REGULAR MEETING OF THE UNIVERSTY FACULTY SENATE

November 4, 2013 – 104 GORE HALL

OFFICIAL MINUTES

Members Present: B. Ackerman, T. Angell, N. Brickhouse, M. Buell, N. Carver, L. Claessens, J. Courtright, J. Daniel, N. Donofrio, P. Duker, C. Dybowski, R. Dyer, S. Eidelman, D. Ford, M. Gaffney, D. Galileo, S. Goodwin, D. Grasso, B. Hanson, S. Hastings, G. Hermon, F. Hofstetter, T. Hsu, S. Isenstadt, J. Jebb, A. Jones, M. Kernan, S. McGeary, M. McLane, M. McLeod, D. Miklitz, J. Morgan, L. Okagaki, B. Orzada, S. Pollack, D. Reisman, M. Rieger, C. Riordan, T. Rocek, E. Selva, B. Settles, S. Shabo, C. Shen, C. Swanik, H. Tanner, N. Targett, D. Thompson, E. Tranby, K. Turkell, T. Vermeer, G. Watson, B. Weber, L. Winn, R. Wisser, R. Wool.

Members Excused: P. Dhurjati, E. Hayes, P. Laux, K. Matt, J. Morrison, J. Mycoff, B. Ogunnaike, D. Satran,

Members Absent: L. Awad, R. Cole, T. Gill, J. Gillespie, S. Hansen, A. Muenchow, P. Penix-Tadsen, C. Williams. G. Wolf.

October 28, 2013

TO: Senators and Executives

FROM: Martha Buell, Vice President
             University Faculty Senate

SUBJECT: Regular Faculty Senate Meeting November 4, 2013

In accordance with Section IV, paragraph 6 of the Constitution, the regular meeting of the University Faculty Senate will be held on Monday, November 4th at 4:00 p.m. in room 104 Gore Hall.

I certify that hard copies of the approval page for each undergraduate and graduate studies academic item on the agenda are filed in the Faculty Senate Office with the appropriate signatures of approval up through the Chair of the Faculty Senate Coordinating Committee on Education. The Agenda will be as follows:

AGENDA

I.   Adoption of the Agenda

Adopted Unanimously

II.   Approval of the Minutes October 7, 2013

Approved Unanimously

III.   Remarks: Provost Domenico Grasso

Provost Grasso said that we have started the initial planning for revisiting the strategic plan for Path to Prominence. The faculty senate will be heavily involved as well as the faculty as a whole. The Provost's RBB review process was recently launched. The committee is comprised of Deans, Chairs, and Faculty from various colleges as well as one faculty member who served on the Senate's AdHoc RBB committee. They will look very closely at the report of the Senate's Ad Hoc committee on RBB as they consider how to implement RBB in order to achieve academic excellence and success on campus. Regarding the resolution for hiring faculty from other Universities that have academic rank already, Provost Grasso said that personnel decisions are the most important decisions on this campus including who we tenure, and we don't want to hire someone with tenure without a strict review process. Provost Grasso also said that the proposed partnership between UD and JP Morgan Chase had a received a 54-6 vote of approval (with one abstention) in the College of Business and Economics. JP Morgan is rewriting part of the contract making it explicitly clear that they have no control over any part of the academics and that UD has total sovereignty over the academics.

IV.   Announcements: Senate President Deni Galileo (Announcement Slides)

a. Parliamentary procedures has been posted and we will try our best to follow these
b. Points of information
   i.   On Monday October 14 there was an open meeting on the Data Centers project scheduled to be built on the STAR campus. One can watch a video of the whole meeting on the podcast site
   ii. Slide presentations from the meeting will be posted shortly on the Senate web page under Reports
   iii. Any comments or concerns for the working group and/or engineering consultants should be sent to datacenterproject@udel.edu
   iv. Meet and Greet happened on Friday October 18. There was a good discussion of several issues and we are looking into having similar events earlier in the day when more Senators might attend

v. RBB open meeting was held on October 28th. There were presentations by committee members followed by questions and comments from the audience. The audio recording should be posted on the Podcast website.

vi. Late October. President Harker gave an interview to WHYY. The wide ranging interview discussed:
   1. ISE Lab and STAR Campus
   2. Transforming teaching/learning experience
   3. Controlling high cost of college
   4. Online education
   5. Adding value and talent to the state of Delaware
   6. The Sept. 9 student incident
   7. Competing in the fast-changing education environment

vii. September 9th student incident: The student life committee was asked to consider creating a short report for the Senate. After a month they replied that they did not think they could produce a report for several months and they preferred not to write one. It may be necessary for a broader committee to look into this. It would be a good idea to get an answer to the questions listed on the slide titled "September 9 Incident" (see link to slides)

