

**REGULAR MEETING OF THE UNIVERSITY FACULTY SENATE
DECEMBER 7, 2015
104 GORE HALL 4:00 PM**

Meeting Minutes

Members Present: B. Ackerman, M. Badiey, W. Batchis, D. Bellamy, W. Bellion, J. Bernstein, C. Boncelet, J. Botello, J. Brodie, M. Buell, M. Chajes, J. Coughenour, J. Courtright, K. Cranker, J. Daniel, E. Davis, P. Dhurjati, P. Duker, C. Dybowski, S. Eidelman, A. Everard, A. Fox, A. Friedman, D. Galileo, T. Gill, J. Gizis, B. Glass, D. Grasso, M. Gutierrez, B. Hanson, S. Hastings, J. Heinz, F. Hofstetter, J. Jebb, J. Jung, K. Kniel, M. Laberge, W. Lewis, K. Matt, S. McGearry, M. McLane, J. McNutt, D. Moore, B. Ogunnaike, L. Okagaki, R. Opila, L. Overby, M. Papas, M. Parcels, A. Poorani, D. Reisman, C. Riordan, M. Robinson, T. Rocek, M. Seymour-Green, I. Shah, N. Targett, D. Thompson, C. Vukelich, G. Watson, B. Weber, J. Wessel, C. Williams, L. Worden, J. Zide

Members Excused: T. Hsu, C. Knight, H. Lewis, A. Marsh, G. Melloni, R. Marquez, M. Reiger, D. Satran, S. Sengos, H. Tanner

Meeting called to order at 4:00 pm by President Elect Bob Opila

I. Adoption of the Agenda

Motion to adopt agenda

Seconded

All in favor – passed unanimously

II. Approval of the Minutes: November 2, 2015

Motion to accept minutes

Seconded

All in favor – passed unanimously

III. Remarks: President Nancy Targett

Presentation

The Board of trustees had a meeting and discussed with President Targett concerns with article 3 of the bylaws of the board of trustees. Concerns revolve around:

- 1) Definition of the faculty
- 2) Disconnect between authority and responsibility

The board said that this group of “faculty”, as defined broadly, has never met (jokingly) and they would like a better definition to be in their article 3. This definition is too broad and the list of responsibilities too extensive.

The requested that President Targett come forward with a recommendation as to how to clear this up. The Board wants input on this from the President and current faculty.

Article 3 also does not say anything about faculty senate – they found this curious

So the challenges in summary are:

- 1) Definition of faculty
- 2) Disconnect between authority and responsibility
- 3) Align bylaws with current or best practices

A committee will be convened to develop a path forward and this path will be discussed with the faculty senate. This process will be completely transparent and everyone will have the opportunity for input.

Recommendations need to be submitted by April 2016.

Questions/Comments

Senator John Gizis: I was surprised by several things that are not highlighted on your list; extracurricular education is clearly one of them. I am worried that the reaction that we are not involved in this might not be right.

President Targett: Please don't over read this. The final list of responsibilities could be completely different than this. It is not my intent to say you are not involved in this.

Follow-up by Senator Gizis: It seems as if the administration is being defined as apart from the faculty. This is clearly opposite to how we have been operating at this University. So, I am not sure if we have administrators who do not have well defined responsibilities. The board of trustees might be misguided on the entire thing.

President Targett: Yes, that doesn't have to be the outcome. I am looking to have a really robust discussion around this and come to a consensus.

Senator David Bellamy: In 1971, the entire faculty did meet from time to time and it was difficult to get a quorum. The organization of the faculty senate probably never made it to the board of trustees.

Senator Ali Poorani: How is this different from a job description? It seems that a job description is what is being developed here.

President Targett: Because these are the governing bylaws. Remember, the context is that the board of trustees did a self-assessment and these issues were raised then. The question was initially raised about fiduciary responsibility. And then they turned to their governing bylaws and started to identify accountability, if faculty is everybody then who is accountable.

They want lines of responsibility and accountability. They want to understand who the University sees as the faculty and why. They want us to take a look and make a case back to them as to how the current 21st century thinking and best practices fits with our current definition of faculty.

Senator Darci Reisman: I think this is really important, because there are people who are classified as professional staff and not faculty.

President Targett: Yes, we need to clear this up.

Senator John Bernstein: It seems to me that the problem is in defining “others”. They play critical roles, but do not work in defining coursework.

President Targett: Yes, the solution might be as simple as cleaning up the language.

