

REGULAR MEETING OF THE UNIVERSITY FACULTY SENATE

DECEMBER 5, 2016 – 104 GORE HALL

4:00 PM

Minutes

Member Present: B. Ackerman, M. Badiey, J. Bernstein, C. Boncelet, M. Buell, M. Carothers, M. Chajes, J. Courtright, K. Cranker, J. Daniel, E. Davis, P. Dhurjati, C. Dybowski, S. Eidelman, A. Everard, J. Firestone, A. Fox, A. Friedman, J. Fuhrmann, J. Gizis, B. Glass, D. Grasso, D. Green, M. Grotti, S. Hastings, A. Hestvik, D. Jaisi, J. Jung, M. Keefe, C. Keeler, C. Knight, S. Koshari, M. Laberge, R. Lee, L. Liao, K. Matt, S. McGearry, J. McGee, D.C. Moore, J. Morrison, R. Opila, Y. Ou, L. Overby, M. Parcells, A. Poorani, M. Rieger, C. Riordan, V. Rujivacharakul, K. Schell, M. Seymour-Green, I. Shah, D. Stevens, S. Sundaram, C. Swanik, D. Thompson, C. Vukelich, G. Watson, B. Weber, C. Williams, L. Worden, J. Zide

Member Excused: J. Abada, D. Assanis, J. Custer, D. Galileo, M. McLane, C. Mouza, B. Ogunnaike, L. Okagaki,

Members Absent: R. Bowers, J. Coughenour, I. Masmoudi, J. Patel,

I. Adoption of the Agenda

- Will postpone FWP proposal until Jeff Jordan arrives after class

Approved 43-0

II. Approval of the Minutes: [November 7, 2016](#)

Approved 44-0

III. Remarks: Provost Domenico Grasso

- Unity event was a big success
- Ideas that dare to change the world symposium in association with Inauguration events
- National Champions Field Hockey celebration to take place
- Unity event Bridging the Divide to take place
- Library Survey forthcoming

- P&T Open Forum took place and input will be taken into consideration
- Happy Holiday

IV. Announcements: Senate President Prasad Dhurjati ([slides](#))

- Inauguration events
- BOT letter re: Article 3

V. Consent Agenda: None

VI. Regular Agenda:

A. Unfinished Business: None

B. New Business:

1. Standing Committee Mid-Year Reports: [Attachment](#)
2. Recommendation from Senator Zide with the concurrence of Senator McLane for the request to revise the Faculty Handbook Section 4.1.2 Secondary, Joint, Affiliated, and Visiting Faculty Appointments concerning ambiguous explanations of these roles ([Attachment 1](#)) ([attachment](#))

WHEREAS, the usage of terms in section 4.1.2 of the Faculty Handbook on “Secondary, Joint, Affiliated, and Visiting Faculty Appointments” is sometimes ambiguous and has therefore resulted in confusion, and

WHEREAS, clear explanations of these roles is critical to ensure that people are appointed correctly, be it therefore

RESOLVED, that section 4.1.2 of the Faculty Handbook regarding **joint** appointments is amended according to the **blueline** document in Attachment 1, and be it further

RESOLVED, that section 4.1.2 of the Faculty Handbook regarding **affiliate** appointments is amended according to the **redline** document in [Attachment 1](#).

Approved 49-0

3. Recommendation from the Committee on Committees and Nominations (Chris Williams, Chair) with the concurrence of the Rules Committee (Alan Fox, Chair) and the Executive Committee (Prasad Dhurjati) for the revision of the Faculty Handbook Section 1.2.11 Bylaws and Regulations of the University Faculty Senate – Election of Officers of the Senate ([Attachment 1](#))

WHEREAS, the presentation of nominees at the May meeting does not allow the Faculty Senate enough time to review the candidates, and

WHEREAS, any eligible candidate should appear on the slate, and

WHEREAS, the stated regulations do not provide a provision for a careful and

transparent method of conducting the election, be it therefore

RESOLVED, that the Faculty Handbook Section 1.2.11 be revised as in [Attachment 1](#)

Discussion:

- Zide: ambiguity regarding nominations from the floor at the time of the election
- Williams: nominations will be accepted on the floor

Approved 53-0

4. Recommendation from the Faculty Welfare and Privileges Committee (Jeff Jordan, Chair) for the revision of the Faculty Handbook Section 3.1.1 Freedom of Inquiry and Expression ([Attachment 1](#))

WHEREAS, exposure to a diversity of viewpoints is an essential part of a university education, and

WHEREAS, the freedom of inquiry and the freedom of expression are necessary to ensure a diversity of viewpoints, and

WHEREAS, the intolerant impulse to silence those with whom one

disagrees is as strong as ever, and

WHEREAS, other universities such as the University of Chicago and Princeton University have grappled with this issue by adopting what is known as the “Chicago Statement of Free Speech”, be it therefore

RESOLVED, that the [Attachment 1](#), which in part contains the Chicago Statement, be added to the Faculty Handbook, section 3.1.1.

