

SPECIAL MEETING OF THE UNIVERSITY FACULTY SENATE

June 8, 2020 – VIRTUAL SENATE MEETING

(<https://udel.zoom.us/j/92672508109>)

4:00 PM

MINUTES

Members Present: V. Alexander, D. Assanis, A. Bhat, A. Biddle, C. Boncelet, D. Brinley, D. Burris, J. Busch, M. Bush, D. Buttrey, D. Cha, M. Carbone, J. Cohill, D. Charlene Moore, H. Doty, M. Fields, J. Fuhrmann, D. Galileo, J. Gizis, F. Grubb, B. Hanson, A. Hestvik, F. Hofstetter, P. Huq, P. Inguito, J. Jebb, A. Hagstrom, M. Kahn, T. Kaminski, A. Karpyn, M. Laberge, S. Lanteri, R. Lee, S. Lu, J. Hill, T. Melvin, B. Morling, J. Morrison, S. Mortenson, I. Obrusinkov, E. Orsega-Smith, L. Overby, S. Partridge, V. Perez, S. Raible, R. Rakesh, C. Riordan, M. Robinson, J. Russ, H. Shenton, S. Sundaram, K. Takacs Haynes, J. Tannis, K. Theopold, C. Williams, J. Rowland, G. Henry, R. Morgan, L. Tompson, M. Rieger, J. Riera, J. Pelesko, D. Stevens, A. Fox

Members Absent:

Members Excused: J. Custer, M. Greene, W. Lewis, L. Liao, E. Atekwana, D. Doren, K. Matt, B. Weber

Call to order: Matt Robinson, Senate President

Introduction to Zoom meeting protocol: Jamie Summerfield, Faculty Commons. We will use Chat to ask to be recognized. Resolutions will use polling feature in zoom -- test poll is to see who is yellow card: 51 Yellow Cards, 112 participants.

I. Adoption of the Agenda

- Added Exec VP John Long to agenda.
- Approved: 57 to 0

II. Approval of the Minutes: [May 4, 2020](#)

- Discussion: none
- Approved: 53 to 0

I. Remarks: Provost Robin Morgan

- Thanks again for your efforts in spring semester. Students have until tomorrow, June 9, to change the basis of the grade. We are soliciting course evaluations but we will not require them to be used for evaluation.
- Now looking at Fall. Intend to bring students back with social distance in a hybrid. Schedules will be finalized throughout July -- much back-and-forth with faculty and

chairs. July 27 registration will reopen, with classes beginning Sept 1. Recognize that this is Plan A and not finalized. Plan B is fully online if things do not settle well.

- Deans and Chairs are working with faculty now. We will not force faculty to teach face-to-face.
- Submission of ADA form to DSS is not necessary if agreement can be drawn between chair and faculty. In case of disagreement or desire to have privacy, ADA form can be used.
- Budget: For Spring 2020, at general faculty meeting we anticipated a loss of \$61M for spring. This has been partly mitigated by deferred construction spending, deferred maintenance, and renegotiation of food service contract with Aramark. We will still be down \$25M for spring. FY2021 still looks very scary, starting with \$13M loss from lower enrollment, and expecting more financial aid and other costs.
- This is one of the top two or three greatest challenges to the University in our history. We ask everyone to do what is best for the University and staff and students. Problems started in March with a lot of emergency issues. We have eased out of that a bit, so that we can thoughtfully plan for the fall.
- Third phase: what is the future of education at UD? How will we teach in the future?

Remarks: Executive Vice President John Long

- The campus has never been empty -- always at least 50 people on campus for facilities and IT. Starting to deploy more trades, making sure the water and sanitizing stations are in place. We have ordered 50000 cloth face masks (30k for faculty/staff, 20k for students)
- North green underground pipe repairs ongoing, area near library nearing completion. Future projects prioritized by health and safety -- if a project can be put off a year it probably will be put off.
- Short term: get campus residence halls ready by mid August. Delaware goes to Phase 2 next week which allows larger gatherings. Working with Aramark on feeding students safely while making some socialization happen.
- A problem is the lack of CDC standards for sanitation and related things.

