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## Faculty Senate Executive Committee Minutes, April 13, 2015

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## **FACULTY SENATE EXECUTIVE COMMITTEE MINUTES**

**APRIL 13, 2015 3:00 P.M.**

**Champ Hall Conference Room**

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**Present:** Doug Jackson-Smith (Chair), Dan Davis, Jake Gunther, Mark McLellan, Dan Murphy, Jeanette Norton, Jason Olsen, Michael Pace, Robert Schmidt, Charles Waugh, Vincent Wickwar, Ronda Callister (President Elect), Yanghee Kim (Past President), President Stan Albrecht (Ex-Officio), Provost Noelle Cockett (Ex-Officio), Joan Kleinke (Exec. Sec.), Marilyn Atkinson (Assistant) **Guests:** Larry Smith, Andi McCabe, Sheri Haderlie, Stephen Bialkowski, Britt Fagerheim

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Doug Jackson-Smith called the meeting to order at 3:00 p.m.

### **Approval of Minutes**

There were no corrections to the minutes. The minutes of March 16, 2015 were adopted.

### **Announcements**

#### **Senate Elections – Doug Jackson Smith.**

The senate must vote on President Elect & Committee on Committees positions. Sherie Haderlie will send an email survey containing a link for voting for the two nominees for President Elect after the meeting. We are seeking nominations from the floor for the vacant Committee on Committee's position.

#### **Executive Committee Items – Doug Jackson Smith.**

Doug informed the FSEC that the President's Executive Committee did not approve one of the code change items sent to them from the Faculty Senate. The senate had passed a proposal that would require the President to indicate in his letter of non-renewal which of the three approved reasons the decision was based on. The university legal counsel was uncomfortable with this as it would compromise the President's role in grievance processes that might arise in these cases. This item could come back to the senate and be changed to require the reason be given to the candidate at an earlier stage in the process. A motion was made and passed to place this on the agenda as an information item at the next senate meeting.

### **University Business - President Albrecht and Provost Cockett.**

President Albrecht is continuing to meet with all of the Colleges, giving them an update from this year's legislative session. Last Saturday was the annual Robins Awards Ceremony, and Ed Reeve was announced as the recipient of the University Faculty Service Award. He will be recognized at commencement. A renaming event for Romney Stadium, now Maverick Stadium, was also held on Saturday and was well attended.

Provost Cockett gave an update on the two Dean's searches. An offer was made for the Dean of Science position, and they are in the negotiation process. An offer was also made for the Dean of Libraries position, but the candidate accepted an offer at another university. Brad Cole will remain interim dean and the position will be re-advertised in the fall.

A faculty member asked about faculty voices and how we could be heard better at the legislature. Should we hire buses and go down or should we form an association and lobby on our own behalf? The President noted that in recent college meetings, ideas were circulated about actions that might increase the visibility of the work faculty does and noted that faculty senate leadership could potentially work more closely with our legislative liaison to learn how to go about building relationships with our local legislative delegation. The President also had a recent conversation with several legislators and they stated that the mass rallies at the capital were all held after the budgets were determined and a number of the legislatures treated it negatively. It is far more effective to contact your legislator in the summer/pre-session and talk to them about your concerns and needs. We should let them know of the good things we are doing and the disappointments you have in terms of State support. It can also be very helpful to regularly invite them to your events so that they can get to know us better and what our students are doing.

## Reports

**Committee on Committees Report – Sheri Haderlie.** Senate elections are completed and everything is filled. However we do not have any alternates from the College of Science. Ronda Callister made a motion to place the report on the agenda, Michael Pace seconded and the motion passed unanimously.

**Calendar Committee Report – Andi McCabe.**

The calendar committee has finalized the calendar for Summer and Fall 2018 and Spring 2019. They have moved the Fall Break in 2016 and 2017 to coincide with UEA. The Summer Bell Schedule was approved by the Executive Committee and is in your packet for review. The Common Hour was eliminated from the calendar as of Fall 2015. They will be looking to align spring break with the local school districts if at all possible. For the next 3 years spring break aligns with other Mountain West Conference schools. They are also working on eliminating the need to hold the Monday classes on Tuesday for President's Day. This change is driven by Regional Campus conflicts with students who have prior commitments (like work).

A motion to place the report on the agenda was made by Jake Gunther and seconded by Robert Schmidt. The motion passed unanimously.

**EPC Items for April – Larry Smith.**

Two R401 proposals were considered; a name change to one of the specializations in the MBA program, and a Landscape Management Certificate in partnership with Salt Lake Community College. Ed Reeve was elected chair for the Curriculum Subcommittee. Academic Standards Subcommittee revised language to no longer require a dean's signature for grade changes from incomplete to a letter grade in thesis and dissertation courses. The General Education Subcommittee voted to overturn a revision to the communication intensive criteria to give time to conduct a survey of faculty who offer CI courses to learn more about the relevance of CI and how to offer those courses.

