

Faculty Senate Policy Committee

Meeting Minutes

February 3, 2016

11:00 am to 3:00 pm

Members Present: Martha Muller (Co-Chair), Kimberly Gauderman (Co-Chair), Leslie Oakes, Barbara Hannan, Melinda Tinkle, Marsha Baum, and Jamal Martin

Ex-Officio: Leslie Morrison, HSC Vice Chancellor, John Trotter, HSC Vice Chancellor Emeritus, Vivian Valencia, University Secretary, Office of the Secretary, Kimberly Bell, Deputy University Counsel, University Counsel Office

Members Absent: Lee Brown

Ex-Officio Absent Carol Parker, Senior Associate Provost, Office of the Provost & EVP for Academic Affairs

Staff Present: Candyce Torres, Office of the Secretary, Administrative Coordinator
Carol Stephens, Office of the Secretary, Professional Consultant

Guest Present:

Meeting began at 11:00 am

1. The regular meeting of the Faculty Senate (FS) Policy Committee was called to order at 11:00 am on Wednesday February 3, 2016, in Scholes Hall, Room 101 by Co-Chairs, Kimberly Gauderman and Martha Muller.
2. **Approval of Agenda.** Approved
3. **Approval of Minutes.** Approved
4. **Updates**
 - a. Respectful Campus Policy Task Force progress report from Kimberly Gauderman and Carol Stephens: Kimberly said they have had two committee meetings so far to clarify CO9. In the second meeting, a sample survey proposed by Dr. G. Miller was discussed and it was announced that the Faculty Senate is contemplating

adopting this survey regarding free speech on campus. Kimberly said CoG member Jackie Hood expressed the opinion that the survey was not necessary at this point and should be postponed. It is not clear if this will happen. One committee member said that she feels that the survey should be subjected to IRB approval before it is administered because it includes demographic information. There was discussion that the survey could even be harmful and could prejudice the Faculty Senate. One committee member considered the survey to be offensive.

Carol Stephens discussed free speech policies ranked by FIRE and she said that UNM is the “red light” category, which means FIRE feels many of its policies violate free speech laws. UNM is in the same category as the majority of institutions. The task force asked Carol to look at policies from the 18 institutions that are in the “green light” category meaning FIRE thinks they don’t have policies that violate free speech. She discovered that most of these institutions in the green light category do not have published policies or handbooks on the subject. Arizona State University does, but many of its policies on conduct or behavior of faculty and staff are similar to UNM’s, which raises the question as to why they are in the green light category.

- b. A60 Faculty Senate Bylaws: It was stated that there are a lot of questions regarding A60 and implementation of the Council and Committee changes proposed in the Faculty Senate Pilot Project. Marsha Baum said the original rules for the pilot project were developed by CoG for the Faculty Senate. The Council and Committee restructure has been adopted and A60 needs to be revised to reflect the new structure. However, it seems some committees are missing from the council structure, for example, the ethics committee. Marsha said there is still a lot of work to do before a revised draft can be submitted to the Committee for approval.
- c. C150 and C240 Political Activities report from Martha Muller. Martha said she had not been able to meet with Carol Stephens about this yet, but that she has researched this topic regarding other institutions’ policies. She said she will circulate information from the American Council of Education about things an institution such as UNM can and cannot do.
- d. UAP Policy Updates: Martha Muller said she is meeting semi-regularly with the Policy Director to discuss University Administrative Policies. Martha said that in her most recent meeting on January 20, she discussed the policies that had been approved. She said that of the 14 policies that had been put out for review in a 30-day period, several were withheld because of concerns over the whistleblower policy. A Committee has been appointed by the Policy Office to review the proposed changes and concerns raised. Martha said there is also another committee being formed to address the Campus Violence Policy UAP 2210, and sexual harassment. Another new policy may address minors on campus and whether all faculty should undergo background checks. Background checks are currently required for all health care workers and staff.

- e. New Faculty Handbook Website Launch: It's not public yet. But has been disseminated by Vivian Valencia. Those who have seen it say it looks great. The new website shows policy updates for faculty viewing. Committee discussion said it is very clean and user friendly.

Agenda Topics:

