

Faculty Senate Meeting Minutes

6:30pm, September 1, 2020

Via Zoom Conferencing

Attendance (48 participants): Roger Alford, Panos Antsaklis, Ruediger Bachmann, Katrina Barron, Timothy Bays, Bridgette Befort, Susan Blum, Ashley Bohrer, Catherine Bolten, Cody Brockelmeyer, Katie Bugyis, Jeffrey Burks, Kathleen Cummings, John Deak, Lauren Fiedler, Mary Frandsen, Sarah Galbenski, Anna Geltzer, Douglas Hall, Randal Harrison, Daniel Johnson, CJ Jones, Shaun Lee, Jian-Ren Lim, John Lubker, Paul McGinn, Amanda McKendree, Ronald Metoyer, John Michel, Vanesa Miseres, Shahriar Mobashery, Paulinus Odozor, David Richter, Sebastian Rosato, Nathan Rose, Sophie Shive, Anna Simon, Phillip Sloan, Thomas Stober, Daewon Sun, Joe Urbany, Molly Walsh, Meng Wang, Richard Williams, Shauna Williams, Abigail Wolfe, Xiaoshan Yang, Samir Younes

1. Opening prayer

Chair Tom Stober welcomed the Senators and delivered the opening prayer. This evening's prayer was written by Hugh Page and offered at the Academic Council meeting held on August 10, 2020.

2. Approval of minutes from meeting of August 4, 2020

No additions or corrections. Minutes were approved.

3. Report of the Chair of the Faculty Senate (written report distributed in advance)

Chair reported that the temporary changes to the Academic Articles were approved by Academic Council on August 10th. Permanent changes will be discussed over the next 3 months. The Provost has proposed an ad hoc committee that would look at potential changes to the Academic Articles and Title IX policies and procedures and report back by October 1, 2020. The Faculty Senate Chair will invite participation on that ad hoc committee. Additional details will be discussed at the October Faculty Senate meeting. The November meeting will be held on the 2nd Tuesday of the month to accommodate Election Day.

4. Reports of the standing committees of the Faculty Senate

Academic Affairs (Anna Geltzer)

The Academic Affairs Committee met at 5:30 PM today to discuss the recent resolution focused on evaluations of teaching. The committee also created an agenda for the coming months and discussed possible action steps.

The Committee revisited the resolution to determine the best way to address faculty concerns regarding how teaching reviews will be conducted this semester. Due to heterogeneity across departments, the Committee plans to reach out to Maura Ryan's office to gain her broader view of these practices across campus.

The Committee also discussed racial and gender bias with the current course instructor feedback forms. The Committee is planning to invite a campus expert who could speak to these concerns and share updates on the conversation around campus around bias and CIFs.

Lastly, the Committee will obtain a copy of the questions from the Provost's Town Hall Meeting held on August 31st to see if any questions are relevant to Academic Affairs.

Administrative Affairs (Dan Johnson)

The Committee discussed a proposal for Title IX Fund independent counsel to assist faculty with Title IX issues.

Faculty Senate proposes that the university fund independent counsel to advise Faculty Senate on the Title IX changes.

The goal would be to determine the best option for protecting the concerns of students and the faculty (and protecting tenure). A number of groups have looked at this issue. Unanimous decision to seek outside counsel. Seek best legal opinion to support a healthy debate. Protect academic freedoms. Outside counsel would be an independent voice with expertise to understand ramifications of changes.

This motion was moved and seconded.

Senators discussed that the last meeting demonstrated a fundamental gap between perspectives. Independent Counsel would help bridge perspectives and address faculty questions and cover concerns with the composition of the hearing boards.

Senators also discussed the need to be careful with using the term "independent" when referring to counsel. Ideally, the counsel's judgements would balance the needs of all—students and faculty. General Counsel is relying on one expert. AAUP and AAU could offer differing points of view and point us to people who are experts in academic labor.

Senators questioned whether we have benchmarked with other institutions and if we can collaborate with institutions when seeking legal counsel. The goal is to identify who has created temporary measures and, more broadly, who is thinking about similar issues. Senators commented that there are also downsides to waiting for other schools to determine their plans.

An amendment was proposed and seconded (Roger Alford, CJ Jones) to make clear that the counsel would be chosen by the Faculty Senate.

Faculty senate proposes that the university fund independent counsel, appointed by the Executive Committee of the faculty senate, to advise the faculty senate on Title IX changes.

Motion carries.

The Subcommittee Chair also provided an update on the status of panel studying Title IX. No ad hoc committee has yet been appointed. The 2nd Tuesday of November meeting will address Title IX issues. The November 20th date was inserted into the change of academic articles. This was approved by the President.

