

The University of New Mexico Faculty Senate Meeting Minutes October 25, 2016 3:00 P.M.

(Pending Approved from the November 22, 2016 Faculty Senate meeting)

ATTENDANCE

Guests Present: Associate Director Ronda Brulotte, Anthropology Department; President Robert Doughty, Board of Regents; Associate Professor Brian Gillespie, Anderson School of Management; University Secretary Kenedi Hubbard; and Professor Elizabeth Hutchison, History and Chair of the Committee on Governance

Meeting was called to order at 3:06 p.m.

1. APPROVAL OF THE AGENDA

The agenda was approved as amended by unanimous vote. The Provost's reports was moved after the Faculty Senate President's report.

2. Approval of summarized minutes for September 27, 2016

The minutes were approved as written for the September 27, 2016 meeting.

3. Faculty Senate President's Report

Faculty Senate President Pamela Pyle reported the following:

- President Pyle presented the membership of the FS General Education Core Task Force. She presented an interim report of the Task Force. The interim report will be sent to the Faculty Senate. NM Secretary of Higher Education Barbara Damron will be meeting with faculty on November 9, at 10:00 a.m., in the Roberts Room to discuss the General Education Core. Senator Jamal Martin added that the process to revise the Gen Ed Core has been slowed.
- President Pyle spoke with the HLC representative visiting campus about what UNM shared governance needs to do to show improvement from the last accreditation visit. She asked if budget, presidential searches, etc., are included and the representative said absolutely.
- There is a proposition from the NMERB to increase the working retiree limit from .25 full time equivalent (FTE) to .33FTE. Under .25FTE, ERB contributions are not taken out, if changed to .33FTE, contributions to ERB WOULD be taken out. The proposal has been tabled for the upcoming Legislative session.
- The effort by UNM faculty, staff, administrators, and students to seek budget cuts of 5 percent, rather than 8 percent has succeeded. UNM will face the

same 5 percent cuts as the other higher education institutions rather the 8 percent sought by some Legislators.

- President Pyle stated that Regent Tom Clifford had been told by some legislatures that UNM 'just doesn't get it.' UNM spends too much money. President Pyle replied to Regent Clifford that someone's perception of something does not make it accurate. She explained to him that UNM has staff cuts, hiring freezes, consolidation of services, and many other things that are being done. President Pyle asks the senators to get the word out and to participate in Lobos for Legislation. There is a lot of wrong information out there.
- The Budget Leadership Team (BLT) has not been formed yet. President Pyle requested that the faculty be included and consulted. Provost Abdallah added that the five percent cut has already happened and any meeting of the BLT would be for the next fiscal year budget.
- President Pyle presented a website and information on strategic rebalancing that was recently done at the University of Colorado (UC) at Boulder. Links will be sent to the Faculty Senate.

4. Provost's Report

Provost Abdallah reported the following:

- The State has a core that is set by law through the legislature. The Higher Education Department (HED) selects by administrative code, 6 hours of math, 5 hours of English, etc. The state core is currently 35 credits which must be transferable to any NM higher education institution. UNM is not being told what courses need to be in its core. The state-wide committee worked on what skills or competencies should the student gain relative to the core, i.e., communication, critical thinking, etc. It is up to the task force of each institution to come up with its own respective core. It will be better for UNM than it was before.
- Provost Abdallah is familiar with the Strategic Balancing at UC Boulder (UCB). UCB is similar in its size, Category 1 research, and being a public institution. Provost Abdallah spoke with the UC Boulder Provost about their process. The result was the elimination of one program and investment in a different program that was a success. The UCB process took three years and now UCB reviews annually to refresh. Provost Abdallah has asked other Provosts at institutions where strategic rebalancing did not work out to send him information.
- Professor Elizabeth Hutchison, not a senator, was recognized by President Pyle. Professor Hutchison asked Provost Abdallah if he had any sense of the timeline for organizing the rubrics for review, etc. Provost Abdallah replied

that it will begin in the next couple of weeks. He thinks it will be led by a faculty member or perhaps a retired faculty member.

