

Special Meeting
UNIVERSITY FACULTY SENATE MEETING
04/16/12 (3:31 p.m. – 4:53 p.m.)
Mtg. #1715

SUMMARY MINUTES

Summary of main points

1. Courtesy Announcements

Press identification: none present

Provost **Gibson**: unable to attend today

Faculty Chair **Jurgenson** had no comments.

Vice-Chair **Breitbach** expressed her pleasure that some of her group's hard work of this year will be discussed today under 3 docketed items, all Educational Policy Commission policy recommendations for approval.

Chair **Funderburk's** comments included reminders about and details of the upcoming 2 retreats, Wednesday, April 25th, and Monday, April 30th. He reviewed items for the Agenda for the final regular meeting of the semester, next week, April 23rd, at which next year's officers will be elected and President **Allen's** 5-Year Review will be discussed. And he gave an update on the Minutes-Standing Report about the scanning of Faculty Senate Minutes/Agenda from 1984 forward. The scanned items will be linked to the Faculty Senate Website soon through the Library's Content DM.

2. Summary Minutes/Full Transcript for April 2, 2012, were approved by acclamation, after one minor word change from a Senator communicated through e-mail.

3. Docketed from the Calendar

No items up for docketing today.

4. Consideration of Docketed Items

1114 1012 EPC recommendations regarding Academic Ethics Policy (previously 1085/983)

******Motion to amend Section VII-D by adding the following new bullet point under: *Examples include but are not limited to, "Repeated lower level violations such as fourth Level One, third Level Two, or second Level Three violation."* [**DeBerg/Bruess**]. Passed

******Motion to amend Section VII-A, B, C, & D under Possible/Required Sanctions and at the end of the first bullet point in each section by adding the following sentence: "The Provost and Vice President for Academic Affairs will notify the student in writing that such action has been taken" [**Wurtz/East**]. Passed.

******Motion to amend Section VII-C by adding *including disciplinary probation* to the end of the last sentence of the final paragraph of that section [**DeBerg/Bruess**]. Passed.

******Motion to accept the amended recommendations of the EPC
And to forward the Academic Ethics Policy to the Provost's Office
[**DeBerg/Roth** at time of docketing]. Passed.

1133 1029 EPC Recommendations Regarding Academic Grievance Policy (previously 1085/983)

******Motion to accept the recommended Academic Grievance Policy without amendment and forwarding to the Provost's Office [**Breitbach/Dolgener** at time of docketing]. Passed.

1134 1030 EPC recommendations regarding the petition on co-curricular activities policy (referred to EPC 12/12/11 as 1105/1003), EPC

recommends amending Attendance Policy (1066/964)

****Motion to amend the University Policy on Class Attendance and Make-Up Work (Section A-3) by adding language regarding length of time for notice in the form: "Students and affected faculty shall be provided written notice at least 10 University class days in advance. In the case of extracurricular activities, a semester-long schedule should be prepared and distributed at the beginning of the semester" [DeBerg/Peters]. Passed.**

****Motion to accept the amended recommendations of the EPC and to forward the University Policy on Class Attendance and Make-Up Work to the Provost's Office [Breitbach/Smith at the time of docketing]. Passed**

5. Adjournment

****Motion to adjourn at 4:53 p.m. (Edginton/Roth). Passed.**

Next regular meeting:

April 23, 2012

Oak Room, Maucker Union

3:30 p.m.

**FULL TRANSCRIPT OF THE
UNIVERSITY FACULTY SENATE MEETING**

April 16, 2012

Mtg. 1715

PRESENT: Karen **Breitbach**, Gregory **Bruess**, Betty **DeBerg**, Forrest **Dolgener**, Philip **East**, Chris **Edginton**, Jeffrey **Funderburk**, James **Jurgenson**, Michael **Licari**, Chris **Neuhaus**, Scott **Peters**, Michael **Roth**, Jerry **Smith**, Jesse **Swan**, Katherine **Van Wormer**, Susan **Wurtz**

Absent: Deborah **Gallagher**, Gloria **Gibson**, Syed **Kirmani**, Marilyn **Shaw**, Laura **Terlip**,

CALL TO ORDER

Chair **Funderburk** [3:31 p.m.]: Ok. Can we go ahead and call the meeting to order? We seem to have a quorum at this point.

COURTESY ANNOUNCEMENTS

CALL FOR PRESS IDENTIFICATION

Funderburk: So, call for press identification. None present today. I've already e-mailed to make sure for next week.

COMMENTS FROM PROVOST GLORIA GIBSON

Funderburk: Provost **Gibson** e-mailed me earlier that she was triple-booked at this time and might be running late, if she could get here.

COMMENTS FROM FACULTY CHAIR JAMES JURGENSON

Funderburk: So, comments from Chair **Jurgenson**?

Jurgenson: No.

REPORT ON COMMITTEE REORGANIZATION FROM VICE-CHAIR BREITBACH

Funderburk: Additional comments or a report from Vice-Chair **Breitbach**?

Breitbach: I bring before you what the Committee has been working on all semester, so it's nice to finally see some of this come to fruition. The Committee has worked extremely hard under the tutelage of Gayle [Rhineberger-Dunn, the Educational Policy Commission Chair, today's guest presenter], so we're proud of the work that the Committee has done and are anxious to get it resolved.

COMMENTS FROM FACULTY SENATE CHAIR JEFFREY FUNDERBURK

Funderburk: We have a ton of stuff, so I have very little to say except a couple of reminders. Next week, April 23rd, is our last regular meeting of the Senate. Items on that Agenda include the election of Senate officers as well as the Summary Report from the President's 5-year Review and other items as docketing as time allows. So we've got plenty to do on that.

Confirming that our two retreat dates are now confirmed: April 25 is planned in this room, the Oak Room.

DeBerg: At what time?

Funderburk: That's 11:00.

DeBerg: 11:00 – 1:00?

Funderburk: That's correct. April 30th, which is the Monday of exam week, is in the University Room across the hall. That's what Sherry (**Nuss**) and I can figure out, at 3:30. I'll confirm that with you also via e-mail. I think I mentioned in an e-mail already on the 25th we've got some light sandwiches and things so that there's some food since it's over lunch. [some joking among several regarding beverages]

Then just a brief report update from the Minutes-Scanning Project, just out of curiosity. I picked up what they've done so far from scanning. They have all of the Minutes from 1984 all the way forward up to present already scanned. I believe they've got them back to 1978 or '79 that they will finish by the end of the semester. Getting online, we're working on that and it will now utilize Content DM, which I couldn't tell you anything about, but I'm sure Chris (**Neuhaus**) will be more than happy to fill you in perhaps, so it will eventually be accessible through the website but not actually housed on our website. It will actually be housed through the Library in the same part of the system that takes care of the Yearbook, for example, for the University. Senator **Wurtz**.

Wurtz: I think it's important to know why we're able to move forward on this. Is that something you'd care to tell them?

Funderburk: Well, I don't feel the need to, but I will, if you want me to.

Wurtz: Well, I'll tell them. Chair **Funderburk**, being unable to take advantage of the release time that is supposed to go with chairing the Senate, said, "But you know that money could be used to pay for the labor to do the work to get these things scanned and up for us." The reason we have access to our records—and think how many times we've stumbled over not knowing our own history—that's the reason. [many voices expressing thanks to **Jeff**]

Funderburk: My pleasure. [light laughter] You know, I figured I'd use it before somebody else did on the money side, so.... [more chuckles around] And it was for self-preservation, too, because I was the one having to do the most research in those records anyway. Self-preservation. Ok, I have no additional comments unless there are questions about any of these items going forward. Nothing? Ok.

BUSINESS

MINUTES FOR APPROVAL

Funderburk: Approval of Minutes for April 2. I think there were a couple of little clerical corrections on that one. Any other additions or corrections from the floor? Hearing none, I'm assuming we can approve these by acclamation today.

CONSIDERATION OF CALENDAR ITEMS FOR DOCKETING

Funderburk: No items to be docketed, so that's good.

CONSIDERATION OF DOCKETED ITEMS

DOCKET #1012 , EPC RECOMMENDATIONS REGARDING ACADEMIC ETHICS POLICY (PREVIOUSLY 1085/983)

Funderburk: So, we're up for #1, and we want to thank Gayle **Rhineberger-Dunn** for being with us today for EPC recommendations for our official EPC Day at the Senate, always a favorite. [light laughter]

Rhineberger-Dunn: Let's not make it an annual event, though. [more laughter]

Funderburk: You'll have to talk to the next Chair about that. First up is the Academic Ethics Policy. That's under 1114/1012. Do we have a motion to accept the recommendations of the EPC on this? I guess, actually, since it's coming from the Committee, that's already considered as a motion made. [voices agreeing] So we can start the discussion on that. I don't know if you have any comments to make on this, **Gayle**, first?

