

Faculty Senate Agenda
3/22/18
2 p.m.– 4:00 p.m.
Kelley / Steward (SUB 113AB)

- I. Welcome and Minutes
 - a. Draft Minutes found here: <http://www.mtech.edu/about/facultysenate/minutes/index.htm>

Action Items

- II. Emeritus Rank Application
 - a. Bill Drury
 - b. Bill Spath
- III. CRC Recommendations
 - a. Changes to IH 5986, OSH electives, AHSS electives, Petroleum Engineering curriculum, PET 201, and Mechanical Engineering curricula
 - b. Add Basic Property & Probate Law, Oil & Gas Land Management Practices, and Professional Landman Certificate
- IV. GERC Recommendations

Informational Items

- V. Student Satisfaction Inventory 2017 & 2019
- VI. Committee updates:
 - a. Program Prioritization Committee
 - b. WIRE
 - c. Student Evaluations Sub-Committee
 - d. Teaching Community Leadership Team
 - e. Research Mentors

Discussion Items

- VII. Proposed Revisions to FSH
 - a. Section 206 contracts and tenure
 - b. Clarify procedures related to Departmental Performance Standards
 - c. Faculty Assignments
 - d. Faculty Termination: Financial Exigency (BOR)
 - e. Summer Session and Overload Pay
 - f. Space Committee
- VIII. Faculty Satisfaction Survey 2018 (revisions and deployment)
- IX. Other Items

II. a. Emeritus Application for Bill Drury

ITEM 124-1501-R0704 Authorization to Confer the Title of Professor Emeritus of Environmental Engineering upon Dr. Bill Drury; Montana Tech of the University of Montana

THAT: Upon the occasion of the retirement of Professor Bill Drury from the faculty of Montana Tech of The University of Montana, the faculty wishes to express its appreciation for his years of dedication and valued service to the institution and the Department of Environmental Engineering, and the State of Montana by recommending the rank of Professor Emeritus be conferred upon him by the Board of Regents of the Montana University System.

EXPLANATION: Bill Drury earned his BS in Civil Engineering in 1978 from Marquette University and MS in Environmental Engineering in 1979 from Northwestern University and PhD in Civil Engineering from Montana State University in 1992.

He came to Montana Tech in 1992 as Assistant Professor, promoted to Associate Professor in 1995, and then promoted to full professor in 2000. He retired in May 2017.

Dr. Bill Drury worked for the State of Wisconsin Department of Natural Resources and for the University of Wisconsin from 1979 until 1988 when he moved to Montana State University. Bill was a Graduate Research Assistant at MSU as a doctoral student. He was involved in several major research projects while at Montana Tech. Notably he worked on the ARCO sponsored research project and developed wetland studies. His principal research topic was passive biological treatment systems for the treatment of mine-influenced water. Much of his research was funded by ARCO, the principal potentially responsible party for the Butte Superfund sites. Dr. Drury and his graduate students performed two laboratory-scale projects that investigated passive biological water treatment systems for ARCO. He was then a principal investigator of a two-and-a-half-year field-scale pilot project that studied the effectiveness of subsurface flow wetlands for treating metal-contaminated surface and ground water. ARCO gave Montana Tech over \$1 million to monitor and evaluate the systems employed in this pilot project. Dr. Drury was also the principal investigator on two other projects, which studied the degradation rate of organic matter in passive biological treatment systems for the Mine Waste Technology Program (MWTP). The ARCO and MWTP projects led to Dr. Drury being an invited speaker at a national conference of the Association for Environmental Health and Sciences. Among his other research projects was a novel investigation into metals removal from contaminated stream water by a beaver pond. He was the primary advisor for more than 15 Graduate students. He has over 14 peer reviewed publications and several technical presentations during his tenure at Montana Tech.

With this recommendation, we thank Dr. Bill Drury for 25 years of outstanding service to Montana Tech and request to **confer the title of "Professor Emeritus of Environmental Engineering."**

II.b. Emeritus application for Bill Spath

Request for authorization to confer the title of Professor Emeritus of Applied Health and Safety Sciences on Dr. William K. Spath - Montana Tech of The University of Montana

THAT

Upon the occasion of the retirement of Professor William (Bill) K. Spath from the faculty of Montana Tech, the faculty wishes to express its appreciation for his years of dedication and valued service by requesting that the Board of Regents of Higher Education confer the rank of Professor Emeritus upon him.

