



## Minutes of the Faculty Senate

**Presiding:** Thomas E. Banning (Engr T)

**Date:** 4-21-20

**Secretary:** R. Jeffrey Thieme (Marketing & Supply Chain Management)

**Senators Present:** Mohd Hasan Ali (Electrical & Computer Engineering), Reza Banai (City & Regional Planning), Thomas E. Banning (Engr Tech), Brennan K. Berg (KWS), Eugene Buder (Comm. Sci. Disorders), Theodore J. Burkey (Chemistry), Gerald Chaudron (Univ Libraries), Lorinda B. Cohoon (English), Jill Dapremont (Nursing), Frances Fabian (Management), Hal Freeman Jr. (Professional & Lib. Studies-via phone), Michail Gkolias (Civil Engineering), David Goodman (Communication), David Gray (Philosophy), Denis D. Grele (World Lang & Lit), Melissa Hirschi (Social Work), Leigh Falls Holman (CEPR), Brian Janz (Business Info. Tech), Donna R. Jones (Law School), Robyn Jones (Music), Erno Lindner (Biomed. Engineering), J. Joaquin Lopez (Economics), Jeffrey G. Marchetta (Mech Engr), Scott Marler (History), Melissa Janoske McLean (Jour. & Strategic Media), Peter L. McMickle (Accountancy), Elizabeth B. Meisinger (Psychology), Sanjay Mishra (Physics), Deanna Owens-Mosby (Instr. & Curr. Leadership), Steven L. Nelson (Leadership), Esra Ozdenerol (Earth Sciences), George E. Relyea (Public Health), Brian J. Ruggaber (Theatre & Dance), Steven D. Schwartzbach (Biology), Sajjan G. Shiva (Computer Science), Mark Sunderman (Fin, Ins, & Real Estate), Jeff Thieme (Marketing & Supply Chain Management), Kris-Stella Trump (Political Science), Stephen J. Watts (Criminal Justice), & Máté Wierdl (Mathematical Sciences), James Williamson (Architecture).

**Senator Present by Proxy:** Katherine Hicks (Anthropology); proxy Michael V. Perez, Joseph C. Ventimiglia (Sociology); proxy Jeni Loftus.

**Senators Absent:** Coriana Close (Art), Peter L. McMickle (Accountancy), Harley P. Thompson (Mil Sci-Air Force)

**Faculty Senate Information Officer:** To be determined.

**Guests:** M. David Rudd (President Office), Thomas Nenon (Provost Office), Linda Bennett (UMAR-absent), Jim Dorman (UMAR), Martha Robinson (ad hoc Budget & Finance Committee/Lambuth Liaison-via phone), David M. Kemme (Board of Trustees, Faculty Rep.), Gloria F. Carr (Faculty Ombudsperson), and Meghan Cullen (President, Staff Senate).

The four-hundred-and-seventieth meeting of the University of Memphis Faculty Senate was held on Tuesday, April 21, 2020 via the Zoom video conferencing platform due to restrictions imposed in response to the COVID-19 global pandemic.

### 2.18.20.01 Call to Order

President Thomas Banning called the virtual meeting to order at 2:40 pm with a quorum present.

#### **4.21.20.02 Approval of Agenda**

The agenda was approved as written.

#### **4.21.20.03 Approval of Minutes**

The minutes of the February 18, 2020 Faculty Senate (FS) meeting were approved as written.

#### **4.21.20.04 President's Report**

##### *EC actions*

President Banning reported that during the middle of Spring Break, he attended both the President's Council and the Dean's Council meetings where he heard concerns relevant to faculty. The decision to transition all classes online was made on Wednesday of Spring Break. He pushed Provost Thomas Nenon for a delay in returning after Spring Break. The President's Council approved that request on Thursday.

President Banning reported that during the first week back after Spring Break, there were emails from two Senators regarding potential agenda issues. After discussion, the Executive Committee (EC) decided to cancel the March FS meeting to allow faculty more time to devote to the transition of on-ground courses to an online format.

President Banning reported that about two weeks ago, both Councils began discussing the credit/no-credit option. President Banning's question was What is the cutoff for credit? The EC met through Zoom with Provost Nenon and University President M. David Rudd to voice its opinion that the cutoff should be C- because many courses require at least a C- for prerequisites and/or graduation. Administration eventually agreed to use the C- cutoff proposed by the EC.

President Banning reported that COVID-19 related actions have been moving quickly over the past month or so. He continued to meet with the President's Council at least twice a week and at least once a week with the Dean's Council. He added that the President's Council discussed implications for the Fall semester this morning.

President Banning reported that the Summer semester decision was discussed in a President's Council meeting. The decision to go online-only this Summer had to be made very quickly. Because of the pace of decision-making, the EC had to act on behalf of the FS through all COVID-19 related decisions.