1. C220 "Holidays" and D210 "Religious Accommodations" C220 is being updated for the correct holidays and links to the religious accommodations policy. HR determines and publishes official holidays and provides guidance for employees who must work on a holiday in UAP 3405. Therefore, C220 will add UAP 3405 to the related documents section of C220. In addition, we will delete students from description and concentrate on faculty. The C220 "Holidays" draft with four identified changes was approved.
2. D210 "Religious Accommodations" It was stated that things gets complicated in accommodating so many different belief systems for students as well as faculty. Regents have said that diversity is a very good thing. UAP 3405 "Holidays" states UNM does not observe religious holidays, but that requests for leave to observe a religious holiday should be accommodated if possible. Also, the Policy Committee discussed adding that students must submit written requests for accommodations to their course instructor in advance if possible by the second week of the end of the semester. It was stated that written requests protect faculty from problems if faculty drops a student for constant absences with no known reason. A Policy Committee member said the student has to take some ownership in this if possible. Concern was raised that Section D in the Faculty Handbook deals with students, but religious accommodations also apply to faculty. D210 will be moved to Section C of the Faculty Handbook and be assigned a new number. Motion approved unanimously. "Religious Accommodations" draft with two identified changes was approved.
3. D170 "Student Absences," Leslie Oakes provided an update and circulated a policy draft for discussion. The draft indicates that course instructors are responsible for setting attendance policy for their individual courses and should inform students of their expectations. In addition, she stated this policy needs to clearly define the types of absences that are normally excused, such as university sponsored activities, serious illnesses, pregnancy complications, accidents, family deaths, personal or family illness, disabilities, military absences, and religious observances. The Policy Committee discussed the use of should vs. shall, and felt the Policy should make it clear which types of absences must be excused (due to legal requirements) and which absences are subject to instructor discretion. Carol Stephens will place Leslie's draft in the new format and the Committee will review.
4. E90 "Human Beings as Subjects in Research" It was stated that this is basically a total re-write. Current policy is being thrown out. Regarding E90, Carol Stephens said the proposed revision has been approved by HSC Vice Chancellor Richard Larson. It was stated that if these requested changes are approved, Regents' Policy will also need to be revised, so final approval by the Regents will be required. The proposed

changes refer to IRB regulations. Considerable concern was raised in Committee discussions and the Committee decided to invite the IRB director to the next meeting.

5. A61.22 “Policy Committee” Policy committee members want to consider developing Committee bylaws to clarify the Committee structure, describe Committee functions, and discuss membership. The Committee is concerned that it does not have an historical record of how this body functions and gets new leaders and members. The bylaws would address what the Committee does to meet its charge. This will address membership, voting, and agenda setting. Drafting bylaws will be the responsibility of the co-chairs. It was pointed out that CoG and AF&T don’t currently have bylaws. In discussing bylaws, the question was raised “Do we want autonomy or codification?”

6. A91 “Creation, Review, Reorganization, and Termination of UNM Research Centers and Institutes” It was stated that A91 was written by the Research Policy Committee (RPC), with extensive information concerning Carnegie categories of centers and institutes. These categories are a keystone to main campus and how they designate research centers and institutes, and it drives funding; however, it was stated that HSC does not use these categories. Due to the importance to main campus, the Carnegie categories were placed in a Standards document applicable to non HSC research centers and institutes. This document was approved by the Policy Committee and the Research Policy Committee. The question then surfaced was “where are standards published?” After discussion, the Committee decided they would be published in the Faculty Handbook and any changes must be approved by the applicable Policy Committee. This means the definition of “Standard” in A53 needs to be revised to indicate this approval requirement. The procedures in Policy A91 need to be revised to reflect where the standard is published.

6. Regarding C05: “The Rights and Responsibilities at UNM” Carol Stephens said a CoG task force asked the Policy Committee to conduct a comprehensive review of C05. They feel that something is missing from the policy. Currently C05 deals with emergency actions that are taking place on campus. It dates back to 1982 and seems a bit incomplete. Carol performed an analysis of the existing C05 and found that everything that is in C05 appears in other policies (UAP and/or Regent), so possibly it could be deleted. However, the CoG task force thought that C05 could be broadened to include faculty rights and responsibilities. Carol reviewed other institutions’ policies and most of them had policies on faculty rights and responsibilities but they varied. Some were extremely long and served basically as a faculty handbook. Others were smaller and served as an ethics policy, closely aligned with the AAUP Professional Ethics policy. The University of Arizona’s policy is almost identical to AAUP’s policy. Marsha Baum pointed out that Section B AF&T of the Faculty Handbook contains the AAUP Policy Statement as an appendix, so it’s possible C05 is not needed. The Committee will review this and decide how to proceed. C05 is discussed in the Regents Policy Manual, so their approval of any changes will be required.

7. C20 “Employment of UNM Graduates” There was discussion surrounding whether this policy should be deleted. Christine Sierra researched this during Fall 2014 and discovered that this Policy was not followed. Based on her research, the Policy Committee proposed that the Policy be deleted. Operations disagreed, and stated they wanted to keep the Policy, but it’s not clear why. Over a year ago, Faculty Senate President Stefan Posse said he is not familiar with this issue. The Committee may wish to discuss the issue with Carol Parker and revisit it with Operations.

8. D10 “Campus Security Authorities” It was discussed whether this memo needs to be in the Faculty Handbook as it is--in memo format, or does it need to be in Policy format, or can the *Faculty Handbook* refer to it in another Policy Manual? Last year, the Office of University Secretary was asked to place it in the Handbook due to legal requirements. To get it in quickly, it was placed under “resources” but it references the Cleary Act as well. The Committee determined more research needs to be done to determine if the memo is housed in another Policy Manual that could be referenced by the *Faculty Handbook*.

9. Meeting was adjourned at 3:00 pm.