Minutes from the October 2017 MTSU Faculty Senate Meeting

9 October, 2017
Faculty Senate Chambers, 100 James Union Building

Attendance

Present

Mark Abolins, Murat Arik, Tyler Babb, Martha Balachandran, Bishwas Bedekar, Kathryn Blankenship, Alan Boehm, Andrew Brower, Larry Burriss, William Canak, Laura Cochrane, Rick Cottle, Tricia Farwell, Rebecca Fischer, Justin Gardner, Joey Gray, Jenna Gray-Hildenbrand, Tim Greer, Shannon Harmon, Pippa Holloway, Robert Kalwinsky, Paul Kline, Vanessa Lefler, Alfred Lutz, Preston MacDougall, Mary Martin, Pamela Morris, Susan Myers-Shirk, David Otts, John Pennington, Joshua Phillips, Ariana Postlethwait, Terry Quinn, Deana Raffo, Michael Rice, Patrick Richey, Stephen Salter, Kristi Shamburger, Mary Ellen Sloane, Nat Smith, Donald Snead, Sherri Stevens, Moses Tesi,

Excused

Angela DeBoer

Absent

Mamit Deme, Hari Garbharran, Shallum Harris, Yang Kim, Michelle Stevens, Deborah Wagnon

Visitors

Gené Stephens, Assistant Vice President for the Office of Compliance and Enterprise Risk Management, Office of the Vice President for Business and Finance

Agenda

Faculty Senate President Joey Gray called the meeting to order at 3:31 PM.

Approval of the Minutes

Minutes from 11 September, 2017, Faculty Senate Meeting were distributed to the Faculty Senate for review and consideration on 06 October, 2017, by Wendi Watts.

Mark Abolins (Geosciences) moved to approve the minutes from the September meeting; Bill Canak (Anthropology & Sociology) and Nat Smith (Physics & Astronomy) seconded the motion. The minutes were approved as read by voice vote.

Announcements

President Gray announced the following events and updates to the Faculty Senate:

- University President Sidney McPhee invited members of the Faculty Senate to a reception in the President's Residence. The reception, scheduled for 23 October, 2017, from 4:30 to 6:30 PM, welcomes Senators to meet and socialize with the President and other members of the Senate.
- President McPhee also gave the Faculty Senate permission to provide bi-annual reports on faculty activities to Board of Trustees Academic Affairs Subcommittee.
  - The invitation represents a success in the Faculty Senate's pursuit to open more lines of communication with the Board of Trustees and to fulfill its shared governance.
  - At the beginning and end of the academic year, the Faculty Senate Academic Affairs committee will summarize its goals and activities and highlight faculty contributions to student and academic life.
- Gray notified members of the Faculty Senate of recent changes to Pipeline that make it easier for faculty to tell when they have academic progress reports due. Faculty may more quickly find information on their report completion for monitored groups, such as student athletes, and regular reporting deadlines under the "Status Reports" section of "Faculty" information on Pipeline.
  - Gray added that she submitted a request with the Registrar to deliver more timely and targeted reminders of reporting deadlines. The request asked that faculty who had not yet submitted their progress reports to receive an e-mail reminder a couple of days before the deadline.
  - The goal of both these announcements is to ensure more timely progress reporting and to cut down on non-reporting. Upon questioning, Gray reminded Senators that progress reports, especially final grades, are instrumental in financial aid decisions. Thus, it is important that reports be submitted on time so that students' aid is not affected.
  - Gray asked that Senators share these changes with their constituents so that they can more effectively respond to notices from the Registrar's office.
- Gray, last, shared notes from the most recent meeting of the Association of Tennessee University Faculty Senates (TUFS):
  - Following revisions to the TUFS constitution, representatives may now vote by e-mail, rather than in-person. Correspondingly, the association asks that all Faculty Senates designate two representatives, whose roles should be instituted in the bylaws of each university senate.
    - Michael Rice (Foreign Languages) moved to adopt the revised TUFS constitution; Stephen Salter (Accounting) and Smith seconded the motion. The motion was carried by a majority of voice votes.
  - TUFS members also agreed to a plan to construct a common syllabus that would maintain an up-to-date description of state and federal higher education policies, such as lottery scholarship requirements and Title IX provisions, that faculty may use as a template in preparing their courses.

