

University Senate

March 3, 2010

Members Present

Members present at the meeting: 91

Call to Order

Senate Chair Miller-Hooks called the meeting to order at 3:32 p.m.

Approval of the Minutes

Chair Miller-Hooks asked for additions or corrections to the minutes of the December 10, 2009 meeting. Hearing none, she declared the minutes approved as distributed.

Report of the Chair

Chair Miller-Hooks gave an update on the work of the General Education Task Force. The draft report will be discussed at the March 25, 2010 Senate Meeting and the senate will vote on the final report in the future. Miller-Hooks gave an overview of the Senate's work on the child care issue. Four committees, staff affairs, student affairs and human relations, have been working together on the issue and hope to make a recommendation this semester. Miller-Hooks announced that she and two other senators would be serving on the Presidential Search Committee and read a statement from the search committee chair, Dean Kettl. Miller-Hooks also gave an overview of the status of pending legislation for the year.

Committee Reports

PCC Proposal to Terminate Inactive EDCI Undergraduate Programs (Senate Document Number 09-10-25) (Action)

Alex Chen, Chair of the Programs, Curricula and Courses Committee, presented the proposal to the Senate and provided background information. Miller-Hooks opened the floor to discussion; hearing none, she called for a vote of the Senate. **The motion to approve the proposal passed.**

PCC Proposal to Terminate or Suspend Inactive EDCI Graduate Programs (Senate Document Number 09-10-26) (Action)

Alex Chen, Chair of the Programs, Curricula and Courses Committee, presented the proposal to the Senate and provided background information. Miller-Hooks opened the floor to discussion; hearing none, she called for a vote of the Senate. **The motion to approve the proposal passed.**

PCC Proposal to Restructure the B.A. in Secondary Education (Senate Document Number 09-10-27) (Action)

Alex Chen, Chair of the Programs, Curricula and Courses Committee, presented the proposal to the Senate and provided background information. Miller-Hooks opened the floor to discussion; hearing none, she called for a vote of the Senate. **The motion to approve the proposal passed.**

PCC Proposal to Restructure the B.S. in Secondary Education (Senate Document Number 09-10-28) (Action)

Alex Chen, Chair of the Programs, Curricula and Courses Committee, presented the proposal to the Senate and provided background information. Miller-Hooks opened the floor to discussion; hearing none, she called for a vote of the Senate. **The motion to approve the proposal passed.**

PCC Proposal to Add a Post-Baccalaureate Certificate in Global Health (Senate Document Number 09-10-29) (Action)

Alex Chen, Chair of the Programs, Curricula and Courses Committee, presented the proposal to the Senate and provided background information. Miller-Hooks opened the floor to discussion; hearing none, she called for a vote of the Senate. **The motion to approve the proposal passed.**

Human Relations Code & Committee Name Change (Senate Document Number 09-10-12) (Action)

Valérie Orlando, Chair of the Human Relations Committee, presented the proposal to the Senate to change the name of the Human Relations Committee to the Committee on Equity, Diversity, and Inclusion and provided background information. Miller-Hooks opened the floor to discussion; hearing none, she called for a vote of the Senate. **The motion to approve the proposal passed.**

Professor of the Practice & Adjunct Professor Representation in the Senate (Senate Document Number 09-10-18) (Action)

Kendra Wells, Chair of the Elections, Representation & Governance (ERG) Committee, presented the proposal to add a single representative on the Senate for the Professors of the Practice and Adjunct faculty to the Senate and provided background information. Miller-Hooks opened the floor to discussion; hearing none, she called for a vote of the Senate. **The motion to approve the proposal passed.**

Arbitrary and Capricious Grading (Senate Document Number 06-07-51) (Action)

Charles Delwiche, Chair of the Academic Procedures & Standards (APAS) Committee, presented the proposal to the Senate and provided background information on the committee's work. Miller-Hooks opened the floor to discussion.

Senator Gulick, Faculty, College of Computer, Mathematical & Physical Sciences, inquired about the procedure for a case without merit.

Delwiche stated that the remedies were recommended only if there was a finding of arbitrary and capricious grading by the committee.

Senator Sachs, Undergraduate, College of Behavioral & Social Sciences, proposed an amendment to include an undergraduate on the review committee because only a peer could understand where the student was coming from. He rejected the idea that a student on the review committee would advocate for his/her peer. He further stated that the student judiciary board is an example of a review committee where students are able to make fair judgments of their peers.

Proposed Amendment:

D. The Chair shall refer the case to a committee consisting of at least three tenured faculty members at a rank equal or superior to that of the instructor. ***The Chair shall also appoint one undergraduate student to serve on the committee. Normally, this student member will be a third- or fourth-year major student in the department.*** As appropriate within the context of the academic unit, this committee may be a standing committee, or may be appointed ad hoc. The committee should be formulated to provide fair and unbiased consideration of the case, and the charge to the committee should remind them of this responsibility.

The motion for an amendment to the membership was seconded.

Miller-Hooks opened the floor to discussion of the amendment.

Delwiche responded that the student judiciary board supports the concept of peer evaluation. He stated that since the faculty member is the one being judged, the review committee should be made of his/her peers. He also stated that he is a strong advocate of students being involved in committees but does not feel it is appropriate in this case.

Senator Tits, Faculty, College of Engineering, stated that he was against the amendment because of the danger of reprisal down the road.

Senator Tervalá, Undergraduate, College of Arts & Humanities, stated that he did not believe that there would be reprisal if the students that served on the committee were 3rd and 4th year students who were graduating. He also stated that students are not biased and serve on various high-level committees. He urged the Senate to support the amendment.

