

UNIVERSITY OF NEW HAMPSHIRE
2007-08 FACULTY SENATE

SEPTEMBER 10, 2007

MINUTES SUMMARY

I. Roll – The following senators were absent: Barcelona, Park, and Tenczar. Guests were Mark Rubinstein, Anne Lawing, David Cross, and Paul Dean.

II. Emergency preparedness – Deputy Police Chief Paul Dean is the university's emergency management coordinator. This year the police are walking through the academic buildings in the daytime in addition to their usual nighttime patrols. The university has installed a siren and loud-speaker system which can be activated from a distance, to inform people on campus about threats. Announcements on radio stations, a phone tree system, and text messaging could be used as well; and it may be possible to get the fire alarm system to give verbal warnings of threats. Possibly the university may invest in a reverse 911 system which could call and leave a message on all university phones, as well as cell phones or off-campus phones that were programmed into the system. The focus is on redundant communication in order to reach the maximum number of people.

Anne Lawing, the senior assistant vice president for student affairs and academic services, said that the number one cause of disruptive behavior by students is the overuse of alcohol. Any violent or disruptive behavior is dealt with according to the "Student Rights, Rules and Responsibilities" document, which is the student handbook. Students who are deemed to be a danger to themselves or others may face temporary or interim restrictions including eviction or suspension. Students have the right to due process. The Clery Act is a federal law which states that all universities must report certain crimes and produce timely warnings of any on-going or repeated threat. Such information might be disseminated on email, flyers and/or the university website. Anne Lawing said that records of local arrests are shared with deans' offices and others in the university community and that conduct records, internal to UNH, are shared with people who have a need to know, as specified by the federal privacy law. The privacy law affects what information can be shared. Students with mental health issues may be undiagnosed or have medication prescribed to control the condition.

Faculty or staff who are concerned about a student could communicate with the Police Dispatch Center at 2-1427 or call 911, depending on the urgency of the situation, or could discuss the matter with the office of the vice president for student and academic services (2-2053) or the University Counseling Center (2-2090). The counseling center has a presentation on managing difficult people and would like to present this program to university departments. The university also has a procedure on how to deal with harassing emails. A professor suggested that there should be drills, to help faculty be more aware of how to respond in an emergency. The deputy police chief responded that the police would be happy to run drills but do not want to disrupt the teaching time. There are table-top exercises, and some opportunity to test and drill would be valuable. Interested departments or units should contact the university police department.

If a problem were to occur on the Wildcat Transit System in a neighboring town, the university police would coordinate their response with the local police in that town and with the state police, according to a mutual aid agreement. University personnel may reach a mental health worker at any time by calling the University Counseling Center. If it is not open, the caller will be redirected to a mental health worker at Portsmouth Regional Hospital. University classrooms generally do not

have locks. If a shooter were in a hallway, people in nearby classrooms should close and barricade the doors. Police can reach any place on campus within a few minutes.

Faculty would like to be told if they are teaching a student who has made threats or violent writings. Universities are reevaluating what they can and should do under the Clery Act and the federal privacy laws. The university tries to look at each student holistically and evaluate the situation. A senator suggested that the university should give training to the teaching assistants on how to deal with various threats or emergencies. The university is trying to communicate with various groups and constituencies and will soon provide a one or two-page document on how to deal with threats or emergency situations, with additional documentation that could be accessed if desired. If a student has been dismissed, would the teachers be told, in case the student were to return to campus? Anne Lawing said that the associate dean could notify faculty and staff if necessary. Mark Rubinstein said that, if a student is known to have made a threat against a faculty member or someone else, the university would notify the person who was threatened. [Dr. Rubinstein would like to add that it is important to understand that the greater threat than harm to others is harm to self. The Center for Disease Control estimates that approximately 1,100 college students commit suicide in a typical year and a far larger number attempt suicide, and so incidents in which others are harmed are relatively less common than incidents in which students in distress harm themselves.]

III. Remarks by and questions to the chair – The senate chair welcomed the senators to the Faculty Senate and stated that the senate plays an important role in shared governance and is the voice of the faculty on academic issues. Senators need to work to make sure that this voice will be heard. Currently with work to rule in place, the senate’s Agenda Committee is monitoring the situation to try to make sure that no academic changes are made without the appropriate shared governance and faculty input. The senate chair said that in the senate meetings he must act as a neutral moderator, and he asks senators to address their comments to the chair and not to indulge in ad hominem comments. Senators who have not yet spoken on a given issue will be given priority over those who have already addressed the matter.

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

V. Orientation – The senate chair said that the senate is most effective when issues are reviewed by a senate committee, so that information can be gathered and a good motion crafted, before the matter is considered by the full senate. The senate chair asked the senators to familiarize themselves with the orientation document which was sent to them, summarizing how the senate functions and how to use Robert’s Rules of Order.

VI. Senate policy on motions of censure – **On behalf of the senate’s Agenda Committee, Ruth Sample moved the procedure on motions of censure as follows.**

The procedure outlined follows (and largely quotes) the Collective Bargaining Agreement between the USNH Board of Trustees and the UNH Chapter of the AAUP procedure described in Section 14.2.4 with appropriate changes.

