



FACULTY SENATE 2021-2022

ISU Faculty Senate

Official Minutes

Monday, April 25, 2022 4:00-6:00 p.m.

Location: Join Zoom Meeting

<https://isu.zoom.us/j/93311614308?pwd=OUFrbTBVWng5UUtMTDIQ2NuQlJOdz09>

Meeting ID: 933 1161 4308

Passcode: 114735

In Attendance: Michael Clarke, Jasun Carr, Barb Mason, Mike Ellis (In for Caryn Evilia), Tania harden, Dan Cravens, Fredi, Giesler, Neelam Sharma, Ken Aho, Dan Dale, Tyler Jepson, David Hachey, Christy Sabel, Paul Yeates, David Coffland, Kent Whitaker, John Holmes, Colden Baxter, Chad Yates, Anish Sebastian, Duane Rawlings, Diane Ogiela, Michelle Anderson, Jim Stoutenborough, Gesine Hearn, Mary Hofle, Cathy Peppers, Ryan Pitcher, Suzanne Beasterfield, Dave Bagley,

Absent But Excused: Caryn Evilia

Absent: Jerry Leffler,

Ex-Officio: James DiSanza, David Delehanty, Kandi Turley-A, Elizabeth Fore, Karen Appleby, Spencer Jardine, Lyn Redington, Cindy Hill, Dustin McNulty, Mary Nies, President Kevin Satterlee, Jenn Forshee, Laura Ahola-Young, Valerie Martin Conley, Libby Howe, Iris Buder

Recording Secretary: Ann Medinger

Open Forum:

Jim DiSanza- Expressed distress regarding the "Trust Report," Presented by Dave Delehanty on April

1) See the bottom of minutes for Dr. DiSanza's comments in their entirety

1) Announcements

a) **We would like to welcome our new senators**

i) Paul Yeates- CAL

ii) Spencer Jardine- Library

iii) Colden Baxter- COSE

iv) Mike Ellis- COSE

v) John Holmes- College of Health/Pharmacy

vi) Meridian- At Large

(1) Josh Woolstenhulme- yet to be ratified

(2) Barb Mason- yet to be ratified

vii) COB- Dan Cravens

viii) Idaho Falls At Large- Cathy Peppers

b) Thank you so much, all of you senators for a great year. We fought some hard battles and dealt with some tough subject matter- all in the name of the betterment of Idaho State University. Your time and devotion is greatly appreciated.

c) A new Vice President of Research has been named- Dr. Martin Blair

d) Fall Semester schedule is as follows:



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- i) Fall Semester 2022
 - (1) August 29th, 2022
 - (2) September 12, 2022
 - (3) September 26, 2022
 - (4) October 10, 2022
 - (5) November 7, 2022
 - (6) November 28, 2022
 - (7) December 12, 2022
- ii) Spring Semester 2023
 - (1) January 16, 2023
 - (2) January 30, 2023
 - (3) February 13, 2023
 - (4) February 27, 2023
 - (5) March 13, 2023
 - (6) March 27, 2023
 - (7) April 10, 2023
 - (8) April 24, 2023
- e) A reminder that meetings for the 2022-2023 academic year will be held in the Sargent Board Room in the SUB from 4-6pm on the Mondays listed above
 - i) If you will need zoom capabilities, please let Ann Medinger know

2) ASISU Update- Zane Webb (ASISU VP)- None

3) Student Affairs Update- Craig Chatriand- None

4) Academic Affairs Update- Karen Appleby

- a) 4-25 4-5pm Academic Affairs Town Hall
 - i) https://myemail.constantcontact.com/Academic-Affairs-Town-Hall--April-2022.html?soid=1127399030149&aid=fThr5UBD_ak
 - ii) Will be recorded for those who can't attend at that time
- b) Please fill out the survey that has gone out from Academic Affairs regarding Moodle
 - i) <https://myemail.constantcontact.com/Learning-Management-System-Survey.html?soid=1127399030149&aid=vjPfCRsXHq4> Moodle was adopted 11 years ago
 - (1) Want to know if Moodle is still serving our needs
 - ii) Alternative option is Canvas
 - iii) A final decision will be made by December 2022
- c) Introduction of the new Provost- Dr. Valerie Martin Conley
 - i) Dr. Conley introduced herself to the Faculty Senate
 - ii) Will be starting work at ISU in June, 2022

