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Faculty Senate, "2016-17 FACULTY SENATE XXI - October 10, 2016 Minutes Summary" (2016). *Faculty Senate Agendas & Minutes*. 181.

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UNIVERSITY OF NEW HAMPSHIRE
2016-17 FACULTY SENATE XXI

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 3:42 p.m. on October 10, 2016

MINUTES SUMMARY

I. Roll – The following senators were absent: Gardner, and Wake. Boucher, Byam, Carr, Chandler, Connell, Mellyn, and Shea were excused. Lyon and Tu Lan served as proxies for Boucher and Brewer, respectively. Mark Huddleston and Nancy Targett were guests.

II. Remarks by and questions to the university president – President Mark Huddleston thanked Senate chair Dante Scala for inviting him back to speak with the Senate today, specifically about the Robert Morin donation to the university. He said that his intent today is not to persuade the senators to agree with him, but rather to explain his reasoning regarding the use of the Morin donation. He acknowledged that while some may disagree with his decision, he hopes to clarify how he arrived at that decision, which was not made capriciously.

He apologized to anyone in the university community who has been feeling bashed lately in social media because of this issue, noting that we live in a world where outrage is cheap and can be purchased anonymously with the touch of a screen. He expressed regret at the fall-out, and noted that his own work study students have had to field particularly difficult phone calls.

He began with some history of the donation, saying that Robert Morin, a long-time librarian and library faculty member, passed away about eighteen months ago, leaving the university \$4 million. The president called the sum a huge amount for the university, and for the donor, who lived a modest life in order to be able to provide such a generous gift. Morin designated \$100,000 of his donation to be given to the library, and the remainder was left undesignated, an unprecedented donation in UNH's history.

The money was allocated in order to spend \$2.5 million to launch UNH's new career and professional success initiative, to give career guidance to our students from their first day on campus. The money will be used to renovate Hood House, currently an under developed resource on campus. One million dollars was spent to purchase a videoboard for the new Wildcat Stadium. The president acknowledged that both of these decisions are controversial.

He also said that when the announcement was first made regarding Morin's donation and the university's plans for those funds, the initial media response was universally positive, with credits to both Morin and the university. Then a blogger posted a negative piece about the administration's allocation of the donation, and the post went viral.

The president said that for him, the decision to spend the funds on the career center and the videoboard was an investment in the future of UNH. His aim is to provide a return for our students. He noted that the question he is asked most frequently by prospective students and their parents is, “Will I be prepared to get a job when I leave UNH?” At a university where 70% of our income is from tuition dollars, he believes he needs to take that question seriously. The career center is an investment in the future of our students.

To those who would ask how the videoboard is an investment, he answered that had he put the \$1 million into an endowment for student scholarships, the return would have been about \$40,000 per year, or enough to cover 2.5 full-tuition scholarships each year. However, by purchasing a \$1 million videoboard, it is possible to gain that \$40,000 per year through advertising on the board, which should draw more revenue than a static investment. Acknowledging that establishing an endowment would have been less controversial, he asserted that the purchase of the videoboard with its ongoing potential for revenue was a better use of the funds.

He also reminded the group of the exposure that the university receives every time high school students come to campus for athletic playoffs, band shows, and other events where the videoboard will be used. This kind of exposure pays other dividends in terms of recruitment and advertising, he said, asserting that he believes it was a wise decision, if not a smart move politically.

He asked the group if there would have been an outcry, had a long-time football coach left the university a large undesignated request, and he had spent the money on the library. He asserted that there would be no outcry because, in general, intercollegiate athletics are scandalous in the amounts of money spent on programs and coaching staff, and the ways that student-athletes are shuttled through academic programs with low graduation rates and poor academic performance. He then proclaimed that this is not how athletics are done at UNH. He said that our student-athletes graduate at a higher rate than the general student body, and praised their work ethic. He noted that while \$1 million is a lot of money to spend on a videoboard, by comparison it is moderate when compared to what is spent at comparator institutions, and in proper scale to our new stadium, which is a moderate project. He noted that the stadium had not been renovated since 1936. The financing for that project had a hard ceiling of \$25 million, which did not include funds for a videoboard.

