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### 2014-15 FACULTY SENATE XIX - January 26, 2015 Minutes Summary

Faculty Senate

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#### Recommended Citation

Faculty Senate, "2014-15 FACULTY SENATE XIX - January 26, 2015 Minutes Summary" (2023). *Faculty Senate Agendas & Minutes*. 209.

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UNIVERSITY OF NEW HAMPSHIRE  
2014-15 FACULTY SENATE XIX

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 3:13 on January 26, 2015

MINUTES SUMMARY

I. Roll – The following senators were absent: Dowd-Solorzano, Franczak, Hight, Kun, Minocha, Morgan, Scherr, and Seitz. Carroll, Denis, Kinghorn, McCrone, Prescott, Slifer, Sokol, and Wu were excused. Bill deVries, Lisa MacFarlane, Beth Mattingly, Jan Nisbet, Mark Rubinstein, Lee Pozzi Rush, Anna Sandstrom, Julie Simpson, Lisa Townson, and Cameron Wake were guests.

II. Remarks by and questions to the provost – After welcoming all senators and guests, the chair turned the time over to Provost MacFarlane, who reminded everyone of the importance of observing the curtailed operations order during a winter storm, noting that keeping the streets and parking areas free of vehicles is the best way to enable campus facilities workers to do their job of clearing the snow.

The provost then introduced Mark Rubinstein, vice-president for student and academic services. He informed the senate about changes to the structure of the Student and Academic Services, as a result of a growing need to focus on both enrollments and student development. There will be a unit that oversees strategic enrollment management, and a unit for admissions/financial aid/registrar's office (perhaps to include institutional research). He noted that certain core areas of Student Affairs already have been shifted to the direction of the vice president for finance and administration, including some of the large auxiliaries: Health Services, Campus Recreation/Whittemore Center/ Memorial Union building. Finally there's another unit that handles more of the student development side; the Counseling Center, Residential Life, and the Dean of Students. These changes will take place over the next six months or so.

The provost expressed enthusiasm for the new organization and the opportunities it provides for her office to work more closely with those who run orientation and first year programs, academic advising and career services.

The provost also announced that Anne Lawing, the former dean of students, has retired, and that a search will begin for a new vice provost/dean of students. While there will be some shifting of responsibilities, this will not be a new line of employment. She stated that she would be very happy to answer any questions or receive thoughts regarding this move. A senator asked to which office the Campus Police will now report. The provost replied that it they will report to the new vice president of finance and administration, Chris Clement, the former NH Commissioner of Transportation. She said that Chris would like to meet with the agenda committee at the earliest convenience and introduce himself to the full senate soon. She praised his skill and expertise and expressed confidence in his ability to build connections between UNH and the state-wide community.

The provost then mentioned the draft of the strategic plan refresh which has been sent out by email to faculty, and which can be found on the UNH website at <http://www.unh.edu/president/strategic-plan>. She encouraged everyone to review the draft soon and to offer comments.

She also invited everyone to attend the Martin Luther King Celebration on February 4, and expressed her regrets that a conflicting meeting with the Board of Trustees in Keene will keep both her and President Huddleston away from the events of the day.

III. Remarks by and questions to the chair – The senate chair informed the members that a new senate Blackboard area has been set up to facilitate communication between senate committee members, with the site providing areas for discussion boards and the posting of committee reports for easy access by members of the committee with a greater measure of confidentiality than the public website offers. Questions or concerns about the Blackboard area should be directed to the senate admin at [linda.chaston@unh.edu](mailto:linda.chaston@unh.edu) or by phone at 603-862-2095.

The chair then announced a new location for senate meetings for the '14/15 academic year. Those meetings will be held in McConnell 220. The registrar has informed the senate chair that with the changes in the common exam time beginning Fall 2015, classes on Monday afternoons will be scheduled from 2:00-3:30 p.m., and 3:40-5:00 p.m., which means that the current senate meeting time (3:10-5:00 p.m.) crosses two class periods. The registrar asked if the senate would be willing to meet, for the next two years during the construction on Hamilton-Smith, from 3:40-5:30 p.m., thus displacing only one classroom of students rather than two. The chair asked if there were any strong objections to this change. One senator said that he had a class that began at 5:30 p.m. rather than at 5:40 p.m. The chair noted that in such an instance, a senator could certainly be excused early from the senate meetings. With no other objections, the senate chair indicated that he will inform the registrar that the senate will thus adjust its schedule for Fall 2015 through the duration of the Hamilton-Smith construction project.

IV. Minutes – It was moved and seconded to approve the minutes of the last senate meeting, December 1, 2014. With a single typographical correction, the minutes were approved unanimously, with one abstention.

