



FACULTY SENATE

Faculty Senate Meeting Minutes

October 20, 2017

1:00 PM until adjournment

EIT Auditorium

I. Welcome and Roll Call

Present: **CALS**— Al-Shukri, Stone, R Street, M Douglas, Cheatham, LeGrand, Smith, Warner, Barrio-Villar, Law, Kyong-McClain, S Thibeault. **CB**—Wooldridge, Vibhakar, Hendon, Leonard. **CEHP**— Evans, Otters, Grover, Vander Putten, Nolen, Fletcher. **CSSC**— Flinn, Blevins-Knabe, Lopez, Matson, Scranton. **CEIT**— Tramel. **LAW**— Boles, Foster. **LIBRARY**—Schmidtbauer. **EXOFFICIO** - Rogerson, Wright, Anson, Burton, Harper.

Absent: **CALS**— S Woolbright, Nguyen. **CB**— **CEHP**— Stieve, Franklin, Atcherson, **CSSC**— Craw, Golden, Giammo **CEIT** — McMillan, Jovanovic, Deangelis, Berleant. **LAW** ---Fitzhugh. **LIBRARY**— Macheak **EXOFFICIO**— Gregory, Harper

II. Review of Minutes

August 25, 2017 approved September 15, 2017 approved

III. Introduction of New Topics (2 minute limit)

Board is revising 405.1 and drafts have been distributed. Pres. Wright read the documents into the record (see attachments).

R Cheatham: Time frame for board deliberation? A Rogerson: We have about a week for comments.

A Wright: formal response should come from executive committee; if you wish a comment to come thru ExComm get it to us soon.

IV. Airing of Grievances (2 minute limit)

J Evans: Please ask eSTEM students to give way to people on the sidewalk as we come onto campus; parents are dropping students off in Lot 5

BBKnabe: some students are playing soccer on the brick paths. Liability?

V. Announcements

J VDPutten: The Arkansas chapter of the American Association of University Professors one-day Fall drive-in conference meeting will be held on Saturday, November 4 at the UCA Downtown campus. This meeting is open to all who wish to attend.

The meeting will begin at 10am with snacks and socializing for half an hour, followed by discussion items, then boxed lunch at 12pm, followed by additional discussion items before ending at 2pm.

The UCA Downtown campus is located at:

[1105 West Oak Street](#)

<http://uca.edu/downtown/>

VI. Election of Administrator to Faculty Appeals Council (1 year position, 2 year position)

R Cheatham moved acceptance by acclamation (1 year - Jeff Connelly, 2 year - Shannon Collier-Tennison)

VII. Reports

A. Executive Committee – Andrew Wright

Interpretation of Legislation – Additional Degrees: Interpretation attached

R Cheatham: question about existing degree and obtaining a second; extensive technical exchange ensued about the minutia of double-degrees.

S Thibeault: If I have a degree, may I count the same courses for a second degree (double-dipping)? Gave example of dance student required to take extra hours beyond residency requirements.

A Wright: The rules relevant to that changed in 2013. That's the main reason for those rule changes.

A Wright moves to adopt: motion passes

B. Chancellor's Report – Andrew Rogerson

Re: eSTEM inside problem solving committee Mark Allen P Recommends we review the MOU.

Enrollment: Fall 2012 11,610 Fall 2017 9,685

Discovery Day was a success = 40 additional applications Discovery Day.2 Nov 3 2017

Funding distribution charts - prepping toward Sept 2018 Productivity: we are 1.6% down = no additional \$ mentions high achievers who went up by 6% = more money to base and more 1 time funding

L B : Will concurrents count? AR: Yes there is a formula that graduates with number of credits.

S Thibeault: definitions? AR: can see on website

E Anson: Aren't other schools in the system (e.g. UAF) cannibalizing enrollment from UALR? AR: yes, but there is no penalty for that. the funding formula covers out of state students.

New hires: planned giving, alumni director

United Way: going well

Donaghey Funding - will pay for downtown center for three years

C. Provost's Report – Velmer Burton

V Burton: the undergraduate research signature experience - 80 submissions; we will fund 50 of them. (NOTE: the chancellor increased funding and 79 awards were eventually funded.)

