**Faculty Senate Minutes**

January 10, 2017

CB 511, 3:00-5:00 pm

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

***Excused or Absent***: Steve Allred, Dean Bohl, Mark Borchelt, Ken Crook, Karen Cushing, Steve Fellows, Gary Mercado, Robert Robbins, Anthony Romrell, Stuart Stein, Stephen Whyte

***Guests:*** Justin Jones, Alexis Palmer, Karen Clemes, Linda Makin

Call to order – 3:00 p.m.

Approval of Minutes from December 6, 2017.

PRESIDENT HOLLAND

* Welcome Back!
* Chick-Fil-A is coming to campus.
* 75 Years Strong! Celebration gave UVU an opportunity to say thank you. History books were distributed to the Dean’s Office for dissemination. Olson will follow-up.
* Highlighted student successes across campus and disciplines. Expressed UVU’s success is due to committed faculty and staff. 55% of all courses taught by full-time faculty. Added five new master’s degrees. Broke ground for new Autism Center, Basketball Training Facility, Arts Building, and added new facilities building.
* On November 18, 2016, the Governor read a special commendation for what is being done and accomplished at UVU.
* Approved the Facilities Master Plan with input from many entities across campus. Plan is to move Athletics out to Vineyard. The Vineyard property would also house a community engagement component to include: Business Resource Center, Conference Center, and Business Innovation Park. Next to Front Runner stop will house the campus built on the specialty model. These changes allow us to rethink what happens on the main campus to include new buildings, on/off ramps, and pedestrian bridge.
* Unveiled the Roots of Knowledge windows which have received major recognition. The Guardian from the UK called these “the most spectacular stain glass windows made in the last century.” CNN even recognized the windows as “…a work which embodies the nation’s best qualities, excellence, entrepreneurship, ambition, and optimism.” The University is planning to develop curriculum around the windows as well.
* UVU is gaining increasing recognition both nationally and internationally not only for the windows, but for its mission.
* Next Chapter
  + Handout Activity with two questions for comment. 1) How do we keep the “core” the core and stay focused on student success? 2) As we think about our growing national/international reputation as a marker of what we are doing, how do we build upon it, what aspirations should we think about, and are there any cautions we should be considering?
* Comments Shared
  + All the various outside businesses that enrolled nursing students because UVU does not have the faculty or capacity to take them. Would like UVU to take a vested interest in trying to address this need in the community. Holland noted he is aware and that UVU is looking hard at the medical professions in general.
  + UVU is having success with external certifications and can use them objectively to show the success of our students.
  + UVU has many students and businesses in the area that have international ties and we need to capitalize on these connections.
  + Would like to see a definition of student success that is shared by faculty, staff, and administrators. Holland responded that we are taking stock of all the components that make up student success. Connelly shared that there is a group examining this issue and they will be distributing a document in the next few weeks seeking feedback.
  + West Virginia University, an open enrollment university with around 30,000 undergraduates, has a Department of Psychology has about eight full-time developmental psychologists and UVU has one. Holland noted we are continually building programs and addressing needs as we can through both public and private funds.
  + Concern about the trend in education for the need of specialization. Feels it’s important for them to obtain a general liberal arts education. Holland indicated that this could be addressed as we define student success.

POLICY 161 – *FREEDOM OF SPEECH*

* Olson provided a brief history of why this policy came under revision after a faculty member tried to obtain approval to get something posted. The policy that has been drafted is based on the University of Utah’s policy. UVU hired outside counsel who specializes in freedom of speech to assist in the writing of this policy. Added into the policy some additional protections for student academic freedom that had been recommended by AAUP. Fine-tuned several protections against speech. There was a strong feeling that we needed to adopt the policy as a Temporary Emergency because it was so much better than the one we currently have in place, but wanted to make Faculty Senate aware.
* Alexis Palmer noted that the Temporary Emergency Policy and the Regular Policy for Stage 2 will go to President’s Council on January 12, 2017. Once approved, the policy will come to Faculty Senate for discussion. She asked the Senate to keep in mind as they review that she is working on the procedures portion as well as setting up trainings and developing a tip sheet.
* Olson commented that one of the things Dee Potter felt was important was to have transparent guidelines and training materials so that the public knows what the people are being told who implement the policy.

POLICY UPDATE

* The following policies have completed Stage 3: 142 – *Export Controls*, 151 – *AIDS*, 505 – *Tuition Payments and Refunds*, 507 – *Tuition Refunds*, 522 – *Undergraduate Degrees and Programs*, 604 – *Course Outline Records*, and 605 – *Curriculum Approval Process*. They will all go to Board of Trustees on January 12, 2017 for approval.
* All the Stage 2 policies have been through a first reading.