5. Regent President Robert Doughty

Board of Regents (BOR) President Doughty **reported** the following:

- This is President Doughty's third visit to the Faculty Senate.
- BOR President Doughty and FS President Pyle meet at least once per month at his office.
- He likes and appreciates the term 'Flagship University' for UNM. UNM is classified as Flagship under the New Mexico Constitution.
- The NM House of Representatives wanted to cut UNM's budget by eight percent. The makeup of the Senate and the House are made up of rural communities. It is a hurdle for UNM. Some see UNM as an ivory tower and do not like the flagship term.
- UNM has a great lobbying team led by Joe Thompson. Often the lobbying team hits a wall with the rural legislators and it will always be a hurdle for UNM. UNM is treated unfairly. New Mexico State University (NMSU) typically gets more funding. President Doughty was pleased with the compromise between the House and the Senate, regardless of political party.
- The BLT needs to begin work soon. He was under the assumption that it was already meeting. He wants as much representation from the faculty as possible. FS President replied that the Chair of the FS Budget Committee, the faculty Co-chair of the Faculty Staff Benefits Committee, and FS President Pamela Pyle is on the BLT. They have until April 2017, but there is a lot of work to be done.
- The state budget is based on the price of oil. If the price per barrel increases to the \$55-\$60 range, the state will be in a better situation.
- The Presidential Search Committee is being assembled. Of the 20 members, there will be four faculty, the largest represented group. There will also be three Regents, two deans, one clinical chair from the School of Medicine (SOM), one branch campus representative, one undergraduate student, one graduate student, one staff member, one administrative representative, one athletics representative, and two alumni or community representatives on the committee. Nominations are currently being accepted for committee membership. The goal is to have true representation and transparency. The nomination period closes on Friday October 28. On November 1, the Regents will review the nomination packets and by November 4, name the search committee. The last Presidential search had 50-60 people on it and was not the best idea for streamlining. The RFP bid for the search firm will go

out in early November after the search committee is set. Interviews are planned for the Spring. The finalists should be announced on February 10. Final selection would be sometime in March, but could be moved out if necessary. Provost Abdallah added that New Mexico has a sunshine law so all finalists must be announced. President Pyle stated that faculty are happy to be part of the process.

- Senator Constantine Hadjilambrinos (Geography), asked how do the Branch Campuses figure into the budget and the relationship with rural legislators. Regent Doughty replied that he does not know what they do. A Branch Campus Senator replied that their Branch Director works closely with the legislators and senators from their district. Regent Doughty suggested the Office of Governmental and Community Relations get involved with the Branch Campuses.
- Operations Committee Member Coffee Brown (SOM) commented that the conversations between UNM and the legislators revolve around them seeing UNM as a cost center, or people asking for money all the time. UNM should be seen as an economic driver for the state. President Doughty has been speaking with EVP of Administration, David Harris. They are in the process of developing bullet points on what the University stands for; what it has done, i.e., the budget cuts we have done, the positive steps the University has taken; something that is good that UNM lobbyists can take with them to Santa Fe.
- FS President Pyle asked President Doughty about the University President's salary when he is no longer University President and the creation of a center. President Pyle added that the creation of centers requires Senate approval under Faculty Handbook Policy A91 Creation, Review, Reorganization and Termination of UNM Research Centers and Institutes. President Doughty replied that when the contract for current University President Robert Frank was written, it was specified that at the end of his term, if he chose not to stay on as President or was not renewed, he would be given a tenured faculty position either at the Psychology Department or the Health Sciences Center (HSC). During the process, President Frank stated that he wanted a position at the HSC. A committee comprised of Regents Marron Lee, Bradley Hosmer, and Jack Fortner; HSC Chancellor Paul Roth; Provost Chaouki Abdallah; and EVP for Administration David Harris met and discussed the concept. The committee determined that it was appropriate for the position to be created and at what pay. President Doughty was unaware of Policy A91. President Doughty said he needs to take the exit contract to the lawyers regarding Senate approval required for the creation of a Center under FHB Policy A91. President Doughty supports the creation of the center coming through the Faculty Senate for consideration.

- President Doughty stated that a new plan for the Physics and Astronomy building is being considered that does not block Redondo Road. All other issues were addressed.
- The BOR and the Presidential Search Committee will develop the search criteria for the next president. Some senators suggested the candidates should have an academic background, a terminal degree (not Law), not be a former governor, have business experience in a complex institution, and someone that has experience working in a not-rich, lower income, state like New Mexico. The candidate should have experience interacting with the National Labs.

6. Academics within Borders

President Pamela Pyle introduced Operations Committee Member Coffee Brown (SOM) and Assistant Professors Brian Gillespie (Anderson School of Management (ASM)) as part of the Academics within Borders initiative.

Assistant Professor Gillespie explained what Anderson School of Management's role could be in the Academics within Borders program. ASM could connect with local business institutes, chambers of commerce, etc., to foster relationships between ASM/UNM and local economies. Through that, try to establish some summer internship programs where current undergraduate and graduate could work with communities they are from to earn class credit and/or pay from the businesses. Another outcome could be increased recruitment and getting the information disseminated about what UNM can offer. They want to try to connect with high school students, community college students, and potentially people that might want to seek a graduate degree.

