**Faculty Senate Minutes**

**Special Session**

January 11, 2022

Via Microsoft Teams, 3:00-5:00 pm

***Present***: Armen Ilikchyan, Ashley Nadeau, Ben Moulton, Chris Witt, David Frame, David W. Scott, Dianne McAdams-Jones, Doug Czajka, Elijah Nielson, Emmy Bell, Eric Russell, Ethan Morse, Evelyn Porter, Gareth Fry, Greg Jackson, Hilary Hungerford, Jim Pettersson, Jim Sutton, John Jarvis, Jon Anderson, Jonathan Allred, Joshua Hilst, Joy Cole, Justin Schellenberg, Karen Sturtevant, Kathleen Young, Kathren Brown, Kelly Rose, Kevin Smith, Kyle Kamiaopili, Laura Ricaldi, Lauren Brooks, Leo Schlosnagle, Lyn Bennett, Matt North, Maureen Andrade, Melissa Heath, Michaela Giesenkirchen Sawyer, Mike Smidt, Peter Sproul, Russ Bailey, Sandie Waters, Scott Lewis, Skyler Simmons, Tammy Parker, Trevor Morris, Waseem Sheikh, Wayne Vaught, Wendy Athens, Young Ham, Zachery Taylor

***Excused or Absent***:

***Guests:***  Steve Anderson (Associate VP of University Relations), Ashley Larsen (Deputy Dean of Students), Jacob Atkin (Associate VP for Policy and Finance)

Call to order – 3:00 p.m.

Approval of Minutes – Minutes approved for 12/7/2021

**PROVOST**

* Welcome to what is unfortunately our 5th COVID semester. Health and safety protocols and procedures have been sent out, reminder to all to review these. Mask usage has been reported to be low. We are encouraging vaccination and testing through the testing and vaccine center, with vaccines free to all UVU employees and family members and testing free to UVU employees. About 90% of students responded to the mandated vaccine survey, with 67% reporting that they are fully vaccinated, 33% partially vaccinated, and 7% intending to vaccinate. Exemptions to the vaccine mandate were noted. In a new high, campus cases were reported at 129 yesterday and we may be approaching building triggers. Lines are long for vaccines and testing. Thanks offered for KN95 masks given through Human Resources, more KN95s have been ordered.
* The semester is off to a good start aside from the pandemic.
* Question (VICE PRESIDENT) regarding faculty receiving emails from students self-reporting as COVID positive, but not receiving notifications from UVU. PROVOST: Test sites are typically from county, physician, or at-home. PRESIDENT: Faculty will likely only be notified if they were present in class when contagious. Self-report to faculty can be encouraged. PROVOST: If self-reports are being received, those can be forwarded on for campus management.
* Question (David Frame) regarding potential for triggers of faculty within a department. PROVOST: No contingency plan at the university level for this yet, based on faculty’s ability to continue to deliver class. Protecting health and wellbeing is paramount and faculty can work with their department chair to plan for covering the class. DF: Covering labs is especially difficult.
* Question (Joshua Hilst) regarding proposals for University College. PROVOST: These are forthcoming, finding ways for colleges and faculty to discuss these proposals. Preliminary discussions occurring now, then more engaged discussions will occur.
* Question (Sandie Waters), first thanking for clarification on COVID message because the initial interpretation was that even when faculty are sick they were expected to continue delivering course to students while sick. PROVOST: Health is most important thing, stay in communication with students about how to handle class, e.g., needing to cancel class and asking them to complete a different activity instead. Do not abandon students or leave them in the dark about what to expect. We are trying to make sure that we communicate to students that if they have any symptoms, do not come to campus, the same applies for faculty. We need to be cognizant of the demands on students when we move to online course delivery, e.g., if a student is on-campus for 1 class it may be difficult to attend a 2nd remotely immediately after. Recording of classes will continue this semester.
* Question (PRESIDENT) regarding whether we will continue class recording moving forward, including post-pandemic, and do we need policy on this topic. PROVOST: Yes, it seems likely that this practice will continue and conversation is needed on this topic. Intellectual property considerations are relevant, even as the goal of the practice has been to allow students access to class lectures. Faculty may seek to claim these recordings as their intellectual property. Students also report the benefit of watching and re-watching the recordings, as they offer a value to students. Let us ensure that faculty are aware of their rights while at the same time we allow students to use the videos.
* Question (David Scott), regarding the intellectual property point, whether faculty have exclusive access to the recordings. The university would not be able to post them without faculty consent. PROVOST: University would not have proprietary interest in this. PRESIDENT: This is an important issue to be raised and discussed in future question. (END 3:25 PM)