Rhineberger-Dunn: Well, what we decided to put up here is a marked-up version. We have so many versions that we chose to mark-up one version that will sort of highlight our additions and changes, because if you look at

the original one we received from you, it doesn't help. And the clean version without any comments would be too difficult to follow, so you'll see some strikethroughs and some of the highlighted areas that we've significantly changed. Most of the changes we made were to the sanctions. We made minimal changes to some of this front-end stuff, with the exception of adding a role for Administrators. Lacking in the document was anything regarding ethics and the role of Administrators, their responsibility. It was all about faculty responsibility to report and do something, with the exception of the Provost's Office, who must do a few things.

So, what you'll see is there's one highlighted sentence above that just added: "Those who observe violations of academic ethics have a responsibility to address it." That was also missing from the previous version, because we discussed in our Committee that this was very narrowly aimed at faculty, but the Ethics Policy does not just refer to plagiarism. The Ethics Policy is a broad document that can include a variety of other behaviors that a custodian could witness, an Administrator could witness, a secretary or office manager could witness. So we added a few bits of language that clarified that.

This is an entirely new section, Section III. Section III used to be Responsibilities of Faculty Members. Now we added "Responsibilities of Academic Administrators" as a section.

You can ignore that little parenthetical note that the "Language for sections d. and e. needs to be approved." I thought I had taken that out, but apparently I didn't. We've approved it.

Breitbach: You know, having worked with this Committee most of the school year, this had input from students. We had input from a wide variety of faculty from across campus. They couldn't always be at the meetings, but they sent really good notes. And we also had—Michael **Licari** was on that Committee as well. So it was nice to have the viewpoint and the input from Administration, faculty, and from students. And we argued a lot on a lot of points and always came to agreement on how we wanted it to read.

Funderburk: Senator **DeBerg**.

DeBerg: Well, I very much like the description of various types of violations of academic ethics, so I wanted to say, “Good work there.”

Rhineberger-Dunn: Well, also let me clarify that most of this was not drafted by us. It was drafted by whoever sent it to you, which was that out of your office [to **Licari** and Ginny **Arthur**, both Associate Provosts]? [They agreed, yes.]

DeBerg: Ok. Good. I like that a lot.

Rhineberger-Dunn: So, mostly what we did, what you’ll see that we did is the strikethroughs and the highlighted portions.

DeBerg: Oh, ok. Thank you.

Rhineberger-Dunn: I don’t want to take credit for something we didn’t do. [light laughter around]

Licari: Yeah, I think that’s violation number.....[more laughter]

Rhineberger-Dunn: This #3 [in Section VI-A-3], we discussed quite a bit—quite at length in our Committee, about what paraphrasing means, and we decided there were two—we needed to separate #2 and #3. Number 2 is “Paraphrasing, or putting into your own words, the text of a source without providing proper acknowledgment.....” This language is really about extensive portions. It adds the item [#3] that you can actually—extensive paraphrasing leads the reader to believe that it’s your work versus an actual paraphrase, so we sort of added that for clarification. But there is a difference between “paraphrasing” and “paraphrasing extensively.”

DeBerg: Yes, there is.

Rhineberger-Dunn: Then we don’t have any significant changes until we get to the sanctions [Section VII], so, of course, we just took out the first

part there. We took out the “by the instructor.” *Students accused of a violation of academic ethics by an instructor.....* we took out. It’s just “Students accused of a violation of academic ethics may appeal the decision.....” That was something that was missing. This didn’t remind students that they have a right to appeal. And once, if this is approved, then at some point there will need to be a link--a specific policy number, and a link to it should be included there as well for ease of the student.

When it came to the sanctions, one of the issues that we discussed at length was “recommended” versus “possible” versus “required,” because we--as a Committee, we firmly believe in allowing faculty to make the choice of what they perceive to be in need of a sanction, informally, or something that *should* go forward. We did not want--with a few exceptions at the end, we did *not* believe it was appropriate to tell faculty they *had* to do this, because we all know we have some students in our class who make mistakes. And we can choose to use it as a simple learning tool, or we can choose to use the hammer. And faculty should have a right to do what they want to do, depending on how they manage the rest of their class. Ok? So we changed the language from “Recommended” to “Possible” sanctions, and this is really—should be considered just a guide. These are things that you could choose to do. It is entirely up to you what you want to do, but it also says “but are not limited to” because faculty might have something innovative that they want to add as a sanction, and they should have the right to do that.

The parenthetical note at the bottom [of part VII-B] is not ours. That comes out of Ginny’s [Arthur] Committee as well.

Arthur: And so that would be a question, maybe, for this Body if they want us to work on developing that online tutorial, because we could get some faculty together to do that.

Breitbach: We actually discussed it and thought it should be left in there. We liked it. I guess we didn’t realize there wasn’t one. Do you think there are things like that available out there that we could look at and not have to start from scratch? [some voices agreeing] Ok.

Neuhaus: One thought occurs, you know, particularly with that extensive paraphrasing, and I'm thinking of classes like the CIEP, the Cultural and Intensive English Programs, where you're working with a lot of students who come from educational programs where most of this would be ignored, a lot of them. And I think the faculty are aware of that, but that particular addition in there, which I think is a really good idea—but I think that's something we'd want to communicate both to those folks and maybe anybody who's, well, really I suppose LAC sorts of ideas as well. But we almost need to make a special effort to make people aware that that's now something that's possibly going to be emphasized a little more and looked at. It could slip through, because it's a nice, big, well-done document, but that piece in particular, I think, would possibly catch some people unawares if we didn't draw it to their attention.

Rhineberger-Dunn: Well, we think it's really important. The EPC really wanted to emphasize that once these policies are approved at the top level, then it is in UNI-Online, that there are e-mails that—because oftentimes policy gets made at this place and sits out there, and no one knows until you go to look at it. “But this is not the Policy I used 4 years ago.”

Funderburk: Senator **DeBerg** and Senator **Wurtz**.

DeBerg: Well, I have a question about Level 4 violations [Section VII-D]. I think these are really important, and what I notice about them is at a Master's and Doctoral level, if there's, you know, plagiarism going on in a dissertation or something, this is a problem. This is a problem for the discipline, for all of academia, having someone getting academic credentials under these pretenses. Does it really mean that they have to have a record of violations at the 1, 2, and 3 level before Level 4 sanctions can be applied?

Rhineberger-Dunn: No, the way that this document reads is if you do one of the bullet points under #4, that is considered enough for the required sanction to apply.

DeBerg: Ok, so repeated lower level violations aren't required of a PhD student who plagiarizes in a thesis?

Licari: Yeah, you can get to Level 4 either by doing one of those violations identified or repeatedly by committing those lower level violations.

DeBerg: Ok, well, I wonder if we don't want to put "repeated lower level violations" as one of the dots, as examples, and not have it—it seems to me to be kind of a precondition for entire dotted list below. Does that make sense?

Rhineberger-Dunn: Yep, it does make sense.

Licari: I think it does make sense. And I think that's a good suggestion.

DeBerg: That would help me understand it better as I was reading.

Funderburk: Is that in the form of an amendment?

DeBerg: Yes, it is.

Funderburk: Thank you very much. Do we have a second for that amendment?

Bruess: Second.

Funderburk: Second from Senator **Bruess**. Do we want discussion on that, or would that be accepted as a friendly amendment? Is that an option?

DeBerg: Well, I can call the question on the amendment.

Funderburk: That would be excellent. Motion to call the question on the amendment. Second?

Neuhaus: Second.

Funderburk: Second from Senator **Neuhaus**. All those in favor of calling the question, "aye"? [ayes heard all around] Opposed? [none heard] Ok,

all those in favor of moving it to a bullet point item, say “aye.” [ayes heard all around] Opposed? [none heard] Done. Good. Next? Senator **Wurtz**.

Wurtz: I’m looking at the possible sanctions: “Completing an assignment involving the practice of proper citation” [bullet in Section VII-A] and “Completing an assignment on academic ethics” [bullet in Section VII-B]. Do we have pre-packaged assignments? Or, if I want to take that option, is this something where I’m going to have to design it and then come up with a scoring rubric? Because that’s something that because the student didn’t do the job, now I’m going to do extra work? Is it possible to have these pre-packaged, ready-to-go with appropriate scoring rubrics?

