

## UHD Faculty Senate

Minutes recorded by: Nathan Neale  
Regular Scheduled Senate Meeting December 8, 2020 2:30 – 4:00 PM  
Online through Zoom

Senate: Ronald Beebe, Edmund Cueva, Michael Duncan, Godwin Agboka, Franklin Allaire, Amy Baird, Nina Barbieri, Maria Bhattacharjee, Alexander Bielakowski, Kasi Bundoc, Dexter Cahoy, Prakash Deo, Isaac Elking, Lucas Fedell, Krista Gehring, Aaron Gillette, Rachael Hudspeth, Tahereh Jafari, Timothy Klein, Michael Lemke, Cynthia Lloyd, Lucas Logan, Jeffrey Martz, Nathan Neale, Jean Nganou, Chu Nguyen, Anand Pore, Angelica Roncacio, Rupak Rauniar, M. Nell Sullivan, Candace TenBrink, Pat Williams, Julie Wilson

Senators Absent: Youchou Chang, Jeffrey Martz

**Guests:** Eric Link, Provost, Michelle Moosally, AVP Programming and Curriculum, Jerry Johnson, AVP Sponsored Programs, Kristin Anderson, Professor, Kevin Buckler, Professor and Chair of FAC, Travis Crone, Associate Professor, Akif Uzman, Dean, CST, Sheryl Sellers, Dateline, Darlene Hodge, FS Admin, Erica Harrison, Creshema Murray, Shohreh Hashemi, Meghan Menard, Pat Ensor, Kristin Anderson, Irene Chen, Rachna Sadana

**Call to order:** The Senate was called to order at 2:30 PM by Senate President Ronald Beebe

### **Minutes**

A motion to approve the November 3, 2020 minutes was made and seconded.

A correction to the minutes regarding how much UHD spends with Elsevier to \$300K per year instead of \$350K was suggested.

A typo was pointed out that gropes should be groups

A correction was made regarding only Biology instructors receiving a stipend as it is actually Biology and Chemistry.

The minutes were approved.

### **Reports**

The committee working on the response to Interim President Tillis' decision to deny the SGA resolution of moving Election Day to a non-instructional day had been working and will send their completed draft to FSEC when complete. This may be able to be sent to the senate in January.

The anti-racism committee has not officially met. Dr. Beebe has been collecting names for those that are active on DEI and will reach out to them. He hopes that this work will convene in the spring.

The academic freedom committee discussed issues via email. They believe that is not possible to change the policy because it is a system policy and that system policy takes precedence over UHD policies. Dr. Buckler stated that they will ask FAC to address the policy so that it aligns with the system policy. Then, this policy can be in a normal five year rotation for reevaluation through FAC.

Dr. Cueva suggested that the language between the two are aligned. We should be able to just update the dates as our policy has not been updated for so long. Then, we can have a vote to reaffirm this policy.

Dr. Beebe asked if we should do this today.

Dr. Cueva said that the revisions are not complicated.

A senator stated that the AAUP edition and date need to be updated. Then, FAC can review this on a rolling basis.

Dr. Beebe suggested that we should hold the vote for another date.

The committee working on the General Education Committee (GEC) resolution on writing shared a report. This has been something that the GEC has been working on over the past few meetings. They strive to balance equity and making sure that we are student-centered. They want action rather than continual discussion over the policy. Last year UHD instituted micro-credentialing in professional development where faculty can take min-courses and earn the micro-credentials. Dr. Jager led the GEC year, developed a micro-credentialing workshop specifically for writing across the disciplines. The committee suggests that this could be offered right away. This would be similar to the BlackBoard Basics course that offered a stipend to faculty for completion. They are working with Dr. Moosally to decide how often this would be offered and what faculty would be eligible. Their hope is that this will be decided soon. Then, they would like to move forward with other suggestions from the resolution with a focus on students. They want to promote equity and ensure students' needs are addressed. They are already tracking those that have completed the micro-credential.

Dr. Beebe thanked the committee for their work and that they are using something that is in place to better UHD.

The 3/3 teaching load committee stated that they combined with the tenure-track division group. For the teaching load, they are investigating moving from a 4/3 to a 3/3. They are looking at the research score from annual evaluations to see how this may influence the decision. They also acknowledge that this may be contingent on the funds available to UHD. This has been discussed numerous times over the past few years. A previous study suggested that the cost may be \$2MM a year but we need to find out how much it would cost if this was only those earning the top score of a 4/7 for research. This would be an automatic release. This would be separate from ORCA grants. It would be seen as an intuitional award. This ties into the tenure track divisions. This group wants to look at offering a teaching track that would de-emphasize research. This would require a discussion between the department chair and faculty. We would need to decide how the evaluation would chance from 50/25/25. Then, this would incentivize those that are most research active to focus on research and help us obtain larger grants.