Discussion:

- Jeff Jordan
 - Two tasks of FWP
 - Hearing faculty complaints
 - Reviewing and developing policies having to do with reappointment, etc.
 - 8 enumerated rights are not affected by proposed changes
 - The changes address reasoning for the rights to free speech
 - Chicago gives rationale for what’s already found in handbook
 - Timing is unfortunate but this was in the works for a while
 - Yes it is long, but it really captures what I think it ought to say
 - We already use template content from other institutions
 - Rationale is necessary – why we value free speech
- Emily Davis
 - We need to think about implications of statement if we implement it here
 - Urge to reject
 - Unnecessary
 - Derivative – even Chicago got negative feedback
 - Fails to consider relation between free speech and respect for an increasingly diverse population
 - Tolerance
 - Extraordinary pressure on some members of community
- Buell
 - Thanks to FWP for bringing this up
 - Parts of document seem almost “post-truth”
 - Seems to leave room to value opinions equally with facts
 - Slippery slope
- Shah
 - Support Davis’s 3 points
 - Unnecessary to introduce new language since everything is

- already there
 - Redundant
 - Adds slippery slope
- Zide
 - Plagiarism, since source doesn't show up in resolution
- Jordan
 - Not plagiarism but checked with lawyer etc.
 - Timing is unfortunate
 - Can send it back to shorten and revise
 - Not all the issues that came up really pertain to this resolution
 - Slippery slope is already present
- Worden
 - Timing is actually good
 - Can't support language as it is
 - Whole thing should be reconsidered including existing wording
- Freedman
 - Problem with language concerning "genuine threat"
 - Inadequately operationalized
- Dan Green
 - Might create a more hostile community on campus
- Frank Newton
 - FIRE origins
- Jordan
 - Not about threats or actions
 - Content neutral
 - Only giving rationale
- Firestone
 - Broadside against civil disobedience
- Moore
 - Reads differently to minorities and non-minorities
 - Does it support one groups' free speech at the expense of another's?
- Morrison
 - Motion to return to committee for revision
 - Seconded by Buell
- Zide
 - Should vote now to reject
- Shah
 - Same
- Buell
 - Should revise whole thing

23-22 in favor of sending back to committee

5. Recommendation from Senators Galileo, Courtright, Parcels, Ackerman, Morrison, Fox, Eidelman, Hestvik, Buell, Chajes, McLane, Williams and Hastings for the approval of a resolution regarding Article 3

WHEREAS, on May 17, 2016 the Board of Trustees of the University of Delaware approved a radically different version of Article 3 of their Bylaws as part of its Consent Agenda despite a formal resolution of the University Faculty Senate on May 2, 2016 that the Board not approve any new version of Article 3 unless the University Faculty Senate had been allowed an opportunity to vote to recommend its approval, and

WHEREAS, a recent complaint by several Delaware legislators to the Attorney General's Office has resulted in an admission by the University's Office of General Counsel that the process used by the Board of Trustees to approve the new version of Article 3 in May 2016 did not comply with the State of Delaware's Freedom of Information Act (Title 29, Chapter 100 of the *Delaware Code of Laws*), and

WHEREAS, the new version of Article 3 does not comply in several important respects with the 1966 *Statement on Government of Colleges and Universities* "jointly formulated by the American Association of University Professors, the American Council on Education, and the Association of Governing Boards of Universities and Colleges" (<https://www.aaup.org/report/statement-government-colleges-and-universities>), such as "The faculty has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process," and

WHEREAS, no good reason is apparent why the Board of Trustees must rush to approve again this objectionable new version of Article 3, be it therefore

RESOLVED, that the University Faculty Senate respectfully requests that

the Board of Trustees enter into good-faith negotiations with the elected Officers of the University Faculty Senate about any proposed revisions of Article 3, and be it further

RESOLVED, that the University Faculty Senate respectfully requests that the Board of Trustees not approve or re-approve any new version of Article 3 until after the University Faculty Senate has been given an opportunity to review any proposed changes and to make a formal recommendation on whether or not they should be approved.

