Faculty Affairs
Minutes for Sept. 3, 2020, meeting

Tonkawa Items, emailed 9-3-2020 (with responses combined from Executive Council members as applicable to their areas and discussed 9-3-2020 and emailed as follow-up)

COVID ITEMS

- We are all aware of HIPPA, ADA, and FERPA, and as an institution we do all we can to follow each. With the current COVID pandemic there has been a lessening of restrictions, primarily dealing with the health-care profession and first-responders on some of the statutes associated with HIPPA. How does this impact the rights of keeping private information vs the safety and health of individuals?

RESPONSE: NOC has included several reminders in communications that students’ and employees’ personal medical information cannot be shared. We follow Health Department guidelines by communicating with those directly affected and not sharing information with others who do not need the information for their own safety.

- NOC has chosen to deliver face-to-face (live) instruction, as well as other options, including hybrid and online instruction. We plan on having live instruction until Thanksgiving, transferring to online to complete the semester, including finals. We opened the fall semester, without testing of employees or students upon return, we are asking both to self-report (if tested positive, have symptoms of COVID, or have been exposed to someone with COVID) and self-assess (ex. each morning take temperature). What’s the difference between being gone for a half semester and a summer break and returning to face-to-face instruction, but yet transitioning to online classes only after Thanksgiving. If NOC as an institution recognizes the fear of returning to campus after Thanksgiving, why didn’t they recognize the problem and have the same fear of having live classes in the fall?

RESPONSE: By offering a shortened semester, we are able to provide instruction in areas that are very difficult to present in a virtual format (e.g. lab instruction) and to students who do not learn as well in the virtual environment. Additional precautions have been taken to make the learning environment as safe as possible, including condensing the time of in-person instruction. The time away from campus for students and faculty provided an opportunity to prepare the campus and develop protocols for return. Staff and administrators returned to campus on June 1 to do this work in preparation for the fall semester. As the virus is new, information about how to minimize exposure was not as well known in March. Obviously we continue to learn more every week and we continue to adjust our plans and protocols as the CDC and health department recommend revised guidelines.

- If faculty has a student who tests positive and is in isolation (defined as having a positive test) or is in quarantine (defined for potential of exposure, waiting on test results, cautionary measure to make sure symptoms do not develop) than we receive an e-mail from Admin indicating that “Student XXX has either self-quarantined or self-isolated. However, this doesn’t mean that the student has COVID, or displays symptoms....” The students also e-mail faculty letting them know the situation, and they divulge if in quarantine or isolation and if they tested positive (in all cases I’ve heard of so far). Thus, the institution has cover under the aforementioned laws because
they said “either or” and the rest of the qualifying language without ever expressly stating specifics of the student(s) health, i.e. a positive test.  **My question associated with this, if the Admin stated “A student in your xxx class has tested positive and is in self-isolation...” without mentioning the name would that be generally permissible?** The thought here, if a student doesn’t get to tell us because they are too sick to e-mail or eventually are admitted to the hospital, at least as faculty we understand that there was a positive test in the classroom...which has implications for the rest of the class, as well as cleaning facilities and/or equipment.

**RESPONSE:** If the class members and instructors are considered “primary contacts” by the Health Department, they will all be contacted by the Health Department, the room will be closed for 24 hours, and then it will be thoroughly cleaned. Our communication letter was modeled after a communication vetted by OSU’s legal team.

- The current letter also goes on to state, if a person tests positive and it’s deemed necessary to contact you because of contact tracing the county health department will do this. However, facility cleaning could prevent additional spread, and needs to be known ASAP so it can be done, or risk spread of the virus (though not the main route). Contact tracing can take time, not to mention the threshold for contact tracing is relatively high...have to be around someone without a mask, within 6 ft, and exposed for at least 15 min. Since we require masks on campus, majority of classes have social distancing set up, even a student that tests positive in a class, which may last for 50-100+ min, we would both be wearing masks and likely not be in contact for 15 or more min. Thus, faculty will likely never get contacted by the health department to recommend quarantine and/or testing. The problem comes with faculty that are at high risk with other health related issues, and for each class that they have with an infected person (even if different students) they could be at an increased risk of exposure to SARS CoV-2.