5) Policy News- Kellee Kirkpatrick/Libby Howe

- a) Wednesday, April 27, last FPPC meeting of the semester
 - i) Elections for the new chair and vice chair will be held
 - ii) Hoping to leave the semester with a really solid draft of the Dismissal for Cause policy
 - (1) Will not be completely done until early fall 2022



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- b) Contract Administration and Execution Policy- currently in 30-day review
 - i) <https://www.isu.edu/policy/thirtydaycomment/>
- c) Student Code of Conduct- currently in 30-day review

6) President's Update- Kevin Satterlee

- a) Trust
 - i) Themes
 - (1) Concerns about how evaluations are done
 - (a) Provost and Pres. Satterlee will start discussing evaluations during the summer
 - (2) Role of Department Chairs
 - (a) Right selection process for department chairs
 - (b) Provost and Pres. Satterlee will start discussing this during the summer
 - (3) Believes having an Ombuds office is a strong direction to look towards
 - ii) Issued a challenge to the Faculty Senate
 - (1) Be better than what is in the document (The report presented by Dave Delehanty entitled, "ISU Faculty Ombuds Report on Culture of Distrust at ISU")
 - (2) Ask yourselves, "What legacy do you want to leave with your leadership?"
 - (3) Be part of the solution

7) Guests

- a) Ombuds Reports-
 - i) David Delehanty
 - (1) Delehanty presented his annual report
 - (a) See bottom of minutes for report in its entirety
 - ii) Rick Wagoner will present in the Fall 2022
- b) President Kevin Satterlee- See trust discussion in 6.a

8) Consent Agenda- approved except for 8.h, 8.i, and 8.k

- a) Faculty Senate Minutes April 11th, 2022
- b) Academic Standards Council Minutes April 15th, 2022
- c) FPPC Minutes April 13, 2022
- d) Research Council Minutes April 8, 2022
- e) GERC Minutes February 8, 2022
- f) GERC Minutes March 8, 2022
- g) GERC Minutes February 22, 2022
- h) UCC Revised Bylaws- removed for discussion
- i) UCC Minutes March 31, 2022- removed for discussion
- j) UCC Minutes April 7, 2022
- k) UCC Minutes April 14, 2022- removed for discussion
- l) 2022 Objective 9 ORC Report
- m) UCC minutes from 3/31/2022 discussion
 - i) Discussed last meeting
 - ii) Still to be determined
 - iii) Language will be brought to faculty senate in the Fall 2022



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- n) UCC minutes from 4/14/2022 discussion
 - i) Wondering what UCC wants from Faculty Senate on this front
 - ii) Scope-creep into the UCC proposal process
 - (1) Proposals were being held up due to program prioritization needs
 - (2) Looking for guidance from Faculty Senate about where that distinction lies
 - iii) This needs to be addressed first thing in the fall by Faculty Senate Executive Committee
 - iv) This issue was sub sequentially voted upon through email and all UCC minutes were approved

Action- Baxter motioned to approve these UCC minutes from
Dale seconded
Motion Carried Unanimously

- o) Bylaws
 - i) Some colleges specifying where representatives come from and some do not
 - (1) Article 3- committee composition

ACTION- Ellis motioned to table approval of the bylaws until UCC can clarify Article 3 in the bylaws and why some colleges choose their representatives and why some do not.