IV. Announcements: Senate President Matthew Robinson

- I was not in favor of calling this meeting today -- it was called by senators. I felt that the resolutions were not sufficiently important to require the full senate to meet. The purpose of the Emergency task force is to act in emergencies. Originally, timing was to be during finals period, which would have made it more disruptive.
- It was a pleasure to work with Provost Morgan this spring, and felt that we were moving forward without needing this meeting.

V. Regular Agenda:

A. Unfinished Business: None

B. New Business:

1. Recommendation from the Emergency Task Force (Matthew Robinson and Lynn Okagaki, Co-Chairs) with the concurrence of the Executive Committee (Matthew Robinson, Chair) for the **approval of a resolution concerning Test Optional for all students applying for admission fall 2021**

WHEREAS, the pandemic has prevented many high school students from taking the SAT or ACT this spring, and

WHEREAS, both testing agencies are uncertain about when they will be able to resume testing, and

WHEREAS, in response many colleges and universities are moving to a test-optional review process for the coming cycle, and

WHEREAS, the University of Delaware has been piloting test optional review of SAT and ACT tests for Delaware residents, be it therefore

RESOLVED, that all students who apply for admission for fall 2021 can be considered without submitting SAT or ACT scores.

- **Discussion:**

- Muqtedar Khan (Political Science and IR): We have been test-optional for Delaware students for a while. What criteria will now be used to assess the quality of students from other states?
- Provost Morgan: there are other measures we can look at, such as grade performance, essays.
- Alan Fox (Philosophy): My experience with Honors indicates that SAT are decreasingly important. Admissions have tried to know about the high schools out students are coming from. Tests have such bias as to be almost useless.
- Fred Hofstetter (Education): ETS has pulled the plug on home testing because it disadvantages some students who don't have technology.
- Charles Boncelet (Electrical Engineering): Echo Senator Khan's comments. I prefer students take the SATs, so this is an exceptional case because students cannot take them on time. I support the resolution as it stands but am not in favor of test-optional for the long term.

- Muqtedar Khan: Why not get rid of it permanently?
 - Matt Robinson: reminder that these are all temporary resolutions -- no permanent decisions are being made today.
 - Victor Perez (Sociology and Criminal Justice) recognizes Tammy Anderson from his department. Prof. Anderson: Will this actually advantage some classes of students based on participation in activities that may not be available to everyone? If more of the decision is based on outside activities, students who have access to those activities will be favored.
 - Muqtedar Khan: How can we talk about equity issues and then make the test optional? Will those who took it early have an advantage?
 - Alan Fox: We are handicapping the admissions office if we don't allow them to get everything they can. It's not a matter of class access. I don't think it makes sense to not allow the admissions office to have this information. Everything Sen. Khan is bringing up is worth discussing, but this year is a special case.
 - Muqtedar Khan: Alan started by saying the test is useless. If so, why allow it to be considered? If it is not valuable, it should not be considered. We should treat students equally.
 - Rakesh (Mathematical Sciences): To cancel this, we need to know that this is the right answer. I do not think we know what the final decision should be, so optional is good.
 - Suresh Sundarum (Business Administration): When we made this optional, did we apply other criteria. Should some of ideas floated in chat attributed to Doug Zander be considered, such as GPA limits. If we apply other criteria, will everyone have equal access.
 - Question called: **Approved** 50 to 3
2. Recommendation from the Emergency Task Force (Matthew Robinson and Lynn Okagaki, Co-Chairs) with the concurrence of the Executive Committee (Matthew Robinson, Chair) for the **approval of a resolution concerning the Temporary Removal of the 2 online course limit**

WHEAREAS, it is necessary to implement social distancing (i.e., 6 ft separation between people) to ensure safety and wellbeing of the UD community at this time, and

WHEREAS, implementation of social distancing significantly decreases our classroom seating capacity such that the vast majority of courses will need to be taught online, and

WHEREAS, the University may have to return to all online instruction, be it therefore

RESOLVED, that the Academic Credit Policies: Online Course Enrollment Rules of the Course Catalog (<https://catalog.udel.edu/content.php?catoid=29&navoid=3555#online-course-enrollment-rules>) be temporarily suspended for the fall semester of the 2020-2021 academic year, allowing students to take more than 2 online courses per semester.