President Pyle added that Academics within Borders is looking for people with passionate ideas and the idea of getting it out into the community. Future follow-up visits could be with the student-interns.

Coffee Brown intends to talk to high school students and middle school, if possible, about opportunities in health care. There are many areas of healthcare that are fascinating. The entry bar and path to each is different.

CONSENT AGENDA TOPICS

7. 2016-2017 Faculty Senate Committee Appointments

The 2016-2017 Faculty Senate Committee appointments were approved by unanimous voice vote of the Faculty Senate. This request comes as a motion from the Operations Committee.

FS Committee	Appointment Type	First	Last	Title	Department	Start	End
Athletic Council	<i>Tenured Faculty member</i>	Dirk C	Gibson	Associate Professor	Communication Journalism	2016	2019
Graduate & Professional	<i>Faculty from College of Pharmacy</i>	Barry	Bleske	Chair	College of Pharmacy	2016	2018
Honorary Degree	<i>Faculty member appointed by Senate Graduate Cmte</i>	Aeron	Haynie	Director	Center for Teaching Excellence	2016	2018
Information Technology Use	<i>Faculty member</i>	Christos	Argyropoulos	Assistant Professor	Internal Medicine	2016	2018
Information Technology Use	<i>Faculty member</i>	Tudor	Oprea	Professor	Internal Medicine	2016	2018
Research Allocations	<i>Faculty member</i>	Mohammad	Motamed	Assistant Professor	Mathematics Statistics	2016	2018
Undergraduate	<i>Faculty from College of Education</i>	Maria	Winfield	Lecturer III	Department of Teacher Education	2016	2019

8. Forms C from the FS Curricula Committee

The following Form C from the FS Curricula Committee was approved by unanimous voice vote of the Faculty Senate. This request comes as a motion from the Curricula Committee.

- Revision of the Bachelor of Arts in Native American Studies

AGENDA TOPICS

9. Faculty Reporting under Title IX

Professor Elizabeth Hutchison (History) and Associate Professor Kimberly Gauderman (History) are part of the Faculty for a Sexual Assault Free Environment at UNM. They presented the following slideshow.

FACULTY REPORTING UNDER TITLE IX

Faculty for a Sexual Assault Free
Environment at UNM (Faculty SAFE UNM)

Faculty Senate, October 25, 2016

Faculty SAFE UNM

- Who we are: 70+ faculty...
 - Committed to providing equal access to a safe working and educational environment, as defined by Title IX and regulated by the DOJ's Office of Civil Rights
 - Engaged in DOJ response in cooperation with OEO, Office of the President, Dean of Students, and Office of University Counsel
- What we want:
 - An integrated and trauma-informed approach to sexual harassment and assault that balances "clarity with compassion" (Engle, 2015)
 - Help from the Faculty Senate to promote best practices for faculty reporting under Title IX

Faculty Reporting in Higher Education

- Federal compliance and university overreach:
“Faced with campus policies that require reporting by every employee, victims lack a safe space and are going to go underground,” *Chronicle of Higher Education*, 2013
- Federal requirements:
 - Clery Act vs. Title IX
 - Faculty response not limited to mandatory reporting

Positions taken by national associations

- American Association of University Professors (AAUP)
- National Association of College and University Attorneys (NACUA)
- National Alliance to End Sexual Violence (NAESV)

Research on mandatory reporting

- Clinical Psychology:
 - Violates victim's autonomy and control
 - Breaks trust between students and faculty
- Legal Studies:
 - Not required under Title IX
 - Not victim-centered: reduces student reports and access

Alternatives to mandatory reporting

- University of Michigan
- NYU
- Cal Tech
- CUNY
- Hofstra
- University of Nebraska
- University of Iowa
- University of Miami
- University of South Carolina

University of South Carolina

The University of South Carolina does not require all faculty or employees to be mandatory reporters; responsible employees for Title IX purposes:

- President
- Executive Vice President for Academic Affairs and Provost
- Vice President for Student Affairs
- Athletics Director
- Deans
- Department Chairs
- Director of University Housing
- Director of Student Conduct
- Director of Equal Opportunity Programs
- Director of Law Enforcement & Safety

Actions to Take if You're a Not a "Responsible Employee" (George Washington University)

- Even if you are not required to report incidents to the Title IX office, you play an important role in helping the university respond effectively to incidents of interpersonal violence.
- Provide the student, faculty, or staff member with information about their resources and options to get help.
- Ask the survivor for permission to connect them with the Title IX office or to contact the Title IX office on their behalf.
- Assess for immediate safety concerns and refer to campus or local law enforcement, if necessary.