Arthur: I can say that it was my Committee that worked on it. That was the intention, so that, you know, there would be something that’s available as a toolkit for faculty.

Wurtz: I think that would be good to maintain the equity and balance across campus as well. [agreement around]

Funderburk: Other questions or other things to highlight?

Rhineberger-Dunn: The other thing I’d say we highlighted is we moved a couple of sanctions. We discussed that there were a couple of items under Level 3 that we moved to Level 2, so you’ll see in the highlighted portions, we moved those “Copying on an exam” and “Giving unauthorized assistance to someone during an exam.” That was under Level 3. We moved that to Level 2. We decided it was more—that seemed more appropriate as a Level 2 when Level 3 becomes more serious.

Funderburk: Senator **Peters**.

Peters: On the end of--the note at end of the Level 3 violation, “EPC Note: This needs to be further defined—who makes the decision, what are the time limits” Is that something that the Senate needs to decide, or is that an internal matter for the Provost’s Office.

Rhineberger-Dunn: It's however you choose to define it. It's not for us. We decided it was not our job to further define what some of these things might be, who would make a decision if there was something—"Possible further sanction, determined by the Office of the Executive Vice President and Provost, based on the student's prior record..." So here the issue is that someone sends the violation, and Mike [**Licari**] looks at the file. It's their 6th or 7th violation, and maybe there's something that needs to happen that isn't a part of this, who decides it? What number of sanction you get before you're moved on to the next level or kicked out or whatever?

Licari: I think that needs to be reserved, though, for the Policy.

Rhineberger-Dunn: Yeah. I don't know who it is, but it wasn't us. That's what we decided.

Licari: Yeah. I'm trying to remember what the debate was in the Committee. I think that was to give that to the Senate to put into code here. That's the way the current [Academic Ethics/Discipline] Policy reads—is upon your 3rd violation reported to the Provost's Office that triggers an expulsion from the University. But that's part of the Policy. That's not a determination that the Associate Provost for Academic Affairs makes. That's just enforcing the Policy, so I guess I'd rather have it identified with the Policy as to what accumulation of violations does it take to be expelled from the University, because right now we have 3 strikes at any level, so right now it could be 3 fairly innocuous violations, but since they were all reported to the Provost's Office, that triggers an expulsion. Maybe that's too low of a threshold. Maybe that's appropriate. But I don't know, and I would just as soon leave it up to the Senate to put into the Policy.

Funderburk: Senator **East**.

East: But the Policy does specify that now. This Policy does.

Licari: Yes, it does. This Policy—well, why I'm confused is why we still have that language in, I can't remember, that Scott [**Peters**] just identified.

East: Well, it does specify at each of the 2nd, 3rd, and 4th levels that lower—2 of the previous levels count as one of these.

Licari: An accumulation, yes.

East: Or 3 of the previous levels count as one of these. That's included in the introduction to each of the levels.

Licari: So, do you think that language was just left over then?

Rhineberger-Dunn: It could have been, but we decided when we—well, we didn't change anything in Level 4. We discussed this at the end of—in the Fall. This has been waiting since January or February. I don't remember, but if we have it specified enough that everyone is comfortable..... The issue really is it actually should go under D: "Repeated lower level violations such as fourth Level 1, third Level 2, or second Level 3." Those were just "such as." Those are not hard numbers. And that's really what that highlighted paragraph above is referring to.

Licari: Yes. Are those examples appropriate? Sorry, didn't mean to interrupt.

East: So that was meant as an example, not as part of the Policy? I mean, it sounds like part of the Policy.

Licari: I think we were looking for guidance in terms of whether or not that was appropriate, because we say "such as" a fourth Level 1.

Rhineberger-Dunn: The issue is that there are, even within Level 1 violations, there are varying degrees. So, 3 Level 1 violations might be enough that someone should be kicked up. But there might be someone who really they are committing the same kind of low-level violation, maybe someone needs 4 or 5—or should deserve 4 or 5, probably would want to phrase it.

Funderburk: Senator **DeBerg**.

DeBerg: How about this, so we're working on the required sanctions for Level 3, right? That's the wording we're working on? I just want to be sure I'm—ok, so what about this? The first, under *Required Sanctions*, "Always a write-up." That's the first dot. The second dot is, "A disciplinary failure for the course," or the third dot, "Disciplinary probation." Could we have, "The reprimand in writing is required," and then either "A disciplinary failure for the course," or "Disciplinary probation"? Could we have that be an either/or option in this list of dots? And that would make it a little more—it would include disciplinary probation as an option without having the sentence in here that I don't like about "Possible further sanction, blah, blah, blah" So, does everyone understand what I'm saying here? [some assent] But some people don't.

Funderburk: So, if I understand correctly, that would now read, the second bullet point that is there would say, "A disciplinary failure for the course or

DeBerg: For the course—this will appear in the student's transcript or third dot, disciplinary probation, with the sentence that begins "Possible further sanction...." deleted. Does that work?

Funderburk: Senator **Peters**.

Peters: My only question is whether we want to make it "either/or"? Would there be a reason to do both sometimes, to do disciplinary failure and probation.

DeBerg: Yeah. I don't even know what "disciplinary probation" means. I've never heard of it.

Peters: That's a good question.

Wurtz: Oh, the opposite of academic probation.

DeBerg: Yeah, I've never heard of it. [joking among several about this]

Rhineberger-Dunn: And Phil **Patton**, who is on our Committee, did say that and recommended that we note on the transcript that is—why. Apparently in the new system there is the option of noting on a transcript why someone failed a course.

DeBerg: Yeah, good.

Funderburk: Are you ready to do that as a motion, Senator **DeBerg**? Or is there just too much confusion?

DeBerg: Well, yeah, I guess I'll float that amendment.

Peters: Can I make a suggestion? If you didn't want to do the "either/or," it could be "Further disciplinary procedures" or "Further discipline, including failure for the course or academic probation" or—sorry, "disciplinary probation."

Funderburk: Senator **Wurtz**.

Wurtz: This is just a procedure. Is it possible—[to **Peters**] you're running that computer [for projection], right?

Peters: Yep.

Wurtz: Is it possible for you to type in the language?

Peters: That's what I was planning on doing.

Wurtz: Ok, I guess I wasn't watching as you did it.

Peters: Yeah, but we don't have any set language yet, so

Funderburk: That was what I was getting at.

Wurtz: Well, that's what I'm saying. If you could—if this is the recommendation, if you could type it in and put it in front of us as we're talking about it, that would be helpful.

Peters: That's the plan.

Wurtz: Or whoever is saying it, say, "Come on over here and type it in."

Funderburk: Senator **DeBerg** wants to do that.

DeBerg: Oh, I don't know, so

Breitbach: I think you were headed in the right direction with that. I think we just need to get the

Funderburk: I thought I understood what you said clearly enough, and I think if it does get typed up here that way, it will be clear for everybody.

Peters: So, do you want to make it as "either/or"?

DeBerg: Well, I don't want to—see, this is the problem with these—with an "or." I don't want to include #1 as a list of "or"s. Number 1, I think, should be required.

Peters: Yes.

DeBerg: It's only then what other—so I don't know how to make that clear either. Because right now if you put "or" at the end of the second one and before the third, it could mean the entire list is a set of "or"s.

Funderburk: I think Senator **East** wants to weigh in. And then Associate Provost **Arthur**.

East: I'm moderately confused, which isn't unusual but—so we currently have 2 required sanctions in the Level 3.

Rhineberger-Dunn: No, there are currently 3.

Neuhaus: There's one underneath. It's sort of tucked right above "D."

DeBerg: We currently have 2.

Rhineberger-Dunn: No, the “Disciplinary probation” is one of the required ones. It’s just hidden, because it got tucked under that.

East: So the intent were that all 3 are required, that the student fail the course--that the student get a sanction in their record, that they fail the course, and then get placed on probation, which is kicked out of school for a semester or year or whatever. So, it makes sense—I mean, if that’s the intent, we just move probation up there with the others, and then you say—the last paragraph remains the same, “Further sanction” or it becomes a fourth bullet point there maybe. “The possible further sanction” actually ends up being one of the examples above, one of the bullet points above that would say something along the lines of somebody determines somehow all of the lower level ones might get you to sanctions. That paragraph right before “Disciplinary probation” is more about what causes things to happen rather than what the action is. Is that correct?