EXPLANATION

Dr. William (Bill) K. Spath grew up in St. Louis, Missouri graduating from Cleveland High School. in 1965. He entered Southeast Missouri State University, and graduated in 1969 with a B.S. in Physical Education. He then began work on his master's degree at the University of Arizona in Tucson, where he specialized in Tests and Measurements of Exercise Physiology. He graduated with a Master of Education degree in 1970. He then served honorably in the Army from 1970-1972 during the Vietnam War as a medic and EKG technician, and was stationed through Walter Reed Hospital at Fort Meyer Clinic in Washington D.C.

In 1972 Dr. Spath enrolled at the University of Missouri – Columbia, and in 1979 he received the Graduate Teaching Assistant of the Year award prior to earning his Ph.D. in Exercise Physiology. His research focused on metabolism of lactate, and his dissertation was published in Medicine and Science in Sports and Exercise, the prestigious publication of the American College of Sports Medicine. Dr. Spath continued his higher education teaching at Florissant Valley Community College, where he taught exercise physiology courses and served as the wellness program coordinator for seven years before coming to Butte and Montana Tech.

Dr. Spath has taught courses for the Occupational Safety and Health program, the Industrial Hygiene program, A & P for the Biology Department, and, of course, the Applied Health and Safety Sciences Program. Dr. Spath developed the Applied Health Science curriculum upon his arrival at Montana Tech in 1986, and has been the Program Director/Manager or Department Head since inception, and for many years served as the Wellness Program Director and/or Coordinator. In addition, as a certified American College of Sports Medicine (ACSM) Program Director, he has been instrumental in acting as the ACSM Workshop Director and Test Coordinator, which has served Montana Tech students well, creating the opportunity for AHSS students to gain certification from ACSM upon graduation.

In addition, Dr. Spath served the campus and profession in many capacities, such as being Athletic Director (1987-1988), HPER Building Manager, (1987-1988) and he developed the respected SCUBA program at Tech that is well attended by students since 1988 from a wide variety of academic backgrounds. Dr. Spath also collaborated on numerous published research projects with colleague John Amtmann.

Dr. Spath has been an active Rotary Club member since 1986, and his efforts in Rotary are well known and highly regarded. He has served as President, Secretary, Treasurer, Governor District 5390 in 1993-94 and again in 2015-16. He was Provost, Chair, and Dean for the District 5390 Leadership Academy. He has served on the rotary Club of Butte Board for 30 years.

Based on his accomplishments in teaching, research and service, the Safety, Health and Industrial Hygiene Department of Montana Tech is pleased to nominate Professor William K Spath as Professor Emeritus of Applied Health and Safety Sciences at Montana Tech together with all the rights, privileges, and honors thereto appertaining.

VII. a. Section 206 contracts and tenure

Italics is copied from FSH. Proposed changed: Red-strike out is eliminate. **Bold Underlined** is language which replaces that which was stricken.

Make April 23 a “hard date” to renew contracts for the following year, and in 206.1 applies to any “faculty.” Fail to notify of non-renewal and you have a contract/re-appointment. Eliminate “will normally” and other unenforceable language, and replace with “shall.”

I will defer to the union people and their labor lawyers for additional language on people with a pending promotion or raise, such that signing the contract with the current rank doesn't mean you nixed your own well deserved raise by signing the contract.

Add new section 206.1.5 for non-tenurable positions, requiring the same deadlines as a probationary tenurable position. If you have been working here that long, you have earned the additional notice time. Thus a 3yr non-tenurable would get an extra year too. This would apply for visiting, professor of practice, etc. If you have a visiting professor, and you know the funding will be running out, you must give notice early. If more money comes in, you can always rescind the non-renewal.

Bottom line, no one gets a letter July 29 when no colleagues are around for support or to begin appeal procedures and such.

206.1 FACULTY TENURE (BOARD OF REGENTS POLICY 706.1)

*A tenurable appointment is an appointment to a teaching, research, or other faculty position that may lead to a tenured status as provided for in this section. Tenurable appointments shall be made at the rank of instructor, assistant professor, associate professor, or professor. The tenurable appointment is that of probationary status. The appointee remains in probationary status until the appointment is terminated or tenured status is awarded. Tenurable appointees who are not included in a certified bargaining unit shall be provided with a written agreement specifying rank, salary, academic unit in which the tenurable appointment is made, and other terms and conditions of employment at the time of appointment and reappointment. The campus will normally notify tenurable faculty members of the terms and conditions of their renewals for the coming academic year by May 1 in non-legislative years, or within 60 days after the appropriation bill is signed by the Governor in years the legislature meets. **In years that the legislature does not meet, the campus shall notify faculty members of the terms and conditions of their renewals for the coming academic year by April 23. In years that the legislature meets, the campus shall notify faculty members of the terms and conditions of their renewals for the coming academic year within 60 days after the relevant appropriation bills are enacted.***

Unless an individual contract expressly provides to the contrary, the contract term for all tenurable appointees shall be the academic year. Regardless of the term of any individual contact, no such person has, or shall acquire, a right to reappointment for a term in excess of the academic year.

