

Appalachian State University
Faculty Senate Agenda
September 14, 2009, 3:15 pm

William Strickland Conference Room - 224 I.G. Greer

NOTE: All Faculty Senate meetings are recorded.

I. Announcements

- A. Welcome and Introduction of Faculty Senators and Visitors.

II. Visitors Reports

- A. Ms. Jeannine Underdown Collins, Chair, Board of Trustees.
- B. Dr. Tony Carey (Academic Affairs) and Dr. Bobby Sharp (IRAP), upcoming SACS accreditation.

III. Minutes

- A. Approval of April 6, 2009 Faculty Senate minutes. Available online at:
<http://www1.appstate.edu/orgs/facsen/Minutes/documents/FacultySenateMinutesApril62009Unapproved.pdf>
- B. Approval of April 27, 2009 Faculty Senate minutes. Available online at:
<http://www1.appstate.edu/orgs/facsen/Minutes/documents/FacultySenateMinutesApril272009FirstSessionUnapproved.pdf>

IV. Provost's Report

V. Committee Reports

- A. Academic Policies
- B. Agenda Committee
- C. Budget Committee
- D. Campus Planning Committee
- E. Committee on Committees
- F. Faculty Handbook Committee
- G. Faculty Welfare and Morale Committee
- H. Welfare of Students Committee

VI. Unfinished Business

- A. General Education Faculty Coordinating Committees—adjustments to the term lengths to ensure staggered appointments. **(Appendix A)**
- B. Criminal Background Check Policy. **(Appendix B)**

- C. Nominations for vacancies on AP&P Committee.
Kern Maass (FAA, Technology)
- D. Post-Tenure Review Update—pending Board of Governors approval.

VII. New Business

- A. Faculty Senate consideration of Dr. Stella Anderson (MGT) as one-year appointment to the Faculty Assembly.
- B. Faculty Senate Committee Membership Lists. (**Appendix C**)

VIII. Adjournment

Faculty Coordinating Committee Membership List Updated 2009 - 2010

Committee	2008-2009 Members	Dept Affiliation	Approved 2009-2010 Members	Dept Affiliation
First Year Seminar	Lynn Moss Sanders, chr	Gen Ed Program	Lynn Moss Sanders	Gen Ed
	Janice Pope	COM	Michael Dale (3 yr)	LES
	Joe Gonzalez (NTT)	Watauga/History	Sarah Greenwald (2 yr)	MAT
	Michael Dale	LES	Betsy Williams (1 yr)	LIB
	Sarah Greenwald	MAT		
Quantitative	Rick Klima	MAT	Rick Klima (3 yr)	MAT
	George Ehrhardt	P S	George Ehrhardt (2 yr)	Gvmt/JS
	Frank Barry	C S	Frank Barry (1 yr)	C S
Wellness	Jeff McBride	HLES	Terri Mitchell (3 yr)	C&I
	Terri Mitchell	C&I	Chris Shreve (2 yr)	HLES
	Lisa McAnulty	FCS	Emily Daughtridge (1 yr)	DAN
Fine Arts	Gary Necomsky	ART	Marilyn Smith (3 yr)	ART
	Teresa Lee	THR	Teresa Lee (2 yr)	THR
	Susan Mills	MUS	Joby Bell (1 yr)	MUS
Literary	Tom McLaughlin	ENG	Tom McLaughlin (3 yr)	ENG
	Victoria Cox	FLL	Victoria Cox (2 yr)	FLL
	Rodney Duke	PHL	Rodney Duke (1 yr)	P&R
Historical	Victor Mansure	MUS	Jim Barnes (3 yr)	Gvmt/JS
	Neva Specht	HIS	Neva Specht (2 yr)	HIS
	Jim Barnes	P S	Tim Harris (1 yr)	LRE