There were no other financial resources for funding the career center initiative, nor the videoboard, when Professor Morin’s gift was revealed. This gift, unprecedented in its undesignated status, provided much needed funds at a crucial time. The president acknowledged that he might have worded the press releases differently regarding the donation. He opened the floor for questions.

A senator asked for more details about the potential ad revenue from the new videoboard. The president said that the revenue will go toward scholarships, although he does not know yet exactly what those revenues will be, although they anticipate that it would be at least as much as an endowment would generate. The senator said that this information changes the story.

Another senator asked who is involved in making plans for the ad revenues, and if any faculty are involved. The president said that he has been working with members of his cabinet and staff, alumni, administrators from the career center, advancement office, and the athletics office, but no faculty. The senator asked why there is no protocol in place for handling donations like Professor Morin's, and the president responded that it is because there has never been a gift like this one; so large, and undesignated. He said that as the new Budget Advisory Committee is formed, it might be the place to vet such donations.

A senator thanked the president for coming and noted that in addition to the advertising feature of the videoboard, and the promotion of the university to prospective students, as the president noted earlier, the videoboard also assists in building the UNH brand as part of a business strategy. The president agreed that there are many potential ways that the video board could promote the university, and said that branding awareness is critical to our future. He noted that the board also increases the experience for fans at the games.

Another senator asked if commencement will be held in the new stadium. The president responded that that is the plan, as concerns have been raised about crowd surges at recent commencements.

A senator asked why the Central Budget Committee stopped meeting, and what meaning that cessation held for faculty information and input regarding budget issues. The president responded that the CBC was not functioning well, which he said is not an excuse, but rather a commentary on the awkward structure of the group. He said that the turnover in that committee was high, and the institutional memory short. The new Budget Advisory Committee will be smaller and nimbler, hopefully with more institutional awareness and memory.

Another senator returned to the issue of the Morin donation controversy, noting that several former students have shared negative responses with him. He asked if there is a sense of the overall impact of bad press from this issue on future donations to UNH. The president said he does not expect it to adversely affect donations, noting that he has communicated with our strongest supporters, who uniformly support the administration. He suggested that some who have publicly vowed to never donate to the university based on this issue were unlikely to donate in any case. He said he did not want to minimize the potential fallout, nor overestimate the validity of a twitter feed as a polling tool. A senator pointed out that the negative press did not only come from social media, but also through articles in the Washington Post, USA Today, and other press outlets.

The president noted that the governor wanted him to use the Morin gift to fund improvement to the Biological Sciences facilities, rather than the state providing those funds. The president's response was that this would be an inappropriate use of a donor's gift, asserting that we are a state-supported university.

There were several assertions from faculty regarding how Professor Morin would have wanted his money spent, and the president maintained that he does not know, beyond the instructions left with Professor Morin's financial advisor. The president said that ultimately, he felt the best way to spend the money was to support the future of UNH. The chair of the

Senate Library Committee said it seems obvious that the best way to support the academic mission of the university would be to put Professor Morin's funds into the library rather than a career center or football, and suggested that if student-athletes at UNH graduate at a higher rate than the general student body, it is because we pay people to give more academic support to athletes than to the average student. She also asked how the remaining \$400,000 of the donation would be spent. The president said that he respects the senator's opinion, but disagrees with her analysis of the situation, and called her characterization of our student-athletes unfair. He said that these students take full academic loads and work very hard while maintaining heavy practice and game schedules.

A senator told about his experience in the Civil Engineering department at Virginia Tech during the aftermath of the tragic shooting there. He said the incident ruined the college, and that one of the ways that the university community rallied was through athletic events, which provided a place for students and faculty to gather and celebrate. He said that he respects that there is less emphasis on sports here at UNH than there is in the south, but asserted that the impact of athletics on the university experiences is not insignificant.

A senator from the Communications department said she appreciated the president's words, and asked what the senators can take away from this conversation that would help the public better understand this issue. The president said that he would welcome her professional suggestions on that, saying that he is sure that he could have done better in communicating about the Morin gift and its use.

The Senate chair thanked President Huddleston for his time and remarks.

III. Remarks by and questions to the provost – Provost Targett said that the university Fire Marshall and the Chief of Police have recommended that commencement be moved back to Wildcat Stadium for spring 2017 to reduce the overcrowding that has raised safety concerns in the past.

