

**Faculty Senate Minutes
November 18, 2008**

The meeting was called to order at 4:10 p.m. All departments were in attendance except Biology, Business Administration, Interdisciplinary Studies, Social Work, and Sociology & Anthropology.

I. Minutes of previous meeting

Senator Mowrey, Parliamentarian, reported that the Art department intended to abstain from the vote on approval of the BS Education, Middle Level Certification at the October 28, 2008 meeting but that no specific call for abstentions was given. Senators were reminded that they may always indicate an abstention on votes taken at Senate.

The minutes of the October 21, 2008 meeting of the Faculty Senate were approved as written.

The minutes of the October 28, 2008 meeting of the Faculty Senate were approved as written.

II. Report of the Faculty Senate Chairperson

Faculty Senate Chair Börger-Greco reminded senators of a February 1, 2009 deadline for recertification requests for general education P labels. She also urged faculty to attend commencement on December 14 in regalia. Dr. Börger-Greco indicated that any comments related to the proposed changes in the PASSHE document outlining Guidelines for Recommending Presidential Appointment can be sent to her.

III. Report of the Student Senate President

Student Senate President Farrelly commented on activities including university offices visiting Student Senate, a review of their constitution, initiation of a campus watch program called Marauder Watch, and Vision 2020. She also noted that the allocation process begins soon and that requests are due January 22, 2009.

IV. Report of the Graduate Student Association

Graduate Student Association Representative Randolph shared about GSA activities including their petition to Student Senate to be a recognized organization, traveling socials, T-shirts with the graduate logo, and participation in the Miss Millersville program. She also announced the availability of graduate research grants and planning for a graduate research symposium with sister institutions.

V. Report of the Administrative Officers

President

President McNairy noted that the Chancellor serves as an ex-officio member on the boards of each PASSHE campus and will be attending the Millersville Council of Trustees meeting on December 3. She indicated that Dr. Cavanaugh also intends to visit the campus to interact with faculty. Dr. McNairy reported that the Board of Governors has approved plans to combine administrative programs from PASSHE schools rather than continue to pursue the SAP plans. She noted that the escalating cost for SAP, from \$70M to \$187M, garnered unanimous disapproval from all 14 PASSHE presidents and APSCUF and stimulated an effort to consider alternatives.

Dr. McNairy outlined a number of federal laws and their impact on Millersville. The Right to Know policy in PA opens access to any information sent by e-mail. Dr. Prabhu reminded faculty that there are guidelines for any communication about University business. The Americans with Disabilities Act requires that reasonable efforts be made to accommodate challenges. Recent broadening to include mental and emotional challenges may have implications for teaching and employment at Millersville. All new PASSHE employees will now need to submit to a criminal background check. The BOG is working on implementation of this and then Millersville will move forward accordingly. A question was raised about the cost of background checks. Dr. McNairy indicated that the fee for in-state review is nominal. In light of the new Clean Air Act, everyone is encouraged to make Millersville a smoke-free campus. Ashtrays will be moved to the campus periphery and resources will be made available for persons wanting to quit smoking.

Provost

Provost Prabhu reminded faculty that there will be no inclement weather days in the spring schedule although the policy has been changed to clarify that students should report to classes at time that the school is opened. Concern was expressed about the lack of snow days. Dr. Prabhu responded that faculty may make up missed work as it can be accommodated within the schedule. Dr. Prabhu also highlighted the need for faculty to participate in the December 14 commencement ceremony.

Vice President of Student Affairs

Vice President Breaux highlighted several of the positive impacts our students are having. The men's soccer team are PSAC champions and moving on the NCAA quarterfinals. She also commended students for their active involvement in events related to the election and respectful celebration and rally held on campus. The lack of a polling station on campus was questioned. Dr. McNairy indicated that the University has encouraged the addition but that voting site locations are decided on by the Election Bureau. Senator Saunders shared that there is a polling site on the F&M campus. Dr. Börger-Greco expressed gratitude for the many students participating as volunteers.