206.1.2 REAPPOINTMENT & NON-REAPPOINTMENT OF PROBATIONARY PERSONNEL

*A tenurable appointee with probationary status (hereinafter referred to as a probationary appointee) has the right to serve the specified term of the appointment and may not be discharged without cause during that term. Reappointment of probationary appointees shall be at the discretion of the employer. Written notice of non-renewal of a probationary appointee shall be mailed or given by the President or Chancellor or his designee by March 1 of the first year of service, by December 15 of the second year of service, and by June 30 **April 23** prior to the third or later years of service. Failure to provide a probationary appointee with the required notice period shall not result in automatic reappointment or create any right for an additional term. The employer shall have the option of providing employment or severance pay in lieu of any portion or all of the notice to which the employee is entitled, so long as the extension of employment or severance pay is commensurate with the notice to which the employee is otherwise entitled.*

NEW: (for professor of practice and visiting professor)

206.1.5 REAPPOINTMENT & NON-REAPPOINTMENT OF NON-TENURABLE PERSONNEL

A non-tenurable faculty appointee has the right to serve the specified term of the appointment and may not be discharged without cause during that term. Reappointment of non-tenurable faculty appointees shall be at the discretion of the employer. Written notice of non-renewal of a non-tenurable faculty appointee shall be mailed or given by the President or Chancellor or his designee by March 1 of the first year of service, by December 15 of the second year of service, and by April 23 prior to the final year of appointment in the third or later years of service.

VII.b. Clarify procedures related to Departmental Performance Standards

Purpose and Background:

Clarify procedures related to Departmental Performance Standards, which are mentioned in 206.2. Allow faculty to use any departmental or general standards that applied during their continuous employment history.

The current FSH states:

206.2 PROCEDURES TO APPLY FOR TENURE

Tenure is awarded by the Board of Regents following peer review and recommendation by the Chancellor, President and the Commissioner in accordance with Board of Regents policies and procedures established by the institution.

The granting of tenure shall be based on a combination of institutional needs and professional performance of the individual. Institutional faculty needs require that the Institution maintains a balance of faculty with respect to subject areas, and in some cases, specializations within a subject area; a balance of faculty within a program in relation to the number of faculty in the Institution; and a staffing pattern which meets changing student enrollment patterns.

Providing that an individual fits within the institutional needs and the quality of current professional performance and the promise of future performance warrants, a faculty member shall be awarded tenure based upon policies adopted by the Board of Regents of Higher Education of the State of Montana (see Section 206.1).

*Faculty members seeking tenure shall prepare a summary evaluation portfolio according to the criteria given in the **Departmental Performance Standards** or, in the case where no departmental standards have been developed and approved, the criteria in **General Performances for Evaluation of Portfolios**, and submit it, together with supporting documentation, to their respective Department Head.*

A faculty member may not be evaluated for tenure while on leave from Montana Tech. If a faculty member is on leave during the year in which tenure evaluation would normally occur, then the evaluation shall be postponed until the next year.

There is no policy for developing or applying departmental performance standards.

VII.c. 201 The Faculty

Purpose and Background:

Nothing in the FSH handbook requires faculty to be assigned to a department, but it does require faculty members to be evaluated only by their respective department heads. This proposes a requirement that all faculty be assigned to a department and report to and be under the immediate responsible charge of a department head. This will eliminate “stray” faculty positions and allow faculty to be supervised and evaluated as required. There will be no “spaghetti” chains of command.

200 SECTION II: FACULTY ORGANIZATION AND PROCEDURE

201 THE FACULTY

For the purposes of this handbook, only as specifically delineated, the faculty shall consist of anyone having teaching responsibilities or who carries faculty rank.

201.1 POLICY BOARDS

The Academic Policy Board shall consist of all full-time faculty whether teaching or research. The Academic Policy Board shall meet at the call of the Provost/Vice Chancellor for Academic Affairs (VCAA) and/or the Faculty Senate.