When a motion of censure by the Faculty Senate of an individual for specific actions has been moved and seconded, the following order of procedures will be followed:

- 1. The motion of censure is tabled.**

2. **Conference by the Agenda Committee of the Faculty Senate with appropriate administrators and/or faculty. Case may be resolved by mutual agreement among the aggrieved parties, dismissed, or referred to the Professional Standards Committee.**
3. **The Professional Standards Committee of the Faculty Senate informally inquires into the situation, attempts to mediate a mutually agreeable resolution, and, if no resolution is reached, makes a recommendation concerning censure to the Faculty Senate Agenda Committee and the Faculty Senate.**
4. **The motion of censure is debated and voted upon by the Faculty Senate.**

Censure (4): An adverse judgement, unfavourable opinion, hostile criticism; blaming, finding fault with, or condemning as wrong; expression of disapproval or condemnation. (From *The Oxford English Dictionary*, 2nd ed., (1989); <http://dictionary.oed.com>. Retrieved 27 March 2007)

Because the above is a motion from a senate committee, no second is needed. The Agenda Committee members think that a procedure is needed which includes gathering facts and consulting with those involved. The senate chair said that he believes this motion is compatible with the collective bargaining agreement. He added that this charge to the Professional Standards Committee would be independent of any other role that the Professional Standards Committee may have. The procedure provides a mechanism to deal with any privacy issues which may exist. As part of this procedure, any recommendation by the Professional Standards Committee would be presented to the Faculty Senate for debate and a senate vote. Complex issues need to be dealt with deliberately and cautiously, and this procedure would do that. The definition of censure is explained clearly in the procedure, and the degree of disapproval could be made explicit in any motion of censure. Censure is a serious matter because it could affect promotion or a search for new employment. A motion of censure expresses disapproval, whereas a motion of no confidence says that the Faculty Senate has lost confidence in the person's ability to act effectively. The procedures recommended today will help ensure that the senate's decisions are credible and based on all the facts.

The Professional Standards Committee is a senate committee, but its members are elected from among the faculty at large. Item two of the procedure allows the Agenda Committee in some circumstances to resolve the matter without referring it to the PSC. However, the Agenda Committee would have to report this to the senate, which might choose to overrule the Agenda Committee, if a senator were to propose a motion to do so. Last spring, as a result of a compromise among the parties, the motion the senate passed did not explicitly mention censure but said "We the Faculty Senate register our strongest disapproval of the Dean's response to a Chair defending the interest of his department. We find the response unacceptable."

A senator expressed concern about delaying censure motions by sending them to committee; and last year's chair of the Professional Standards Committee replied that his committee met last spring for twenty hours in one week, to gather facts and consult with the people involved promptly, in order to deal with the motion of censure in a timely fashion. **Today a friendly amendment was accepted that the last sentence in item two should read: "Case may be resolved by mutual agreement among the aggrieved parties, dismissed, or referred to the Professional Standards Committee."** The motion with this amendment passed unanimously.

VII. Senate policy on motions of no confidence – **On behalf of the senate’s Agenda Committee, Ruth Sample moved the procedure on motions of no confidence as follows.**

The procedure outlined follows (and largely quotes) the Collective Bargaining Agreement between the USNH Board of Trustees and the UNH Chapter of the AAUP procedure described in Section 14.2.4 with appropriate changes.

When a motion of no confidence by the Faculty Senate of an individual or individuals has been moved and seconded, the following order of procedures will be followed:

- 1. The motion of no confidence is tabled.**
- 2. Conference by the Agenda Committee of the Faculty Senate with appropriate administrators and/or faculty. Case may be resolved by mutual agreement among the aggrieved parties, dismissed, or referred to the Academic Affairs Committee.**
- 3. The Academic Affairs Committee of the Faculty Senate informally inquires into the situation, attempts to mediate a mutually agreeable resolution and, if no resolution is reached, makes a recommendation concerning no confidence to the Faculty Senate Agenda Committee and the Faculty Senate.**
- 4. The motion of no confidence is debated and voted upon by the Faculty Senate.**

No Confidence: A statement that the person or persons in question has or have lost the confidence of the Faculty Senate in the person’s ability to act effectively.

After a brief discussion, **the motion passed unanimously.**

VIII. Senate committees – The list of Faculty Senate standing committee members and chairs and the committee charges have been sent to the senators. The senate chair said that each committee should look at its charges and decide when the committee should deal with each charge, consistent with work to rule. The senate chair said that he will meet with the committee chairs soon to discuss the charges and the functioning of each committee. The senate chair announced that the new faculty members of the senate’s University Curriculum and Academic Policies Committee are Clayton Barrows, Lawrence Prelli, Elizabeth Slomba, and James Tucker. Most of UCAPC’s faculty members are elected by the faculty in their college. The newly-elected members of the senate’s Professional Standards Committee are Professors Michael Carter, Lee Seidel and Susan Walsh.

When not under work to rule, the senate and the Agenda Committee meet frequently with the president and the provost. Also the senate standing committees consult regularly with their corresponding administrators. However, under work to rule, the senate and its committees do not meet with administrators unless that is needed for a special reason of importance to faculty. In general unless faculty decide to make a special exception, decisions on academic matters should be frozen during work to rule. Last fall, the Faculty Senate passed motions on this; and the senate is carrying through on those motions. For example, the decision on implementation of the Discovery Program will be held in abeyance by the senate until after work to rule is over. Most of the senate committee charges will also be held until work to rule is finished. The Faculty Senate now must be especially vigilant to see that decisions on academic matters are not taken by the administration without shared governance. The senate chair and vice chair do meet with the administration during work to rule and will reiterate the above during those meetings.

IX. Adjournment – Today’s meeting was adjourned.