Committee	2008-2009 Members	Dept Affiliation	Approved 2009-2010 Members	Dept Affiliation
Aesthetics	Paulette Marty	THR	Paulette Marty (3 yr)	THR
	Banks Talley	TEC	Banks Talley (3 yr)	TEC
	Chris Bartel	PHL	Chris Bartel (2 yr)	P&R
	Craig Fisher	ENG	Laurie Semmes (2 yr)	MUS
	Emily Daughtridge	DAN	Gary Nemcosky (1 yr)	ART
Historical and Social	Sue Keefe	ANT	Tim Silver (3 yr)	HIS
	Tim Silver	HIS	Sue Keefe (3 yr)	ANT
	Phillip Ardoin	P S	Phillip Ardoin (2 yr)	GVT/JS
	Tim Harris	LRE	Victor Mansure (2 yr)	MUS
	Lynne Getz	HIS	Skip Beck (1 yr)	PSY
Local to Global	Kathy Schroeder	GHY	Jim Toub (3 yr)	ART
	Alexandra Hellenbrand	FLL	Kathy Schroeder (2 yr)	GHY
	Jim Toub	ART	Frank Aycock (3 yr)	COM
	Pat Beaver	AS	Rick McGarry (2 yr)	FLL
	Jennifer Burris	PHY/AST	Ray Miller (1 yr)	THR
Scientific Inquiry	Ray Williams	BIO	Ray Williams (3 yr)	BIO
	Doug Waring	PSY	Jennifer Burris (2 yr)	PHY/AST
	Carol Babyak	CHE	Gwen Robbins (3 yr)	ANT
	Johnny Waters	GLY	Gabrielle Katz (1 yr)	GEOGRAPHY
	Gabrielle Katz	GHY/PLN	Steve Hageman (1 yr)	GEOLOGY

DRAFT TO FACULTY SENATE FOR FINAL REVIEW 9/4/09

I. Purpose

Appalachian State University (the “University”) is committed to providing a safe and secure environment for its students, staff, university visitors, and constituents, as well as a setting in which the University’s assets are protected. To that end, it is the policy of the University that all employment offers (regardless of status as full or part-time, temporary, SPA, EPA Faculty, or EPA Non-Faculty) are subject to the University’s receipt of a satisfactory criminal background report, in order to facilitate informed hiring decisions.

II. Policy

It is the policy of the University that applicants to whom employment is offered on or after September 18, 2009, have a criminal background check completed prior to beginning employment. This policy applies to all vacant positions of all employment categories.

NOTE: An offer of employment may be extended to an applicant prior to the completion of the criminal background check, but the offer must be explicitly contingent on receipt of a satisfactory criminal background report by University officials.

- Criminal background reports will only be used to evaluate candidates for employment reasons, and will not be used to discriminate on any basis prohibited by law or other University policies.
- In order to ensure consistent application of this policy, Human Resource Services (“HRS”) will conduct (and/or contract with third-party vendors) criminal background checks in accordance with the Fair Credit Reporting Act and any other pertinent laws.
- Previous criminal conviction for staff (SPA) and EPA administrative or non-teaching positions will not automatically disqualify a candidate from employment at the University. Factors to consider include but are not limited to:
 - a) the relevance of the crime or misconduct to duties and responsibilities of the selected job;
 - b) the nature of the crime or misconduct;
 - c) the time that has elapsed since the conviction or other determination;
 - d) the circumstances surrounding the crime or misconduct;
 - e) the existence, number and type of other incidents of crime or misconduct;
 - f) the actions and activities of the candidate since the date(s) of reported crime(s) or misconduct;
 - g) the rehabilitation record of the candidate;
 - h) any related information;
 - i) the honesty of the candidate in disclosing and/or explaining the crime or misconduct;
 - j) any professional opinions about the possibility or likelihood of the candidate's future criminal behavior or other misconduct; and
 - k) explanations and/or other information provided by the candidate.
- Previous criminal convictions for Faculty will not automatically disqualify a candidate from employment at the University.

- Background check records are considered to be part of the application document and will be maintained in the applicant's personnel file. In accordance with North Carolina law, these application documents and related materials are considered to be confidential and will not be subject to public release except as required or allowed by applicable provisions of the North Carolina State Personnel Act (N.C.G.S., Chapter 126).
- Applicants who refuse consent to a criminal background check will be considered to have withdrawn their application for employment at the University.

III. Exceptions

- Faculty and/or staff members being considered for reappointment, promotion or tenure are not subject to criminal background checks.
- Faculty and/or staff members continuously employed prior to September 18, 2009, will not be subject to background checks.
- Faculty and/or staff members who maintain a continuous employment relationship (as defined as lacking any formal, legal separation) with the university, with no greater than twelve (12) months break in service, will not be subject to background checks separate from the initial check completed upon hire.