President Banning reported that he is working on an all-faculty email with links to the surveys of administrators by faculty.

#### *Upcoming Election April 28-Officer Positions*

President Banning reported that the FS will hold officer elections in next week's meeting.

#### **4.21.20.05 Q&A**

##### *President and Provost attending for the discussions*

President Banning introduced University President Rudd and Provost Nenon for a question and answer session.

Senator Leigh Holman: Raised the issue of stopping the tenure clock and asked Provost Nenon to speak to it.

Provost Nenon: He appreciated feedback from the EC on stopping the clock. He articulated very clearly to deans that there was research that was going to be impeded or impossible to complete during this period, so we would expect to grant all requests for stopping the clock. He hasn't seen an answer of "no" for any reasonable request in the past ten years. He recognized the extra burdens that faculty have taken on during the transition to online-only instruction.

Senator Steven Nelson: There has been concern in his department that the COVID-19 situation might lead to a permanent move to online-only instruction.

University President Rudd: Asked for clarification of the term permanently online-only.

Senator Steven Nelson: His program is mostly delivered face to face. He is asking if there is an initiative to move all courses completely and permanently online.

University President Rudd: Believes that we want to continue face-to-face instruction. Students miss that process. Ultimately, it's a faculty driven decision and would be made on a case by case basis in departments.

Provost Nenon: Students do want to be back on campus and engage in face-to-face classes. We're doing everything we can to get back to face-to-face as soon and as fully as possible.

However, we also serve a lot of non-traditional students who need online instruction. There is no notion of abandoning on ground education.

Senator Jill Dapremont: What is the effect of the COVID-19 situation on the budget and job security?

University President Rudd: There has been a significant negative impact on the budget. But we are fine moving through the Summer and into the end of the year. We will take some losses, but we are in a good financial position. We did eliminate some temporary positions, but not any full-time employees. We are waiting for the legislature to get back into session in June. They will revise the budget. We are still working under an interim budget. The interim budget had an increase in funding and a salary increase. We anticipate a reduction in the budget but are uncertain about the details. As soon as it is available, we'll share with the FS and EC. He added that we have been remarkably aggressive in Summer enrollment. We are currently up 4.6% in enrollment. New student orientation registrations look strong. They are above 2018 and close to 2019 numbers. We are also planning additional initiatives to increase enrollment for the Fall.

Senator Jill Dapremont: Will budget reduction affect promotion/tenure decisions?

University President Rudd: No. Those are built in. He doesn't anticipate that will change as the budget is revised. This issue (tenure/promotion) will be a priority.

Senator Máté Wierdl: In his department one professor left and the secretary took a different position in the College. The Dean said neither positions will be replaced because of other priorities.

Provost Nenon: He contacted the Dean's office. That's simply not true. Without going into the details, it has nothing to do with the hiring freeze. Sorry for any confusion.

Senator Máté Wierdl: Are you telling me that we do have a secretary?

Provost Nenon: I saw a message from your Dean to your Chair with a plan for a new employee. It had nothing to do with the hiring freeze. His understanding is that the department has responded, and they are moving forward.

Senator Deanna Owens (Mosby): Asked if the hiring of GA's needs to be at the doctoral level only?

University President Rudd: Not aware of such a policy.

Provost Nenon: For various reasons, we have more interest in GA's for doctoral programs over masters programs. Doctoral degrees have a strong impact on our R1 application. As we move to being a stronger research university, we need to emphasize doctoral GA's over masters GA's. The state is no longer paying for graduate assistants, so we need to rethink our priorities.

President Banning: We submitted a motion on how we would like to see the pay increases distributed to faculty. What are your thoughts on our motion and how it will potentially affect how we move forward on faculty raises?

University President Rudd: He believes he forwarded a copy of a general faculty survey that asked about opinions on raises. In general, the President's Council is in favor of an across the board increase. He supports an across the board payment, but he expects that all of that funding will be cut, and the issue will be irrelevant.

President-elect Jeffrey Marchetta: Regarding the decision to go all online for the Summer, please give more information on that decision.

University President Rudd: We get significant guidance from THEC (Tennessee Higher Education Commission) as well as the Governor's office. It was abundantly clear from all sources that we were not going to be able to offer anything but online courses over the course of the Summer. We must follow that kind of guidance on health and safety.

Provost Nenon: Added that we were pleased to have public health experts in the School of Public Health and the College of Nursing. They provided additional input on the decision.

University President Rudd: Commended faculty in Public Health for their guidance.

Senator Máté Wierdl: Follow-up on Summer courses. Based on discussion with the Dean it seems that it's mandatory to use asynchronous instruction.

University President Rudd: Unaware of the specifics.