Rhineberger-Dunn: Probably. This has been so long since we discussed it that I think our intent was to have disciplinary probation as something that could be considered. And so it’s just a matter of do we want to require it? Because the issue really is do we want to make a required sanction? If not, then there’s—we can take it out.

Funderburk: Associate Provost **Arthur** and then Senator **DeBerg**.

Arthur: Yeah, I don’t know if what I have to say now adds any clarity to this, but it just seems to me that maybe what you’re saying here is that required sanctions--this is what the faculty member does. Right? And then the disciplinary probation can be imposed at the Provost’s Office level, so.... Because that’s based on the cumulative violations which the faculty member, so..... I’m not sure, maybe not making disciplinary probation a bullet point but possible further sanction is disciplinary probation.

Funderburk: Senator **DeBerg**.

DeBerg: Ok, I have new wording. So let's see how this works. Required sanctions, keep the first point the same. The second point reads, "A disciplinary failure for the course (this will appear on the student's transcript) and/or disciplinary probation." This leaves that one or those two needs to be there, but could be both, but doesn't have to be both.

Funderburk: Senator **Breitbach**.

Breitbach: Ginny [**Arthur**] makes a good distinction. One of those is the responsibility of the faculty member and is at the course level. The faculty member is not going to know about prior history or other violations, so I think it should be a separate bullet, because that disciplinary probation not at the course-level but in terms of being expelled would have to happen at your level, Mike [**Licari**].

Licari: And that's ok. I would just want guidance as to what accumulation would trigger disciplinary probation. If we have an accumulation of violations that would trigger expulsion, I would want some lower threshold that would trigger disciplinary probation.

DeBerg: Aren't those the Level 3 violations?

Licari: Ok. And as long as that is the understanding, that will be fine.

Funderburk: Senator **Wurtz**.

Wurtz: Ok, well, just as a jumping-off point. Anything that adds up to 4, so it takes 4 Level 1's. It takes a combination of Level 1 & 2 that equals 4, a combination of 1 and 3 that equals 4, or 3 and 2 obviously is going to jump to 4 immediately or past it. And I'm not saying that that's the smart--but I'm just saying let's start there since they're labeled 1, 2, 3, and 4. Four is automatic. Does any combination that sums to 4 become the trigger?

Licari: Well, I think if we've got those additions specified already, I was just wanting to make sure in my mind that it was clear that an accumulation of or 1 level 3 triggered the disciplinary probation and that this Office would

make that recommendation to the Registrar to have that added to the transcript. So as long as my understanding of that is fine.....

Funderburk: Senator **East**.

East: I think our discussion here has made something a little clearer, in my mind at least, that there are expectations of faculty and then there are expectations or possible actions by the Provost's Office. And it seems to me that those should appear on all 4 elements, that on the Level 1, faculty are expected—faculty may—I don't know what the language would be, but faculty may choose any of the following sanctions and are not limited to it. The Provost's Office will note all reprimands and will take, you know, some action there says after some accumulation something kicks in from their office.

Funderburk: Associate Provost **Licari**.

Licari: I fully agree, and the way we handle that now is anytime a faculty member reports a violation, I write a letter to the student, and a copy to the faculty member, the department head, indicating that a letter was—that a violation was reported and that it went in the student's file, and that an accumulation of these violations will trigger expulsion, and so that will continue. And, you know, you're right. It needs to be part

East: But it needs to be part of the Policy and made explicit to the students is what I'm suggesting.

Licari: Exactly.

Rhineberger-Dunn: Under Level 1, we do have: *Level One reprimands will be placed in the student's file maintained in the Office of the Executive Vice President and Provost and in the office of the Dean of Students but will not be made public or attached to transcripts or other records.* Now the reason we don't have separate language here for the administrative component is that we have allowed Level 1 sanctions not to be documented in the Provost's Office. That was an issue with the old Policy, is that it seemed like they all must be documented, and we did not want to force faculty to

document. That's why it's only the ones where if it's reprimanded in writing that those goes to Mike's [Licari] office, otherwise

Licari: But I think Phil's [East] point—I'm sorry. I'm butting in.

Funderburk: No, go ahead.

Licari: I think Senator East's point is well taken that anytime a violation gets reported, the Provost's Office has to do something to indicate the consequences to that student, but there might, after a while, with accumulation, that there might be other additional consequences that happen to the student beyond what the individual faculty have leveled against the student, so

Funderburk: Before I bring Senator Wurtz in, do we need additional language to do this? [some saying "yes"] Is that something we are going to be able to do? If so, maybe somebody can draft it.

Wurtz: Is this the point to make a motion to amend to add language that expresses the process just described to us by Associate Provost Licari as part of the Level 1 information?

Funderburk: Senator DeBerg.

DeBerg: Well, if the letter of reprimand from the faculty is always followed up by a letter from the Provost's Office, then it's part of every level. It's part of Level 1, 2, 3, not just Level 1.

Funderburk: Senator East.

East: Yes, it does need to be part of all 3 levels, I think, and needs to be made clear as Mike [Licari] was suggesting that this could have a cumulative effect, and the students need to be aware of that. I think it's useful to also to sort of specify expectations of faculty and expectations of Administration.

Wurtz: If that is the appropriate time, then that was a motion.

Funderburk: Ok.

East: Second.

Funderburk: Motion is seconded to develop the language, I think, right?

Licari: Here's the current [Academic Ethics/Discipline] Policy, "The Provost and Vice President for Academic Affairs will notify the student in writing that such action has been taken [which is this discipline], and will maintain a file for each student so disciplined. (This file is confidential and is independent of the student's normal University records.)" [<http://www.uni.edu/policies/301>] So, that's the sentence that evokes responsibility for the Provost's Office to alert the student.

Funderburk: Ok, so for clarity, this Policy will be replacing the current one? So we can lift that language from this and put it in there?

Licari: Sure.

Funderburk: So am I assuming that that's the language you just made the amendment for? [**Wurtz** nodded.] Very good. Senator **Peters**.

Peters: And would that be inserted at the end of each type of—like, at the end of Level 1, at the end of Level 2?

DeBerg: Maybe after the first dot.

Licari: After the first bullet.

DeBerg: After the first bullet dot, well, bullet. It is shaped like a dot, though. [light laughter] In each, because it's further talking about the letter of reprimand—it's about the letter of reprimand.

Peters: So, right here [changing language on projected document] we would

DeBerg: That's where I would put it.

Licari: Yep.

Peters: insert the current language re: Provost's action.

Funderburk: We will have to amend after the fact as a copy/paste. Is everybody clear as to what that amendment is? [voices agreeing] Are we ready to vote on the amendment? Ok? All those in favor of the amendment for the Provost language, say "aye." [ayes heard all around] All those opposed? [none heard] Abstentions? [none heard] Very good.

Peters: I don't mean to—sorry. [light laughter]

Funderburk: Senator **Peters** and then Senator **East**.

Peters: I don't mean to take us back a step, but I'm not sure we ever decided that we were giving guidance about how many violations results in the further disciplinary action under Level 3.

DeBerg: Well, actually, it does say. It says, "A third Level One violation or a second Level Two violation...." That's in the introduction [Section VII-C].

Peters: Oh, ok.

DeBerg: So that is pretty clear to me.

Funderburk: Senator **East**.

East: I would recommend that it's possible that we make the language the same. For instance, on Level A violations, it says, "Possible sanctions are, but are not limited to." The second Level it says, "Possible sanctions include, but are not limited to." And I would also like us to highlight the "**Possible sanctions include**" and "**Required sanctions are.**" I think that those words are critical words, and people reading the Policy need to have them highlighted. So I'm all enthusiastic about going back and revising my syllabus now based on this, now that I know what the Policy will read.

Following it, I'd feel much more comfortable, and I think that would be useful for us and the students to have that knowledge available to us about what's clear and required, if possible.

DeBerg: Was that an amendment or a motion?

Funderburk: I guess it would also—I mean, not meaning to try to make any change from what's being suggested, understand that what we've put forward here just goes forward as our recommendation for the next set of Policy Reviews before it happens. So, if we feel strongly about it, it makes sense that we make it very clear to the next group that we thought it was important also. Senator **Wurtz**.

Wurtz: Since you raise that, may I be indulged to ask a question?

Funderburk: Please.

Wurtz: We've run into situations where we have approved policy and then as it was described to me, it goes to University Council, and then gets taken to the Board of Regents, but it never got out of University Council. Where are we on that process?