**RESPONSE:** The goal of the protocols like social distancing and mask wearing is to serve as preventative measures that do help mitigate exposure so that we can reduce the number of those needing to quarantine. Those are the important measures that health officials recommend and NOC mandates. It is important that all employees help make sure that these protocols are followed to help prevent exposure and the need to be contacted by the health department. Classrooms are cleaned every day, and additional protocols have been followed (e.g. closing off office prior to cleaning) for positive test; however, employees have been encouraged since spring to provide documentation to Human Resources if there are additional health concerns that make them high risk so that teleworking options can be considered.

- Yes, NOC has implemented measures to prevent spread of COVID, but we also lack the following: no testing on campus, no mass testing of employees and students; we have a high number of commuting students...so we are dependent on the “public” to self-assess, as well as employees, each day; a faculty member may receive notice of 10 students “quarantined or isolated” but the faculty has no way of knowing, unless a student notifies them which it is, and technically they don’t have to admit to having positive test, they might simply state “quarantine” as a generic term, or “I’m not going to be in class as a result of COVID.” I get we have to protect the students privacy, how do we protect the faculty during a pandemic?

**RESPONSE:** Many of the items of concern are about identifying a balance between federal guidelines and the need for privacy and the need to protect all employees and other students. We are concerned
both about students coming to class who may be sick and, though a far lesser concern than those related to safety, about students not coming to class and using vague references to the virus as an excuse.

Our classroom safety measures, including social distancing, required masks, regular cleaning, and improved filtration were all put in place to provide a safer environment for all. We share the free testing information that is available to all students and employees from the health department.

- While the science indicates that a mask can prevent a person from transmitting the virus, and that a minimal of 6 ft is good distancing, where did the 15 min rule come from? This is a concern.


- I understand that probability of getting COVID with these measures in place is minimal, but the probability increases with each successive positive case in a classroom(s) because of all the other non-controllable variables (it’s not like flipping a coin). Thus, does an individual faculty member have a right to know quarantine vs. isolation and positive test? And, can this be accomplished by not stating the name in the “notification letter” with the specific condition “quarantine” or “positive test and in isolation?”

RESPONSE: No. We cannot share medical information of individuals or indicate in small groups such as classes where identities could be deduced. We asked earlier if this information could be shared and were firmly told by the Health Department that it could not be. Jason has asked his contact at the Health Department to send us the language this guideline is based on from HIPPA.

- Do faculty members have a moral or ethical obligation to let a class know that someone has either quarantined or is isolated from that course (obviously only talking live classes)?

RESPONSE: No. The health department has that obligation, and they are the ones with the legal ability to share without violating federal guidelines.

- Do faculty have a legal obligation if one works for a “state institution” to protect the other students during a pandemic, therefore letting students know that someone within the class is quarantined or isolated (tested positive), without mentioning a name? If we know someone in a class is thinking about shooting up a class, we have a moral, ethical, and legal obligation to let the authorities know, and if it’s a direct threat to get the students in a “safe place”...so is there a reasonable assumption that safety and health expectations exist during a pandemic in a similar fashion?

RESPONSE: Anyone in the class who has been identified as a primary contact will be contacted by the Health Department.

- Is there a reasonable expectation that students and faculty within the class should also have the potential to opt out of “live” classroom learning as a result of “positive” tests? In our case, we are transitioning to online at Thanksgiving so there is already an institutional expectation that a week long-break would likely increase the # of cases and spread. It seems logical that individual
students and faculty within a class would also have that expectation of safety and health with a positive case in the live classroom.

**RESPONSE:** Students enrolled in course with in-person instruction selected the live classroom environment over the online options available in the schedule for this semester. It is unlikely that there would be unanimous agreement among class members about changing their learning situation. There is also not unanimous agreement among faculty about the way they want to teach in-person or online as feedback received this week indicates. If an individual student or faculty member has underlying health conditions, there is a process for each to be accommodated if they choose to report and develop alternate work or learning environments.

- What do we as instructors do when we have a student in class who is coughing (deeply) and appears ill? Don’t we have a responsibility to the other students in the classroom? How should we handle the situation? Do we have the right to ask the student to leave (probably not)? I had this happen in a class and students were definitely looking at the student as she coughed (and it was a congested, deep cough). Social distancing is somewhat loose as I am pretty sure the seats in this classroom are not a true six feet apart.