- o Gray added that the meeting provided an opportunity for Faculty Senates to compare notes on their experiences with shared governance so far under the new Board of Trustees structure.

Officer and Committee Reports

Treasurer's Report

It was reported that the Faculty Senate budget for the 2017-2018 academic year is

- Operating: $3,300
- Travel: $1,600.

The Treasurer's report also documented that, as of 09 October, 2017, the Faculty Senate had the following funds on hand:

- Operating: $522.97
- Travel: $709.00

Tennessee Board of Regents Representative

There was no report on Tennessee Board of Regents institutions activities. At the time of the October Faculty Senate meeting, the Regents partners had not met, but was scheduled to meet later in the month.

Faculty Senate Strategic Committee Reports

Chairs from each of the four Faculty Senate committees – Finance & Personnel; Academic Affairs, Student Life & Athletics; Executive & Governance; and Audit & Compliance – updated the Senate on the status of new and continuing projects.

Finance & Personnel

Finance and Personnel committee chair, Tim Greer (Computer Information Systems), reported that his committee was making good progress in their data collection on merit pay models. The committee has identified a number of good resources to inform their continuing research.

Academic Affairs, Student Life & Athletics

Andrew Brower (Biology), chair of the Academic Affairs committee, shared with the Faculty Senate the results of the progress that followed the Academic Misconduct policy proposal approved at the September 2017 Faculty Senate meeting. The proposed policy was forwarded to the Office of the Provost and several recommendations from the Faculty Senate proposal were incorporated.

Discussion on the new Academic Misconduct policy raised additional questions about procedure and consequences:

- Smith questioned whether the policy introduced a possible contradiction where a student may be found "not responsible" for an accusation of academic misconduct yet the penalty imposed

(e.g., failed grade) stands. Brower noted that this aspect of the Academic Misconduct policy preserved faculty members' discretion in grading.

- Smith followed up this question with another concerning the consequences of multiple complaints of academic misconduct. Specifically, how would the new policy compound sanctions across multiple instances where a student is found responsible for misconduct? Brower responded that penalties do ratchet up over multiple complaints, with the ultimate case of a student being dismissed from the university due to a number of founded complaints.

Brower concluded by sharing his assessment that new members of the administration in the Office of Academic Affairs seem keen to work with faculty and the Senate on carving out the best policies and procedures on Academic Misconduct.

Executive & Governance

Executive and Governance committee chair, Tricia Farwell (Journalism), updated the Faculty Senate on two matters. First, Farwell reported that her committee was working to more fully detail a draft memorandum that would be distributed to the Senate a proposed recommendation on Student Evaluations of Teaching (SETs). A previous version of the committee's statement on this matter was shorter so as to be quickly adopted before Board of Trustees subcommittee meetings that were originally scheduled in mid-September.

Second, Farwell summarized the committee's discussion on the design and implementation of on-line SETs. Farwell's report focused specifically on revisions to the language and number of questions to student evaluations of teaching as the university transitions to an on-line process. One option the committee put forward was to decide a baseline number and set of questions and leave an option open to faculty to select additional questions from an approved bank, such as the Course Evaluations Question Bank from the University of California, Berkeley Center for Teaching and Learning, which lists a battery of questions in different categories.[1]

Open discussion on the Executive and Governance committee report raised two general issues as research on on-line SETs continues: 1) Questionnaire design for multiple electronic platforms and 2) Interpreting data obtained from on-line SETs.

1. Questionnaire Design for Multiple Electronic Platforms

   ◦ Gray reminded the Senate that the new, on-line SETs no not need to revise or change the current questionnaire used for SETs, but the transition to a new survey platform is a good opportunity to change the content and number of questions that students answer. Ultimately, though, teaching evaluation committees within academic units will decide the best instruments to evaluate teaching from the available on-line questionnaires.

---

[1] https://teaching.berkeley.edu/course-evaluations-question-bank

◦ In thinking about potential changes to the questionnaires used, several senators made points that these decisions should take into consideration the quality of attention that is paid in questionnaires delivered on paper compared to electronic media and the number of questions that should be asked given that respondents are likely to access the teaching evaluations through a variety of electronic platforms (e.g., mobile phones, computers, tablets).

  ▪ Mary Martin (Mathematics) shared with the Senate the findings from a review of the literature on survey response validity and questionnaire delivery methods. Best practices from industry, Martin summarized, suggest that questionnaires accessed through mobile devices, such as cell phones, should be shorter than those accessed on a computer or written evaluation in order to ensure similar consistency in response rates and quality.