DeBerg: What Policy was that, Susan [**Wurtz**]?

Funderburk: Do you want to? [to **Arthur**]

Arthur: Do you want to go ahead, or do you want me to?

Funderburk: I would love for you to.

Arthur: Ok, so I'm the Policy Liaison then to the Senate, and so when once you've passed policies, they all take those. In this case, something like Academic Ethics, the Academic Grievance Policy would go to the Academic Affairs Council for their review, and then in this case, for example, we mention the Dean of Students, and the Dean of Students was on the original group that drafted this Policy, but it will go back to them because there's a new person there to make sure they are ok with what is being

asked of them in this Policy. And then we would take it forward to the University Policy Committee, and when they recommend it, on to the Cabinet. So the steps are come to Provost's Office, determining who outside of Academic Affairs Council also needs to be see it, then a report to the University Policy Committee, and then it goes to the Cabinet. It doesn't go to the Board of Regents.

Wurtz: Ok. Is there an estimated timeline?

Arthur: The University Policy Committee is now on a monthly meeting schedule, so it should be done by the—hopefully, we'd like this one to be done by the end of—well, at least by sometime in the Summer so that it could be ready to be implemented in the Fall.

Wurtz: Thank you.

Funderburk: **Gayle**, and then Senator **DeBerg**.

Rhineberger-Dunn: Having chaired the EPC for the past 2 years and been on it for 3 total. One of the issues for us is that we're never notified once it gets passed in the Senate or doesn't get passed. Well, we know what happens when it doesn't get passed in the Senate, but once it gets past the Senate, we're never notified of where it's at in the process, that it's being considered by your Office or that it's now in the Cabinet's Office. And it would be really helpful for the EPC members who do all of this work to know where it's at.

Arthur: So, notification back to the Chair of Senate so they can notify the Committee? Is that an acceptable process?

Funderburk: I think that's at least acceptable. That would already be more than what we've gotten before.

Wurtz: And if I may continue the indulgence, that was the intent of our web page. The status column would show where every item is as it moves from place to place to place.

Funderburk: Senator **DeBerg** and Senator **Edginton**.

DeBerg: Well, simply because I hate there to be one bullet point. I think bullet points were made for a list longer than one. I have new wording for that. So I'm looking at the top of the last page, which is on Level 3 [Section VII-C]. As it says, "Possible further sanction, determined by the Office of the Executive Vice President and Provost, based on the student's prior record of academic ethics violations *includes disciplinary probation.*" And then we're rid of that single, lonely bullet point. And I feel better having suggested this.

Funderburk: There's an amendment. Second? Second to that amendment change? Second from Dr. **Bruess**. Do we have any discussion of that? Does everybody understand what the suggestion is? All those in favor of, "aye." [ayes heard all around] Opposed? [none heard] Abstentions? [none heard] Very good, Senator Amendment **DeBerg**. [light laughter around]

Edginton: I have one question on the process. I don't think it's enough to report back where the Policy is in the policy-making process. But if there are changes to the Policy that are being recommended as we go through the process, those changes need to come back to the Senate for full deliberation. That's part of faculty governance, shared governance. And when that process does not occur, then we have problems like we've had recently. So, let's build that into the process also.

Funderburk: Where are we on this Policy? Do we have more to highlight? Are we ready to vote on it? [heads nodding] Are we clear at what we're looking at? [heads nodding] All those in favor of accepting the recommendations of the EPC and forwarding it to the Provost's Office, say "aye." [ayes heard all around] All those opposed? [none heard] Abstentions? [none heard] Very good. One down.

DOCKET #1029, EPC RECOMMENDATIONS: ACADEMIC GRIEVANCE POLICY
(PREVIOUSLY 1085/983)

Funderburk: Ok, 1133/1029 was the EPC recommendations for the Academic Grievance Policy. There were previous numbers on that as well. [to **Peters**] I guess if we could get that up, we could highlight the changes [on the projected screen].

Peters: Yep. I just want to make sure this is saved. [nervous laughter all around]

Funderburk: Right.

Rhineberger-Dunn: There are a significant number of changes in this document compared to the others, and a lot of it was to make the procedure equitable for faculty and students. There were places where the faculty were left out of the process and places where the students were—I should say where the faculty had more power than the students and some places where students had more power and faculty had none or little, and so we tried to make the process more equitable from beginning to end.

We've recommended changing some of the actual procedures mainly by—the way the original document read, it was the student who has to initiate the process, the formal process, which we keep. This is for the student. If the student wants to make a formal grievance, they have a right to do so. And so the student must initiate the process with a form. We have recommended electronic communication, because the original Policy said just "notify," and as we know, sometimes we're on sabbatical, or we're gone for research for 2 weeks, or not around in the Summer to get our mail, or the mail takes forever. So we've recommended electronic communication. We've recommended making the Appeals Form electronic, downloadable and uploadable, because that will be the way it should be communicated.

We have made it so that once the student initiates the process that there is the possibility for a resolution at a couple of stages. If there isn't a resolution, there is time specified where it is up to the next person to pass

it on. So that it becomes a department head's responsibility to forward it in a timely manner, and then the Dean's responsibility, so that it isn't all up to the student. The purpose of this Policy, if we think about it in the spirit of which it is intended for those students who really have been treated poorly, who really have a legitimate grievance, then it should not all be on them to forward it through the process.

We've taken out the striking of members of the Pool Committee. We sort of arranged a procedure where if there is a conflict of interest, people should recuse themselves, students and faculty alike, that it will be up to the Chair of the Pool or that Committee, that Board--we have a Pool and a Board, whatever it says in here [laughter all around]—that person is in charge of making sure that there isn't a conflict of interest.

And we've also—there—we'll also need to be—if the changes—I think I've written this somewhere, but I don't think it appears in this document—if our recommendations are approved by the Senate, there are things that have to change. The Form has to be changed so that it is uploadable, downloadable in a Word document, so that students can save it. Not one of those where you type it in, and it disappears.

And then there are procedures that the Committee on Committees should be in charge of figuring out how that Pool and Board will be constructed and the timing of how long should the Chair be Chair of the Board and what is their role. That we determined was something that was not our purview, that that really is Committee on Committees making a definition for this particular new entity.

Those are the main highlights. We've also done away with separating the undergraduate and graduate students for the most part, with the exception of where it very clearly has to be the Graduate School involved. I think those are the main highlights.

Funderburk: Questions or additional input from....? Senator **East.**

East: I didn't notice where it said how many students would be on the Board. Was that just one?

Rhineberger-Dunn: No. There are 4 or 5—5 faculty and 4 students. [other voices saying similar things]

Funderburk: Senator **Dolgener**.

Dolgener: Is there a current mechanism, and I didn't see it in here, that ensures that this process is followed? I mean, what, for example, changing the grade? How do we know that that's not done under the table? Or if it is, what?

Funderburk: Senator **Breitbach**, and Senator **Roth**.

Breitbach: I don't think that you can ever stop that from happening, but we did make sure that this language protects both the student and the faculty, but I don't think you can ever—you can't write a Policy, you can't have something on paper that can prevent something like that from happening. But this Policy does protect both the students and faculty.

Funderburk: Senator **Roth**.

Roth: I think it'd be nice if you could ask for a mechanism somehow where—like, if a grade gets changed or also if one of your advisees gets to register without talking to you, the Advisor of Record and the Instructor of Record get notified. At least notified, and then they can follow-through with that however they want to, but it would be nice. Because, as an advisor, I see—about half these guys don't talk to me, and they still get registered, and I'm not advising them. I think the instructor and the Advisor of Record should be notified so that their contribution is not circumvented.

Funderburk: Senator **DeBerg**.

DeBerg: I'm not sure they need to contribute to this process, but I do think that every grade change needs to be reported to the Instructor of Record and the Advisor, after the fact. You know, Anne **Woodrick**, when she was Chair of the NCAA do dah, she got a list of all the grade changes for

Athletics. And she called every single instructor to find out if that was a legitimate grade change, because we would be in serious non-compliance issue if grades were being changed without faculty being notified. Well, the rest of the faculty needs the same protection with students that are not athletes, to be certain that there's some follow-up on grade changes. So I would support Senator **Roth's** concerns about that and ask for some kind of automatic follow-up on grade changes.

Funderburk: Senator **Edginton**.

Edginton: Well, how can a grade be changed without the instructor signing off or being a part of that process?

DeBerg: We've had examples this year, **Chris**, with grievances.