She then suggested that when members of the university community write op-ed pieces for local news outlets, which they are always welcome to do, it would be helpful to include in any such items a disclaimer to clarify that the content is the opinion of the writer, and does not represent the position of UNH. She suggested that wording such as, "Nancy Targett is a professor of Marine Science in the College of Life Sciences and Agriculture at the University of New Hampshire. The views and opinions expressed are those of the author and do not imply endorsement by UNH" would be a typical tag line for op-eds. This, of course, would not apply to any scholarly works. Another senator asked if faculty should use a similar disclaimer if approached by the media for a reaction or response. She said that she would leave that decision to the judgment of the individual, although it might not be a bad idea to make that clarification. She asserted that the media should understand that unless someone is in an official position to make a statement for the university, their words should not be taken as policy, but said that sometimes clarification may be necessary.

Another senator said that, in his experience, reporters may begin with innocent questions and then move to more controversial issues once they have established trust with their interviewee. He suggested that if an individual is concerned about the way an interview is

going, they can refer the reporter to UNH Media Services, or consult with them. The provost agreed, and said that she would recommend that individuals concerned about speaking to the press could first contact UNH Media Services to educate themselves ahead of time on specific positions the university might have on particular issues, or just to get background information that might be useful.

A senator asked if it is true that the university would have to pay to use the stadium facilities for commencement, and if true, what the costs might be that the university would need to pay itself for such use. The provost responded that while she is aware of costs involved, such as hiring vendors, or covering the field, those are different expenses that what the senator described. She will look into this and will get back to the Senate with a response.

The chair thanked the provost for her time.

IV. Remarks by and questions to the Senate chair - Chair Dante Scala said that he had a frank exchange with the Dean's Council regarding Title IX and mandatory reporting. He shared with them that, aside from the policy, the roll-out itself was neither clear nor prompt. The council responded that they regret the way the information was rolled out. Dante said that the AAUP is still in the grievance process regarding mandatory reporting for faculty, noting that the union's issues are not within our jurisdiction. He encourages all academic department chairs to invite Jaime Nolan and/or Donna Marie Sorrentino to come to a department meeting so that they can answer questions for faculty in those meetings. He said that the Student Affairs Committee is looking at the UNH policy itself, and directed senators to send their feedback to SAC chair Monica Chiu or to Lionel Ingram who is heading up the subcommittee reviewing the policy. He reminded the group that Buzz Scherr, a current senator, and Todd DeMitchell, a former Senate chair, are both serving on Title IX committees and are available as resources.

A senator said that he discussed Title IX as it relates to mandatory reporting of sexual assault and harassment with his students, none of whom were aware that faculty have been assigned as mandatory reporters. He suggested that if the students don't know about this, the university needs to get the information to them. Dante noted that the roll-out happened too late to get any information into course syllabi. The student body president said that his office is working with Jaime Nolan, and that this information should be getting out to students shortly. Buzz told the group that incoming freshmen were made aware of faculty as mandatory reporters, but he is not sure how other students are to receive that information.

V. Minutes – It was moved and seconded to approve the minutes from the September 26, 2016 meeting. Two corrections were offered in Item II, and one in Item VI. Thus adjusted, the minutes were approved unanimously, with 3 abstentions.

VI. Academic Affairs Committee discussion of common exam hours – AAC chair Scott Smith reported that the construction on Hamilton-Smith, which last year created the need to move the common exam time for the period of the construction, is ahead of schedule. He noted that [Senate Motion #XIX-M5](#), passed in the Senate in the fall 2014, included a sunset clause which

stated that unless the Senate voted to make the change in common exam time permanent, the schedule would revert back to the previous schedule in the fall 2017.

He shared diagrams outlining the previous schedule, in which common exams were set for Tuesday and Thursday afternoons from 12:40 – 2:00 p.m., and on Thursday evenings from 7-9 p.m.; and the current schedule during construction, with exams set for Friday afternoons from 2-5 p.m. and on Tuesday evenings from 6-9 p.m.