  ▪ Noting the relatively large number of questions posed on the current evaluation form, senators debated a target number: Murat Arik (Management) proposed that cutting the current number of questions in half as a initial cut; Gray added that 20 may be a good number. Martin shared that industry standards in electronic survey methods recommend just 10 questions when respondents use mobile devices to answer questions. To Martin, Salter added that faculty should expect that students will complete their evaluations of teaching using their mobile devices as there are not enough computer labs on campus to accommodate computer-administered evaluations.

◦ Senate debate on the design of on-line SET questionnaires also addressed the content and style of questions.

  ▪ One point, raised by Smith, pointed out the desirability of identifying objective criteria in selecting questions. Martin responded that academic research on the matter is not yet substantive enough to draw conclusions. However, she observed that consultants and firms within the industry make useful recommendations.

  ▪ Kathryn Blankenship (Health and Human Performance) posed a second question: Could a revised questionnaire also include open-ended questions? Senate discussion, again, gave the impression that question design, including options to revise question types (e.g., ordinal, Likert, open-ended) depended on decisions within academic units and that the survey instrument provider imposed few restrictions on questionnaire design.

2. Interpreting Data Obtained from On-line SETs

◦ Discussion on Faculty Senate recommendations for on-line SETs also responded to questions about how data obtained from the evaluations would be used. These questions built on discussions from previous Faculty Senate meetings and university town halls, which revealed that on-line SETs have lower response rates and are more likely to be completed by opinion

outliers (e.g., those with high grades and poor grades than a representative sample of students all performance levels) than paper-based evaluations.

- ▪ The common theme in this debate was represented in questions raised by Brower and Justin Gardner (Agribusiness & Agriscience): How would data obtained from on-line student evaluations of teaching be used and interpreted?

- ▪ Most responses to this question focused on the use of on-line SET results in contract renewal, promotion, and tenure and the concern that low-quality data would misrepresent instructors' teaching efficacy for those decisions. An additional concern was that low-quality data, interpreted as direct evidence of teaching efficacy, would affect merit pay awards.

- ▪ Vanessa Lefler (Political Science & International Relations) and Martin noted, though, that SETs are already viewed as just one part of the whole profile of teaching and performance review. Additionally, empirical analysis of SET data could include informal and statistical adjustments for sampling bias and other factors, such as peer evaluations, in evaluating teaching.

In closing debate on the matter, Gray summarized the issues raised during the discussion and recommended that the Executive and Governance committee focus on establishing a set of best practices for questionnaire design. These recommendations could then be used by academic units to decide the number and types of questions included in their instructors' SETs. Afterwards, the committee should propose guidelines for how academic units should interpret on-line SET data and use them in making decisions about contract renewal, promotion, and tenure.

Audit & Compliance
Vishwas Bedekar (Engineering), chair of the Audit and Compliance committee, reported on his committee's continuing data collection effort to identify a list of peer institutions that could be used to compare against MTSU as a basis for other policy decision-making.

- The committee is focusing on three criteria as the basis for comparison: student demographics, faculty composition, and financial profiles. Within student demographics, the committee is working with university administration to match MTSU enrollment data with potential peer institutions.

- One goal of this continuing effort is to construct a single list of peer institutions for comparison on a variety of decisions, which will revise the current model that adopts different lists of institutions for comparison as peers depending on the policy under consideration.

Unfinished Business
In unfinished business, the Faculty Senate discussed 1) changes to titles and status of Full-Time Temporary instructors, 2) Standing Committee accountability, 3) evaluation of the University Administration, 4) response to the repeal of the Deferred Action for Childhood Arrivals (DACA) policy, 5)

university compliance with and implementation of the Americans with Disabilities Act, and 6) recommendations for a University Honor Code.

Full-Time Temporary Instructor Changes

The Faculty Senate discussed two forthcoming changes in the titles and status of Full-Time Temporary (FTT) instructors at MTSU. The first topic informed Senators that some FTT positions will be converted to new "Instructor" and "Lecturer" ranks in the 2018-2019 academic year. The second topic began a dialogue on the matter of including FTT representatives in the membership of the Faculty Senate.

