

LEHIGH UNIVERSITY FACULTY SENATE

Minutes of the Meeting held on December 6, 2019, 1:00 pm
Venue: Linderman Library 200

Faculty Senate Chair Professor Douglas Mahony called the meeting to order.

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

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

1. Minutes of the Faculty Senate Meeting of 11/01/2019 and Minutes of the Lehigh University Faculty Meeting of 11/04/2019.

Professor Doug Mahony called for any corrections to the minutes of the Lehigh University faculty senate meeting of 11/01/2019 and minutes of the Lehigh University Faculty Meeting of 11/04/2019.

Motion to approve the meeting minutes was made and seconded. The minutes were unanimously approved.

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

2. Remarks by Senate Chair Doug Mahony

Senate Chair Doug Mahony provided an update. The salient points are listed below. Unless otherwise noted, the points below were made by Professor Mahony.

- The Executive Committee of the Board of Trustees have decided to nix the acquisition of BIOS.
- A memo regarding the renewal of background checks was circulated.

3. Benefits Update

Ms. Toni Lee Febbo (Director of HR Services) provided an update Lehigh employee benefits. The slides used are available as Appendix 2 and Appendix 3.

[Appendix 2 and Appendix 3 available at <https://facultysenate.lehigh.edu/meeting-minutes>]

The following are some salient points made during the ensuing discussion. Unless otherwise noted, the points were made by Ms. Toni Lee Febbo.

- Lehigh has not transferred all the medical insurance cost increases to the employees.
- Lehigh's benefits compare favorably with our peers but employee premium is lower.
- Any further reduction in employee cost would have to come from employee salary increases.
- Lehigh has worked with the Business Coalition to compare healthcare costs and benefits. [In response to a question from Professor Hal Skinner as to whether Lehigh uses external consultants to study health benefits.]
- Volunteers from the Faculty Senate are needed to work with Human Resources. [Professor Doug Mahony concurred and noted that someone from the Senate will work with Human Resources]
- The increase in employee health premiums is a nationwide phenomenon. [In response to a question from Professor Tony DiMaggio]

4. Second Readings:

The motions are available at the following link (under December 9, 2019)

<https://facultysenate.lehigh.edu/meeting-documents>

Motion to Amend 3.7.2. Common Hour Exams

Professors Doug Mahony and Ray Pearson noted that the complete wording changes are not ready.

It is useful to pass the current proposal for implementation in Spring 2020 and then pass a larger proposal at a later time. [Professor Jenna Lay]

The Statement from the Faculty Senate sent to all the Faculty in November 2019 will suffice for the registrar to implement steps to avoid class conflicts with Exams. [University Registrar Steve Wilson in response to Professor Doug Mahony]

The changes were approved. The revised section is given below.

3.7.1 General Conduct Except as noted below, all examinations and quizzes worth more than 10% of the final grade are to be proctored by individuals designated by the course instructor. There shall be present in the room where the examination

or quiz is held at least one proctor for every fifty students or fraction thereof. The instructor may at their own discretion, give take home quizzes and examinations without proctoring, provided the students have been fully apprised of their responsibilities.

In all quizzes and examinations the students are arranged so that they are separated to the greatest extent possible in a given room.

If any student, at any quiz or examination, is found using or attempting to use any unauthorized book, paper or other article, or assistance from a fellow student, or any other unfair or unlawful means, such being intended to deceive the person in charge of the exercise with reference to his or her work, the student will be reported to the committee on discipline for action. Whoever willfully gives assistance will be considered as responsible as the person who receives it.

The possession at any given quiz or examination of any articles not authorized by the course instructor will be regarded as prima facie evidence of a violation of the University Code of Conduct.

Conversation or other communication between students in examinations and quizzes is forbidden.

Other than make-ups for missed quizzes/examinations, no quizzes or examinations totaling more than 5% of the final grade shall be given during the last five full class days of each semester except in those laboratory courses ineligible for final examinations.

3.7.2 Common Hour Exams

Common hour exams shall be scheduled by the registrar on appropriate dates in the fifth through the seventh weeks and in the ninth through the eleventh weeks of the semester. Four days during these periods will be assigned for exams. The common hour exam committee may add a fifth day if necessary. Common hour exams may not be scheduled for more than 75 minutes, with the exception of students with documented disabilities.

