

ACADEMIC SENATE MINUTES
May 2, 2016

Call to Order

The regular meeting of the Academic Senate, held on May 2, 2016, was called to order at 3:03 p.m. by Bill Johnson, Senate President. The meeting was held in the Health Sciences Education Building (HSEB), room 1730.

Present: Ole Fischer, Jeff Coles, Jeff Nielsen, Todd Zenger, Olga Baker, Yongmei Ni, Janiece Pompa, Orly Alter, A.K. Balaji, Robert Hitchcock, Sudeep Kanungo, Xiaoyue Liu, Meredith Metzger, Edward M. Trujillo, Michael Cottle, Kelly Bricker, Stacy Manwaring, Lorie Gage Richards, James Anderson, Karin Baumgartner, Maria Dobozy, Nadja Durbach, Disa Gambera, Avery Holton, Anne Jamison, Lex Newman, Adrian Palmer, Terry Kogan, John Bramble, Alicia Brillon, Luke Leither, Jill Moriearty, Jennifer Garvin, Katherine Kendall, Antoinette Laskey, Maureen A. Murtaugh, Christy Porucznik, Ravi Ranjan, Debra Simmons, Robert A. Stephenson, David Dinter, Paul Jewell, Margaret Clayton, Andrea Bild, Jindrich Kopecek, Randy Dryer, Peter Alfeld, Yekaterina Epshteyn, Jordan Gerton, Joel Miller, Dmytro Pesin, Thomas Richmond, Michael Shapiro, John Sperry, David Temme, Andrejs Treibergs, Thomas Cova, Frances Friedrich, Lori Kowaleski-Jones, Duncan Metcalfe, Lina Svedin, Norman Waitzman, Wade Cole, Jason Castillo, Patrick Panos, Mary Beth Vogel-Ferguson, Rachel Petersen, Casey Elliott, Anthony Minjarez, Jack Bender

Absent: Sarah Hinners, Brenda Scheer, Lyda Bigelow, Scott Schaefer, Melissa Lewis, Gary Lowder, Leticia Alvarez, Denny Berry, Ning Lu, Joe Marotta, Steve Roens, Lien Fan Shen, Julie Metos, Les Podlog, Reva Rauk, Robin Craig, Michelle Hofmann, John T. Langell, William Lowrance, Nicole Mihalopoulos, Jody Rosenblatt, Frederick Strathmann, Scott T. Youngquist, Mollie Cummins, Linda Tyler, David Goldenberg, Joan Brenner-Coltrain, Nilufer Cagatay, Baodong Liu, Lauren Adams, Caroline Li, Madison Day, Ashley Wilcox, Aaron Kc Hsu, Skyler Walker, Carley Herrick, Edwin lin, Jake Tschirhart, Zoe Kozlowski, Mohan Sudabattula, Kyndle Pardun, Connor Roach

Ex-Officio: Robert Flores, William Johnson, Paul A. Mogren, Xan Johnson, David W. Pershing, Amy Wildermuth, Harriet Hopf

Excused with Proxy: Nadia Cobb for Michelle Hofmann, Marc Couturier for Frederick Strathmann, Brenda Luther for Lynn Hollister, Sarita Gaytan for Wade Cole, Craig Dworkin for Chrisoula Andreou, Jensie Anderson for David Hill, James Pechmonn for Marjorie Chan, Brenda Luther for Lynn Hollister, Cindy Chen for Zach Marquez

Excused: Carrie Byington, Vivian S. Lee, Ruth Watkins

Others: Kathryn Stockton, Todd Nilsen, Brent Brown, Elaine Clark, Caren Frost, Beth Clement, Scott McAward, Lauren Waitzman, Rob Davies, Lori McDonald, Elizabeth Duszka, Karen Paisley, John David Symons, Lauren Kirwan, Angie Fagerlin, Donna White, Glen Feigher, Tim Ebner, Anthony Shirley, Feleti Matagi, Carolyn Bliss, Kathy Tran, Paul Humbot, Kehaulani Folau, Franci Taylor, Heidi Qin, Glenda Palomino

Approval of Minutes

The minutes for April were approved with a motion by Jim Anderson. Motion passed unanimously.

Consent Calendar

The current list of appointments and resignations dated May 2, 2016 were approved with a motion by Debra Simmons and second by Maureen Murtaugh. Motion passed unanimously.

Executive Committee Report

Xan Johnson gave a brief update on the Executive Committee's activities. He mentioned that everything discussed in their last meeting is on the Senate agenda.

Request for New Business

There was a request by Anne Jamison to discuss the University of Utah's honorary degree recipient Lynette Nielsen Gay.