Patrick Ogden, Chief of Police

UD Police Chief Patrick Ogden spoke about student discipline and specifically about the September 9 incident as a lot has been in the media about the incident lately. Monday September 9 night: the residence in 400 block of South College had a party that got out of hand. "I'm Shmacked" is a video production company that goes to different colleges and universities and encourages students to have big parties that they record and then post online. They make money by selling advertising. A rep reached out to colleges across the US and wanted someone to be their local liaison and someone at UD agreed and set up a Twitter account and got other UD students to follow the Twitter account. He said that if he could get 400 students together and throw a party they would video it and 1200 people got the message and showed up. Police on patrol saw a lot of people moving around but didn't think much of it at the time. Somehow the police got a call and they realized it was way bigger than they had thought. Instead of dispersing they took over South College Avenue and one of the cameramen got a shot of everyone and they all got riled up outside of Gore at the underpass. A student jumped on a car and got arrested immediately. Some of the crowd went to the green and some went to Main Street. They brought in additional resources from state and county police and they were sent to strategic places to control it. No officers were on Main St when the

students got there. The behavior is unacceptable, when that happens they work collaboratively with the Newark Police Department (PD). If Newark PD arrests a student they get a criminal summons and once the case is adjudicated in court, the court notifies the office of student contact. They give their own charges, entered in agreement with Newark PD where students are arrested then UDPD initiates the student contact process. Thursday has seen an increase in activity for the UDPD, for the most part the students are very well behaved and responsive to being good neighbors and citizens but some push it to the edge and are problems.

Question and Answer Session:
1. *Question* from Senator Selva in biological sciences: Such an incident generates bad publicity for the university, seems like it started from Twitter so how are we dealing with the social media aspect?
   Answer: Chief Ogden said they have detectives that comb through social media. It would take someone full time everyday to keep up with social media. We had not heard of I'm Shmacked before so we wouldn't even have known what to do with it if we saw it
2. *Question/Comment* from Senator Morgan in physics: He was teaching a review session for an upper level physics course and stayed around to make up a test. When he left Sharp Lab around midnight he witnessed the tail end of the incident. He personally did not witness anything that could be described as disorderly conduct or disruption. He said that we have good kids here. They might be immature or misguided but they're good and all they did was go in the street.
   Answer: Chief Ogden said no one assaulted, damaged property, etc. but what they were doing was blocking traffic really. Another interesting thing was that someone posted a picture of a burning car that gave the incident wind – it did NOT happen.
3. *Question* from a Senator: Why are there not more cameras on campus?
   Answer from Chief Ogden: It wouldn't have prohibited this from happening. There are 200 cameras on campus that are strategically placed where high crime is or where people don't feel safe. From 2008-2013 more serious crimes on campus has been reduced by 33% and cameras have been a great force multiplier for us
4. *Question/Comment* from Akisha Jones grad student senate: About Sept. 9 incident, speaking for grad students we

Answer: Chief Ogden said that crime is down but they are trying to be more transparent than they have in the past. They want alerts out there so people can protect themselves. There is a federal regulation that requires campus or sidewalks and streets adjacent to campus crimes to be reported as an alert to community. The alerts increase peoples fear on campus and they want people to realize they're not exactly safe.

5. Question: Did UD students purchase tickets from "I'm Shmacked" and is it illegal to sell tickets and charge for something without a venue?
Answer: Yes, it is illegal and we are trying to be proactive with discouraging them from coming back. Chief Ogden doesn't think they'll come back because of the way it was handled and the publicity.

V. Consent Agenda

A. Announcements for Challenge: None

VI. Regular Agenda

1. Resolutions:

a. Recommendation from the Executive Committee (Deni Galileo, Chair) with the concurrence of the Promotion and Tenure Committee (Tom Kaminski, 2012 Chair) for the **revision to the Faculty Handbook section 4.1.1 regarding Promotion and Tenure "Faculty Appointment Policy"** (attachment1) (attachment 2)

WHEREAS,   Section 4.1.1 of the Faculty Handbook ("Faculty Appointment Policy") of the University of Delaware provides that the faculty in a department must approve any faculty "appointment" to the department; and

WHEREAS,   Section 4.1.1 further provides that the academic rank of the new faculty member must be approved by the

Provost, and appointments with tenure must be approved by the Provost and President; and

WHEREAS, in the case of an external faculty hire, there is no provision in the Handbook providing for faculty participation in the decisions as to the academic rank of such appointee or whether tenure will be granted; and

WHEREAS, it is important that faculty in the department participate in the determination of the academic rank and whether tenure should be granted to such an appointee; and further, it is important that in the case of a senior lateral faculty appointment, the voting process for faculty approval follow the same procedure that otherwise applies in the case of internal faculty promotions and/or the granting of tenure in that department; and

WHEREAS, it also is important that the faculty and administrators who are making such decisions have sufficient information to make an informed decision with respect to the appropriate rank of such appointee, and where relevant, whether tenure should be granted; be it therefore

