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UNIVERSITY OF NEW HAMPSHIRE
2005-06 FACULTY SENATE

FEBRUARY 20, 2006

MINUTES SUMMARY

I. Roll – The following senators were absent: Burger, Frankel, Kallianpur, Lugalla, Macieski, Morgan, Nagy, Robertson, Smith and Tenczar. Becker, Dorfsman, Givan, Jolley, Lewis, and Reid were excused. Sam Shore was a guest.

II. Remarks by and questions to the chair – The senate chair said that the American Sign Language Task Force has forwarded its recommendations to the senate’s Academic Affairs Committee for its consideration. Also, the senate chair asked for faculty willing to assist in a pilot program to test plagiarism-checking software during March and April. The Faculty Senate had passed a resolution last year recommending the adoption of plagiarism-checking software. Faculty participants will be asked to attend two meetings, access the two plagiarism-detection products via Blackboard, require some students to submit writing to each detection product, submit at least one student paper to each product, agree to be enrolled in a Plagiarism Detection Blackboard organization, provide feedback in an online survey, and participate in a comparative evaluation. Interested faculty should contact Laurie Trufant at lwt@cisunix.unh.edu.

III. Minutes – The senate unanimously approved the minutes of the last Faculty Senate meeting.

IV. Request to put student evaluations on the web – Mark Rubinstein had forwarded to the senate chair a request from the chair of the Student Senate’s Academic Affairs Committee asking whether the student evaluations of teaching could be posted on the web. Currently those evaluations are available to students in the UNH library. Students can also look up a professor online on websites such as pickaprof.com and find out what percentage the professor gives of As, Bs, Cs, etc. The senate chair said that he wrote University Counsel Ron Rodgers about UNH releasing data on grades, including specific instructors’ grades, to some other entity, especially a commercial company. The university counsel replied that the consensus opinion among practitioners and regulators alike is that the Right-to-Know Law does not distinguish among requests for access to public records by (1) the identity or status of the requestor or (2) the intended use of the information. Ron Rodgers said that the following quotation from the NH Supreme Court’s opinion in Mans v. Lebanon School Board is cited as authoritative on this point in the Attorney General’s Right-to-Know Law Memorandum (issued 2003; page 21): “4. A citizen does not have to offer a reason or demonstrate a need to inspect the documents. If a record is public, it must be disclosed regardless of the motive for the request. The issue is always whether ‘the public should have the information’ not whether the particular requesting party should have the information. Mans v. Lebanon School Board, 122 N.H. 160 (1972).”

The Faculty Senate chair has told the provost that the faculty should have been notified when the university began releasing the grade data, and the provost will discuss this matter the next time he comes to the Agenda Committee and the Faculty Senate meetings. A senator said that the memorandum from the Attorney General says that the information must be released “if the records are public”, but individual grades are not public. Moreover, there is a list of exclusions that includes school records; and also the memo refers to privacy as an overriding consideration, which is not reflected in the university counsel’s letter. Individual students’ grades are private, but the aggregate data about students’ grades in general may not be private. In the same way,

grades awarded by an individual professor may be private, whereas the aggregate of grades granted in a university or a college may be public. However, the university is releasing the grades given by individual faculty members. The teaching evaluations filled out by students show only the grade the student expects, not the grade the student actually gets.

A professor said that, if the university does not stop distributing to commercial entities the grades given by individual faculty members, faculty should evaluate students with words rather than letter grades and also that teaching evaluations by students should be changed to essay questions, rather than quantitative questions. Another professor pointed out that each grade depends to a great extent on the student's ability and effort and thus the grade is not a good reflection of the professor's ability. The senate chair will invite the university counsel to discuss these matters with the Agenda Committee.

Faculty are concerned that the evaluation questions were designed for faculty development and for use in the promotion and tenure process and were not designed for helping students pick a course. A professor said that, if the purpose is changed, the evaluation questions should be reconsidered, to make sure they are designed correctly for the new purpose. The student observer to the Faculty Senate was invited to speak and reported that the Student Senate has passed a resolution suggesting that the questions on the student evaluations of teaching be reviewed and improved. Student Senate would like to work cooperatively with the Faculty Senate on this matter. Sean Kelly will forward to the Faculty Senate chair the Student Senate resolution. A professor mentioned that certain faculty members have expertise on how questionnaires should be worded. Another faculty senator suggested redefining the whole process of student evaluations, perhaps by asking seniors or juniors to volunteer to attend one or two classes and write a non-anonymous evaluation. A professor said that for many years the Department of Earth Sciences has used questions asking for essay comments on the lecturers, texts, labs and examinations; and the department has recently added a question on "overall rating". This type of evaluation provides more comments which help faculty members improve their performance. A senator asked if there is a state statute that requires student evaluations. The senate chair will pose that question to the university counsel.

V. Responsible contracting – The chair of the senate's Campus Planning Committee said that his committee was asked by the senate chair, who was passing on a request from the AAUP, to review the "Responsible Contractor Laws", an eleven page paper from the Laborers New England Region Organizing Fund and bearing the seal of Laborers' International Union of North America. The Campus Planning Committee found the document to be a one-sided pro-union polemic. While the committee encourages the university to be responsible, fair, just and legal in its dealings with workers and with contractors, examining contracts may not be within the purview of the Faculty Senate's duties, since contracts should be the result of negotiation and agreement between the two parties.