Dr. Breaux announced the resignation of Dr. Phil Riordan, Associate Vice President of Student Affairs, noted that the search for a replacement will be underway soon, and assured the campus that coverage will be arranged for his service on committees across campus. Dr. Breaux commented on the SMC renovation plans and a task force reviewing feedback about the reduced health services available this semester. Ms. Randolph expressed concern that the GSA was not made aware of when these forums were held. Dr. Breaux indicated that input from graduate students is important.

Interim Assistant Provost

Assistant Provost Redmond reminded faculty of training sessions related to the Early Intervention System.

VI. Reports of the Faculty Senate Standing Committees

GCPRC

Senator Mowrey reported on the compiled list of graduate faculty at Millersville for 2008-2009. She noted that it will be available on the Faculty Senate Blackboard site and that several departments are incomplete.

FSAC

Senator Hardy distributed a proposed revision to the MU Policy/Practices on Athletic Eligibility and Eligibility Appeals from Dr. Richard Glenn, Faculty Athletic Representative. [see Attachment #1] Dr. Hardy also reminded faculty that Associate Athletic Director Anthony Grant is working to keep informed of academic performance of our student athletes.

JSC

Senator Mowrey noted that Joint Senate Conference is convening the Educator of the Year Selection Committee to begin work on selecting an awardee. She also commented that the JSC would bring forward a bylaws document on behalf of this committee.

VII. Reports of the Faculty Senate Special Committees

None

VIII. Proposed Courses and Programs

ASC

Senator Sikora distributed a document outlining the process and timeline relevant to the proposal from ASC to make students advisory members who would not attend academic hearings. [see Attachment #2] A discussion was held regarding this topic. Dr. Sikora

shared written statements from Dr. Joel Piperberg and Dr. Susan DiBartolomeis expressing concerns about the proposed change and affirming the valuable perspective offered by students. He also read comments from Dr. Claudia Haferkamp indicating the need to maintain confidentiality for students under review. A statement from Student Senate indicated that continuing to allow students to serve as full members reflects the open nature of interactions on the Millersville campus but that providing more training and guidance for students serving in this way. The GSA representative expressed support of the role of student as part of the collegial environment at MU. Dr. Prabhu affirmed that the student perspective is extremely valued. He indicated that if the issue is related to credentials of student members, other committees could be impacted as well but that if this is based on problems with one student member's behavior, the broad action is not warranted. Dr. Breaux indicated that these types of roles are important for teaching students about their responsibilities and accountabilities.

Dr. Lynn Marquez and Dr. Angela Cuthbert shared concerns about creating a safe place where these students can share openly about issues that are sometimes very painful and private. Dr. McNairy noted that while protecting students is very important, training them to serve in a positive way in such environments is also critical. She suggested that students submitting an appeal request be given the option to opt out of having a student on their subcommittee. Dr. Dan Anna commented that students should be bringing this issue forward if there is a problem with the peer-to-peer interaction and expressed confidence in the ability of Student Senate to respond appropriately to any concerns brought up by students.

It was noted that both sides of this issue are supported by admirable and valid arguments. The discussion was ended due to the time and will be continued at the next meeting.

IX. Update on the MU faculty emeritus page

None

X. Update on the Middle States Self-Study

XI. Other/New Business

None

Meeting was adjourned at 5:45 p.m.

Respectfully Submitted,

Aimee L. Miller
Secretary of the Senate

Action Summary:

Senator Mowrey, Parliamentarian, reported that the Art department intended to abstain from the vote on approval of the BS Education, Middle Level Certification at the October 28, 2008 meeting but that no specific call for abstentions was given. Senators were reminded that they may always indicate an abstention on votes taken at Senate.