IV. Procedure

1. When finalists for positions are determined, the hiring official should have prospective or current employees complete a "Disclosure/Authorization Statement" form. The normal procedure for faculty and EPA administrative positions will be that background checks will be conducted on all finalists prior to the extending of formal invitations for on-campus interviews. For SPA and other positions in which background checks have not been conducted on all finalists, once a prospective or current employee has been selected for hire, the hiring department should immediately forward or fax a copy of the completed "Disclosure/Authorization Statement" form to:

Human Resource Services
Attn: Criminal Background Check
Department of Human Resources
[Phone: 262-3186] [Fax: 262-6489]

2. An HRS Employment Services staff member will initiate the criminal background check once the necessary information regarding finalists or the recommended prospective or current employee has been received. All job offers will be considered to be conditional until the criminal background report is reviewed and approved.
3. Review of Reports.
 - A) The HRS Employment designee will review the results for all staff (SPA) and EPA administrative or non-teaching background reports to determine the appropriateness of the finalists or prospective or current employee to work at Appalachian State University. Should an applicant's background be in question, the Director of HRS, or a designee from HRS, will discuss the decision with the Vice-Chancellor of the job posting's home division or specified designee(s).
 - B) The HRS Employment designee will initially review the background reports of faculty candidates (including adjunct and lecturers) in Academic Affairs and forward background checks that indicate a conviction to the Provost. The Provost will consult

with the appropriate administrators/faculty members (such as a Dean, Department Chair, General Counsel, Director of Human Resources) as needed to review the finding and to make a decision on how that finding should affect the status of the application and assess the potential risk of each conviction in relation to the appointment being considered. The Provost retains the right to make the final determination.

4. To ensure that false or erroneous information has not been transmitted in the criminal background report, and to comply with the Fair Credit Reporting Act (FCRA), the following measures shall be taken:
 - The HRS Employment designee will inform the prospective employee of the background report if withdrawal of an employment offer is being contemplated. The HRS Employment designee will, at this time, provide the prospective employee with a copy of the individual's report and a copy of "A Summary of Your Rights under the Fair Credit Reporting Act." The report and description of rights will be sent via certified mail, return receipt requested.
 - The prospective or current employee will be given an opportunity to address the concerns/issues revealed in the criminal background report. The HRS Employment designee and/or hiring division representative must wait five (5) business days from the date the return receipt is signed, or ten (10) business days from the date the copy of the report is mailed, if the return receipt is not signed, before making an employment decision.
5. Once the specifics of the conviction(s) have been discussed, if it is determined that a finalist should not be interviewed or that the prospective or current employee should not be extended an offer of employment or that an offer will be withdrawn, the hiring authority will be notified of the decision and asked to select a more appropriate prospective or current employee for the position. If a conditional offer of employment has been extended, the HRS Employment designee will notify the prospective employee that the offer of employment is withdrawn. This notification must be sent certified mail, return receipt requested, and contain the following information:
 - The name, address, and phone number of the Consumer Reporting Agency ("CRA") that provided the report, including a toll-free telephone number if the CRA compiles and maintains files on consumers on a nationwide basis.
 - A statement that the CRA did not make the adverse decision and is unable to give specific reasons why the adverse decision was made.
 - Notification that the applicant has the right to:
 - Obtain a free copy of the criminal background report.
 - Dispute the accuracy or completeness of any information in the report.

2009-2010 Faculty Senate Standing Committees (Draft)

Faculty Handbook

Michael Ramey (Chair, Faculty Senate)
Stella Anderson (past Chair, Faculty Senate)
W. Williams (Parliamentarian, Faculty Senate)
Karen Reesman (Nursing)
Tony Carey (ex-officio, Vice Provost for Faculty Affairs)
Paul Gates (invited guest, Communication)

Academic Policies

Ray Miller (Theater / Dance)
Wayne Williams (HLES)
Lynn Stallworth (Accounting)
Martha McCaughey (Univ. College)
Jim Sherman (Physics & Astronomy)
Adam Newmark (Gvmt/Justice Stud.)

Budget

John Geary (Finance)
Glenda Short (Social Work)
Susan Anderson (Accounting)
Rob Brown (Geography and Planning)
Martial Frindethie (Foreign Language)

Campus Planning

Eric Marland (Math)
Katherine Scharer (Geology)
Susan Roggenkamp (Management)
Brian Raichle (Technology)

Committee on Committees

Patrick Rardin (P & R)
Pam Mitchem (Library)
Lisa Gross (C & I)
Jim Stoddard (Marketing)
Patricia Napiorski (Foreign Language)

Faculty Welfare

Ellen Carpenter (FCS)
Eva Gonzales (Biology)
Peg Werts (LRE)
Kim Wangler (Music)
Connie Ulmer (LRE)

Welfare of Students

Rob Sanders (LES)
Wendy Winn (English)
Rene' Horst (History)
Amy Galloway (Psychology)
Susan Jennings (Library)
Alecia Jackson (LES)