Met with a few academic departments and will do that yearly.

developing new degrees in some programs

freed up funds in academic affairs and faculty hires

HLC accreditation and the importance of assessment:

Erin Finzer: K Drale gave analogy for the massive effort for accreditation and the necessity of coordination and completion. She will be moving back to her original role and turn over work to Erin and M DeAngelis

- We have lots of documentation of procedures and policies but need to concentrate on the gaps; A five member task force has been appointed to deal with this.
- She mentions the Western Governors issue
- We have been busy this year with assessment efforts on campus and have submitted our first annual report. We have a beefy agenda and have begun to fulfill it.
- professional development -- writing outcomes and learner objectives
- piloted forms for assessment plan and report-- assessment management system. We were hoping that Bb would work for that but it remains to be seen.
- We have largely succeeded in establishing baseline and can grow from there.
- something about SKIM
- Common sense guide to assessment available in the provost's office
- In January there will be a 1 day retreat for departments that still need help
- hoping for an assessment appreciation event
- Workshops coming up for admin and faculty
- Assessment efforts are aimed at comprehensive view that dovetails with our work. Not an additional load but an integrated quality improvement process.

D. Graduate Council – Brian Berry posted

S Thibeault: PCF needs all colleges updated in the drop down menu. CoALS cannot submit program changes!; E Finzer and M Tramel will check

E. Council on Core Curriculum and Policies – Belinda Blevins-Knabe posted

link on webpage to reports

F. Undergraduate Council – Mike Tramel posted

VIII. Old Business

- A. Motion FS_2017_24.** Executive Committee (Legislation. Majority Vote at One Meeting, no second required) Judicial Policy Update – faculty appeals

Be it resolved to modify Judicial Policy legislation per the mark-up on the faculty senate web site (underline represents addition, strike-through represents deletion).

Commentary: Only the faculty appeals will be considered at the October Faculty Senate meeting per action of the Faculty Senate at the August meeting.

R Woolridge: Where are we in in what caused us to take this action? A Wright explains we have 4-5 instances a year, mostly dismissals that cause questions and concerns.

Board policy requires we have these policies

gives a pathway of appeal

J Hendon submitted some written comments on the appeals document (See attachment A).

R Woolridge: we have faculty who have made comments about these policies; biggest issue is the complexity of the policies and that it should be clear and plain. Concerns about lawyer's language. Concerns about use of the word 'should'. Are the timeframes adequate? What are the problems we are trying to solve with this rewrite? References to HR and other terms that are of debatable appropriateness

R Woolridge submitted some written comments on the appeals document (see attachment B).

P Tschumi: Explanation of history and rationale regarding this legislation

A Nolen: question about non-tenured faculty members

A Vibhakar: question about Fred's memo

PT: had a number of attempts at clarification from Fred but was stonewalled. Bobbitt disagreed with Fred....reminds that lawyers are not our friends

L Foster: We are trying to conflate two things that don't go together. In section 9 says it is about teaching and service but appears to apply only research. Deals with plagiarism which may conflict with other areas of the policy.

A Wright asks for issues or concerns to secretary in writing

A Nolen: questions about 405.1: appears to be missing something and references handbook?

Ed Anson: moves to change 'should' to 'will'

L Foster: asks a procedural question

A Boles: will we be proceeding through these documents line by line

A Wright, P Tschumi, E Anson, and R Cheatham: All attempt to explain the history and the process and the work done -- and the need for action.

S Woolridge: Needs list of reasons, actions that lead to this set of circumstances.

BBKnabe: Could we go back to line by line, please?

A Wright: Adjourns the Senate to Committee of the Whole-- we are now here as a committee. Proposes a straw poll to see determine the where people are in general.

P Tschumi: Must go line by line

P Scranton: A straw poll asks a false question: "Do we want to proceed as we planned, over a period of years, or discard the process altogether."

J Hendon: What are we being asked to do and why?

P Tschumi: Going line by line will give opportunities to explain what and why.

M Douglas: Could we have de-identified cases that illustrate the issues?

A Nolen: Are we dealing with a failure of policy or a failure of people to implement the policies?

E Anson: Can we not review this as a whole and return to line by line?

A Wright: Reconvene the senate meeting: line by line of VI. Faculty Appeals and Grievance Procedures Sub-Policy

A large number of amendments to the document were made and voted on. These documents are captured in the revised motion in the April agenda.

