

Faculty Senate Minutes for March 29, 2013

Chair Julie Isaacson called the meeting to order at 3:00 p.m. The meeting was held at the Delta Center for Economic Development, Room 201.

Senator Andy Mooneyhan moved to accept the minutes of 1 March, 2013. The motion was seconded by Shivan Haran with one small revision. With the modification, the minutes were approved.

IRS Update—Lori Winn

Director of Human Resources, Lori Winn reported that 215 ASU employees have now been impacted. Both state and tax fraud are evident; however, they do not seem to coincide.

Director of Interactive Teaching and Technology Center, Henry Torres explained that they have been working diligently to ensure that ASU's internal network is secure. All systems have been checked for the security of firewalls, and other means of needed protection. The ITTC is also checking on external environment for corruption. After working with outside sources they are confident that the system is secure. All systems requiring Social Security numbers have been covered. Now they are trying to take care of hard copy forms including finding out the handlers, which is very important.

Lori Winn stated that the review process of discovering who has access in our system to Social Security numbers is ongoing. So as not to jeopardize the investigation, ASU cannot disclose any information. This is a federal criminal investigation. Senator John Hall expressed concern that ASU will not reveal who had/has access to the Social Security numbers; however, Winn feels confident that the practice of sharing Social Security regarding the network at ASU has not been abused. They are trying to stress that forms requiring Social Security numbers are hand delivered, or that it is perhaps NOT necessary to include this information. Concealing personal information will be an on-going effort.

Several senators had questions regarding the tax fraud incident. Senator Jollean Sinclair commented that at the last meeting we were given very specific instructions. What do we need to do now? Is similar action necessary regarding state taxes? The answer is no. Senator Bill Rowe inquired about external entities. Winn responded that they are trying to gather that information. The immediate issues were most pertinent and now the second phase is being addressed. Senator Win Bridges (who was affected, contacted the IRS early on, and has been through the entire process) asked if he had done everything needed. The answer is yes. Chair Julie Isaacson inquired about ASU's plans for future fraud protection for employees beyond one year. Winn responded that she couldn't answer the question directly at this time, but many vendors had been in contact about monitoring and each would be given careful consideration. Senator Shivran Haran requested that faculty be updated periodically. Winn replied that some information could

not be shared, but we would be kept abreast of as much news as possible and further meetings were a possibility for those affected. Henry Torres added that a website had been created for communication. The ASU Main Home Page has a link for fraud information. Senator Win Bridges mentioned that his credit card had also been compromised and he was receiving phone calls from unknown numbers. Lori Winn reiterated that everyone should be careful. Do not share information in questionable situations. Senator Margaret McClain expressed concern that from her experience, the city police were not even allowed to get information from the IRS in efforts to assist ASU faculty. Chief of Police Mike Yates agreed that the IRS could not disclose certain information, but that does not mean things are not being accomplished.

Gun Control—Mike Yates and Randy Martin

The following comments and discussions pertain to the Gun Control Proposal SP13-003. ASU will need to decide whether or not to exercise the “opt out” provision of Act 226 (disallow trained and licensed staff and faculty to carry concealed handguns on campus).

Mike Yates:

Chief of Police Mike Yates began by stating that he has not followed the subject of gun control as it relates to ASU a great deal; however, he feels very strongly about the issue, has carefully reviewed Act 226, and has concerns to share with the Senate today. Chief Yates teaches a few classes on campus and has two sons currently attending; therefore, he indeed has a connection with the university. Though ASU has its own law enforcers, should a tragedy occur, the city police would be involved in the investigation.