Edginton: Yeah, I understand that, but how can that occur?

DeBerg: Well, they just change the grade.

Funderburk: Senator **Roth**.

Roth: I don't think this is an official term for it. I don't know any names, but something like Administrative Override. There is a mechanism for Administrators to do that.

DeBerg: And the Registrar's Office doesn't seem to care. They just do it.

Roth: I mean, I've seen this happen.

DeBerg: Yeah, I have, too.

Funderburk: Senator **Peters**.

Peters: I completely agree that faculty should be informed if a grade is changed. Is it part of this Policy? Or would we be talking about the need for a separate Policy on that? I'm not sure it's part of this Policy. That's my only concern at this point. [voices agreeing]

Funderburk: There's room for another policy. [laughter around] Chair **Rhineberger-Dunn**, you've got time.

DeBerg: Policies are good.

Edginton: You know, following up on that comment, is it enough to say that under no circumstances may an Administrator use their own authority to substitute their judgment in that? Shouldn't there be some consequences there, if an Administrator overrides? I mean, we're talking about an Ethics Policy here, and if we

DeBerg: A reprimand.

Edginton: I mean, shouldn't there be a reprimand or something?

DeBerg: I think so.

Funderburk: Senator **East**.

East: This is a Grievance Policy. This is not an Ethics Policy.

Edginton: But we just passed an Ethics Policy.

East: For students. Not for faculty and certainly not for Administrators.

Edginton: Well, wait a minute, we just had a statement in there about role modeling, you know, ethical standards and behavior. Why does it not hold throughout the entire policy structure that we have?

DeBerg: There's an Ethics Statement for Faculty.

Funderburk: There are two that want to weigh in. Hold on, before we get too carried away. Senator **Roth** and then Associate Provost **Arthur** want to weigh in.

Roth: I'm kind of modeling after what's done in the literature when somebody has a disagreement with my research. I think maybe what should be done in this other policy we're talking about is the grade gets changed. The Instructor of Record gets approached. If the Instructor of Record agrees, then there's nothing that happens. But I think maybe there should be a forum where the Instructor of Record and the Administrator can contribute to a third party of authority in decision if there is disagreement, much like in research with comments that are done.

Edginton: But that's not what that statement says.

DeBerg: There's no

Funderburk: Associate Provost **Arthur**.

Arthur: I would suggest that in fact we do need another policy that documents the circumstances because I'm not the person involved with it. The other Associate Provost oversees that, but there is a process by which students request withdrawals, and that is, in some sense, a change of grade. You know, that when people miss the deadline for putting in their grades, that the Registrar shuts off the access, and then everything comes through as a grade change. So there are a variety of circumstances of when that happens, and I think that could certainly be incorporated into policy that any copies of grades that are changes made at the Provost's Office level would go back to the Dean, the Department Head, and the faculty member, so everybody in the chain is informed. I know that there was a case that was made a lot of that a person said the grade was changed, but, in fact, the Provost's Office denied what the Instructor wanted to do in terms of changing the grade. So I think that it does make sense to have another policy.

DeBerg: I would hope SIS could do this. We'll all be paying for it. [laughter around]

Funderburk: **Gayle?**

Rhineberger-Dunn: I think the reason we didn't address this beyond the issue of making this statement is twofold. One, because by adding anything else in the Policy, we're destroying our own statement that we don't believe in grade changes should be made. But beyond that, the way the process works is that if there isn't agreement between any party, it goes on to the next level. And so theoretically that shouldn't happen here, but it doesn't address what Associate Provost **Arthur** is talking about but the things that we can control in our classroom. But there's the issue at the end if nobody agrees that eventually it goes to this appeal process, so there might be a place there to have language. Otherwise our intent was not to address what should happen with that because it undermines our statement that it shouldn't happen, because if there is disagreement, it should keep going through the process. [voices agreeing]

Funderburk: I'll interject a bit of practicality. It's now 4:26/4:27, depending on which clock, and we've got a bit more to do, and I think we're in agreement that this is important but also not part of this direct Policy at the moment. And so hopefully we can get a policy worked on that and then get it back footnoted through all these various once referenced. Senator **DeBerg**.

DeBerg: Well, I would like to thank the EPC for what I think is an excellent rewrite of the Student Academic Grievance Procedures and call the question.

Funderburk: Motion to call the question. Do we have a second for calling the question?

Edginton: Second.

Funderburk: Second from Senator **Edginton**. All those in favor of calling the question? [ayes heard all around] All those opposed? [none heard] Abstentions? [one heard] Ok, the question has been called. All those in favor of approving the Grievance Policy, which I don't think we amended on that one and passing it forward to the Provost's Office, say "aye." [ayes heard all around] All those opposed? [none heard] And abstentions? One abstention again.

Wurtz: Did we discuss Section F?

Funderburk: We did not discuss very many things related to the Policy.

Rhineberger-Dunn: Section F actually is our—comes into play with our next one.

Wurtz: Ok, then I'm ahead of the game then.

Rhineberger-Dunn: Oh, no, actually it doesn't. I'm sorry. It goes back to the Ethics Policy. [voices sorting this all out] No, it's part of our next question.

DOCKET #1030, EPC RECOMMENDATIONS REGARDING THE PETITION ON CO-CURRICULAR ACTIVITIES POLICY (REFERRED TO EPC 12/12/11 AS 1105/1003), EPC RECOMMENDS AMENDING ATTENDANCE POLICY (1066/964)

Funderburk: So now we're at 1134/1030, EPC recommendations regarding the petition on co-curricular activities policy which has yet another number, but the recommendation is to amend the Attendance Policy which has yet a third set of numbers. Take it away [to **Rhineberger-Dunn**]. [light laughter]

Rhineberger-Dunn: To address the issue that—in our Committee, we addressed this as a very important issue. Everyone in the room has had some experience of either being the one to require or being the faculty for whom students have to miss for some other required activity. So we fully recognize the importance of the issue. We all face it. What our perspective was to address this Policy was to make additional changes to the Class Attendance and Make-Up Work Policy that was passed by the Senate last year sometime and has been held-up in one of the higher committees because of some discrepancy with the grievance timing.

And so since it hasn't been fully approved at all levels, we made some changes. We added Item #3. "Instructors should be reasonable in

requiring attendance at activities or events that may conflict with students' schedules." It seems minor. It's a reminder, right? We all should know it. But we all know that sometimes it doesn't happen. But we were unwilling to make—I would say unwilling or unable to come to any decision as to, "Should we really have any numbers associated with this? Should we really say one--you can only miss one class for an academic....?" It really has to be up to the faculty, and every faculty needs to be reminded to play fair.

So we added #3, and then we added one further down, #6, I think? It took us a while to work out the language so it was clear. "If an instructor assigns a mandatory activity or event that encompasses time outside of class or requires students to miss another class, that instructor must either provide the student an opportunity to make up the missed activity or event, or have in place a make-up policy that does not unjustly penalize a student for the missed activity or event." What was missing in our University Policies, there's nothing that requires the sort of faculty requiring the activity to do anything. It only requires that the faculty member who has the student in the class that has to miss for someone else's class has to do something. So we decided that wasn't fair, and we are requiring the faculty who is asking students to do something outside of their own class time that invades in someone else's class time—if the student says, "I have a test in Dr. Smith's class. I can't miss it," that Dr. Funderburk has to provide that student with another opportunity. [voices agreeing]

Funderburk: Good. Questions? Comments from the Senators? Oh, sorry.

Rhineberger-Dunn: The last note here is there was a discrepancy with our Grievance Procedures. We fast-tracked those 2 years ago when we created this Policy. We fast-tracked a grievance process. There's a difference between the grievance process that can take a year when it's about something that's already happened and isn't immediate. This is immediate. Attendance—you're having an exam that you're asking to make up, and someone says "no," this is more immediate and needs faster resolution. But in order to make it clear, we added Section F to the Grievance Policy that says that's fast-tracked, that allows someone to—a normal grievance process to continue, but it also says *grievances regarding make-up work for*

absences should refer to Section F of this document, which is what we were referring to earlier.

Funderburk: Senator **DeBerg**.

DeBerg: I don't have a hard copy in front of me, and I'm sorry. I apologize for that, but is there still remaining in the policy what I remember as some kind of notice by which people have to give or a required something? Was it 10 days or....

Breitbach: We do have that, yeah, in both of them.

DeBerg: Is that still the same? [hard copy passed to her for viewing]
Thank you. Has that remained the same? I mean, like someone can't have an emergency event a day ahead of time?