- **Discussion**

- Charles Boncelet (Electrical Engineering). This is being asked for by the Assistant Deans. Currently, they give wavers to this rule. Expecting many more needed this fall, might take weeks. This is codifying common practice for the emergency.
- Muqtedar Khan (Political Science and IR): How does this affect "on campus" and residency if students take all courses elsewhere?
- Alan Fox (Philosophy). Didn't we pass this in spring?
- Matt Robinson: yes but that was for spring and needed to be renewed
- Provost Morgan: we know that about 50% of our courses are going to be online because of size. We have various health issues that need special handling.
- Rusty Lee (Civil and Env. Engineering): Changes made last spring made a permanent change that online courses satisfy the residency requirement.
- Jonathan Russ (History): does this rule apply to online courses from other institutions?
- Matt Robinson: I don't believe this applies to any external transfer of credits.
- **Approved:** 53 to 1

3. Recommendation from the Emergency Task Force (Matthew Robinson and Lynn Okagaki, Co-Chairs) with the concurrence of the Executive Committee (Matthew Robinson, Chair) for the **approval of a resolution concerning Common Exam Times – Faculty Handbook Section 3.1.4 Examinations and Tests**

WHEREAS, it is necessary to implement social distancing (i.e., 6 ft. separation between people) to ensure safety and wellbeing of the UD community at this time, and

WHEREAS, implementation of social distancing significantly decreases our classroom seating capacity and may result in course schedules running later in the day, be it therefore

RESOLVED, that the common exam schedule (<https://facultyhandbook.udel.edu/handbook/314-examinations-and-tests>) will be temporarily altered for the fall semester of the 2020-2021 academic year, to extend as late as 10:00 p.m., Monday through Friday, and Saturday will remain from 9:00 a.m. to 5:00 p.m. as shown in **Attachment 1**

Attachment 1: Common examinations will be scheduled ~~only from 5:00 p.m. to 7:00 p.m.~~ as late as 10:00 p.m., Monday thru Friday and Saturday from 9:00 a.m. to 5:00 p.m. (Rev. 4/2013)

- **Discussion:** none
- **Approved** 51 to 0

4. Recommendation from the Emergency Task Force (Matthew Robinson and Lynn Okagaki, Co-Chairs) with the concurrence of the Executive Committee (Matthew Robinson, Chair) for the approval of a resolution concerning Teaching Online Classes – Faculty Handbook Section 3.1.14

WHEREAS, the University would like to bring students back to campus for the fall 2020 semester, and

WHEREAS, it is necessary to implement social distancing (i.e., 6 ft separation between people) to ensure safety and wellbeing of the UD community at this time, and

WHEREAS, implementation of social distancing significantly decreases our classroom seating capacity such that the vast majority of courses will need to be taught online, and

WHEREAS, the University may have to return to all online instruction, be it therefore

RESOLVED, that a portion of Faculty Handbook 3.1.14 be temporarily suspended for the fall semester of the 2020-2021 academic year as shown in **Attachment 1** to support online teaching opportunities.

Attachment 1

The University of Delaware is committed to the use of innovative and online technologies to enhance and extend learning in undergraduate and graduate programs, both on and off campus. The University has a long history of academic excellence founded on traditional classroom instruction, which should remain the educational standard on the Newark campus. It is increasingly clear, however, that innovative online techniques and courses can enhance learning for students on campus and extend learning to students at a distance. Therefore, online and other technologically enhanced and innovative methods of instruction are encouraged when appropriate for increasing educational effectiveness.

For purposes that require it, the University defines "online" course sections or programs as having 80% or more of their content delivered online, which follows an industry standard definition. It is recognized that most courses currently incorporate some lesser amount of content delivered online, either as an integral part or as supplementary, and are thus considered to be "web-facilitated," "blended," or "hybrid." As with more traditional in-person courses and programs, the development of online courses and programs must be based on sound educational principles. It is up to the faculty member and their academic unit (e.g. department and/or college curriculum committees) to ensure the appropriate incorporation of effective online techniques. As are all courses and programs, online and hybrid courses and programs shall be reviewed and approved by the Faculty Senate if they have not been approved previously as in-person versions. Additionally, online course sections and programs shall be subject to the same periodic review and assessment by academic units as are in-person versions.