Report from Administration

President Pershing gave an update on the administrations' activities. He first addressed the recently developed controversy over naming Lynette Gay as an honorary degree recipient. He began by explaining the process for selecting recipients, including that the University's honorary degree recipients are decided by a subcommittee of the Board of Trustees, not the administration. At the time of considering Ms. Gay's nomination, the administration and the Board of Trustees did not know about Ms. Gay's affiliations with organizations deemed anti-LGBTQ hate groups by the Southern Poverty Law Center. Once information about those affiliations came to attention, the administration reasoned that those specific affiliations were not consistent with the University's goals and so they removed those affiliations on her online bio on a University website regarding honorary degree recipients; many people interpreted the omission as the administration covering up for Gay, and Pershing apologized for the confusion. He stated that he has met with several people since the issue came forward and understands the anger, hurt, and disappointment felt on campus. Professor Steve Alder, Head of the Division of Family and Preventative Medicine, and immediate past-president of the Senate, read aloud a statement he had received from Gay. In the statement, Gay expressed appreciation for her position with the World Congress of Families. She stated that good has come of the organization and it has been mischaracterized, however she and her husband will both be stepping down from the board. Gay stated her work with the University of Utah has not been characterized by that organization. President Pershing then encouraged the Senate members to reach out to others who are not aware of the situation and explain. Pershing opened the discussion for questions and comments. There was a request for Gay to publish a statement that explicitly states support of LGBTQ communities and families.

Report from ASUU

Jack Bender, incoming ASUU President, and Rachel Peterson, incoming ASUU Senate Chair, introduced themselves to the Senate. They were inaugurated last Wednesday.

Special Order—Annual Elections

Patrick Panos and Margaret Clayton both introduced themselves to the Senate for the Senate President-Elect election. After they were introduced, ballots were passed out to each voting member of the Senate. (see results below)

The election for the Senate Executive Committee was conducted using an online ballot. The link was sent to senators one week prior to the meeting, with ballots to be counted during this meeting and results to be announced at the end of this Senate meeting.

Elections for all other Senate-elected committees are being conducted online. Instructions for voting have been previously disseminated and reminders are being given.

Notice of Intent

No Items of Intent

Debate Calendar

Kathryn Stockton presented the proposal to establish as a new *college-level* academic unit the School for Cultural and Social Transformation, and to restructure as *free-standing divisions* within that new college two existing *interdisciplinary academic programs*—the Ethnic Studies Program, and the Gender Studies Program. She stated that the proposal in part came out of the open dialogue on racial climate held earlier this academic year. There were 13 immediate University responses that resulted from the dialogue, one of which was establishing the School. Kathryn’s office has worked with student groups, received feedback from the Conference on Diverse Excellence, and worked with administration to put forth this proposal. There will be no short-term changes to the structure of the majors offered by the two existing programs, which will now be offered within the School. There will be no near-future disruptions for the faculty within the two programs and their relationships with their “home” departments-- as no faculty are moving, all existing faculty in ‘shared appointment’ arrangements (often loosely referred to as “joint appointments”)—will continue with their appointments in their home departments. And there are no undue administrative duties on the faculty anticipated from the change. The change would link the University of Utah to national events, forward thinking both academically and intellectually, and facilitate hiring diverse faculty. One structural change will be the oversight responsibility for the curriculum—courses, majors, and minors. That curricular authority is currently routed from the two programs up through the College of Social and Behavioral Science. With the restructuring it will flow from the two free-standing divisions up through the new college-level School (which like all colleges will have a curriculum committee, college council, and dean). The existing administrator position of Associate Vice President for Diversity & Equity (currently held by Kathryn) will be expanded to also be the academic *dean* of the School. Other aspects of administration for the two Academic Programs (including budget authority) are currently assigned to that Associate VP position, and that will not change---so that upon restructuring, both the curriculum authority and the budgeting and other administrative authority will flow from the two divisions up through the college-level School, headed by the combined position of Dean of the School and Associate Vice President for Equity and Diversity. This is similar to other structures in which an officer is both a college dean and an associate vice president (e.g., Fine Arts). The Equity and Diversity Office is currently searching for an Assistant Vice President who would work under the combined Dean & Associate VP position, and would take on the administrative duties of the school. There were concerns brought up that

there is no Health Sciences collaboration in the proposal; Kathryn stated that she would welcome that collaboration and encouraged Health Sciences faculty to reach out to her. *Motion was made by Randy Dryer to approve the proposal and forward to the Board of Trustees. Motion seconded by Patrick Panos. Motion passed unanimously.*