Provost Nenon: He was part of that recommendation. The UofM has been involved in online instruction for about 25 years now and have learned quite a bit. We have programs across campus that are highly ranked. We have excellent faculty teaching these online courses. Also, we've learned what works and what doesn't work. There are also legal requirements and those are part of M50 courses. The faculty completely control course content. Simply streaming lectures online is something that we've learned isn't effective. We strongly encourage faculty to create quality online courses that follow best practices and match the quality of on ground courses.

Senator Eugene Buder: Máté said that we are not allowed to teach online, but Provost Nenon says he strongly encourages asynchronous instruction.

Provost Nenon: Do whatever is the best practice for your course. Courses differ in the amount of engagement needed and other factors. The M50 program is flexible. This is not non-negotiable. It's just a strong suggestion to follow best practices.

Senator Eugene Buder: Regarding the Summer decision to go all online, do we have a date by which a decision for Fall will absolutely have been made to give faculty time to prepare either way.

University President Rudd: We are actively working on that now. There is no date certain, but we expect to have a decision in the near future and will share it as soon as that decision is taken. He believes we will return to on-ground classes in some way in the Fall.

Provost Nenon: Our challenge is that there are advantages to face-to-face instruction, so we don't want to have to make an online transition unless it's necessary. We don't want to make the decision too early as conditions might change.

University President Rudd: There are a host of financial issues revolving around an on-campus return. We'll share details as they become available. Being online only in the Fall would have significant negative impacts on the budget. We are trying to move back to face-to-face classes if possible.

Senator Melissa Janoske: Regarding course evaluations for this current semester, can we put less weight on the Spring evaluations? What are your thoughts?

Provost Nenon: We've discussed this more in the Dean's Council than the President's Council. Teaching evaluations always need to be contextualized. Lower division and upper division course evaluation scores are typically different. He hopes that everyone has recognized that online instruction is more challenging than face to face instruction. He wants chairs to recognize the issues of the transition.

University President Rudd: He thinks we need a more productive and helpful mechanism for student feedback on courses. He's not sure what the solution is, but encourages the FS to work on it.

Senator Máté Wierdl: Back to whether or not the Summer teaching format is specified and not faculty's choice. This goes against academic freedom. We are not given a choice how to teach online. It's being decided by the Provost and President. Why are we prevented from teaching by streaming?

Provost Nenon: Noted that the Summer is not obligatory, so if someone cannot figure out how to teach online, those courses don't need to be offered in the Summer. Summer teaching is voluntary, not obligatory. We are asking them to follow best practices and lessons learned. What works on ground doesn't necessarily work online.

Senator Joaquin Lopez: Commented that giving complete discretion to the Chair to weight student evaluations makes for an uneven playing field. For example, faculty members who don't have children at home are in a different position than those with children at home. Also, concerning online instruction, it's going to be hard for certain classes to provide high quality content without it taking a very long time and a lot of effort. That's the kind of shock that needs to be taken into account. This could also have an adverse effect on research activity.

Provost Nenon: He fully agrees. Some courses will be more difficult than others to transition to a quality online course. In the past, faculty were given a lot of support and extra compensation for transitioning to online instruction. He believes that everyone will recognize the extra burdens on faculty from this transition and will act accordingly.

Senator Steve Nelson: For those of us who will be moving to Associate Professor status, will a pay raise be associated with it?

University President Rudd: Yes, you'll get a pay raise.

Senator Steve Schwartzbach: Planning for the Fall. If you look at the federal guidelines, they make a distinction between vulnerable and low-risk individuals. Are you considering this and will you maintain online instruction so those vulnerable can avoid coming to campus?

University President Rudd: Yes, we're following both state and federal guidance. We're actively talking about how to deal with it.

Provost Nemon: He agrees. He recognizes the amount of time that it takes to transition online. If you're vulnerable, we'll make concessions if the faculty member wants to be online.

President Banning yielded to University President Rudd for final comments.

University President Rudd: Thanked President Banning for his service on the President's Council and as President of the Faculty Senate. He's looking forward to having Jeff Marchetta's engagement in his place.

President-elect Marchetta: What is the University policy on intellectual property of online materials?

University President Rudd: We're going to be consistent with our intellectual property policies across the board (online vs on-ground). He will engage University Council for more details.

Provost Nemon: We'll follow the laws. We do ask faculty to share what they learned in the process of moving online with other faculty developing online courses. We have no intention for the University to sell materials. If you have concerns about your rights, legal will work with you.

President Banning closed the Q&A session and thanked University President Rudd and Provost Nemon for their participation.

#### **4.21.20.06 New Business**

President Banning introduced the tenure clock extension motion.

Motion 1: Tenure clock extensions – Motion made by Senator Joaquin Lopez and seconded.