Senator Michael Chajes: Recognizes John Morgan

Johns Morgan: I have been here since 1981 and I learned about how this faculty was first set up. There are minutes going back to 1950. I would urge those documents be scanned and put online for everyone to examine. Also, comments about responsibilities: I think it’s appropriate that almost all of these have a combination of faculty and administrators if you believe in shared governance. And I would like to focus on 2 items you did not highlight: one is the rules and regulations for discipline of students – I can’t imagine anyone better to do this than the faculty. And the other is admissions requirements – it is important that faculty have input into admissions – this has a direct impact on faculty.

President Targett: What I would say is let’s not get into the semantics here. Let’s put a committee together, look at this, and do what we are charged to do, and make this part of an ongoing discussion in faculty senate. So I would say stay tuned and I can already see it will be a great discussion.

President Elect Opila: Thank you Nancy – applause by all

President Targett: Oh and I have to be somewhere at 5 o’clock, so I will have to leave then. Thank you!

IV. **Remarks:** Provost Domenico Grasso

I will be brief – since the past discussion went a little over time.

Thank you for letting me speak with you this afternoon. At the beginning of the academic year, I mentioned that one of my goals is to work towards developing stronger shared governance. And this is truly important that the administration is of the faculty and a major component of the faculty. And we can think about the things that have not been done yet, but I would rather like to reflect on the successes we have had in shared governance. If we look at the things in the past 2 and ½ years:

- 1) Our strategic plan- written and owned by the faculty and staff and involved students and stakeholders and we are just about ready to launch the implementation of this

- strategic plan.
- 2) The budget – before I arrived I had the deans write a white paper on the issues of the budget. It took us a long time to develop a new budget plan, but that is because we worked together, faculty, administration and others, and came up with a budget that is closer to where we want to be. We, as a team of faculty and administrators, will examine the budget and make changes as we go along.
 - 3) CNTT faculty – the issues of CNTT faculty – we stepped back, put a team together and came up with a new way forward that we can all agree on. This has been one of the largest accomplishments and has given us a way forward. This has been one of the greatest accomplishments.
 - 4) Right now, we are working on promotion and tenure issues and the departments are all working on P and T and hopefully we will gather the information and decide on a path forward.
 - 5) Admissions policy is being examined and we are working together to examine and address the issues of admissions
 - 6) Topic of diversity – we have been working very hard to address the issues of diversity. And now we have a diversity blueprint written in collaboration with the faculty and it is now out for comment. I want to give a lot of credit to Carol Henderson, Cassandra Moi, and Emily Davis. They were instrumental in helping us see the steps we needed to make. And President Targett has been an incredible champion for the issues of diversity and she has moved us forward. (Applause from audience)

Tomorrow – I have the privilege of speaking with the Board of Trustees. And I have the opportunity to discuss the amazing faculty we have here and all our successes.

Questions – none

Applause from faculty

Senate President Elect Bob Opila makes [announcements](#):

We have passed family friendly policies here at UD and we now have developed a brochure included here:

Brochure

Also, UDance has a flyer and is trying to raise money for childhood cancer. Take this opportunity to contribute.

The next thing I wanted to talk about is shared governance. I have started to investigate where shared governance comes from. In March of 1966, the following document was developed:

Document

Some highlights from this document include:

- 1) Administration and Faculty are not differentiated

- 2) Internal operations depend on effective planning and communication
- 3) Budgeting is in the realm of shared governance
- 4) They then iterate responsibilities of the faculty

I highly encourage everyone to read this.

In the past few months, we have recognized many faculty who have achieved a lot; in particular Susan Brinton and Cecil Dybowski. What I have noticed is how fantastic the faculty are here at UD. I just discovered the Yes U Can program and how the undergraduate students here work with children and adults with disabilities. I would like to recognize Steve Goodwin for directing this program. Applause.

President Targett: Our UD community gives back a quarter of a million hours in service to the community every year and it is a wonderful testimony as to just how great this community is.

V. **Announcements:** Senate Elect President Bob Opila

- 1) Security at the University of Delaware
Pat Ogden, Chief of Police, discussed safety at UD and have a presentation on active shooters

[Presentation](#)

Questions:

Senator Wendy Belian: What kind of education are students receiving?

Chief Ogden: We are trying to do the same education with students. We do more outreach with student groups than we do with faculty and staff. And we direct them to the video as well. There is another 6 minute long video that Homeland Security produced (ours is 20 minutes long) – and their message is run, hide, fight.

Senator Steve Hastings: I know Delaware is an open carry state – what is the University policy?

Chief Ogden: Our policy used to be open carry for concealed weapons; but now it is prohibited for anyone to carry a weapon on campus except for University police.

