

## ACADEMIC SENATE

April 2, 2018

### Call to Order

The regular meeting of the Academic Senate, held on April 2, 2018, was called to order at 3:01 pm by Senate President Margaret Clayton. The meeting was held in the Moot Courtroom of the College of Law.

### Present:

Sarah Hinnners, Robert Allen, Brian Cadman, Alberta Comer, James Winkler, John Funk, Lauren Liang, Rajeev Balasubramonian, Sudeep Kanungo, Hanseup Kim, Ken Monson, John Regehr, Frank Sachse, James Sutherland, Laurel Caryn, Ning Lu, Stacy Manwaring, Jim Martin, Susan Naidu, Nelson Roy, James Anderson, Katharine Coles, Patricia Hanna, Eric Hinderaker, Anne Lair, Maureen Mathison, Randy Dryer, Terry Kogan, Brandon Patterson, Pinar Bayrak-Toydemir, Julio Facelli, Antoinette Laskey, Kalani Raphael, Brad Rockwell, Debra Simmons, Diego Fernandez, Jessica Wempen, Susanna Cohen, Donald Blumenthal, Ann Engar, Sarah Bush, Tommaso de Fernex, Yekaterina Epshteyn, Ilya Zharov, Dragan Milicic, Dmytro Pesin, Jennifer Shumaker-Parry, Gunseli Berik, Adrienne Cachelin, Sheila Crowell, Kim Korinek, Sharon Mastracci, Duncan Metcalfe, Kathleen Nicoll, Zhou Yu, Jason Castillo, Mary Beth Vogel-Ferguson, Joanne Yaffe, Micah Smith, Chandler Dean, Melanie Barber, Valerie Guerrero, Chase Peterson, Emina Tatarevic, Jacob Lopez, Elizabeth Pohl, Lauren Perry, Michael Stapley, Kaitlin McLean, Abigail Stover, India Kozlowski, Zach Berger

### Absent:

Brenda Scheer, Shundana Yusaf, Nitin Bakshi, Shmuel Baruch, Jeff Nielsen, Todd Zenger, Annie Fukushima, Darryl Butt, Olga Baker, Mark Durham, Leticia Alvarez, Chuck Dorval, Michael Chikinda, Winston Kyan, Sean Lawson, Tom Lund, John Bramble, Luke Leither, Nadia Cobb, Per Gesteland, Mia Hashibe, Ken Johnson, Nicole L. Mihalopoulos, Shaji Menon, Lauren Clark, Sara Simonsen, Andrea Bild, Linda Tyler, Jon Seger, Baodong Liu, Nicholas Gochnor, Carley Herrick, Trevor Annis, Nathan Ong, Summer Mikkelsen, Ananya Roy

### Ex Officio:

Margaret Clayton, Bob Flores, Xan Johnson, Paul Mogren, Tom Richmond, Ruth Watkins, Amy Wildermuth, Harriet Hopf

### Excused with proxy:

Melonie Murray, Gema Guevara, Julie Barkmeier-Kraemer, Thomas Winter, David Goldenberg, Pearl Sandick, Korkut Erturk

### Excused:

Elena Asparouhova, Lorris Betz, Denny Berry, Bo Foreman, Alex Terrill, Lex Newman, Amnon Schlegel, Ravi Chandran, Joel Brownstein

Others: Christine McMillan, Tom Maloney, Andy Harris, Chris Lewis, Michael Deans, Doug Bergman, Emily Beard

Approval of Minutes:

*The minutes dated March 5, 2018 were approved with a motion from Jim Anderson and a second from Xan Johnson.*

Consent Calendar:

*The Consent Calendar items dated April 2, 2018 were approved with a motion from Katharine Coles and a second from Joanne Yaffe.*

Executive Committee Report

Tom Richmond gave an update on the activities of the Executive Committee. Tom noted that there will be a reception following the final Senate meeting of the year, on April 30.

Request for New Business

Amy Wildermuth will present a new business item regarding the role of Student Advisory Committees in faculty retention, promotion, and tenure (RPT) reviews.

