Coles Faculty Council  
Minutes of Regular Meeting  
October 7, 2009

In Attendance:  
Debbie Lester, James Tompkins, Samia Siha, Ken Harmon, Susan Carley, Randy Stuart, Doug Moodie (guest), Bruce Clements, Don Sabbarese

Meeting Called To Order at 3:36 p.m.

Agenda Item 1: Study Abroad Policies Update, Doug Moodie

D. Moodie presented Proposal on Coles Study Abroad Courses (attachment a) and explained that the document was strictly a compilation of his personal thoughts and was not policy or procedure. After meeting with D. Paracka and other faculty, he created the document to address concerns, inconsistencies and areas for improvement. It includes possible solutions and discussion questions. After reviewing the document with the committee, he suggested that a working party or task force be established by the CFC to formulate recommendations.

Discussion followed.
J. Tompkins moved that Doug Moodie create and lead an ad hoc committee to review and propose recommendations regarding study abroad policy and send an email to all faculty inviting them to participate on the committee.
Motion seconded, D. Sabbarese.
Motion passed, unanimous.

Agenda Item 2: Open Meetings Law update from Flora Devine

S. Carley distributed copies of the response from Flora Devine (attachment b) regarding the Georgia Open Meetings law.

Discussion followed; no action necessary.

Agenda Item 3: Departmental Responses to Faculty Ambassador Initiative

K. Harmon explained that the purpose of the program was to highlight faculty who exemplify the mission of the Coles College. James Tompkins was selected to be the first faculty honored. There will be two faculty honored per year. Department chairs will nominate two faculty each and provide these names to the CFC.

Discussion followed regarding the method for making recommendations and clarification that department chairs may use different methods for selecting the two nominees. At this time,
chairs will use the guidelines in G. Hariharan’s initial proposal. S. Carley will forward a copy of this document to all CFC members. Nominations for the next faculty ambassador are to be submitted by November 1, 2009 and are to be accompanied by a one page document profiling the faculty member. The CFC will review and choose the next ambassador at the November meeting.

**Agenda Item 4: Group review and discussion of respective departmental bylaws**

S. Carley requested input regarding departmental bylaws and distributed a chart (attachment c) that could be used for reviewing them. Discussion followed as to whether the process was necessary or just a good way to become familiar with other department bylaws. It was suggested that good ideas could be shared this way.

**Agenda Item 5: Developing guidelines for Faculty Ambassador selection**

Item addressed under Agenda Item 3.

**Additional Discussion**

Discussion commenced on a previous conflict regarding meeting minutes and how they are approved and distributed. After consulting the bylaws, it was determined that there was not a timeframe imposed and that a formal approval of minutes could be done at the next meeting.

D. Sabbarese moved that the Coles Faculty Minutes not be released until approved by the committee at the following meeting.
Motion seconded, D. Lester.
Motion passed, unanimous.

S. Carley asked L. Bauer if she would continue taking minutes for the CFC. Discussion followed regarding who takes the minutes and the content of the minutes. L. Bauer agreed to take concise, factual minutes containing only actions taken by the committee and brief synopses of discussions.

**Next meeting: November 4, 2009, 3:30 p.m.**

Motion to adjourn, D. Sabbarese
Seconded, S. Siha
Meeting Adjourned 5:02 p.m.

*Submitted by Lisa Bauer, October 8, 2009*
*Approved by CFC, November 4, 2009*
Proposal on Coles Study Abroad Courses

Background

In the past, Marketing Department ran nearly all the Coles Study Abroad (SA) trips. Now all the Coles departments run such trips. At present, various faculty run trips at Spring break (1 week, 3 credits); Maymester (2 weeks, 6 credits), and now also Augustmester (2 weeks, 6 credits). In addition, some trips are run as part of semester long courses. Traditionally, Coles faculty have ran such trips in an entrepreneurial way. That is there was no control from above on trip numbers, content, or times. Of significance, the KSU metric for study abroad has been on quantity (number of student trips) not quality (how much learning occurs on a trip). Adding to inducements for SA, there are now travel scholarships (controlled by IGI) available to encourage students to travel overseas.

Comments on Present System

I state these as comments, not problems or challenges, as there is disagreement on the effect of these points.