Faculty SAFE UNM
Recommendation:

We ask the Faculty Senate to support our efforts to revise
University Administrative Policy 2740:
we should exclude most faculty from the obligation to report

Faculty for a Sexual Assault Free Environment at UNM (Faculty SAFE UNM)
www.facultySAFEunm.wordpress.com

Faculty SAFE UNM began its work in April, 2016 after the release of the Department of Justice report on UNM policies and procedures relative to Title IX. We are a group of more than 70 faculty committed to addressing UNM's institutional failure to protect all members of our community and provide equal access to a safe working and educational environment as defined by Title IX and regulated by the DOJ's Office of Civil Rights. We work with students, staff, faculty, administrators and community partners to promote shared governance in the development of Title IX policies; prioritize victim-centered reporting procedures of sexual harassment and assault; offer research-based information from faculty specialists on matters related to the development, implementation, and enforcement of Title IX; promote faculty support to students, staff, and faculty who experience sexual harassment and assault; and engage in prevention and awareness initiatives. Through this work, we join UNM's institutional efforts to make the campus and our community a safer place to work, study, and live.

Leadership Group:

Marsha Baum, School of Law
Amy L. Brandzel, Women Studies and American Studies
Ronda Brulotte, Anthropology
Pamela Cheek, Foreign Languages and Literatures
Cameron Crandall, Emergency Medicine
Kymm Gauderman, History
Bernandine Hernández, English
Les Field, Anthropology
Tiffany Florvil, History
Jackie Hood, Organizational Studies
Gail Houston, English
Liz Hutchison, History
Louise Lamphere, Anthropology
Dominika Laster, Theatre and Dance
Leila Lehnen, Spanish and Portuguese
Amy Levi, College of Nursing
Jamal Martin, Peace Studies
Ann Murphy, Philosophy

For more information please contact: Liz Hutchison (ehutch@unm.edu)

**Faculty Reporting under Title IX: National Research and Best Practices
Faculty for Sexual Assault Free Environment at UNM (Faculty SAFE UNM)
Faculty Senate Presentation, October 25, 2016**

- I. Federal Compliance:
 - a. [Title IX, 1972](#)
 - b. Department of Education, Office of Civil Rights, [“Dear Colleague” letter, 2011](#) and [“Questions and Answers on title IX and Sexual Violence,” 2014](#)

- II. Positions by National Associations:
 - a. AAUP [“The History, Uses and Abuses of Title IX” \(2016\)](#) (see [Executive Summary](#) and pp. 16-17, 28 of the report)
 - b. National Association of College and University Attorneys (NACUA): [Leora D. Freedman, “Faculty as Responsible Employees: To Be or Not to Be,” NACUA 2015 Annual Conference, pp. 9-18](#)
 - c. NAESV National Alliance to End Sexual Violence, [“Survivor Survey on Mandatory Reporting” \(2016\)](#).

- III. Clinical Psychology, Legal, and Health Research:
 - a. Dr. Jennifer Freyd, [“Scholarly and Scientific Research Relevant to Required Reporting,” maintained by Dr. Freyd’s clinical psychology lab at the University of Oregon](#)
 - b. Jill C. Engle, [“Mandatory Reporting Of Campus Sexual Assault And Domestic Violence: Moving To A Victim-Centric Protocol That Comports With Federal Law,” Temple Political & Civil Rights Law Review \(Spring 2015\)](#)
 - c. Kelly Parsley, [“Mandatory Reporting: Harmful?” National Sexual Assault Conference, 2016](#)

- IV. Other Universities:
 - a. [Colleen Flaherty, “Faculty Members Object to New Policies Making All Professors Mandatory Reports of Sexual Assault,” Inside Higher Ed \(2015\)](#)
 - b. [List](#) of universities with alternative reporting policies
 - c. University of Oregon Senate working group on mandatory reporting (new policy due November 17): articles on [working group](#) and [student-staff forum](#)

Hyperlinks can be accessed via document emailed to Faculty Senate listserv

10. Presidential Search Open Discussion

Nominations of faculty for the Presidential Search Committee was discussed. It was asked if the Senate would be vetting the faculty nominees. President Pyle and Regent President Doughty will discuss the process.

Several senators suggested that FS President Pamela Pyle automatically be one of the faculty on the search committee.

Some felt a smaller search committee would be better.

For the last Presidential Search Committee, the Operations Committee chose the faculty representatives.

11. New Business/Open Discussion

There was no new business discussed.

12. Adjournment

Meeting adjourned at 5:02 p.m.