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### 2013-14 FACULTY SENATE - May 5, 2014 Minutes Summary

Faculty Senate

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UNIVERSITY OF NEW HAMPSHIRE  
2013-14 FACULTY SENATE

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 3:12 on May 5, 2014

MINUTES SUMMARY

I. Roll – The following senators were absent: Harkless, Morgan, Pescosolido, Shore, Tenczar, and Ware. Afolayan served as proxy for Mellyn. Gingras was excused.

II. Remarks by and questions to the provost – The provost sent the following message to be read by the senate chair:

*Unfortunately, both Provost MacFarlane and President Huddleston have a conflict in their schedule. They send their sincere regret. They thank the Faculty Senate for the year's successful and productive collaboration, and extend their best wishes for a restorative summer. They look forward to seeing everyone at Convocation and Commencement!*

The chair noted that the president and provost were meeting with colleagues at the new UNH School of Law in Concord.

III. Remarks by and questions to the chair – The senate chair thanked the senate for their remarkable work this year, particularly within the committees on which they served, especially thanking the agenda committee members for their work. He said that it has been a demanding and rewarding experience to serve in this capacity.

The chair also drew the senate's attention to Appendix III.A in the agenda, which re-states the work of the Committee on the Teaching Evaluation Form and serves as [their report to the senate](#). The chair accepted the committee's report.

IV. Minutes – The minutes of the last senate meeting, April 28, 2014, were unanimously approved.

**Action Items:**

V. Vote on motion from Agenda Committee to accept UCAPC report on the Carsey School of Public Policy – This motion was presented at the April 28, 2014 senate meeting (*see Appendix V.A. of Senate agenda 5-5-14 for the proposal and V.B. for the addendum in response to the recommendation from UCAPC and the motion*). Jim Connell, the presenter of this motion, asked if the addenda to the report, received from Bruce Mallory, meet the requirements of the motion. Alberto Manalo, chair of UCAPC, indicated that the committee was satisfied that the addenda address their concerns. The final sentence of the motion was thus struck, reading now:

**Moved on the recommendation of the Agenda Committee: The Faculty senate accepts the UCAPC report on the Carsey School of Public Policy and endorses the proposal**

**and recommends to the provost the establishment of a new Carsey School of Public Policy.**

There was no discussion. The motion carried with 33 ayes and one abstention.

VI. Vote on motion from the floor of the Faculty Senate on the Dual Major in sustainability – This motion was presented from the floor of the senate by Sterling Tomellini, serving as proxy for Rudi Seitz from the Chemistry department, at the last senate meeting, and due to time constraints was immediately laid over to this meeting for discussion.

**Rationale: The College of Engineering and Physical Sciences (CEPS) Curriculum and Academic Planning Committee (CAPC) voted 5-4-0 to recommend approval of the dual major in sustainability, the Committee also felt the proposal required additional consideration and at the same meeting voted unanimously (9-0-0) to have the dual major reviewed by the entire CEPS Faculty and 8-0-1 to request that the Senate send it to UCAPC. It is the view of the CEPS CAPC that the intent of the committee has not been properly communicated with claims to the contrary that the faculty in CEPS had approved the dual major. The motion asks that the intent of the CEPS faculty CAPC be honored by the Senate.**

**Moved: That the proposed dual major in sustainability be sent to the University Curriculum and Academic Planning Committee for review and consideration.**

The senate chair referred to the charter of UCAPC regarding the responsibilities of that committee, noting that the UCAPC is a committee of the Faculty Senate:

*“The UCAPC does not replace the curriculum and academic policy committees of the schools and colleges... In particular, the UCAPC shall:*

- 1. Advise on the resolution of conflicts over “ownership” or “principal residence” of academic areas...*
- 2. Advise on policy changes and apparent trends that affect or have the potential to affect academic quality...*
- 3. Advise on the adequacy of the use of discretionary funds intended to support programs which are essential to the university’s academic mission...*
- 4. Consult and advise on campus-wide curricular matters” (UCAPC charter – [Senate Motion #X-M1](#))*

The chair reported that the provost nor the agenda committee had any plans to ask UCAPC to review the Dual Major in Sustainability. He said he had received a letter dated April 3, 2014, from the Associate Dean of CEPS and the Chair of the CEPS CAPC, requesting that the Senate Agenda Committee initiate a request that the proposal for a Dual Major in Sustainability be reviewed by the UCAPC. The chair stated that the UCAPC’s responsibilities in this situation are outlined in the following statement from the charter:

*“However, the UCAPC has the authority to review the decisions of those bodies when those decisions are deemed by the Faculty Senate, the VPAA, or affected parties to have impacts*

*beyond the school or college in which they originate.” (UCAPC charter – [Senate Motion #X-M1](#))*

The chair said that the agenda committee requested additional information from the affected parties. Thus this motion has come to the senate floor, and the chair turned the floor over to Sterling Tomellini of the CEPS faculty, and chair of the CEPS CAPC, who opened his remarks by stating that this has been an issue of process. His assertion was that the CEPS faculty who are affected by this dual major should have been allowed to review and approve the major, rather than just a few.

