**Faculty Senate Minutes**

March 28, 2017

CB 511, 3:00-5:00 pm

***Present***: Kim Abunuwara, Christa Albrecht-Crane, Huda Al-Ghaib, Anne Arendt, Brian Barthel, Mark Borchelt, Mark Bracken, Kat Brown, Josh Cieslewicz, Alan Clarke, David Connelly, Ken Crook, Karen Cushing, Courtney Davis, Debora Escalante, Jensen Astle (UVUSA), Sara Flood, Doug Gardner, Lindsey Gerber, Darrell Green, Laurie Harrop-Purser, Jia He, Matthew Holland, Robert Jorgensen, Lydia Kerr, Ryan Leick, Dianne McAdams-Jones, Duane Miller, Anthony Morris (Library), Shalece Nuttall (PACE), Jeff O’Flynn, Jeff Olson, Hong Pang, Alan Parry, Jeff Peterson, Karen Preston, Arianna Reilly, Denise Richards, Robert Robbins, Anthony Romrell, Sheri Rysdam, Leo Schlosnagle, Makenzie Selland, Tyler Standifird, Craig Thulin, Sean Tolman, Robert Warcup, Paul Weber, Stephen Whyte, Alex Yuan

***Excused or Absent***: Steve Allred, Howard Bezzant, Dean Bohl, Bret Breton, Steve Fellows, Gary Mercado, Jim Pettersson, Stuart Stein

***Guests:*** Linda Makin

Call to order – 3:05 p.m.

Approval of Minutes from March 7, 2017. Minutes approved.

