus was on a “Strategic Enrollment Discussion”. This began with a famous quote from Yogi Berra, “The future ain’t what it used to be!” An extended discussion of the question of future enrollment and strategic methods to allow us to remain relevant to future students was conducted. Comments about continued predictions of shrinking numbers of high school graduates, reductions in the academic common market, and changes by other states with regard to out of state tuition and scholarships are cause for concern. A significant question regarding ways to allow greater faculty involvement in the process of planning the development of innovative and more relevant coursework was asked. Please feel free to send ideas my way on this, but know that I will continue to look for ways to involve faculty on any items that are being considered in terms of changing curricular content. This question is of course complicated by the great diversity of opinions held by faculty with respect to dramatic change in any curriculum. Change in this context takes time, and time is something of a premium in this case.

Game Day and Special Events – This committee has only met physically one time since my last report, which turned out to be a relatively brief meeting. On a very positive note, there has been improvement in the overall trash situation, particularly in the “problem area” cited for past issues. A second Police Tent was set up near the problem area, with a resulting improvement in general conditions at the USM game. Since then, the situation has continued to improve, which has resulted in a halt to the move to shut down tailgating areas that have been a problem.

Information Technology Council – has not met since my last report

Master Plan Development and Advisory Committee – This committee, along with its associated subcommittee, the Design Review Committee (DRC) that I am also a part of, has not met since my last report. However, there have been some changes made to the DRC structure and membership, which have taken effect already. These changes will be evaluated for effectiveness, with subsequent follow-up consideration of the larger committee.

Parking and Traffic Regulations Committee – Mary Ann Jones attended this meeting on my behalf last week while I was out of town.

Sustainability Committee – Mary Ann Jones attended this meeting on my behalf last week while I was out of town.

REPORT OF THE FACULTY SENATE VICE PRESIDENT

Academic Deans Council –has not met since my last report
Committee on Campus Access – has not met since my last report

Community Engagement Committee – has not met since my last report

Reminder:

Excellence in Community Engagement Award applications are due by midnight 10/17. Awards are \$3,000 for the winner of each category and \$750 for one finalist in each category. Application submission <https://tinyurl.com/MSUCEAwardapp>

- Community-Engaged Service
- Community-Engaged Teaching and Learning
- Community-Engaged Research
- Scholarship of Engagement

President's Committee on Planning – has not met since my last report

Textbook Committee – has not met since I have been assigned to the committee

Undergraduate Research and Creative Discovery Committee – has not met since my last report

Parking and Traffic Committee – attended on behalf of RHFS President

Reviewed a request for additional staff parking close to the Honors College Zacharias Village for Ruby, Hurst, Griffis, and Nunelee Halls. The request was rejected due to a week long study of empty spaces in the current staff lots. The committee decided that there were enough spaces in the current staff lots to accommodate the number of staff officed in these buildings.

Reviewed a request for a pedestrian cross walk on Herbert St. from the large parking lot to the stairway connecting Herbert St. with the alleyway behind the Roberts Building. Unfortunately, cross walks must connect two sidewalks and there aren't any sidewalks in the vicinity to be connected. Parking and Transit is aware of the situation and will study the area to determine the best solution for pedestrian safety. Attention was paid to the fact that when the East Perimeter road is built it should ease the traffic and congestion on Herbert St.

Sustainability Committee – attended on behalf of RHFS President

Music Building energy model was presented. The building plans exceed the 30% campus requirement of ASRE 90.1 2013 by 6.9% - meaning the building is rated at 36.9% energy efficient.

We are currently operating under the old standard, 2013, and will need to move to the ASRE 90.1 2016 standard soon.

Glass recycling event will be held in October. Watch for announcement from the Sustainability Office.

Eco Kits for dining are available from the Aramark office. This is a swap program for to-go containers. The kit also includes a hot drink and a cold drink reusable tumbler. Coffee and fountain drinks are just \$.99 with the use of the tumblers for drink refills.

FACULTY DESIGNATES ON UNIVERSITY COMMITTEES

BUSINESS TO BE SENT TO COMMITTEES

1. Letter of Request: Faculty Concern about Parking Costs (University Resources)
2. AOP 10.02 Academic Administrators and Directors (Ancillary Affairs)

President Follett said AOP 10.02 Academic Administrators and Directors was delivered to the Faculty Senate Office after the agenda was sent out and as a result is not included in the agenda. A paper copy of the policy was handed out to the senators. President Follett said AOP 10.02 is intended to be sent to the Ancillary Affairs Committee.