J Hendon: moves to postpone the motion. Motion carried.

IX. New Business

- A. Motion FS_2017_26.** Executive Committee (Legislation. 3/5 Majority Vote at two Meeting, no second required, first vote) Create a Buildings and Grounds Committee

Buildings and Grounds Committee: The purpose of this committee shall be to insure protection of the natural and aesthetic environment of the UA Little Rock campus consistent with reasonable growth and development of the campus. The committee shall promote beautification of the campus through a continuous review of landscaping, building and signage appearance, and campus roads and paths. The committee shall recommend on plans for new campus construction, and shall recommend to the chancellor steps that should be taken to preserve the natural environment and beauty of the campus. The committee shall periodically review the campus master plan.

The committee shall consist of one member from each college or school represented in the faculty senate, including collections and archives, appointed to two year, staggered terms by the Committee on Committees; two members of the staff senate, selected by the staff senate, to two year, staggered terms; two students appointed by the Student Government Association to one-year terms. The administrator in charge of planning buildings and grounds shall server as an ex-officio member without vote.

Senate adjourned without considering this motion.

- B. Motion FS_2017_27.** Executive Committee (Legislation. Majority Vote at one Meeting, no second required) Changes to additional degree legislation

Be it resolved to change the degree requirements policy (507.1) to add the title Baccalaureate Degree Requirements for the baccalaureate degree requirements, such that the opening section of the policy will appear as follows (strikethrough indicates deletion, underline indicates addition)

Baccalaureate Degree Requirements

To receive a baccalaureate degree, a student must complete 120 hours
(Academic majors and colleges may specify additional and /or more restrictive

requirements) of which 30 hours must be in residence and 45 must be upper level (3000 level or above). At least 15 upper level hours must be completed in residence. A baccalaureate degree program may require more than 120 semester hours of college credit if prior approval has been granted by the Board of Trustees or it is a requirement of an independent licensing or accrediting body.

Except in majors that must adhere to standards established by national accrediting agencies, students must select at least 12 elective hours outside their program or complete a minor in addition to the UALR Core Curriculum.

Except in majors that must adhere to standards established by national accrediting agencies, major requirements must include courses or coursework either within or outside the department on

- Oral and written communication in the discipline
- Research methods, ethics, and critical thinking
- Technology.

These required hours must include:

- A minimum of a 2.0 cumulative grade point on all work attempted at the University.
- A minimum of a 2.0 cumulative grade point on all work attempted in the academic major.
- A core curriculum which must include a 3 hour course in U. S. history or U. S. government and
a 3 hour course in College Algebra, College Math or higher level math course. See “Core Requirements for Bachelor Degrees.”
- A major.
- A baccalaureate degree seeking student in the process of completing more than one major may have one calendar year following graduation with one major to complete the additional declared major(s) if (1) the student has a valid degree plan on file which specifies requirements for more than one major and (2) if the student completes an application for graduation which indicates that a total of seven (7) or fewer hours remain to complete the additional major(s).

And be it further resolved to remove the requirement for a different major in additional degrees and to delete the minor for additional degrees:

Additional Baccalaureate Degrees

Additional baccalaureate degree(s) may be conferred subject to these provisions:

- Students must complete at least 30 credit hours in residence, including courses completed previously at UALR, but excluding transfer credit, credit-by-examination, experiential credit, and repeated courses.
- All program requirements ~~A different major~~ must be completed for each additional baccalaureate degree. Courses completed within the previous degree(s) that satisfy requirements for additional program(s) ~~major(s)~~ may be accepted as satisfying ~~major~~ program requirements for additional degree(s), subject to approval by the ~~major department~~ program faculty.
- ~~A minor is not required for additional baccalaureate degrees.~~
- If not taken as a part of another baccalaureate degree, a course in United States history or government (HIST 2311, HIST 2312 or POLS 1310) must be completed, see “General Education Policy (503.3). U.S. Traditions: United States History or Government Requirement.” However, other general education requirements are not applicable to additional baccalaureate degrees.

(Academic majors and colleges may specify additional and/or more restrictive requirements. ~~There is no second language proficiency requirement for students seeking additional baccalaureate degrees.~~)

Rules suspended to reorder agenda to introduce **Motion FS_2017_27 before Old Business.**
Motion carried.