A senator asked the committee to think about community engagement projects as this requires so much time. This improves our visibility in the community and brings additional funds into the university.

A senator was concerned that if those that are rewarded for research the previous year receive a release, they will continue to have an unfair advantage as they have more time and will have higher research scores, thus consistently earning higher scores.

A senator suggested that this may lead to a different class of researchers where we may have two separate faculties and asked if this is the type of division we want? We need to focus on fairness. Not all disciplines have the same publication process. Some take years to publish.

A senator argued that as the weights change for teaching research and service that this will be more difficult for those focused on research. While they may be more productive, the higher weight may not lead to a 7/7. Ultimately we want a 3/3 teaching load but we also want to obtain something that we can achieve quickly.

A senator mentioned that this is one course release. We are not talking about a division where we would have some faculty teaching a 5/5 and others teaching a 2/2, so this would not create a class system.

Dr. Cueva argued that if one earns a 7/7 and they receive a course release the following year, they are being rewarded for past contributions. For example, when writing a book, he is exhausted afterwards. This does not mean that he will immediately write another book. Also, regarding grants, these can take as much time as writing an article. There are few grants in humanities and these are competitive. He asked if this would apply to all colleges. He stated that some colleges are “sort of” at a 3/3. He asked if this would apply to all ranks too.

A senator stated that they are still considering how this would all work.

Dr. Cueva thanked them for their work.

Dr. Beebe stated that when the faculty annual evaluation policy was revised, there was a focus on obtaining more grants. There was a discussion about faculty negotiating annual evaluation weights with their chairs and that these could be altered. There was a concern with the amount of work required to obtain grants if faculty were only weighted 25% for scholarly activities.

Dr. Beebe asked for clarification about the two committees combining.

A senator said it was essentially the same faculty on both.

A senator asked if anyone from Humanities was on this committee.

It did not appear that there was. An invitation to those from Humanities to join was offered.

A senator suggested that we should be concerned with equity and that all colleges are involved.

A senator suggested someone from COB should join as they essentially have a 3/3 already. Dr. TenBrink offered to join.

Dr. Duncan stated that if the goal was to reduce the workload, expanding ORCA funds may help.

A senator asked Dr. Beebe what happened to the discussion that he shared about the previous annual evaluation updates.

Dr. Beebe stated that there were parameters where one could not be lower than 10% in service and no less than 40% in teaching. The decision was that moving from the 10-point to the 7-point scale was a large change and the rest of the discussion was tabled by our previous provost. The workload that would be placed on chairs to manage this process was a concern. They had to move forward with a new policy as the previous formula-based annual evaluation was out of compliance with the State of Texas.

The committee focused on Graduate School and Doctorate Programs discussed preliminary issues, including working with the graduate council to see where their priorities are. They will be inviting some of them to join the committee. Then, as the UH system has a history with PhD programs and that many proposals for doctorate programs failed. They will ask for details from

those who have tried before without success to find out why. They plan to work on these directives when we reconvene after the break.

Dr. Beebe stated that he appreciated them reaching out to the Graduate Council.

The committee working on the home office stipend has not met but would meet before the break.

The committee working on the Ombuds Policy is Drs. Neale and Beebe with our current Ombuds. They have not met either but have communicating via email.

The committee working on parking has not met but has been communicating via email. They are looking at supply and demand, the financial costs for all buildings and lots, the optimal point in which we “get what we pay for”, and that some do not have parking though they paid. This may involve higher pricing and a long-term view. They will be communicating with other stakeholders.

Dr. Neale asked if they were considering how the loss of the lot North of the COB when I45 is rerouted.

A senator stated yes, this is an important focus.

### **New Business**

Dr. Beebe provided an update about the shared governance course releases. Provost Link requested that we provide this in the traditional faculty senate format. Based on this request, Dr. Beebe updated it. He showed the resolution and stated that the “resolved” reflects the vote. It was also suggested that we add a “whereas” to address the time commitment. This was provided to the Provost and he is working on it. He asked the senate if they had any questions or concerns. None were voiced.

