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### 2012-13 FACULTY SENATE - February 11, 2013 Minutes Summary

Faculty Senate

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UNIVERSITY OF NEW HAMPSHIRE  
2012-13 FACULTY SENATE

FEBRUARY 11, 2013

MINUTES SUMMARY

I. Roll – The following senators were absent: Baldwin, Berndtson, Connelly, Harrist, Hartter, Kaen, Minocha, Shore and Simos. Guests were John Aber, Christina Bellinger, Robert Taylor and Sonic Woytonik.

II. Remarks by and questions to the provost – The provost said that a statement on cluster hires and also a report from UCAPC on the marine school proposal have been distributed to the faculty senators.

III. Statement on cluster hires – The provost said that he wants to discuss the matter of cluster hires with the senate today. He gave his cluster hire definition as follows:

This Provost defines cluster hires as two or more tenure track searches which are linked in terms of academic focus, but also in terms of the search and hiring process. Ideally, clusters are focused in areas of scholarship that have been defined as focal points, goals, or emerging areas of strength within or across departments and colleges, and potentially including engagement with centers and institutes. Cluster hires are only one way of creating successful searches and meeting the needs of the institution and its faculty and students. Traditional, individual searches can still be the best approach in situations where no natural cluster formation is possible, either because of a single-investigator tradition, or a very focused curricular need.

The provost said that he recognizes that many faculty are concerned that cluster hires might supersede hires which are primarily aimed at meeting curricular needs. However, as part of the budget process, he has written to the deans that “As with last year, proposals that represent cluster hires, or speak in a significant way to college-wide initiatives in teaching, research or engagement, will be favorably received. That said, ...meeting demands for curriculum delivery in efficient, creative and resourceful departments is generally still the first criterion used to define new positions.” The document also says that “...in 2012, the Provost requested that proposals for new TT faculty positions be clustered around identified goals. Actual requests were generated by faculty groups within or across departments, prioritized by the Deans, and forwarded to the Provost. Some high priority requests based on immediate needs for curriculum delivery alone, within individual departments and outside of clusters, were considered and approved.” The provost added that “The concept of faculty ‘lines’ that belong to departments or colleges has not been in practice for many years” and that with “the advent of RCM and the decentralization of most budget decisions to the colleges and Deans, faculty staffing is limited primarily by college budgets, and the decision on the distribution of faculty types within a college is a college decision. Currently, the Provost's Office does not review or constrain the hiring of non-tenure-track faculty, as these do not always represent the same kind of long-term commitment as a tenure-track hire....”

The provost said that he has not responded to the Faculty Senate's statement, in motion XXVI-M19 passed unanimously on 4/30/2012, that a policy document on cluster hires should be established, because he has not yet discussed the matter fully with the Faculty Senate. He said

that the hiring policy is the same as it has always been. He added that his goal is to bring to UNH the best young faculty possible and that they are interested in cluster hires. He said that cluster-hired faculty are not only in research, that they must do both teaching and research just as other tenure-track hires do, and that meeting curricular needs is the first criterion. However, he believes that linking departments helps the working environment for all faculty. A senator said that his department proposed a cluster hire and thus got a hire approved for the first time in many years but that the salary required was high and the person hired would not have to teach much. The senator expressed concern that the university has moved towards a model of lecturers and adjuncts teaching large classes and new faculty who teach only one and one-half courses per year. The provost replied that the low amount of courses per year would only be for a limited amount of time and that the new faculty would soon have to teach the regular course load.

A professor said that, while cluster hiring is not a bad idea if it comes from the grass roots and is well balanced with curricular needs, this practice started without much discussion with faculty; and faculty clearly understand that cluster hires have been privileged. He added that the proposals for new schools seem to include hiring new faculty and that this will be a type of cluster hiring. The provost said that the director of the marine school would be a current faculty member at first but that later, if the school earned sufficient funds, one or more outside hires might occur. He added that he did make statements last year about privileging cluster hires. In answer to a question, he said today that cluster-hired faculty would have a home department, would be considered for promotion in that department, and would be firmly rooted in the department. Those faculty members would also have an affinity with another department, perhaps writing grant proposals and/or teaching with faculty in another area of the university. He said that interdisciplinary grant proposals are favored. The provost added that, with cluster hiring, the total number of hires would not be affected but that the distribution of hires might differ. He said that cross-department linkages stimulate the situation. A library faculty member said that faculty in some areas cannot easily create linkages and thus are negatively affected when cluster hires are so privileged.