A Wright: Calls vote -- motion carries

X. Open Forum (Discussion only)

XI. Adjourned 4:40 pm. Jane D Evans

Attachment A. J. Hendon's comments on Judicial Policy

"An appeal to the Faculty Appeals Council should be in writing to the chairperson of the Faculty Appeals Council."

JH: In what cases would one make an appeal to the faculty appeals council? How much time after the incident or incidents do they have to make such an appeal? Can an appeal be summarily dismissed in ANY cases? If so, by whom and for what reasons?

The subcommittee shall conduct its own investigation and not rely on prior reviews of the matter.

JH: Are they trained in investigation of grievances?

These procedures apply to non-tenured faculty members who are not offered a next successive appointment for the period following the expiration of a current appointment. The rules governing these procedures can be found in Board of Trustees Policy 405.1.

JH: So what this says, is there is no procedure here. See the procedure??

If the faculty member requests it, a subcommittee of three faculty members of the Faculty Appeals Council shall be named by the chairman thereof to make an informal inquiry into the situation and to effect an adjustment, if possible.

JH: possible or desirable?

JH made comments throughout regarding use of legalistic words, such as "affidavit" and "hearing."

X. Grievance Procedures –Complaints of Discrimination Involving Faculty Sub- Policy

JH: Do we really want to do this? This is a federal and state legal issue. Do we REALLY want to do this? Does this policy currently exist? This policy will likely only make reporting of discrimination more confusing.

The hearing official may talk to the "other" person, ...

JH: who is the hearing official?

The supervisors of the individual filing the complaint and the person against whom the complaint is filed will be notified.

JH: the supervisor is frequently the person being complained about.

Feedback 1

Doc is confusing and overkill. I agree that there needs to be some defined due process (esp. for the removal of a tenured faculty member - but keep in mind I believe the number shared with me was 2 in 33 years). I believe that documentation needs to be created at each level and that someone needs to advocate on behalf of the parties (both chairs and deans can be conflicted) but with the structure setup in the doc offers conflicts for the "IO" (decision making and oversight??). I believe the IO is just a poorly constructed outcome. How is there assurance of due process?

I also believe that administrators can be conflicted on either the informal or formal panels. I would keep it to faculty only.

At times the time limits seem tight though there is leeway with extensions. Is this consistent with extensions and how they are decided throughout the doc?

Feedback from the Chancellor's would be valuable.

Do they have a right to withdraw publication submission if co-authors are involved? Is restitution a legal matter or contractual relationship with the university?

Its the kind of doc I could read 10 more times and find 100 more comments....best I could do on a couple of "reads"....

Feedback 2

Responding to the Faculty Appeals legislation I find that it is a well intentioned effort that has both taken on too big of a task and approached it from too legalistic of an angle.

- 1) The legislation is neither ready nor could it easily be amended to fulfill its aims.
- 2) I agree with the system counselor that the legislation as written: 1) misses the aim of such policy which is to facilitate fair and non-binding proceedings rather than foster legalistic outcomes 2) conflicts with other existing policies 3) constrains administrators from properly handling cases in light of current policies 4) is far too complicated to be executed as intended in actual practice and 5) we should stop the process and begin again with a more inclusive approach to writing the legislation.

I hope these thoughts prove helpful

Feedback 3

I agree with the system attorney - each policy should be dealt with separately with all stakeholders involved (HR, etc.) that are impacted by each separate policy so that full input and advice can be given.

Feedback 4

When I read over the original Faculty Appeals Procedure and new Faculty Appeals Procedure I was struck by trying to understand "what problem are we trying to solve here"? If there are "real" problems, then we should be made aware of those problems and then we can determine whether or not the updated document

sufficiently addresses those issues. Without this – those reading the updated procedure are left guessing at the motives.