**SENATE PRESIDENT**

* Steve Anderson (Associate VP of University Relations): Legislative session will begin soon, here to share priorities for engaging with legislature.
  + Shared link <https://www.uvu.edu/universityrelations/legislative/index.html> on which can be found many links regarding priorities for working with the legislature.
  + Compensation is a high priority for this session, including a cost of living adjustment. We are seeking performance funding as well, especially because UVU will not be receiving growth funding. Regarding a new Engineering and Technology building, will be asking for 80 million to fund the project.
  + You can find contact information for your legislator through this website as well. UVU’s protocols for engaging in political activities are also posted.
  + Reminder not to use UVU resources (e.g., UVU email address) to engage in political activity. If there are issues that affect the university, reach out to Steve Anderson for direction in contacting legislators ([steve.anderson@uvu.edu](mailto:steve.anderson@uvu.edu), 801-995-0174).
  + Question (Jon Anderson) about whether there are rumors or rumblings of bills that impact higher education. S. Anderson: No rumors yet, there will be weekly updates on the website and the progress of such bills. Question (PRESIDENT): Any chatter about Critical Race Theory? S. Anderson: Nothing yet, but there are always surprises that come through the legislative session and we will try to make sure we stay up to date and keep the Senate President apprised.
  + It can be helpful to reach out to your legislator as one of their constituents. (END 3:37 PM)

**POLICY**

* 644—*Department Chair* policy.
  + Simmons: Review of Stage 1 comments on 644, seeking input before proceeding to Stage 2.
  + Questions/comments:
    - Lyn Bennett: Does the chair need to consult with faculty and staff at all based on the current draft language? Philosophical point on the entire document.
    - Sandie Waters: Do we want to make it so non-tenured track faculty are making decisions/rules for tenured-track faculty? Conversation needed.
    - Laura Ricaldi: Professionals-in-residence are excluded from important leadership roles, but can offer significant benefit.
  + Section 4.2.1: No comment on whether chair also manages students, this is needed in the policy.
  + Section 4.2.1.10: It is possible Chair could be on hiring committee AND be the hiring agent?
    - Elijah Nielson: It may not be a conflict of interest because of shared interest, especially with smaller departments
    - Jim Pettersson: You can sort of get 2 votes in this position, citing use of this policy to manage a difficult situation with an entrenched faculty member.
    - Lyn Bennett: There is a conflict of interest, especially when there are dissimilar disciplines combined in the same department. With insufficient numbers, they have needed to go outside of the department. With a double-vote, this goes against equity.
  + Section 4.2.7: Should hiring also be in this clause? Where is the documentation kept? Security?
  + Section 4.2.8: “Disclose information” too broad. Mandating collegiality could have the opposite effect.
  + Section 4.2.10: Overly general policy.
    - Ashley Nadeau: Could this be more limited and specific, with chairs discussing decisions that are made with faculty. Emphasized by VICE PRESIDENT, reiterated by Nadeau.
  + Section 4.2.11: The implication of this language being that a chair could keep a faculty member from taking on a service role, is this desired in policy?
    - Sandie Waters: This is a limitations of power concern, as the chair may be able to prevent a faculty member from excelling. In particular, if there are personal conflicts between chair and faculty member.
    - John Jarvis: Acknowledge this concern and also pointing out that consultation (not approval/disapproval) is appropriate.
    - David Scott: It is the responsibility of faculty members to accept or decline opportunities, it does not seem that the chair should be able to pre-empt this. The responsibility sits with the faculty member to manage their workload, not outside entities contacting the chair. Jarvis: The faculty member should be consulting with the chair.
    - Lyn Bennett: Two faculty given sabbatical for the same year and the department was not notified, this strained the department. Chair should be consulting faculty about decisions, not have so much power to make decisions unilaterally.
    - Waters: This discussion moves away from the initial point, faculty needs to be able to decide on their own what service opportunities they pursue. Chair ought not be able to deny faculty a given opportunity. Simmons: Stage 1 for this policy still. Waters: There is a need to protect faculty from this overly broad policy, especially those who are susceptible for these rules. This is important at Stage 1. Simmons: These comments will be passed on to the drafting committee. Michaela Giesenkirchen Sawyer: Is there a parallel here with decisions to be made about teaching, the chair consulting with faculty or vice versa? E.g., faculty wants to teach in the Honors program
  + **MOTION** – Sandie Waters motioned to extend conversation by 10 minutes, seconded by Lyn Bennett. Motion passed.
  + Section 4.2.12: Question about an outgoing chair having a “handing over the reins” activity to an incoming chair. No comments.
  + Section 4.3: Duties for assistant and associate chairs.
    - John Jarvis: Would prefer the chair have the latitude to decide for themselves how to delegate these duties, I dislike that it is spelled out in policy.
  + Section 5.1.1: Regarding elected chairs if the dean does not approve, is there some process to appeal.
  + Section 5.1.3: Extenuating circumstances and what tenure-track means in the policy.
  + Section 5.1.4: Chair running for re-election, what does “permission” look like. What is the process of the election, how is that decided.
    - Laura Ricaldi: What is considered “majority”, i.e., what is the denominator (all possible votes or all present)
    - John Jarvis: Use all votes cast to prevent a sort of “pocket veto”.
  + Section 5.1.6: When does the provost enter the process, approving or disapproving contested situations?
  + Section 5.2.3: Is there an end point if faculty refuse to approve an appointment.
  + Section 5.3.1: What does non-contested mean?
  + Section 5.3.2: Dean’s evaluations of department chairs.
  + Section 5.4.4: Need clarification.
  + Section 5.5.1: Equity in workload is needed.
  + Section 5.5.3: Magical formula?
    - Sawyer: Imprecise for a policy.
  + Section 5.5.4.1: Calculation method needs to be transparent.
  + Bennett: If this is Stage 1 still, timeline needs to be adjusted so senate can do their due diligence.
    - Simmons: I will send a summary of this out, we are lacking members on this committee, will take more time on this. J. Anderson: Reminder that there is more flexibility at this Stage 1, Kat Brown is aware of the concerns raised. (END 4:26 PM)
* Policy 161 *Freedom of Speech* Limited scope revision
  + Ashley Larsen (guest, Deputy Dean of Students). Every pamphlet or leaflet distributed on campus needs to have an author. Case law has shown that assigning an author can have a chilling effect on expression. Suggesting an adjustment to policy to allow for an anonymous option by including a stamp from Campus Connections, for example a group that would be concerned about retaliation for authoring a distributed document. Authored speech will be the default, with the exception allowing for anonymous speech. Soliciting comments.
  + Comments: David Scott: You cannot create hurdles for people to express themselves, recommending anonymous being the default and authored expression being the exception. Larsen: Please add this recommendation to the comments (END 4:31 pm)
* Policy 115 *Personal Use of University Policy*
  + Jacob Atkin (guest, Associate VP for Policy and Finance). This policy is the result of a law that went into effect 5/12/2020. Private use of public property is prohibited unless there is a policy in place that explicitly allows it, with severe penalties in place. This policy is to address this law. 4.4.2.3, our initial proposal is to not allow non-university business to be conducted in university offices. The University of Utah has a policy that expresses exceptions to this policy. The question is whether we ought to allow consultation in university offices, please review U of U policy regarding the oversight required in order for this to take place. (END 4:35 pm)
* Policy 326 *Workplace Conduct*
  + Simmons: This policy somehow dropped off of the agenda at some point and cannot be moved on from Stage 2 without input. No comment document was ever sent in for this policy, trying to move this forward.
* PRESIDENT: Policies 161, 115, and 326 (as well as 644) need comments from Faculty Senate in preparation for next time.

