

LEHIGH UNIVERSITY FACULTY SENATE

Minutes of the Meeting held on September 3, 2021, 1:00 pm

Via Zoom

Faculty Senate Chair Professor Kathy Iovine called the meeting to order. She noted that Professor Peter Zeitler would be a member of the Senate Executive Committee instead of Professor Jeremy Littau.

The roster of senators present for the meeting appears as Appendix 1.

[Appendix 1 available at <https://facultysenate.lehigh.edu/meeting-minutes>]

Professor Iovine noted that the proceedings of the Senate would be audio-recorded by Secretary of Faculty K. Sivakumar to facilitate the preparation of the meeting minutes.

Note from the Secretary of the Faculty: These recordings are discarded after the approval of the minutes.

1. Minutes of the Prior Faculty Senate Meeting

Professor Kathy Iovine called for any corrections to the minutes of the Faculty Senate meeting of 05/07/2021. A motion to approve the meeting minutes was made and seconded. The Senate unanimously approved the minutes.

The approved minutes are available at <https://facultysenate.lehigh.edu/meeting-minutes>.

2. Remarks by the Provost and Follow-up Discussion

Provost Nathan Urban provided an update. The following are the salient points discussed. The points were made by Provost Nathan Urban unless otherwise specified.

- Updates on campus COVID-19 cases are available on the dashboard. <https://coronavirus.lehigh.edu/>
- Procedures to determine and report the number of cases are being worked out with the help of technology services.
- There is a shortage of isolation beds, and hotel rooms are being reserved. Making arrangements for student isolation is a labor-intensive process.

- There is little or no evidence of classroom transmission for fully vaccinated people. Because students are not getting seriously sick, it seems that they are typically not concerned about getting COVID-19.
- We are reasonably sure that instructor-to-student transmission is not happening. However, it is not possible to precisely estimate the student-to-student transmission. [In response to Professor Jeremy Littau's question regarding how we know that there is no evidence of classroom spread when we are not doing full contact tracing]
- We do not have control over students' social interactions. Existing information shows that the Delta variant rises and declines rapidly.
- Most faculty members are doing substantial additional work to handle the teaching responsibilities during the pandemic, and managing a learning environment in which numerous students are unable to attend class creates new difficulties. Has the university engaged in long-term planning for the current situation, or should individual faculty expect to shoulder these additional responsibilities? [Professor Jenna Lay]
- The degree of breakthrough infection is surprising. Since the professor-to-student transmission is low, we should try our best to continue in-person instruction. We are aware of the difficulties involved with hybrid education. As we get more data about in-class transmission, we will recalibrate our approach. [Provost Nathan Urban]
- Signs to encourage social distancing (that were in place during the summer) should be reinstated; Lehigh should significantly increase rapid testing for students to avoid students waiting to get the results; large group events (such as a recent outdoor music program) should not be approved; masks should be available in every classroom. [Professor Parveen Gupta]
- There is a limited supply of rapid tests. Therefore, only symptomatic students are given rapid tests at Lehigh. Under the current situation, large-scale events will not be approved. The availability of masks around the campus will be increased. [Provost Nathan Urban]
- Masks will be required even for outdoor events involving large gatherings. [Provost Nathan Urban in response to Professor Jenna Lay]
- Why not require mandatory testing? [Professor Kathy Iovine]
- 80% of the infections are breakthrough infections. The current guidelines do not call for testing vaccinated students. We are increasing testing, including random testing. [Provost Nathan Urban]

3. Soaring Together

Ms. Lindsay Drake provided an update on celebrations related to the 50th anniversary of women's admission to undergraduate programs. The slides are given in Appendix 2.

[Appendix 2 available at <https://facultysenate.lehigh.edu/meeting-minutes>]

In response to Professor Hyunok Choi's remark that the promotional materials look too "black and white" and other colors and men should be represented in the celebration, Ms. Lindsay Drake noted that a broader representation is indeed being planned. The details will be available on the website.

4. Impact of the New Health and a Fee on Graduate Students

Ms. Caitlin Lindley (Chair of the Graduate Student Senate) noted that the new Health fee of \$100 per semester is too high for graduate students because many graduate students do not use the Health Center, it is not clear what the fee is for, and the assessment of the fee came as a surprise to students. The following points were made during the follow-up discussion.

- We should not be collecting this fee from graduate students who are a vulnerable population. The departments should cover this additional fee. It seems that not all graduate students are assessed this fee uniformly. [Professor Josh Pepper]
- This issue was discussed during a Senate meeting in spring 2021. Have we learned anything since the meeting? [Professor Jenna Lay]
- This issue was discussed again with the administration. However, it is not clear how the decision to charge this additional fee was made. The Senate will circulate an email to propose a process for deciding on such matters going forward. [Professor Kathy Iovine]
- A "Sense of the Faculty Senate Resolution" is an appropriate way to handle this issue. We can take an electronic vote on this. [Professor at Frank Gunter]

5. First Reading - Code of Ethics

Professor Kathy Iovine noted this motion was tabled during the May 2021 Faculty Senate Meeting. The Senate moved, seconded, and approved a motion to reintroduce the Code of Ethics for its first reading. The document is available at

https://facultysenate.lehigh.edu/sites/facultysenate.lehigh.edu/files/LU_Faculty%20Code%20of%20Ethics%20May%206%2C%202021%20%281%29.pdf

The following are the salient points made during the discussion.