Priority for scheduling exams will be given to multi-section courses with greater than 100 enrolled students. Exams will only be scheduled for courses which offer a common exam. A single instructor may be assigned an exam time if that instructor's multi-section schedule has more than 100 students and other sections of the course do not qualify for an exam. If an undergraduate class does not qualify for a common hour exam or if the instructor does not schedule a common hour exam through this process then any exam must be given during the regularly scheduled class period, or a take-home exam may be used.

In cases of conflict between two exams, the course with the smallest number of

students enrolled takes precedence. In cases of conflicts where the courses have the same number of students, the course which has the fewest sections shall take precedence for the first round of exams. The reverse will take place during the second round of exams, and the course which provides makeups during the first round of exams will not be required to provide make-ups in the second round.

In cases of conflict between a common hour exam and a regularly scheduled course, the regularly scheduled course will take precedence, and faculty offering the exam must provide a make-up exam.

Courses that refuse to provide make-up exams will be denied an exam schedule. It is recommended that courses with scheduled exams give students appropriate release class time, or use those two class periods for non-mandatory review sessions.

The common exam schedule shall be released by the registrar no later than the fourth week of instruction in any semester. The registrar shall not schedule four o'clock exams so they conflict with major religious holidays.

Note: the common hour exam committee is made up of the registrar and faculty representatives from each department proposing a course for exam scheduling. Each course requesting an exam may have a representative at the meeting.

Motion to Amend 1.3.2.4 Faculty Personnel Committee

Professor Doug Mahony noted that the revised wording was developed after consulting with the current chair of the Faculty Personnel Committee and to ensure flexibility for colleges with a small number of full professors.

Professor Heibatollah Sami noted that the revised wording does not resolve the appearance of independence of the Committee. Professor Sami proposed an amendment to exclude Chairs and Associate Deans from serving on the Faculty Personnel Committee except when no other full professor is eligible for election from a college. The amendment was seconded. Professor Bridgette Dever, Ageliki Nicolopoulou, Doug Mahony, and Hal Skinner spoke against the amendment. The amendment was put to vote and if failed to pass.

In response to Professors Jennifer Swann and Peter Zeitler, Professor Mahony noted that the Senate is working on wording to incorporate a representative from the College of Health in the Faculty Personnel Committee (and other committees) and those changes will be brought forward in subsequent meetings.

The motion was put to vote and passed. The revised section is given below.

1.3.2.4 Faculty Personnel Committee

The faculty personnel committee acts as the appellate committee of the university faculty. To this end, the committee shall hear appeals concerning alleged arbitrary and capricious actions on the part of the administration or a department chairperson that allegedly affect the rights, privileges, continued employment, or academic freedom of a faculty member (see section 2.3). Included among its appellate duties, the committee shall:

1) Hear all appeals alleging arbitrary or capricious action arising from the procedures described in section 2.2 (see section 2.2.1.6);

2) Hear appeals regarding a decision in a harassment case in which a faculty member was accused (See appendix A, section A8). The faculty personnel committee is accountable to the faculty and maintains a dotted line connection to the Faculty Senate for the purposes of policy administration and inter-committee communications.

The committee is composed of five tenured faculty members, each serving a five-year term on a staggered basis. The four members elected by the university faculty to represent the four colleges must be at the rank of professor. The fifth member must be an associate professor at the time of their election to the committee. This fifth member is to be elected at-large by the university faculty. A faculty member may not be reelected to a consecutive full term. The committee member who is senior in years of service represents the personnel committee as a liaison to the Faculty Senate.

In the event the personnel committee decides that any current member should not participate in hearing a particular case because of a conflict of interest, that member shall recuse himself/ herself and the committee shall designate as his/her substitute for that case the former member of the committee who most recently represented the college of the temporarily recused member. If no former committee member of that college is available, the committee will select the most recent former member of the personnel committee who is available to hear the case. As used above, availability implies that the individual is willing to serve and is not recused because of a conflict of interest.

