



Minutes

Wednesday, April 6, 2016

3:00 – 5:30 p.m.

Virginia Dare Room, Alumni House

(Approved 5/4/16)

3:00 p.m.

Call to Order and Introductory Remarks

Anne Wallace, Chair of the Faculty Senate

We have all been following the news and controversies since House Bill 2 (HB2) was signed into law. There are many opportunities to make our individual voices heard on the issues raised by this legislation, and as citizens we should do so. Most recently I've seen a statement from Scholars for North Carolina's Future (SNCF), which I myself signed. As you know, Lisa Levenstein is one of the leaders of this group and I'm sure she'd be glad to send you the link. Our chapter of AAUP can also direct you toward many opportunities of this kind—see Sue Dennison or any AAUP member for more information.

I have frankly agonized over Faculty Senate's role in this controversy. The timing was such that, in order to accommodate a good discussion on these matters at this April 6 meeting, I would have had to displace or crowd into a smaller space reports and presentations that have been planned for some time, including the findings of the ad hoc Committee on KIN 220.

If this were a crisis of campus leadership—and we are not unfamiliar with such crises—I would have had no problem with making time for a vigorous debate in this body. But we are at present graced with leadership that has made clear UNCG's commitment in principle and in practice to an inclusive campus, safe and welcoming for all people.

Given this support from our leadership, the public outcry and many opportunities for individual expression, and my belief that UNC's Faculty Assembly would almost certainly speak on this matter, I decided to wait for the Faculty Assembly action and then ask this Senate to act in support (if we could) of that action. Faculty Assembly meets Friday and will debate a draft resolution which affirms Assembly's commitment to non-discrimination and calls on UNC leadership to continue to uphold that commitment, clearly expressed in current UNC policy. Assuming that this resolution is approved, I will then ask the Senate to vote on a parallel resolution supporting FA's. This will probably be by electronic vote—so please, watch the skies. I'll be in touch on this soon.

Remarks

Dana Dunn, Provost & Executive Vice Chancellor

Impacts that the university has been made aware of as a direct result of HB2 include:

- A student dropped out of the university;
- A conference to take place in NC is jeopardized;
- Impacts on recruitment for the university are feared.

I have three more positive bits of news:

1. It is an exciting time of year when we celebrate the accomplishments of faculty with the University Excellence Awards. Michael Frierson and his students have done an extraordinary job of video recording these awards.
2. A recent federal government report includes UNCG among the top 14 colleges and universities nationwide in the number of Pell Grant recipients and the completion rate among Pell Grant recipients.

3. I have a request for help. I announced previously the availability of internet security training and in fact there was a presentation by IT to this assembly previously. The upcoming May 1 deadline for completing this training is approaching, and only half of the faculty have completed it. Please help protect our community by completing this training if you have not done so previously. I can't overemphasize its importance.

Q&A The announcement about the training was never received. Please post again.

Provost: Your Dean will contact you. Research does not yet provide defense of the efficacy of IT training in a higher education setting, but common sense demands it.

Elections, Stoel Burrows, Senate Elections Committee Chair

Election of Senate Chair-Elect, Secretary, and P&T Committee member.

Paper ballots were distributed and votes were tallied as the three candidates were introduced and votes were tallied:

- *Chair-Elect: Andrea Hunter (HHS):* 30-1-0.
- *Secretary: Brad Johnson (TEHE, SOE)* 30-0-1.
- *Joseph Starobin (JSNN):* 31-0-0.

Q: Why not an electronic vote?

A: While electronic votes are possible, it is my understanding that it's hard to preserve the anonymity of voters, which in these cases seems desirable. So I decided on paper ballots for Chair-Elect and Secretary, where negative votes might be particularly sensitive. [The Chair notes that comments from the floor informed her that she was incorrect about the difficulty of conducting a secret ballot election online, and she will look into making this possible in the future.]

