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2014-02-14 Minutes of the Academic Senate

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Approved
 Minutes of the Academic Senate
 Friday, February 14, 2014; 3:00 pm
 KU West Ballroom

Present: Andrew Slade, Myrna Gabbe, Linda Hartley, John McCombe, Kurt Mosser, Stephen Brown, Joe Mashburn, Carissa Krane, Andrew Evwaraye, Leslie Picca, Laura Leming, Carolyn Phelps, Paul Bobrowski, Terence Lau, James Dunne, Ralph Frasca, Eric Taglieri, Kevin Kelly, Joe Watras, Philip Anloague, John Loomis, Ed Mykytka, Jamie Ervin, Katie Willard, Paul McGreal, Harry Gerla, Abdullah Alghafis, Kathy Webb, Emily Hicks, Dominic Sanfilippo, Yong Song, Joseph Saliba

Guests: Jim Farrelly, Paul Vanderburgh, David J. Wright, Sawyer Hunley, Nita Teeters, Deb Bickford, Tom Skill, Kelley McClain, Bonita VanGorden, Heather Barhorst, Meghan Mettling, Eilis Wasserman, Stephen Zubritzky, Taylor Dwyer, Joseph Vallee, Jesse Grewal, Stephen Wilhoit, Marcia Nehring, Karlos Marshall, Bayan Alrowis, Tong Li, Matt Willenbrink, Jonathan Hess, Kurt Jackson

Absent: Paul Benson, Jasmine Lahoud, Andy Kurzhals, John White, Zack Martin, Tony Saliba, Karen E. Swisher

Opening Prayer/Meditation: T. Lau opened the meeting with a prayer.

Minutes: The minutes of the January 17, 2013 meeting of the Academic Senate were approved (29 yes, 0 no, 1 abstention).

Announcements: C. Phelps announced the following:

- The ELC will meet on the following dates: 2/18, 3/18, 4/16, 5/12
- There will be an annual meeting between the Academic Senate President and the Chair of the Board of Trustees
- Welcome to visitors from Leadership UD
- There are two more open forums about the Non-discrimination policy. Please encourage all faculty to attend.

Committee Reports:

APC: J. Dunne reported the APC had met twice since the last Academic Senate meeting. The committee completed a review of the SET proposal and provided feedback to ECAS along with a recommendation for approval. The committee reviewed and approved the proposal to merge two existing business majors into one new International Business Management (IBM) major. The proposal for a consolidated document of degree programs has been approved and sent to ECAS. The committee continued discussion of a possible policy for undergraduate certificates.

FAC: L. Hartley submitted the following report in writing.

The FAC committee met yesterday (Feb. 13) to begin discussing two new assignments: Reviewing the new Nondiscrimination and Anti-harassment policy and procedures and reviewing the new Conduct policy.

Both of these documents are consultative. We have been asked to provide input for the annual review of these policies. Our recommendations will be forwarded to ECAS when we have completed our reviews.

The next FAC meeting will be held on February 27 at 12:00 noon in St. Mary's.

SAPC: J. McCombe submitted the following report in writing.

The SAPC has met twice since the January 2014 Senate meeting. The first meeting was on January 27th and was an opportunity for the SAPC to discuss the latest draft of the SET Proposal and to collect feedback to be then delivered to the SET Proposal Working Group (Hartley, Slade and McCombe). That feedback is now reflected in the revised SET Proposal.

The second SAPC meeting was devoted to a conversation regarding the recently circulated Nondiscrimination and Anti-Harassment Policy. The SAPC has been invited to review the policy and offer comments and suggestions from the perspective of how the new policy (and procedures) might affect University of Dayton students.

The nature of the response was such that both questions and comments arose, and what follows is an overview of the conversation:

- In Section III (Accommodating Disabilities), there was some discussion about the term “disability” and whether or not students (as well as faculty and staff) reading the document might understand how the term “disability” was being used. In other words, does “disability” as used in this section exclude an “episodic” disability, such as a broken leg, that might require temporary accommodations? The definition of “disability” may be spelled out in documents such as the ADA, but it may be helpful to make this definition a bit more explicit in the Nondiscrimination and Anti-Harassment Policy. In addition, the SAPC wonders whether short term physical limitations can still be handled informally (e.g., getting a ride from Campus Security if one breaks a leg) or would they have to go through paperwork approval that “qualifies” a student for considerations like these? The committee was not sure that this section of the document is clear in addressing this point.
- When a policy like the one in question is drafted, the issue of regularly communicating its contents to students is essential. The SAPC imagines that information on discrimination and harassment will be disseminated during New Student Orientation, but are other measures in place to ensure that students at every stage of their UD education will be exposed to the contents of this policy, and how it might apply to issues such as hazing and alcohol consumption on campus?
- On the first page of the document, in the section entitled “SCOPE,” it was suggested that the language here could be expanded for greater clarity to signal that the University is consciously applying this policy in the broadest possible context. In other words, the “scope” might also include UDRI, online programs, and international study contexts including Study Abroad and UD initiatives in China, for example.
- The majority of this initial SAPC conversation about the policy in question revolved around the issue of making the Nondiscrimination and Anti-Harassment policy more victim-friendly. This issue is particularly relevant in Section IV-E (Retaliation), especially in the final paragraph of Section IV-E. The language in this section might potentially discourage students from filing a discrimination or harassment complaint in the fear that doing so might open them up to disciplinary action. At this point, the SAPC does not have a recommendation for specific language that might communicate that the University is committed to fairness on all sides, but the committee believes that the current language is insufficient. For example, if a student were to file a discrimination/harassment claim against an instructor—one that was ultimately dismissed—could

the panel hearing the complaint nevertheless recommend that the student be permitted to transfer into another section of the course (if available) or be permitted to drop the course without penalty (again, if applicable). Additionally, in the case of a student who had violated the University alcohol policy and was then subjected to an assault, the SAPC would hope that the current policy *not* discourage this student from coming forward because of a fear of having violated the Code of Conduct himself or herself. In particular, some of the committee members would prefer, if possible, to strike the following sentence: “For students, the University could still sanction a student who violated the Code of Conduct” should be removed.”