Dale seconded

Discussion

Motion carried with 18 yes's, 1 abstention, and 4 no's

9) Continuing Business

- i) Check-ins regarding ongoing work
 - (1) Program Health Survey (James Stoutenborough)
 - (a) Has not come together due to other issues that have arisen
 - (2) Non-TT rights survey and committee
 - (a) Hofle said committee has been looking at 2 things
 - (i) Multi-year contracts
 - 1. This issue is being addressed first
 - (ii) How non-tenure-track people in those positions are treated differently in each department
- ii) Ratify newly elected senators and council members
 - (1) Senators
 - (a) Meridian- At Large
 - (i) Josh Woolstenhulme
 - (ii) Barb Mason
 - (b) College of Business
 - (i) Dan Cravens



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- (c) Idaho Falls- At Large
 - (i) Cathy Peppers
- (2) KDHS Faculty Advisory Council
 - (a) Janette Olsen- KDHS
 - (b) Dan Hudock- At Large
- (3) GERC
 - (a) Omotayo Omotowa- College of Health
 - (b) Mike Matussek- College of Technology
- (4) UCC
 - (a) Crystal Kanderis Lane- College of Health Sciences
 - (b) John Baker- College of Technology
 - (c) Ajit Bhattarai- College of Education
- (5) Research Council
 - (a) Tori Scharp- College of Health
 - (b) Amy Koplin- College of Technology (Taking Darin Jernigan's place who will not be returning due to administrative duties)
- (6) Academic Standards Council
 - (a) John Fitzpatrick- College of Education
- (7) FPPC
 - (a) New Election to be held in the fall

ACTION- Stoutenborough motioned to ratify newly elected senators and council representation
Jepson seconded
Motion carried with 20 yes's and 2 abstentions and 0 no's

iii) Trust Report Presented by Dave Delehanty

- (1) There is a need to compile a more comprehensive report that includes more voices and differentiates between levels of leadership

ACTION- Ellis motioned to table this until fall

Sebastian seconded

Stoutenborough expressed concern with tabling this and that it will lose steam if we wait until fall to discuss this

Ellis rescinded the motion

ACTION- Ellis Motioned to table until the fall provided that further discussion from the Executive Committee of Faculty Senate with leadership of the university

Sebastian seconded

Discussion- The executive Committee can provide more clarity on how to move forward with this
Motion Carried with 20 yes's, 1 abstention, 1 no

10) New Business

- a) Election for a new Vice Chair



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- i) Nominations
 - (1) Hofle nominated Colden Baxter
 - (a) Baxter accepted the nomination
 - (b) Ellis seconded this nomination

ACTION- Motion to go into executive session

ACTION- Anderson motioned to move out of executive session
Hofle seconded
Motion carried unanimously

ACTION- Motioned to nominate Colden Baxter as Vice Chair
Motion seconded
Motion carried with 20 yes's 2 abstentions, and 0 no's

Action- Cravens motions to go into executive session
Coffland seconded
Motion Carried Unanimously

11) Executive Session

- a) Last Minute Emeritus Status- Dr. Mark Neill

ACTION- Cravens motioned to exit executive session
Anderson seconded
Motion Carried

ACTION- Cravens motioned that Dr. Mark Neill in recognition of his service andat the university be granted Emeritus status
Coffland seconded
Motion carried unanimously (see march 28th minutes for appropriate wording.)

12) Adjournment

ACTION- Coffland moved to adjourn
Anderson Seconded

13) Open Forum Letter from James DiSanza

“TO: Faculty Senate

FROM: James DiSanza, ISU faculty member and Chair of the Communication, Media, and Persuasion Department

RE: Response to the report from the Faculty Ombuds

I am writing to express serous concerns about the report entitled, “Culture of Distrust at ISU: ISU Faculty Ombuds Report to the ISU Faculty Senate.” This report is seriously flawed and is not, contrary to Dr. Delehanty, an effective “starting point” for discussion. I will cover my response in two points.

1) The method for collecting comments was flawed, creating selection bias in the sample of participants.



