

Faculty Senate Policy Committee
Meeting Notes
January 12, 2022
3pm – 4pm
Zoom Meeting

Members Present: Karen Armitage; Lee Brown (co-chair); Robert Christenson; Matthew Hofer; Monika Nitsche; Jacob Ormsby; Karen Patterson (co-chair); Min Young Ro

Ex-Officio Present: Amy Levi, Vice President for Academic Affairs, HSC; Nancy Middlebrook, University Secretary; Barbara Rodriguez, Senior Vice Provost for Academic Affairs; Brandon Toensing, Associate University Counsel

Staff Present: Carol Stephens, Professional Consultant, Office of the University Secretary; Caitlin Wells, Operations Specialist, Office of the University Secretary

Quorum achieved at 3:03pm and meeting was called to order by Lee Brown.

1. Approvals

Agenda and minutes previous meeting were approved by committee members.

2. Updates

C07 “Faculty Misconduct and Progressive Discipline Policy”

The policy was on the agenda for the Regents’ Student Success, Teaching and Research (SSTAR) Committee meeting in December, but the Regents chose not to act on it. University Counsel wants to review the policy and had some concerns about some aspects of the policy related to the Health Sciences Center and to graduate student unionization. Faculty Senate President Finnie Coleman is working with the involved parties to figure out the best way to address concerns and keep the policy moving forward. He is working to have it ready for review at the next SSTAR meeting on February 3, 2022.

C70 “Confidentiality of Faculty Records”

Policy C70 was approved by the Faculty Senate Operations Committee to go out for campus comment. The Committee requested that the comment period be delayed until faculty returned from Winter Break. The policy will be sent out on January 19, 2022, and will be open for 30 days (until February 18, 2022). The Policy Committee should be able to review comments at the March meeting.

D175 “Undergraduate Student Conduct and Grievance Procedures” and D176 “Graduate and Professional Student Conduct and Grievance Procedures”

These policies are on the agenda to be reviewed at the January 25 Faculty Senate meeting. Once approved by Faculty Senate, they will go to the University President for approval.

3. Discussion/Action Items

Political Activities Policies: C150 “Political Activity” and C240 “Leave of Absence Incident to Political Activity”

Carol Stephens presented the memo that outlined the Committee on Governance’s 2015 concerns with C150 and C240. CoG was concerned that the current C150 doesn’t specify how faculty are significantly different from staff and may have very different reasons for engaging in political activity within the context of their jobs (i.e. teaching courses involving politics, doing research, etc.). Another concern was about the conflict between UAP and RPM policies and the FH policies. Carol noted that the policy needs to clarify that whether faculty should be able to take a leave of absence and how long that absence should

be when they're serving in a political role. Carol reviewed other universities and some of them allow faculty to serve in a state legislature without taking a leave of absence, but others don't. Also, some other institutions differentiate between elected positions and political appointments to agencies or other governmental bodies.

Lee Brown noted that there is currently a School of Medicine member who is on a leave of absence while serving as the head of a state department, and that there have been faculty members who have served in a federal capacity as well. There is some confusion about whether the current RPM 6.5 (which says that under state law, employees of UNM may not serve as members of the NM Legislature) is accurate, and Brandon Toensing said he would look into whether the Office of University Counsel has said anything definitive on this issue and will report back.

The Committee started to review the version of C150 that includes the language CoG suggested. The Committee discussed the policy rationale and changed some wording to ensure that the policy protects the freedom of speech and opinion of faculty members when engaged in political activity that is related to their work as teachers and scholars. When discussing the policy statement, the Committee reviewed the quoted definitions of academic freedom. The decision was made to change the wording so the section is not quoting Section B directly, but rather giving an interpretation of academic freedom that is consistent with Section B. (This would also ensure that if these definitions are changed by the Section B Task Force and AF&T, the wording of this section of policy C150 would not need to be changed unless it comes into conflict with the definitions.) Matthew Hofer raised the question of whether the first bullet point places the onus on faculty members to prove that controversial material relates to the subject, rather than on students to prove that it does not, and the Committee decided to change the wording of the point to state that faculty have freedom in discussing controversial material as long as it relates to the subject. Lee Brown questioned why the second bullet point was there, and Carol said that CoG wanted to ensure that faculty are protected not just in the classroom, but also in the course of research and publication. The Committee discussed rewording this section and incorporating it into the previous bullet.

For the next meeting, Brandon will get some clarification to Carol about leaves of absence from the University when serving in a political role and some suggested language that might work. The main issue is that those serving in the NM Legislature are not allowed to receive compensation from another source while serving, so this would seem to mean that any faculty who are serving in the legislature would need to take a leave of absence for the duration of their service but would not have to quit their position. Lee suggested that the policy also cover those serving in an administrative role at the local, state, or federal level. Carol will wordsmith this portion and the Committee will continue to discuss this at the next meeting.

4. Adjournment

The meeting adjourned at 4:00 pm.