A member of the agenda committee noted that had CEPS-CAPC voted in favor of the major contingent on a UCAPC review, that review would have been automatically triggered. He said that this motion simply asks the faculty senate to honor the intent of the CEPS-CAPC, which he views as a reasonable request.

The past senate chair noted that the UCAPC exists to settle conflicts between colleges, and asked why the committee should review the dual major. He said that in the development of this major, the intent was to communicate with each college, and if there were no conflicts regarding the dual major, there would be no need for another level of review. He asked what exists needing review.

A senator from the Paul College noted that their college sent an endorsement of the plan, rather than a approval of the major; the feeling there was that they could not approve such a dual major as it did not originate in their college.

The senate chair noted that each college establishes its own policies and procedures. He received a statement from P.T. Vasudevan, the Senior Vice-Provost for Academic Affairs that included statements from the deans of the colleges supporting the creation of the dual major in sustainability.

It was noted that if the colleges have approved the creation of the major, including CEPS, then unless there is a conflict threatening or affects the quality of the university’s academic mission, then

Sterling noted that the bylaws of the college say that the CEPS-CAPC is an advisory body to the faculty, and as such, it was the intent of that committee for the vote on the dual major to go to the full faculty, reiterating that this process has been unclear and that it would have been better to have conversations between colleges regarding such high-level planning.

The senator from Economics concurred that it is the practice of his college to not adopt such a plan until it has been presented to the faculty for a vote.

The senate vice-chair said that the review of the proposal by faculty members from various colleges actually did happen. The vice provost for academic affairs in consultation with the associate deans of the various colleges selected a group of faculty to review and recommend modifications to the proposal.

The chair reported that a letter from the SVPAA on March 1, 2014 stated that the proposal would not go to UCAPC unless there were a conflict within or between colleges on the matter.

A senator said the committee must bring modifications to full faculty and that UCAPC is not just an appeals body but also a fact-finding body. A member of the agenda committee referred to the comment of the Economics senator, noting that if the letter from the SVPAA states that the Paul College approved the proposal while the college actually only endorsed the proposal, then that is a different matter.

A discussion ensued regarding the most expedient way to resolve these differences in a way that is reflective of the voice of the faculty. The past senate chair raised a concern of adding useless layers of administration and the danger of UCAPC being subjected to capricious requests. In light of the current conversation, he believes that there may be some question as to whether the proposal has been fully approved. Have the colleges' policies and procedures been followed? A member of the agenda committee suggested that it would be expeditious to instruct UCAPC to investigate this issue and come up with recommendations rather than spending time investigating whether the colleges actually approved the proposal or not. He reported that the concerns he has heard have not been about the creation of the major, but rather of the content and rigor of the major, noting that this should be done right from the beginning.

A senator from the English department asked when the proposal was put to faculty vote in COLA. The senate chair said that the COLA Executive Committee voted on the proposal. Another senator said that he felt a sense of coercion, or that "everyone else is approving it..." and questioned the transparency of the process. Another senator asked if this dual major is an interdisciplinary major or something else. It was noted that the proposed major is based on the model of the International Affairs major – one that does not stand alone but in combination with another major as a single degree.

**The motion was put to a vote, passing with 25 ayes, 5 nays and 5 abstentions.** The senate chair will draft a letter to UCAPC with a copy to the provost's office.

VII. Report from the Finance and Administration Committee re: the UNH School of Law Financial Impact – Michael Carter, chair of the FAC, presented the [following report](#) to the senate in fulfillment of its charge to "monitor the full integration of the Law School into UNH for any potential financial issues which may impact the University. The committee took as implicit in its charge the review of administrative as well as financial issues associated with the integration process." The FAC chair thanked professors Denis, Hasseldine and Urquhart for their work on this report, as well as Dick Cannon and Joanna Young who provided support and information from the administration. After giving a brief history of the School of Law, Michael noted the national trend of decreasing enrollments in law schools, and that these schools are making dramatic changes to cope with lower enrollments, including reducing tuition and lowering admission standards. He reported that the UNH School of Law has vaulted nearly 50 places in recent years in the US News and World Report's rankings of law schools in the country. He also noted that the school has ranked in the top ten law schools in the country for Intellectual Property Law for the last 23 years.

He also noted that although the law school has reduced its tuition to offset declining enrollments, the school has not operated at a loss, in part because it has been drawing on the proceeds of its endowment.

