Faculty Senate Minutes  
April 3, 2012  
LC 243, 3:00-5:00 pm


Excused or Absent: Marlene Bacon, Karen Cushing, Lars Eggertson, Leslie Farnsworth, Phil Gordon, Stott Harston, Carolyn Howard, Farid Islam, Brian Jensen, Amir Kia, Dan McDonald, Kristin Mecham, David Millet, Margaret Mittelman, Matt Nelson, Axel Ramirez, Harry Taute, Paul Tayler, Russ Thornley

Call to order – 3:15 pm

- Approval of Minutes from March 20, 2012 Senate meeting. Minutes Approved.
- VPAA – Ian Wilson
  - Erin Gruwell will be the 2012 Commencement speaker on Thursday evening. Honorary degrees will be given to Bill Child, Founder of RC Willey, Tye Noorda, Wife of Ray Noorda, Founder of Novell, and Linda Curley Christenson.
  - Convocations will be all day on Friday. Ian Wilson will send out a notice of where they will be held. He encourages all to participate and congratulate the students. Academic Affairs plans to re-evaluate the format of this year’s commencement and convocation and see how it goes. Commencement is on April 26 and Convocation on April 27.
  - Faculty Senator Question: From a tax perspective, if a student does not attend school for some part of five months, the parents do not get to claim them on taxes. Is that still true? John Balden commented this is correct unless their income is under $3700. Ian noted that graduation has always been the last Friday of April. She just wanted to make a note that it was a surprise for some parents who had been supporting their children.
- Election of New Committee Chairs
  - The Faculty Senate needs to replace the following chair positions: Academic Standards, Budget and Benefits, Faculty Development and University Tenure Board of Review. We do not need to replace the Post-Tenure Review as she had the wrong date.
  - Academic Standards – John Balden noted that the individual would sit on reviews, not trials, but hearings of student complaints.
  - Budget and Benefits – Stan Jenne reported that you meet monthly with HR and representatives from staff to discuss budget and benefits. Insurance is a big issue. We also hear appeals from faculty or staff. The chair of the committee also sits on
the PBA Coordinating Committee a few times a year. There is also a Finance Committee that the chair sits on. It is a self-insured governing group.

- Faculty Development – It covers two major roles. The first one is Travel Grants and meets about once every three weeks and makes decisions on who gets grants and then distribute that money. The Faculty Center for Teaching Excellence is a great support and helps carry the load. The other part is the Faculty Excellence Award we give out as Faculty Senate. You do not actually chair a committee, but help the committee members over each school/college get organized and helping them make the final decisions in addition to answering any questions. You also sit on the Scholarly and Creative Opportunities Program (SCOP) Committee, which has just been renamed to Summer Undergraduate Research Fellowships (SURF). The idea is you are helping to formulate the strategic part of funding the scholarly and creative activities here on campus.

- University Tenure Board of Review – The primary function of this committee is to deal with denial and appeals for tenure. As this was my first year, we never really had an opportunity to meet since there were no problems. You must be a tenured faculty member to serve on this committee.

- One important note to add is that if you are a chair, you also attend the Faculty Senate Executive Committee meetings. Elaine noted that it must be senator and we will choose experienced senators. John Balden reminded the senate that all the duties are described in the Bylaws.

- Elaine opened nominations.
  - Academic Standards. Dan McDonald volunteered. All those in favor? Motion passed.
  - Budgets and Benefits. No nominations presented.
  - Faculty Development. Lars Eggertsen was nominated, but will hold the nominations open until the next senate meeting.
  - University Tenure Board of Review. Marcus Vincent volunteered. All those in favor? Motion passed.