Todd Nilsen and Brent Brown presented a proposed new University Policy 7-007, Export Control Compliance. The policy affects what hardware, lab equipment, materials, software, technology, and technical data the University can export out of the country by any means. The policy specifically outlines processes in accordance with federal regulations. *Motion was made by Jim Anderson to approve the proposal and forward to the Board of Trustees. Motion seconded by Jill Moriearty. Motion passed unanimously.*

Elaine Clark presented the Educational Specialist, Ed.S. new degree proposal. She stated that the University of Utah does not currently grant an Educational Specialist degree, but the School Psychology Master's Program, M.Ed. and M.S., currently meet the standards associated with the Ed.S. degree. Thus, the proposal does not make significant changes to the curriculum or college. *Motion was made by Jim Anderson to approve the proposal and forward to the Board of Trustees. Motion seconded by Lorie Richards. Motion passed unanimously.*

Bill Johnson presented the two proposals up for approval regarding “responsible investment” – having to do with climate change, and fossil fuels. This was a continuation of discussion from the preceding month's meeting, and the result of work from two Senate ad hoc committees for the 2015-16 year (which in turn had followed up on the work of a separate Senate ad hoc committee for the 2014-15 year). Paul Mogren, Senate Parliamentarian, managed the debate and asked people to speak oppositely on the proposals; individuals were also not allowed to present for more than a minute or two. The proposals came forward as seconded motions. Bill clarified that two Senate ad hoc committees worked on this project this year, and out of that emerged the two proposals. One proposal is a combined effort of both committees—supported by both, and it includes a number of important recommendations, but does not address divestment. The other proposal is for a resolution of the Senate urging that the University endowment fund divest from investments in corporations linked to fossil fuels. The two proposals are not mutually exclusive. There was then an extensive discussion about the endowment fund divestment proposal – presenting arguments for and against. Many argued that fund divestment is important and that fossil fuels will not drive the rest of the century. It was also stated that green funding is profitable and TIAA-CREF just opened a green fund with average high returns. Others stated that divestment is being used as a political statement without considering its practical implications on the University. Oil companies also make up about 65% of funding in emerging technologies, which could negatively affect the University's research efforts if divestment is adopted as a strategy. There was also discussion about how the practical approach to climate change, and appropriate responses of the University, including possible fund divestment, is to come to a middle ground. After much discussion, there was a call of the question. *For the proposed resolution in favor of divestment, in a first ballot there were 40 votes in favor of the resolution, 40 votes against, and 4 abstentions. By policy the Senate President is supposed to act as a tiebreaker, and was preparing to cast the tie-breaking vote. However, there was a call for a recount/second ballot, with some voters indicating they wished to change their votes. With the recount/second ballot, there were 44 votes in favor of the resolution, 40 votes against, and 2*

abstentions. Motion passed.

For the second proposed resolution (supported by both of the ad hoc committees) presenting several actions to address climate change/ responsible investment, the phrasing of the resolution was discussed further. It was requested that the phrase “to initiate a transition towards” be replaced with to “expand and publicize”. *Motion to so amend the proposal was made and seconded by Paul Jewell. Motion did not pass.* Then it was requested that the phrase “the divestment side views and the non-investment side views” be added to the first sentence under the rationale section of the resolution. *Motion to so amend the proposal was made and seconded. Motion passed.* Then Dave Carrier made and Orly Alter seconded the motion to amend by deleting the first paragraph of the resolution. *Motion did not pass.* Finally there was a motion and second to accept and approve the entire proposal (with the one previously approved amendment). *Motion passed, with three opposed.*

Caren Frost presented the proposal to establish the new Center for Research on Migration and Refugee Integration. She stated that there is a large need for research in this area, especially with the global migration phenomenon. In the Western United States, there is only one such center so the University of Utah has the potential to become the premier research institute for migration and refugees. The center would focus on three main areas: academics, outreach, and research. *Motion was made by Jill Moriearty to approve the proposal and forward to the Board of Trustees. Motion seconded by Randy Dryer. Motion passed with two abstentions.*

Information and Recommendations Calendar

The following items were presented for the information and recommendations of the Academic Senate:

