

UNIVERSITY OF NEW HAMPSHIRE
2006-07 FACULTY SENATE

NOVEMBER 13, 2006

MINUTES SUMMARY

I. Roll – The following senators were absent: Afolayan, Baldwin, Burger, Ferber, Kaen, Naumes, Reid, Schiller, Tenczar and Walsh. Excused were Bachrach, Jacobs, Morgan, and Niser.

II. Remarks by and questions to the chair – The senate chair reconfirmed that student government invites faculty senators to join student senators for a potluck dinner immediately after this senate meeting, from 5:30 to 7:30 p.m. in the Entertainment Center of the Memorial Union Building. The senate chair said that he has sent a letter to the chancellor withdrawing the invitation for him to participate in the November 6 Agenda Committee meeting and the December 11 Faculty Senate meeting, during work to rule. In addition, the senate chair sent a letter to the university's interim president, provost and senior vice provost, withdrawing their general invitation to the Agenda Committee and Faculty Senate meetings. The chair also informed the provost's office that the Faculty Senate will only appoint a representative to the Faculty Awards Committee after work to rule has been rescinded.

The senate chair said that he met with the Academic Leadership Council, which was formerly the Deans' Council. At that meeting, he distributed the visioning seminar document and gave an oral summary of it. He added a particular request that, since the contract negotiations are at impasse and the faculty are under work to rule, the deans do what they can to facilitate the negotiations so that the impasse will not continue to fester between faculty and administrators. The senate chair and vice chair also met with the university's interim president, who said that she is satisfied with the process of and the progress on the COLSA reorganization. The senate chair informed the interim president that, during work to rule, the Faculty Senate and the Agenda Committee have withdrawn their invitations to the chancellor and that the Faculty Senate will continue to meet but will take no votes on shared governance matters.

In September, the Agenda Committee met with the vice president for research and public service, who said that he was reorganizing the Office of Research and would like to change Taylor Eighmy's title to assistant vice president for research, with no increase in salary and no budget impact. That change has now been approved by the system office and is being implemented by the Office of Human Resources. Senator Jacobs had suggested that there should be a better internal job-ladder transition for faculty to the administration, and John Aber expressed appreciation for the suggestion.

The 9/11/06 Faculty Senate minutes say that the provost stated that the university scholarship policy will preserve departments' discretion and deem as "merit-based" all student scholarships except those where the donor explicitly expressed a contrary intent on the occasion of making the grant. The senate chair will send a letter to Mark Rubinstein abstracting the pertinent sections of the minutes and asking what steps he or the provost has taken to ensure that the Office of Financial Aid understands and will implement this agreement.

When the senate chair makes a ruling during a senate meeting, any senator may ask for a vote on the ruling of the chair. According to the booklet "The A-B-Cs of Parliamentary Procedure", a member should say "I appeal from the chair's decision", and the member may interrupt the speaker

for that purpose. That appeal needs a second, is debatable, cannot be amended, and requires a majority vote in the negative to reverse the chair. Fred Kaen has resigned as chair of the senate's Finance and Administration Committee, and the senate chair has asked David Bachrach to be the convener of that committee. The Agenda Committee has discussed the impact of work to rule on committees and has noted that some committees have special importance. For example, the Professional Standards Committee has a legal role prescribed by the faculty contract; and two other committees must approve research on human and animal subjects, in order for grants to go forward to funding agencies. The Presidential Search Committee also has special impact, and faculty want to have input on that choice.

III. Minutes – The senate approved the minutes of the last Faculty Senate meeting unanimously except for one abstention.

IV. Motion on senate representation on university-wide committees during work to rule – Mark Wrighton moved and Chris Balling seconded **a motion saying that, “for the duration of work to rule, the Faculty Senate shall recall its representatives to those university committees on which it has representation.” The rationale for this motion is that since, for the duration of work to rule, the senate will not be considering university-initiated business (as per the first motion passed on 10/30/06), nor sending representatives to university ceremonial functions (as per the second motion), nor having university administrators address the senate, it should also not contribute to quorums for university committees, the work of which benefits the university administration.**

A friendly amendment was made and accepted to add to the main motion: “with the exception of those committees deemed by the Agenda Committee to be critical for faculty or students”. The rationale would also state that the Agenda Committee would report to the senate any exceptions and that the Faculty Senate could rule on them if it wished. The motion seconder said that he agrees with the amendment, because faculty need certain committees to be active. The senate chair presented a list of university-wide committees to which the senate has been asked to name members in recent years. Senators mentioned some committees which may need to continue to have faculty representation. For example, the University Curriculum and Academic Policies Committee serves as an appeals board for any disagreements on curriculum among the university's colleges and schools.

A professor said that since, under work to rule, faculty are to make their own personal decisions about each situation, the senate should not legislate this matter; and he added that the senate should not discuss union issues. A senator replied that, in the last senate meeting, the senators decided that it was appropriate to discuss these issues, which are faculty concerns and not bargainable matters. Another professor said that the senate should decide how it will respond as a senate body to the current situation. If a person serves on a committee as a senate representative, that representative has a responsibility to do as the senate directs. However, if a professor had been invited personally and not as a senator to serve on a committee, then he or she should make an individual decision about whether or not to continue to serve during work to rule. The Faculty Senate is the guardian of the academic policy of the university and has a role separate from that of the faculty union. The union deals with conditions of employment and the senate with academic affairs, and the senate does not vote on any bargainable issues. A professor said that, if the bylaws of a specific university-wide committee are such that it can move forward without faculty representation, then he

would be against withdrawing faculty representation. He added that many search committees are very important.