- Policies
  - Policy 523 – Grading – The senate had concerns about grading in its first reading such as who had the ability to change the grades, was the faculty member who assigned the grades made aware of the changes, there was not a clear procedure so that all stakeholders could see how a grade was being billed before a grade change was made, and did the Academic Standards Committee (ASC) obtain a case file that would include all the information. There should be a clear process in which the faculty, student and any other entities weighing in on the deal, that it would be available to all the stakeholders and that nothing would happen without the faculty member being notified. Recommendation is that there would be no grade change unless the ASC determined the grade was arbitrarily assigned or some sort of legal violation occurred. Lyn Bennett indicated that all these major issues were addressed in the comments. John Balden asked for any additional comments.

Stan Jenne expressed concern regarding the time frame between the first year and fifth year. He felt that one year should be sufficient time to bring forth an issue with a grade change. Kat Brown noted she does not know the history of the policy.
Margaret might have some knowledge as to why there is a two to five year policy. Lyn remarked that the committee did not know why there were three different grade change procedures. She also asked if you need different kinds of appeals depending on whether you are a year or two out? Stan mentioned that as time passes, any evidence you might have had could drift away. The Policy Committee also raised the question about the responsibility of the Department Chair at some point. If we are going to have to hold everyone’s grade, it will create a big problem, especially adjuncts that may only teach one semester. How long does accountability have to be? David Connelly then raised the question when was the last time the student checked their grade. If a student were that concerned about something, they would appeal within some relative time frame to the semester where it occurred. If we are going to allow it to continue on out in perpetuity, that seems to raise a lot of issues as to why. A faculty member would like to ask Margaret how often do we see a grade changed two to three years out. Another faculty member commented that over the years she has had three grade changes that were over 20 years old. John Balden asked how did they justify it? It was noted that the faculty member had died and the student testified they had completed the work. John then indicated that there needs to be a statute of limitations on grades.

Kathy Black commented that her faculty believes that the only reason there should be a grade change is if there was some wrong doing on the part of the faculty member, some error, and the student provides proof, then it should be changed. She feels there should be a very narrow area for students to be allowed to have their grades changed. They should not be able to change a failing grade to a withdrawal in order to get into a grad school program. The faculty’s judgment needs to stand unless there is some kind of provable misdeed on the part of the faculty member.

A comment was made that about 75%-80% of the grade changes he makes are UW-E thing. Students want it both ways. His understanding is they get a UW if they stop coming to class and an E if they fail. John Balden noted that if a foreign student gets a UW that means they probably have not been going to class and could lose their ability to be here. They would rather have an E than a UW even if they never came to class.

Another faculty member noted he has problems with the I. He has a student that has had some serious medical problems and in hanging on hoping to complete. Faculty should have the discretion to make arrangements. John Balden noted that to give an I, there should be a signed contract between the faculty member and the student with a specific completion date. Are we anticipating that a department chair will come in and say we can’t do this? It’s between the faculty member and the student. 5.3.3 says this. But after one year it does automatically change to an E. Can you change it after that? Yes. A faculty member can always change it, but we are talking about someone else changing it.
Kim Strunk noted she has a student now that has an incomplete and it went to an E and she has no recourse. She pops up every now and then and says she will have her portfolio to you tomorrow. It is very clear in the policy that she had a year and now it’s an E and must retake the class. She will then go to the policy. John noted that the burden of proof is on her and she will have to justify it.

Stan Jenne referred to the policy regarding a grade changing from an I to an E. He asked does it have to be I to E. He has a student that did not complete the project and had he done so, it would have changed his grade by a letter grade, it would not have failed them. Stan referred to a place on the form that notes what the I grade would revert to. John noted our system either can’t or does not handle this, but the faculty member would need to change the grade.

A comment was made that in the policy after a certain number of years there is no option to change the grade.

There are some students that want their grade changed back to an I just so they don’t have to pay to retake the course. If we have it in policy then they could not do that.

This all comes down to a subjective choice by the faculty on where we draw the line whether we are enabling or serving the student by changing the grade. I think from what we are observing, there is too much enabling going on. John noted that technically, we are the specialists in our area and we know whether the student knows the material or not. The ASC does not because they are not specialist in our area. Why should they have the ability to change a grade unless there is some kind of specific evidence that the grade was arbitrary and capriciously assigned?