### **Discussion/Report Items:**

V. Presentation from the vice provost's office for research and development regarding the proposed policy on ownership of research data – Jan Nisbet and Julie Simpson were introduced to speak to the senate regarding a proposed change to the university's policy on ownership and management of research data, on which the senate finance and administration committee chair had reported in November 2014. Due to the number of concerns raised by the senate membership, Jan and Julie came to clarify questions for the senators.

Jan began by noting that the change in question has to do with item 5.3.1 of the proposed policy. She shared the following:

- *Proposed change to 5.3 (bolded) and additional sentence (5.3.1) (bolded) to the [UNH policy on Ownership and Management of Research Data](#):*

5.3 *Custody.* Through this policy, **except as stipulated in 5.3.1**, the University automatically assigns custody of all University-owned research data to the PI, Other Investigator, or Sponsoring PI (for students), as applicable, who carries out her/his custodial responsibilities in accordance with this policy.

**5.3.1 For research studies initiated by UNH where data about the institution are collected for purposes of institutional decision making, the University assigns custody of the research data to an UNH Academic Administrator who carries out her/his custodial responsibilities in accordance with this policy.**

*Rationale:*

*The institution wants to ensure that the custodianship of research data collected by a faculty, staff, or student in response to a request from the institution (e.g., at the request of an administrator or a department) on behalf of the institution and which are about some aspect of the institution (e.g., employee experiences, attitudes towards an issue, status of physical infrastructure) remain at and under the control of the institution in the event of the departure from UNH by the person collecting the data.*

*This proposed addition is in response to a recent situation where UNH employee committees/councils asked an employee on their behalf to conduct a study that involved surveying UNH faculty and staff about a topic of interpersonal relations in the workplace. The information collected was considered very sensitive in nature and particularly had there been a breach of confidentiality, potentially harmful to certain individuals. Shortly after the study was conducted and the results shared with the employee committees/councils, the employee who conducted the study separated from UNH under acrimonious circumstances. According to the current UNH policy on Ownership and Management of Research Data, that employee could as the principal investigator take the original data as the employee was the custodian of the data. The employee indicated that he wanted to use the data in his subsequent research and the university was worried that the data may have been used in such a manner that would negatively impact respondents and/or the University.*

*Clarifications:*

*The sentence applies to all studies, regardless of funding, where initiated by the institution involving the collection of institutional data for institutional decision making purposes.*

*The sentence does not apply to studies initiated by faculty, staff, or students (rather than at the request of the institution) in pursuit of their own research projects. For example, it would not apply to the following:*

*A student designs a research project funded by a SURF grant that involves conducting a survey of students about their experiences with weight and health issues during their first year at UNH.*

*A faculty member as part of his research agenda designs a study that involves, in part, assessing UNH's technological infrastructure and applies for federal funds.*

*A staff member conducts a study that assesses the spirituality of students as part of a master's degree.*

*The term "principal investigator" is used as this is the term used throughout the policy to refer to the faculty or staff member who is charge of the project and who is custodian of the data (2.1.1 "Faculty or Staff Principal Investigator (PI): A faculty or staff employee of the University who holds primary responsibility for the research project/activity for which data will be collected.")*

*The additional sentence does not change the ownership of any research data as, with few exceptions, research data are owned by UNH. Rather, it places the custodianship of data collected at the request of the institution about the institution for institutional decision making with an Academic Administrator rather than faculty or staff principal investigators. An Academic Administrator has certain fiduciary obligations which would mean that the data would remain at the institution if that person left UNH.*

*As the UNH policy on Ownership and Management of Research Data does not address authorship issues, the additional sentence does not have any implications on authorship decisions. The additional sentence is purely to address custodianship of data.*

Jan noted that the real issue is not about ownership of the data, but custody of the data. She pointed out that this policy change applies only to data collected in studies that are initiated by the university for gathering institutional data to be used in institutional decision making. She said that this change was prompted by some recent cases in which the PI who ran such studies left the university, leaving the institution without a way to maintain custody of the data gathered. She said there are no implications for authorship, nor does it change ownership of the data itself. It does not apply to research initiated by faculty or students.

A senator commented that this proposed change appears different from what the senate reviewed with the Research and Public Service Committee (RPSC). Jan said that the wording was altered somewhat to clarify some of the concerns the senate members had raised last semester. She noted that although concern was expressed about having an administrator identified as PI (Principal Investigator), that designation is only for custodial purposes, and has nothing to do with being the PI on a grant for such research. She also pointed out that there is rarely outside funding for the kinds of research to which this policy applies.