- Looking at the new procedure I noticed that we changed the language “must” to “should” throughout the document with respect to timelines for the Faculty Appeals Council.
 - Much too vague! If you want to change and extend the timeframes in the current procedure, then do it. When you insert language like “should” – what happens if they don’t??
 - I also notice that this only occurs for the Faculty Appeals Council – everyone else involved is still held to strict timeframes.
 - My recommendation: if the timeframes are an issue, then simply extend them and use the word “must” throughout for all parties involved.
- I don’t know how I feel about excluding all department chairs, deans, etc. from serving on the formal appeals panel. I would like to know if this is an issue? If so, should we be more specific in defining makeup of this panel.
- I do not like the statement: “Any claim by the respondent on appeal that there is new evidence must be accompanied by verification that this evidence could not have been obtained earlier”
 - This is a potential can-of-worms. If you start denying the presentation of evidence during a hearing, you better have good grounds for doing so. This, in my opinion, places undue burden on the respondent. If you want to put something in here about being able to challenge new evidence (from either side), then fine. But, I could see someone being taken to court (a real one) over just this clause.
- Why are we striking virtually everything for non-reappointment?? This seems problematic to me as well. If the thought was that the timelines are bad, then fix them. But, in general you should not have a policy that refers to another policy – this should be able to stand alone in governing the situation.
 - My recommendation would be to leave it as it is in the old policy – unless someone can enlighten me as to what the problem is we are trying to fix.
- Why are we striking virtually everything with respect to termination of tenure-track?? Here again, while the old policy could have needed tweaking here and there – this seems a little overboard.

Misconduct – Teaching / Research / ...

- Do not like the notion that the complainant can ask for and receive anonymity. Here again this is a can-of-worms. If an individual is going to accuse another of misconduct, then the accused should be allowed to know who his/her accuser is.
- (TYPO – bottom pg 33) word “not” is repeated.
- Sequestration of material “before” individual is notified of an action – could be unrealistic.
- Inquiry committee – policy states that no subordinates of respondent can serve on the committee – but, leaves open subordinates of the complainant. This needs to be the same for both.
- Section D pg 34 – the purpose is “not” to determine. Need to state explicitly what the purpose is.
- Timelines are given with the disclaimer “normally” – this is vague and says nothing. You should say “will” and then give procedure for extending the timeline.

- Pg 36 – there is no limitation on makeup of the Investigation Committee – there should be more detail here.
- Pg 36 D 1 – statement that additional evidence may be shared with respondent – all new evidence needs to be shared with the accused.
- Pg 38 E – again, timeline “should” be – you should state what the timeline is and how it can be extended.

SUMMARY

- 1) It is important to understand the problems we are trying to solve when reviewing these processes and procedures. It is difficult, at best, to understand what we are trying to “fix” in this update. I would encourage the committee to be more explicit, in a separate document, as to what we are trying to achieve.
- 2) Timelines are a mess – while it is important to have strict timelines in order to ensure that things move forward in a predictable and timely way. There is little consistency throughout the document.
 - a. Some parties are held to strict timelines while others “should” perform based on a “general” timeline.
 - b. My recommendation would be to adopt consistent language. I would say make all timelines “firm” and then offer mechanisms to extend them when need (perhaps by consent from both parties?). Rigid timelines can be a double edged sword – you need them to ensure timely execution of the process, but they cannot come into conflict with a fair review.
- 3) I think it is important to realize that we are not executing these policies in a court of law. As such it should be understood that all parties are executing their duties to the best of their ability and with the highest integrity. So, I think placing phrases in the document that reiterate “best intentions” are unnecessary – could inadvertently tarnish the process.
- 4) I think that we should keep in mind that we don’t want to establish policies that are unreasonable when it comes to execution – for example saying the an Integrity Officer will sequester all material prior to an investigation may be unrealistic. How exactly are you going to do this?
- 5) We also need to be careful with terms like “guilt”. Again, this is not a court room. In most cases the result of an inquiry is one that results in a recommendation. To me the determination of “guilt” is a much higher bar – and – one that should be reserved from legal action.
- 6) We just completed mandatory TITLE IX training. We need to be sure that we are not in conflict here with something that goes beyond the jurisdiction of the “Faculty” and is a matter of federal law. So, there is a policy and procedure in place for TITLE IX – we don’t need to recreate a new policy for this here.
- 7) Misconduct in Teaching/Research ... - this is a huge basket of stuff. These issues, if we want to handle them like this, should be broken out in separate sections (I think). If there is misconduct where human subjects are involved in research (e.g., medical treatment), this is not the same as plagiarism on slides in a classroom.