Committee Reports

Anthony Chow, Research Grants

Chow distributed handouts with grants statistics, and noted the one-year moratorium on new grants this year in order to boost number of applications for next cycle; Note that acceptance rates were much higher in 2014-2015. Reviewers now have the ability to fill out electronic surveys. There is a one-year moratorium on new faculty for regular research grants. They still have ten months to apply for New Faculty Grants. If you received funding the first year, you don't receive funding second year.

Anne Wallace, Faculty Senate Chair

University Promotion & Tenure Regulations on "early" decisions

University P&T Regulations provide that the University P&T Committee review all P&T cases with "split votes," that is, cases in which there is disagreement among the different levels of review, and all cases that the Provost asks us to consider, even if the prior levels of review have agreed in approving or denying the action. For some time the perception has been that the Regulations also required that all "early" cases be reviewed. Both last year and this year the University Committee recommended to the Provost that "early" cases not be subject to mandatory review, and this year the Provost agreed. When the Provost and Alan Boyette began working on this possible revision, however, they learned that we have been misinterpreting the Regulations on this point. In face review of "early" cases is not required—but plainly the Regulations needed to be clarified on this point. The proposed changes you have in Enclosure C accomplish those clarifications, as well as a few other non-substantive clarifications of wording. The University P&T Committee has reviewed the proposed clarifications, and we are agreed that these are appropriate. I bring these clarifications before the Senate for your information, but since there is no substantive change of the P&T Regulations, no vote by the Senate is required; nor will these clarifications come before the Board of Trustees or the Board of Governors.

Gary Rosenkranz, ad hoc Committee on KIN 220.

The Faculty Senate received a petition signed by many faculty members, mostly in the College of Arts and Sciences and including some Department Heads, requesting that Faculty Senate rescind KIN 200's certification as a GNS course. Faculty Senate Chair Anne Wallace appointed our *ad hoc* committee comprised of myself as Chair (Philosophy); Laurie Kennedy Malone (Nursing); Jonathan Tudge (Human Development and Family Studies); Jenny Dale (Library); and Wayne Journell (Education) to advise Faculty Senate about how it should respond to this matter, including the question of whether the General Education Council violated any official policies or procedures in certifying KIN 200 as a GNS course.

After reviewing all relevant records and documents, and meeting with key faculty representatives from the departments of Biology and Kinesiology, the *ad hoc* Committee finds that the General Education Council did not violate any official policies or procedures in certifying KIN 220 as a GNC Course. However, this is not to say that the certification process followed by the General Education Council was flawless: the committee will make recommendations to the Faculty Senate about how the review processes of the General Education Council can be improved.

While the committee believes that the Faculty Senate has implicit power to rescind a decision of the General Education Council, or of any other committee falling under its authority, such an exercise of Faculty Senate authority would be unprecedented. Moreover, it is difficult to imagine that the Faculty Senate would wish to become known as a potential court of appeal whenever there is a strong disagreement about a decision of the Faculty Senate Committee. Indeed, the Faculty Senate delegates the authority to make specialized decisions of certain kinds to various committees precisely because it is not practicable for it to make decisions of those kinds given its size and its broad duties and responsibilities. In other words, it would be self-defeating for the Faculty Senate to micro-manage such decisions in general. A corollary is that the Faculty Senate should be cautious about setting a precedent for micro-managing committee decisions of the sort in question. While the Faculty Senate might justifiably consider an appeal of such a committee decision under some possible set of circumstances, the Faculty Senate should not do so until all other avenues of appeal have been exhausted. And in the case at hand, another avenue of appeal is available. Specifically KIN 220 will need to be re-certified in the not too distant future, and the result of the re-certification review process will subsequently be appealable to the General Education Council under current appeal policies and procedures of the General Education Council. Moreover, according to these policies and procedures, if the General Education Council cannot reach a decision on such an appeal, it is up to the Faculty Senate to resolve the matter. Thus, under current policies and procedures, the question of whether KIN 220 should have a GNS may come before the Faculty Senate for resolution at some future time. For the reasons discussed above, it is prudent for the Faculty Senate to avoid any appearance of having acted precipitously, preemptively, or prematurely. For these reasons, the *ad hoc* committee advises that the Faculty Senate *not* take up the question of whether to rescind KIN 200's GNS certification now. (It should be noted that that the General Education Council's appeal process was enacted *after* KIN 220 was certified as a GNS course; it was ruled that the appeal process could not be applied retroactively, the upshot being that KIN 220's certification as a GNS course could not be immediately appealed).