**NON-POLICY**

* Feedback requested
  + Part-time shared Governance committee: PRESIDENT: Need more input from departments, request for senators to take this to departments for discussion. Feedback needed on comment document. There are significant implications for adjunct faculty.
  + Anti-Racism Resolution
    - PRESIDENT: Substantive comments have been made, but the group does not appear ready to move to a vote on this resolution. A new draft is in the works.
    - Jim Price: Has received a paper from a colleague about specific actions to be taken toward improving equity and inclusion. Other comments were that the first draft is too divisive and the second draft needs to be polished to be more positive in tone. PRESIDENT: Feedback has been consistent with this, regarding the politically charged nature of this, the question is how to make this more inclusive rather than divisive. Mike Smidt: As author of second draft, rather than express concerns with the first draft I wrote an alternate draft to contribute something. PRESIDENT: This is appreciated. It seems there is more work needed to revise this statement.
    - Sandie Waters: Question if there is equal representation on the drafting committee.
    - Joshua Hilst: A challenge with tracking this debate is the lack of precision around the definition of Critical Race Theory. While teaching about racism, including racist aspects of history is important, this does not necessarily need to be called CRT. CRT still needs to be taught when germane, but it does not need to be invoked when teaching history. Kyle Kamiaopili: There needs to be something we do to support people who teach in these areas that relate to CRT, as a response to how the legislature has acted. We need a specific statement. PRESIDENT: Yes, we want to support faculty who teach in these areas in their academic freedom with such a statement. Comments will be left open, a new draft will be worked on and sent out with the next agenda. It is an open process to all faculty to help with the drafting of this statement. Recognition to Dianne McAdams-Jones for doing the lion’s share so far. (END 4:50)
* Ethan Morse (Student Representative)
  + With regard to academic breaks on the calendar, we are trying to ensure that these breaks are fair to students and faculty. ROTC students need to have their absences excused by faculty, should not have pushback because this is in accordance with law. (END 4:52)
* PRESIDENT: Report on meeting with President Tuminez
  + Enrollments are flat, possibly even down, in terms of number of credit hours. Based on the current growth formula for funding, we do not want enrollment to go down. Please continue to brainstorm ideas for how our efforts in the community with potential students can address the numbers.
  + Faculty night at a basketball game, including dinner and tickets for the game. There was discussion about the timing of this event due to the omicron surge. Be on the watch for this opportunity. If there are ideas for ways to express appreciation and care for faculty morale in the context of this pandemic, these suggestions are welcome.
  + Tomorrow is the opening of the Keller Building, much excitement for the School of Business.

**ANNOUNCEMENTS**

* Melissa Heath (Head of Voice area in Music): Please attend the production of La Boheme in January 22-24, then student cast 26-29, at the Noorda Center.
* 55 days until Spring Break!
* PRESIDENT: Offer yourselves and faculty some gentleness.

Meeting adjourned at 4:59 pm.