**RESPONSE:** Classrooms were checked by Physical Plant and others. If there are any instances where chairs might have been moved and that distance does not still exist, please notify me of which room so that it can be corrected immediately. Students have been instructed to stay home if they exhibit any of the symptoms on the COVID list. Students exhibiting symptoms could be privately and respectfully asked to leave the classroom and join via zoom.

**How to remind others of mask requirement:** (language in face covering (mask) policy and guidelines)

- Be respectful in tone.
- Refer to policies and signs posted with guidelines. Do not make comments about them as an individual; refer only to the action needed.
- Thank them for doing their part in keeping the NOC community safe.

- The other issue is mask usage—students may wear them into the classroom or into the buildings, but a certain number pull the mask below their nose. I have struggled with this issue in class and it is taking up instruction time. Is it appropriate to ask these students to leave after having warned them? **GENE’S RESPONSE:** YES YOU HAVE A RIGHT TO ASK STUDENTS TO PULL THEIR MASK OVER THE NOSE. IN FACT, PER OUR PANDEMIC RESPONSE PLAN, IF THEY DO NOT COMPLY TO WEAR MASKS PROPERLY, YOU CAN REQUEST THEY LEAVE AND GO VISIT WITH STUDENT AFFAIRS.

**RESPONSE:** Yes, you can ask students to leave who aren’t wearing masks properly if they do not comply.

• Why do we not get “direct correspondence from leadership” internally as it relates to COVID? Everything we get is via a press release. We should be hearing from the President directly. Almost as if we are trying to hide something.

RESPONSE: Communication is sent quickly and following the guidelines in our emergency response plan. NOC is one of the most transparent two-year schools. Other Oklahoma schools have frequently used our plans and reporting method to model their own policies. NOC was one of the first Oklahoma higher ed institutions to share information to everyone about the number of positive cases and quarantines. Every Executive Council member participates on the emergency response team. The President is actively involved in every policy and decision. Per the emergency response team communication plan, the information is shared in an internal email message with employees and students through the communication office. (These are formal messages and not press releases that are sent out from the institution’s information officer.) The President addressed the protocols in the faculty and staff in-service meetings and created a video for student orientation classes.

She is also happy to attend any meeting (including Faculty Affairs) if you would like for her to address concerns directly but emphasizes that all processes will remain collaborative.

Language from pandemic plan – Campus Communications

The Development and Communications Department continues to educate and inform the campus community in regards to the Coronavirus and the impact on NOC via NOC News updates through emails, website, campus signage, and social media. As new procedures and safety protocols are put in place, employees and students will be notified through campus communications. The Crisis Communications Team, a subgroup of the Emergency Response Team, will be involved in the crisis management response and the message communication to internal and external stakeholders. Announcements and updated information will be available on the college website at [http://www.noc.edu/emergency/](http://www.noc.edu/emergency/). It is expected that the NOC Pandemic Response Plan will be regularly updated as circumstances change.

• Where does the 15 min threshold limit come from? I assume it’s guidance, CDC? State? And if it is guidance, what is the scientific evidence beyond the guidance. While primary exposure is direct contact for 15 min or more, faculty at high risk are still potentially vulnerable, and this is an issue that isn’t addressed in the Pandemic Response Plan. Are high risk faculty entitled to transition early to online courses because it states on page 3 that the institution recognizes that “INDIVIDUAL CIRCUMSTANCES” must be considered and not a case number threshold that would trigger a switch? What supports faculty being capable of this exists on page 9, “Those who are in a vulnerable population are of the utmost concern. If your health is considered high risk...please engage in individual discussions with your supervisor and the HR director.” NOTE: EAY comment here for FA...I’ve reviewed over 150 scientific papers on COVID-19, SARS CoV-2, coronaviruses, etc...and I have not come
across the 15 min rule, but I have to admit, I have not specifically searched the science literature in reference to that.

RESPONSE: See above. 15 minutes are based on CDC guidelines and Oklahoma Health Department guidelines. Also see above, high risk employees have been instructed since spring to contact Human Resources.