Report from Administration:

President Ruth Watkins gave an update on the recent activities of the U's administration. Today is her first day as president of the University. She noted that she has great respect and appreciation for shared governance, and is eager to work in partnership with the Academic Senate. She also noted that graduation rates, research funding, and faculty hiring are at highs, and she looks forward to continuing to move the University forward in these and other areas. She said it is important to think of ourselves not only as the University of Utah, but as the university for Utah. She said there is tremendous value at the U, in areas such as healthcare and education. She also congratulated the faculty being recognized at today's meeting for receiving faculty awards.

Report from ASUU

Zach Berger gave an update on the recent activities of ASUU. He introduced Connor Morgan as the incoming ASUU president for the 2018-2019 academic year. The Redfest lineup has been released- Migos will be the headliner band. He thanked the Senate for a great year, as Connor will take over at the April 30 meeting.

Notice of Intent

*No items of intent*

Debate Calendar

Jessie Fan and Lori Kowaleski-Jones presented a proposal for a new PhD in Human Development and Social Policy. There has been a master's program in this field for approximately 30 years, which has been very successful. The program's two previous Graduate Council Seven-year reviews suggested creating a PhD in the field. There is support from all

departments in the college, as well as some external departments. The program is intended to be small and interdisciplinary. *Motion was made by Katharine Coles to approve the proposal and forward to the Board of Trustees. Motion seconded by Joanne Yaffe. Motion passed unanimously.*

David Kieda, Dean of the Graduate School, and two graduate students from the College of Science presented a proposal to create an ad hoc Senate committee with the purpose of investigating how to implement a new Graduate Assembly. There is no organized body for graduate students on campus, and the need for such a body has come up various times over the past year, such as in response to a proposed federal tax bill that would have had detrimental effects on graduate students. The proposal has been unanimously endorsed by the Graduate Council and ASUU. There is a petition that has been endorsed by approximately 350 students and other members of the University community. A Graduate Assembly would provide a space for graduate students to talk, organize, and also provide a forum in which potential policy changes, new programs, etc. that affect graduate students may be “vetted.” The Assembly could also help with recruitment, retention, the promotion of interdisciplinary communication and scholarship, and collection of stakeholder input on issues affecting graduate students. Additionally, the U is the only PAC-12 institution that does not have a Graduate Assembly. *Motion was made by Xan Johnson to authorize the Senate Executive Committee to establish a Senate ad hoc task force to investigate the formation of a Graduate Assembly. Motion seconded by Jim Anderson. Motion passed unanimously.*

Jim Anderson presented the final report of the Senate ad hoc committee on a tobacco-free campus, which includes a proposal for specific revisions to Rule 3-300A to take effect before enforcement of the Rule begins (on July 1, 2018). The original version of the Rule was passed at the end of the 2016-2017 year with enforcement delayed a year, and it included instructions for the Senate ad hoc committee to be formed, to conduct research, and to report back to the Senate with recommendations on how the Rule should be revised before it would be enforced, and then how it should be implemented. Tek Kilgore chaired the committee, which studied peer institutions and made recommendations regarding tobacco-tolerance zones, signage, implementation of the rule in public venues, and other issues. The committee held town hall meetings, met with the directors of public venues, Facilities Management, the Chief of Police, the Office of General Counsel, and the Head of Campus Security, among others, surveyed campus smokers, and provided interim reports to the Senate Executive Committee. The recommendations of the committee include the following: a detailed campus map, indicating the entire tobacco-free area; a marketing and communications plan; a health promotion plan; standard campus signage; and the removal of ashtrays and urns. The committee also recommends not establishing tobacco-tolerant zones (except at the discretion of the Senior Vice President for Health Sciences), and most significantly recommends implementing “education-only” enforcement (i.e. no disciplinary action), with specific revisions proposed to be made in the Rule to accomplish that approach to enforcement. There was a question as to whether implementing the Rule will affect minority student enrollment; however, peer institutions that have a non-tobacco policy have not seen an impact on their enrollment of international students. There was a

question regarding allowing for tobacco-tolerant zones; Jim stated that many people were consulted on the issue, but it was determined that this committee would not include in its recommendations today a provision for establishing any additional such zones (beyond the Rule's existing authorization for zones for hospital and clinic patients). *Motion was made by Jim Anderson to (i) accept the committee's report and (ii) approve the committee's recommended specific revisions to Rule 3-300A, and forward them to the Board of Trustees. Motion seconded by Randy Dryer. Motion passed with two "nay" votes.*

Randy Dryer, as chair of the Senate Personnel and Elections Committee, presented two sets of proposals.