In considering any appeal, the personnel committee is empowered to examine all letters and other documents and to question members of the faculty and the administration for the purpose of establishing facts in the case. The personnel committee may petition the president or the board of trustees for reconsideration of the decision that caused the appeal (see section 2.2.1.6) and representatives of the administration, the personnel committee, and the appealing party may participate in any resultant hearing before the board of trustees or its designated committee.

In addition, the personnel committee has other duties that include:

1) Reviewing all decisions to change the tenurability of a faculty position (see section 2.2.1.3);

2) Considering any move to dismiss a tenured faculty member for cause (see section 2.2.11);

3) Reviewing proposed appointments and making recommendations on those appointments to the administration in cases where a proposed appointment of a visiting faculty member would be for more than two consecutive years (see section 2.2.3).

The committee may also assume other duties as delegated by the Faculty Senate or requested by the administration or board of trustees. The committee is authorized to make inquiries that are necessary to carry out its duties. On the basis of the personnel committee's considerations, wherever appropriate, the committee shall derive general principles designed to enhance processes and/or outcomes within its purview and shall report these in writing to the Faculty Senate. The committee shall report to the Faculty Senate at least once a year. The minutes of the committee are sent to the Provost's Office and posted on the Lehigh University Faculty Senate website.

Motion to Dissolve Faculty Committee on Advancement (R&P 1.3.2.7)

The motion was put to vote and passed.

Motion to Dissolve Faculty Committee on Advancement (R&P 1.3.2.7)

During a brief discussion, in response to Professor Al Wurth's question about the tasks currently performed by the FCC, Professor Doug Mahony noted that the Senate Chair and Vice Chair meet the members of the Senior Administration; the Senate Executive Committee discusses compensation issues raised by the senators; the matters related to faculty compensation will now be handled by the Faculty Affairs Subcommittee of the Senate; all senate subcommittees have members other than senate executive committee members and thus the subcommittees have more broad-based participation by the senators.

The motion was put to vote and passed.

The approved language related to the dissolution of two committees is given below.

Upon approval of the Senate, the following committees are dissolved: (R&P 1.3.2.7) Faculty Committee on Advancement and (R&P 1.3.2.3) Faculty Compensation Committee. The duties and responsibilities in each committee, as currently outlined in the Rules and Procedures of the Faculty, will be assumed by the Faculty Senate.

Visiting Lecturers Committee/Faculty Committee on Student Life

Following a suggestion from Professor Jenna Lay, the two issues were discussed separately.

The Senate voted to send the proposal to amend the language of the Faculty Committee on Student Life back to the Academic and Student Affairs Subcommittee of the Faculty Senate.

Regarding the dissolution of the Visiting Lecturers Committee, a discussion followed. Issues related to ensuring faculty inputs when inviting speakers (Professors Hugo Caram, Tony DiMaggio, Craig Hochbein, Mellie Katalalos, Jenna Lay, Jeremy Littau, and Al Wurth), need for faculty to have some control regarding how the significant amount of money currently available to the committee is spent (Professors Jenna Lay, Al Wurth), and ensuring that dissolution of the committee does not result in the Zoellner Arts Center acting on pedagogical matters independently without faculty input (Professors Craig Hochbein and Mellie Katalalos) were raised. Professor Doug Mahony noted that Zoellner Arts Center does want to seek faculty input but the input need not be routed through an elective committee but we can draft language to be included in Section 3 of the R&P as this pertains to educational requirements and procedures. Professor Jenna Lay stated that it is not clear where this issue will be incorporated in Section 3 of the R&P. Professors Ray Pearson and Jeremy Littau suggested that a mechanism should be there to nominate faculty members to provide inputs to Zoellner Arts Center. The Academic and Student Affairs Subcommittee of the Faculty Senate should consider the issues of elected or appointed representation (Professor Jenna Lay) as well as different mechanisms for faculty input before finalizing the language (Professor Mellie Katalalos).

The senators voted to send the proposal regarding the dissolution of the Visiting Lecturers Committee back to the Academic and Student Affairs Subcommittee of the Faculty Senate.

5. First Reading

R&P 3.27.1. Definition of Grades (Graduate Courses Pass/Fail)

The motion was moved and seconded.

