



## Faculty Association Meeting

### Minutes

March 9, 2023

3:15 p.m.

Zoom Meeting ID: 485 536 1551

<https://lcsc.zoom.us/j/4855361551>

Attendance: Tracy Adkins, Joan Marie Agee, Kerensa Allison, Ayodeji Arogundade, Charles Bell, Brent Booth, Christina Brando-Subis, Kylee Britzman, Julie Bezzerides, Soo Lee Bruce-Smith, Amy Canfield, Teresa Carmack, Emily Carstens Namie, Jenna Chambers, Julie Crea, Jennifer Cromer, Harold Crook, Marlowe Daly-Galeano, Kacey Diemert, Laura Earles, Celeste Ellis, Rodney Farrington, Kyle Ferguson, David France, Rachelle Genthos, Martin Gibbs, Kristy Gonder, Kelsey Grafton, Sarah Graham, Marcy Halpin, Andrew Hanson, Renee Harris, Krista Harwick, Sue Hasbrouck, Mark Haynal, Thomas Hill, Leif Hoffmann, Lorinda Hughes, Rachel Jameton, Bryce Kammers, Polly Knutson, Nancy Lee-Painter, Debbie Lemon, Samuel (Seth) Long, Luella Loudonback, Michael Love, Peggy Mata, Eric Martin, Rob McDonald, Edward Miller, Amy Minervini, John Morrison, Ben Morton, April Niemela, Michelle Pearson-Smith, Cynthia Pemberton, Jef Petersen, Darcy Peterson, Nina Peterson, Deena Rauch, Gary Reed, Peter Remien, Marc Riendeau, Chris Riggs, Alicia Robertson, Joshua Rogers, Suzanne Rousseau, Jill Rossiter, Teri Rust, Jenny Scott, Susan Steele, Eric Stoffregen, Gwen Sullivan, Melinda Tompkins, Royal Toy, Jennifer Uptmor, Nikki Vandermeer, Heather Van Mullem, Pete Van Mullem, Angela Wartel, Jennifer Weeks, Heather Welsh-Griffin, Scott Wimer.

#### I. Call to Order/Approval of Minutes

The meeting was called to order at 3:15 p.m. Harold Crook moved to approve the minutes from the January 12, 2023 meeting/second by Michelle Pearson-Smith. Approved unanimously.

#### II. Treasury Report as of February 28, 2023.

The chair reported that there was a \$4,046 balance in the Faculty Benevolence Fund and \$7,848 in the Faculty Association Local account.

#### III. New Business

##### A. Revisions to Policy 1.102, Operational Guidelines for Faculty Governance

The chair reported that Faculty Senate had been working on revisions to Policy 1.102, Operational Guidelines for Faculty Governance, and that the version of the document that was before the body had

already been approved by Faculty Senate at the February 9, 2023 meeting. The chair then proceeded to review the major changes that were proposed, including:

1. Section I Part A: change the definition of division to include instructional divisions only. As currently defined, the library is included in the definition of divisions, meaning they must staff Senate standing committees. The chair clarified that the library will still retain representation on Senate itself, and that the librarian was in support of the proposed changes.
2. (Same section) language was changed to allow for “up to two” student representatives from ASLCSC, rather than prescribing two. This change would allow the current practice of sending only one student representative to Senate to continue.
3. Section I Part B: Establishes the web editor as an officer and revised certain responsibilities of other officers to reflect current practice.
4. Section I Part B Paragraph 6: Allows for monetary compensation of all officer positions to help incentivize participation.
5. Section I Part C: Term of office for the web editor established as three years because of the training involved with this role.
6. Section II Part A: Language related to the President’s responsibility to call/preside at Faculty Association meetings changed from “shall” to “may,” to be permissive.
7. In Section 3 of III (Committees), Part D: Reimplements the language passed in 2021 (but not yet reflected in the online policy document), related to the structure of the General Education Committee.
8. Section 3, Part E: Assigns an additional function to Budget, Planning & Assessment Committee, to include development of any faculty-related resource requests.
9. Section 4 (Hearing Board): Strikes language requiring a continuing review of committee structures/functions, since in practice this does not occur.
10. Section 5 (STPRC) and 6 (SPRC): Strikes language requiring these two committees to notify faculty of eligibility for promotion because the Provost’s Office now carries out this function.
11. Section 6 (SPRC): strikes the language limiting committee members to one term.

The chair called for questions/comments. Royal Toy moved to approve the revisions to Policy 1.102 as proposed; second by Charles Bell. Electronic poll results showed 94 Ayes, 0 Nays, 5 Abstentions.

#### B. AY23-24 Officer Election

Motion by Eric Martin to elect Peter Remien (Humanities) as the AY23-24 Faculty Senate/Faculty Association Chair-Elect; second by Royal Toy. Electronic poll results showed 80 Ayes, 1 Nay, 1 Abstention.