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Attachment #1

MEMO

To: Aminta Breaux, Vice-President for Student Affairs
Roger Bruszewski, Vice-President for Finance and Administration
Peg Kauffman, Athletic Director
Steve Roach, Associate Athletic Director

From: Richard A. Glenn, Faculty Athletic Representative

Date: May 1, 2008

RE: MU Policy/Practices on Athletic Eligibility and Eligibility Appeals

1. Statement of Interest

The National Collegiate Athletic Association (NCAA) requires that each member institution appoint or elect a member of the faculty to provide a faculty perspective in athletics administration by serving in an advisory and oversight capacity. This practice helps ensure institutional control of athletic programs, a fundamental operating principle of the NCAA. The two major responsibilities of the faculty athletic representative (FAR) are protecting the academic interests of the student-athlete, broadly defined; and helping maintain compliance with NCAA regulations. At Millersville University, the FAR is appointed by the president, and works closely with the appropriate vice-president and the athletic directors.

One of the specific functions of the FAR is to hear and consider, with the athletic director, appeals that come from student-athletes who are ineligible to participate in intercollegiate athletics because of their failure to meet university standards.

2. Statement of Problem

The NCAA certifies student-athlete eligibility only once per year, at the outset of the fall semester. The typical rule is as follows: Once the NCAA certifies a student-athlete's eligibility, that student-athlete is eligible for the entire academic year. Millersville University has a more stringent policy. It conducts a mid-year certification of all student-athletes. Those student-athletes who fail to meet university standards after the fall semester are declared—by the university not the NCAA—ineligible. While this policy affects certain sports more than others—that is, spring sports have the potential to suffer the most harm—it has implications for all sports. A football player who fails to meet university standards in the fall is ineligible to participate in spring practices. A basketball player who fails to meet university standards in the fall is ineligible to participate in spring practices and competitions. In this situation, a student-athlete may be declared ineligible mid-season. A softball player who fails to meet university standards in the fall is ineligible to participate in spring practices and competitions; in effect, this student-athlete will not practice or play in her championship season.

Millersville University is the only PSAC institution that certifies mid-year; this is a policy, though, of which the university should be proud. The policy affirms the university's commitment to the academic success of student-athletes. At our sister institutions (and by NCAA rules), a student-athlete could take four courses in the fall, earn two Fs and two D-s (thus satisfying the six-credit rule), and still be eligible to practice and play in the spring. Furthermore, the student-athlete could enroll in four spring courses, never attend a single class, and participate in all practices and competitions during the spring. Such is preposterous.

Presently, student-athletes who fall below the university's standards (at this point, a 1.6 GPA in any single semester or a cumulative GPA of 2.0) are ineligible. The university should not apologize for expecting its student-athletes to maintain a cumulative GPA of 2.0. That is what the university requires of all students to earn a degree and it is not unfair to require as much from those who represent the university. Insisting upon satisfactory progress toward a degree each semester is laudable.

A number of student-athletes, however, have maintained laudable cumulative GPAs (in some cases, above a 3.0), but have fallen victim to the "one bad semester" problem (in which their single semester GPA falls below a 1.6). At present, one bad semester results in a declaration of ineligibility. To declare those student-athletes ineligible but not those student-athletes who only have a cumulative of 2.2, however, is a bit inconsistent and perhaps even unfair. After all, the cumulative GPA is a far better indicator of academic success than any single semester's GPA.

Additionally, our current policy—or if no policy exists, practice—is to permit coaches to appeal a declaration of ineligibility on behalf of a student-athlete to a two-person committee, composed of the athletic director and the FAR. When coaches appeal on behalf of their student-athletes, that committee, almost without exception, recommends restoration of the student-athlete’s eligibility. (Typically, the committee insists that the student-athlete consent to various forms of ongoing academic monitoring as a condition of reinstatement.)

When mid-year certification was implemented, the purpose of the appellate process was to prevent miscarriages of fairness. If there were *substantive* reasons for the poor academic performance of a student-athlete, the committee could remedy the miscarriage. But that is not how the appellate process has played out. The committee has in effect become an enabler of poor academic performance by accepting most any reason for poor academic performance—even bad ones. A list of some of the reasons articulated by the five ineligible student-athletes who appealed this semester is instructive.