As far as administrative issues, Carter said that the American Bar association sets the standards for accreditation for law schools, and that most law schools are highly autonomous. He also noted that most law schools use a system of “alternate security” rather than the tenure system, which means that faculty members from law schools often carry observer status in deliberative bodies like the faculty senate. The senate chair noted that whether the law school faculty would be able to join the faculty union is still under consideration. It was said that the senate constitution would need to be amended to bring the Law School faculty into full senate membership, mostly likely with confluence with the other non-tenure track faculty. The senate chair said he has reached out to the law school regarding such decisions.

Another senator asked if the drawing on the law school’s endowment will eventually deplete those funds. Buzz Scherr, observing faculty from the law school, said that the draw down has mostly been from the proceeds of the endowment, rather than the principal. Michael Carter noted that the value of the endowment is increasing at 3%.

Buzz Scherr noted that one of the reasons the UNH Law School has risen in national rankings is because the school administration saw the national shift in legal education and anticipated the downturn in enrollments, but that rather than lower admission standards, they chose to raise the LSAT and undergraduate GPA scores for enrollment. As a result, the quality of their students has held strong and the school’s ranking has risen dramatically. Scherr also said that another off-set to the cost of reduced enrollments has been a net reduction of eight full-time faculty positions, most of which had reached retirement with minimal buyout. He will continue to serve as liaison with and observer to the senate.

The senate chair accepted the FAC report with thanks.

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

VIII. Report from the Academic Affairs Committee on department policies on on-line courses - The AAC chair submitted this report with no discussion in view of time constraints. ([Appendix VIII.A](#) - senate agenda 5-5-14) The senate chair accepted the committee’s report as submitted.

IX. Report from the Academic Affairs Committee on J-term – Michael Ferber, chair of the AAC, reported on his committee’s work regarding the J-term. ([Appendix IX.A](#) – senate agenda 5-5-14) He reported that enrollments are up from 884 in 2013 to 1248 in 2014. Over the five year period reviewed, one constant that was found is that 90% of all students enrolling in J-term courses are our own students, and a question raised by the committee was whether J-term courses are drawing students away from courses during the regular academic year. He noted that a large number of enrolled students were seniors taking Inquiry courses, and also suggested that some students may be trying to complete their degrees in seven semesters rather than eight to reduce tuition costs.

The AAC chair also noted that the earlier motion proposed by his committee regarding the acceptance of credits for writing-intensive courses has been put on hold for the time being while concerns from the Civil Engineering Department are addressed with the Writing Committee regarding transfer credits for writing-intensive courses. The AAC will re-examine this issue next year.

The chair accepted the report on the J-term and thanked the committee for their work.

X. Report and motion from the Student Affairs Committee on aligning MISA and SRRR language – Joe Onosko, chair of the SAC, reported on his committee’s work in response to the request from Julie Simpson, director of research integrity services, to align the wording of the existing UNH Misconduct in Scholarly Activity (MISA) document and the Students’ Rights, Rules, and Responsibilities (SRRR) document, Joe reported that his committee reviewed ways to address two points at issue.

The motion proposes adding wording to the SRRR which will specify (*Item a of report; SRRR section 09*) that situations of academic misconduct are defined as “*related to undergraduate and graduate coursework and undergraduate thesis and research projects.*” The committee was also reluctant to place any wording regarding honest error within the section defining plagiarism. Therefore, they recommend the addition of wording in the procedures section, (*Item b of report; SRRR section 09.7*), stating “*Situations of honest error are to be considered in this process.*” The intent here is to leave the determination of honest error in the hands of the instructor. The motion and rationale follow:

**The Student Affairs Committee recommends the following two changes (in italics and blue) to the “Academic Honesty” section of the SRRR (<http://www.unh.edu/vpsas/handbook/academic-honesty>):**

**a) Under the opening section, “09 Academic Honesty”:**

“This policy establishes the expectations of the University of New Hampshire for academic honesty and defines situations that constitute academic misconduct *related to undergraduate and graduate coursework and undergraduate thesis and research projects.*”

**b) Under section “09.7 Procedures for Dealing with Academic Misconduct”:**

“The instructor will notify the student of the alleged infraction and what course of action and penalty the instructor believes is appropriate. *Situations of honest error are to be considered in this process.* The student must be allowed an opportunity to rebut the allegation.”

Note that due to the proposed change in “a” above, only graduate student thesis and research work will be under the purview of the UNH Misconduct in Scholarly Activities policy, also known as MISA (<http://www.usnh.edu/olpm/UNH/II.Acad/C.htm>). This includes graduate thesis and research work associated with enrollment in a course.