After some discussion, a senator suggested that the wording of the policy be changed to indicate that in such special cases (as when the institution initiates such research), the administration will maintain custody of the data, rather than designating an administrator as PI. Another senator strongly supported this suggestion, and Jan and Julie were both very amenable to re-writing the policy one more time to include such language.

Another senator asked what would happen if such an administrator, holding custodial rights to specific data, were to leave the university. Jan responded that the custody of the data remains with the position, not with the person holding the position; the institution itself maintains custody with that administrator responsible for that custody. She also pointed out that UNH owns all data from studies by faculty using UNH resources. Ownership and custody, however, are distinct. Julie

Simpson referred to overriding contractual agreements with outside companies who own data, while a faculty PI has custody of that data.

Julie and Jan will make changes to the draft policy and resubmit it to the RPSC for their review. The senate chair thanked them for their efforts and presentation.

VI. Presentation by chair and members of the Committee on the Representation of Non-Tenure Track Faculty in the Senate – The senate chair turned time over to Bill deVries and members of the NTTF committee. Bill said he felt that more information regarding the capacities in which Clinical, Lecturer, Extension, and Research (CLER) faculty serve the academic mission of the university might be helpful in directing the senate’s conversation and ultimate decision regarding inclusion of CLER faculty in the senate. To that end, he invited representatives from each of the CLER faculty groups to speak to the senate today.

Anna Sandstrom, a Murkland Lecturer of French in the Department of Languages, Literatures, and Cultures, represented the Lecturer Faculty.

She shared information gathered by the committee regarding the types of CLER faculty ([see powerpoint here](#)) and their appointments, with ball-park data included as of May 2014. Only faculty with 50% or greater appointments are included in this data. No post-docs nor adjunct professors were included. Extension faculty are not included in the chart below; there are about 19 Extension faculty on campus.

type	COLA	CEPS	COLSA	HHS	PCBE	UNHM
Lecturer	133	20	26	7	26	8
Research	12	20	14	3	1	0
Clinical	8	0	23	26	0	0

Anna asserted that the primary purpose of the university is learning: students collaborating with faculty in teaching, research, creative expression, and service. UNH is committed to high quality undergraduate instruction and excellence in graduate education, and her objective is to clarify the lecturers’ role on campus and why lecturers are advocating for inclusion in the Faculty Senate.

She noted that not every college has the three tiers of advancement for lecturers (lecturer, senior lecturer, Murkland lecturer) that exist in the COLA, but she noted that there are clear requirements for promotion. She pointed out that, in their various roles in each college, lecturers as a group contribute to each of the fundamental areas of curriculum, subject matter and methods of instruction, research, faculty status, and aspects of student life relating to the education processes.

Anna noted that while there is some opinion that lecturers are relatively transient members of the community, over half of lecturers at UNH have been here for four or more years, and a third of all lecturers have been here for ten or more years. She offered statistics about the increase in the percentage of courses on campus that are taught by lecturers (30% in 2010 to nearly 45% in 2014). She pointed out that many lecturers have the same terminal degrees as tenure track faculty, and that the lecturers have a wealth of institutional knowledge to share with their colleagues in the senate, and are eager to share in the work of the senate.

Lisa Townson was then introduced. She is the Assistant Director of Program Support for the UNH Cooperative Extension, and a former faculty member. She spoke about the function of the cooperative extension within a state land grant university, calling the cooperative extension the primary outreach arm for the university. She described the 130 educators working across the state in Food and Agriculture, Youth and Family Services, Natural Resources, and Community and Economic Development, and clarified the various titles under which extension educators work. The title of Extension Educator is a classification of UNH Human Resources used for all educators in the UNH Cooperative Extension. State Specialists are people who are housed here on campus with very specific leadership requirements in a specific discipline. Extension faculty are only those specialists who have a formal departmental affiliation. She noted that about 30% of the university's extension faculty are tenure track, with 19 extension faculty having formal department assignments. These faculty teach in seven departments across campus, teaching eight or nine classes per year. Many are voting members of their departments, depending on the bylaws of the particular department. She said that the promotion system for Extension Educators mirrors the tenure process with some differences in standards.

Lee Pozzi Rush, MSW (Master of Social Work) Coordinator and Clinical Assistant Professor at UNH Manchester, was introduced to speak about the Clinical faculty at UNH. She referred to the over 50 clinical assistant professors, most of whom work in the College of Health and Human Services, where they teach, advise, provide service and administrative functions and clinical supervision of students in various programs. She indicated that many clinical faculty hold formal research and teaching appointments, where they provide field, lab and other practical experiences for students. While the promotion process for these faculty varies somewhat from the standard P&T for tenure-track faculty, many of the same elements, such as submission of a dossier, review by peer committee, and review by college dean and university administration are much the same.