The provost said that senate motion XXVI-M19 also stated that the provost should give an annual report providing “data on the number and type of tenure track positions proposed to that office (e.g., cluster hire, joint appointment, department hire), which college or other unit made the proposals, and which positions ultimately were authorized by that office.” Today he said that the Faculty Senate should not tell the provost what he should report on, without first discussing it with him, and that doing this was not in accordance with shared governance. The senate chair said that the discussion on cluster hiring will be continued at the next senate meeting.

IV. Remarks by and questions to the chair – The senate chair said that a motion on campus security has been sent to the senators. Todd DeMitchell presented the motion on behalf of the Agenda Committee as follows.

**Safety is an enduring value in educational policy both at the pre-kindergarten to twelve level and in higher education. The need to provide a secure educational environment has, once again and tragically, captured the attention of America’s schools and colleges with the mass killing at Sandy Hook Elementary School as well as the shootings at the Lone Star Community College. While our university police force, counseling services,**

and student services have developed and implemented excellent policies and procedures both proactive and reactive to imminent violence on campus, there is an important and necessary place for the role of the faculty in protecting students, staff, other faculty, and ourselves. The Faculty Senate has a role in securing a safe campus for all. Therefore, the Agenda Committee makes the following motion:

The Faculty Senate at the University of New Hampshire encourages the faculty through its department, college, and university-wide units to review the policy and procedures for responding to the threats that intrude on our campus. Specifically, we urge all faculty members to review the policies, attached below, on the identification of potential threats, the reporting of potential threats, and the response to threats. Because of the complexity of our university, no one approach to how to implement and how to review the policies suffices.

Therefore, the Faculty Senate encourages all units of the university to discuss how best to review and operationalize our security policies. We cannot wait to discuss what the policies mean when we need to implement them. To that end, we ask all faculty senators to forward this motion to their respective departments/divisions and that deans and other university administrators also start the discussion.

#### **Policy Sites for UNH Durham**

Faculty/Staff Referrals: <http://www.unhcc.unh.edu/faculty-and-staff-referral-guide>

Crisis/Emergencies - Counseling Center: <http://www.unhcc.unh.edu/crisis-emergencies>

Students in Distress - Counseling Center: <http://www.unhcc.unh.edu/students-distress>

Emergency Response to Violence: <http://www.unh.edu/emergency/workplace.html>

Emergency Procedures, pages 18-19, for work place violence and suspicious individuals: <http://www.unh.edu/research/sites/unh.edu.research/files/docs/EHS/Occ-safety/Emergency-Procedures-Program%20Rev%2001272012.pdf>

#### **Policy Sites for UNH-Manchester**

Emergency Procedures:

<http://manchester.unh.edu/sites/default/files/pdf/unhm-emergency-procedures.pdf>

Shooting and Suspicious Individuals Protocols:

<http://manchester.unh.edu/student/security/emergency-protocols>

#### **Policy Sites for UNH School of Law**

Campus Security: <http://law.unh.edu/consumer-information/campus-security>

The senate chair said that Paul Dean advises other institutions and gives training sessions on the subject of campus security. A senator said that most classroom doors either have no locks or have locks for which the faculty do not have keys and that there are often no shades or blinds on

the windows. David Cross from the UNH Counseling Center came to a senate meeting last year to discuss how faculty could respond to people who are in stressful situations. Today after discussion, friendly amendments were accepted to change the third sentence in the rationale to begin “While our university police force (albeit only on the Durham campus), counseling services...” and to add a sentence at the end of paragraph three to say the following. “We also ask that questions and concerns uncovered by such review be reported to those responsible for security.” **The motion as amended passed unanimously.**

V. Minutes – The minutes of the last senate meeting were approved with all ayes except for two abstentions.

VI. Motion from the senate’s Academic Affairs Committee, on grade changing – On behalf of the senate’s Academic Affairs Committee, its chair moved that the senate approve the following motion, with the modifications accepted in the last senate meeting. The rationale is as follows.