Chief Yates mentioned his experience with mass killings, namely as a primary investigator in the tragedy in Atlanta (1999) when Mark Barton murdered nine people including his own wife and children. The ‘all or nothing’ ideology is not realistic. It is not accurate that should ASU ‘opt out’, there is nothing. No one wants car blanche for anyone carrying guns on campus. Important facts have been lost, such as: since 1950 every public mass shooting in which more than three people were killed has occurred where guns were prohibited with the exception of Gabrielle Giffords. Having gun-free zones sounds good, but they are a beacon for the stereotypical shooter. Nothing would stop a person opening fire with intention to kill other than someone else with a gun. Most shooters expect to be killed by police. Terrorism is about psychological impact. The killer wants to get as much personal attention and fame as possible. Locations that prohibit guns are favorable, because human targets are more defenseless and the more time allowed, the more attention received. Having people totally defenseless is not something Chief Yates favors. One cannot have enough police protection to prevent mass killings.

Senator Bill Humphrey asked about response time. Chief Yates stated that the first three minutes is critical, and most people are shot in the first minute and a half. Several senators posed questions regarding safety, restrictions and training. Senators were reminded that the possibility of carrying concealed guns on campus applied to faculty and

staff only. If ASU decided to adopt their own policy, concealed carrying classes or other training opportunities would be highly recommended. The university could be liable with either decision regarding guns on campus or not, so careful consideration must be given. It is naïve to think there are not concealed guns carried on campus at this time and mere possession of a firearm is no guarantee of safety. Should ASU decide to allow concealed guns, a tiered level would be important for faculty and staff allowed to carry weapons. Regarding accidental deaths in situations of defense, Yates mentioned the average is a very low .002%, whether the fault of a law enforcer or person carrying a concealed weapon.

Randy Martin:

Chief Randy Martin (ASU School of Law Enforcement Supervision) began by stating that it is somewhat difficult to interpret the bill on gun control correctly. He interpreted it as all or nothing. Either ANY full-time faculty or staff with a concealed carry permit may carry a concealed weapon or none at all. The language regarding instruction indicates “trained and qualified”, but there are no regulations about proficiency.

Universities are unique, open environments with large groups of people. One would need to be very accurate with shooting. In stressful situations, accuracy is often cut in half. Also due to the environment, theft is the highest crime on campus and the lost and found contains an amazing array of essential items including cell phones. One must have a different mindset in carrying a weapon.

Many statistics are disconcerting regarding the permission of guns anywhere. On campus, law enforcement would need to be increased to handle the possibility of accidents. At the last meeting of the Arkansas Commission Law Enforcement Standards and Training in January, there was no support for allowing concealed carrying at ASU. Many incidents related to gun violence have been investigated by the Violence Policy Center in Washington, D. C. Findings are disconcerting with many deaths of both law enforcers and civilians. There is always a risk in allowing concealed weapons.

Chief Martin raised questions regarding the gun control proposal. What constitutes the training of faculty and staff? Who decides? If guns are allowed, does that include athletic events or concerts? If additional training is necessary, who will do that? How about reinforcement? Though he has new police officers and more resources each year, Martin does not feel further reinforcement is needed. His department is not in support of faculty and staff carrying concealed weapons on campus.

Senator John Hall asked if Chief Martin was in favor of concealed carry in general. The answer is yes. Questions regarding officers on duty at ASU were posed by Senator Alex Sydorenko. Chief Martin informed the Senate that there are three shifts and twenty officers. The number of officers per shift varies. After the homicide in College Park (2010), ASU has increased the resources for law enforcement each year. The level of security on campus is good and the ability for a shooting to be deterred is better than the typical public environment, though shootings are difficult to prevent. Senator Bill Humphrey inquired about the response time, should an incident occur; Chief Martin did

not estimate a time. Martin did mention that active shooting classes have been offered for five years, and will continue each fall, as well as on demand in the spring.

Further questions regarding liability arose. Senator Brenda Anderson wondered if it would be difficult on ASU if the decision was to ‘opt out’. It was the general consensus that the university would be legally responsible either way. In response to an inquiry from Senator John Hall, Chair Julie Isaacson agreed to request advice from the attorney general. Senator Andy Mooneyhan stressed the need to make a decision quickly. Chancellor Hudson would need a response very soon for the May board meeting.