Secretary Robichaux-Davis made a motion to send the items to the committees indicated. Vice President Jones seconded the motion. The motion to send the items to the indicated committees passed by unanimous voice vote.

STANDING COMMITTEE REPORTS

Academic Affairs

1. **AOP 11.04 Split-Level Combined Undergraduate/Graduate Courses**

Senator Eakin, on behalf of the Academic Affairs Committee, presented the committee report on AOP 11.04.

The motion to approve AOP 11.04 Split-Level Combined Undergraduate/Graduate Courses with no changes passed by unanimous voice vote.

2. AOP 12.15 Academic Probation for Undergraduate Students/AOP 12.16 Academic Suspension and Dismissal(rescind)

Senator Eakin, on behalf of the Academic Affairs Committee, presented the committee report on AOP 12.15.

Senator Eakin said AOP 12.16 Academic Suspension and Dismissal was included in AOP 12.15 and AOP 12.16 is to be rescinded. There is a reference in AOP 12.22 to AOP 12.16. She said this reference will have to be changed to point at AOP 12.15.

Senator Musser said he has a question about “Undergraduate students on academic probation should be limited in the number of credit hours they take (AOP 12.22 Undergraduate Student Course Load)” in AOP 12.15 on page 30 of the agenda. He asked if this was not a hard limitation. Senator Eakin replied “should” was substituted for “may” to align the language between this policy and AOP 12.22. Senator Musser said he felt it requires a limitation of hours which “should” does not do. Senator Eakin said she would like to discuss Senator Musser’s suggestion with her committee and report back to Senate at the next meeting.

3. AOP 12.37 Graduate Student Academic Grievance Procedures

Senator Eakin, on behalf of the Academic Affairs Committee, presented the committee report on AOP 12.37.

The motion to approve AOP 12.37 Graduate Student Academic Grievance Procedures with no changes passed by unanimous voice vote.

4. AOP 21.01 Graduate Admission Criteria

Senator Eakin, on behalf of the Academic Affairs Committee, presented the committee report on AOP 21.01.

Senator Welch asked if the policy now does not have any teeth. Senator Eakin replied she believes it is shifting the teeth to the department. She said her understanding is there is an effort to move some of the decision making from the Graduate School to the departments. Senator Welch said he has served as a graduate coordinator. He said making a policy like this puts a graduate coordinator in a situation where he/she cannot enforce a rule. He said any stipulation like this needs to be hard so it can be enforced. President Follett said departments can enact more stringent rules for any of these situations. He said if the university policy is hard, it does not allow the departments to make exceptions when they feel they are warranted.

The motion to accept AOP 21.01 Graduate Admissions Criteria as presented passed by unanimous voice vote.

Ancillary Affairs **No Report**

Charter & Bylaws **No Report**

Faculty Affairs

1. Letter of Request: Lecturer Policy

Senator Sherman-Morris, on behalf of the Faculty Affairs Committee, gave an update on the committee progress concerning the request to review the lecturer policy. She said the committee had hoped to present a report at this meeting, but after sharing the committee's thoughts with administration, it was discovered there may be a better way to handle this. The Faculty Affairs Committee will meet next week and will most likely be able to present a recommendation at the November meeting which will have a greater chance of acceptance by the University.

Student Affairs **No Report**

University Resources **No Report**

SPECIAL COMMITTEE REPORTS

PENDING BUSINESS

NEW BUSINESS

Secretary Robichaux-Davis made a motion to adjourn. Senator Davis seconded the motion. The motion to adjourn passed by unanimous voice vote at 3:10 p.m.

Submitted for correction and approval.

Rebecca Robichaux-Davis, Secretary

Jason Cory, Administrative Assistant II

Presentation by Dr. Steve Turner

Mississippi State University NCAA Case No. 01001

1

TIMELINE OF CASE

- JANUARY 2019 – Information is provided to the compliance office that indicated possible academic misconduct violation by a tutor. Information suggests tutor had completed assignments and/or tests in an online class. University immediately suspended employment as a part-time tutor pending investigation. Subsequent investigation involved the Dean of Students office and ITS to obtain data related to online access to the class (IP addresses, account login dates and time, etc.). Data indicated work done from a single IP address for multiple student athlete accounts. Tutor declined to cooperate with information related to IP address and any further questions.