Breitbach: No, we clarified, for example, what "2 weeks" meant, you know, or in terms of "academic days," so that there was no confusion about what that meant. We did clarify that.

DeBerg: Ok, thank you.

Funderburk: Senator **Peters** and then I think **Gayle** wants to weigh in, too.

Peters: That was the Grievance Policy, though, right?

Breitbach: Right, but this fast-track on an exam reverts back to that. But we did clarify on the Grievance Policy on the times.

DeBerg: But it's not in this anymore.

Peters: Right, but I think Senator **DeBerg's** question was whether instructors have to give a certain amount of notice.

DeBerg: It was about notice.

Breitbach: You mean the fast-track one?

DeBerg: No, so much notice. Let's say, ok, here's my example: I have students in a class who were called away for an emergency rehearsal. Well, how much notice do students have to have for something like that? And it used to be in this Policy. Is it still there?

Rhineberger-Dunn: It wasn't when we [the EPC] got the Policy, so

DeBerg: Ok, so that's a problem for me that it's not there anymore. Faculty need to give students some notice of these things for which they're asking them to re-plan their schedules. And I think it was 2 weeks earlier, but I don't know for sure.

Funderburk: Senator **Wurtz**.

Wurtz: I think I'm remembering if, for example, if my student group is planning a professional field trip, I write the letter that says "They are going. Would you excuse them from class?" And then I had a paragraph that says, "As appropriate, give them assignments where they have to use what they learned on the field trip in your class." But I think it was 2 weeks ahead of time.

DeBerg: So, could we add 10 class days, which is 2 weeks of class time, something like that? I would like that to be added.

Funderburk: I think I hear an amendment working over there.

DeBerg: I don't have the—I'm unable to

Funderburk: Are you saying that that would go

DeBerg: I can't work from the screen, if someone else is in favor of that

Funderburk: But I'm guessing that the point would be to add that onto bullet time—well, not bullet item but #3.

Peters: Yeah, that would be—that's what I was thinking, too.

East: That would be in bullet item 6, I believe.

DeBerg: A notice of 10 class days.

East: And 6 is where the instructor making the assignment or causing the absence is referred to, so that's where you're talking about, right?

DeBerg: Yeah, I don't care. Either one of those, if you don't

Funderburk: I see #3 is talking about *Instructors should be reasonable in requiring attendance at activities or events that may conflict with students' schedules*. Therefore, I'm assuming that reasonability would also imply planning ahead.

DeBerg: Uh huh, so I would say, "Notice of at least 10 class days is required."

Peters: Required?

Breitbach: Could we say "recommended"?

Funderburk: I do think that later if—we'll have to define "class days." Do you mean 10 days in my class or 10 days of classes of all?

Rhineberger-Dunn: You can use the language in the Grievance Policy where we define "class days."

DeBerg: How are they defined in the Grievance Policy? Days on which classes are held?

Rhineberger-Dunn: It refers to: *university class days during the regular fall and spring semesters*. [footnote 1, page 1 of Grievance Policy]

DeBerg: Ok, that's what I would like. That's what I had intended.

Funderburk: So, that's a motion to amend to require 10 class days.

Breitbach: University class days.

Funderburk: Ten University class days.

Breitbach: Notice.

Funderburk: Is there a second?

Peters: Can you restate it?

DeBerg: Yeah. And I don't know, to what am I adding it? [voices clarifying #3 or #6] Let's add it to 3.

Funderburk: You can always be safe and put it on both. [light laughter]

East: Three is a good place.

DeBerg: "Students and affected faculty should be given at least 10 University class days' notice."

Funderburk: Ok? Associate Provost **Licari**.

Licari: Senator **DeBerg** is right. The existing Policy does say, *to be written notification*. The previous sentence to that that I think is also valuable says, *In the case of extracurricular activities, a semester-long schedule should be prepared and distributed at the beginning of the semester.*

DeBerg: Yeah, it'd be great to keep that, too.

Licari: I think that's valuable, too.

DeBerg: So maybe it should be a separate point.

Peters: So, is that acceptable? "Students and affected faculty should be given notice at least 10 University class days in advance."?

DeBerg: And in writing, in writing.

Peters: Could be given “written notice”?

DeBerg: Yeah, that’s good.

Wurtz: Does digital writing count?

DeBerg: Yeah, written. Yeah. And then the second sentence is what?

Licari: *In the case of extracurricular activities, a semester-long schedule should be prepared and distributed at the beginning of the semester.*

Peters: There is something in there about

Smith: In #1?

Peters: Yeah. [voices sorting it all out] Something about, in there somewhere I thought there was something about notifying people early on.

East: When such policies were not provided in writing at the start of the class, it is understood that there will be no grade-related penalties due to absences, missed exams, make-up work, and so on?

Rhineberger-Dunn: That’s on the part of the faculty. That has to do with notifying your students the first day of class. If you don’t give your Attendance Policy and Make-up Work Policy the first day of class, then you don’t have the right to penalize them. [many voices back and forth attempting to clarify] No, #1 only applies to individual faculty. So my Make-up Work Policy has to be distributed on the first day of class, if I’m going to use it.

Licari: But I think students, if they know what their semester-long extracurricular activities are going to be, they have an obligation to provide that to all their faculty.

Rhineberger-Dunn: Yes. I agree.

DeBerg: And that's different from the Make-up Work Policy.

Funderburk: We've got a few people that want in on this, so Senator **Peters**, Chair **Jurgenson**, and I think back to Senator **East**.

Peters: In Section B4 currently says, sorry I should actually put it on the screen, currently says: *Students participating in educationally appropriate, university sponsored activities or sanctioned events must inform each instructor of their known and anticipated absences as far in advance as possible.* Now you said the existing Policy says....?

Licari: Well, it's basically that. Right now it says, *In the case of extracurricular activities a semester-long schedule should be prepared and distributed at the beginning of the semester.*

DeBerg: And I don't like that as far—I'm sorry.

Funderburk: Chair **Jurgenson**.

Jurgenson: Back to the previous amendment statement.

Peters: Sorry, finding it [for projection].

Jurgenson: Do you really want it to say "should be given?" How about "will be provided"?

DeBerg: Or shall be? [voices agreeing/clarifying "shall" for "will"]

Funderburk: Senator **East**.

East: I'm going to go back to the notion that one actually does include this information where if you don't give them—my interpretation there is that if you don't give them a schedule, and you don't announce the policy—no, time out. There is no schedule involved there, is there? Just the Make-up Policy. [voices agreeing] Never mind. [light laughter]

Funderburk: Associate Provost **Arthur**.

Arthur: Well, I actually want to speak in favor of this idea of “if the extracurricular schedule should be given in advance,” because when you say—as the person who often is the one in charge of trying to get people to conform to these policies, when you say “as far in advance as possible,” it leaves it to a situation where the student then says, “Well, you know, because I lost it, I couldn’t give it to you until today.” [voice agreeing and offering examples of such] So, maybe more precision is better in this kind of case.

DeBerg: I agree.

Funderburk: I will add one little comment because I think there are those in my Department who are offenders of this quite often, the statement in the syllabus is that “You are required to attend all rehearsals, including extras called,” without telling when the extras are going to be.

Wurtz: Now that we have moved to Google, and Google Calendar is available to all of us, and you can make your Good Calendar so that anyone with a UNI address can see it. My student organization, I can easily put that out there electronically and announce to faculty that these students are in your class. They’ve got an event going on. Are we short-circuiting or cheating ourselves by not taking advantage of the communication technology that makes it so much easier to get information to people?

Funderburk: Senator **DeBerg**.

DeBerg: Well, I will never use the Google Calendar. [laughter around] So, don’t pin your hopes on Googling me. [more laughter] I hate it. I will never use it.

Wurtz: One of my colleagues insisted until the day he retired that the Department Secretary had to print out copies of his e-mail for him.

DeBerg: I don’t care. I can’t. I’m just wondering if we want to put the clause about the 10 days in advance in 3, and if we do, it should be

followed immediately by the “semester-long schedule in advance” wording. So I would like to just take that sentence as it used to exist and add it immediately after the one that I added, but I don’t care if it goes in 3 or if it goes in 6. That I don’t care about.