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The first general announcement that the Ombuds would be writing a report was not, as one might expect, part of a separate email that would be noticed by busy faculty members and encourage their participation. Instead, the announcement was buried as the sixth of six bullet points in a Faculty Senate email, titled "Faculty Senate Notes: March 14." The opening statement preceding the invitation to email the faculty Ombuds was quite narrow and probably cryptic to anyone who was not particularly concerned about dean, department chair, and administrator evaluations or about expressing themselves for these evaluations. The bullet point begins:

There was a discussion of how deans, directors, and department chairs are evaluated. It centered on the general fear of retaliation against faculty who make comments, and who is and who should be analyzing and aggregating the data.

In rhetorical theory, there is extensive research on the use of code words and phrases as ways to include and exclude people from participation. The email title, the placement of this bullet point, and the opening two sentences functioned as a code, encouraging participation from a subset of faculty concerned about evaluations. Conversely, these features worked to discourage recognition, and therefore, participation, from many other faculty.

While the opening statement suggests a rather limited focus, a later sentence at the end of the bullet point indicates the larger scope of the project.

ISU faculty who wish to communicate overarching themes regarding the culture of trust at ISU are invited to communicate them to the Office of the Ombuds.

Similar language regarding the Ombuds report on "institutional trust" appeared in "Faculty Senate Notes: March 28." Unfortunately, this statement was preceded by a discussion of more funding for the Ombuds Office, which may have distracted faculty away from the invitation to email the Ombuds. The statements "culture of trust" or "institutional trust" are very broad, never defined, and no one is told what they should include in their email. The report doesn't even bother to identify the number of faculty who participated or if all of the comments were gathered from the invitations in the "Faculty Senate Notes" emails. Other outreach efforts by individual Senators are hinted at in the report, but if this occurred, it should have been explained.

In summary, the placement, coded phrases, sentence development, and paragraph structure of the invitations—even the link that brought people to the Ombuds web page instead of a survey—created

a selection bias in the sample. Only those very upset about the "culture of trust" at ISU would take the time to parse the invitations, click on a link that brought you first to the Ombuds webpage, then click again to begin an email, and then, finally, compose a message. The fact that a seven-page document doesn't include even one positive comment or contrasting interpretation suggests that the selection bias was quite thorough.

2) The language used in the document makes it an act of advocacy not an unbiased report. Advocacy is absolutely not the role of the Ombuds.

In accepting this charge from the Faculty Senate, Ombuds Delehanty was fulfilling elements of the International Ombuds Association (IOA) "Standards of Practice." These guidelines encourage an Ombuds to identify "systemic problems" and "emerging trends" and facilitate outcomes that "build trust" and "enhance relationships." Under these guidelines, it was reasonable for the Faculty Senate to assign this task to Ombuds Delehanty and reasonable for him to accept the charge.

However, the thoroughly biased nature of this report, both in method and outcome, has clearly crossed the line into advocating for the opinions of an unknown-sized subset of ISU faculty.

For example, Ombuds Delehanty refers to the non-renewals of pre-tenured faculty as "firing" in a parenthetical (p. 2). This is a clearly inaccurate statement, which also inflames passions and advocates for a particular position. Dr. Delehanty says that problems are "festering" (p. 3), a disease



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metaphor that suggests septic processes, pus, and rotten flesh—connotations that clearly don't belong in a supposedly unbiased report.

The annual faculty ranking system has, in Delehanty's phrase, "devolved into the bizarre" (p. 3). The use of the term "Gallingly" headlines another sentence (p. 4). Another statement uses the phrase "deeply rooted dysfunction" (p. 6). Some HR policies are deemed "seemingly unlawful" (p. 6), a judgment that no Ombuds should, or is qualified to make.