Senator Hayes, Undergraduate, College of Engineering, asked whether the committee had looked at the graduate student policy? He stated that the current graduate student arbitrary and capricious grading policy has a membership that is evenly divided between faculty and students.

Delwiche responded that the committee did not look at the graduate student policy but did look at the undergraduate policies of our peer institutions.

Senator Soltan, Faculty, College of Behavioral & Social Sciences, stated that we should have a fair and consistent policy for all students and supported the amendment.

Senator Sandstrom, Full-Time Instructor, College of Arts & Humanities, stated that she supported the amendment because instructors teach undergraduates. She thinks that instructors should also be included on these committees; so, she understands the students' concerns.

Senator Crisalli, Undergraduate, College of Behavioral & Social Sciences, stated that if the existing policy protects junior faculty from reprisal, it shows that the University acknowledges that there could be corruption in this form of peer review. Therefore, we should implement shared governance and include undergraduates.

Delwiche responded that if a senior faculty member is evaluated by a junior faculty member in a review case, there could be reprisal down the road.

Senator Smela, Faculty, College of Engineering, asked if the graduate student policy was intended for them as instructors or students. She also stated that we should not duplicate an unwise policy.

Dean Caramello, Graduate School, responded that it is intended for graduate students who have received grades that they believe are arbitrary and capricious.

Senator Burke, Undergraduate, College of Behavioral & Social Sciences, stated that there is not enough student representation on university-wide committees. She said that creating a new committee with no student representation is not a good idea. She felt that many students would want to serve on a committee like this one.

Delwiche clarified that the review committee is not a new committee and that their recommendation was to not change the structure of the existing committee membership. He also explained that this is essentially not just a committee but part of a judicial process that is part of faculty review.

Senator Dinman, Faculty, College of Life Sciences, stated a quote, "consistency is the hobgoblin of small minds."

Senator Tobiason, Graduate Student, College of Arts & Humanities, stated that he is supportive of the motion. He believes that this is an excellent opportunity to affirm

our dedication to the principles of shared governance. The Graduate School policy respects students to a greater degree than this proposal. He was bothered by the notion that students would advocate for each other.

Delwiche stated that his intent was to improve upon the existing policy. Taking away a grade or changing a grade that a faculty member has given challenges that faculty member's academic freedom. We should look at this from the perspective of the professor who has been challenged. The policy has to defend the rights of the professor and the student while representing the interests of the university.

Senator Buchanan, Faculty, College of Agricultural & Natural Resources & Member of the APAS Committee, stated that the committee considered whether a student would be an impediment to an open and aggressive discussion. They agreed that a student would be an impediment to getting an appropriate and fair solution. He stated that he did not support the amendment.

Senator Bedford, Graduate Student, College of Arts & Humanities, stated that students earn their grade. If we do not allow students to be a part of this process, they will not understand where grades come from.

Dean Hamilton, Undergraduate Studies & Member of the APAS Committee, stated that the committee reviewed this issue thoroughly and came to the same conclusion to not include a student on the committee.

Senator Jacobe, Part-Time Instructor, College of Arts & Humanities, stated that faculty would have reservations about speaking openly if a student were in the room. She stated that she could not support the amendment.

Hearing no further discussion, Miller-Hooks called for a vote on the amendment. **The amendment failed.**

Senator Tervalá, Undergraduate, College of Arts & Humanities, made a motion to strike section C.1. of the proposed policy as an amendment.

Senator Crisalli seconded the motion.

Proposed Amendment:

C. The appeal may be dismissed administratively if:

- ~~1. the student has submitted the same, or substantially the same complaint to any other formal grievance procedure; or,~~

Chair Miller-Hooks opened the floor to discussion of the amendment.

Dean Caramello, Graduate School, the intention of the language is to prevent the same complaint from being considered in a different grievance process.

Hearing no further discussion, Miller-Hooks called for a vote on the amendment. **The amendment failed.**

Senator Soltan, Faculty, College of Behavioral & Social Sciences, made a motion for an additional amendment to change B.1.

The motion was seconded.

Proposed Amendment:

1. Appeals must be filed within 20 working days after the first day of instruction of the next regular semester **following the semester in which the grade was issued.**

Delwiche stated that he felt that change was unnecessary but did not object to the amendment.

Hearing no further discussion, Miller-Hooks called for a vote of the Senate. **The amendment passed.**

Senator Tervala, Undergraduate, College of Arts & Humanities, made a motion to strike section C.1. of the proposed policy as an amendment.

Senator Crisalli seconded the motion.

Proposed Amendment:

C. The appeal may be dismissed administratively if:

1. the student has **concurrently** submitted the same, or substantially the same complaint to any other formal grievance procedure; or,

Chair Miller-Hooks opened the floor to discussion of the amendment.

Delwiche stated he was concerned that the Legal Office would not endorse this change.

Senator Tits, Faculty, College of Engineering, spoke against the amendment and felt that the current language precludes a student from repeatedly submitting the same complaint.

Senator Gulick, Faculty, College of Computer, Mathematical & Physical Sciences, stated that he had an issue with the word "concurrent" because it has different meanings to different people.

Hearing no further discussion, Miller-Hooks called for a vote of the Senate. **The amendment failed.**

Senator Celi, Faculty, College of Engineering, asked about a scenario where the entire class is graded in the same way.

Delwiche responded that that is not considered arbitrary and capricious but rather hard grading.

Hearing no further discussion, Miller-Hooks called for a vote on the proposal as amended. **The proposal as amended passed.**

New Business

There was no new business.

Adjournment

Senate Chair Miller-Hooks adjourned the meeting at 4:45 p.m.