206.4 PERFORMANCE EVALUATION: FULL-TIME FACULTY, PART-TIME FACULTY, AND DEANS

Evaluation of faculty members and program administrators at Montana Tech is an evolving process principally focused on insuring excellence in improvement of teaching and learning, research and public and professional service. It is the responsibility of the faculty member to initiate evaluation procedures: 1) annually, for faculty with probationary appointments, as well as assistant and associate professors; 2) every third academic year for full professors 3) each semester that a part-time faculty member teaches. Full professors to be evaluated in a given year will be notified by the Provost/VCAA.

206.4.1 EVALUATION OF FULL-TIME FACULTY

Faculty members shall be expected to prepare an evaluation portfolio following the guidelines listed below for evaluation of instructional performance, research and professional development, and institution and public service, as well as progress toward terminal degrees by those not holding such degrees and submit it to the respective Department Head. Using the evaluation portfolio as a guide, the Department Head shall interview each faculty member in his/her area to discuss the faculty member's evaluation portfolio, professional concerns and goals for the ensuing evaluation period, as well as student concerns that may have surfaced during the student rating of the instruction process. Identified strengths in some areas can offset weaknesses in other areas.

The Department Head and the faculty member shall prepare a written statement that summarizes the faculty member's performance evaluation for the previous two semesters using the form contained in Appendix C of the Handbook. After being signed by both parties, this document becomes part of the personnel record. The evaluation portfolio along with the completed form (Appendix C) shall be forwarded to the appropriate Dean, who shall keep a permanent record of all evaluations.

Each faculty member seeking promotion or tenure shall be apprised within five days of positive or negative recommendations at each step of this process (i.e., evaluation reports by the Department Head, Dean, Evaluation Committee, Provost/VCAA). He or she may modify and strengthen the application portfolio, however, documents may not be removed from the portfolio at any time. A record of any modifications, including the date upon which they were made will be kept as a preface document to the portfolio. The individual with the control of the portfolio has responsibility for enforcing this provision. He or she may also abandon the process at any intermediate step.

Full-time faculty members preparing an annual evaluation or applying for tenure (see Section 206.2) or promotion (see Section 206.3) shall prepare an evaluation portfolio with documentation to be evaluated in each of the categories (1-4) listed in 206.4.3 below.

Add new: (**underlined bold**)

201 THE FACULTY

*For the purposes of this handbook, only as specifically delineated, the faculty shall consist of anyone having teaching responsibilities or who carries faculty rank. **Faculty members shall be assigned to a department. The immediate supervisor of individual faculty members shall be their department head. The immediate supervisor of department heads shall be the dean of their school.***

VII.d. 209 Faculty Termination: Financial Exigency

Purpose and Background

This references 710.2.1 of Board of Regents Policy. If tenured faculty are terminated due to financial exigency or program reduction or discontinuance, the faculty senate has to appoint committee members. There is currently no procedure to do this.

This will restrict announcement time to when faculty are present and able to respond. It will require payment of faculty if the committee must meet outside the contract year. It will allow the faculty senate to appoint all faculty members to the committee, not just half (3).

209 FACULTY TERMINATION: FINANCIAL EXIGENCY (BOARD OF REGENTS' POLICY 710.2.1)

The Board of Regents may terminate tenured faculty members of a campus of the University System for reasons of financial exigency of that campus or discontinuance or reduction of a program or department of instruction.

1. Financial Exigency: Financial exigency exists when a University System campus's budget for faculty member services is insufficient to sustain the current number of faculty positions taking into account anticipated attrition and non-renewal of probationary appointments.

2. Program Reduction or Discontinuance: Staffing in a program or department may be discontinued or reduced following:

a. A system-wide or campus level review of the particular program or department; or

b. A sustained decline in enrollment or shift in student interests adversely affecting the program or department.

Each campus may develop separate procedures to implement these policies.

In the absence of separate campus procedures approved by the Board of Regents upon recommendation by the Commissioner, the procedures found in Board Policy 710.2.1 shall apply.

BOR policy 710.2.1

II Procedures

...