Student enrollment limits on online course sections shall be determined by the academic unit, as they are for in-person courses. Online course sections preferably will be taught by full-time University faculty to maintain educational quality and consistency. Online course sections shall not be used to replace faculty, ~~and faculty shall not be required to teach online course sections,~~ and faculty may be assigned to teach online course sections. On occasion, it may be desirable to employ entities outside of the University (i.e. third party contractors) to assist in facilitation of online programs. Faculty must maintain responsibility and control over online course content and assessment. The use of third party contractors shall be restricted to student recruitment and retention, program marketing, design and technology support, and similar activities. Third party contractors

shall not be used for primary instruction or final assessment of student learning. (Rev 5/2013)

- **Discussion:** none
- **Approved** 50 to 2

5. Recommendation from Co-sponsoring Senators: Galileo, Overby, Williams, Hagstrom, Bhat, Custer, Raible, Buttrey, Morling, Orsega-Smith, Hestvik, Sundaram, Inguito, Stevens, Morrison, Doty, and Laberge. for the **approval of a resolution to Allow Faculty the Option to Teach Courses Online in Fall 2020**

WHEREAS, the Human Resources Policy on "Extreme Weather and Emergency Conditions", states "The University does not expect employees or students to take unnecessary risks to meet their work or learning obligations during adverse weather or emergency conditions.", and

WHEREAS, potential COVID-19 transmission in a classroom setting could put faculty members at unnecessary medical risk, be it therefore

RESOLVED, that for the Fall 2020 Semester, if a faculty member believes they would be taking an unnecessary medical risk by teaching a course in a classroom setting, then the faculty member may opt to teach that course in an online format.

- **Discussion:**
- Deni Galileo (AAUP): This was a response to fears by a number of faculty that they will be forced to teach in person. There was a revision submitted by the cosponsors that is not reflected in the posted agenda. The corrected text is:

WHEREAS, the Human Resources Policy on "Extreme Weather and Emergency Conditions", states "The University does not expect employees or students to take unnecessary risks to meet their work or learning obligations during adverse weather or emergency conditions.", and

WHEREAS, potential COVID-19 transmission in ~~a classroom setting, in-person settings (e.g., classrooms, laboratories, clinics, hospitals, etc.)~~ could put faculty members at unnecessary medical risk, be it therefore

RESOLVED, that for the Fall 2020 Semester, if a faculty member believes they would be taking an unnecessary medical risk by teaching a course in ~~a classroom setting, in-person setting (e.g., classroom, laboratory, clinic, hospital, etc.)~~ then the faculty member may opt to teach that course in an online format.

- Matt Robinson accepted the change
- Deni Galileo: ADA is not applicable, nor are the DSS people trained, to determine whether this form is appropriate to the circumstances. At this point this seems like the only mechanism faculty have to resolve agreements. It might not be necessary if everything works well.

CBA Article 18 indicates that UD will make reasonable accommodations for safety and health. AAUP does not feel that the ADA form submitted to DSS is not a reasonable means of addressing faculty concerns.
- Rakesh (Mathematical Sciences): Cannot support this. It may be important for a chair to be able to choose teaching a specific course online. This is too rigid.
- Arild Hestvik (Linguistics and Cognitive Science): This should really be accepted. Nobody at DSS can know if a request is medically necessary. Solution is to let people decide for themselves.
- Muqtedar Khan (Political Science and IR): Is there any pressure on chairs to have a certain number of courses in class? I'm teaching 8 graduate students and 30 in another course. I chose to teach the grad course online based on contact, but seemed that the preference of the chair was to teach both in person.
- Provost Morgan: There is no quota to chairs. Mostly being determined by sizes of courses and availability of rooms. Face-to-face will mostly be courses of 25 to 49 enrollment. Our room capacity has been reduced by 75% or more.
- Suresh Sundaram (Business Administration): Current only talks about risks to faculty themselves, not to the people we are staying with. Requiring someone to fill an ADA form does not cover risks to related family members or to people over 65.
- Provost Morgan: instructions that went to chairs included caregivers, family members, and age. We may have people who are unwilling to reveal health issues -- this is not a plot to make people uncomfortable.