POLICY 601 – *CLASSROOM MANAGEMENT*

* This policy was tabled previously since the AA/EO Guidelines were not in place at the time of review.
* Karen Clemes noted this section deals with student religious accommodations and shared the legal approach and what is being done. Intent was to empower the faculty to determine the accommodation. However, if a faculty member is inclined to decline an accommodation, we want them to check with the EEO and Affirmative Action Office first. We want to create guidelines to be sure of consistency and tracking. The plan is to have the guidelines completed within the next 2-3 weeks and prior to moving into Stage 3.
* Albrecht-Crane proposes that we don’t vote on the policy until the guidelines are received. Leick noted that the window will close for Stage 2 comments on January 16. Clemes noted that guidelines are not included in the policy as they are constantly changing. Bracken noted that the guidelines don’t change the actual policy.
* **MOTION** – Sean Tolman moved to approve the comments as they stand noting to see the guidelines as soon as possible. Anne Arendt seconded. Discussion – Albrecht-Crane inquired about a student wanting to be excused for Ramadan. Clemes noted that the standard is it cannot put an undue burden or alter the educational environment. This would be considered an unreasonable request. Albrecht-Crane reported that the English Department feels the policy is contradictory such as Section 4.7.8 when a student “disagrees” with something the course is covering because they hold a religious belief. Then in another section it states the university cannot discriminate because of a religious beliefs or practices. Concern about how to interpret. Clemes reiterated that examples will be provided in the guidelines. Kat Brown commented that if material being taught is core to the content of the course or major, that it is grounds for denying an accommodation, but suggested that EO/AA be consulted first and then moving forward. Olson responded that one of the key things is that a particular practice might be contrary to his religious conscience, but talking about it isn’t. Therefore, you can require me to talk about it, but doing it is the problem. For example, viewing certain things can be a natural violation of conscience which is different from where you viewing something you disagree with, but viewing it is not a violation of conscience. Something to keep in mind is in a society where there are so many things that can undermine our conscience, we don’t want to casually ask anyone to do something that is contrary to their conscience. McAdams-Jones noted that universities are a place where an individual’s beliefs are challenged. All in Favor? 3 – Abstained. Motion passed.

FLSA BUNDLE

* Makin noted that when received guidelines from FLSA in May 2016, our policies needed to be revised. Current revisions have been approved by the Board of Trustees for Temporary Emergency and are now before Senate for the Regular approval. Policy 325 – *Workload for Full-Time Non-Faculty Employees* addresses issues dealing with “exempt” employees and additional assignments. As an exempt employee your job is to get the work done. As a “non-exempt” employee, once you hit 40 hours, you must be paid overtime. Clemes shared why we need a clearly stated policy and how we will comply. She noted that the policy does not deal with the “final rule.” Other policy addresses extra assignments exempt employees have and what they can be paid for and the process. Comments - Some adjuncts expressed concern about not having early access to their Canvas course and being told no due to the hour limitations. Clemes noted that there are two laws that apply to adjuncts: 1) Exempt vs Non-Exempt – Teachers are exempt. This issue is staff who want to teach as adjunct, but it is not their primary duty. 2) The other factor is the Affordable Care Act for part-time employees that requires we stay under a number of hours. Brown noted that part of the concern is faculty holding class before class actually began violating accreditation rules. She also noted that Academic Affairs is working with HR in regards to meetings, curriculum development, and other issues in regards to adjuncts. One option is to create a scale, but how that will look is undetermined at this time. Adjunct faculty have a limit of no more than 11 contact hours whatever the mix of courses is per week per semester. Makin shared that the Federal law is that if you work 130 hours per month, we must offer your benefits. The IRS allowed guideline for adjunct faculty for teaching we could use a 2.25 multiplier. If you teach a 1 credit class, the IRS allows us to assume you are working 2.25 hours which is how we get to the 11 contact hours. Arendt asked for clarification that adjunct can do curriculum, but would need to report their hours for payment purposes, but preference is for full-time faculty to write curriculum. Brown agreed as adjuncts are only hired on a semester-by-semester basis and curriculum is for the long-term. Olson noted that adjuncts are treated as subject matter experts as long as they have the credentials. Senator inquired about Policy 325.5.2.6.1 deals with lactation breaks and the limitation of one year. Clemes responded that this is set by the Department of Labor. She also reported that we are talking about non-exempt employees. Will take under advisement. Policy 325.4.6 deals with discipline of an employee and if it should refer to discipline policy. Clemes noted that this provides consistency and teeth. Makin noted that we could add a reference.
* Trainings for Supervisors is really critical and should be completed.
* **MOTION** – Sean Tolman moved to approve comments for the FLSA Bundle. Motion seconded. All in favor? 2 – Abstentions. Motion passed.

ANNOUNCEMENTS

* Deadline for Faculty Excellence Awards is Tuesday, January 17, 2017, to Department Chairs. Deans received an email to be forwarded to their Department Chairs. Check with your Department Chair to be sure the process is occurring. Let Craig Thulin know if your department did not receive the email.

STANDING COMMITTEES

* RTP Advisory Committee – Pettersson is moving forward with the committee as charged by the Senate. Thanks to Anthony Morris for the work he has done comparing USHE and Peer Institutions on what they do and how things are handled. UVU appears to be operating on a community college basis and needs to step it up. When Policy 637 was created, it was on the basis that there would not be more than 30 tenure applications a year. This upcoming year there will be approximately 80. Working on developing language to open Policy 637 on a limited scope.
* Personnel & Elections – Gerber reported that elections will be coming up soon for your departments. Is finalizing the allocations for senators list and will be contacting departments soon. Elections will begin in February. Bracken also noted that elections are being held earlier to assist departments in scheduling. We will also be taking nominations for President and Vice President on February 7th. Qualifications for President and Vice President are that you are a current senator or have served previously on senate and need to be a tenured faculty member.

GOOD OF THE ORDER

* Jorgensen invited all to a panel discussion on Global Challenges in Cyber Security held in the Fulton Gallery of the Library at 10:00 a.m.

Meeting adjourned at 4:55 p.m.