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### 2021-2022 FACULTY SENATE XXVI - March 7, 2022 Minutes Summary

Faculty Senate

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UNIVERSITY OF NEW HAMPSHIRE  
2021-2022 FACULTY SENATE XXVI

The fundamental function of the approved minutes of the Faculty Senate is to accurately document actions taken by that body. Additionally, the minutes traditionally seek to provide context by capturing some statements of Senators, faculty in attendance, and guests. The minutes do not verify the veracity, authenticity, and/or accuracy of those statements.

Meeting called to order at 3:10 PM on March 7, 2022, via ZOOM

MINUTES SUMMARY

I. Provost Jones comments and questions

- A. Ukraine: Provost Wayne Jones thanked the Faculty Senate for their actions around the Ukraine crisis. The administration has been working to support the five or six students directly impacted. The university has received an invitation to be involved in Scholars at Risk, an international organization that supports scholars who are displaced or oppressed within their country of origin. The organization ensures their work continues by providing places to live and work. The university has been supporting this group for years but have not been a member. President Dean and Provost Jones are actively looking into what is involved in membership and Provost Jones will report back on the progress.
  
- B. COVID: Provost Jones apologized for how changes to the mask mandate were reported across campus. The way the message was shared was a mistake. After focusing so intently on the language, there was an oversight regarding when the message would be released. It was supposed to go out at the end of the day on Friday. Wayne shared he has spoken with CPA to ensure mistakes like this don't happen again. As a result of the change in masking protocols there have been a few incidents of mask shaming, particularly on Friday afternoon. For this reason and others, a message was sent to students reminding them that UNH is a polite community that respects one another and COVID is not over. For personal reasons, some individuals may continue to wear a mask. Secondly, if you are speaking with someone and asked to put on a mask, the request should be honored. This includes in the classroom and private offices where faculty members have the right to request a mask.

Provost Jones shared he walked around campus and saw some classrooms masked, some faculty masked and other classrooms without masks. He has asked the associate deans to do similar look arounds and let him know what they are seeing.

- C. Board of Trustees Meeting: The biggest action item of the BoT meeting was President Dean being appointed Interim Chancellor. He is now president of UNH, president of GSC and interim chancellor. At a pragmatic level it's not a big change as the system has been moving towards being more UNH centric. President Dean has already been chairing the Council of Presidents called the Admin Board. Provost Jones chairs the Academic Excellence Council and Cathy Provencher, Chief Operation Officer at the systems office the opportunity to provide greater leadership.

Question and Answer:

1. What was the thought behind not waiting 10 days past spring break to drop the mask mandate?  
Answer: There were many factors at play. UNH has consistently followed both the CDC and NH DHHS guidelines. When the two entities moved in different directions, UNH took the more conservative approach. When the CDC changed how communities received their COVID rankings, we had campuses with different COVID rankings. Manchester was green (low); the other two were medium. On Thursday, Durham was no longer in the red zone. In making a determination, administration had to consider all UNH campuses. The decision was to make testing a priority. Everyone will be tested when returning from spring break. Lastly, our chief medical officer encouraged the shift. Provost Jones added the waste water data continued a downward trend as well.
2. A senator remarked he thinks the university is selectively looking at data. The state still has a significant transmission rate. The best mechanism for transmission prevention is masking. Losing faculty due to contracting COVID-19 means canceling classes. In addition, he had a situation where a student refused to mask when asked causing a significant delay in the start of class. The questioner wanted more information about the message that was sent to students. He learned of this email from his students and wanted to know what was in it. Answer: Provost Jones referenced his comments from earlier in the meeting. The email went out about 2:00 PM today. It will be forwarded to faculty and staff, either as a stand alone email or as part of the broader testing email going out tomorrow. With regards to students holding up class over refusing to wear a mask when asked, those issues can be directed to the Dean of Students. These kinds of situations can be brought to the student conduct office.