In addition, Ombuds Delehanty claims that HR endorses "unsupported claims." This language reveals his advocacy. Finally, Delehanty concludes that the environment at ISU is "sour" and it is a "diminished institution" (p. 7). Again, these are not quotations that Ombuds Delehanty reports, these are his own language choices, which are clearly slanted and serve to advocate for the opinions of an undisclosed number of people who emailed him.

The obvious advocacy, which is replete throughout the document, is in clear violation of the IOA "Standards of Practice." Section 3.3 of the Standards states: "The Ombuds fairly and impartially considers issues and people who may be affected. The Ombuds promotes equitably administered processes but does not advocate on behalf of anyone."

It is clear that in carrying out this charge, Ombuds Delehanty has become an advocate for the positions of a subset of ISU faculty. In fact, the report reads more like a union representative's statement than the balanced work of an Ombuds who is attempting to identify problems and facilitate solutions. Despite the fact that I find a number of things covered in this document to be potentially concerning, I do not believe that it accurately reflects the perceptions of the majority of faculty at ISU.

If the Faculty Senate wants to learn about the "culture of trust," they need to conduct a legitimate survey of ISU faculty, followed by focus groups discussions, all of which are specifically designed to cast as wide a net as possible for collecting opinions. A true report must highlight the strengths and weaknesses of ISU's current climate and be presented in a way that is not so obviously biased."

14) Ombuds Report from Dave Delehanty

"Delehanty: ISU Faculty Ombud 2022 Annual Report to ISU Faculty Senate April 2022

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2022 Annual Faculty Ombud Report to the ISU Faculty Senate

David J. Delehanty, ISU Faculty Ombud

April 25, 2022

To the best of my ability, I carried out my duties as an ISU faculty ombud conscientiously and responsibly over the past 12 months, seeking informal problem resolution as a neutral party when contacted by a faculty member and asked to become involved. I thank the Faculty Senate and the ISU Ombuds Program for the trust they placed in me. I believe that the faculty and the university benefitted throughout the year from the ISU Ombuds Program.

The program received substantial use by ISU faculty over the past 12 months. My sense is that there is a high degree of faculty frustration at ISU at this time. I did not precisely tally actions over the course of the year, but like the previous year, interactions spanned a wide range of levels that I categorize in this way:

Minor interactions involve people contacting me to ask about policy, academic norms, institutional history, or with questions on chain of command. After these interactions, faculty then proceed as they see fit without further contact or involvement with me. It is difficult for me to assess outcomes in these interactions beyond faculty members thanking



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me for discussion, usually politely saying that it was helpful in some way.

Mid-level interactions involve primarily one-on-one interactions with a faculty member that spans a few to several phone, Zoom, or in-person meetings in which we identify the core problem and discuss possible pathways for resolution. Following these interactions, faculty members either proceed with some formal action upon which I step out or they proceed in some other way as they see fit but without further interaction with me.

Major interactions are time consuming and involve multiple people, multiple views, and multiple phone calls or meetings. Major interactions typically involved research on my part, and eventually written or personal meeting involvement on my part. My involvement in major interactions included interactions with departmental chairs or program directors, deans, or the university president.

The ombud process sometimes worked very well for mid-level and major interactions. My sense is that at least 2 likely formal grievance actions were avoided over the last 12 months and perhaps 1 or 2 more. Also, I think 1-2 Title IX complaint initiations may have been avoided through the ombud process. To be clear, these are merely personal estimates based on my interactions. Faculty members are not obligated to reveal to me any planned formal actions or any reversals of planned formal actions. Furthermore, it is not my role to counsel faculty members on whether they should or should not file complaints or proceed in some other way to

Delehanty: ISU Faculty Ombud 2022 Annual Report to ISU Faculty Senate April 2022

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formal actions.

Unfortunately, the ombud process sometimes did not work. For example, two ongoing major interactions remain unresolved at this writing despite my best efforts.

A year ago in my annual report to the Faculty Senate (*Faculty Ombuds Report_Delehanty 2021*), I identified 3 core areas of concern, things that were suppressing greater institutional success.