Discussion:

- Hastings reads Galileo's statement ([attached](#))
- Kinservik read AAUP statement, argued that new policy is in line with AAUP statement
- State Rep. Paul Baumbach
 - Thanks for taking issue on and reaching out to legislators
 - Bylaws are not consistent with AAUP statement because they lack "extraordinary measures" language
 - Disappointed in tone, in content, and timing of letter from Board of Trustees
- Jim Morrison
 - Importance of trust, for board and faculty to work together
 - Opportunity to demonstrate trust on both sides
 - Board's proposal seems hypocritical
 - Symbols are important
- Frank Newton
 - This was an open process
 - Nancy Targett came to faculty
 - Multiple open meetings were held
 - Changes were made using feedback
 - Shared governance means being part of the process, not always getting what you want
- Firestone
 - If this were truly shared governance, then faculty could override administration
 - What the Board plans is not sharing, but getting views, which is very different
- Parcels
 - Process was not as open as Frank Newton indicated because final version

- was not distributed in advance.
 - No checks and balances
 - Unilateral changes are possible
- Boncelet
 - Resolution allows president and provost to bypass the senate entirely
- Morgan
 - Definition of dictator as short term tenure which could be overridden
- Dan Green
 - Language in new resolution which changes from “determine” to “consult” carries a lot of meaning

Approved 38-6-3 81% 13% 6%

VII. Introduction of New Business:

Such items as may come before the Senate. (No motion introduced under new business, except a motion to refer to committee, shall be acted upon until the next meeting of the Senate.)

- a) Michael Chajes introduces proposal from the Sustainability Task Force recommending creating an Office of Sustainability
- b) Firestone
 - a. Introduced resolution to work with city of Newark and municipal energy agencies to power UD campus with 100% renewable energy by 2020

WHEREAS, 2015 was the hottest year on record, and the World Meteorological Organization recently released a provisional statement indicating that 2016 will be even warmer, with preliminary data indicating that temperatures in 2016 are approximately 1.2° Celsius above pre-industrial levels; and

WHEREAS, the combustion of fossil fuels results in the release of carbon dioxide a greenhouse gas that contributes to climate change and ocean acidification and other pollutants that cause morbidity and mortality; and

WHEREAS, electricity customers such as the University of Delaware do not pay for the climate change, health and other environmental damages caused by their use of fossil fuels when purchasing electricity; and

WHEREAS, communities have already begun to relocate as a result of climate change, including communities in the United States; and

WHEREAS, Delaware is a low-lying coastal state that is heavily dependent on coastal tourism and is at threat from sea level rise; and

WHEREAS, the United States is a Party to the Paris Agreement that includes the following benchmarks: that global emissions should peak as soon as possible and there should be worldwide zero net emissions by 2050; that the global temperature should be held well below 2° Celsius, and that efforts should be made to limit the temperature to 1.5° Celsius; and

WHEREAS, action is required not only at the national level, but at the subnational level as well, including states, cities, universities and corporations; and

WHEREAS, the University of Delaware is a party to the American College and University Presidents Climate Commitment, and a signatory to the Talloires Declaration, which is a statement made by the Association of University Leaders for a Sustainable Future; and

WHEREAS, the University of Delaware is committed to “building a sustainable future” and “innovating energy and environmental solutions”; and

WHEREAS, leading cities, corporations and universities are committing to a 100% renewable future; now, therefore, be it

RESOLVED, that it is the sense and wish of the Faculty Senate that the University of Delaware work with the City of Newark and the Delaware Municipal Energy Corporation (DEMEC), and other entities as appropriate at other campuses and University installations to forthwith, and in any event, no later than January 1, 2020, power its campus and installations with 100% renewable energy.

VIII. Presentations:

Student Perspectives on General Education Students – LEAD100 Course

<https://prezi.com/vwpchhghlte/from-roots-to-results/>

Discussion

- Opila: coordinate with Gen Ed Committee
- Hastings: why those two topics
 - Answer: core values
 - But why required?
- Moore: already dealing with students complaining about courses they have to take
- Davis: invitation to address diversity committee
- Knight: don't let momentum stall – hand over to next cohort
- Gizis: already a required multicultural class but alumni don't seem to remember

Affirmative Action Plan

Include link to presentation

Vote to adjourn 5:37pm

Submitted by Alan Fox, Philosophy