Provost Jones shared he has instructed the facilities team and the campus police to keep a supply of masks in all the places where they were previously made available. This includes large lecture halls, the library, the MUB, etc.

3. A Senator appreciated Provost Jones encouraging faculty to bring cases to the dean of students office. She had heard from several colleagues who felt undermined when the message went out about masks. Students were ripping off masks and cheering. Faculty were not prepared. She appreciated Provost Jones apology and asked that a message of apology go out to the full faculty. An apology would go a long way to mend hard feelings. Answer: The apology message is already drafted.
4. A senator asked about contract negotiations. What are the next steps to ensure good working conditions for faculty? Answer: It's not just faculty, it's staff and graduate students too. These groups are often the lowest paid employees. The President's Leadership Council is looking at whether there is something the university can do for those making less than \$75,000. This is not to discount faculty, but administration is looking at all employees. There were two meetings today. The lecturer's union and the NEA. Feedback was positive. There is an upcoming fact-finding meeting with AAUP. Lastly, the Plymouth faculty contract was approved by the Panel of Trustees. Provost Jones wants this completed this semester. Completing contract negotiations by June will allow for raises both this year and next.
5. A Senator asked 3 COVID questions. 1. Based on previous Senate meetings the message was UNH had no interest in removing the mask mandate. What changed? Was this based solely on the CDC guidelines or was there pressure for UNH to make this change? If so, from whom? Secondly, the law school was on break when the masking message came out. The school is located in a green area of the state. Was there consideration to differentiate masking protocols for campuses based on their respective communities? No messaging has come out about the law

students and testing when they return. Thirdly, is there a plan to turn the masking mandates back on if COVID levels change back to red? Answer: The CDC was the primary factor in changing the university masking policy. Secondly, close attention was paid to the university data. This included watching our positivity rate come down. We saw a significant drop in waste water data both on campus and in the town of Durham.

Color coding: Provost Jones wanted to be clear. Manchester is the only UNH affiliated community coded green. Durham and Concord are yellow or medium. Durham recently transitioned from red to yellow. With regards to reinstating the mask mandate, the university has been following CDC guidelines. If the CDC pivots, the university may pivot as well.

Provost Jones left the meeting

- II. Approval of minutes from 2/21/2022 meeting of Faculty Senate and the 3/2/2022 special session of faculty senate. Both were approved by unanimous consent.
- III. Questions and comments from the chair
  1. With regards to the 3/2/2022 special session, Kevin shared there were a number of departments that contacted either the AC or him directly saying their departments voted unanimously in favor of the resolution. These department votes have no procedural impact on the Senate vote.
  2. One point that came out of last week's special session was a question related to when and whether or not Faculty Senate should weigh in on international and national matters beyond the scope of university academic policy. This is an important question. Given the historical scope of this issue it was the right decision; however, the Agenda Committee will discuss this issue at our next meeting.
  3. Motion of no confidence in HR management, the AC invited Marian McCord and Louise Griffin to the 2/28 meeting. The conversation was productive. The group discussed the disconnect between HR and research projects, grant making, billing and the general nature of faculty research. The next meeting with HR leadership and the AC along with the chairs of FAC and RPSC has been scheduled for 2/29/2022. This will be a face to face meeting.
  4. The hope was to have Tom Cronin join today's Senate meeting, but given the full agenda, he has been asked to attend the 2/28 meeting. For this reason, Kevin suggests pausing on the Senate resolution regarding academic freedom. The goal is to have Tom's input prior to moving forward.
- IV. Committee Updates:
  1. Stephen Pimpare on the Board of Trustees meeting:
    - President Dean is serving as interim non-executive Chancellor. This is a short-term appointment with president Dean getting only one BoT vote. The presidents of PSU and Concord remain on the BoT. The goal of the BoT is to facilitate more back end consolidation and integration.
    - Conversation continues regarding a shared course catalogue across all 3 institutions with some online delivery. The conversation around this topic centered on the administrative rather than curricular challenges. Both president Dean and the board chair considered this shared course catalogue as a way to eliminate duplicative programs and departments. This initiative is part of the long term goal. The BoT

chair spoke to the need to embrace the reality that UNH is one system as this is the only path to stability.