David Connelly mentioned he believes there are three things faculty want the policy to do. 1) Get some time of determinate time frame in there in terms of what you can do. So, I proposed three semesters. If a student has taken no action within three semesters, something happens. 2) Idea that there needs to be some control over who can actually change a grade and that if that is going to happen, there needs to be some definitive process. In other words, faculty can only change a grade unless there is some type of action that is taken which in turn goes through some set of appeal process and that appeals process informs the faculty member that the grade has been changed for these reasons. There needs to be a clear process that’s going on. (He did not remember what the third thing was.)

Lyn Bennett suggested that the Policy Committee add to those comments so that we can pass them to the steward. John noted she already has the comments. Kat Brown noted that the comments were pretty clear and easy to digest.

Stan Jenne relayed an experience he had previously as a Department Chair at other institutions. He made the point of how stories can change. The part that is missing here is bringing in a third party so there is no misunderstanding between the
student and the instructor. David Connelly noted you could have a flow chart to shows everyone involved. Kathy Black noted that if that’s what was happening, that would be great. She reports that grades are being changed because a student is unhappy, or because a student chose not to take the final at the assigned time as per the syllabus because a parent arranged a cruise. The mother is complaining that it is not fair; otherwise, the student would not be able to go on the cruise. Kathy expressed she did not care if the student went on the cruise or not, I care if the student takes the final and I have been overridden on those things. We need to recognize there are some abuses going on. We need to have a policy that supports the faculty and says prove that the faculty member has done something wrong and we will change it.

Ian Sorensen asked if we have a time period where a student took classes 10 years ago, got bad grades, came back and retook the classes and the original ones are no longer counted. It was noted that it does happen, but only takes off two semesters. This only works for UVU, it does not transfer to another university. It stays on the record, UVU just obscures it.

On another issue, some institutions are going to MD or ID, or in our case a ED meaning failure for dishonesty. I think it’s something we need to look it. I think it is a much bigger problem than we realize and we need to come down more on the students. The faculty member has been told he cannot talk to other faculty regarding the student because that would discriminate against the student. John Balden noted that is not in this policy, but that it is a legal issue.

Kathy Black commented that if she had caught a student cheating and the students felt that was not fair, I said take a final exam and the grade would be dependent upon the final exam, and I was told I could not do that. I was overridden. The student was given an A because we don’t believe in punishing a student for academic dishonesty.

Motion to send comments to steward. Motion seconded. Discussion: Lyn Bennett asked that Kat make sure there is a definitive period in which you can no longer appeal. All in favor? Motion passed.

- Policy 631 – *Student Evaluations of Faculty and Courses* – The Policy Committee is still working on. Are trying to have that completed for the last meeting of the semester.

- Policy 601 – *Classroom Management* – The goal is to have faculty read it over the summer and start the dialogue in the fall.

- There was a question on the Department Chair Policy 644 addressing area coordinators and program directors and where we stand. John Balden asked if the Senate wants to charge the Policy Committee to address this anomaly, which is not yet addressed. Is this correct? Lyn Bennett responded by stating the committee had
drafted a rationale and sent it to John Balden. She then reiterated that a rationale has been drafted and it is up to the Senate to review and determine if the rationale is to be included or if they want it as a separate policy. Depending on how the Senate decides, Policy 644 may not be complete. Motion was made to charge the Ad hoc Committee to include the rationale into the policy. Lyn Bennett noted two items: If we agree to the rationale, we need to include a statement about assistant/associate program coordinators and change the title of the policy. The second item is where does the Senate want it. John Balden said integrated. He then asked if we have a second on the motion? We have a motion and second to ask the committee to include that reference somewhere into the current draft of Policy 644 and include a section in that policy to address persons who are supervisory staff in their department. Discussion? Rationale is they exist and the issue to be covered is along the lines of duties, elections, terms, and authorizations. There will be variances across the campus that will need to be addressed. All those in favor? Motion passed.