First, he presented a proposal "in-principle" for the reorganization of Senate standing committees, with certain specific changes to later be laid out in specific revisions of Policy 6-002 (which governs the Senate and its standing committees). There is one change to the materials, regarding the Senate Advisory Committee on Budget and Planning. The committee does not feel as though it has a role to play in the university budget and planning process; it has proposed a variety of ways in which the committee could be revived and play a meaningful role in the university budget and planning process. The committee thus requests to withdraw the recommendation in the materials, and requests that it continue functioning as laid out in current policy, and be charged with creating a report by September 30, 2018, regarding how it might be reorganized and/or reinvigorated. It also requests that the president of the Senate designate a few members of the Senate to help with this process. Regarding the other committees: the Senate Personnel and Elections Committee (SPEC) recommends that the Senate Advisory Committee on Academic Policy take over the work of the Senate Advisory Committee on Library Policy, which would thus be formally dissolved, due to inactivity and the fact that library policy may be subsumed under general academic policy. SPEC also recommends that the Senate Advisory Committee on Salaries and Benefits be dissolved due to inactivity and the fact that decisions related to salaries and benefits are made either at a central level or at the college/departmental level, and thus the committee has no meaningful vehicle for participation or input. SPEC additionally recommends that the function of the committee be combined with the Senate Advisory Committee on Academic Policy, and that the Senate Executive Committee appoint a member to the existing HR Benefits Committee (external to the Senate), which is willing to incorporate such a new member. Jim Anderson asked how questions related to gender discrimination in salaries and benefits are handled, if the aforementioned Senate committee is inactive. Bob Fujinami, on behalf of Health Sciences administration, noted that there is a Salary Equity Committee in Health Sciences, which controls for length of service and rank and then identifies individuals who may be experiencing salary discrimination. He said his office also reviews offer letters for the departments, to ensure that there is equal pay for equal work. Amy Wildermuth, on behalf of Academic Affairs administration, noted that there is not a formal committee on main campus, but that her office does similar work to ensure there is equal pay. There was a question as to whether there is an appeal process for claims of salary discrimination. Amy Wildermuth noted that faculty may appeal through their chairs/deans and/or through the Office for Equal Opportunity and Affirmative Action (OEO). *Motion was made by Randy Dryer to adopt the proposals in principle, with a plan to formulating language to revise the policy,*

*which will then come before the Senate for approval at a later date. Motion seconded by Xan Johnson. Motion passed unanimously.*

Randy then presented a second proposal from the Personnel and Elections Committee, for the reorganization of the University's Financial Aid & Scholarships Committee (which is not a Senate committee). There is not a significant role for faculty to play in advising related to financial aid and scholarships. However, there is no formal appeal process for students whose scholarships are terminated for various reasons. Thus, the Senate Personnel and Elections Committee recommends that this University committee be reorganized to incorporate such a function. *Motion was made by Randy Dryer to adopt the proposal. Motion seconded by Xan Johnson. Motion passed unanimously.*

Harriet Hopf presented a proposal to explore policy revisions to allow career-line faculty to be eligible to run for Academic Senate president. Some limitations might be applied, such as requiring three years of service prior to eligibility, requiring a multi-year contract, limiting the frequency of service of career-line faculty as Senate president, requiring prior service as a senator, etc. In discussion, James Sutherland noted constraints from funding agencies that limit the service of career-line faculty –particularly those in the Research faculty category whose salaries are typically dependent on research funding ( e.g., constraints that require 1.0 FTE of faculty members being funded be dedicated to the funded research). It was noted that the Senate president does receive some compensation, which could help with this concern (time buyout, etc.). Bob Flores clarified that this proposal is to explore the possibility of career-line faculty serving as Senate president. He also noted that most faculty members do not fully understand what is required of the Academic Senate president; he estimated that what is seen of the responsibilities of the Senate president in meetings like today's meeting is approximately five percent of the full workload. And it is for those other responsibilities of the president that there are concerns to consider about having a president without the protection of tenure. He stated that the primary concern is that the Senate president may be asked to do difficult things, such as going "toe-to-toe" with university administration, and may be less likely to adequately carry out such crucial responsibilities in difficult circumstances without having the protection of tenure. The Senate President is the elected representative of the entire faculty of the University and must act on behalf of the constituencies represented in the Senate (faculty, deans, students and even staff), in sometimes highly charged and even confrontational interactions with very powerful University officers and boards. Having in that position someone who finds themselves reluctant to "speak truth to power" at a crucial time, because they lack personal job security and are highly vulnerable to various forms of retaliation, could be detrimental to the University's best interests overall. For these reasons, there should be careful consideration of the issues before making any change of the current policy on eligibility for the presidency. *Motion was made by Katharine Coles to authorize the Senate Executive Committee to form a Senate ad hoc committee to formulate proposed policy to allow career-line faculty to be eligible for the Senate presidency. Motion seconded by Xan Johnson. Motion passed unanimously.*