A professor said that senators should look at each committee charge and decide whether it is routine work or a task of special importance to the welfare of faculty or students. Committees should review each charge to see whether it is routine or of special importance. Under the amended motion, the Agenda Committee would review the university-wide committees and decide which committees should be exceptions to the motion. Then the Agenda Committee would inform the senate about any exceptions, in order to allow for senate modification if needed. The senate would withdraw its representatives from the other committees. A senator said that he is uncomfortable with the motion, because each faculty member should make his or her own decisions and because faculty need a louder voice, not a smaller one. **The amended motion passed, with twenty-seven ayes, seven nays, and two abstentions.**

V. How to proceed regarding grade distributions, course evaluations and course rankings? – In several Faculty Senate meetings last year, faculty objected to the fact that the administration is now making available to the pick-a-prof internet company and others the grades given by individual professors and also the professors' teaching evaluations from students. As part of that discussion last year, a professor suggested giving course ranks to students instead of or in addition to grades. The senate intended to establish a task force to consider these issues this year. Last year there was a proposal that grade distributions of faculty must be entered into the personnel files of individual faculty and that the grade distributions must be treated by deans and department chairs as personnel records with all protections of privacy implied and that therefore the administration should suspend public dissemination of grade distributions. Faculty also noted that student evaluations of teachers are not validated for the purpose of students choosing courses and that therefore the information on the internet is being misused. However, the university counsel wrote that he predicted that, if a commercial firm were to sue the university on the basis of right to know, the judge would grant the petition to require the university to disclose the grade distribution reports. Any such information that the university keeps in electronic form must be distributed electronically under the right-to-know law. Previously the teaching evaluations were kept in hard copy only and were available in the UNH library, but the university recently changed its policy and now keeps the records electronically. Today senators expressed concern that action on this matter is not urgently needed during work to rule and that, if the matter were taken up now, it is possible that changing the grading system might be perceived by some as a form of labor action. **The sense of the senate is that the issues of grade distributions, course evaluations and course rankings should be dealt with after work to rule has been rescinded.**

VI. University institutes – The 9/25/06 senate minutes say the following: “A senator said that a report in the Campus Journal stated that the Institute for the Study of Earth, Oceans and Space has become the first university institute and that the Faculty Senate had reviewed the document. Did the senate vote on that policy? The former senate chair replied that the senate had an informal opportunity to review a draft of the institute policy but that the draft was withdrawn. There was supposed to be a second draft that the senate would have the opportunity to review, but that did not happen. Last year's chair of the Academic Affairs Committee said that his committee had reviewed and suggested changes to a small component of the Policy on University Institutes and that the committee recommended that courses proposed by University Institutes should be evaluated and approved by an appropriate degree-awarding department or departments, as well as by the college

or colleges and the Graduate School. Should the senate chair raise a formal question with the provost on how the Policy on University Institutes was put into practice without the Faculty Senate getting the opportunity to make a recommendation on the final draft?"

Mark Wrighton moved and Ruth Sample seconded that the senate chair should raise a formal question with the provost on how the Policy on University Institutes was put into practice without the Faculty Senate getting the opportunity to make a recommendation on the final draft. Senators expressed concern that the administration has a pattern of trying to make academic decisions without the approval of the Faculty Senate. A senator pointed out that on 5/1/06 the senate passed a motion requesting that the Provost's Office revise the university policy and EOS revise its proposal so that (1) courses proposed by University Institutes are evaluated and approved by an appropriate degree-awarding department or departments, as well as by the college or colleges and the Graduate School, (2) the evaluation and approval process achieves the same level of checks and balances as those used by departments, (3) an unambiguous statement of the approval process is included in both the university policy defining University Institutes and the University Institute Proposal from EOS, and (4) the proposal clarifies what the composition of the EOS University Institute Curriculum Committee will be and how the members will be selected.

Moreover, the university institute document states that the University Curriculum and Academic Policies Committee will have review of the draft university institutes policy, but UCAPC did not review the draft policy. UCAPC is a senate committee which must present its recommendations to the Faculty Senate for review. Faculty had expressed concerns about tenure and funding aspects and the question of to whom research faculty are responsible, but the Faculty Senate did not get the expected chance to review the final draft of the policy. **The unanimous sense of the senate is that the senate chair should raise a formal question with the provost, on how the Policy on University Institutes was put into practice without the Faculty Senate getting the opportunity to make a recommendation on the final draft.**

VII. Update on implementation of senate motions – The senate vice chair is reviewing all of the motions passed by the Faculty Senate in the last two years, in order to be sure the motions have been implemented. Of thirty-four motions, including those passed at the last senate meeting, the vice chair has confirmed the implementation of fifteen and is still tracking down information on the implementation of the remaining nineteen motions. He has no evidence that any of the motions have not been implemented. He will continue this review and report the results to the senate later.

VIII. Adjournment – Today's meeting was adjourned.