- Caren Frost gave the final report from the Senate Ad Hoc Advisory Committee on Faculty Review of Administration. This ad hoc committee was established by the Executive Committee June 2015 and ratified by the Senate August 31, and charged to look at how faculty review University administration. The committee met several times and divided up the work. Its work is ongoing, as the committee has yet to meet with AVPs Amy Wildermuth and Carrie Byington, and so the Executive Committee has approved continuing the committee as an ad hoc committee for an additional year.
- Lori McDonald and Elizabeth Duszak gave an end-of year update report from the Senate Ad Hoc Committee on Campus Sexual Assault. This ad hoc committee was established by the Executive Committee June 2015 and ratified by the Senate August 31. The primary work of the committee to date was to gather information, by conducting a survey. Lori mentioned that the information the committee collected is meant to be shared with other PAC-12 schools. The University of Utah is the only school in the PAC-12 to have conducted a study in Spring 2016. Lori’s office used the White House’s Toolkit to create the survey. There were over 4000 responses. Lori stated that the survey made it clear that there is a lot of work to do on campus in increasing knowledge about where to go in the event of sexual assault. Very few respondents endorsed rape myths. 11% of overall respondents and 16% of women had an unwanted sexual assault encounter since coming to the University of Utah. The work of this committee is ongoing and so the Executive Committee has approved continuing it as an ad hoc committee for an additional year.

- Beth Clement presented the annual report and update on the standing Senate Advisory Committee on Diversity. Beth stated that this Senate committee has conducted research on peer mentoring and is piloting a program in the College of Humanities with the help of AVP Kathryn Stockton. The mentoring program is focused on junior faculty in the fall and peer mentoring. It is currently structured to reach only tenure-line faculty and does not apply to career-line faculty. Beth also brought forth a memo describing concerns about the existing membership structure of the committee, and asking that the committee be restructured. She stated that the committee's membership is too large and only about 6 to 8 people on the committee show up for meetings. Staff were better than faculty at showing up, as were career-line faculty better than tenure-line faculty. There was an extensive discussion on what the purpose of the committee is. It was decided that the next chair will take on the recommendations of the Senate for discussion into the next year.
- Scott McAward, Rob Davies, and Lauren Weitzman gave an update on the University Counseling Center and the Women's Resource Center. They stated that there are not enough counselors for students through the summer and the academic year. The Counseling Center has seen a 152% increase in the need for counseling sessions. In the past 5 years, there has been a 492% increase in emergency or crisis clients. The University of Utah has the second lowest recommended number of counselors in relation to their student body in the PAC-12. There have been further legislative and ASUU efforts to help the counseling center but there is still a dramatic need.
- John David Symons presented the new College of Health College Council Charter. The College of Health recently had a restructuring of its departments, and so a revised charter was brought forth. The revised charter received the final approval of the Senate Executive Committee at its April meeting and is presented today for information and recommendations. There were no comments or questions.
- Angie Fagerlin presented the new Emphasis in Clinical and Translational Epidemiology for Population Health Sciences PhD proposal. The emphasis will be the third proposal for the program. The emphasis has received the final approval of the Graduate Council. No comments or questions raised today.
- Tim Ebner discussed changes in the undergraduate graduation application by the Registrar's Office. Tim stated that there has been a technical change by the Registrar's Office that allows students to apply for graduation online and does not require an advisory signature. Concerns have been raised about this change allowing students to start the graduation process without sufficient interaction with advisors, and those concerns are being discussed further.
- Graduate Council Review – Professional Master of Science and Technology Program
- Graduate Council Review – Department of Communication Sciences and Disorders
- Bereavement Excused Absence Guidance. The Senior VP is approving this guidance for implementing Policy 6-100, with regard to class absences of students grieving the death of a loved one, and has consulted with and sought input from the Executive Committee and now from the Senate. No concerns raised today.
- Senate Committee on Academic Freedom and Faculty Rights Annual Report

New Business

At the end of the meeting, there was a discussion about the controversy of the University naming Lynette Gay as an honorary degree recipient. Discussion points included that the Senate does not

advocate for Gay receiving the honorary degree. Anne Jamison brought up the fact that the Southern Poverty Law Center classifies the World Congress for Families as an umbrella organization that is a hate group for other things. She stated that there should be a more thorough process of vetting and selection of honorary degree recipients. The discussion ended because the Senate lost quorum. But Xan Johnson, Senate President-Elect, stated that he would present to the Senate Executive Committee a proposal to form an ad hoc committee to look into the issue, as a means of moving forward on the concerns raised today

Special Order—Annual Election Results.

The ballots having been counted, Margaret Clayton, from the College of Nursing, was announced as the next Senate President-Elect. The Academic Senate Executive Committee was announced as well; members include Robert Allen, Leticia Alvarez, James Anderson, Olga Baker, Randy Dryer, Disa Gambera, David Hill, Sudeep Kanungo, Maureen Murtaugh, Thomas Richmond, Joanne Yaffe, and Paul White.

Election results for the other Senate-elected committees will be posted prior to the August Senate meeting.

Adjournment

Meeting adjourned at 6:30 p.m.

Respectfully submitted,
Wogai Mohmand