Dr. Beebe explained that there as an Executive order by President Trump in September that focused on diversity and inclusion in training. This included what could and could not be said and what could and could not be the basis of training. This became an issue because two workshops related to the Howard Hughes grant. The scheduling of these trainings was reviewed through the Office of General Council, where the training was postponed. A meeting was held by this office, FSEC, the Deans and others. Donna Cornell stated that from her perspective, the executive order does not say anything not covered by Title 7, 9 and possibly 6. She seemed most concerned about training and that we could not have training that incorporates racial stereotyping, discussions about issues such as white privilege with an outcome of changing behaviors. She was clear that as academics, we are free to discuss issues such as race, white privilege and others within the academic environment. It was not clear if workshops were the same or different than training. There is a question if academic workshops are considered training. Dr. Beebe spoke with the Faculty Senate President from UH. He did not have any issues on that campus. Further, there was an email sent out earlier in the academic year that bothered many. Then, the Executive Order followed. This creates some confusion about what we are and are not allowed to do and how these are related to Titles 7, 9 and 6.

Dr. Cueva stated that the executive order did not serve as the background for what is going on here on UHD. The discussion was on Titles 6, 7 and 9. Also, Texas State laws are in place.

Therefore, even if the executive order is rescinded, the issue with training will not change on this campus.

A faculty guest asked if we are prevented from conducting training on white privilege. Are we allowed to teach our students but not hold training for faculty?

Dr. Beebe said yes.

A senator said that if a stated outcome was to acknowledge white privilege and to modify one's behavior, this would not be allowed. If it is completely voluntary, it is allowed.

Dr. Cueva stated that there is an issue with the word "voluntary".

A senator stated that if there is a power differential between those being asked and those asking for individuals to attend that this may not truly be voluntary.

A senator asked if there is a situation involving conflict between employees that is rooted in one of the "titles", where sensitivity training was required. Is this allowed?

Dr. Beebe stated that it is acceptable to have training on implicit bias.

A senator asked if this was semantics as if one was to use a Venn diagram, implicit bias and white privilege are significantly overlapped.

A senator said that there was resistance to us "word-smithing" in training.

Dr. Beebe stated that he made a similar argument.

A faculty guest stated that this was not true.

A senator stated that all white privilege is implicit bias but not all implicit bias is not white privilege.

A faculty guest stated that a lot of the implicit bias research is based on preference, not actually bias, though we call it bias. One can have a preference for something without having bias against something else.

A senator stated that having biases against hiring and with interactions with our students can lead to discriminatory practices.

Dr. Neale argues that not all experience implicit bias, not just those with privilege.

A senator agreed and stated that this is the point regarding the Venn. That white privilege is one part of this.

A faculty guest stated that we should be extremely embarrassed and that they would be terrified if students found out about these discussions. We have won numerous diversity and other awards and are now quibbling over bias versus preference. This feels inane. We are discussing what words we can use to educate our students and faculty on issues we all know are relevant. We should be less concerned about the law.

Dr. Neale stated that he believed that there is still an issue that we cannot force people to change. He thinks they should change but it is not right for us to force anyone to change.

A faculty guest stated that this is one of those times that we need to stand up and state that we know what we are talking about and that we should be less concerned about the law.

A faculty guest pointed out that this is actually an interpretation of the law.

Dr. Duncan argues that this may be a masquerade of law and that this deserves our contempt.

A faculty guest stated that they are willing to help the senate as they have been involved and that students are doing some great things here on campus. The fact that policies and laws are being developed that support systematic racism should cause us all to react. We "should move the university forward and not tow the legal line"

Dr. Jerry Johnson thanked the faculty guest for these statements. He is the co-PI for this grant. He argued that it is hypocritical for the UH system and our institution, following the deaths of George Floyd, Breonna Taylor and others, to state that we want to take a stand but we are not

allowed to hurt while people's feelings when addressing these issues. This is hypocritical. As an academic institution, we should have a safe place to have these discussions. We cannot tackle big issues without hurting some people's feelings. Others are correct in that the Executive Order was a racist order that is "dripping with white privilege". We need to stand up against this or we are not practicing what we preach.

Dean Uzman stated that their college had some anti-racism workshops for faculty that were interested in being inclusive for non-traditional students. They had done these before. This went to the OGC and that this office directed them to stop. He apologized for stopping. At that time, those that said no, did not have the authority as this was an academic venture. However, during the December 7 meeting, they were again told that they could not hold the workshops. This is wrong because it is not training and that there is no way that one can perceive a hierarchical power that persuades faculty to attend. He stated that he had to apologize to the organization and that this organization had completed four or five of these workshops. He stated that they have not had any public institution react this way. He also reached out to others and that all other institutions (except the US Coast Guard Academy) are ignoring the executive order. He stated that they will move forward with the workshops. This is only one lens to look at teaching and a way to inform and educate those involved. His largest concern is the references to Titles 6, 7, and 9. It is his impression that the Vice Chancellor was suggesting that being white is a protected class. Again, this is only his impression.