Full-Time Temporary Conversion

In Spring 2018, it was announced that the University would create new non-tenure-track instructional contracts that would attribute ranks such as "Lecturer" and "Instructor," based on experience. These lines will eventually replace the current designation of Full-Time Temporary instructor and come with increased salary and rank and removes annual re-application requirements, depending on performance evaluation. This action represents an initial roll-out in compliance with Policy 202.IV.C Faculty Definition, Roles, Responsibilities, and Appointment Types: Academic Ranks.[2]

In the meeting, Gray announced that the first set of conversions from FTT to Instructor/Lecturer ranks will occur at the beginning of the 2018-2019 academic year. The Office of Academic Affairs, Gray continued, plans to replace 20 percent of the current FTT lines with the new positions, with applications for the new positions due in the current academic year.

Gray added that the new lecturer/instructor lines will be divided among colleges and academic units by the Provost and Deans. Academic units that receive these new contract lines will then have the discretion to make decisions about hiring new instructors or continuing current non-tenure-track instructional contract.

A Town Hall for current FTT instructors with President Gray and Vice Provost for Faculty Affairs Cheryl Tornsey will be planned to explain the conversion process.

Representation of Non-Tenure-Track Faculty

The announcement of the first plans to convert some FTT instructor contracts to ranked, instructor/lecturer titles was coupled with a matter raised during a faculty meeting with the Southern Association of Colleges and Schools (SACS) Commission on Colleges accreditation review board: non-tenure-track instructor representation in shared governance. The question posed to the Senate was how, if appropriate, FTT and other non-tenure-track instructors could be represented in the Faculty Senate.

A central matter of interest in this discussion focused on Faculty Senate bylaws, which define "faculty" according to the tenure-track or tenured status in the University. Under the current bylaws, Gray and Martin noted, non-tenure-track instructors are not permitted to serve as delegates from academic units

---

[2] http://www.mtsu.edu/policies/academic-affairs-institution-and-faculty/202.php

with voting privileges in the Senate, except under special circumstances. FTT instructors are also solely contracted as instructors without service or research responsibilities.

A number of Senators expressed their thoughts on the question; three general positions formed.

1. Full FTT Representation
   One position stated on this matter supported full inclusion of full-time temporary instructors in Faculty Senate and other shared governance. Alan Lutz (English) noted that the American Association of University Professors (AAUP) is in favor of FTT representation on faculty senates.

   Others added that the FTT instructors at MTSU already make strong contributions to the teaching and advising missions of the university, which often go beyond the requirements of their contracts. Even if their service is voluntary rather than satisfying a contractual responsibility, FTT instructors should be included in the university's shared governance.

2. *Ex officio* FTT Representation
   Other Senators suggested that, rather than full Senate membership, the Senate would extend membership without voting privileges to a representative selected by the FTT instructors. Such an *ex officio* status, senators noted, would allow non-tenure-track instructors to be included in conversations about university governance but would also guard against vulnerabilities created by the conditions of their employment.

3. No Change to Faculty Senate Membership Bylaws
   The third position proposed would preserve the current rules. A common argument among Senators who staked this position emphasized the multi-faceted interests of tenure-track and tenured faculty in their relationship to the university. Whereas tenure-track and tenured faculty have contractual responsibilities to the university's teaching, service, and research missions, non-tenure-track incentives are structured solely around teaching.

   Including FTT instructors in Faculty Senate membership could, some were concerned, draw the Senate's attention away from service and research responsibilities as the body's membership comes to be comprised of more representatives whose interests are largely motivated by the university's teaching mission.

   Among those who expressed support for this position, some felt that the Senate should not take action on this matter until the university received its accreditation evaluation from SACS. In relation to this approach, Martin reminded Senators that 20 percent of all instructors at MTSU are under temporary contracts; this represents a doubling of the number of FTT instructors over the last 10 years.

No action was taken on any of the three positions discussed on this matter; further debate was tabled for the November 2017 meeting of the Faculty Senate.

University Standing Committee Accountability

Gray brought before the Senate the issue that truancy is common among faculty serving on University Standing Committees. Along with regular vacancies, non-attendance at Standing Committee meetings either prevents the Committee from fulfilling its obligations or causes the committee to shift its responsibilities to other university personnel.

- This issue was particularly highlighted in the case of the Academic Appeals committee. A consequence of regular faculty absences is that College Academic Advisers, appointed as replacements to faculty volunteers, now outnumber faculty on the committee.