Professor Ray Pearson noted that this proposal deals with entire courses being pass/fail rather than different students following different grading systems for the same course. In response to a question from Professor Heibatollah Sami, Professor Ray Pearson clarified that the course can be for any number of credits and the pass/fail designation is decided at the time the department proposes the course. Professor Robert Thornton said that there is a need to clarify the language regarding the number of courses below a B- grade that a student can have before being considered ineligible for continued registration as a graduate student. Professor Ray Pearson acknowledged the issue and noted that the language will be revised prior to the second reading.

6. Updates by Senate Subcommittees

Updates were provided by the various Senate Subcommittees.

On behalf of the Research Environment Subcommittee, Professor Bridget Dever noted that the subcommittee will meet with President to discuss about research priorities.

On behalf of the Inclusive Community Subcommittee, Professor Ageliki Nicolopoulou noted that a before a “Faculty Code of Ethics” is presented to the faculty, other process related issues will be finalized.

On behalf of the Academic and Student Affairs Subcommittee, Professor Ray Pearson noted that a white paper on common hour exam has been developed for further discussion of issues related to the class size stipulation for common hour exams and the activities of the Committee on Student Life are being discussed.

On behalf of the Faculty Affairs Subcommittee, Professor Kelly Austin said that R&P changes related to the faculty ranks proposal are being discussed and the subcommittee will conduct focus groups with current POPs.

On behalf of the Major Initiatives Subcommittee, Professor Peter Zeitler noted that the committee should have other members. Professor Doug Mahony suggested that the subcommittee can focus on developing the process for tackling major initiatives. Professor Kathy Iovine suggested that the subcommittee can also devise criteria to determine if an issue will be handled by the subcommittee.

6. Additional Topics

Professor Kathy Iovine (current Vice Chair and the incoming Chair of the Senate) noted that there will be a retreat for the full senate in May.

Professor Peter Zeitler wondered about the best way of communicating the senate matters to the faculty. Professor Damien Thevanin followed up by stating that we should communicate the big things we are doing to avoid faculty colleagues thinking that the

Senate is involved in simply changing the words of R&P and other mundane matters. Professor Jenna Lay concurred with this assessment and further noted that given the standing committee restructuring is now completed, forward thinking ideas from the Senate should be communicated to the faculty. Some mechanisms such as senators attending department meetings (Professor Heibatollah Sami), college meetings (Professors Kelly Austin and Doug Mahony), Chairs Committee meetings at the University level (Professor Kathy Iovine), preparation of a summary document by the senate for distributing to faculty (Professor Doug Mahony in response to Professor Ageliki Nicolopoulou's point that due to low attendance at faculty meetings, faculty are not aware of the good work being done by the Senate) were discussed. Professor Hugo Caram noted that the visibility of the Senate will become significant only when there are big issues (e.g., background checks) and not at other times.

Professor Jennifer Swann suggested that the senate should expand its communication with pre-tenure faculty and POPs to enable the hearing of these colleague's perspectives since their voices may not be heard in the normal course of activities. Professor Doug Mahony noted that attention should be paid to faculty behavior toward students even if they do not rise to the level of harassment; Professor Jennifer Swann concurred and added that these issues can also arise between faculty members, especially with adjunct faculty members. Professor Ageliki Nicolopoulou noted that the Faculty Code of Ethics can address some of these behaviors which do not rise to harassment or similar serious levels. Professor Jennifer Swann noted that we should try to understand the root cause of these behaviors and try to address them. Professor Mellie Katakalos suggested that the Senate could have a liaison to proactively interact with pre-tenure faculty members. In response to Professor Matt Melone's question about the enforceability of the Faculty Code of Ethics, Professor Ageliki Nicolopoulou noted that the goal is to establish procedures to deal with questionable behaviors. Professor Hugo Caram noted that there is a need to make these procedures explicit.

In response to a question by Professor Damien Thevenin, Professor Doug Mahony noted that the President of the Student Senate is an ex officio member of the Faculty Senate.

Professor Peter Zeitler said that it will be useful to have an update on university budget so the senators can understand the financial health of the university.

The meeting was adjourned at 2:50 pm.

Respectfully submitted by

A handwritten signature in cursive script that reads "Siva". A single horizontal line is drawn underneath the signature.

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

Secretary of the Faculty