Senator Philip Duker – I am interested in the security camera program; there are 420 cameras?

Chief Ogden: The 420 cameras are the ones recorded and sent back to our department. Our officers on patrol also have body cameras on them as well.

Follow-up by Senator Duker: Is there a program to expand these 420 cameras?

Chief Ogden: Yes- every other year, the university provides us with funding to add cameras, and as new buildings are built we can put in cameras.

Senator John Courtright: I would like to bring up the issue of kids riding bicycles.

Chief Ogden: Obviously we had a tragic incident here on campus, so conversations are taking place on this issue. One month prior to this incident we actually started a program called Walk Safe, Bike Safe. I think there is a lot of work to be done, it is a complex conversation that needs to happen and we need to come up with policies for this.

Thank you (applause by all)

2) Diversity at the University of Delaware
Emily Davis, Chair of Faculty Senate Committee on Diversity and Inclusion

I want us to stop and thank Carol Henderson - let's give her a hand (Applause by all)

I am going to examine the faculty slice of diversity (presentation was made)

Presentation

Multicultural requirement will be changing and we, as a committee, are happy to come and speak with your department.

Students experience discrimination on campus

So, this is an overview of where our committee plans to go next and we hope to use the faculty senate as a way to discuss these ideas and help department and colleges.

Questions

Senate Secretary Mia Papas: One comment and one question: First I would like to see disability included in the discussion of diversity on campus. And Question: You highlight the colleges of engineering and business in the diversity quiz, but neither college is represented on your committee. Is there a reason for this?

Emily Davis: No, no reason except that our committee was limited in number.

Senator Brian Hanson: As chair of the COCAN committee, we selected volunteers for the committee who were willing to serve.

Thank you (applause).

VI. Consent Agenda

President Elect Bob Opila: We will vote for the consent agenda as a block.

1. Recommendation from the Committee on Undergraduate Studies (Steve Hastings, Chair) with the concurrence of the Coordinating Committee on Education (Prasad Dhurjati, Chair) for the request to **revise the required courses to the BS in Computer Science** ([attachment](#))
2. Recommendation from the Committee on Undergraduate Studies (Steve Hastings, Chair) with the concurrence of the Coordinating Committee on Education (Prasad Dhurjati, Chair) for the request to **revise the CHEM course numbering scheme** ([attachment](#))
3. Recommendation from the Committee on Graduate Studies (Charles Swanik, Chair) with the concurrence of the Coordinating Committee on Education (Prasad Dhurjati, Chair) for the request to **add a Graduate Certificate in Cyber Security** ([attachment](#))

Motion to vote

Motion made and seconded

Vote: unanimously approved

VII. Regular Agenda:

A. Unfinished Business:

Alan Fox reads a statement from Seth Shabo. The aim of this resolution is two fold: First to sharpen the distinction between administrators and faculty within the P and T process and second to promote consistency in how this process is implemented in colleges and departments. The resolution has changed to reflect comments by faculty and clarify issues previously raised. The resolution is as follows:

1. Recommendation from Senator Seth Shabo with the concurrence of the Faculty Welfare and Privileges Committee (John Courtright, Chair, vote 6-0) and without the concurrence of the Promotions and Tenure Committee (Mary Ann McLane, Chair, vote 0-7) for the approval of a resolution to **limit administrative participation in Promotion and Tenure Committees** ([Attachment 1](#))

WHEREAS, the promotion and tenure decision is one of the most important a University makes, and

WHEREAS, the integrity of the deliberation on the P&T decision requires a clear separation between faculty input and administrative input, and

WHEREAS, uniformity across the P&T procedural policies of colleges is desirable as otherwise an inherent unfairness taints the P&T process, be it therefore

RESOLVED, that Attachment 1 be added to the Faculty Handbook as a new section 4.4.13.

Discussion

President Elect Bob Opila asks for representation of the two committees to speak:

Senator John Courtright discussed FWP. He stated that last spring we had a faculty complaint that went to the FWP committee. At the end of that hearing, FWP recommended exactly what this resolution says to the provost. So we decided we are in favor of this and wanted to give this a more permanent solution.

Senator Mary Ann McLane: The P and T committee also reviewed this both last year and this year and the makeup of the committees was different last year and this year. And the consensus was that this is a global solution for what seems to be a local problem. Departments and colleges should have guidelines that clearly state who can and cannot be on P and T committees.