Finally, it may be helpful if somewhere in the policy document there were a FAQ section, which may help to resolve some of the issues raised above. Even if such an FAQ section appears in the separate “Procedure” document, also having it in the “Policy” document might enhance the level of communication overall.

Next Meeting: 17 February 2014 (9:00 a.m. in SC 313F). The SAPC plans to continue its discussion of our committee’s role in responding to the Nondiscrimination and Anti-Harassment Policy. The SAPC’s other current topic of discussion pertains to the University Honor Code and the issue of whether or not a uniform set of policies should be adopted across units.

ECAS: C. Phelps reported that in addition to moving documents to the Senate, ECAS has been continuing to discuss the consultation issue. Monthly meetings of the ELC have been scheduled through May 2014. An annual meeting between the President of the Academic Senate and the Chair of the Board of Trustees has been established. There will be a FES on February 25th involving Joe Saliba, Jon Hess, and C. Phelps.

ECAS began discussing a draft policy for the evaluation of administrators at today’s meeting. We will be asking for input from the Faculty Board and AAUP chapter.

ECAS has made the following assignments:

- FAC to review the Policy Prohibiting Illegal, Fraudulent, Dishonest, and Unethical Conduct
- FAC and SAPC to review the Non-discrimination Policy
- SAPC to discuss the dismissal of a student due to academic dishonesty

DOC 2014-03 Proposal to Merge Leadership and International Business Majors into the new International Business Management Major (IBM): T. Lau introduced the proposal and provided a summary and rationale for the change. According to T. Lau, International Business majors didn’t have a department “home.” Merging the two majors is a positive for students since there was much overlap between the two majors. There will be two emphases—one in Global Business and one in HR. There will be a required international component. The proposal has received widespread endorsement from campus.

E. Taglieri asked if there will be a foreign language requirement and what is the timetable for integration. There will not be a language requirement anymore. Students currently enrolled will have the option to stay with their current major or switch to the new one.

A motion was made and seconded that the proposal be approved. The DOC 2014-03 was unanimously approved (31 yes, 0 no, 0 abstention).

DOC 2014-02 Proposal for a New Student Evaluation of Teaching Instrument and Delivery Method: L. Hartley provided an overview of the background, rationale and process of the proposal. Student evaluation of teaching is the most researched topic in higher education. There have been numerous discussions across campus, experts were consulted, a pilot to test questions was conducted, and a report

from the SET Committee was submitted. ECAS and all three standing committees of the Academic Senate collaborated to develop this unified proposal. One highlight is the two-year phase-in period that will allow current SET questions to be included with the new ones to give all faculty some comparison data. L. Hartley thanked the SET Committee and C. Phelps thanked L. Hartley for her leadership of this process.

A motion was made and seconded to move the proposal to the floor for discussion.

J. McCombe commented that some faculty members do not think incentives should ever be offered in response to the proposal saying that incentives could be considered in the future.

J. Dunne commented that a low response rate could be countered with a requirement to fill out in class.

L. Hartley stated that the LTC could assist individual faculty members improve response rates.

A motion was made and seconded that the proposal be approved. DOC 2014-02 was unanimously approved (31 yes, 0 no, 0 abstention).

C. Phelps thanked everyone for their work, especially L. Hartley, A. Slade, and J. McCombe for their work on the consolidated proposal.

DOC 2014-01 Revision to DOC 2012-01 Intellectual Property Regarding Online Course Materials: L. Hartley introduced the proposed revision and gave some background information. She stated that this revision is only a small piece of a much larger policy that the Senate will be discussing in the future. Matt Willenbrink is in attendance to answer questions.

J. Dunne asked why we were voting on just one piece before the full policy comes to Senate. M. Willenbrink explained that the Senate was already looking at the online course piece before full IP policy was being revised. L. Hartley stated that most of the changes to the full policy were informational whereas the part about online courses was substantial.

L. Leming asked for a definition of co-ownership as defined by federal law. M. Willenbrink explained that in the case of intellectual property, each party has an undivided interest meaning each party is free to do what they want except offer exclusive rights to a 3rd party. According to Willenbrink, ownership provides better protection to both parties as compared to a perpetual license. T. Lau asked why a distinction is being made between developing an online course vs. a CAP course.

T. Lau questioned the use of the phrase “UD-administered funds” in the proposal. This language was carried over from the earlier revision. He proposed an amendment to remove the word “administered” from the proposal. P. McGreal expressed concern about removing language without knowing why it was included in the first place. After much discussion, a motion was made and seconded to vote on the amendment. The amendment passed (11 yes, 9 no, 11 abstention).

A motion was made and seconded to approve DOC 2014-01. The motion was approved (28 yes, 0 no, 3 abstention).

The meeting was adjourned at 4:15 pm.

Respectfully submitted by E. Hicks