- (1) I did not realize how tough college courses would be.
- (2) I was not prepared to attend early morning classes. No one was there to wake me up.
- (3) I decided to move off campus and did not have transportation to and from school.
- (4) I did not realize that missing classes would hurt my grades. (When asked how many practices he missed throughout the entire fall, the student-athlete said “None.”)
- (5) I attended class but had trouble getting my assignments turned in on time.
- (6) I had some personal issues that needed to be taken care of. These necessitated my leaving campus for large blocks of time. I told my coach but did not think I needed to tell my professors. (This from a senior.)
- (7) I just had a bad semester. (This from a senior who earned a 1.0 GPA last fall, no less.)
- (8) My professors were not very good.

Yet *none* of these excuses alone should justify reinstatement. They are mostly indicative of someone looking to shirk responsibility for not doing what it takes to meet minimal standards. If we grant an exception for a senior who earned a 1.0 GPA, are we fair in denying any appeal?

A list of some of the reasons (and promises) articulated by coaches is similarly instructive.

- (1) Just like _____ had trouble adjusting to the speed of the college game, _____ had trouble adjusting to college academics.
- (2) _____ came from a bad high school.
- (3) _____ did poorly, but it would be unfair to deny him his last season of eligibility.
- (4) He promises me that it will not happen again. I promise you that it will not happen again.
- (5) If you do not reinstate him, he probably will not come back to school.

Yet *none* of these reasons alone should justify reinstatement. They are mostly indicative of a coach who is being reactive to academic problems. After all, if a coach can promise that it will not happen again, why did the coach let it happen in the first place?

Each of these five persons referenced above performed poorly in the classroom. None was even close to a 2.0 GPA, which is what the university expects (requires) of all of its students. In fact, all were below a 1.6 GPA. While it is true that the NCAA and the university allow for some adjustment to college life, that adjustment is reflected in the NCAA and university policies that permit student-athletes to participate so long as they have earned a 1.6 or better. Yet we have created a situation where students who fall below that mark—in some cases, way below that mark—appeal successfully and are reinstated.

As a result, too few coaches and too few student-athletes take seriously the university’s standards. The committee, by recommending that most appeals be granted, deserves much of the blame for this state of affairs. (I confess that it is difficult for me to say “No” as often as I should.) But the coaches perhaps should share some of the responsibility for not being as proactive as they can be. In short, we have a policy with little bite.

3. Proposal

Therefore, I recommend the following proposals.

1. The university scrap its current policy that declares student-athletes ineligible because they have fallen below a 1.6 GPA in any given semester. The sole factor in determining eligibility would be the cumulative GPA, to be assessed *still* twice per academic year.

Justification: The cumulative GPA is a far better indicator of academic success than any single semester’s GPA. To declare a student-athlete with a cumulative GPA of 3.2 ineligible because of one bad semester,

while permitting the student-athlete with a cumulative GPA of 2.2 to participate, is inconsistent with university and athletic program objectives.

2. To assist in the transition from high school to college, the university would not insist upon a cumulative GPA of 2.0 until after the completion of the first year. First-year student-athletes would retain eligibility in the second semester of their first year so long as they earned a single semester GPA of 1.6. Any first-year student falling below the 1.6 requirement in the first semester would be ineligible for the second semester (and each semester thereafter until the cumulative GPA was above a 2.0).

Justification: The NCAA allows for some adjustment to college life. That adjustment is reflected in the NCAA requirement that permits first-year student-athletes to participate so long as they have earned a 1.6 or better. The university allows for this adjustment also. (This proposal is consistent with the university's current practice of lowering the academic requirements for first-year student-athletes.)

3. That we articulate immediately and clearly to coaches and student-athletes that for those student-athletes who fall below the university's minimal standards, "appeals for ineligibility will be sharply limited to those rare instances where the poor academic performance was precipitated by an exigent, unavoidable, and legitimate crisis." Perhaps we could even go further and provide a list of reasons that do not qualify as exigent, unavoidable, and legitimate crises. By this new standard, I do not think that any of the appeals heard this semester should have been granted.