- There remains strong sentiment among the BoT to push for the community college and university system to merge. The board chair commented it's going to have to happen at some point. There are already conversations taking place.
- SVPAA Kate Ziemer is a member of the Synergies Group which is already working on creating pathways for shared courses, partnerships, micro-credentialing, digital badges and more across the system.
- Dean Ducelle did talk of the new GSC faculty classification.
- Student representatives at the meeting all spoke to student mental health challenges on all campuses. To a lesser extent, they also spoke to concerns around rising substance abuse.
- The financial position of the university system is sound. There is more cash than expected and in fact the university system is financially back to pre-COVID levels. Due to FEMA regulations, the expectation is the university system will recoup all COVID expenditures. The university is expected to reach all projected savings from the administrative restructuring. The Covid Enhanced Retirement Plan (CERP) is projected to net 300 fewer faculty and staff positions when all of the back filling is done across the system.
- Lastly, it was said for this to remain true, all university presidents need to resist the pressure to back fill these positions. The financial advantages only work if these positions are left vacant. President Dean resisted this thinking and pointed to low staff morale. He shared it may not be in the interest of the universities to resist filling positions. Too many are being asked to do multiple jobs.

SVPAA Kate Ziemer referenced the Synergies group and shared the group's task is focused on enabling connections and not merging the community colleges. The focus is on serving the needs of students.

Question: Has there been any comment with regards to when UNH would expect a financial return on the investment made to GSC? FAC chair Stephen Pimpare answered that his committee has requested this information from both Provost Jones and CFO Marcel Vernon. The hope is the FAC can report this data in a report to the full Senate later this semester.

In the interest of time, other committee updates were pushed to the end of the meeting or even the next meeting.

- V. Charles Vannette presented his motion to Lift restrictions for online delivery (synchronous and asynchronous) of Honors Courses. This motion came out of discussions with the director of the honors programs Catherine Peebles. The thinking behind the motion was by allowing some synchronous and asynchronous honors courses to be offered online, the program could reach out to certain populations that are underserved, including students not yet at UNH. In addition, moving this direction will create opportunities for students in highly structured majors who would have opportunities during the summer to participate in their honors work.

The motion was put a vote. The motion passed with 61 ayes; 0 nays; 1 abstention.

Charles Vannette Chair of the APC introduced two mirror motions. One to lift online restrictions on Dlap and the other for Inquiry. Charles shared information on both motions. In discussing and voting on the motions, it was determined each should be presented separately and DLab should be presented first.

- Motion: Lift restrictions for online delivery (synchronous and asynchronous) of DLab Courses
- Motion: Lift restrictions for online delivery (synchronous and asynchronous) of Inquiry Courses

A senator asked for clarification on what defines Dlab. Chair Vannette shared the definition is on the Discovery website. These are a selection of courses that have gone through discovery review. All of the necessary information can be found on the Discovery webpage. Dlab courses to be offered online are in consultation with CETL as well as the Discovery Committee.

Question: Are the courses referenced in this motion going through a specific review process or has this review process always been there. Answer: These courses will go through the Discovery Committee review specifically as online courses. This motion refers to courses that are specific to discovery courses.

Question: Are there examples of online delivery of DLaps? Answer: Chair Vannette thought there was an example of a Dlab geology course that was already online. The examples the Discovery Committee looked at for direction with this initiative were at schools other than UNH. They are also using pedagogical materials and lab simulations available online as models. Offering Dlabs online are going to be easier in some disciplines than others.

In the interest of time, Senators still wanting to ask questions regarding this motion were directed to send their questions directly to Charles. Vice Chair Matt MacManes asked Charles to introduce his motion on Inquiry.