Representing the UNH Research Faculty were Cameron Wake, Research Associate Professor Climatology and Glaciology, and Beth Mattingly, the Director of Research on Vulnerable Families at the Carsey Institute. They discussed the work of research faculty in securing grants which fund those research positions, as well as supporting tenure track faculty and PhD and Masters students. It was noted that while research faculty may have no mandatory teaching responsibility, 29 courses are taught each year (from statistics between 2006-2011) by this group. The promotion process for research faculty is similar to the standard P&T process for tenure-track faculty.

The chair of the NTTF committee then spoke to the senate, examining the opinion expressed in senate discussions that only tenure-track faculty are charged with each of the three areas of the academic mission of the university, and pointing out that as the senate is a representative body, meaning that those serving on the senate need not fulfill or be an expert in every aspect of the academic mission, but rather that the diversity of expertise in the faculty senate is the strength of the senate. He asserted that the academic mission of the university is extensive and complex, and the CLER faculty have significant experience and expertise greater than or equal to tenure-track faculty in some cases, and said that there is no good reason to exclude or minimize their voice in the faculty senate, arguing that CLER faculty have no less of a stake in the university than tenure-track faculty, and are no more transient than tenure-track faculty.

Questions were raised by senators regarding CLER faculty, particularly research faculty, who are not attached to departments. Bill said that his research discovered 31 CLER faculty not affiliated

with any department, although the provost's office has provided additional information to reduce that number by 10-15.

A senator asserted that the majority of the senate does not disagree with CLER representation on the senate; rather that the disagreement has to do with the form that representation should take.

The senate chair thanked the CLER faculty guests and turned the time over to the former senate chair to lead the senate into a Committee of the Whole to continue the discussion on this matter.

Todd moved to enter into the Committee of the Whole, and upon an affirming vote, led the senate in a discussion of how the inclusion of CLER faculty on the senate might be best accomplished. He presented three possible methods of representation: representation through academic departments, representation through CLER faculty categories/representative bodies, or representation through colleges. He suggested that the number of representatives will be tied to the method of representation chosen.

He asserted three guiding principles of any proposal for CLER inclusion: 1) that the method of election of tenure-track faculty to the senate remain unchanged, 2) tenure-track faculty will remain the majority in the senate, and 3) that any motion for inclusion of CLER faculty representation on the faculty senate must be inclusive of all CLER faculty. It was noted that the fact that the majority of faculty on campus are tenure-track (about 690 TT faculty/about 300 CLER faculty), there is little likelihood that there would develop an imbalance of CLER and tenure-track faculty disproportionate to their actual representation within the community.

A senator asserted that there is no wording in the original NTTTF committee motion which guarantees a majority to tenure-track faculty in the senate. It was noted that in the last senate meeting, the Committee of the Whole voted in favor of such a guarantee. There followed a discussion of how CLER faculty identify themselves, and what would be the best way to select their representation on the senate. Ease of communication between various CLER faculty and self-identity of CLER faculty were discussed. It was noted that regardless of the method selected, the existing senate constitution and bylaws will be needed to be amended accordingly. A senator asserted that as tenure-track faculty currently serving in the senate, she feels that she represents her entire department, not just the tenure-track faculty, and supported representation by department, leaving the selection of faculty to the departments. A senator pointed out that in some departments, CLER faculty currently are not allowed a vote in departmental matters, and are not even invited to attend department faculty meetings, while in other departments, CLER faculty have equal voice with their tenure-track colleagues. The senate decision on this matter may have an impact on such inequities, although since the senate conducts its own elections, such inequities will not affect the election process.

The next matter discussed was the total number of senate representatives from each department. Currently any department with more than 20 TT faculty have two senators elected, and no department has more than 40 TT faculty. With the addition of CLER faculty, several departments will have more than 40 faculty to represent, and the question arose as to whether a third seat in the senate should be established for such departments. It was also noted that for those departments who continue to have less than 20 faculty (TT and CLER) to represent, any guarantee of TT or CLER representation from each department would automatically eliminate representation for the other group.



The representative from the Lecturer's Council told the senate that that body would prefer representation by department, and suggested some sort of set number or proportionality from each department.

Jim Connell moved that the Committee of the Whole rise, which was seconded and passed. A motion to adjourn the meeting followed.

VII. Adjournment- The meeting was adjourned at 5:02 p.m.