- 1) Faculty Distrust
- 2) Institutional Intolerance
- 3) Environment of Retaliation.

Within my sphere of activity, these concerns largely went unaddressed until March 2022 when President Satterlee and the Faculty Senate began to discuss a “the culture of trust at ISU” (i.e., *distrust at ISU*). The Faculty Senate subsequently requested that I report to the senate on any basis for an environment of distrust prevailing within the faculty. I submitted my findings to the Faculty Senate on April 11, 2022. That report dutifully presented faculty sentiments as communicated to me. I think that faculty used the ombud report as a safe vehicle to send their concerns to the senate and administration. Not surprisingly, the many concerns and frustrations expressed by faculty in the report are the same concerns and frustrations that formed the basis of most of my ombud interactions with faculty over the last year. I saw the same kinds of problems arising repeatedly across the institution, in multiple colleges and multiple departments. I have made the ‘*distrust report*’ a part of my annual report by including it here as Appendix A. The Appendix A *distrust report* forms an important part of my 2022 annual report to the Faculty Senate. In my judgment, the ISU will benefit by making a serious effort to address concerns repeatedly communicated by faculty.

RECOMMENDATIONS

I make 5 specific recommendations to the Faculty Senate in the name of problem solving and improving ISU as a workplace and a place of teaching, learning, and intellectual discovery. I



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base these recommendations on witnessing recurring problems in my role as a faculty ombud.

1. **Continue the ISU Faculty Ombuds Program** but do so independently under the auspices of the Faculty Senate rather than as a subunit of the *ISU Ombuds Program* which operates under the auspices of Human Resources. Faculty status is a very unusual employment status with unique rights and responsibilities in American society. Faculty problems are better understood and solutions better implemented by the academic faculty whose careers are embedded in the academic milieu rather than by a traditional department of Human Resources.
2. **Codify into ISU policy that Faculty Ombuds are not Title IX reporters.** This does not mean that the ombud program does not support Title IX. Rather, the ombud process is more effective when faculty members can talk with an ombud without fear that their situation will be reported to the Title IX office against their wishes.
3. **The Faculty Senate should carry out independent annual performance reviews of deans** within the university. These reviews would be independent of any review
Delehanty: ISU Faculty Ombud 2022 Annual Report to ISU Faculty Senate April 2022
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Academic Affairs chooses to carry out in its supervisory role over deans. A senate process centered on the relationship between actions of college deans and academic success within colleges would give faculty an important voice that currently they lack and be good for academic advancement. This process would result in greater accountability for the actions of deans to the degree those actions affect academic success of faculty.

4. **Review the 3 most recent annual ombuds reports** by Thomas (2020), Delehanty (2021), and this report (2022) including Appendix A. Such a review might help to identify potential starting points for improving the academic culture at ISU. Faculty may be signaling needed reform and these reports may give the Faculty Senate some structure to begin serious dialogue within the faculty and between the faculty and administration.
5. **The Faculty Senate annually should provide a faculty-wide discussion** on 4 concepts central to faculty success. One possibility would be to hold a universitywide faculty meeting run by the Faculty Senate in which these concepts are discussed.
 - a. **Academic Freedom** – what it is and what it is not.
 - b. **First Amendment Protections of Faculty Speech** – what is and is not protected.
 - c. **Service** – what it is and how academic freedom and speech rights apply.
 - d. **Collegiality** - what it is and what it is not.

The ISU Faculty Ombuds Program was a useful forum for informal problem solving at ISU over the last 12 months. Probably, it saved substantial faculty and administrative time and effort over the course of the year by solving problems without the need for formal actions. Probably, it also saved a lot of faculty angst. However, the ombud process also clarifies recurring problems within the university and has identified a lot of faculty frustration and concern. Addressing these frustrations and concerns in a forthright and earnest way has the potential to improve ISU substantially.”