Scott reported that in gathering feedback on the schedule, the response has been virtually unanimous to resume the former schedule when Ham-Smith is complete, with few advocates for retaining the current schedule. The Academic Affairs Committee recommends that the clause be allowed to lapse and the former schedule re-adopted. He suggested that if there were to be a swell of opinion to change the exam time in the future, that could be addressed at a future date. He noted that there is some urgency to making this decision, as the registrar needs to start assigning classrooms for next year, and the common exam schedule plays a crucial role in scheduling large classrooms.

The past Senate chair suggested that creating a motion and voting to recommend reverting to the previous schedule would send a stronger message. Scott said he is willing to submit a motion to be voted on at the next meeting (after suspending the rules), if there was agreement on that. There followed a discussion in which some senators expressed that the current schedule allowed access to additional classrooms during peak hours, and other senators expressed frustration with the current schedule. Scott noted that the registrar is happy to accommodate the wishes of the Senate on the exam schedule, but that he needs to know soon. Scott also said that the reason that the interim provost has suggested the current schedule was in order to make those additional classrooms available.

Scott also noted that when Ham-Smith is complete, there will be more classrooms available. He said that another solution would be to spread classes out to some of the earlier and later hours of the day. Department chairs have also requested having the 12:40-2:00 p.m. hour available for meetings and public lectures.

A senator said that the new schedule allows for ninety-minute class times on Monday and Wednesday afternoons, which are not possible with the old schedule. He asked about the possibility of continuing to schedule ninety-minute classes after the change. Scott said he was not aware of any conflict with that, but suggested the department could speak with the registrar about it.

A senator from the Paul College said that the current schedule makes scheduling make-up exams very difficult, especially for the largest classes. He suggested using 8-9:30 a.m. for common exams, and repeated the request for ninety-minute classes on Monday and Wednesday afternoons.

Scott said he is happy to draft a motion, and said that Vasu and the registrar will accommodate the Senate's wishes on this. He suggested that the departments with concerns about large classes and conflicts should speak directly to the registrar to resolve issues with

Monday/Wednesday schedules. A senator suggested that the Senate should make no motion on this, but rather allow any proposal to change the exam time to come from the administration.

VII. Academic Affairs Committee motion on transfer credits – AAC chair Scott Smith then presented his committee’s motion regarding transfer credits from two-year institutions. Last spring, the Senate passed [Senate Motion #XX-M29](#), which allowed up to 72 credit hours in transfer from two-year institutions. The wording of that motion, Scott said, placed an undue burden on the registrar’s office to determine which credits were part of an associate’s degree, reviewing each institution separately. By changing the wording of the motion as below, that burden is relieved with no injury to the spirit of the original motion, nor any lowering of standards for credits eligible for transfer. Motion #XX-29 reads

Motion: UNH change its policy on transfer credit and allow up to 72 credits from two-year schools in transfer.

The new motion reads:

Motion: That UNH policy on transfer credit be that up to 72 credits within an associate degree program would be allowed to transfer, provided that the courses are college level and that the student has earned a C or better in those courses.

A senator asked about who defines what is a “college level” course, and Dante said that the registrar makes that decision. Another senator asked what impact these credit transfers would have on the Discovery Inquiry courses students would take. Scott responded that there is a protocol in place for that. A senator said she supports the motion, noting that in some departments there are so many advanced courses required that it takes extra time for some transfer students to complete their course of study. Another senator asked if this policy applies to all two-year institutions or just to those in New Hampshire. Scott said that it applies to all.

The Senate chair said that this motion will lay over until the next Senate meeting for a vote.

VIII. Motion on the use of the Morin donation – Dante reminded the group about the discussion from the last Senate meeting, in which two motions were brought forward regarding the recent donation from Robert Morin, a library faculty member, and the administration’s use of that donation. He reported that the Agenda Committee examined the two motions, one from the Senate Library Committee and the other from the History senators, and tasked vice chair Dan Innis and AC member Jim Connell with constructing a single motion that might capture the spirit of both motions. On behalf of the Agenda Committee, Dan proposed the following motion:

Resolved:

- 1. The Faculty Senate most gratefully acknowledges the incredibly generous gift of the late Robert Morin, '63, to the University.***
- 2. While aware that most of the gift will go towards a student career and professional success center, the Faculty Senate deplores the use of \$1M from the gift***

for a scoreboard; the Faculty Senate does not understand how the scoreboard, as opposed to investing in many pressing academics needs, best advances the interests of the students.