Finally, the subcommittee chair updated Senators on the Faculty Affairs committee suggestion for a Committee on Committees for the University. A 2018 ad hoc report on faculty governance raised issues on the ability to exert a voice or perception of voice. One option might be to establish a Committee on Committees that would look over the status of standing committees. For example, are the standing committees active? Could some of the standing committees be reduced? This Committee could also look at diversity across committees and insert a voice on the establishment of ad-hoc committees. The Committee on Committees could be a consultative body that recommends ad hoc faculty to exert a more powerful voice. The Faculty Affairs Committee is requesting input and the Admin Affairs Committee will continue to study this request.

Benefits, Budget, and Infrastructure (Paul McGinn)

The Committee met with HR in early August.

- No health care screenings this year. If you were screened last year, it carries over to this year.
- Dental contracts renegotiated-no changes through 2022
- No changes in vision through 2021.
- Life insurance is now through Securian. We've seen a decrease in prices. The University is now locked into a contract.
- The Benefits Fair will not be held. A virtual option is possible.
- October 21-November 6: Open Enrollment
- Mandatory flu shots this fall; Date is TBD. Notices will be sent.

The Subcommittee Chair then discussed monthly health care costs across each plan.

- 80% PPO
- 20% HSA

- Shared total costs to Notre Dame 90 million in 2018; 80 million in 2019; Trends are looking good for keeping costs lower.
- Cost breakout: 69% medical claims
- No changes for next year.
- COVID Changes: increased behavioral health
- Costs going up slightly

The Subcommittee Chair explained that any costs for COVID testing is not reflected in healthcare costs. A different pool of money is being used for those services. Off-campus treatments will be reflected in healthcare costs.

Significant reduction in elective care as of March 2020. The numbers a year from now could be different depending on how much COVID treatment was incurred by the University.

The slides from the Subcommittee Chair's presentation will be posted on the Faculty Senate website under password protection.

The Subcommittee Chair discussed the 403B Retirement Benefit. No decision yet on investing in socially responsibly funds.

Reducing the 403 B Contribution will not probably occur but has not been expressed yet.

Student Affairs (Molly Walsh)

The Subcommittee Chair discussed the difficulty with student participation during these challenging times and pointed to wording on course syllabi for Resilient Teaching and wording students can use with instructors.

Discussed how faculty can help black student task force.

Graduate Student Discussion: Noted the importance of good communication and pathways between advisors and advisees and the benefits of recognizing good mentoring with awards.

Graduate Student Discussion: Ways to think about helping graduate students manage mental health during the pandemic. DGS workshops for recognizing distress and how to have conversations with students who may be struggling.

The Subcommittee Chair updated Senators on the request from Black Student Association and the concerns shared through yesterday's strike to divest retirement plans from private prisons. The Benefits committee has been looking at this issue for a year and a socially-responsible fund could be a response here. The 403B Committee is now examining this issue. Senators pointed out that this is separate from the University investments. Employees can choose how their funds are invested. We should have updates in a month or so.

Senators suggested that the committee explore what the endowment has invested in. This may have more impact than just the socially-responsible funds option.

Senators suggested that we need to identify more effective strategies for dealing with this problem. Other institutions have divested in private prisons years ago.

5. Unfinished Business

None reported.

6. New Business

Motion (Susan Blum): The Faculty Senate resolves that faculty have the right to determine which modality to teach best suits their own pedagogical and personal situation.

Seconded by Richard Williams.

Discussion was held that expressed the sentiment of being forced to hold in-person classes, even if faculty are high risk.

Student sentiment is that they are happy to be back in the classroom. They are chiding themselves for taking actions that may have contributed to the current situation.

Motion to postpone consideration of main motion (CJ Jones); Seconded by Randy Harrison.

Discussion on the Motion to Postpone: Invite administrators for clarity on accommodations and exceptions and hold these meetings in subcommittees.

Motion (Rich Williams): The Faculty Senate further resolves that any student who prefers to take all-online classes be allowed to do so.

Motion to postpone this motion (Roger Alford). Seconded.

Discussion: Motion is currently too broad. Students who want to do all online should be decided by individual faculty members.

Motion to postpone passes.

Senators will consult with the Chair to schedule an extraordinary meeting that would be devoted to these questions alone.

Senators discussed the various unknowns related to the pandemic and noted the importance of meeting in the next few weeks.

The chair requested additional information from select Senators to see if an additional meeting is warranted before the next October meeting.

7. Adjournment

Motion to adjourn: CJ Jones

Second: Phil Sloan

Meeting adjourned at 8:35 PM

Respectfully submitted,

Amanda G. McKendree, Ph.D.

Randall Sean Harrison, Ph.D.