Faculty Senate Minutes

February 14, 2024

JCK 880

4:00 p.m. – 6:00 p.m.

**Members Present**: Vaughn Baltzly, Rebecca Bell-Metereau, Stacey Bender, Dale Blasingame, William Chittenden, Rachel Davenport, Peter Dedek, Dave Donnelly, Farzan Irani, William Kelemen, Lynn Ledbetter, Jo Beth Oestreich, Adetty Pérez de Miles, Michael Supancic, and Alex White.

**Guests:** Alicia Barthel, Elizabeth Bishop, Carol Clerie, Laura Ellis-Lai, Lauren Goodley, Samantha Krause, Scott Kruse, Aimee Roundtree, Selma Selvera, Piyush Shroff and Karen Sigler.

**Chair Ledbetter opened the meeting at 4:00 p.m.**

The first agenda item was a continued discussion of the proposed **AI Survey for Faculty/Staff** from **Piyush Shroff, Faculty Senate Fellow.** Shroff shared the final changes to the survey. There were nine questions. Senators stated the final structure was practical and not lengthy. The Chair noted similar questions were asked in previous interviews held across campus. The Chair asked if Shroff received any comments from the Staff Council meeting and he stated they liked the survey and asked if there would be space to respond if they had not used AI tools. The survey will be sent out on March 3, 2024. Shroff is waiting for permission from the Compliance officer to send it out to the staff.

**MOTION** to approve the survey and allow it to move forward. **PASSED**.

The next agenda item was a **Preliminary Discussion on** [**SB 222**](https://legiscan.com/TX/text/SB222/id/2820019)and our policy

UPPS No 04.04.30 Section 05 by **Carole Clerie, Associate Vice President (AVP) Human Resources and her team member Selma Selvera, Human Resources (HR) Analyst, and Alicia Barthel, Interim Chief Resources Officer.** Clerie discussed the parameters and flexibility surrounding extending paid parental leave within TXST. Clerie explained that Chapter 661of the Texas Government Code defines the leave provisions for all state agencies and institutions of higher education and granting the State Auditor’s Office (SAO) authority to interpret these provisions. After SB 222 was enacted, SAO provided a guide in the Texas Human Resource Statute Inventory regarding paid parental leave for eligible non-higher institution agency employees, indicating higher education institution employees are not eligible. A comparative analysis with institutions like The University of Texas at Austin and Texas A&M revealed similar wordings in policies, with parental leave listed but no distinct leave category, requiring employees to use existing accrued leave. Additionally, TXST works individually with employees, exploring all options, including creative solutions for those lacking accumulated leave. TXST has a sick and family leave pool (currently there is no balance). There is a donated sick leave pool and if low, HR will work with the employee needing to use it and their department to get further donations. A Senator asked how donations could be made and Clerie stated that donations could be made for a specific employee or general bank. Clerie explained the employee would have to exhaust all of their leave, and then HR would only cover them with donated time for the period the member is medically incapacitated. Selvera shared that faculty can accrue sick leave if they work during the summer. This leave could be transferred over to their primary assignment. A Senator asked how family leave is different than sick leave. The answer was family leave pool is taxable to the donor, but donations to the sick leave pool are not. Sick leave can only be used for medically-necessary absences, while family leave has more flexibility. This means that if you donate leave, whether sick or vacation time, to the family leave pool for non-medical reasons, you, as the donor, incur the tax liability on the hours and money donated. This might explain why the family leave pool has a zero balance. A Senator asked what constitutes medically-necessary. Selvera explained it is a medical period of incapacity or recovery from a natural childbirth. Leave for natural childbirth is six weeks, and eight weeks for a C-section. There are thirty days of leave for adopting a child. Clerie said Chapter 661 allows governing board institutions to combine leaves like Personal Time Off (PTO) and sick leave. If we did this, there are other implications. It would require adoption by the Texas State University System

(TSUS) and would have to apply uniformly with all member institutions across

the system. HR would have to draft a Memorandum of Understanding (MOU) with the

Education Retirement System (ERS) and the Texas Retirement System, because there

are implications with regard to retirement benefit calculations. Also, there would need to

be a translation table to measure it based on sick leave or conversion. If you no longer

have sick leave, there must be a way to translate retirement benefits. If we created a

TXST PTO, it is unknown how many of these hours would translate into sick

leave. A MOU between TSUS and other agencies or institutions would be needed.