- The results of the Climate Survey in 2016 were a motivation for the creation of the Code of ethics. The survey highlighted hostile conduct and its disproportionate effect on women and minority faculty members. The goal of the Code of Ethics is to preserve academic freedom and tenure while addressing repeated abusive behavior. The responsibility rests on the department and the faculty members and not on the administration. [Professor Tony DiMaggio]
- The Faculty Personnel Committee (FPC) is only involved in the appeals process and not earlier. [Professor Ageliki Nicolopoulou in response to Professor Frank Gunter]
- Is it possible for someone to repeatedly complain about a faculty member to the department chair (such as when a student does not like a professor's political views)? [Professor Angela Hicks]
- The department chair can decide about the severity of the behavior. [Professor Kathy Iovine]
- The Code of conduct covers only repeated infractions. The Code of Conduct does not prohibit faculty members from discussing controversial views with students. [Professor Tony DiMaggio]
- There is an opportunity for the department chair to explain the meaning of academic freedom to the students who complain about the professor. More guidelines for the department chairs would be useful. [Professor Kathy Iovine; Professor Ageliki Nicolopoulou concurred]
- It is not clear how the department chair can determine whether the case does not rise to the level of harassment. [Professor Craig Hochbein]
- Words such as 'hostile' are difficult to define and subject to interpretation. The Code of Conduct will create more problems than it solves. [Professor George Nation]
- Some subjectivity cannot be avoided. The goal should be to correct the situation after discussion. [Professor Doug Mahony]
- Students have no time to engage in repeated complaints about faculty members. It is at the discretion of department chairs to decide whether some complaint needs to be addressed. [Professor Jeremy Littau]
- The Code of Conduct is a good faith attempt to address issues raised in the climate survey. The scope of Title IX is very narrow, and the Code of Conduct addresses issues

not specifically coming on under Title IX. [Professor Mellie Katakalos]

- There is a lot of ambiguity involved in this document. The document also contradicts R&P 2.4.1. The subjectivity may lead to professors being punished for their unpopular views. Since repeated behavior seems to be the focus, can someone uncivil occasionally not be considered violating the Code? The word ‘disrespectful’ should be deleted from the document. [Professor Kevin Narizny]
- Good faith on the part of faculty members implementing the Code is assumed. Bad faith will not work with this or other similar documents. [Professor Tony DiMaggio]
- Faculty members are not trained to deal with conflict. Ombudsperson is here to help in such situations. Since faculty are judging other faculty, fears are misplaced. The departments have to come up with their own meaning of civility. [Professor Jennifer Swann]
- We seem to be focusing too much on the defendants in this discussion. We should instead focus on people who do not have a voice to complain about unacceptable behaviors. [Professor Jeremy Littau]
- We can have an effective Code of Conduct even after deleting the two occurrences of ‘incivility.’ [Professor Jenna Lay]
- Some of the same terminologies appear in our ‘Principles of Equitable Community.’ Why should we shy away from those words now? [Professor Doug Mahony]
- Lehigh has multiple communities. Each department can come up with its own Code of ethics. Specifying one Code of ethics for the entire university is not appropriate. [Professor Kevin Narizny]
- Using the Code of conduct to have a dialogue is very important. [Professor Kathy Iovine]

The proposal will come up for a second hearing at the next meeting.

6. “Sense of the Faculty Senate” Resolution: Guidance on Large Gatherings

Professor Jeremy Littau introduced the resolution. The text is available in Appendix 3.

[Appendix 3 available at <https://facultysenate.lehigh.edu/meeting-minutes>]

Professors Jeremy Littau and Jenna Lay provided an overview of the proposed resolution. Salient points made during the ensuing discussion are given below.

- It appears that such resolutions have no impact on the actions of Lehigh leadership, as evidenced by the prior resolutions on the budget, Honorary Degrees, etc. Is passing such resolutions all that we can do? [Professor Peter Zeitler]
- The goal is to bring this to the attention of the Provost. Especially important is for faculty who do not have tenured appointments. [Professor Jeremy Littau]
- Social engagement is critical for new faculty members to know their new colleagues. They are at a disadvantage if we promote more remote gatherings. [Professor Angela Hicks]

The resolution was put to the vote and passed (22 Yes; 2 No). Professor Kathy Iovine noted that the resolution would be sent to the President, the Provost, and the Lehigh faculty.

7. Other Points Discussed

- Deputy Provost for Faculty Affairs is conducting a comprehensive faculty salary study focusing on equity across different genders and ethnicities. [Professor Kathy Iovine]
- Regarding the Senate's budget resolution, there is no response from the Senior leadership because final, audited financial statements are not yet available and the increase in Covid-related expenses this year. The administration will respond later this semester. [Professor Kathy Iovine]
- Discussions are ongoing regarding the participation of Faculty Senate representatives during the budget discussion of the Board of Trustees. [Professors Kathy Iovine and Frank Gunter]
- Given the inflation of 5.4% last year and a projected rate of 4.5% this year, the merit raises are not enough to compensate for inflation. [Professor Frank Gunter]
- Lehigh is not competitive in faculty salaries compared to peer universities. Five years ago, a comprehensive study was conducted, but the administration did not put additional money to address inequities in the salaries of some department faculty members. Department-level studies must augment the study being conducted by the Deputy Provost for Faculty Affairs. Furthermore, there is no data available to conduct comparative salary studies for professors of practice. [Professor Frank Gunter in response to Professor Clay Naito]
- To increase faculty morale, it is proposed that faculty members teach in their academic regalia on Wednesday and Thursday during the Founder's Day celebrations. [Professor Frank Gunter]

Respectfully submitted by

A handwritten signature in cursive script that reads "Siva". The signature is written in black ink and is positioned above a single horizontal line that extends slightly beyond the right side of the word.

K. Sivakumar ("Siva")
Arthur Tauck Chair and Professor of Marketing

Secretary of the Faculty