Regarding “b” above, the proposed change does not exclude “situations of honest error,” rather they are to be “considered in the process” of determining possible violations of academic honesty. (Note that in the MISA document honest error is excluded from misconduct: “3.3. Misconduct in scholarly activity does not include honest error or differences in interpretations or judgments with respect to scholarly issues that are inherent in the scientific and creative process.”)

**History:** In October of 2013, Julie Simpson, Director of Research Integrity Services, and the UNH Responsible Conduct of Research and Scholarly Activity (RCR) Committee requested that the SRRR document be revised (a) to make it more consistent with MISA regarding the definition of academic misconduct, specifically adding language about “honest error” and (b) to limit the purview of Julie Simpson’s Research Integrity Services Office and the MISA policy document to graduate student thesis and research work.

In November, the Student Affairs Committee recommended that the Senate support these changes. During the Senate discussion the following concerns were raised:

- 1) A senator claimed that the MISA wording applies only to federally funded activities. Julie Simpson offered the following response:  
“While the statement that wording of the misconduct definition in MISA is a federal definition is correct, the MISA policy at UNH currently applies to all scholarly activities (with the exception of undergraduate and graduate student coursework), regardless of funding. Therefore, the federal definition is already in use at UNH, and has been since 1998. (See section 2 at <http://www.usnh.edu/olpm/UNH/II.Acad/C.htm>)”
- 2) A senator stated that MISA obligates employees, not students. Julie Simpson offered the following response:  
“This statement is incorrect in that the policy applies to all members of the UNH community, including faculty, staff, and graduate and undergraduate students. (See section 2 at <http://www.usnh.edu/olpm/UNH/II.Acad/C.htm>)”
- 3) A senator pointed to section 3.4 of the MISA standards, which states that student plagiarism is not covered by MISA but is to be covered separately by the SRRR. Julie Simpson offered the following response:  
“This applies to coursework only; currently, all other undergraduate and graduate student scholarly activities are covered by the MISA policy, e.g., plagiarism in a thesis (see sections 2 and 3.4 at <http://www.usnh.edu/olpm/UNH/II.Acad/C.htm>). Given the proposed changes by the Student Affairs Committee, the SRRR policy will now cover undergraduate and graduate coursework, as well as undergraduate thesis and research work.”

A senator asked why any changes were needed at all, being that MISA is intended to cover graduate and scholarly work only. Joe suggested that the senate does not have to approve the motion. Another senator expressed concern that attempting to align university policy with federal



mandate could be precarious. Joe pointed out that the MISA policy, while based on federal law, is a UNH policy that has been in place for some time.

The senate chair asked if these changes aligned the wording of the two documents sufficiently per Julie Simpson's request. Joe indicated that she was amenable to these changes. The chair noted that his understanding of Julie's request in this case was to reduce her oversight. A senator on the RCR committee agreed that the intent is to balance academic freedom and federal regulations.

In order to avoid laying this motion over until the fall, the chair asked if there were a motion to suspend the rules and vote on this motion in today's meeting. Bill deVries moved to suspend the rules, which was seconded by Alberto Manalo. The motion to suspend the rules was put to a voice vote, passing by majority vote with 2 nays and 3 abstentions.

**The SAC motion was then put to a voice vote, passing by majority vote with one nay and 3 abstentions.**

XI. New business – The senate vice chair indicated he had new business, and took a moment to thank the outgoing chair for his hard work, collegiality, vision, leadership, attention to detail, positive attitude and good humor in conducting the work of the senate. The vice chair presented a gift to the chair of an engraved gavel.

XIII. Adjournment-The meeting of the 2013/14 Faculty senate was adjourned at 4:52 p.m. *sine die*

UNIVERSITY OF NEW HAMPSHIRE  
2014-15 FACULTY SENATE

May 5, 2014

MINUTES SUMMARY

I. Roll – The following senators were absent: Bellinger, Carroll, Solorzano, Kun, Marti-Olivella, Morgan, Rodriguez, Samuels, Shannon, Tenczar, Ware and Yalcinkaya. Caron and Afolayan served as proxy for Aytur and Mellyn, respectively. Excused were Benoit, Gingras, Kidwell, and McCrone.

II. Election of officers – **The slate presented by the Agenda Committee was Alberto Manalo as chair, Deborah Kinghorn as vice chair, Todd DeMitchell as past chair, and at-large Agenda Committee members James Connell, Kerry Kazura, and Peijou Kuo.** Other nominations were invited from the senate floor, but none were proposed. **Michael Ferber moved that the senate elect the slate as presented by the Agenda Committee, and that motion was seconded. The motion passed unanimously.** The new senate chair indicated that there would be a planning session later this summer, and that the agenda committee would be meeting this summer to assign the memberships of senate committees, noting that where possible, senator preferences would be accommodated.

III. Adjournment – The meeting was adjourned at 4:58 p.m.