Robert Schmidt wanted to clarify the language he was reading and had a question as to whether faculty have always been the arbitrator of grades. He said he thought that if a student disagreed with his grades then there was a process that went to the department and dean. Larry clarified that the faculty are responsible for evaluating students and assigning grades and if there is a difference of opinion then this other process is put into motion.

Doug noted that he has heard from several faculty who have run into situations where their grades have been changed without the faculty member's knowledge. Some of these cases involved an "F" grade being converted to a "W" grade without consulting the faculty member. In Doug's review of USU policies and procedures, the gist is that faculty normally should be the ultimate arbiter and at least be involved in the conversation dealing with any grade changes. There are two special circumstances that might invoke a special process. Both involve potential violations of federal anti-discrimination laws. The first is the American with Disabilities Act where if there is a failure to meet an approved ADA accommodation, the university may decide to mitigate the impacts by allowing the student to withdraw and get their tuition back. Another issue could arise when a discrimination complaint is filed with AA/EO. In all cases, however, it seems that the faculty responsible for the original grade should be involved in the process. Senate leaders will be working with the Provost this summer to explore whether policies and procedures need to be clarified on this matter.

Robert Schmidt made a motion to place the report on the agenda and Jake Gunther seconded. The motion passed unanimously.

## Unfinished Business

**402.9 Code Change: Scheduling of Faculty Forum (Second Reading) – Stephen Bialkowski.**

There were no questions or comments. Mike Pace made a motion to place the second reading on the agenda and Jake Gunther seconded. The motion passed unanimously.

**405.12.2 (1-3) Code Changes: PTR (Second Reading) – Stephen Bialkowski.** There were several changes to the proposal during the last Senate meeting on April 6<sup>th</sup> which are now incorporated in the new version that was in the agenda packets. Ronda Callister made a motion to put this item on the agenda as a second reading and there was a second from Mark McLellan.

Jake Gunther commented that he feels the department should be able to establish the procedures and questioned if we are taking more too much authority from the department and putting more into code. There are several things that seem to be in conflict and inconsistent with letting the department establish and handle this process. Jake had a suggestion regarding the statement "each department shall establish procedures by which all faculty shall be reviewed annually"; it ought to read "all faculty in the department". Similarly, the proposal then states "this evaluation shall review the work of each faculty member in a manner and frequency consistent with

accreditation standards” then we say it has to be done in this way and at that frequency. Departments may have different accreditation standards that differ in manner and frequency. Another senator thought this alluded to departments having flexibility and didn’t think the issue was mutually exclusive. Jake indicated that his objections to language would be resolved if in the first sentence of 405.12 where it says “There is one additional review” if it said “and every fifth year the annual review shall constitute post-tenure review for tenured faculty”.

Doug Jackson-Smith commented that while these concerns are valid, it is complicated to introduce new issues into the discussion at this stage of the code revision process. If we engage in too much editing of the proposal, we are likely to slow down the process. As background, Doug reviewed sections of Section 202.2 of the University Policies Manual that provides guidance about the procedures for change section 400 of the faculty code (emphasis in underline added):

*202.2.2 (2) Proposed amendments originated by PRPC.*

*As one of its two principal functions, the PRPC will monitor the language of the policies for congruence of policy language with actual University practices, internal consistency of policy language, and clarity of the meaning of policy language. Where actual practice and the policies differ, the PRPC shall seek resolution either in changed practice, proposed amendments to the policies, or both. The PRPC shall also propose amendments to the policies to increase their clarity and internal consistency. Amendments to the policies proposed by the PRPC shall be presented in writing to the Senate initially as information items. Revision of the policies will be undertaken by the PRPC only under the formal instruction of the Senate.*

*202.2.3 Publication of Proposed Amendments*

*The language of any proposed amendments to the policies shall be published in the minutes of the Senate meeting in which they are brought forward by the PRPC as information items.*

*202.2.4(1) Ratification of Proposed Amendments*

*(1) Ratification by the Senate. Approval of a proposed amendment to these policies shall be by a two-thirds majority of a quorum of faculty senators at any regularly scheduled meeting of the Senate where the proposed amendment is on the agenda as an action item, provided that the proposed amendment has been presented for information at a previous regularly scheduled meeting of the Senate, and provided further that the proposed amendment remains unchanged except for editorial clarifications. Changes in the proposed amendment approved by a simple majority of the Senate during its meeting will result in the postponement of action on the proposed amendment, the re-initiation of the publication process (202.2.3), and the rescheduling of action on the proposed amendment for the following regularly scheduled meeting of the Senate.*

The issue at hand is what rises to the level of editorial clarification and what rises to level of substantive enough change to have the proposal go back to PRPC.

We then went on to identify which of the remaining edits to the code change proposal (which have been circulated for several months, but have yet to receive a vote or recommendation from the faculty senate) might be editorial in nature. These are items 1-6 on page 2 of the document titled POSSIBLE REMAINING EDITING SUGGESTIONS FOR DRAFT PTR CODE in the agenda packet.