Senator Deni Galileo: I would like to make a few comments. One, if you look at the very first sentence in the faculty handbook on promotion and tenure it states that this is a parallel process, and thus there should be no intersection. And currently, they are not parallel, because they converge at the level of the provost and I think that this is in agreement with this resolution that the administrative and faculty sides are supposed to be separate and not cross paths. Additionally, one of the points that Senator McLane brought up, that these issues should be handled at the College level is not true, because the Senate has barred chairs from being on P and T committee and you can't be an administrator on the university P and T committee. Finally I believe this resolution provides procedural balance between administrators and faculty.

Senator Charlie Boncelet: I was on the P and T committee for 6 years. We discussed this then. We just honestly disagreed with the basic premise. Just because a faculty member has an appointment in the Provost office, does not disallow their participation in the P and T process. The Provost letter is written and signed by the Provost. Same thing for Deans, We see nothing wrong with the Dean going out and asking advice from other administrators and faculty. We thought this was a way of disenfranchising faculty.

Charlie Riordan: I would add that I would be one of those people who would be disenfranchised. My perspective is to focus on what are the principles we want to live by as a faculty. I think it is bad practice to drive policy based on one or two incidents. Our structure works well because we have FWP that can intervene and we have a grievance process. I think the general principle of fairness was indicated in the first whereas. This should be fairness for all faculty members, especially those who hold administrative positions. Faculty should have a vote, but only once in the process. In section 4.4.4, it is stated that the Department P and T procedures must be democratic. Certain ground rules must be observed. Due respect must be given to the faculty, all faculty, including those with administrator responsibilities. Faculty can vote once and only once. And section 4.4.6 discusses committee members can neither participate nor vote at the discussion at the University level. So faculty are clearly empowered with one vote in the process.

Senator John Bernstein: The one vote principal – does that exclude advice? As an administrator, advice can be given to the Provost or Chair. I am inquiring about the intent here.

Senate Vice President Martha Buell: Are we sure that everyone gets a vote at the departmental level? In my department, we have a committee and they are the only ones who

get a vote.

Senator Cecil Dybowski: Voting depends on the Departmental rules and in many departments, everyone at the level above which the person is seeking promotion has a vote. In engineering, that is also the case. It appears to me, in some other Departments that is not the case. So it depends on the Department. But you would be disenfranchising Charlie, for example, and he might not say a word to the Provost, and he would then not be allowed to vote.

Senate Vice President Martha Buell: So my question is about the principle of this resolution. So is it the principle that is this gets passed; then people who are disenfranchised can now not be disenfranchised?

Senator John Courtright: I would like to make a factual statement: It is a fact that when an individual becomes an administrator at or above the level of chair that the designation for them is changed in Human Resources. They are classified as a senior professional member. They get faculty rank back once they complete their tenure in administration.

Senator Tom LaPenta: Someone at chair or above, when that occurs, their primary job is listed as chair and their secondary job is listed as professor and then lower on your tenure status is listed. Now that is what the HR form says. If you are an associate chair, though, your primary appointment is faculty and your secondary job is associate chair. And a chair is not a member of the bargaining unit by contract.

Charlie Riordan: I want to respond to Martha: it is my understanding that the issue is how this is operationalized within the department. So, the department level policies are clearly developed by department level faculty. I am assuming that the members of your faculty went to a representative body instead of a faculty as a whole and this was voted upon by all members of your faculty.

Past President Elect Fred Hofstetter: I value the arguments made by my friends and colleagues here on both sides of the issue. I think some very good minds have been working very hard on this with good intentions. At the end of the day I believe this is a matter that needs to be left up to the Departments and Colleges by their bylaws. I would like to urge my colleagues to defeat this motion.

Senator Deni Galileo: This to me is democratic. Rather than asking departments to individually exclude people, this is asking them to include people. This is the way I would look at it and I believe there is no difference in what will happen.

Senator Allan Fox: Yields the floor to John Morgan

John Morgan – I was past Provost Tom Apple's special assistant for 2 years. Tom and I had a lot of discussions, but never had a discussion about an individual faculty P and T case. I think one of the concerns is that the presence of administrators that frequently talk to the provost or dean can have a chilling effect. I am disturbed by the fact that individual members can talk to the Provost about candidates. We have rules that private conversations are not supposed to occur. Thank you.