Dave Grainger presented a set of proposals to (i) change the name of an existing academic department and (ii) change the name of two of the existing degrees offered by that department. The Department of Bioengineering is proposed to be renamed the Department of Biomedical Engineering. And the same new name is proposed to be used for the existing MS degree and the existing PhD degrees. (The undergraduate degree offered by the department has always been in Biomedical Engineering, since the inception of the program). The department desires these name changes because of recent moves by peer institutions in the state to change their department names, and also because use of the name “bioengineering” has come to connote agricultural technology and engineering at other institutions nationwide, so the name is no longer appropriate or topical for the U’s department, given that all faculty in the department work with other engineers or faculty in the School of Medicine. *Motion was made by Julio Facelli to approve the set of proposals and forward to the Board of Trustees. Motion seconded by Katharine Coles. Motion passed unanimously.*

#### Information and Recommendations Calendar

The following items were presented for the information and recommendations of the Academic Senate:

- Randy Dryer gave a report on the activities of the Senate Personnel and Elections Committee. He noted the very high number of faculty respondents to the Committee Interest Survey, in which they indicated their interest in serving on Senate and University committees. The committee nominated at least two individuals for each vacancy, so there will be a longer ballot for the Senate committee elections. He also noted that the committee has reapportioned the tenure-line faculty membership of Senate itself, per policy requiring such reapportionment every other year. The College of Health and the College of Social and Behavioral Science each lost one tenure-line senator in the process.
- Harriet Hopf presented a report and recommendations of a career-line faculty task force which was formed by the Associate VP for Faculty this year (to further explore issues that were identified by an earlier Senate task force which completed its work in spring 2017). It is a follow-up report as to whether Policy 6-002 should be revised to allow career-line faculty members to serve as Academic Senate president. Career-line faculty have served on the Academic Senate since 2013. The AAUP recommends that career-line faculty be permitted to serve in faculty governance at all levels, though it still remains out of the norm for a career-line faculty member to serve in the president/chair role. At least eight institutions in the PAC-12 allow career-line faculty to serve as Senate president/chair. Harriet noted that allowing career-line faculty to serve as president would increase the pool of eligible candidates, and that experience with career-line faculty serving as senators and on Senate committees has demonstrated the ability of career-line faculty to contribute meaningfully to shared governance. She also noted that career-line faculty are more vulnerable to career repercussions in case of opposition to the university president’s actions, but noted that tenure-line faculty members (not only tenured faculty members) are allowed to serve as president, which could thus serve as precedent for allowing career-line faculty to be eligible. The AAUP recommends that the vulnerability be reduced by adding more protections to career-line faculty serving in this position, as

opposed to excluding them from eligibility. Harriet thus recommends that the Academic Senate consider a proposal to revise Policy 6-002 to allow career-line faculty to be eligible to serve as Senate president, including potential caveats/limitations (such as duration of service as faculty, a restriction on the number of career-line faculty who may serve, etc.). (See above on the Debate Calendar, that discussion of this topic resulted in authorizing the Executive Committee to form a Senate ad hoc committee to further explore these issues and report back to the Senate.)