Justification: Why have a policy if all ineligible student-athletes must do is file a *pro forma* appeal and appear before the committee with less than compelling reasons and bland promises? I think that a new approach may lead to better academic performance, more involvement among coaches, and fewer academic appeals.

If student-athletes (beyond the first year) know that a cumulative GPA of less than 2.0 means—really means—that they cannot participate in intercollegiate athletics, the incentive to attend class, turn in assignments, and do well academically will be paramount from the outset of each semester. Student-athletes will know up front that they will not automatically have a second chance. This, I think, may lead to better academic performance.

If coaches know that a student-athlete's cumulative GPA below 2.0 means that the student-athlete will not be eligible to participate in intercollegiate athletics, coaches will be more concerned about monitoring those things that are indicative of academic success—attending class, study time, roommates, etc. Greater involvement from coaches on academic matters is perhaps more important than intervention by faculty. If a coach can say, "I promise he will do better next semester," the coach can make that promise the previous semester. Why wait until the student-athlete is in academic trouble to intervene?

If student-athletes and coaches know up front that their appeals will not be successful—which is in stark contrast to what exists now—they will only ask for reinstatement where an exigent, unavoidable, and legitimate crisis precipitated the poor academic performance. And the committee has had some of those over the years—abortion and death of a parent, for example. A student-athlete who has a bad semester because she chose to terminate an unwanted pregnancy—with all of the attached emotional, physical, spiritual, and psychological issues—is a much more sympathetic appellant than that student-athlete who chose not to attend class and now does not want to suffer the consequences.

5. Other Measures Adopted to Strengthen Academic Performance of Student-Athletes

The university has adopted numerous measures to strengthen the academic performance of student-athletes. First, as mentioned above, the university monitors the academic performance of student-athletes each semester (as opposed to once a year). Second, the university hired an assistant athletic director to focus primarily on providing academic assistance to male athletes. Third, the university strengthened its procedures for monitoring class attendance of student-athletes and improved its communications with faculty members about such matters. Fourth, the university initiated a faculty liaison program. Each academic department has identified a faculty member to serve as a resource for student-athletes, coaches, and athletic administrators on academic matters involving the respective departments. Fifth, the university has regularly and publicly acknowledged its scholar-athletes. A scholar-athlete is one who has maintained a 3.25 or higher GPA during the previous academic year.

6. Summary

The university should jettison its policy that declares student-athletes ineligible because they have fallen below a 1.6 GPA in any given semester. The sole factor in determining eligibility would be the cumulative GPA, to be assessed *still* twice per academic year.

Appeals for ineligibility should be sharply limited.

The athletic administration should begin to communicate these changes to coaches and student-athletes immediately.

7. Note

Nothing in these proposals in any way alters or attempts to get around NCAA rules or regulations. NCAA policies establish a floor, below which university policies may not fall. University policies may set higher standards than the NCAA, however. Millersville University would still have more rigorous standards than the NCAA in two ways—first, by assessing eligibility twice per year (whereas the NCAA does it once per year); and second, by insisting upon a cumulative GPA of 2.0 by the end of the first year (whereas the NCAA only requires such GPA by the end of the second year).

I have discussed this policy with the coaches, who are in support of these proposals. While some would like even more relaxed standards and longer acclimation periods, all agree that these proposals are better than the current ones.

Attachment #2

Functions of the Academic Standards Committee (ASC):

1. Serves as court of appeals for undergraduate students dismissed due to failure to meet academic standards, as described in Millersville University academic policies (<http://www.millersville.edu/about/administration/policies/pdf/academics/Academic%20Policy-G%20-%20Advisement.pdf>)
2. Serves as court of appeals for undergraduate students denied a degree.
3. Considers academic amnesty petitions.
4. Advises Faculty Senate of its interpretation and implementation of undergraduate student academic policies.