Either party which deems the terms of a particular contract to be less than responsible, fair, just and legal should present the case to a body that has some authority in the matter, such as the appointed negotiating team, the agreed-upon fact finder, the appropriate court, the NLRB, OSHA, Better Business Bureau, etc. The aggrieved party may appeal to the Faculty Senate to render an opinion, if there is significant faculty involvement. However, the senate is under no obligation to consider the case. Moreover, even if an opinion is rendered by the senate, such

opinion would be informational only and possess no obligatory force for change to be made. After having received a sympathetic opinion from the senate, the aggrieved party would be free to petition the senate to take specific action, as long as there is significant faculty involvement; but this goes beyond the scope of the committee's charge. The Campus Planning Committee recommends that no action be taken on this matter at this time.

There is concern about the treatment of campus housekeeping workers who are now employed by outside contractors and also about undocumented foreign workers such as those which may have been employed by outside contractors on the reconstruction of the library. The senate chair asked that faculty send him information on these matters this week and said that the Agenda Committee will discuss the issue on Monday. A senator added that, if the university is willing to release the grades given by professors, then the university should be willing to inform the senate about the custodial pay levels, the average number of hours the custodians work, and what entity employs them.

VI. University institutes – The chair of the senate's Academic Affairs Committee said that in 2004 a policy for university institutes was drafted and that the AAC's charge is to review the course approval section of the university institute proposal, monitor means by which university institutes create courses, and insure that there is proper faculty consultation. The AAC considers that wording should be added to that policy, to state explicitly that courses proposed by university institutes should be evaluated and approved by the affiliated academic department and by the Graduate School, using the same level of checks and balances and approval process as for departmental courses. Also, how the EOS curriculum committee is constituted should be made clear. The Academic Affairs Committee is now getting feedback from the college curriculum committees and may formulate a motion for the senate later. The senate chair said that the provost and the vice president for research and public service are aware that the institute courses need better vetting by the affiliated department and the Graduate School.

VII. UCAPC – The University Curriculum and Academic Policies Committee is a senate committee elected by the faculty at large. Most of the faculty members on UCAPC are not faculty senators. The current membership is eleven faculty, two administrators, and two students. UCAPC's purpose is to uphold the academic mission, integrity and priorities of the university. UCAPC is intended to serve as an appeals and fact-finding body to consider academic and curricular matters which have inter-college and/or campus-wide effects or which are likely to affect the quality or integrity of the realization of the university's academic mission. UCAPC is to advise on the resolution of conflicts over "ownership" or "principal residence" of academic areas and to advise on policy changes and apparent trends that affect or have the potential to affect academic quality. The current charges are to monitor curriculum changes, in order to track their impact on academic programs over time, and to consider whether units are inappropriately changing their practices in order to maximize enrollments and funds in that unit.

UCAPC has initiated discussions with the Discovery Program Advisory Committee. No curriculum changes were brought to UCAPC for review this year. The RCM Review Subcommittee on Quality and Governance said that RCM has had no effect on academic quality. The vice president for academic affairs and the Agenda Committee of the Faculty Senate have the authority to assign cases to UCAPC, normally after consultation with each other. Other groups would ordinarily present their concerns to either of these entities for referral to UCAPC.

The UCAPC chair said that UCAPC was established because of concerns about RCM and to deal with inter-college conflicts which might result from RCM. The senate chair said that faculty who are aware of any problems suitable for UCAPC's consideration should bring those issues to the Agenda Committee.

VIII. RCM review concerns to the Central Budget Committee – Mimi Becker, Dan Reid and Curt Givan are the senate's representatives to the Central Budget Committee. Concerns have been expressed about (1) proposals to count research faculty as half of teaching faculty for the purpose of distributing state funds, (2) the impact of the "hold harmless" clause on colleges which are already in fiscal difficulties, and (3) the proposal to have less of the indirect cost returns go to principle investigators.

IX. Shared governance in CEPS – The AAUP has asked the Faculty Senate to consider whether there is a possible problem of shared governance in CEPS, regarding the allocation of space after the renovation of Kingsbury Hall. The AAUP says that there was an agreement between the faculty and the CEPS dean and that this agreement, which was arrived at by shared governance, was abrogated by the new CEPS dean without shared governance. The senate chair has asked the faculty senators from CEPS to discuss this matter with their departmental colleagues and to report back to the senate. The Agenda Committee will look into inviting the chair of the Chemical Engineering Department and the provost to speak on this issue. Ed Hinson, who is the Agenda Committee member from CEPS, will confer with the CEPS senators and other people with knowledge about this matter. The space issues were discussed at a SARRC meeting. It is not the senate's job to decide on space issues but rather to consider whether shared governance procedures have been followed.

X. Curtailment – Last semester, for the first time in thirteen years, an examination day was curtailed due to a snowstorm. On behalf of the Agenda Committee, Jeff Salloway proposed a **motion that, in response to student concerns as voiced to the Faculty Senate by the leadership of the Student Senate, the Faculty Senate requests that, in the future, the provost sequester the hours of 8:00 to 10:00 pm each day of exam week during fall semesters, to provide times during which exams cancelled during university curtailment can be re-scheduled.** This motion would deal with most situations but does not specify what to do about students who would then have more than two exams on a given day and other special situations. The registrar might handle those issues. A professor asked if students would be required to give up travel reservations to attend an exam delayed due to curtailment. A senator said that, after the recent curtailment which fell on a Friday, the exams were held on Saturday and that worked well. Could some exams be given via Blackboard? The senate chair said that the Academic Affairs Committee and the Student Affairs Committee should discuss this matter and give the senate their recommendations at the next senate meeting.

XI. Adjournment – Today's meeting was adjourned, and the discussions on library funding and on whether UNH is moving away from research will be postponed to the next senate meeting.