**It has apparently happened very seldom at UNH that the administration has intervened to change the grade or status of a student, with or without informing the instructor. Only one recent example has come to our notice, a case where several students in a UNHM course were allowed, well past the withdrawal deadline, to change their status to “audit” in order not to damage their GPA. The professor was informed and objected to the change. We have not been asked to rule on this case, which no doubt has many complications, so we will only note that the administrators who overruled the instructor assume the burden of making a strong justification for their interference. And we point out that the difference between a grade and a status is vague, if only because a change in status may affect a student’s GPA, as it did in this case.**

**To change the grade or the status against the instructor’s wishes is always a very serious matter. (It is perhaps less serious in the case of a teaching assistant, even if he or she is the instructor of record, since TAs are in some respects apprentices learning their profession.) We understand that US courts have ruled that an instructor may not be compelled to change a grade/status but that the university or college administration may change it nonetheless. This is a subtle distinction, to put it mildly. We grant that on rare occasions administrators representing the university as a legal entity may be justified in overruling an instructor. When they do so, it must be made known to the instructor, who has the right to appeal to the Academic Standards and Advising Committee and, if not satisfied, to the provost, and made known to the chair of the senate’s Academic Affairs Committee. But we make the following motion in order to make the procedure explicit.**

The revised motion is as follows.

**Before the administration changes a grade or status of a student in a course without the concurrence of the instructor, an explanation must be given in writing to the instructor, or to the department chair if the instructor cannot be reached, and to the chair of the Academic Affairs Committee of the Faculty Senate. The instructor has the**

**right to appeal to the Academic Standards and Advising Committee and, if not satisfied, to the provost.**

The committee chair confirmed that “status of a student” would include a student who is attempting to drop the class either while the course is ongoing or after the course is concluded. Another charge has been sent to the Academic Affairs Committee, to compare the grade change policy and procedures used at the UNH-Manchester and UNH-Durham campuses. **The revised motion shown above passed unanimously.**

VII. Report from the senate’s University Curriculum and Academic Policies Committee, on the marine school proposal – The UCAPC report to the Faculty Senate on the School of Marine Science and Ocean Engineering proposal has been sent to the senators. Recommendations in the report include the following. (1) UCAPC proposes a one-year deadline, from the inception of the SMSOE, for the provost to choose a permanent “direct report line” other than the Provost’s Office or its subsidiary offices, in keeping with the university policy on interdisciplinary schools. (2) Under Section G, a five-year goal of the SMSOE is to have “helped the Colleges identify research and academic gaps and support efforts to fill these with newly hired faculty (tenure-track or research)”; and since this appears to be a rather broad mandate, UCAPC recommends that the school work collaboratively with the colleges when they identify potential areas of mutual research and/or academic interest for which new faculty positions may be appropriate. (3) UCAPC recommends that the proposal clarify and strengthen the role of the Advisory Council, clarify the relationship between the Advisory Council and the Executive Committee, and emphasize the traditional role of faculty in shared governance. (4) UCAPC recommends that the implementation committee ensure that there be clear financial metrics for the annual and comprehensive reviews, with the understanding that the Advisory Board (where the deans sit) would be asked to make proposals to maintain, scale back, or eliminate the school or to identify alternative funding sources should the initiative be maintained without reaching anticipated levels of revenue. (5) Since, if the SMSOE hires a tenure-track faculty member, this is a commitment made by UNH, UCAPC recommends that, anytime a faculty member is approved who is funded by the school, there needs to be an accompanying MOU of what would happen if the school closed or its revenue declined, outlining how the faculty member would be housed, paid for, etc. UCAPC notes that it does not implicitly approve the addition of three new faculty positions (including the school director), the support of which is mostly based upon presumptive growth of external grant finance and administration revenues.

The UCAPC report includes italicized responses by the SMSOE steering committee, to questions posed by UCAPC. The UCAPC report says that there is a lack of clarity about the Certificate Programs. Are the students in the Certificate Programs matriculating UNH students? If so, revenues from those students should flow back to the school in the same manner as revenues from other programs administered by the school. The report suggests that the senate should seek clarification on this point. In response to a question at today’s senate meeting, the UCAPC chair said that UCAPC is aware of the contractual requirements regarding programmatic displacement and financial exigency. A senator said that he hopes there will be provision for what the impact of the proposed school will be on the colleges, regarding faculty time, responsibilities, overhead, and other issues. He added that all of the finance and administration revenues from the research faculty will go to the school and that more than half of the F&A revenues from the tenure track

faculty will also go to the school. He expressed concern about the idea that a school might exist outside of the colleges or EOS. The UCAPC chair replied that the school's proposers claim that reporting to more than one college would be cumbersome and time consuming. UCAPC has suggested that the school might report to the Graduate School, to EOS, or to two colleges, that the school might have one year to decide while programmatic reviews such as those in EOS and the Graduate School are finalized, and that the school should not report to the provost or his office after that. This might form a precedent for other potential new schools. UCAPC does not agree with the marine school proposers' contention that the Graduate School is "decoupled from the research mission". A senator suggested that, even if the new school is in the Graduate School or EOS, the new school should also be in a college.

