

UNIVERSITY OF NEW HAMPSHIRE  
2006-07 FACULTY SENATE

NOVEMBER 27, 2006

MINUTES SUMMARY

I. Roll – The following senators were absent: Afolayan, Baldwin, Balling, Burger, Calculator, Chasteen, Ferber, Kaen, Rebellon, Schiller, Tenczar and Walsh. Excused were Miller, Niser, Reid and Slomba. Guests were Joanne Curran-Celentano and Katherine Steere.

II. Remarks by and questions to the chair – The senate chair said that some members of the Faculty Senate recently attended a potluck put on by the Student Senate. At that dinner, an international student suggested that, when discussing diversity, we should consider that that UNH does not have good systems in place for international students or for their recruitment. As the number of high-school students in New Hampshire decreases, the university could consider this opportunity and perhaps set up programs, recruitment and support systems that might be attractive to international students. How would the university find the appropriate resources and targeted recruitment opportunities? The Faculty Senate could discuss these issues when work to rule is rescinded. Perhaps the university could look at existing exchange programs which flow in both directions and see how to expand them. The Center for International Education might provide good information. Some universities have international residence halls. A professor said that his previous university had four times as many international undergraduate students. The senate chair will share with the administration these ideas and concerns.

Regarding the motion passed in the last senate meeting, on withdrawing during work to rule the representatives appointed by the Faculty Senate to university committees, the senate chair said that the Agenda Committee approved that the following four committees should be considered exempt from that recall: the Professional Standards Committee, the Presidential Search Committee, the University Curriculum and Academic Policies Committee, and the COLSA Programmatic Review Committee. If changes to the above list seem advisable in the future, the Agenda Committee will inform the senate at that time. The committees on human and animal research subjects do not appear to have appointees from the Faculty Senate. The senate chair sent the following letter to the senate-appointed representatives to university-wide committees.

If you are serving as a representative appointed by the Faculty Senate to a university-wide committee, this note is to inform you that the Faculty Senate has voted to recall its representatives to those university committees on which it has representation, with the exception of those committees deemed by the Agenda Committee to be critical for faculty or students.

At this time, the Agenda Committee considers that the following committees are exempt from this recall: Professional Standards Committee, Presidential Search Committee, University Curriculum and Academic Policies Committee, and the COLSA Programmatic Review Committee. For the other university-wide committees, the recall is in effect until work to rule is rescinded.

However, it has come to our attention, that the COLSA Programmatic Review Committee has been disbanded and replaced by the COLSA Strategic Planning Committee. The latter committee does not have members appointed by the Faculty Senate. In addition, the Agenda Committee received a

request to appoint a member of the Selection Committee for Social Justice Awards. Even though social justice is a very good cause, the Agenda Committee considered the motion passed in the last senate meeting and declined to send a representative until the faculty contract is settled. The Agenda Committee will consider soon the suggestion to establish an award for outstanding senator.

III. Minutes – The senate unanimously approved the minutes of the last Faculty Senate meeting.

IV. Update from the Academic Affairs Committee – This committee discussed whether it could continue to work on its charges during work to rule and decided that the committee could not. Since the Faculty Senate is not entertaining any motions for action, the committee found that it would not be productive to move forward on preparing such motions at this time. The committee regrets the state of contract negotiations and is eager to get to work on the faculty's business. The committee chair said that the deadline has already passed for the necessary lead time for implementing the Discovery Program by the fall of 2007. The Discovery Program implementation should not proceed without the approval of the Faculty Senate. Although the administration has put resources into the program, the Faculty Senate started the initiative and must approve its implementation, in order for it to go forward. Changes in academic policy are the purview of the Faculty Senate. Also, the Academic Plan is an example of shared governance. A past senate chair said that, without faculty participation, these matters should not go forward. If they do go forward without faculty participation, that would constitute a violation of shared governance; and the Faculty Senate should act accordingly, as stated in the motion passed by the senate on 10/30/06. The first two charges of the senate's Academic Affairs Committee are to make recommendations on the implementation of the Discovery Program and to review the Academic Plan.

V. Has the administration violated shared governance regarding institutes? – In the 9/25/06 senate meeting, a senator said that a report in the Campus Journal stated that the Institute for the Study of Earth, Oceans and Space had become the first university institute. However, the Faculty Senate had never received the final draft of the proposal, for review and approval. The 11/13/06 Faculty Senate instructed the senate chair to contact the provost about this matter; and the senate chair, when doing so, quoted the senate minutes and added that, although the senate did consult on some aspects of the policy on university institutes, in fact there was no motion in the Faculty Senate to support the creation of the policy. He continued:

The Senate jealously guards its role as the arbiter of academic and research policy on campus. One can conclude that without formal Senate approval, there is no authority to construct an Institute. While presidents and vice presidents for research may formulate policy, in fact it is the Senate which retains formal authority on such matters. This formal authority is made more evident by the Senate's re-iteration of the responsibility of UCAPC to report to the Senate and the authority of the Senate to move UCAPC recommendations.

I believe that this issue may become troublesome and will require diplomatic resolution. While it is not an error of intent on either part, it is an error of policy execution and needs to be made right.