1) Number of Trips Organized

There has been an increase on the number of trips over the number of student-trips. This has tended to mean that the number of students per trip has declined. Some faculty prefer small intimate numbers (under 8), some prefer larger (up to 40) trips as more cost effective. Those faculty that prefer larger trips have worried about cannibalization from the number of trips in each time slot (about 3 per slot this year). One option would be to do market research in advance, and decide from above on the optimum number of trips in each time slot (or give advice).

2) Lack of Continuity

Trips have tended to be owned by individual faculty, rather than departments. This means that when a faculty leader discontinues a particular trip (despite that trip being successful), all the work spent organizing and marketing that trip is lost when the faculty member goes to a new location or stops tripping. The most work and risk for faculty leaders is for the first time a trip is run, not on repeat trips. Also students do not have much advance notice of forthcoming trips. Faculty often abandon successful trips. A lot of information is lost when a faculty discontinues a trip. However, some faculty feel that trips were created with their energy, not that of their department, so are reluctant to hand off their trips to other faculty, especially if they worry about competition from the old trip for their new one.

3) Location of Trips

There is some discussion on whether there should be some control over where trips go in order to provide a reasonable selection of geographic places. For example, next Spring break there will only be one graduate trip to Turkey and one to Greece, not a geographical spread.

4) Academic Content of Trips

Many have queried if such trips for 3 or 6 credits are the academic equivalent of on-site KSU courses. There is a lot of variation of the academic content amongst trips. Some trips have
Possible Solutions

There is a continuum of possible solutions from the present, “everyone does their own thing” process with almost no coordination, to a centrally run system. A centrally run system (by a Coles administrator) would;

1) Do marketing studies to determine expected student demand for each time slot and region.
2) Plan which trips go where when to use the results of the marketing study.
3) Repeat successful trips each year with small changes, with new faculty as needed.
4) Do all the administrative work for each trip.
5) Do central marketing for all trips using student emails, web sites, and joint presentations to students (or Open Houses), common catalogue, etc..
6) Ensure that departmental curricula committees approve the syllabi for all SA courses.
7) Organize the logistics (but not the academic content) of all trips.
8) Ask for faculty to teach on (but not organize) trips.
9) Collect data on what worked and what did not work, so as to improve future trips.
10) Produce an annual report on Coles SA for all, with lessons learned and data.
11) Organize joint trips with other colleges, if required.

To sum up, such a system would treat SA trips and courses no differently than any other KSU courses. However, I recognize that many SA involved faculty would object to central control. Another solution would be to allocate to each department one undergraduate trip for each time slot that they would then control and run. Many of the above decisions are independent of each other. For example, one could have central marketing but independent trip organization.

Discussion questions
The following questions frame the strategy that Coles wants for SA.

1) Do we want faculty or administrators doing the marketing and administration of each SA trip and SA in general?
2) Do we want central or individual marketing of trips and how should it be done?
3) Do we want departmental curriculum committees to ensure the academic content of each SA course is adequate?
4) Do we want mostly the same trips every year or different trips every year?
5) Do we want to treat SA courses like other KSU courses (that is they belong to departments not faculty)?
6) Do we want to ensure that SA courses tie into the geographic region visited?
7) Do we want the number of trips for each time slot controlled or left open?
8) Do we want some market research done on potential demand (with preferred locations for each time slot)?
9) Do we want to have a process that smoothly hands over a trip from one faculty to another (rather than abandon successful trips)?
10) Do we want SA to be a planned part of every business major?
Hi Susan,

I have attached a copy of the memo that I prepared in 2008 on the Georgia Open Meetings law. Basically, the law requires that official business or policy meetings of the governing body of an agency, or its committees, be open to the public (subject to notice and posting). The official governing body of the University System of Georgia (and all of the various university and college units) is the Board of Regents and its Committees. Even the various university presidential cabinets (including KSU President’s Cabinet) is NOT the official governing body for KSU--the Board of Regents is the official governing body.

Additionally, college committees that are merely advisory in nature and do not have authority to take official action on behalf of the State, are not "committees of the governing body." (The list of Coles College Committees that I reviewed were all advisory or made recommendations).

Of course, as I stated in the memo, this does not mean that the college committees’ meetings should be closed to the public or that notes (minutes) should not be kept or posted. It simply means that the Committee is not required to adhere to the various posting, minutes, and announcements that are required under the Act.

Please feel free to give me a call if you have any questions or wish to discuss further.