Commented [1]:

- Deni Galileo: This resolution was not intended to be limited to health risks to themselves.

I have mixed feelings about Rakesh's concern. We were all forced to go completely on line in the spring, and therefore we can teach all courses online if we have to.

- Stephanie Raible (Human Development and Family Studies): We have had faculty members trying to get the ADA from a medical provider and failed because the form does not include that possibility of it being for somebody else.
- Deni Galileo: similar to weather policy, this puts it up to the faculty to make a decisions. We are still in emergency conditions.
- **Approved** 46 to 7

VI. Introduction of New Business:

Call a special meeting within 7-14 days of the present special meeting to discuss and vote on amending the Constitution and any other resolutions put forth by Senators or the Senate Executive Committee. (Requires 50% of the Senators to approve)

New Business Announcement

Recommendation from Co-Sponsoring Senators: Galileo, Hagstrom, Bhat, Custer, Raible, Buttrey, Orsega-Smith, Hestvik, Sundaram, Inguito, Morrison, Doty, Laberge, Obrusnikova, Rakesh, Biddle, Busch, and Fuhrmann for the approval of a **Resolution Revising Section 1.1.4.6 of the Faculty Handbook (Constitution of the Faculty of the University of Delaware)**.

WHEREAS, it is important to provide flexibility to conduct Senate meetings in Special Session, be it therefore

RESOLVED, that Section 1.1.4.6 of the Faculty Handbook be revised to provide two additional conditions for holding special meetings as shown in **Attachment 1**.

Attachment 1

1.1.4.6 Faculty Senate Meetings

The Senate shall hold at least one regular meeting each month during the academic year (September through May). The Senate may by the vote of two-thirds of its membership increase the schedule of regular meetings. It shall hold special meetings (1) at the call of the President of the University, (2) at the call of the President of the Senate, (3) by majority vote of the senators present at any regular or special meetings, (4) by petition of twenty (20) percent of the voting membership of the University Faculty to the President of the Senate, ~~or~~ (5) by petition to the President of the Senate of at least twenty (20) percent of the senators, (6) when requested by a majority of the voting members of the Executive Committee, or (7) when required to hold a meeting because it is stipulated as a condition in any section of the Faculty Handbook. The President of the Senate (or in his or her absence the Vice President of the Senate) in the last ~~three~~ five cases shall issue the call of the special meeting within a week of receipt of the request. The meeting shall be held within one week of the call. The call of a special meeting shall state the purpose or purposes of the special meeting and no business shall be transacted other than that specified in the notice of the meeting.

- **Discussion;**

- Deni Galileo (AAUP): This cannot be discussed at this time, but it is required to be posted at least a week in advance.
- Rakesh (Mathematical Sciences): are there notes from Exec?
- Brian Hanson (Secretary): I do not take notes in Exec. Those are kept by Karren Helsel. They are saved but are not typically posted.
- Charles Boncelet: Feels like this should be saved for a regular meeting.
- Matt Robinson: felt like this meeting was not necessary -- these were resolutions that needed to be passed.
- Deni Galileo: Part of the petition was to determine whether we should have another meeting to have a vote. There needs to be a vote today on whether there should be another vote in 7 to 14 days.
- Charles Boncelet: we are not voting that there will be no more special meetings.
- Rakesh: So what are we voting on?
- Deni Galileo: There is a time lag required before amending the constitution. This the minimum time lag required by the constitution for amending itself. If we vote to have another meeting in 7 to 14 days, it will be for the sole purpose of considering the proposed motion.

- Hans-Jörg Busch (Language, Literature, and Culture): What can't this wait until the next regular meeting?
- Deni Galileo: this was because we may have more special meetings, and the recommendations of the task force requires special faculty senate meetings.
- John Jebb (Parliamentarian) clarifies that we are voting on the need for an immediate (7 to 14 days) meeting to discuss this issue.
- **Approved** 25 to 23

Meeting adjourned at 5:38.