Charles shared the committees felt if the university was able to offer honors courses and dlabs online, then the university should be able to offer inquiry courses this way as well. The thinking is the inquiry courses would go through the same kind of review process as the honors and dlab courses. These courses would go through CETL and then the discovery committee. Charles shared that with all of these online options, this model may work better for some disciplines than others. The example he shared was a dlab in astronomy make work better than a dlab in chemistry or biology.

In the interest of time, Chair Kevin Healey suggested materials would be shared with Senators regarding these motions. In addition, Kevin suggested moving the discussion of the SAC Resolution regarding the Comprehensive Prevention Plan to after the discussion on First Day Complete. He asked SAC chair Catherine Moran if that was acceptable. She agreed to move forward with the discussion on FDC first.

## VI. Discussion and vote on the motion to endorse First Day Complete

Jim Connell shared the motion was to bring the First Day Complete motion to a vote. The purpose is that administration hear the voice of faculty on this issue.

The floor was opened to discussion.

Question: A Senator reminded the group of a previous Senate meetings where it was stated that a more throughout review of the program was warranted. It appears the Senate committee (SAC) tasked with reviewing FDC did not feel they could endorse it at this time. As such it sounds like the more comprehensive review of FDC has not been completed. Has something changed? Question 2. The Senator shared he had asked several questions regarding FDC when it was first presented. Those questions were sent to Kate Ziemer and Kathy Brunett. Were those questions answered? It appears the university review has been incomplete. Question 3. The material originally presented to Senate talked of a \$500 budget per student. That budget item didn't appear to be based on actual spending. What's the actual savings vs spending? Question 4. The current Barnes and Noble program is mostly related to electronic materials.

What do students think if the FDC? Would this program make it impossible to use older editions of books? What would be the mechanism for discontinuing the program?

Chair Kevin Healey responded in an ideal scenario a committee of the Senate would have the opportunity to weigh in on FDC and the administration would not move forward with the program until the full Senate has seen the report from the subcommittee. However, given the constraints of the contract with Barnes and Noble, the process needed to be moved along more quickly. The Agenda Committee felt it was important to bring the issue to the floor of the Senate for a discussion. The administration is going to need to make a decision regardless of how Senate votes.

Procedurally, if Faculty Senate doesn't feel prepared to weigh in on this issue because of lingering questions, an amendment can be made to the motion stating just that. This puts Senate on record of having an opinion on First Day Complete. Catherine Moran, chair of SAC was then given the opportunity to address the previous Senator's questions.

SAC Chair Catherine Moran shared the committee did not feel they could endorse the program in the time frame that was allowed. There remained unanswered questions and a lack of clarity.

SVPA Kate Ziemer was then given that chance to address the questions presented. She shared there were links in the chat box to an appendix of questions and answers regarding FDC. It was noted all of the FDC supporting documents, including questions and answers, were shared in the newsletter. The \$500 book budget comes directly from student reports. Every year the financial aid office asks students to self report textbook costs. This number was used to establish a first year budget for FDC. The problem is the university currently doesn't have enough course materials being ordered through the bookstore portal. Faculty aren't primarily using the bookstore portal to record adoptions and thus the university lacks access to good data on book budgets. FDC supports both books and electronic materials. The program supports whatever materials the professors request through the portal. This can include previous editions of a textbook assuming it remains in publication. The university would discontinue the program when it ceases to be beneficial. Students can always choose to opt out of the program.

A senator shared her department discussed how the program required students to opt out rather than opt in. The Computer Science department felt the answers given were not sufficient enough to get behind the program and their vote will be a no.

Another senator shared the doubts he had about the program when it was presented this fall were not adequately addressed. There is an inequity in the pricing. Setting a flat fee for students means those with cheaper materials are subsidizing those with more expensive materials. It also removes the incentive for faculty to seek cheaper materials. The opt out process was not adequately explained. If a student does opt out, will Barnes and Noble still provide books for those students? Lastly, the \$500 figure seems to lack a good source. For all of these reasons the senator recommends the Senate vote no.