• Why are some classes set up properly for COVID, but others not meeting 6-ft distancing? MY RESPONSE: SIMPLE SPACE LIMITATIONS. IT MAY HAVE BEEN PRUDENT TO SWITCH CLASSROOMS PRIOR TO, AND THE SPACING (AND SEATING CHARTS) SHOULD’VE BEEN TAKEN CARE OF OVER THE SUMMER ON ALL THREE CAMPUSSES BY ADMIN AND FACILITIES. IT DOESN’T APPEAR AS IF IT WAS TAKEN CARE OF ON THE TONKAWA CAMPUS UNTIL JUST PRIOR TO US REPORTING TO WORK (WEEK BEFORE, BY DC’S). THEREFORE, SWITCHING CLASSROOMS BECAME PROBLEMATIC THIS LATE IN THE GAME TO MEET THE ACTUAL 6FT REQUIREMENT...I SUSPECT. THUS, THE NEED TO MAKE SURE THAT ALL ARE WEARING MASKS (PROPERLY, OVER NOSE) WITHIN THE CLASSROOM. IN THE EVENT OF A COVID CASE WITHIN A CLASSROOM WHERE LESS THAN 6FT IS THE NORM, IT MIGHT REQUIRE THAT CLASS TO TRANSITION ONLINE PRIOR TO THANKSGIVING SINCE NOC HAS OPTED FOR AN “INDIVIDUAL APPROACH” TO HANDLING COVID. I’LL BRING UP IN FA.

RESPONSE: Enrollment changes constantly in last few weeks prior to class starting, and it is not uncommon even in normal circumstances to have to switch classrooms to accommodate classes larger than or smaller than normal/expected. Classrooms in the fall term were also shifted based on Zooming needs, instructors’ willingness to alternate attendance (this changed as enrollment numbers grew), and availability of technology (this changed the week prior to classes starting).

• Will Admin move on their stance about using face shields in choir. Currently, the choir and Roustatbout are not required to wear a mask when singing, instead opting for a face shield. During practices, which lasts about 1 to 3 hrs and 20 min per day, students are allowed to wear a face shield only while social distancing at 6ft, however, students can choose to wear a facemask with the shield if they so choose. During performances, where masks or shields are not used, social distancing requirements are 10 ft. New research has come out, linked here, 
https://aip.scitation.org/doi/full/10.1063/5.0022968, that shows face shields as entirely ineffective. They might as well not wear anything. I fear this will cause an outbreak eventually. When wearing a mask that is structured to not rest directly on the lips there is no difference in sound quality of the performer. With use of microphone, there is no volume decrease. Therefore, based upon new evidence, should masks be required regardless of practice at 6 or 10 ft? Should masks be required in live performances regardless of 6 or 10 ft? Since NOC is doing what every other OK institution is doing in regards to COVID, has there been benchmarking of fine art performers at other institutions when it comes to practice and performances, do they require masks only,
masks and shields, shields only, or nothing? NOTE: This part is my question (EAY for FA), where did this 10 ft # come from? Is there a science basis for it?

RESPONSE: Fine Arts faculty are working at testing the use of microphones with masks for the safest possible environment.

- Why do faculty get notices from students concerning absenteeism related to COVID prior to notification by NOC Admin, or no notification from NOC Admin at all?

RESPONSE: On a number of occasions students have reported to instructors before they have reported to anyone else. Instructors have been asked to redirect these students to the online self-reporting form and to the three campus contacts (Jason Johnson, Raydon Leaton, Diana Watkins) to make sure the reporting form is completed. Please remind all faculty that the protocol in the pandemic plan should be followed.

- How are we planning for the spring semester since COVID isn’t going away and cases will likely increase by then?

RESPONSE: Courses are being set up with Zoom options to provide a contingency. We anticipate offering all three forms of learning in the spring so that students can select the format that best suits their needs. As with everything since March anything can adjust as nobody knows exactly what will be coming in future months.

PANDEMIC RESPONSE PLAN ITEMS (Note this is all from me)

On pg 4 it states “NOC's Emergency Response Team is a perpetual group that is activated during events that endanger the people and/or damage the facilities of NOC. Membership of this team is made up of the executive council members and other designated representatives as needed from human resources, academics, student affairs, facilities management, information technology and other areas.” SUGGESTION: Since this is a Public Document, the Members need listing for this document.