Dr. Cueva stated that because Titles 6, 7 and 9 and Texas State Law were mentioned, nothing will change if the executive order is rescinded. He echoed the faculty guest's comments and argued that we need to consider what we are doing at UHD. He argued that education should be transformative. Without teaching a course with these complex issues, we are not doing our jobs. If we are not allowed to do our jobs by the system, then we should take a stand. Instead of eradicating discrimination, we may be trying to manage discrimination. We should stress the pedagogy or academic focus.

A senator commended Dr. Johnson and Dean Uzman for their work. The senator stated that they are appalled by this. When teaching, there are many instances where behavior is changed. The blurring her caused by legal interpretation is wrong. Is there something that we can put forth as a body to show solidarity with Dr. Johnson, Dean Uzman and others involved with this work? Dean Uzman suggested that we should not single out this one program as there are many positive things going on here at UHD. This is just one. Some of the positive things are curricular and some are not. They all support the experience we want to provide out students. Whatever efforts the senate wants to put forth, please acknowledge all of the efforts going on. As Dr. Cueva mentioned that the Civil Rights Act is being used to protect the dominant culture, he is concerned with the approach that system legal is taking with this social challenge. This is a valuable moment where we may be able to help "move the needle just a little". This supports the mission of our school. We owe this to them, though we are a predominantly white faculty.

A faculty guest thanked those who have spoken and is honored to be faculty with them. The book entitled Tyranny by Timothy Snyder (in the faculty member's hand) lists twenty lessons to resist tyranny. The first is to not obey in advance. It is argued that most power given to authoritarians is given in advance and that we often anticipate what they want. They thanked Dean Uzman for acknowledging this during his report of the events. We often want to cooperate and then later realize that we could have resisted. This has happened at UHD with discussions, such as the concealed carry issue. We should not agree with others' reading of the law. As things come up, this may influence safe zone and harassment training. We need to be ready to question.

They agreed with the faculty guest about being embarrassed. We do not study inequality while only looking at one side of the coin. We cannot study the under-privileged without studying the over-privileged.

Dr. Beebe thanked the faculty guest and said that this may have happened during the summer when reacting to COVID. We had a plan in place and then were told that we could not do something because the Governor said we could not have. Now, in hindsight, he wished he would have been less accommodating.

Dean Uzman stated that these may be dangerous issues for some people and that some are more vulnerable. He stated that he was cautious and that he worried that if he takes a position of resistance, they may be affected. Still, he regrets his earlier decision to cease the workshops.

Dr. Beebe asked if anyone present had anything that they would like to say about this discussion.

Dr. Cueva stated that there was another item and that there may be a process that events would have to be sent to legal. Many in the meeting remember this being stated but that it was later denied.

Dean Uzman stated that this was a tense meeting. He did not believe that this was academic in nature. We are not going to have to send them our syllabi for review.

Dr. Cueva asked where the line is.

Dean Uzman stated that this is fuzzy as the relationship between curricular and co-curricular is “a fog”. This is a major concern.

A senator suggested that we follow Ralph Ellison’s Invisible Man and “yes them to death” by sending them everything.

Dr. Cueva argued that they may take this as precedent and that this may give them more power.

Dr. Beebe said that Donna Cornell made it clear that she was not interested in micromanaging syllabi.

A senator asked how they can be involved in Grants.

Dr. Beebe said that the executive order addressed grants.

Dean Uzman stated that this was not a government grant and that it was a private foundation and that he originally thought they were in a good position. However, OGC disagreed.

A senator was concerned that we are in a “no win” situation as legal will never approve anything that benefits UHD while going against system. This is especially problematic as those with authority are appointed by a Republican Governor. It seems that many may be using these other laws to support this executive order from a president that is voted out of office. We and our student body are often not supported by system.

Dr. Beebe argued that this issue will not go away. He thanked everyone for being candid during these difficult discussions. This is the last meeting of the year. Our next meeting is on January 19, 2021. This has been a stressful semester. He hoped that we all enjoy the break and that he looks forward to seeing us in January.

A motion to adjourn was made and was seconded by. The meeting ended at 4:00 PM.