#### C. Emeritus Nominations

The following individuals were nominated for emeritus status:

1. Ed Miller/TEAM – *Nomination by Kacey Diemert*
2. Melinda Tompkins/TEAM – *Nomination by Teresa Carmack*
3. Gwen Sullivan/Humanities – *Nomination by Bryce Kammers*
4. Nancy Lee-Painter/Humanities – *Nomination by Jef Petersen*
5. Rob McDonald/T&I – *Nomination by Charles Bell*

Motion to bestow the title of Faculty Emeritus upon retirement to all of the nominated individuals made by Leif Hoffmann; second by Royal Toy. Electronic poll results showed 83 Ayes, 1 Nay, 1 Abstention.

#### IV. Good of the Order

President Pemberton spoke to the situation related to the Center for Arts & History exhibits, versus what had been portrayed in the media. She relayed that, on Sunday February 26, Jenny Jones Hall received a text from Emily Johnson, director of the Center of Arts and History, stating she had some questions and concerns about some of the proposed exhibits. The curator for this exhibit is a third-party curator, not LC State faculty or staff. On Monday February 27, President Pemberton and senior leadership at LC State engaged legal counsel to determine whether the proposed exhibits were allowed under Idaho Code 18-8705. Images, narratives and video descriptions from the exhibit were reviewed with legal counsel and State Board of Education staff were also consulted; administration did not act in isolation. Based on this sharing of information, legal counsel advised that there were some items that were in conflict with the statute and were not allowed to be displayed. Administration's goal was to minimize the impact on the exhibit, the artists and the curator of the event. On February 28<sup>th</sup> we notified the curator and the artist that some of the exhibit content had been removed, as administration did not want to place the institution at risk legally with Idaho statute.

*An Association member 1 added language contained in I.C. 18-8705 Paragraph (2) to the Zoom chat feature. This paragraph states: "No person, agency, organization, or any other party that receives funds authorized by the state ... may use those funds to perform or promote abortion..." He then asked the President whether she regarded this section of code as the most relevant piece of the law.*

President Pemberton: Yes. We are a state building, a state agency, Emily is a state employee. There were only a few artists, maybe three, that were impacted.

*Association member 1: Is the discussion really about the word "promotion"? Our role as educators is to promote discussion and development of understanding. The idea that precluding an artistic representation of pregnancy-related risks, women's experiences with pregnancy issues, and plan B pills seems a violation of First Amendment rights and responsibilities. I'm not saying you should have made a different decision as an administrator; however, as a faculty member I am uncomfortable with this situation.*

President Pemberton: As a public institution, we are in the middle of this situation with no way to be compliant in both directions. My personal opinions or beliefs are completely irrelevant to the need for compliance with legal counsel's advice.

*Association member 1: I believe we as faculty need to establish a statement that makes known not all faculty agree with the way this law is written. I propose we organize an ad hoc committee to prepare such a statement from the faculty. This law is poorly written, but this is primarily about free speech. Regardless of your stance on abortion, there needs to be a statement brought forth on censorship and First Amendment rights.*

*Association member 2: Is there going to some kind of response to the letters requesting allowances?*

President Pemberton: There is no intent to alter the exhibit from how it currently appears right now.

*Association member 3: There is concern among faculty over the word "promotion." Where do we draw the line?*

*Association member 4: An art exhibit does not allow for a free exchange of ideas.*

*Association member 5: Do you have a fear that other artists may be limited in what they can present at LC*

State?

President Pemberton: I think this conversation is ongoing at many institutions across the country. Also, did anyone watch the JFAC budget setting session? The JFAC budget will go forward. The committee largely supported the governor's recommendation, but there was language built into the appropriation related to the use of appropriated funds.

**Motion made by Harold Crook that the Faculty Association form an ad hoc committee to consider developing a joint statement about the importance of defending the First Amendment rights and responsibilities and the "chilling effect" that I.C. 18-8705 has upon these rights and responsibilities. Seconded by Amy Canfield.**

*Association member 6: Be careful about constructing a statement that may not actually represent each faculty member's stance on this issue.*

*Association member 7: I think we need to create a statement for a single issue. We have separate issues at play here that each deserve their own statement.*

President Pemberton: my personal opinions are left out of this discussion as the head of this institution and I would not be able to sign on to this developed statement.

*Chair's question to motion maker: Who is the intended audience for this statement?*

*Motion maker: The public. We will develop a statement and then bring it to Faculty Senate and Faculty Association.*

President Pemberton: You could formally submit a statement to administration without any political risk. I would be happy to receive it.

*Association member 3: Would this statement be useful to you, as president? Would this help, as an extra piece of evidence?*

President Pemberton: I'm not sure if it would be helpful at this time but I don't see that it would be hurtful.

**Results of electronic poll showed 49 ayes 21 nays.**

Harold Crook, Amy Canfield, Teri Rust, Christina Brando-Subis, and Laura Earles voiced interest in serving on the ad hoc committee.

*Association member 8: I was able to pull up a partial quote from the language at JFAC today—do we need to determine how this impacts general education? Would this language this include Native American Clubs, CAMP?*

President Pemberton: the language is very vague. I don't think it will impact curriculum, but more likely student activities—however, we unsure at this time. We will share the exact language from the bill via the chair.

**Royal Toy moved to adjourn 4:54 p.m.; second by Charles Bell. Unanimous approval.**