RESPONSE: Throughout this situation, representatives of each of these areas have participated as topics related to their departments.

We referenced the team in the pandemic plan and provided a link.


It is possible that additional ad hoc committees may be formed due to the ongoing situation with the Coronavirus Pandemic to assist the Emergency Response Team.

Emergency Response Team Members – For the purpose of communicating emergency information, the following individuals will coordinate their activities and crisis response.

Emergency Response Team – This group on the NOC campus is responsible for the college’s response in a crisis. The team reports to the President and includes:

- President
- VP for Academic Affairs
- VP for Student Affairs
Pg 4, the term and use of “Coronavirus” should be COVID-19 and SARS-CoV-2...rationale, coronaviruses is a clade/group/family of viruses, the disease is COVID-19, and SARS-CoV-2 is the virus that causes the disease.

On pg 5, it states “Take special precautions to avoid exposure for at least two weeks prior to the start of the semester and act responsibly in avoiding high-risk situations (e.g. travel to areas with high infection rates, large gatherings, etc.) that may expose you—and thus the campus community.” This addressed what we were to do upon return. SUGGESTIONS: Either remove because we are back, or NOC has to acknowledge that there was no way to determine if this was done since we did not institute campus-wide testing.

RESPONSE: We will update this in the pandemic plan this week. The statement will be removed in the next revision.

Pertaining to facilities (pages 7 and 10): “If we receive confirmation that an NOC student or employee has had a positive COVID-19 diagnosis, there are important measures that will be promptly taken including quarantine or isolation, contact tracing, communication and facility disinfection” (pg 7). QUESTION, is Maintenance provided with a list of classrooms to be disinfected, if a student is known to have been in that room? “Facilities that have been visited by those who test positive and/or had symptoms of illness will be temporarily closed if appropriate and then thoroughly cleaned and disinfected” (page 10). QUESTION: What constitutes “appropriate?” What does that mean? Is there a “threshold # of students in a classroom?” On page 9, the “Employees will be required to immediately self-report” LINK DOESN’T WORK.

RESPONSE: Physical plant is notified of locations that need to be misted in addition to the regular disinfecting.

NON-COVID RELATED ITEMS:

As a faculty member, why did we have no clue that Zoom Cloud Storage had a limit? We should’ve known about this a long time ago (last spring, over summer) so faculty could have changed their practices to facilitate the process of transfer when they were done. Now, we have to go back and transfer everything we’ve stored, when we could’ve done this at that point in time.
RESPONSE: Everyone is learning about the capabilities of Zoom and Zoom has changed throughout the past few months. As you learn tips, please share with DeLisa so that she can help others learn about limitations and tips.

Are furloughs being considered…or is this simply misinformation rumors?

RESPONSE: Furloughs will be considered if necessary; however, as noted in earlier response to Faculty Affairs email, final decisions won’t be made until the second half of the semester as there are still efforts being made to secure additional federal funding and to increase enrollment.

MY QUESTION? Can I take students into the field? If I use a van, is there a maximum # that I can take? If I can take students into the field, can I take them to an inland salt marsh in KS, that is isolated, they will not be in contact with humans nor be in civilization unless they need to visit a gas station to use a restroom or risk exposure in the wild to snakes, insects, mud, ticks, poison ivy, frogs, etc.? Obviously, everyone needs to wear a mask in a vehicle, and they would if using a restroom in a gas station.

RESPONSE: Event request form has to be completed for all student activities indicating how safety measures will be followed. The form is reviewed by the VP for the area (either Student Affairs or Academic Affairs, depending on activity) and by the President as noted in the pandemic plan.

The Governor issued an executive order and out of state travel is not currently permitted. (NOC’s policy does not allow for out of state travel at this time either unless it is essential to the institution such as accreditation, etc.) If you choose an in-state location, there must be half capacity in the van, a seating chart, masks worn in the vehicle, and prior approval of an activities form.

