

Faculty Senate Policy Committee

Meeting Notes

February 13, 2019

3:30 p.m. to 5:00 p.m.

Members Present: Martha Muller (Co-Chair), Kimberly Gauderman (Co-Chair), Lee Brown, Lora Stone, Jamal Martin, and Leslie Oakes

Ex-Officio: Richard Wood, Provost, Provost Office, Amy Levi, HSC Vice Chancellor, HSC, John Trotter, HSC Vice Chancellor Emeritus, HSC, Katherine Miefert, Associate University Counsel, University Counsel Office, Kenedi Hubbard, University Secretary, Office of the Secretary

Members Absent:

Ex-Officio Absent:

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

Guest Present: David Ferrance, Associate University Counsel

Meeting began at 10:00am

1. The regular meeting of the Faculty Senate (FS) Policy Committee was called to order at 10:00AM on Wednesday, February 13, 2019 in Scholes Hall, Room 101 by Co-Chairs, Kimberly Gauderman and Martha Muller.
2. **Approval of Agenda.** Approved with one modification to swap agenda item three for agenda item four.
3. **Approval of Meeting Notes.** Approved with one modification to D170: Student Attendance.
4. **D170 “Student Attendance”.** Several comments were received regarding this policy. The comment period ended March 1, 2019. This policy will be discussed at next month’s policy meeting along with any remaining comments.

5. **Section F Status Report; F70 “Articulation, Degree Approval, Transfers of Course Credit, and Approval of Credentialing Standards”.** This policy was approved by the Faculty Senate and published in the Faculty Handbook.

Action-The section F status report will be circulated to the full FS Policy Committee and Provost Wood.

6. **D175: Student Conduct and Grievance Procedures/D176: Graduate Student Grievance Procedures.** This policy was taken to the Faculty Senate Operations Committee. It was clarified that the mediation provision will be an option for title IX.

Action- Add language to the procedures section of 5.2.1.1 indicating if mediation fails/failure of the mediation process or fulfillment of the terms.

Deliberation occurred over the need to further clarify how to address if the Department of Justice agreement discussed the confidentiality of reporting. Furthermore, the point was raised that this should be contained in policy.

Action-It was recommended to list/reference specific UNM entities within this policy. The list of entities includes: Women’s Resource Center, LGBTQ Resource Center and LoboRESPECT Advocacy Center.

It was clarified that only the Dean of Students can sanction a student. A comment was made that in some instances a faculty member may impose academic consequences while also receiving sanctions from the Dean of Students. The Provost indicated that there is concern about the role of the Vice President for Student Affairs. There is a new data point which gives reason to believe that the Regents may look at policies regarding appeal. It was mentioned that standards of appeal cannot be created for Regents Policy Manual Section 1.5: Appeals to the Board of Regents. Again, only at the Regents level are there no standards for appeal. A concern was raised that the Dean of Students has the final decision which negates the right to appeal. The appeal process for this policy was discussed further.

The FS Policy Committee was asked to think deeply about broadening student rights. UNM has a lot of student misconduct. It was discussed that the Vice President of Student Affairs has purview over suspension, expulsion and banning.

The policy needs to clarify appeal language. For example, appeal to the Regents, the right of appeal to the Dean of Students, and to the Vice President of Student Affairs.

D176. There was one policy question that needed clarification. Should the text be copied from Section 5.1.1 “Options for Resolving the Charges” of D175 to the D176 policy? This language specifies the processes used by Dean of Students to resolve charges.

Action- The FS Policy determined yes, the language should mirror the language from D175.

Action- The FS Policy Committee voted to accept all changes to D175 and D176. These

policies were approved unanimously by the committee. This policy will move forward to the Faculty Senate Operations Committee for approval to send out for 30-day campus comment. This policy will be presented by: Provost Richard Wood, HSC Vice Chancellor Amy Levi, and Professional Consultant Carol Stephens. The Office of the Secretary will submit a request to FS Operations to be on their earliest upcoming agenda.

- 7. C230: Military Leave of Absence.** The FS Policy Committee determined that term teaching faculty would be eligible for C230.

Action- It was determined that this policy will be referred to the Academic and Freedom and Tenure Committee for further input.

- 8. D75: Classroom Conduct.** There is a desire to review this policy to determine if there is a need to strengthen faculty authority in the classroom rather it be visual or virtual. It was asked if there is a related University Administrative policy or Regents policy. The point was made that it is not appropriate for any administrator to come and observe a class “at will”. There is a close connection of administrative authority and faculty members control of the classroom.

- 9. Copyright issues.** An AAUP sample policy was provided to members. It was mentioned that Academic Technologies Director, Elisha Allen worked a lot on online content (copyright.unm.edu) regarding copyright. Associate University Counsel, David Ferrance discussed copyright with the committee. Ferrance indicated that one problem is that individuals feel free to dump others content into their UNM Learn. This creates an ownership issue. Since 1976 there have been no content registration requirements. Other issues concerning copyright are compensation, student rights/protections and jurisdiction. It was mentioned that members should think in terms of strengthening student rights regarding their property. There is a new site being built.

Action- Carol Stephens will do further research to bring back to the committee. She will also send Associate University Counsel, Katherine Miefert some court cases

- 10. Political Activity.** There will be future upcoming drafts of this policy and C240: Leave of Absence Incident to Political Activity. It was decided that now would be a good time to review these policies because there is not an impending election.

- 11. Adjourn:** 5:00pm