There are hundreds of Texas State agencies and universities we would need to

create MOUs with, and this is not viable. Faculty positions do not accrue vacation time,

so, PTO accrued rates would differ by position type and may result in an actual benefit

reduction, thus resulting in challenges to shift to a PTO system. A Senator asked if any of the benchmarked institutions had a better family leave policy. Clerie stated no, and further stated that no other institution has implemented a PTO system. A Senator asked for any recommendations to change the policy. Clerie stated there were no viable options at this time. Clerie added that HR asks individuals who are exiting from TXST if they would like to donate to the sick leave pool and many generously do. A Senator encouraged Faculty Senators to get the word out about this policy.

The Chair asked Clerie if there were any issues that the Faculty Senate could assist HR with or raise awareness of or if there were any matters that needed to be brought to the Senate's attention. Clerie responded by emphasizing the importance of ongoing

communication, promptly addressing issues as they arise, and working collaboratively

to find solutions. A Senator asked if there were any public opportunities to plead to

our Legislature or Board of Directors to change the family leave policy. The Chair

suggested contacting TSUS, lobbyists, and other system institutions to determine if there is interest in changing this policy.

The next item is a preliminary discussion on the **Faculty Conduct Policy.** The Chair stated this is a preliminary discussion on the Texas Workforce Commission’s audit that revealed TXST did not have a disciplinary policy for faculty, unlike the existing policy for staff. The Chair stated Matt Brooks, Assistant Provost, will speak on this topic at the February 21, 2024, Faculty Senate meeting. The Chair noted the need to draft such a policy. Debbie Thorne, Senior Vice Provost suggested renaming it as a Faculty Conduct Policy. Although there are no immediate deadlines for addressing this issue, it is essential to do so. Additionally, a Senator expressed interest in participating in a committee or workgroup to develop the policy. It was discussed whether the Faculty Senate would lead this effort, but it was deemed more appropriate to take an active role rather than taking the lead. The Chair noted there are many things to be considered with this policy and shared there will be a Regents meeting next week. On the agenda was the requirement for faculty members to post and adhere to office hours, along with mandatory attendance at component or departmental events deemed significant. Despite this being mentioned in the report for the Regents, it is not explicitly outlined in faculty job descriptions, unlike other existing university policies on office hour postings. Additionally, related to SB 18 and the Annual Review, which was deemed as meeting the requirements for the state, we were already robust in our review; each category would now have its own score. Non-compliance in areas such as training obligations, like cyber security or workplace harassment, could prompt a need for improvement plans. There was contemplation that chairs and directors might adopt a more punitive approach to ensure compliance than currently exists. A Senator reiterated the importance of having faculty serve on the Faculty Conduct Committee to be a part of the process from the beginning to the end.

The next item was reviewing the **Staff Council’s request** for the Faculty Senate to purchase a Red Parking Permit to be raffled off as a fundraiser. As the Faculty Senate budget is small, the request has been forwarded to the Nontenure Line Faculty Committee (NLFC) for support. A Senator suggested splitting the contribution with the Faculty Senate. The Faculty Senate would donate $135 and inquire if the NLFC would contribute $200 or cover the entire amount. The Vice-Chair will contact the NLFC to ask what contribution they want to make to the raffle.

For the next agenda item, the Chair stated she and another Senator will attend the **Texas Council of Faculty Senates (TCFS) Meeting** from February 23-24, 2024**.** The Chair will present TXST's Roundup report, covering topics such as enrollment and capital improvement projects.

**MOTION** to approveFebruary 07, 2024, Minutes. **PASSED**.

**The Faculty Senate moved into Executive Session**. Topics covered were the approval of committee members, an update on the Committee Preference Survey, and Faculty Senate elections.

**MOTION** to suspend the rules. **PASSED**.

**MOTION** to recommend a replacement for the Presidential Award Selection Committee. **PASSED**.

**The chair adjourned the meeting at 5:20 p.m.**