- Lyn noted that the committee would not be meeting on this issue until the fall and is it clear that Policy 644 will be held out? Kat confirmed.

- Proposed Summer Session
  - Discussion on document previously sent to the Senate. David Connelly reviewed the terms of the document such as the Senate meeting a few times during the summer with very limited scope. The idea is to assist in the Shared Governance process of moving policy along. The senate would not take final action on the policy, but could treat policy from a standpoint of an information item and a first reading to give some charge to the Policy Committee or a sense of where we need to go in the fall so the Senate is functioning sooner. The body would need to approve this limited scope and authorize the Senate to do this. Lunch will be provided. Dates proposed are June 13 and July 19. We have asked to suspend the rules and move to a quorum of 15, allow for people to send a substitute if needed, and if we can arrange it, have electronic participation. There was a request for a few other dates.

  A concern was raised that if the senate holds these summer meetings and engage in a robust discussion that a repeat will occur in the fall. The intent is all the material will be sent out to the entire Faculty Senate in hopes that they will read it. The benefit of doing this kind of feedback allows us to propose changes and get it in a better form. Stan Jenne noted this also allows things to move forward and get the new chairs involved so things can really move forward in the fall more quickly. A suggestion was made to try it this summer and determine if it was beneficial or not. A motion was made to hold two summer meetings tentatively scheduled for June 14 and July 18 subject to change and seconded. All in favor? Motion passes.

- Tenure Discussion
  - David Connelly updated the Senate regarding the university Presidents developing a common document across public institutions that has a statement on
tenure and what tenure is from our perspective. It was developed partly in
to the legislature taking some initiative on that. The hope is that a
common statement is developed across institutions and let everyone post it and
start using it in conversations with legislators.

- One item a senator felt was missing from the description of tenure was if a faculty
member went up for tenure and did not receive it, you are basically fired. Has
discussed his issue with individuals outside of UVU and what happens if they did
not make it. The way the document is worded now almost sounds as if you are
saying tenure is what you are saying it is, but we don’t want to say it that way. It
sounds almost offensive, not explanatory. Another senator felt the document
should reflect how having tenure provides rigor to the institution and upholds a
certain level of import and the positive sides should be taught. Another suggestion
was to add a statement that many people are not granted tenure. The perception is
that we deny tenure here and every place else, but that is not the whole story. If
you look at the number of people that start their first year and as they become
tenured, there is a lot of fallout between. What the public sees is 95% of the
people making tenure and not the fallout in between. If individuals are not on
track to make tenure, they are most likely going to be jumping ship. John Balden
noted that Kim Strunk’s experience this year was unusual. We usually have
people who don’t succeed getting tenure. David Connelly noted that we will
probably see another version somewhere down the road. Kathy Black expressed
concern that we need to make sure it notes that tenure is an achievement standard
and that problems will be addressed when needed and that it is not the norm. John
Balden said it might be good to have a post-tenure statement included.

If departments are doing their jobs well, if a faculty member has any issues they
should be clearly identified and addressed in their mid-term review. There should
be no surprises in the last year of review. The hiring issue is important as well and
with the intention that each faculty member is going to achieve tenure with the
understanding that sometimes things don’t work out. Departments also need
highly functioning RTP Committees that understand the policy.

Gary Measom suggested that mention should be made about eliminating the
probationary period would severely hamper and institutions ability to attract
qualified faculty. The question was raised what were people’s arguments for
eliminating the portion. David Connelly said he did not really know. He said there
is a possibility that we as an institution might want to craft our own statement.
This will probably return in the fall. Please send David Connelly your thoughts.

Motion to adjourn. Seconded. All in Favor? Motion passes.