Funderburk: Provost **Licari.** Oh, I’m sorry. **Arthur.** [laughter around] I’m getting tired, I guess. [many voices laughing and easing tension]

Arthur: I wonder if there had been any discussion about what you mean by something that “unjustly penalizes a student,” because I can foresee a lot of grievances around this unless we have some idea, like, does that mean it would lower your grade by half a letter grade or a letter grade? I mean, it just seems this way you’re going to have a lot of students coming up with a grievance.

Rhineberger-Dunn: Well, this policy was actually created 2 years ago and passed by the Senate 2 years ago. And we, if I remember correctly, did not specify because depending on how a class is arranged, not counting an exam might be unjust. But in someone else’s class you have projects, portfolios, and things that are not exams and papers, and so we thought it would be a little cumbersome. And in order to make it very student situation-specific that it would be up to a Grievance Committee to determine what is “unjust.”

Funderburk: Senator **Edginton.**

Edginton: You know, I’m sort of torn with this because on one hand it suggests that, you know, one’s academic requests of students is more important than another person’s academic requests of students. And a student’s life—isn’t it a little bit presumptuous for a faculty member to say, “You’ve got to be in my class because this is the schedule, and if you’re not here, you can’t do it unless you give me 10 days’ notice.” To me that’s a little bit presumptuous to suggest that their classwork or the experience they’re crafting for that learning experience on that day is more important than the learning experience that might be crafted in another venue in another situation. And one other comment I would make, I don’t think this meets the criteria of the issue of an emergency rehearsal, ok? Senator

Funderburk might call an “emergency rehearsal” and “emergency” to me can’t be addressed in 10 days. “Emergency” means now. That’s now. Isn’t it presumptuous to say that your classroom attendance is more important than his emergency? I mean, maybe it is? Maybe it isn’t.

DeBerg: It is more important than his emergency.

Funderburk: I will weigh in and say that the only groups that call “emergency rehearsals” are related to athletic teams.

Edginton: No, no. Come on.

Funderburk: I’m sorry. Those are the only groups that call emergency rehearsals, because they usually have something to do with the football team that has to go. But I did want to address the other part of that was that I think the issue is that on the one hand it seems fair to say “class time,” but if suddenly you have an event—turn it to the other side. If it’s the only time the dress rehearsals happen before the performance and everybody’s come and the key person’s not there, it just destroyed the learning environment for everybody else in the room.

Edginton: If you wanted students from my class to come to your dress rehearsal, that’s fine by me, if it’s that important for them to be there.

Funderburk: I would point out that ours have to be scheduled the same as classes, in advance, so it’s stated in our syllabus when it’s supposed to happen. It’s only when an event—and the reason I say this it’s associated with sporting events, is because if things change because somebody rents the room and suddenly they only tell you you have to move the rehearsal to a different time, so, in fact, the point is the instructor didn’t have a vote in this. They don’t get a vote when you’re told “You’re not in the Dome. You can come back tomorrow afternoon instead.” Senator **East** and then Senator **DeBerg**.

East: I don’t think it’s presumptuous, but I do think it’s a student’s choice, and the student should make the choice with as much information as they have. If a student’s in my class, and they choose to miss my class, they

know about my attendance policy, and they know what's going on there. I had several students this semester who said, "I'm going to be gone from your class 4 days to attend major-related professional meetings." "Well, that's your choice, you know my policy." And I think they should be able to make that choice, but I'm not going to say there's no consequence for choosing not to be in my class when I think that being there is necessary for the learning that I would like to see occur. And so I'm not going to excuse students ever for making that choice, but I'm not going to damn them for making the choice either.

Funderburk: Senator **DeBerg**. Then Senator **Wurtz**.

DeBerg: But, Phil [**East**], this policy is that you have to excuse them if they are absent for a University-sanctioned event.

East: No.

DeBerg: Yes, it is. Yes, it is. And secondly, I don't want my students to choose between an exam that I'm giving and something on a syllabus that says you have to be at every rehearsal or you'll fail the course. That is not a fair choice for students. I want a decent absence and make-up policy that students can appeal to and faculty members can appeal to.

Funderburk: Senator **Wurtz**, I don't know if you will indulge Senator **East** to answer first, or

Wurtz: I think in this case I'm not going to indulge, because I think it adds to what you were saying.

East: That's not a problem.

Wurtz: We're not making the distinction between a student missing my class and missing the learning that was taking place that day versus a student missing, you said, "an exam in my class." It's really two different things. If I am giving exams and a student is missing and needs to do an exam before, needs to do an exam after, I use some multiple choice exams with fairly large sections. I really don't want those exams to be

compromised by having to do a whole lot of making-up and in different scheduling. So it really is two—there are nuances to this in terms of when they miss, and my agreeing to let them miss.

Funderburk: Senator **East**.

East: The policy doesn't say that the student can't miss. It says the student must be allowed to make up.

DeBerg: Right.

East: And if a student is in an accident and has to go to the hospital, you're going to allow them to make up. The same thing has to happen if the student chooses, for whatever reason that's educationally appropriate, to miss. And we have to do that sometimes. I think we have to worry about both sides of the schedule, and the student has to be aware of that. You can make the test harder, it says, so....

Funderburk: Senator **Roth**.

Roth: Just a couple of quick thoughts. If a student misses a Physics lab, like if they're in a lab group, this can be made up pretty easily. But I play keyboards in my church, so if the keyboardist is gone and it's a piano-driven song, the band is pretty much screwed, and the rehearsal falls apart. I'm the rhythm, and so I guess my whole point is that I—at Colorado State, when I was there, this one professor gave evening exams, mandatory evening exams, but it was already built into the schedule when the class went on the books on the schedule, so what I would do maybe is put a couple emergency times in your back pocket, and say, "Ok, here is a class schedule, you know, emergency rehearsals here, or evening exams here," and if we can build it into the schedule at the Registrar's Office when the class was on the books, then there's nobody should care. Then it's an expectation.

Funderburk: I'll make one comment. I mean, I agree with you. But part of the problem is some of these things I've had is actually the fact that the instructor doesn't have anything to say about it either. They are informed

when they can have the place at the first. The only other time I knew that it happened when it was a non-athletic-related support group, as far as a music event, was when the water pipes at Gallagher-Bluedorn were broken, and everybody kind of was in a bind. So, I think just getting us back where we know where we are, we haven't actually voted on that amendment yet. So we need to—the motioner was there, but I don't know that we ever got a second. Did you second [to **Peters**]

Peters: I'll second.

Funderburk: Ok, it is seconded. I hear a call the question [from **Breitbach**]. Do we have a second on calling the question on the amendment? [voice asks to clarify which projected words are the amendment] The one as written in blue, or the one that includes this additional sentence? [voices sorting this out and agreeing that the amendment included the additional sentence].

Peters: What's that say then?

Licari: “In the case of extracurricular activities, a semester-long schedule should be prepared and distributed at the beginning of the semester.”

Breitbach: So I'd like to call the question for that amendment.

Funderburk: Do we have a second for calling the question?

Dolgener: Second.

Funderburk: Second from Senator **Dolgener**. All those in favor of calling the question on the amendment, say “aye.” [ayes heard all around] Opposed? [none heard] Abstentions? [none heard] Ok. All those in favor of the amendment as before us with multi-colored changes before your eyes, say “aye.” [ayes heard all around] All those opposed? [one heard] Abstentions? [none heard] Ok. Amendment is approved. Noting the time, we are at 4:52. How much more do we need to talk about on this one, or are we ready to vote on the amended policy? I hear no more discussion. All those in favor of approving and forwarding the amended Attendance

Policy, say “aye.” [ayes heard all around] All those opposed? [none heard] Abstentions? [none heard] Ok, **Gayle**, thank you very much for an awful lot of work. We can see that. (?) [applause heard all around]

Rhineberger-Dunn: I had lots of help, lots of good committee members.

ADJOURNMENT

Funderburk: Ok, we have 7 minutes of our regular meeting time. I would suggest that there is no possibility of us completing 1121 [Docket 1019] on the Budget Committee. I don’t know. What’s your pleasure? Do we want to start a discussion on that and make comments on activity or entertain a motion to adjourn?

Edginton: I move we adjourn.

Funderburk: Thank you very much, Senator **Edginton**.

Roth: Second.

Funderburk: Second, Senator **Roth**. All those in favor? [ayes heard all around] Opposed? [none heard] And abstentions? [none heard] Thanks. [voices replying “thanks” and “see you next week”]

Submitted by,

Sherry Nuss
Administrative Assistant
UNI Faculty Senate

Next regular meeting:

April 23, 2012
Oak Room, Maucker Union
3:30 p.m.