The senate chair said that, under its charter, UCAPC reports to the Faculty Senate, which reviews the UCAPC recommendations and can make a decision on any such recommendations. A senator said that the "newly hired faculty" which the five-year goal of the SMSOE would include, should be discussed now. How would the prospective hires be paid for, and how would they be any different from cluster hires? The senate chair said that the new school proposal will be discussed further at the next senate meeting and that some of the proposers will be invited to speak to the senate at that time. In the meantime, the faculty senators should bring these matters to their departmental colleagues and ask for input. The senate chair will also discuss these issues with the dean of the Graduate School. The UCAPC chair will provide to the senators the latest Marine School proposal and its budget.

VIII. Report from the senate's Research and Public Service Committee, on research faculty promotion – The RPSC chair pointed out that research faculty are not tenure track faculty and are mostly paid through outside grants. The Research and Public Service Committee report said that this academic year the committee carried forward from last year two major questions that had come to light in 2012. First, there was some concern over the role that teaching played in consideration of the promotion of research faculty from assistant to associate professor. This confusion was exacerbated by a difference in wording between the promotion criteria in the university system's document and the policy document from UNH. This situation has been resolved, because those documents for 2013 now have the same wording; and that has eliminated the confusion that was present earlier. The RPSC feels that there is no further action required on this matter. Secondly, it has been brought to the attention of the committee that, during the recent past, the promotion process for some research faculty had circumvented the process outlined in the guidelines, which state that the formation of a committee to consider these promotions will be based on members selected by the dean (or deans if the research faculty is associated with several colleges). This apparently was not done in the past, and this deviation may have happened more than once. Currently the document concerning this matter reads as follows.

For Research Faculty with a joint appointment, promotion is administered through the unit designated as the home unit. The home unit will be determined by mutual agreement among the faculty member, the unit head, and the dean/director of the college/school/institute. See <http://www.unh.edu/provost/sites/unh.edu/provost/files/docs/jointfacultyappointments1.pdf>.

The awarding of a promotion shall be initiated only through the designated home unit, but the secondary unit must be consulted and given an opportunity to provide information concerning performance as it relates to promotion. Evaluation will be based on the criteria described under teaching, scholarship, and service in the Procedures and Criteria for Promotion and Tenure. (See the above document reference.) The evaluation will consider the nature of the appointment and the expectations of the position as specified at the time of appointment or as subsequently modified.

If the joint appointment of a research faculty member does not include an academic department, an ad hoc Promotion Committee will be formed. It must consist of no fewer than three tenured faculty, all of whom have scholarly expertise related to that of the candidate, and may include Research Faculty at an equal or higher rank than the candidate. The dean or deans who approved the original appointment of the research faculty member will appoint the members of the ad hoc Promotion Committee. The candidate may suggest nominees, but it is not required that the Committee include any of the candidate's nominees.

The majority of the RPSC felt that the wording of the guidelines written in 2013 clearly spelled out the procedure for promoting research faculty and the obligations for both academic and administrative units. The RPSC chair said to the senate that, if the joint appointment of a research faculty member does not include an academic department, the promotion committee must be formed by the appropriate deans. The provost has told the RPSC that these guidelines should be followed but that a past promotion was an unusual one and was done slightly differently. The RPSC chair told the senate that, in the future, there should be no violation of the rules and that, if there is, the deans could take action.

A senator said that research faculty are not budget neutral to UNH, because those faculty require laboratory space. The RPSC chair replied that in theory the grants should cover that, but there are some times when UNH provides the space. Another senator said that, although all research faculty are supposed to have a departmental affiliation, the above document indicates that there were some research faculty who were not affiliated with a department. The RPSC chair said that faculty in the department proposed for affiliation can vote to accept or not accept a new research faculty member. A senator said that new research faculty may report to an academic program rather than an academic department. A professor said that, in the 2009/10 academic year, research faculty were promoted for the first time without the involvement of a college promotion committee and that this should not happen in the future. The RPSC chair said that the guidelines should apply whether the research faculty participate in teaching or not.

IX. Adjournment – The senate chair said that item H from today's agenda is not yet ready and that items I and J will be postponed until the next senate meeting. Today's meeting was adjourned.