- In response to the matter, some senators cited inconvenient scheduling and lack of notice as explanations for faculty absences at committee meetings. Especially given the responsive function of the Academic Appeals committee, it is difficult for faculty representatives to anticipate and plan for each meeting. Others agreed that faculty should be held accountable for their responsibilities which, in the case of University Standing Committees, are voluntary.

In partial resolution of this issue, Gray proposed that Standing Committee chairs adopt a new policy of notifying academic unit heads of their representatives' attendance at committee meetings.

Evaluation of University Administration

During their meeting with faculty, members of the SACS Commission on Colleges accreditation review board posed a question about the procedures for evaluating the University President. On behalf of the Faculty Senate Standing Committee, Gray introduced the matter to the Faculty Senate for consideration. Under debate was a proposal for the Faculty Senate to prepare a draft policy recommendation that would outline new procedures for University Administration, including Deans and the Provost alongside the President.

- In discussion on the proposal, a position emerged which expressed the hope that the draft policy could eventually establish standards for evaluating all administrators, including chairs. The goal of such an outcome would be to adopt consistency across academic units.

- There were mixed reactions among senators to this position as, at this point, there were uncertainties about the consequences of poor evaluations for administrators and academic unit chairs and whether a university-wide policy would abrogate unit-level procedures.

Debate on the topic concluded with a motion for the Academic Affairs committee to prepare a draft policy for Faculty Senate review. The motion was carried by general consent. Further debate on administrator evaluation was tabled until a draft policy is submitted for review.

Statement on DACA Repeal

Pippa Holloway (History) submitted a statement in response to the repeal of the federal Deferred Action for Childhood Arrivals (DACA) policy. The statement expressed concerns that the law's repeal would harm the academic progress of a number of students at MTSU and called upon the University to discover ways to reduce the risk of such consequences. The statement also called upon legislators to

pass the DREAM Act, a bill to replace the protections conferred by DACA to children who arrive in the US without documentation.

- In presenting the statement to the Faculty Senate, Holloway said that the statement, if approved, would be shared with the University President and the Student Government Association President. At the time of the meeting, it was not clear whether or how the statement would be distributed to the Board of Trustees.

Susan Myers-Shirk (History) moved to adopt the statement; the motion was seconded by Patrick Richey (Communication Studies & Organizational Communication). The statement was adopted by a unanimous voice vote.

Americans with Disabilities Act Compliance and Policy Implementation with Disability and Access

The Faculty Senate continued dialogue on two matters concerning the university's definition and implementation of policies for disable students in compliance with the Americans with Disabilities Act (ADA). The first matter addressed previous concerns about communication among faculty, students with accommodations for disabilities, and the MTSU Disability and Access Center (DAC). The second matter introduced a position paper from the Disability and Access Center for Faculty Senate endorsement.

Disability and Access Communication

Based on discussion from previous meetings, Gray met with the University Provost to discuss Disability and Access Center practices regarding administration, implementation, and communication of disabled student accommodations. The result of this meeting was a suggestion that Gray meet directly with ADA staff on campus to share the faculty's areas of concern and to initiate a conversation on how to better align the interests of all groups vested in the success of disabled students at MTSU. Gray sought a motion for a directive endorsing such further action.

Salter moved that the Faculty Senate, through the Senate President, open communication with ADA staff in the Disability and Access Center; the motion received multiple seconds. The directive was approved by unanimous voice vote.

Statement from Disability and Access

In related business, the Disability and Access Center submitted a statement on university compliance with the ADA through its implementation of programs designed to ensure the success of disabled students at MTSU. The DAC sought an endorsement from the Faculty Senate for their position paper.

- Debate on the issue returned to a number of concerns which corresponded with the previous business of communication among faculty, students with accommodations, and the DAC. It was also perceived that the language of the DAC statement was vague and overly broad and did not adequately represent faculty perspectives in incorporating ADA principles in higher education.

No action was taken on endorsing the DAC statement as submitted to the Faculty Senate. The Faculty Senate approved a directive to prepare an amended statement for future consideration. Alan Boehm (Walker Library), Martin, and Richey will comprise a committee to draft the amended statement.