3. The faculty Senate is extremely concerned with the absence of consultation with faculty and deans in the use of the gift; the Faculty Senate urges that a member of the administration, who has the appropriate knowledge and authority, explain how, and by whom, funding and unrestricted gift allocation priorities are set and executed at the University, and under what circumstances faculty involvement shall occur.

He said that while the president was accurate in saying that this particular gift was unprecedented as an undesignated donation, smaller undesignated gifts are not uncommon. He suggested that having someone from development speak to the Senate regarding the process of assigning such gifts would be helpful in helping faculty understand the process as well as when faculty input might be appropriate. The motion was seconded. A friendly amendment was suggested to use the word videoboard rather than scoreboard, as the president did in his comments today. That suggestion was accepted.

A senator said that the phrase in Item 2, “the Faculty Senate does not understand ...” seems to be a nebulous phrase, although he like both Items 1 and 3. It was suggested to replace “does not understand” with “questions.” Another senator said that it is not hard to understand how a videoboard is relevant to students, agreeing that Item 2 might need some re-wording. He said he would like to hear from the senators serving on the new Budget Advisory Committee (BAC) to learn if they felt that the president’s proposal that that committee consider the use of unrestricted gifts might actually address the concerns expressed in Item 3 above.

Dante asked one of those senators (on the BAC) for her thoughts. She said that it seemed to her that what the president said was that the BAC might be the place to discuss such issues, but that he didn’t seem committed to that idea. She said that he does have the right to decide how to use an undesignated donation, and asserted that the real issue here is communication between administration and faculty.

One of the History senators said that she appreciated the changes included in the new motion, particularly the acknowledgement of ’s generosity. She said that it is interesting that in his response to the group, President Huddleston did not address the \$400,000 still not accounted for from the Morin donation, and suggested those remaining funds might appropriately be donated to the library. She asked if there were a way to include such wording in this new motion.

The chair of the Library Committee said that she is sorry to concede the career center, calling it an inappropriate use of Professor Morin’s donation. She repeated her desire to get the president to backtrack and re-allocate these funds more appropriately.

Another senator said that he liked Item 1 in the new motion, but felt that Item 2 needs restructuring, particularly after today’s conversation with the president. He said that the heart of the matter is whether unrestricted donations, when and if they come in, remain in the sole purview of the administration, or if this an area for shared governance.

A senator from Economics said that the president's "business decision" regarding the donation would be called an "investment decision" in economics, seeking a higher return. If the president has the executive authority to make that decision, nothing will stop him from doing it in the future. The senator noted the recent budget restrictions on the library, and suggested that the Senate should make a strong statement to the effect that we don't like these executive decisions being made without the consultation of the faculty when made regarding non-academic aspects of the university.

Another senator suggested that we look at this issue through a wider lens, saying that he believes the president should have the right to use unrestricted gifts any way he would like. He said that at issue here is what the actual strategic goals of the university are, and how the president's cabinet sets those goals. He said that it seems to him that the faculty have had very little role in guiding our school the way we want it. He noted that the crux of opposing opinion between faculty and administration may lie in what appears to be the actual strategic vision that the university has to be branded and glittering in order to survive for the next fifty years. For him, he said that the individual expenditures are less important than the overriding message that the university is not the inner workings of our courses, but that it is in the façade. Dan suggested that his comments appear to support Items 1 and 3 in the motion, and the senator agreed. He said he is not sure that the faculty need to have a role in every decision for unrestricted gifts, but he does think that we should have a role in developing a strategic mission so that if we receive unrestricted gifts, there is a plan for using them.

Dan noted that the university's annual fund amounts to hundreds of thousands of dollars brought in to the university, unrestricted. While not \$4 million at a time, these are substantial amounts. He noted that we have not questioned the use of these funds, and asked what role, if any, faculty should have in those decisions.

