**To: Members of the Academic Senate**

**From: Senate President Julio Facelli**

**Date: March 29, 2020**

**Re: Proposal for Special Senate COVID-19 Committee, and Resolution to Ratify Previous COVID-19 related decisions.**

The following items are being added to the Debate Calendar agenda of the March 30 Senate meeting with very minimal notice to you, which Senate leaders regret, and which reflects the urgent circumstances underlying the proposal being made.

The Senate Executive Committee voted on making the two recommendations now presented to the Senate. Of those voting, they unanimously voted for the recommendation that the Senate adopt the resolution to ratify and confirm the two previously made decisions (online instruction and modified grading). A substantial majority voted in favor of the recommendation to establish the special COVID-19 committee, and therefore the leaders are obligated to now present that recommendation as approved by the majority. However, it is noted that concerns were raised about a lack of specific provision for representation of student interests in the special committee. There has been discussion of possibly also adding one student representative, along with the three Senate Presidential Officers to form the committee. Consideration of such a change could be accomplished by motion and amendment after the proposal is open for debate at the Senate. This could come in the form of a motion to amend the membership of the committee to add one ASUU representative who is available when critical decisions must be made.

I want to emphasize the importance of carefully considering the background information explaining the need to act under these extraordinary circumstances when and only when a quorum of the Executive Committee may not be available as rapidly as needed.

On behalf of the Senate leaders I thank all Senate members for your continuing patience and dedication in these very difficult circumstances, and we look forward to a successful meeting conducted ‘virtually’ with your cooperation.

***(Recommendations approved by Senate Executive Committee March 26, 2020, to Senate March 30 Debate Calendar)***

**Proposal to authorize a Senate Special Committee to act on behalf of the Senate Executive Committee, and in turn act on behalf of the Academic Senate,**

in urgent circumstances requiring immediate action when the Executive Committee cannot be called upon—in light of the COVID-19 Pandemic --Spring 2020.

**And Resolution to ratify two previously made decisions**

to temporarily convert to online course instruction, and modify Regulations on CR/NC grading.

**Background:**

The COVID-19 pandemic has required University leadership to respond quickly in ways that sometimes significantly affect academic activities, temporarily varying from otherwise applicable University Regulations on academic matters. Two prominent examples are the decisions to essentially close much of the campus and take the entire curriculum online for the remainder of the Spring semester (announced March 12), and to alter the existing requirements governing student use of credit/no credit grading (announced March 20). In each instance the central administration, although needing to act with extreme speed, has consulted extensively with the elected representatives of the faculty and students, and the decisions reached have reflected that consultation, in keeping with the University’s strong tradition of shared governance.

In particular, the issue of modifying existing University Regulations regarding letter grading vs credit/no credit grading began with widespread input from students and student leadership, and central administration held extensive consultation with leadership of the Academic Senate to craft the ultimate decision. Reflecting that cooperation, Senate President Facelli and President-elect Dryer were signatories to the Announcement along with Senior Vice Presidents Good and Reed. Given the academic importance of the online delivery and modified grading issues, approval of the full Senate would have been required in ordinary circumstances, and certainly at least approval of the Senate Executive Committee (on behalf of the Senate) would be expected in extraordinary circumstances if feasible. Neither was possible in these recent circumstances unprecedented in the history of the University.

It is anticipated that other decisions responding to the COVID-19 pandemic may need to be made in the near future by the University administration, which may affect academic activities to a degree meriting faculty and student representative input. It is likely that such decisions will need to be made too quickly to allow consultation with the full Senate or in some instances even consultation with the Senate Executive Committee. The three elected Presidential Officers of the Senate are best positioned to act as a Senate Special Committee on behalf of the Executive Committee and in turn on behalf of the full Senate in those instances, and providing them with such emergency action authority is clearly consistent with the authority of [Policy 6-002](https://regulations.utah.edu/academics/6-002.php)-III establishing the positions, duties and responsibilities of the three elected Senate Presidential Officers and authorizing appointment of Senate special committees, and [Policy 1-001](https://regulations.utah.edu/general/1-001.php)-III-A-4 addressing the promulgation of University Regulations, including revisions, and outlining the role of the Senate in the promulgation process.

Additionally, in keeping with the University’s core principles of shared governance, the Executive Committee recommends that the Senate now act to formally ratify the two decisions which were previously made regarding online instruction and modification of grading, necessarily made in great haste, and with the faculty and student representative input that was feasible at the time under the extraordinary circumstances.

1. **Recommendation # 1. Whereas:** Policy 6-002 authorizes the Senate to appoint a special committee to serve in the best interests of the University and to define the membership structure and terms, functions, and period of existence for each such special committee, and

**Whereas:** The circumstances described above make it appropriate to delegate emergency authorization to the Senate Presidential Officers, and this authorization is consistent with longstanding principles of the Academic Senate and shared-governance at the University generally.

**Therefore, the Senate Executive Committee recommends that the Academic Senate approve this Proposal to establish a Senate Special Committee as follows:**

The three Senate Presidential Officers [] are hereby appointed as the COVID-19 Response Special Committee of the Senate (the “COVID-19 Senate Committee”). The COVID-19 Senate Committee is hereby authorized to act by a majority vote of said persons, on behalf of the Executive Committee and on behalf of the Academic Senate in reviewing and approving any urgent academically significant decisions reasonably related to the COVID-19 pandemic until such time as said delegated authority is revoked by a majority vote of the Executive Committee or the Academic Senate, upon the ending of the need for such delegated authority caused by the pandemic. When time and circumstances allow it is expected that the aforementioned COVID-19 Senate Committee shall make reasonable efforts under the circumstances to consult with members of the Senate Executive Committee before acting on behalf of the Committee or the Senate. If time and circumstances permit, any approvals or other decisions normally required of the Executive Committee or the Academic Senate shall be considered and acted upon by those bodies in the usual and customary course. The current President of the Senate (as determined by the ordinary provisions of Policy 6-002) shall serve as chairperson of the COVID-19 Senate Committee.

1. **Recommendation # 2. And further, the Senate Executive Committee recommends that the Academic Senate approve the following Resolution: Be it resolved** that both the March 12 University Announcement requiring temporary closure of campus classrooms and transition of course instruction to online format, and the March 20 University Announcement regarding temporary modification of Regulations regarding credit/no credit grading options for students are hereby ratified and affirmed.