RESOLVED, that Section 4.1.1 of the Faculty Handbook shall be amended to provide that faculty in a department shall vote on the rank of an external candidate for an appointment in that department, and where relevant, whether tenure shall be granted to the appointee, according to the procedures set forth in that department's bylaws and promotion and tenure document for votes on internal candidates for promotion and/or tenure; and be it further

RESOLVED, that Section 4.1.1 of the Faculty Handbook shall be amended to provide that departments shall set forth requirements in their promotion and tenure documents describing what, if any, materials

(including but not limited to a dossier, external letters of review, and teaching evaluations) substantiating evidence of excellence in scholarship and/or teaching must be provided by a candidate for a faculty appointment in that department at a rank higher than the candidate's rank in his or her current academic position and for any faculty appointment that includes the granting of tenure to a candidate who does not already hold tenure in his or her current academic position.

Deputy Provost Brickhouse proposed a motion to amend and strengthen the above resolution by replacing "what, if any" with "those" in order to specify that there must be presented materials to evaluate the person (i.e., it is not optional). The motion was seconded and there was no discussion. The vote for amending of this resolution was 1 against and the amendment passed almost unanimously. According to Senate rules, there needed to be a two-thirds majority threshold vote to be able to finally vote on the amended resolution for revision of the faculty handbook. The vote on whether or not to vote on the amended resolution for the faculty handbook passed unanimously. The final (3rd) vote on the amended resolution to revise the faculty handbook passed almost unanimously with 1 vote against.

b. Recommendation from the Coordinating Committee on Education (Deni Galileo, 2012 Chair) with the concurrence of the Graduate Studies Committee (Andrew Teplyakov, 2012 Chair) and the Executive Committee (Sheldon Pollack, 2012 Chair) for the request to approve the **online education policy for the course catalog and the Professional and Continuing Studies (PCS) website**

WHEREAS, the Senate Coordinating Committee on Education is charged with providing a large context for the examination and preparation of educational proposals and with helping to formulate and assess educational policies and practices; and

WHEREAS, the Faculty Senate recently has passed a new Faculty Handbook policy on "Use of Innovative Technology and Online Course Formats," in which use of such technology is determined by the faculty member and their academic unit (department or college curriculum committee); and

WHEREAS, guidelines for student enrollment in online courses also are best determined by individual departments, programs, or majors; and

WHEREAS, online courses require special considerations for the administration of proctored examinations, especially when given at a distance (e.g., in another state); be it therefore

RESOLVED, that enrollment in undergraduate or graduate online course sections may be restricted by departments, programs, or majors as specified in their undergraduate or graduate program policy documents (e.g., a minimum GPA requirement, number of online courses, no online courses in a major, etc.). Proctored exams, if required, must be taken at a UD-approved testing site or through a UD-approved online authentication and proctoring service in cases where a student does not have reasonable access to an approved testing facility (e.g., in another state); and be it further

RESOLVED, that this policy shall supersede any and all existing policies that restrict student enrollment in online course sections that are not specified in undergraduate or graduate program policy documents of a department, program, or major; and be it further

RESOLVED, that this policy shall be stated in the UD Academic Catalog where appropriate, and on the websites of the Registrar and the Division of Professional and Continuing Studies wherever online course restrictions are noted.

The motion came to the floor moved and seconded. However, it was noted that UGS did not concur. When asked, Steve Hastings shared that he didn't know why UGS did not support the motion and doesn't remember discussing it last spring in UGS. They had it on their agenda for this semester and he does not know why they did that. Fred Hoffstetter was the chair then and he said that the reason had to do with transfer credits and whether courses are online or not and since most institutions don't indicate on transcripts whether courses were taken online or not they found issues with it and wants it sent back to UGS.

A vote was called on this resolution. Senate President Galileo added that it might be cleaner if Senators thought about sending it back by voting to defeat it so that UGS has a clean slate. A Senator asked as to what problem this resolution was intended to solve. President Galileo responded that a need for a resolution came from

the fact that the 2008 Online task force recommendations were implemented by the administration without Senate approval. A vote was called for those in favor of sending it back to UGS for reconsideration. There were three votes against and the rest were for sending it back. Resolution was sent back to UGS for further consideration.

2. **Unfinished Business:** None

3. **New Business:** None

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.)

Senator Buell asked, on behalf of the ad hoc RBB committee, to withdraw the original resolution that was proposed by the committee and discussed at the October Senate meeting, and replace it with a substitute resolution. The proposal was moved and seconded, ensuring that it is the substitute resolution that comes back in the December meeting. (The original resolution was postponed in the October meeting by a motion from Deputy Provost Brickhouse to delay consideration until after the open meeting on RBB). Substitute resolution attached.

Senator Morgan requested that the executive committee consider as a matter of urgency the appointment of an ad hoc committee about the issues of the Sept. 9 student incident. It was seconded. This will go to the executive committee for discussion.