PRESIDENT

* Presidential Lecturer Hanna Rosin spoke regarding the end of men. Husband, David Plotz is the new CEO for Atlas Obscura which showcases unique places around the world and had an article on the Roots of Knowledge. Great press for Roots of Knowledge tied to that lecture.
* Thanksgiving Point Ribbon-Cutting was held for new classrooms at the Entrada building. Think about things that might flourish in this location.
* Commencement Speaker – President Henry B. Eyring – Seasoned Academic including a former University President and tenured faculty member at Stanford Business School. Honorees Shirlee Silversmith who has been legendary in our community with her work in the Native American population, and Keith Nellesen and Brent Wood have had a powerful impact on the community with respect to Autism. The building was largely funded by these two gentlemen. They have exerted leadership dealing with Autism in general.
* Legislative Session
  + Compensation – 2% “Labor Market Adjustment” not a COLA – Will be bringing a proposal to the Trustees that will equal a 3% adjustment on average.
  + 8% Health Insurance Rate Increase – Will basically cover increase in premiums this year. Overall costs will stay roughly the same. Green asked for clarification of how much will be passed on to faculty and staff. Holland responded that we will see some modest premium changes along with benefit changes.
  + Preserved 75% (appropriated)/25% (tuition) split. As it stands now, the system is proposing a first-tier 2.5% increase. UVU has taking a lead in the state trying to keep tuition low by proposing a 0% tier-two increase.
  + Student Enrollment Growth
    - $3.5M ongoing to USHE for new student growth
      * UVU portion: $1.25M
      * First time in years that student growth has been explicitly funded.
  + Performance-Based Funding
    - $6.5M one-time to USHE with an ongoing funding stream
      * UVU portion: $982K
  + Final PBA decisions will be announced on April 19 in the Ballroom.
  + Regents Scholarship
    - $8M ongoing to Regents for growth of scholarships
  + HB 334: Academic Freedom and Protection Act did not pass.
  + Pedestrian Bridge was funded. Received more funding during discussions. Planning and Designing will begin soon. Bridge will be from the Frontrunner station to Event Center Drive.
  + Capital Developments
    - Woodbury Business School was not funded, but the conversation has been started. On challenge is the Legislature funded the three building on a multi-year schedule.
  + SOA Building Construction Safety – Clarke noted the walkway only extends about 2/3 the way and then must walk on the roadway.
* AVPAA
  + Attended the American Council on Education – Brown encouraged faculty to review their website to stay on track with national trends in Higher Education. You can also check out Inside Higher Ed or The Chronicle for updated information.
* LIBRARY
  + Next Roots of Knowledge Speaker Series will be held March 29 at 1:00 p.m. Elijah Nielsen, Assistant Professor in Social Work will speak on Inclusivity.
* PACE
  + Nominations for PACE Board will be conducted along with the Benefits Fair beginning April 20th.
* UVUSA
  + Elections have concluded. National average for student voting is 3-4%. Last year, UVU had 8% and this year we had 16%.
  + Applications are open for students to participate in student government and may apply to be a senator. Please send out to faculty and departments.
* POLICY LIAISON
  + Leick reviewed the number of policies to be reviewed prior to the end of the semester. Several of these were reviewed earlier in the year under emergency status. Most are different drafts than what we’ve seen before.
    - 637 – Faculty Tenure
    - 162 – Sexual Misconduct
    - 165 - Discrimination Harassment and Affirmative Action
    - 251 – Traveling on University Business
    - 252 – International Travel for Faculty, Students, and Staff
  + Bracken sent a chart to Senate with a timeline for policy review. There are two policies that are essential for the accreditation visit. Policy 633 - Annual Reviews and 638 – Post-Tenure Review.
  + Senate will meet on April 4, 11, and 18 in order to address the number of policies that need to move forward. We do need to have a quorum in order to take any action on items.
* POLICY 633 – *ANNUAL FACULTY REVIEWS*
  + Leick provided an overview of the summary of comments and noted the formation of the Guiding Principles of Policy 633. If Faculty Senate will approve the policy based on the seven principles, then we can forward the official comments to steward.
  + Brown noted that we are opened to the calendar year for an evaluation period as well as the running academic year as there is no rule it has to be fall to fall.
  + **MOTION** – Craig Thulin moved to accept the seven guiding principles to the overall approval. Ken Crook seconded. Bob Robbins proposed adding a clause for those hired mid-year. Faculty are evaluated on policies 632 – *Assignment and Advancement in Rank*, 637 – *Faculty Tenure*, 638 – *Post-Tenure Review* dependent on which they are seeking along with their plan. Departments need to have criteria otherwise faculty have nothing to be assessed against. Albrecht-Crane expressed happiness about number 3. She would like to see reference to an appeals process. Leick agreed. Add it as another principle. Connelly proposed language such as “in accordance with commonly accepted XXX practices.” This policy only deals with tenure track faculty with the exception of Section 5.3. Brown noted they are working on a non-tenure track policy. Clark noted that lecturers right now are only evaluated on teaching. Need to think about the future and leave evaluation procedure open. Richards noted that lecturers are subject to the teaching criteria of their respective departments and will be evaluated based on that criteria. Josh Cieslewicz noted maybe a lecturer could be decided on by department chairs specifically instead of defaulting to the criteria. Connelly proposed language such as “Lecturers are subject to an annual evaluation based on the conditions of their hire.” Thulin amended his motion to include the appeals process as the eighth principle. Crook accepted the friendly amendment. All in favor? 35 in Favor. 0 Opposed. 2 Abstained. Motion passed.
  + Thulin noted senate’s concern about the template not in place and could it be drafted by the Senate. **MOTION** – Anne Arendt moved to create an ad hoc committee under special topics and develop what the Faculty Senate thinks should be included in the template. Thulin seconded. Clarke asked that the template be a general template that departments could modify, but maintain the minimum university requirements. Connelly noted that if we allow too much flexibility, can be problematic. Need to maintain some institutional standards to maintain consistency across the institution. Bracken noted that the template is a living document and that revisions can be made at any time in consultation with Faculty Senate. Connelly recommended bringing a proposed document next week. Arendt amended her motion to include current senators and additions as needed and bring back within two weeks. Thulin accepted the friendly amendment. Most of the concerns with of the policy was not having the template in place. Cieslewicz recommended developing guiding principles for this policy. Robbins expressed that we need congruence between all the review policies.
  + All in favor? 34 in favor. 0 opposed. 0 abstained. Motion passed.
  + **MOTION** – Craig Thulin moved to extend discussion for 8 minutes. Anne Arendt seconded. All in favor? 20 in favor. 11 Opposed. 2 Abstained. Motion passed.