College-Related Travel - reference from pandemic plan

Given the continuing guidance of state, federal and the college’s domestic and international travel guidelines are as follows:

- All college-sponsored domestic and international travel is prohibited until further notice.
- International travel for personal reasons is strongly discouraged.
- All in-state day travel for college-related business or academic purposes will be reviewed on a case-by-case basis and employees must complete appropriate travel request forms and pre-approved by the appropriate Vice-President and the President.
- All out-of-state travel for college-related business or academic purposes is suspended until further notice, unless such travel is essential to the college and pre-approved by the appropriate Vice President and the President. Reimbursement will not be processed from any funding source for travel (in- and/or out-of-state) that does not include pre-approval by the appropriate Vice President and President. They will take into consideration whether the area is high risk, what activities will take place, and ability to social distance while there.
- Exception – travel between NOC campus locations does not require approval.
- All employees and students traveling with more than one person in a vehicle must wear a face mask at all times while in the vehicle.
COVID related:

- Once we are notified of students being isolated or CoVid positive, shouldn't we also be notified when they are cleared to return to class. I had several students to show up for class today who were, the week before, isolated out of concern they had come in contact with CoVid. It is my belief we should receive notification on both ends of this issue. I do not want a student to show up for class and should not be there. Conversely, I do not want students making the claim they are still under orders to isolate, when they should actually be in class.
  Just thinking out loud.

RESPONSE: See similar response earlier—forms have been adjusted to ask for return/release date but these are unreliable as the Health Department releases some people earlier or later than they anticipate based on symptoms and tests. Faculty with questions about return dates should contact Jason Johnson and he will follow up to verify if the return date on the new form has been changed.

- Shouldn’t we have some clear, specified procedure for excusing students for quarantine or illness? Shouldn’t that start with notification coming from one internal source that a student has provided documentation (whatever that source accepts as adequate) that they required to quarantine are by some measure deemed unable to attend class?
  I have a student who sent notice on their own that they decided to place themselves on medical leave for a week. Shouldn’t they be required to provide information to that internal source who provides us information as the length of excised absence? It shouldn’t be my job to question the validity of a student’s claim, however students should not be allowed to decide on their own that they are not coming to class and expect us to excuse their absence.

RESPONSE: Is the student actually absent or attending via Zoom? We do have guidelines in the attendance policy that documentation is required for an absence.

- What if the process was that if student affairs tells us the student is not able to attend class due to Covid, that student affairs could also send us a notice when the student is cleared to come back?

RESPONSE: This one is addressed in an earlier email to some degree, but Student Affairs is asking on the forms now for students to report the date they’ve been told they can return. Jason said that faculty can contact him if students aren’t returning on that date and he will follow up with investigating, but it will often be the case that the date changes as students may have ongoing symptoms and not be released.

- Just wondering what the plan is if one campus sees an increase in COVID-19. Do we have a percentage we are going by to determine our movement to virtual? Will all campuses be forced to go virtual if one campus sees a rise that warrants a change while
others are still keeping numbers down? It is not fair to the students of the other campuses if we go virtual for one campus. I realize that might be what is easy, but doesn’t mean it is the right thing to do for students.

**RESPONSE:** We do not have a set percentage for reasons such as this. Individual circumstances have to be weighed.

Personnel questions ~ knowing the budget very difficult to currently navigate.

- Night-time facilitators. I (Kathi) am helping a Stillwater instructor with exams on MW 5:30 pm since I teach at the same time. But it is very difficult when I am delivering exams to a student in the basement of the building and then get to my class on time that is on the fourth floor. During the day there are more people/classes going on to help each other out but for nighttime classes it's a bit more challenging.

**RESPONSE:** Agreed that this is a challenging area to fill in for. We have looked at the possibility of hiring temporary workers during midterm week to fill in gaps for the lost facilitators. Rehiring other positions would be reliant on making up enrollment gaps.

- Enid has lost their Dean of Students, Cashier, another registrar position and administrative assistant to VP and Dean from retirement or taking other jobs. Currently the void is being filled by other campus personnel when available (we think). Will all/some of these positions be filled in the future (how far in the future)? With so many vacant positions (with appearances of possibly no immediate hiring in sight) ~ why was there a recent job opportunity for an assistant cheer coach on a campus when this has never been a hired position in the past?

**RESPONSE:** Because budget did not allow us to refill some positions, the one Dean position has been reassigned for half-time duty Tonkawa and half-time duty in Enid. Funds were reallocated for substitute positions as needed when employees could not fill contract obligations temporarily but there were not two people getting paid for same work.