A senator quoted President Huddleston's acceptance of the document on shared governance, drafted in 2009 by the Senate chair and provost, which was distributed at the last Senate meeting, noting that the senate moved to support the document. The document states:

*We agree that the **administration** has primary responsibility and authority in the following domains:*

*Accreditation of the University
Strategic planning
Budgeting
Repair and renovation of the physical assets
Advancement (fund raising)
Risk management
Policy development and compliance*

In each of these respective areas, the administration has a positive duty to consult with faculty before taking action, and to take into account faculty objections or concerns before, during, and after effecting decisions.

He said that the language here is clear, and should be referenced to the administration, as this action seems to him to be a breach of this agreement.

Another senator referred to the president's comment about the paucity of funds available to the university from the state. She said that we do need to consider what is coming to us from the state, and try to align our mission with the state's mission. Even if we are mostly supported by tuition dollars, she suggested it would be nice to have more state support, and asserted that to do this, not in alignment with the state, is a concern.

A senator said she supports the wording in Item 2; that the faculty do deplore the use of Morin's funds for the videoboard, and that despite the president's suggestion to ignore the negative posts on social media, faculty must deal every day with the fallout from those posts, and defend our institution.

Another senator said that he has mixed feelings about this issue; while a strategic investment as described by the president could be good, if it creates a backlash from the state legislature, it is problematic. He asserted that it would be good to bounce ideas off the faculty in the future. He understands those who want to see the money spent on the library, but also is concerned that any such donation would be interpreted as a way to relieve the legislature from its financial responsibility to the university.

A senator suggested re-wording Item 2 in the motion to better express our core values, meaning the academic advancement of our institution, and the academic future of our students. Unmoved by arguments that other institutions have similar facilities, she noted that students may like the videoboard, but they don't like higher tuition and fees charged in order to finance new facilities. She asserted that neither the career center nor the videoboard have place in those core values, and said that as a Faculty Senate, we feel inclined to remind the president that academic advancement is what we're about.

Another senator said that as she has spoken with colleagues, her sense is not that faculty are opposed to the president's decision.

The past Senate chair suggested that this motion does not appear to express the opinion of the Senate and offered two options: the motion could go back to the drawing board for further revisions, taking into account today's conversation, or; if an immediate impact is desired by the group, the existing motion could be edited to remove Item 2 and retain Items 1 and 3 which are active proposals. Later, with more time, another motion could be drafted to address the issues raised by the senator who spoke regarding a perceived breach of the shared governance agreement.

A senator suggested that we should carefully word any document coming out of the senate, to avoid reopening a wound just beginning to heal, and pointed out that we are asking the administration to use caution in their wording, as well. Another senator said he does not like the language in Item 2, and suggested that there is more to the university than academics, as this is a place where students spend four years of their lives. He said that the president came today and explained his rationale to us, and while we may not agree with him, he feels that "deplore" is too strong a word.

The Senate chair asked if anyone would be willing to move to send the proposed motion back to the Agenda Committee for additional work, now that we have had the conversation with the president and in this body today. The motion was offered and seconded. This motion was opened for discussion. A senator suggested removing Item 2 from the previous motion. A senator from COLSA said that this issue had been discussed in their executive council, regarding the establishment of the career center, and this project has strong support in that council. He shared a personal example of the great importance of such a center for our students, and suggested that, in revising the previous motion, this group's opinion is not unified on the topic of the value of the career center. Another senator said that any revision of the previous motion should include a reference to the issue of shared governance. He also asserted that a career counseling center represents the end of a student's academic journey and is therefore important to the academic mission of the university. As a member of the Library Committee, he shared that that group is of the opinion that such a center should be funded in another way, rather than using Morin's donation.

Another senator suggested that, if a reference to shared governance is to be included in the motion, it should be remembered that the features of shared governance that are important here are transparency and consultation, rather than faculty asking to approve the administration's actions. He recommended using those words in the new motion.

The chair put the current motion, to send the previous motion back to the Agenda Committee for additional revisions, to a vote. The motion passed with 60 votes in favor, none opposed, and 2 abstentions.

IX. Annual Summary, Senate Session XX, by past chair Deb Kinghorn – With limited time in today's meeting, this item will be postponed until the next Senate meeting.

X. New Business – There was no new business.

XI. Adjournment - Upon a motion and second to adjourn, the group voted to adjourn the meeting at 5:27 p.m.