Next, we observe that in approving KIN 200 for GNS category credit, the faculty member who initiated the proposal that KIN 220 be granted GNS category credit at the department level, a member of the General Education Council; at the time, deliberated on, and voted in favor of that proposal. Unfortunately, this process did not contravene any committee policy or broader University policy at the time. Nonetheless, it is evident that such a process involves a straightforward and significant conflict of interest. Accordingly, we recommend that the Faculty Senate ensure that a binding conflict of interest rule is adopted applicable to the Gen-Ed Council, the Undergraduate Curriculum Committee. And the Graduate Studies Committee, prohibiting a faculty member of these bodies from *deliberating or voting* on a proposed action. At all stages of their review processes, if the proposal was initiated by that faculty member. At a department or program level, but allowing such a faculty member to answer questions about the proposal to one or more evidence gathering phases of the committee's review process.

We further recommend that the Faculty Senate ensure that whenever a decision of the General Education Council is appealed, the grounds put forward as the basis of that appeal be explicitly considered and addressed by the General Education Council in their review of the appeal; likewise for any *ad hoc* body appointed by the General Education Council to review an appeal and advise the General Education Council. Finally, we also recommend that the General Education Council's reasons for granting or denying an appeal be communicated in a clear and definitive manner to the appellant.

A further question was raised about whether to prohibit, as a conflict of interest, a faculty member of the aforementioned committees from deliberating or voting upon a proposed action on behalf of a certain department or program if that faculty member belongs to that department or program. I have two observations to offer here. First, the appearance of a conflict of interest in this sort of case, while not insignificant, is less direct and severe than in a case in which a faculty member deliberates and votes on his or her own proposal. Second, on a practical level, given the composition of the aforementioned committees, prohibiting a faculty member from deliberating and voting on a proposed action may well have the result that, in many instances, there is a shortage of committee members eligible to review a course. Our committee does not make a particular recommendation with respect to this further question. So, it remains an open question that the Faculty Senate, or the committees in question, may consider.

Q: Were materials about the details of the basis of the challenge circulated?

A: No. *Provost*: I will request that we plan a Gen Ed review that will be completed in 2018-2019.

Q: We are totally silent on positive decisions, should a negative one be any different?

A: The point is that we already have a body in place that can review this decision without reverting to Faculty Senate. We will be reviewing KIN 220 again anyway, for recertification. This is really a problem that should be resolved by Form B when we check to see if a course conflicts with the interests of any other department. GEC should have something similar to Form B for their decisions.

Presentation: Online Education

Dan Perlman, Online Learning Committee, with Kerri Richardson, Laura Pipes, and Jay Lennartson.

As far back as 2003 UNCG had an online education plan. In 2011-2012 Provost Perrin formed an Online Education Committee that articulated four principles and made seven recommendations, one of which called for the centralization of online services. Over 20 per cent of our credit hours come from online learning. Over 50 percent of our students will take online courses before they graduate. The coordination of activities relating to online education is not as optimal as it might be. Meta-analyses show no difference in the efficacy of outcomes between online and face-to-face education. UNCG's Biology 105 is an example of the exciting delivery options online education provides. Compared to students in the traditional sections of Biol 105, those taking the course online have achieved higher grades and been more likely to successfully complete the course. Hybrid courses display the highest efficacy. Kerri Richardson, Laura Pipe and Matt Loyd gave brief presentations on Resources and Logistics, options for faculty development, and a library portal being created to provide information about human and other resources here at UNCG for online education.

Adjourn:

Move to adjourn.

Seconded.

Adjourned.

Respectfully submitted,

Jim Carmichael

Secretary, Faculty Senate

(Approved May 4, 2016)