President Elect Bob Opila: Any more discussion; Hearing none – the question is called

All those in favor: 13

All those opposed: 36

The Shabo resolution is not carried

Next new business introduced by Emily Davis

B. New Business

1. Recommendation from the Committee on Diversity and Affirmative Action (Emily Davis, Chair) with the concurrence of the Executive Committee (Bob Opila, Chair) for the request to revise the name and charge of the University Faculty Senate Diversity and Affirmative Action Committee ([Attachment 1](#))

WHEREAS, the committee of Diversity and Affirmative Action was reconstituted in Spring 2015 after several years of being inactive, and

WHEREAS, affirmative action is now the provenance of the Office of Human Resources and the Office of Equity and Inclusion, and

WHEREAS, “inclusion” refers to a state of being valued, respected and supported by a community in which the inherent worth and dignity of all people are recognized, as well as active efforts to create inclusive environments which provide a sense of belonging, involvement, respect, and connection, and

WHEREAS, the University of Delaware’s Strategic Initiative reaffirms that UD’s “future is firmly predicated on our steadfast commitment to diversity, equity and inclusion” and that UD “must strive to be a more open, inclusive community that encourages and supports diversity as a cornerstone of excellence, that harbors a safe and welcoming environment, and that reflects the hopes and dreams of society as a whole.”

therefore, be it

RESOLVED, that the Committee on Diversity and Affirmative Action be renamed the Committee on Diversity and Inclusion, and be it further

RESOLVED, that the faculty handbook be revised to include the name and charge of the committee as outlined in ([Attachment 1](#)).

Discussion

Senator Tom Rocek: I was wondering if we can get clarification on the third part of the charge

Emily Davis: The third point was to call attention to the fact that those working in diversity issues might not be publishing in journals that are not as highly thought of within disciplines. And we wanted to be able to support and advocate for faculty investigating research in diversity. This resolution is for both underrepresented faculty and those who focus in research on diversity.

President Elect Bob Opila calls the question

Resolution carries unanimously

VIII. 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.)

Senator Michael Chagis: Introduced new business that would allow the commission on sexual harassment and assault to look at best practices for engaging and training faculty.

WHEREAS, sexual misconduct on college campuses is a nationwide problem, and

WHEREAS, the faculty at the University of Delaware continue to strive to provide leadership in this area, therefore be it

RESOLVED, that the Commission on Sexual Harassment and Assault will investigate and develop recommendations regarding best practices and processes for faculty engagement and training at UD as they relate to issues of sexual misconduct and Title IX, and be it further

RESOLVED, that the Commission on Sexual Harassment and Assault will present their recommendations for best practices and processes for faculty engagement and training, as well a comprehensive set of recommendations based on the Commission's efforts to date, no later than the April 2016 Faculty Senate meeting.

Senator Deni Galileo: I don't know if the senators were aware that we changed the September meeting date. And the fact that it was changed was a violation of our bylaws. We don't have a provision in our bylaws for unexpected changes that might be needed. And the foreseeable reason in September was changed in short notice. Therefore, we should be able to change the meeting dates if need be. This is a much better way to operate. Introduced new business that would allow faculty senate to change dates.

Whereas, Section V. of the Senate Bylaws states: "The Senate shall hold its regular meetings in September, October, November, December, February, March, April, and May on the first Monday during which classes for the regular fall or spring semesters are in session.", and

Whereas, this allows for no mechanism to alter the Senate meeting dates, and

Whereas, the Senate President and Executive Committee changed the date of the September 2015 Senate meeting from the 14th to the 21st despite this being a violation of the Senate Bylaws, and

Whereas, the Senate Committee on Rules formally considered this issue twice in August and September 2015 and ruled both times that it was not possible to legitimately change the meeting date from September 14th with our current bylaws, and

Whereas, the change in the meeting date was announced with short notice on September 4th, and

Whereas, there should exist an orderly and inclusive process whereby Senators can consider and ratify proposed Senate meeting dates prior to the academic year for which the meetings are to take place, be it therefore

Resolved, that Section V. of the Senate Bylaws shall be amended to create a new inclusive process for determining and changing Senate meeting dates as stipulated in the following Attachment 1.

**Attachment 1: Proposed Senate Bylaws Section V. change:
V. Regular Meetings**

The Senate **ordinarily** shall hold its regular meetings in September, October, November, December, February, March, April, and May on the first Monday during which classes for the regular fall or spring semesters are in session. **The Faculty Senate Committee on Rules shall prepare in the spring semester a list of the dates for the following academic year and introduce them on the May Senate agenda for formal approval. There may be times when changing these meeting dates is required or preferable after they are set the preceding May, due to inclement weather or other unforeseen circumstances. In these cases, the Faculty Senate Executive Committee shall, by majority vote, determine the alternative date and promptly inform the Senators and the Committee on Rules.** Regular meetings of the Senate shall convene at 4 pm unless otherwise designated.

President Elect Bob Opila calls for the motion to adjourn
Seconded and all in favor.

Meeting ends at 6 pm.