Thanks,
Flora

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----- Original Message ----- 
From: "Susan S. Carley" <scarley@kennesaw.edu>
To: "Flora B. Devine" <fdevine@kennesaw.edu>
Sent: Monday, September 28, 2009 4:16:29 PM GMT -05:00 US/Canada Eastern
Subject: Determination of Open Meetings law

Dear Flora,

I am writing on behalf of the Coles College Faculty Council. In our College Bylaws drafted two years ago, there is a statement that refers to KSU Counsel as determining that College committees are NOT subject to Georgia Open Meeting Laws. A law professor
in our college says that this was not the official final word and asked that the CFC reopen this issue.

At a recent meeting of the CFC, Dean Ken Harmon and the CFC decided to contact you for clarification. Can you please tell us how do any Open Meeting laws apply to college committees?

We are meeting next on October 7 at 3:30. I would really appreciate if you would let me know your views on this matter?

Thank you for your attention and advice.

Sincerely,
Susan Carley
Chair, Coles College Faculty Council
Dear Colleagues:

I have been asked to provide a legal opinion of the applicability of the Georgia Open Meetings Law to various College committees. I have recently conferred with attorneys from the Office of the Attorney General for the State of Georgia and confirmed the advice which I provided you last fall. Based upon the following analysis of Supreme Court of Georgia decisions, the Georgia Open Meetings Law does not apply to the various College committees which have no authority to take official action. Of course, this does not mean that the committee’s meetings should be closed to the public, but simply that the Committee is not required to adhere to the various posting, minutes, and announcements that are required under the Act if the Committee were governed by the Law.

The Georgia Open Meetings Act (“The Sunshine Law”) provides that “all meetings...shall be open to the public,” OCGA Section 50-14-1(b), and applies to “[e]very state department, agency, board, bureau, commission, and authority,” OCGA Section 50-14-1(a)(1A). “Meetings” are defined under the Act as the gathering of a quorum of the members of the governing body of an agency or of any committee of its members created by such governing body...at a designated time and place at which official business or policy of the agency is to be discussed or at which official action is to be taken...OCGA Section 50-14-1(a)(2). Red and Black Pub. Co., Inc. v. Board of Regents Ga., (1993).

In McLarty v. Board of Regents of University System of Ga. ((1973), the Georgia Supreme Court considered the applicability of the Act to the meetings of the Student Activity Funds Committee, which was a committee appointed by UGA’s Dean of Student Affairs to assist in making recommendations to the University President on expenditure of student activity fees. The Supreme responded to the question of whether the Student Activity Fund Committee was required under the ‘Sunshine Law’ to have its meetings open to the public. In its decision declaring that the ‘Sunshine Law’ did not apply, the Court provided as follows:

“It applies to the meetings of the variously described bodies which are empowered to act officially for the State and at which such official action is taken. Official action is action which is taken by virtue of power granted by law, or by virtue of the office held, to act for and in behalf of the State. The ‘Sunshine Law’ does not encompass the innumerable groups which are organized and meet for the purpose of collecting information, making recommendations, and rendering advice but which have no authority to make governmental decisions and act for the State. What the law seeks to eliminate are closed meetings which engender in the people a distrust of its officials who are clothed with the power to act in their name. It declares that the people who possess ultimate sovereignty
under our form of government, are entitled to observe the actions of those
described bodies when exercising the power delegated to them to act on behalf of
the people in the name of the State. There is no compelling reason to require
public meetings of advisory groups.” (231 Ga. 22, 200 S.E.2d 117)

In a more recent decision, in the Red and Black Pub. Co., Inc. v. Board of Regents, Ga.
(1993), the Georgia Supreme Court held that the Act does apply to meetings of UGA’s
Organization Court. The Organization Court is a “trial court” which was charged to hear
all cases assigned to it by UGA’s Office of Judicial Programs (related to social
fraternities or sororities) and to make final and binding decisions, which could only be
reversed upon appeal. In the Red and Black case, the Georgia Supreme Court cited with
approval the McLarty decision with regard to whether the decisions of the committee (in
that instance, the Organization Court) are advisory or whether they were final and
binding.

Thus, if the College Committee has no authority to take official action, or if the
Committee’s recommendations are merely advisory in nature, the Committee is not a
body which comes within the purview of the ‘Sunshine Law’ and it is not required to
hold its meetings in public.

I hope that this is responsive to your question. If you have further questions, or
comments, please do not hesitate to contact me.

Sincerely,

Flora B. Devine

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Special Assistant to the President for Legal Affairs
And Diversity