A Senator from the English Department reported the response from his department was overwhelmingly negative. Partly due to principle, but also several faculty had tried the program, particularly for English 1. Their experience was students who had any kind of a financial problem lost access to their materials. The professors ended up abandoning the program mid-stream. The English department is a no vote.

A Senator shared she did not understand the wording of the motion. Secondly, she found the lack of competition made no sense. The university already has a contract with Barnes Noble through 2023. She suggests Senate vote against it.

Chair Kevin Healey offered to clarify the language in the motion. Currently UNH was using Barnes and Noble for the First Day By Course on a pilot basis. This program is more limited. UNH does not have the resources to support this more limited version. The question is does the university switch to a broader program called First Day Complete or abandoned Barnes and Noble as a book purchasing program all together. The motion is worded to say that Senate support the Administration recommendation that we support the FDC program.

Another Senator concurred in that he too feels like there is not enough information. He feels the million dollar savings has not been adequately explained. Also, why is the university leaving the First Day by Course?

The Senator from the Economics Department said there are several faculty from his department that have had great experiences with First Day Complete (do you think he meant First Day by Course) Professors of Economics 401 and 402 liked the uniformity this programs offered for course materials. They want to know if a program could be carved out for departments where this program could work well. Their department is hoping for a third option rather than an all or nothing decision.

Kate Ziemer shared it's not a Barnes and Noble negotiation point, but rather the issue lies with Banner and business services. The current electronic infrastructure of the university doesn't allow for use of First Day by Course effectively. Materials were being entered by hand and not via a portal. In addition, the university lacks the infrastructure to allow for a partial rollout of FDC. The issue is the university system, and the Barnes and Noble system can't talk to one another due to a lack of upgrades on the university side. There is a long range plan to upgrade the university system.

Vice Chair Matt MacManes shared he too heard positive feedback regarding FDC from faculty within his department that teach large lecture courses. He noted the sharp delineation between those that teach large lecture courses and those that do not.

The question was raised again about the \$500 figure as a per student cost for books. Kate Ziemer shared again that this figure comes from an annual financial aid survey asking students to self report their textbook expenses. This is the only mechanism the university has for gathering a price point for students. Because too few faculty order materials from the bookstore, the bookstore does not have adequate data. Kate Ziemer plans to strongly encourage faculty to use the bookstore portal so the university can gather stronger data on student textbook costs.

Kate Ziemer agreed there is not yet an FDC mechanism worked out for how to work with undergraduate students taking graduate classes.

A Senator from Earth Sciences shared he too has used the program for his large lecture class and liked it. However, he was concerned with students opting out, those utilizing the program will be forced to take on a greater financial burden to compensate. The cost will increase each year due to those opting out. Kate agreed and reminded the group the textbook cost is negotiated annually for this reason.

Regardless of FDC Kate Ziemer is going to be working with departments to let the bookstore know of their textbook adoptions. The university needs to collect the data through the bookstore so real data on student costs can be gathered.

A concern was raised regarding Barnes and Noble and student data sharing. Kate Ziemer responded FDC follows FERPA privacy guidelines.



James Connell proposed an amendment to the motion changing the word “supports” to “opposes”. The motion was seconded.

The amendment was put to a vote. 55 ayes; 2 nays; 0 abstentions. The amendment passed.

Parliamentarian Jim Connell suggested Kevin seek unanimous consent to remove the current rationale on the motion. If removed all the Senate will be voting on is the one sentence saying *Faculty Senate opposes the recommendation from the UNH administration to engage in Barnes and Noble’s First Day Complete program*. There was no opposition to removing the rationale.

The amended motion was put up for a vote. The motioned passes with 55 ayes; 2 nays; 0 abstentions.

The meeting was adjourned.