  + Leick asked if Senate is confident enough to allow the policy to move forward noting that Senate will be developing the template. Connelly proposed asking the group of senators to revise the policy updating the language and bring back next week. **MOTION** – Anne Arendt moved to accept Connelly’s proposal. Craig Thulin seconded. Make sure to reference where the changes would be made in policy. All in favor? 34 in favor. 0 Opposed. 0 Abstained. Motion passed.
* POLICY 606 – *ADOPTION OF COURSE MATERIALS AND TEXTBOOKS*
  + Leick reported that some of the sticking points were Conflict of Interest (COI) and whether it should cover the approval of all materials.
  + Clark reported that the only thing the policy should be dealing with are COI and textbooks that are impacted. We don’t want an overarching committee to approve as it gets in the way of Academic Freedom. It was the sense of the body that the policy be limited to COI and broad things that create a real problem such as online textbooks. Thulin noted that the COI part needs to be done. Does not believe a statement was made as to whether anything else specific needed to be addressed. He noted that ExCo proposed that the policy was also intended to address quality control of course materials. Bracken referenced the use of the “responsive” approach only if there are issues. Olson noted that Clarke brought up the point that faculty have the ability to meet the objectives, but need to be sure both are using quality textbooks to teach the content. McAdams-Jones noted that faculty need to be sure they are teaching material to meet the course objectives and be able to show accreditors the materials being used. Parry noted that if we are requiring all textbooks to be vetted, this is impossible and a waste of time. Hays shared with senate that all the policy is requiring is documentation to be filled out so the department can show a review was completed.
  + **MOTION** – Sean Tolman moved to reorder to the agenda to accommodate the guest speaker. Doug Gardner seconded. All in favor? Motion passed.
* POLICIES 162 – SEXUAL MISCONDUCT/165 - *Discrimination Harassment and Affirmative Action*
  + Policy 165 was approved in Temporary Emergency in June 2016. Policy 162 is being rewritten again. Last summer, the Board of Regents (BOR) implemented a new active counsel criteria into student disciplinary hearings.
  + Primary changes in 165 Section 5.5 – Bringing in advisors for students in relation to sexual misconduct. Revised the review process in Section 5.10. Looked at some of the University of Utah’s best practices and provide advisor during hearings for employees.
  + Hoping to receive feedback on Policy 165 before the end of April.
  + Clarke asked if the process is still handled by the same investigative individual throughout the entire process. Makin noted that the roles have been defined. After the sanctions, then there is an opportunity for a hearing. Additional requests need to addressed directly to Karen Clemes.
  + Bracken noted one major improvement is allowing an advisor for all students, faculty, and staff for the review hearing which is held after the investigation process.
* RETURN TO POLICY 606 DISCUSSION
  + Robbins noted that it would be humanly impossible to address volume control. Need to be sensitive to approaches to different subjects and programs that have specialized accreditations.
  + Parry noted that for more advanced classes, there might only be a few faculty that have expertise needed to approve. Olson responded that they can always appeal to experts. He also noted that some departments need to adhere to the lock/step nature of the programs whereas, in others, doesn’t make sense. However, all of them need the ability to review the textbooks and curriculum and actually teaching the course.
  + Leick noted that the “responsive” approach statement proposed seems to capture the concerns of the senate.
  + Harrop-Purser asked if departments have to have a pre-approval. Olson is not in favor of pre-approval, but department does need to have authority to state that some material is not appropriate to the objectives of the course. Need the ability to go back to the department and have them review the faculty member’s course material to be sure it is appropriate. Harrop-Purser noted the key word is “ability” to review. Thulin emphasized the terms “back” and “look back.” Don’t think it’s necessary to have pre-emptive vetting, but have the ability for a “responsive” action. Bracken recommended establishing general principles and noted the responsive approach. Parry supports departments defining the approach for the responsive review.
  + Romrell noted that for his department adjuncts should be using the same textbook. Cieslewicz noted this decision should be made at the department level and not the institution level. Leick responded that Policy 635 noted that full-time faculty have Academic Freedom and adjuncts don’t which means you can provide a list of textbooks adjuncts should be using.
  + Astle inquired about what is it that actually needs to be reviewed – just the textbooks or every article.
  + Olson reported that it is a federal law that we publish the textbooks that we are going to use. Most departments give the orders to admins to order the textbooks and this process is satisfied by the bookstore. The practice is already there, but underlying.
  + Comments from ExCo would be a summary of comments that are to be sent on to the steward.
  + Leick noted two guiding principles: 1) policy addresses in advance potential COI and 2) departments have a responsive approach to addressing textbook issues.
  + **MOTION** – Sean Tolman moved to have comments fit guiding principles for discussion and bring back to next senate for review. Bob Robbins seconded. Craig Thulin amended that university policy empower departments to establish a responsive practice/procedure or authority to maintain pre-emptive guidelines and that departments have decision authority. Tolman accepted the friendly amendment. Need to tailor appeal to department-centered approach. Parry proposed Sections 5.4.2 and 5.4.3 clarify language to reflect department approach. If COI has gone through vetting process and textbook is found to be acceptable, remove the language that states cannot receive royalties. Thulin noted this was not germane to the motion. All in favor? 33 in favor. 1 opposed. 0 abstained.
  + **MOTION** – Anne Arendt moved to extend the discussion time five minutes and skip standing committee reports. Thulin proposed an amendment for one announcement. Arendt accepted. Tolman seconded. 1 opposed. 2 abstained. Motion passed.
  + ANNOUNCEMENT – Workshop forum “Moving Beyond the SRI” that faculty requested earlier in the year to address faculty evaluations will be held Friday, April 7, from 12-4 pm in CB 511. Guest Dr. Todd Z. There has been very little buy-in from faculty. Please encourage your faculty to attend.
  + Royalties – Clarke noted that some royalties are so small that it can be an administrative nightmare to process. There might be some instances for a royalty recapture. Leick noted that the issue is how do you enforce it and what is the appeal process. Olson commented that the biggest concern with the COI is faculty who negotiate the price with publishers. Clarke stated that if going to vet textbook for COI, if it’s through a reputable academic press, then it’s presumptively ok. Presumptively online or self-publishing are potentially problematic. Need some criteria for safe harbors.

Meeting adjourned at 5:05 p.m.