2

TIMELINE OF CASE

February 2019 – The NCAA was notified and 11 student athletes were interviewed. Those interviews indicated that they paid the tutor to complete some or all of the assignments and tests in an online class. Data analysis indicated that these 11 student athletes and one class during the fall 2018 term were involved in the violation. Analysis of data from other terms showed no evidence of wrong doing. All 11 were sent through the honor code process and received an “XF” in the class. All 11 were declared ineligible and went through NCAA reinstatement process.

The former tutor was officially terminated.

3

TIMELINE OF CASE

- March 2019 – It is uncontested that in March 2019 and continuing to the present, the former tutor failed to cooperate with the enforcement staff when they refused to participate in an interview with the institution and enforcement staff to discuss their involvement in alleged academic misconduct that occurred at the institution.
- June 2019 - MSU and the NCAA agreed on the facts in the case. The enforcement staff indicated a willingness to process the case through the new “Negotiated Resolution” process.

4

Negotiated Resolution

- New procedure for processing major infractions cases.
- All facts are agreed upon and the penalties are negotiated between all parties
- 3 person panel of the COI approves the resolution.
- NO Notice of Allegations. NO Hearing before the COI.
- There is no appeal.

5

Aggravating Factors

- A history of Level I, Level II, or major violations.
- One or more violations caused significant ineligibility or other substantial harm to a student-athlete.

6

Mitigating Factors

- (1) Prompt self-detection and self-disclosure of the violation(s).
- (2) Prompt acknowledgement of the violation(s), acceptance of responsibility and imposition of meaningful corrective measures and/or penalties.
- (3) Affirmative steps to expedite final resolution of the matter.
- (4) An established history of self-reporting Level III or secondary violations.
- (5) Implementation of a system of compliance methods designed to ensure rules compliance.
- (6) Exemplary cooperation.

7

AGREED UPON PENALTIES – July 2019

- Financial penalty: The institution shall pay a fine of \$5,000 plus 1% each of the football and men's basketball budgets to the NCAA. The fine related to the football program will be \$165,533 and the fine related to the men's basketball program will be \$54,014.

8

AGREED UPON PENALTIES

–Scholarship reductions: During the 2020-2021 and 2021-22 academic years, the institution shall reduce the annual limit on the number of counters in football by a reduction of 2 for a maximum of 83. During the 2020-2021 academic year, the institution shall reduce the annual limit on the number of counters in men's basketball by 1 for a maximum of 12.

9

AGREED UPON PENALTIES

- Recruiting restrictions: During the 2019-2020, 2020-2021 and 2021-2022 academic years in the sports of football and men's basketball, the institution shall restrict recruiting activities as follows:
- During the 2019-2020 academic year, a 10 percent reduction in official visits for both football and men's basketball.
 - In the sport of football, no unofficial visits during one home contest for the 2019-2020, 2020-2021, and 2021-22 academic years. In the sport of men's basketball, no unofficial visits during two home contests for the 2019-2020 and 2020-2021 academic years.
 - During the 2019-2020 academic year, off campus recruiting restrictions in the sport of football recruiting person days by two in the fall and 10 in the spring, and in the sport of men's basketball reducing recruiting person days in the spring by six.

10

AGREED UPON PENALTIES

- Public reprimand and censure
- Vacation of records: The institution will vacate all regular season and conference tournament records and participation in which the ineligible student-athletes in this case competed from the time they became ineligible through the time they were reinstated as eligible for competition.
- The institution shall disassociate the former tutor.
- Information about the case is linked on the front page of Hailstate.com during the entire probation period.

11

AGREED UPON PENALTIES

- 3 years probation from August 23, 2019 through August 22, 2022
- All the student-athletes involved will be required to conduct one rules education session with their teammates on the consequences of academic misconduct.
- During the 2019-2020 academic year the MSU athletic academic office will participate in the N4A program review and academic integrity assessment (AIA) process.
- During the term of the probation any prospects on official visits in football or men's basketball must be provided information about this case.

12

Because of the actions of 11 student-athletes and one tutor

- OUR UNIVERSITY ENDURES A BLEMISH ON OUR ACADEMIC CREDIBILITY