Old Business:

Status of the Profession--deferred

New Business:

Gun Control Proposal SP13-003: ASU-J should exercise the “opt out” provision of Act 226 and disallow trained and licensed staff and faculty to carry a concealed handgun on this campus.

Members of the Senate are encouraged to report on the presentations given today by Mike Yates and Randy Martin. Senator Andy Mooneyhan reiterated the need for a quick response due to the SGOC deadline of 4 April, 2013. Chair Julie Isaacson stated that she would investigate the possibility of an extension. An email vote may be a possibility.

Adjunct and Temporary Full-Time Employment and Instructional Training, Supervision, and Performance SP13-006 (attached)—John Hall

Senator John Hall reported that though the Senate has voted and approved this document, minimal changes include the following (changes and/or additions in italics):

- The first sentence of item #8 will read: ASU-J adjunct faculty will not be allowed to teach more than 9 semester hours per semester. (instead of the previous 12 hours)
- The first sentence of item #9 will read: ASU-J adjunct faculty pay will be increased to a salary more consistent with the state average *or as allowed by the budget.*

Senator Hall moved to accept the document with the aforementioned revisions. Senator Andy Moneyhan seconded the motion.

During the discussion, Senator Bruce Johnson expressed concern for the increased workload that would be required of faculty. Dr. Lina Leatherwood Owens (Department

Chair, Teacher Education) mentioned that faculty from ASU are not necessarily aware of the practices on other campuses. Dean John Pratte commented on a lack of trust seemingly apparent regarding department chairs; however, Senator Hall (among others) disagreed with this viewpoint. After some discussion, Senator Hall reminded the Senate that this document had previous full approval. It was agreed that a further slight adjustment would be made within Item #9 regarding Instructors (revised to: Instructors/Assistant Professors). In addition, reference to adjunct faculty would be clarified as part-time.

Senator Hall called the question. Senator Brenda Anderson seconded. The vote resulted in 28 in favor and 4 opposed. The motion passed.

Shared Governance Committee Reports:

There were none made.

Chair's Report/Announcements:

- If you are going to make a donation for the Kays House, please do so now! They need your pledges. It is important to show campus wide support. Consider a donation in memory or in honor of someone.
- Dr. Krumpke will be coming to campus. He is Dean of Science and Math at the University of North Carolina-Asheville and was instrumental in revising and improving their general education curriculum, which was approved 7 years ago. He will meet with our new General Education Task Force Committee.
- There is a request to look into early retirement.

The motion was made to adjourn the meeting at 5:06 p.m. by Senator John Hall. Senator Shivran Haran seconded the motion. All were in favor.

Senators in Attendance: **Absentees:** **Proxies:**

Association Officers:

Chair Julie Isaacson

Agriculture & Technology:

Bill Humphrey

Business:

Richard Segall

Jollean Sinclair

Communications:

Pradeep Mishra

Faye Cocchiara

Larz Roberts

Education:

John Hall

Minghui Gao

Andy Mooneyhan

Joe Nichols

Ann Ross

Amany Saleh

Engineering:

Shivan Haran

Fine Arts:

Claire (Garrard) Abernathy

Marika Kyriakos

Bill Rowe

Humanities & Social Sciences:

Jerry Ball

Warren Johnson

Cherisse Jones-Branch

Win Bridges

Monika Myers

Alex Sydorenko

Nursing & Health Professions:

Brenda Anderson

Deanna Barymon

Gauri Bhattacharya

Bill Payne

Pat Walls

Sciences & Mathematics:

Hai Jiang

Bruce Johnson

Fabricio Medina-Bolivar

Suzanne Melescue

University:

Margaret McClain

Military Science:

Cecil Clark

Library & Information Resources:

Tracy Farmer

Lina Leatherwood Owens (Chair Representative)

John Pratte (Dean's Representative)