- Alberta Comer, Rick Anderson, and Ian Godfrey gave an update on the Marriott Library deselection project. They responded to concerns of the Senate last year related to the “content weeding” that the library was proposing, and looked at alternate solutions with the goals of both storage, improving and increasing services, and maintaining “browseability.” Alberta has been fundraising that will allow the library to install compact shelving on the first floor. Installation will avoid a content weed, maintain all circulating materials accessible and browseable, and keep research materials in their subject areas. Additionally, the library plans to purchase additional electronic databases that will replace printed indices and abstracts from some journals.
- Pat Jones, a Utah System of Higher Education Regent (Utah Board of Regents) and CEO of the Women’s Leadership Institute, presented about the value of gender inclusion and the work of the Women’s Leadership Institute. Utah is not often seen as a place that prioritizes gender diversity in leadership, which has hurt its ability to attract and retain highly qualified women in leadership positions. Women make up more than half of the workforce, but their percentage decreases in leadership positions; only three percent of CEOs nationally are women, and the percentage of women in political leadership positions is likewise quite low. However, there are monetary and performance benefits to having a critical mass of women in leadership positions in companies and other settings. Thus, the Women’s Leadership Institute created the ElevateHER corporate challenge to make progress on six points, including increasing the percentage of women in senior leadership, increasing the retention rate of female employees, increasing the number of women on corporate boards, monitoring pay gaps, establishing leadership development and/or mentoring programs for women, and recruiting women to run for public office. The U is one of many organizations that has accepted the ElevateHER challenge. Pat left information regarding the ElevateHER challenge, as well as information about an upcoming workshop that the WLI is hosting.
- The awards and appointments for Distinguished Professors, University Professor, Hatch Prize in Teaching, Distinguished Innovation and Impact Awards, and Early Career Teaching Awards were accepted with no objections.
- The January President’s Report was accepted with no objections.

### New Business

Amy Wildermuth discussed the issues of the roles of departmental Student Advisory Committee votes in faculty retention, promotion, and tenure (RPT) cases. She focused in particular on the current policy provision under which a ‘negative’ vote of a SAC alone causes an RPT case to be referred to the University Promotion and Tenure Advisory Committee (UPTAC) for special

processing rather than proceeding normally to final decision on retention, promotion, and/or tenure. The University OEO/AA has indicated concern with what appears to be overrepresentation of faculty members who are female and/or members of underrepresented races/national origins in the RPT files that are being sent to UPTAC as a result of negative votes coming from the SACs alone. Based on the OEO/AA's recommendation to end referral of cases to UPTAC that have only negative SAC votes, President Watkins has asked Amy Wildermuth and Lorris Betz to craft an appropriate exception to the current RPT policy. To this end, SVP Betz and AVP Wildermuth are in discussions with ASUU officers Chandler Dean, Connor Morgan, and Kaitlin McLean about an appropriate means of incorporating student input in the RPT process.

### Open Discussion

The following remarks were made during the Open Discussion portion of the meeting.

- Kaitlin McLean, Science (student)- Kaitlin, and other student members of the Senate, understand that it is critical that the RPT process be reviewed to fix the apparent discrimination that has been perpetuated against female faculty members and faculty members of color. The students look forward to working with administrators on the necessary revisions to the RPT policy, and hope that the revisions preserve the student voice in RPT decisions.
- James Sutherland, Engineering- The College of Engineering held a meeting last Friday, in which Academic Senators were present, to discuss with students the proposed change to RPT policy. The overwhelming input from students is that they value the voice that students have in the RPT process, but that there appears to be a misunderstanding of the current process and how student voices are utilized and affect the RPT process. He noted that it would be great to see a new policy that allows more formalized input from students at the departmental level.
- Amy, Bennion Center- Amy announced the recent faculty awards from the Bennion Center. The 2018-2019 Public Service Professorship, which comes with an award from \$7,500, has been given to Erin Carraher in the College of Architecture + Planning. She is working on a project related to affordable housing in the region. Additionally, the Faculty Service Award has been given to Julie Metos, in the Department of Nutrition; the award comes with \$1,000, a donation from Professor David J. Bush, to be donated by the recipient to the project or charity of his/her choice. Julie will donate her award to Utahns Against Hunger. Finally, Matt Basso, last year's recipient of the Faculty Service Award, will soon give a presentation on his project, about oral history.

### Adjournment

Meeting adjourned at 4:50 pm.

Respectfully submitted,  
Maddy Oritt