*C. The ad hoc committee shall consist of six faculty members, three appointed by the president or chancellor, **three appointed by the faculty senate, as well as one student appointed by the president of the student governing body.** No member may be from any program or department affected by the president's report. The members must be appointed by the appropriate appointing authority within 5 days following request by the president or chancellor. **The president or chancellor shall make the appointments if the appointing authority fails to do so.***

Proposed change: (Existing/current *italics*, Red Strike Through Remove, **Bold Underlined** Add)

*209 FACULTY TERMINATION: FINANCIAL EXIGENCY **OR PROGRAM REDUCTION OR DISCONTINUANCE** (BOARD OF REGENTS' POLICY 710.2.1)*

The Board of Regents may terminate tenured faculty members of a campus of the University System for reasons of financial exigency of that campus or discontinuance or reduction of a program or department of instruction.

1. Financial Exigency: Financial exigency exists when a University System campus's budget for faculty member services is insufficient to sustain the current number of faculty positions taking into account anticipated attrition and non-renewal of probationary appointments.

2. Program Reduction or Discontinuance: Staffing in a program or department may be discontinued or reduced following:

a. A system-wide or campus level review of the particular program or department; or

b. A sustained decline in enrollment or shift in student interests adversely affecting the program or department.

Each campus may develop separate procedures to implement these policies.

In the absence of separate campus procedures approved by the Board of Regents upon recommendation by the Commissioner, the procedures found in Board Policy 710.2.1 shall apply.

3. The announcement of a preliminary report of plans to terminate faculty due to financial exigency, or program reduction or discontinuance in accordance with Board Policy 710.2.1, and the formation of an ad hoc committee to review this, shall occur no sooner than 15 days after the beginning of a fall or spring semester, and no later than 30 days prior to the end of a fall or spring semester. All six faculty members of an ad hoc committee formed for the purpose of responding to such a preliminary report shall be appointed by the faculty senate within ten business days of proper notification. The faculty senate may appoint faculty members who are affected by such plans. The faculty senate may appoint an ad hoc committee in advance of and in anticipation of such announcement. Appointments will be by majority vote the faculty senate. If the ad hoc committee must meet outside of the contract year, members will be compensated for their time.

VII.e. SUMMER SESSION AND OVERLOAD COMPENSATION

Purpose and Background:

Codify summer school policies in FSH. Currently these are only covered in the CBA. CBA Excerpted below

16.300 SUMMER SESSION AND OVERLOAD COMPENSATION

16.310 Summer Session Compensation

The purpose of summer session is to offer students the following:

- 1. The same quality of instruction as is provided during the academic year,*
- 2. A variety of courses covering a diverse group of subjects, and*
- 3. An opportunity to remove deficiencies or get ahead in progress towards a degree.*

Summer session pay for faculty covered by this contract will be determined in the following manner:

- 1. Faculty teaching full-time will be compensated at 2/9ths of the state funded academic year base salary (excludes salary supplements and professorships).*
- 2. A full-time teaching load will be defined as eight (8) or more credits of fully subscribed classes.*
 - a. A fully subscribed class is defined as 10 students. The students in all classes in a faculty member's teaching load will be combined and averaged to meet this requirement.*
 - b. If a faculty member's average is less than 10 students per class, the compensation will be prorated by dividing the average by 10 and multiplying by the 2/9ths or by eliminating a class or classes to bring the average to 10 or greater.*
- 3. The salary of a faculty member teaching less than eight (8) credits will be prorated to reflect the less than full-time teaching load.*
- 4. A class may be cancelled by Montana Tech if the enrollment is deemed inadequate or a determination is made that the class should not be offered.*

Assignment of summer session teaching will be at the discretion of the Department Head and Dean.

16.320 Overload Compensation

If it is determined that a faculty member is teaching an overload, that faculty member will be compensated at \$1,000 per credit of overload. Based on market demands and inflation, the per credit amount may be increased by the Employer for all individuals receiving overload.

16.330 Web-based Courses

Faculty are eligible to receive \$3,000 per web-based course development agreed upon between the faculty member, Department Head and dean.

VII.f. Space Committee will be run by the faculty

Issue: The current space committee is administration run. Has there been an open meeting of this committee? How are these things decided?

Proposed Change:

Add to Appendix A for the Faculty Staff Handbook

Space Committee: This faculty committee shall determine the allocation of space. It shall review plans for adding, renovating, re-purposing, or removing space, and make recommendations. It shall inspect existing space for efficient utilization and make recommendations. It shall recommend corrective action if code compliance or safety issues have been identified. This committee shall have the same number of members and same manner of representation as the faculty senate. Selection and filling of unexpired terms shall be the same as the faculty senate. Full terms shall be three years. On initial formation, one third of the members shall be for a one-year term, one third for a two-year term, and one-third for a three-year term.