Background:

Of the four functions, #1 represents the largest workload for the ASC. When a student is dismissed from the University for academic reasons, the student, may appeal the dismissal to the ASC. The appeal must be in writing. In addition, a dismissed student has the right to supplement the written appeal with an in-person appeal before the ASC (typically, a subcommittee of the ASC). The hearings of appeals take place over the course of two days during January and June. Of the 179 academic dismissals at the end of the Spring 2008 semester, there were 73 appeals, of which 20 were letter-only appeals.

When the ASC considers such cases, they first review the academic record of the dismissed student with the goal of diagnosing the academic strengths and weaknesses of the student. They then review any extenuating circumstances the student presents that may have contributed to the dismissal. Next, they review the student's proposed plan of action to return to good academic standing. Then the ASC decides whether the student can succeed academically at the University and they render an appeal decision. Finally, whether or not the appeal is upheld, the ASC presents the student with a recommended plan of action for academic success.

Timeline:

During and after January 2008 hearings: Two members of the ASC approached Sikora with concerns about student representation on the ASC. These concerns focused on professionalism, confidentiality, and qualifications.

Spring 2008 semester: Sikora put the question of student representation on the ASC to the ASC. There was very little debate, as much of the internal ASC discussion focused on proposed changes to the attached Academic Policy document. The vote was 17-1-1 to eliminate student representation on the ASC, with the understanding that corresponding language would be inserted into the revised ASC Bylaws document.

Summer 2008 semester: Sikora informed Office of Student Affairs of the vote. The Vice President for Student Affairs expressed concern.

Summer 2008 semester: Sikora met with the Associate Provost for Academic Administration, who suggested the potential compromise of allowing students to be representatives on the ASC, but prohibit the students taking part in the hearings. The ASC was presented with this compromise and there was no dissent.

Fall 2008 semester: Sikora informed the Vice President for Student Affairs of the compromise via email and asked for feedback, but received none.

Fall 2008 semester: Sikora incorporated the compromise into the revised ASC Bylaws document and presented said document to Faculty Senate on 16 September 2008.

Fall 2008 semester: Shortly thereafter, the Associate Provost for Academic Administration contacted Sikora with concerns about the student representation issue. He offered to meet with the ASC to discuss his concerns.

Fall 2008 semester: The Associate Provost for Academic Administration met with AY 07-08 and AY 08-09 members of the ASC on 16 October 2008. A healthy discussion ensued. For example, the Associate Provost for Academic Administration suggested the qualification issue surrounding student representation at the hearings could be overcome via training and vetting.

Fall 2008 semester: The minutes from the meeting referenced above were emailed to AY07-08 and AY 08-09 members of the ASC. In order to allow an opportunity for additional internal ASC discussion via email, Sikora motioned to postpone further consideration of the ASC Bylaws proposal that is currently active at Faculty Senate until 28 October 2008. The motion was intended to prevent a potential vote by Faculty Senate on the Bylaws proposal at its 21 October 2008 meeting. The motion was first made within the ASC. Having passed, the motion was then made within Faculty Senate on 21 October 2008. Again, the motion passed.

Fall 2008 semester: On 21 October 2008, DiBartolomeis motioned within the ASC to withdraw the ASC Bylaws proposal from Faculty Senate. The motion was seconded by Piperberg. Sikora set the period of debate to 24 October 2008 and asked for a vote, via email to Sikora, by noon on 25 October 2008. A healthy email discussion ensued.

Fall 2008 semester: The vote on the above motion was 13-7 against. Thus, the motion failed.

Other PASSHE Schools:

Of the 13 other PASSHE schools, only Kutztown and Cheyney permit students to be a part of the academic dismissal appeal process (East Stroudsburg University did not yet return my email). For both Kutztown and Cheyney, there are no in-person appeals.

Today:

Members of the ASC are present to answer your questions. In addition, several members who feel strongly about the student representation issue, but could not be present today, asked that I read their comments to Faculty Senate.