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UNH FACULTY SENATE
MOTION # XXV – M6
on Faculty Discretion on Course Delivery Methods
During the Pandemic Emergency

1. Motion presenter: Kevin Healy, on behalf of the Agenda Committee, and Harriet Fertik
2. Dates of Faculty Senate Discussion: July 13, 2020
3. **Rationale:** The special responsibility of faculty in the governance of UNH is described in the Joint Statement on Government of Colleges and Universities:

“The faculty has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process. On these matters the power of review or final decision lodged in the governing board or delegated by it to the president should be exercised adversely only in exceptional circumstances and for reasons communicated to the faculty.”

The global coronavirus pandemic is clearly an exceptional circumstance, and we recognize that there are indeed compelling reasons for the president and governing board to exercise their powers of review and final decision-making with regard to the nature and extent of campus reopening after the sudden shift to remote learning in the spring 2020 semester. We share the administration’s concerns about financial stability, especially as it impacts job security for all workers across the university, and we acknowledge the administration’s painstaking efforts to plan and coordinate as safe as possible a reopening for the fall.

Nevertheless, the lack of transparency and clarity throughout the planning process for re-opening has inhibited the participation of the faculty in shared governance and thus largely excluded the significant insights, creativity, and expertise that faculty can bring to bear at this moment. With due respect to the administration’s final decision-making power with regard to campus operations, the Senate reaffirms its primary responsibilities regarding all pedagogical matters. With specific regard to methods of instruction, the Senate asserts that decisions about course modalities, including face-to-face, hybrid, HyFlex, and remote learning approaches, should remain at the level of individual instructors in consultation with their department chairs. Instructors and chairs are most intimately familiar with the content of a given course, and with the particular needs of students within their major course of study, and therefore are best positioned to judge the appropriateness of methods of instruction.

In this light, the Senate cautions against any undue and adverse exercise of administrative review and decision-making powers, including but not limited to university-wide or otherwise across-the-board imposition of course-modality requirements, such as quotas or percentages for face-to-face instruction; as well as any obstructive or inhibitory review process above the departmental level. While the Senate welcomes guidance regarding such matters insofar as it is informed by students’ stated preferences, projected financial impacts, and other considerations, methods of instruction are ultimately matters of pedagogical discretion and should remain as such.

The Senate affirms that the pandemic context, rather than displacing the role of faculty discretion or subordinating it to other matters, heightens the importance of pedagogical discretion with regard to course modalities, methods of instruction, and those aspects of student life related to the educational process. It is faculty, within the context of their home departments and programs, who know and

appreciate most intimately the needs of students with regard to their educational experience. It is faculty who, through years of study and practice, have expressly chosen to devote time and energy to students' educational needs and interests and will continue to do so, whether at home or on campus, whether in person or at a distance, attending to students' educational needs and interests, understanding each individually, as persons still in the early stages of moral and intellectual development. It is for our love of teaching and of learning, and for all that these endeavors afford our society, especially as it faces the current international pandemic crisis, that we reassert our primary responsibilities. We do so not as a means of evading or postponing these responsibilities, but precisely as a means of enacting them in this moment of challenge and opportunity.

Given the rapidly-changing nature of the pandemic on a state, national, and international context; and given the uncertainty surrounding both internal and external metrics for potential limited or restricted operations in the fall; and given that effective course preparation requires adequate time and certainty with regard to teaching and learning conditions; and given that course modality requirements may result in inequitable distribution of labor and increased risk, especially among minoritized faculty and contingent faculty, when imposed administratively rather than emerging organically from faculty exercise of its primary responsibilities; the Senate offers the following motion.

4. Motion: In the interest of securing the best quality of instruction for students by providing faculty adequate time to prepare the most appropriate and effective methods for the current pandemic context, and in recognition of the unique challenges that minoritized and contingent faculty face during the pandemic, the Faculty Senate affirms that all faculty should retain and be permitted to exercise discretion with regard to curriculum, subject matter, and methods of instruction, including whether a given course shall be conducted face-to-face, in hybrid modality, or via remote learning; and we further assert that, provided such decisions maintain quality of learning and pathways to graduation for enrolled students, and with the student's welfare uppermost, faculty discretion regarding face-to-face, hybrid, and remote learning modalities should not be undermined by any undue and adverse exercise of administrative review and decision-making powers, and this should remain effective for the duration of the pandemic emergency.

5. Senate Action: The motion with 40 in favor, 3 opposed, and 6 abstentions.



6. Senate Chair's signature: _____

Forwarded to the following on September 9, 2020

President Jim Dean
Wayne Jones, Provost
Kate Ziemer, Senior Vice Provost for Academic Affairs
All deans and associate deans
All department chairs