University Honor Code

Gray reported on her recent meeting with Director of Student Academic Ethics in the Office of the University Provost. This meeting and concurrent conversations with the Provost and the Faculty Senate Standing Committee, Gray said, point to a need for a University Honor Code for integrity and ethics in academics and student life.

The Faculty Senate approved by general consent for Gray and the Finance and Personnel committee to draft an Honor Code for Faculty Senate consideration at a future meeting.

New Business

One topic, consideration of a recently published evaluation of the MTSU Career Development Center, was introduced to the floor of the Faculty Senate in new business.

Evaluation of MTSU Career Development Center

In new business, Salter sought to collect more information and elicit input from other faculty on a recently reported evaluation of the Career Development Center. Several senators interpreted the evaluation, completed by the Southern Association of Colleges and Employers (SoACE), as finding the Career Development Center to insufficiently responsible to their objectives. Additionally, there were some who expressed the concern that the report was not adequately shared with appropriate campus interest groups. Gray and other senators did not agree with these concerns about the report's publicity, with some noting that they had already shared the evaluation with their colleagues.

- Discussion on the matter ended on the subject of recommendations that the Faculty Senate could make to the Career Development Center. Salter suggested that the Senate could survey other colleges and academic units in the university to begin collecting information and ideas for strategies that are already used or needed at MTSU.

Upon this suggestion, it was moved that further discussion of the Career Development Center evaluation be tabled to the November 2017 meeting of the Faculty Senate. The motion was carried by general consent of the Senators present. Gray added that a copy of the SoACE evaluation of the Career Development Center would be redistributed.

Assistant Vice President for the Office of Compliance and Enterprise Risk Management, Gené Stephens

Assistant Vice President for the Office of Compliance and Enterprise Risk Management (CAREM), Gené Stephens addressed the Faculty Senate to introduce them to the activities and functions of the office. Additionally, Stephens described a number of new initiatives emanating from her office, for which she sought faculty volunteers.

Overview

Stephens began her remarks with a brief overview of her professional and personal background, which led to her current position with MTSU. As a segue to explain the purpose of the CAREM office, Stephens defined Enterprise Risk Management. Enterprise Risk management is, according to Stephens, an

anticipatory mechanism in an institution's efforts to avoid fraud, waste, and abuse and to ensure policy compliance. It seeks to insulate an institution by building practices that align missions and values around these areas of risk.

- Providing more detail on the rules and procedures that organize her office's functions, Stephens stated the MTSU CAREM office follows the revised Standards for Internal Control in Federal Government, also known as the "Green Book." Thus, the CAREM office follows the best practices of other state and federal risk management systems.

- Stephens also shared that the CAREM office has already participated in the evaluation of several campus activities, including drone use and personal relationships within academic unit hierarchies, among others.

Enterprise Compliance and Risk Management Centralization

One major contribution of the CAREM office to MTSU is that it centralizes risk management compliance activities that previously occurred through several, largely siloed, university departments.

- This centralization is achieved through the coordination of the Enterprise Compliance and Risk Management (ECRM) Committee, which includes departments on campus that implement policies related to the Americans with Disabilities Act, Title IX, and athletics, among others.

- The primary goals of the Enterprise Compliance and Risk Management Committee, according to Stephens, are to collaborate and to achieve continuity in enterprise risk mitigation.

- The ECRM committee is, further, divided into three subcommittees: Diversity and Inclusion, Health Care and HIPPA Compliance, and Ethics, Privacy, and Confidentiality.

  ◦ Stephens highlighted that these subcommittees are designed to address the more specialized functions of enterprise risk management at MTSU. They also carve out new agendas for university management.

  ◦ The approach for these committees is to adopt task-oriented agendas in which deadlines and objectives are clearly stated in order to effect more efficient action. They also adopt open-source protocols for the products of their work. Said Stephens, the ECRM Committee's goals emphasize inclusion, which share information and lessons learned from their activities with the rest of the university and the campus community.

  ◦ The ECRM subcommittees are also identified by their potential synergies with other university functions:

    ▪ For example, Stephens expressed the ambition that work through the Diversity and Inclusion subcommittee could result in the initiation of diversity forums or a Diversity and Justice Center for research, which would attract external funding.

- Subcommittee work could also address emotional and mental health wellness on the campus and promote better care on these matters.

- Last, Stephens suggested that the ECRM Committee and the CAREM office could work to educate faculty and staff on best and lawful electronic information sharing practices.