Whereas: The current crisis is a tremendous negative shock to all members of the University of Memphis community. Faculty members with school-age children have seen an increase in duties and a reduction in available time. This is particularly hard for those with smaller children who require constant attention. Additionally, the ability to conduct field and lab research has been seriously decimated. Conferences, invited seminars, and many other avenues for career advancement have either been shut down or indefinitely postponed. Many journals across all disciplines are reporting a surge in submissions, a decrease in referee report turnout, and a shortage of referees for new submissions. All these elements have been taken seriously at many serious research universities who have implemented the measures proposed in this motion. As of 3/31/2020, a quick search gave the following (incomplete) sample: Ohio State, Stanford, Michigan, Syracuse, U. of Central Florida, Washington U., Vanderbilt, Cornell, Wisconsin, Harvard, Montana, Buffalo, Purdue, Iowa State, UCSB, Creighton U., West Virginia, NYU, Amherst, Rochester, and Texas.

Be it resolved that,

The Faculty Senate strongly suggests that administration automatically grant one-year tenure clock extension requests from tenure-track faculty impacted by the COVID-19 global pandemic. These requests should be submitted by tenure-track faculty by June 15, 2020. Eligible faculty who are currently in their last year before they submit their dossier and who choose not to take the one-year extension will have an extra two months to submit their dossier in the Fall 2020 semester.

The motion is adopted by a vote of 34 for, 4 against, and 2 abstain.

President Banning introduced the motion on adjustments to student course evaluations.

Motion 2: Adjustments to student course evaluations – Motion made by Senator Joaquin Lopez and seconded.

Be it resolved that,

The Faculty Senate strongly suggests that student evaluations of all Faculty (tenured and untenured) for the Spring 2020 semester should be given a lower weight in annual evaluations to take into account the impact of the current COVID-19 crisis and the sudden shift to online instruction.

Senator Leigh Holman moved to amend the motion to read:

The faculty senate strongly suggests that the student evaluations of all Faculty (tenured and untenured) for the Spring and summer 2020 semester should be supportive of faculty under the circumstances, given the impact of the current COVID-19 crisis and the sudden shift to online instruction.

The amendment fails by a vote of 5 for and 30 against.

Jill Dapremont moved to amend the motion to read:

The Faculty Senate strongly suggests that student evaluations of all Faculty (tenured and untenured) for the Spring 2020 semester not be used in the annual evaluations, unless agreed by the faculty, taken into account the impact of the current COVID-19 crisis and the sudden shift to online instruction.

Seantor Dapremont withdrew her amendment.

Senator Leigh Holman moved to amend to read:

The faculty senate strongly suggests evaluations of all Faculty (tenured and untenured) for all semesters impacted by COVID-19 will be considered in light of the challenges that faculty endured during this time.

The amendment is adopted by a vote of 31 for, 4 against, and 4 abstain.

The amended motion is adopted by a vote of 33 for, 3 against, and 4 abstain.

President Banning introduced the motion on online-teaching format.

Motion 3: Online-teaching format – Motion made by Senator Máté Wierdl and seconded.

During the 2020 summer sessions, the online format of each of the courses which normally are offered “brick and mortar” will be chosen by the instructors of the courses, with guidance from their home department. The same statement applies to all other subsequent semesters when brick and mortar classes are forced online due to the pandemic.

During discussion, Provost Nenon clarified that they were asking faculty to incorporate what has been learned about online instruction over the past two decades when they create online

courses. We will be mindful of the faculty's expertise but also strongly suggest that they accept the help from experts in online instruction.

The motion is adopted by a vote of 21 for, 6 against, and 8 abstain.

President Banning asked for a motion to adjourn. President Banning announced that the remaining motions will be voted on in the next FS meeting (see Note below).

#### **4.21.20.07 Adjourn**

The meeting adjourned at 5:01 pm.

Note: Below are the remaining motions to be voted on in the next FS meeting, Tuesday, April 28, 2020:

Motion 4: Intellectual ownership of online courses – Motion made by Senator Máté Wierdl

It is the instructor who has the intellectual ownership of all teaching materials produced by the instructor during the conversion of a brick and mortar class to an online format, due to the pandemic or other circumstances that prevent the class to be taught in its regular format. As a consequence, the instructor is the owner of the copyrights of the videos, handouts produced by the instructor while converting and teaching such a course.

Motion 5: Cancellation of March senate meeting – Motion made by Senator Máté Wierdl

The Executive Committee of the Faculty Senate will give a justification why they ordered the cancellation of the March 2020 senate meeting, hence withdrawing the senate from any decision making during the pandemic. In particular, the EC will give an explanation why they allowed the administration's decisions on summer teaching and hiring to bypass the senate.

The deadline for this justification is the April 28 senate meeting.