Robert Schmidt reminded us that there was a motion still on the floor to put the PTR Code on the agenda for a second reading as Unfinished Business. Robert then clarified that this meant that since we just went over Section 202 of the Code it would mean that it is not subject to any major change only minor editorial changes. Robert suggested we vote no and put it on again as a first reading so that we can get more input from the floor and continue it in the Fall Semester so we can get the details right. Ronda spoke in favor of keeping it on the agenda and said there the remaining changes seem editorial in nature, but we should go ahead with what we have to start the conversation in faculty senate and consider edits (if any) at that point. Stephen Bialkowski stated that the changes made during the first reading were substantive (in his view) and thus it should go back to a first reading again. Mark McLellan said that since it was done at the first reading it constituted a first reading even with those changes. Doug clarified that everything was in the agenda packet and that the changes made on April 6<sup>th</sup> were (in his view) editorial clarifications designed to ensure the code change proposal successfully implemented the proposal that had been sent to PRPC in January. Further discussion ensued and the vote to place the PTR code change proposal (as amended by the senate on April 6<sup>th</sup>) as a second reading on the faculty senate agenda passed with three dissenting votes.

**405.6.5 Code Change: Remove Term Quinquennial (First Reading) – Stephen Bialkowski.** A motion to place this item on the agenda as a first reading was made by Robert Schmidt and seconded by Ronda Callister. The vote in favor was unanimous.

The Provost mentioned that we needed to be prepared that the PTR code change proposal would still need to be reviewed by the President's Executive Committee and could be sent back for further clarification and work. Doug stated that we want to be very attentive to potential concerns down the road, but that we want to help facilitate the senate process now to ensure that faculty have chance to create a PTR process that they own and want to have happen and not necessarily worry that it be a process that the Executive Committee will approve.

The discussion then moved to the list of six additional potential amendments to the PTR code change proposal. Doug asked if the FSEC considered each of these to be editorial clarifications or substantive changes to the proposal. Ronda Callister made a motion to consider the six additional items in the agenda packet as editorial changes. Charles Waugh seconded the motion. Doug summarized the 6 items and after discussion about the process, Mike Pace called the question on the motion. After some discussion Ronda Callister seconded calling the question. The vote to call to question passed. The motion to place the 6 items on the agenda as editorial clarifications also passed unanimously.

**Mutual Agreement Code – Doug Jackson-Smith.** This proposal would change the phrase “in consultation with” to “mutual agreement” in other sections of code related to the formation of Promotion and Tenure Advisory Committees. If the senate approves the idea, our intent would be to send this to PRPC to look at over the summer and present it to the senate fall semester. Ronda Callister clarified that this came out of faculty complaints around committee formation when faculty were told by department heads who their committee was (often after the fact). Faculty wanted to know what their recourse was so that they could be more involved in the process of selecting their P&T committees. We looked at the draft proposal in the agenda packet, and Ronda circulated a draft of potential language related to how college faculty appeals committees (CFAC) could be created to address situations where agreement on committee membership is not reached.

A motion to place this item (including the draft CFAC text) on the agenda was made by Ronda Callister. Yanghee Kim seconded the motion. There was some concern about whether the text for the CFAC was sufficiently well thought out to be sent to PRPC. Some wanted to wait until next fall to set up a committee to think this through more carefully. Others wanted to get this to PRPC soon so we could be discussing code change draft text early in the fall. The motion passed with three dissenting votes.

## **New Business**

**Resolution on Gender-Inclusive Bathrooms – Doug Jackson-Smith.** This resolution comes from FDDE. There was discussion about whether this was a mandate or just supports the idea of providing gender inclusive facilities on campus. The conclusion of the group was that it is supporting the idea, not a mandate.

Robert Schmidt moved to accept the resolution with one change to strike the language “support their initiatives”, because we don't know what their initiatives are, he would like it to read “supports efforts to create or increase the number of inclusive restrooms”. A friendly amendment was made by Charles Waugh to read “support the increase” and leave out efforts. Jake Gunther seconded the motion. Robert Mueller was concerned because most of the regional campuses don't have room to do this with the constraints in their facilities. He wanted to make sure that this be considered in future building plans. Restatement of the motion before the vote was: “therefore faculty senate supports the creation or increase in the number of gender inclusive bathrooms on the Logan campus, regional campuses, and USU-Eastern.” The vote in favor of the motion was unanimous.

**Resolution on Presidential Commission on Collegiate Athletics – Doug Jackson-Smith.** A group is proposing a Presidential Commission to review NCAA rules and actions. The material is in the packet and the national group organizing the resolution is anxious for us to respond. Do we want to sign their resolution? This died for lack of a motion.

**College Caucus.** Confirm plans for selection of new FSEC Members in last Senate meeting (College Caucus) right before adjournment. Two year terms are standard. Senators must have served one year in the Senate to be eligible. Colleges needing an FSEC Member are: Business, Education/Human Services, Engineering, Libraries, Regional Campuses, and USU-Eastern.

## **Adjournment**

The meeting adjourned at 5:00 p.m.

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Minutes Submitted by: Joan Kleinke, Faculty Senate Executive Secretary, 797-1776