  ◦ Stephens concluded her remarks on the ECRM committee by announcing that action teams around each of the items in this agenda are forming to initiate university-wide projects and programming, as well as to investigate areas of concern. The CAREM office welcomes any faculty or staff with an interest in these areas to volunteer for one of these teams.

Forthcoming Policy Changes Requiring Risk Management

Stephens also notified faculty of policy changes that may affect their work, Conflict of Interest and General Data Protection, which are also managed through the CAREM office.

Conflict of Interest

- Article XII – Conflict of Interest (COI) policies are recently updated, Stephens reported. Personnel will be required to submit new COI statements for review and reconciliation.[3]

- Stephens encouraged faculty that not all COI submissions will require that the individual terminate a contract or relationship. Rather, the Conflict of Interest Committee will meet with faculty and collaborate to devise a plan that will mitigate risk while satisfying all parties involved as best as possible.

General Data Protection Regulation

Stephens also shared updates in international laws on electronic identity protection, namely the General Data Protection Regulation, that will affect operations at MTSU.

- The General Data Protection Regulation (GDPR) is a European Union policy that seeks to "protect all EU citizens from privacy and data breaches."[4]

- Because MTSU works with academic institutions in Europe and hosts international students from EU countries, the law will take direct effect in our institution's information technology procedures.

Before taking questions from the Senate, Stephens concluded her remarks with an invitation for all faculty to contact her office with questions concerning compliance, enterprise risk management, and her office's initiatives.

---

[3] A guide to this policy is available on the CAREM website (https://www.mtsu.edu/carem).

[4] http://www.eugdpr.org/gdpr-faqs.html

Stephens took questions from senators requesting more detail on the technical organization of the CAREM office, activities underway to coordinate the university's endorsement and branding contracts with risk management, and inter-departmental communication.

- **CAREM office organization:** Salter inquired whether the CAREM office operated according to the framework created by the Committee of Sponsoring Organizations, also known as the "COSO cube." Stephens responded that though that framework had been recently updated, the MTSU CAREM office focuses its activities on its three subcommittee functions designed to coincide with the University's academic enhancement plan.

- **Branding, endorsements, and risk management:** Senators were additionally interested in the CAREM office's efforts to mitigate risk in areas pertaining to the University's commercial interests.

   ◦ Lutz asked what services the CAREM office would provide in a conflict between branding and issues of academic freedom, as in the case where campus speech might be a motivation for a commercial sponsor to sever ties with the institution. Stephens responded that her office would likely consult on such a case, but she could not assure it. The operational and corporate aspects of enterprise risk management inform the university's actions in this regard, but they do not substitute the advice of University Legal Counsel.

   ◦ In a related question, Canak inquired about the degree to which the CAREM office is involved in monitoring endorsement contracts involving MTSU athletics staff (e.g., coaches and directors) and compliance with other NCAA rules. Stephens reported that she has had several meeting with the Athletics Compliance Director, Assistant Athletic Director Daryl Simpson, to discuss such matters. There are a number of initiatives underway to ensure the university's compliance with NCAA rules, Stephens added, including education and training for Athletics Department staff.

- **Internal communication:** Tesi posed two questions regarding the CAREM office's involvement in inter-department communication. Both questions expressed concerns that lack of clear channels of communication, miscommunication, and divergent interests could possibly lead to litigation against an academic unit or faculty member.

   ◦ In the first question, Tesi asked for this information in the context of Title XI and Tennessee human rights policy implementation where coordination in compliance has been affected by insufficient communication channels. Stephens responded that efforts to better coordinate the different departments that potentially impinge on the university's risk management continue to roll out in stages, but coordinating efforts are underway. One goal for her office is to improve overall communication of compliance issues through the centralized, CAREM website.

- In follow-up, Tesi asked whether similar efforts were underway to coordinate internal communication among Risk Management, Academic Affairs, University Counsel, and academic units. Tesi described a hypothetical scenario in which a student might take legal action against an academic unit or faculty member as a motivating example. Stephens noted that the CAREM office does not currently monitor trends or standards pertaining to faculty-student disputes. Rather, this information is overseen by University Council, though the CAREM office consults and advices.

Upon general consent of a motion to adjourn, the meeting concluded at 5:25 PM.

Respectfully submitted,

Vanessa A. Lefler
2017-2018 Faculty Senate Recording Secretary