The provost wrote back, and the senate chair replied on 11/21/06 that:

From our correspondence we seem to agree that the policy on formation of institutes has not formally passed through the Senate. May I respectfully request that you submit that policy to the Senate for review?

As you already understand, that policy will automatically be referred to UCAPC and to the Committee on Research. However, there will be no action taken until contract negotiations are concluded. This item will appear on the Senate agenda for next Monday.

A senator said that the senate passed a motion on university institutes on 5/1/06. However, that motion addressed only the creation of courses for institutes, and the motion was not an approval of the university institute policy as a whole. Certain aspects of that policy were revised as a result of senate input, but the policy as a whole was not approved by the senate. The aspects considered by the senate were reviewed because senators had expressed concern about the methods by which institutes were appointing faculty and creating courses, without going through normal academic channels. The EOS proposal was withdrawn for modification and was to be brought back to the senate for approval, but that did not happen.

On 12/12/05, the Faculty Senate had passed a motion which said in part that the Faculty Senate is the legislative body that reviews and develops policy concerned with the academic mission of the university and also that the Faculty Senate reaffirms “its commitment to the principle that the faculty has primary responsibility for curriculum, subject matter, methods of instruction, research, artistry, faculty status, and those aspects of student life which relate to the educational process. On these matters, the power of review or final decision lodged in the governing board, or delegated by it to the president, or delegated by the president to other administrative officers should be exercised adversely to the reasoned view of the faculty only in exceptional circumstances and for reasons communicated to the faculty.” This principle was violated by the implementation of the Policy on University Institutes and the creation of the formal Institute for the Study of Earth, Oceans and Space, without the approval of the Faculty Senate. The provost had said that the institute guidelines were:

... initially developed by Vice President Sundberg, in consultation with Provost Hiley, in the spring and fall of 2001. I do not know what consultations with the Senate might have occurred at that time. President Leitzel approved the guidelines in the fall of 2001, and the policy was added to the USNH Policy Manual in the spring, 2002. Subsequently, when I became provost in July, 2003, I became aware of the existing guidelines and began to apply them as the Institute for Earth, Oceans, and Space initiated a proposal to become the first University Institute. In this process, I worked with the Deans’ Council and Vice President Aber to make some modifications in the guidelines so they would be clearer, more useful, and more closely aligned with the Academic Plan that was approved by President Hart in the fall of 2003. As evolving drafts of the EOS proposal were shared with the Senate Agenda Committee and UCAPC, the input of the Senate influenced the modifications.

Provost Mallory added that language was added to the institute guidelines as a result and that those changes “represent clear evidence that the Senate had significant and meaningful input to the current version of the guidelines, perhaps in spite of a lack of direct input during the initial work in 2001.”

A senator expressed concern about how senate action now on these issues would affect EOS faculty, who had worked hard on the application for EOS to become a formal university institute. She added that the on-line document on university institutes stated that the “draft proposal will be modified to incorporate the recommendations and assessments of the external panel of experts and then distributed for review simultaneously to the following groups: Deans’ Council, Dean of the Graduate School (who will consult with the Graduate Council), the University Curriculum and Academic Policy Committee, [and] the President’s Cabinet.” However, the administration did not actually submit the final proposal to UCAPC for review. UCAPC is a committee of the Faculty Senate and reports its recommendations to the Faculty Senate, for approval or action by the senate.

A senator said that everything the Faculty Senate does is advisory but that the administration should only make a decision against faculty views on academic matters in really extreme circumstances. This is clearly an academic issue, and the administration should submit the institute policy to the Faculty Senate for review and consideration of approval. The administration should, as a matter of course, present to the Faculty Senate for approval the final draft of all changes in academic policy. Also, there may be other entities which are up for approval as university institutes, and we should make it clear that they should not be approved until this issue is resolved. Although EOS has existed for many years, it originally was not offering courses in the way it now does, nor did it have a seat on the deans’ council or status as a responsibility-center management unit. The matter should go back to a pending situation, and the senate should deal with it after work to rule is resolved. The 10/30/06 senate motion said that the Faculty Senate expects the university administration to take no decisions and no actions on all those areas over which the faculty has primary or co-equal responsibility. The senate should tell the provost that this matter falls under that motion.

Following extensive senate discussion, David Richman moved and Lawrence Prelli seconded a motion which, after two friendly amendments were accepted, said that **it is the sense of the Faculty Senate that the senate chair communicate to the provost that the Faculty Senate would like to peruse for approval the Policy on University Institutes in its entirety and its implementation and that the Faculty Senate will take those items up after the faculty contract is approved and that, until then, the policies will be considered pending.**

Some senators were concerned that EOS or its funds or grants might be affected. Another senator said that we should communicate to the provost that faculty are committed to shared governance and that faculty expect him to be committed to it also. The senate vice chair suggested that the motion should be left as it is but that **the senate chair should craft a preamble capturing this discussion and recognizing that EOS has done a good job and could have its seat on the deans’ council but that faculty want shared governance on this matter. The motion passed with twenty-two ayes, five nays, and two abstentions.**

VI. New Business – A senator announced that faculty fora will be held for two candidates for university president, on December 5 and 7 from 12:30 to 1:30 p.m., and that the candidate’s names will be announced tomorrow.

VII. Adjournment – Today’s meeting was adjourned.