CAS Faculty Senate Meeting – Minutes May 16, 2016

> ### a. Senators Present
>
> Jocelyn Alcantara-Garcia, Andrea Barrier, William Boyer, Martha Carper, Michael Cotsell, Leslie Criston, Richard Cunningham, Ted Davis, Deni Galileo, Mark Greene, Eynat Gutman, Adele Hayes, Arild Hestvik, Maria Johnson, Jonathan Justice, Stuart Kaufman, Yuk Leung, Barbara Ley, Rudi Matthee, Mark Miller, Phillip Mink, John Morgan, James Morrison, Jennifer Nauen, Chad Nicholson, Sandeep Patel, Karen Rosenberg, Tony Seraphin, Blake Smith, Mary Margaret Werth, Lance Winn.
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> ### b. Senators Absent
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> Aryana Alborzi, Alan Fox, Jenny Lambe, Yasser Payne.
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> ### c. Also Attending
>
> George Watson, Doug Doren, Larry Duggan

Meeting called to order by President Phillip Mink at 4:04 pm.

Agenda

1. Adoption of the agenda

Adopted unopposed.

2. Approval of minutes from meeting of April 18, 2016

Approved unopposed, with John Morgan's corrections.

3. Presentation by Bernard McKenna on student privacy

BERNARD MCKENNA: I happened to notice that we get student evaluations back in with students' discursive comments listed in alphabetical order by student last name. In a class with a high response rate with discursive comments, that could give a correspondence with student discursive responses.

DENI GALILEO: I would have assumed that they were listed in the order in which they happened to be completed.

BERNARD MCKENNA: I'm no expert, but we could ask the experts to order student responses randomly. I can no longer encourage all my students to complete the discursive response.

MARK GREENE: In giving out student evaluations last week, I had two students ask me whether they should put their name on the evaluation. One of those said that other professors had said they should put their names on evaluations.

4. Presentation by John Morgan, COCAN Chair

JOHN MORGAN: We have made progress since the last meeting. All committees are set with the exception of P&T, for reasons to be discussed later in this meeting. Thanks to Suzanne Potts in the AAUP office, who has been very helpful putting together email lists for full-time College faculty. These are very difficult to get otherwise. We should have a motion to endorse the new members.

Motion to endorse the COCAN list of new appointments to standing committees approved unopposed.

JOHN MORGAN: There is a ballot with Larry Duggan (History) and Stuart Kaufman (Political Science) running for President Elect. I am the only candidate for COCAN Chair. Are there any other nominations from the floor?

PHILLIP MINK: I'd like to invite candidates to say something about their platforms.

STUART KAUFMAN: I came to UD as a full professor 12 years ago. Initially I focused on research but I have more recently perceived an erosion in faculty governance and became more involved. I believe this body could be more active in governance. I have some ideas but no particular agenda. We should be a democratic body in which members are free to take the floor, instead of a body that is run by the President or the Dean. I'm hoping that together we can generate more ideas.

Larry Duggan: I agree entirely with Stuart. Your choice is between a young Turk and an old geezer of 46 years at UD.

Ballot: Stuart Kaufman was elected with 23 votes to Larry Duggan's 4.
John Morgan was unanimously confirmed for COCAN chair.

JOHN MORGAN: In the elections for At Large Senators, Larry Duggan, Deni Galileo, and Andrea Sarzinsky received the most votes, closely followed by Blake Smith. As Andrea Barrier has been elected Senator for her department for the next year, that leaves an at large seat vacant. So my understanding of the rules is that that seat would go to Blake Smith as first runner up.

My thanks to both candidates for President Elect. I do agree that competitive elections are better.

5. College of Arts & Sciences Bylaws
A. Amendments concerning election of P&T committee members.

PHILLIP MINK: John caught the issue of needing elections for P&T committee membership. The bylaws committee came up with simplified language that was different from that suggested by John Morgan. As a policy matter we need to decide whether to divide elections by portfolio.

DENI GALILEO: There are two issues. I have two versions on a handout. One has simpler language than John's. The other has no mandate for voting by categories for voting.

PHILLIP MINK: These came in late, I looked quickly and wonder why not just handle all that stuff on the ballot. I do think we need to decide whether to do it by portfolio or by track.

GEORGE WATSON: There is another issue. The University language requires a 'vote of the faculty or its representatives'. I believe that we could do this by vote of the CAS Faculty Senate. I did not envisage that each portfolio would vote for its own members – we all have something at stake with all members of the committee. I think that the simplest way forward would be to have an election of this body.

JOHN MORGAN: That would satisfy the requirements if that is what this body wants to do.

MARTHA CARPER: I think that is a great idea. We are the representatives of our departments.

JIM MORRISON: I also think it is a great idea. Is there a way to notify our departments of votes so that our departments can have their say?

PHILLIP MINK: I think the process will be for COCAN to solicit nominees and departments can put someone forward.

JONATHAN JUSTICE: The document says two year terms. Would they be staggered?

JOHN MORGAN: It is supposed to be staggered and has been in practice for several years.

JONATHAN JUSTICE: That simplifies elections requiring two people per portfolio if we stagger it that way.

JOHN MORGAN: It is not always straightforward when faculty have to step down part way through a 2-year term; if they have health problem, or become overcommitted, or are appointed to be chairs.

WILLIAM BOYER: Can we guarantee one CT person if we do it by a vote of the Senate?

PHILLIP MINK: That is handled in the first paragraph. COCAN will solicit nominees and place them appropriately on the ballot.

JOHN MORGAN: I have three volunteers from social sciences; two from the same department – only one of the two can serve. A vote in this body gives us a way to handle that situation consistent with the Faculty Handbook.

MARK GREENE: Will CT faculty have a vote if it is just in the CAS Senate?

PHILLIP MINK: We do have CT Senators.

JOHN MORGAN: We do need language approved today.

STUART KAUFMAN: I have a suggestion. Just take out the word, 'each faculty member' and say 'each Senator'.

MARK GREENE: I wonder if this creates an issue with the diversity language in the previous paragraph. That mandate makes sense if COCAN is appointing members but I don't see how we can mandate the results of a vote.

JOHN MORGAN: I suggest replacing 'shall' with 'should'.

JOHN MORGAN: I had language on the timing in my original wording about the timing. It is better to do this in the spring semester. We may need other elections if a vacancy occurs.

PHILLIP MINK: That all the elections are in the spring is already in the bylaws, so I'm not seeing a reason. We can deal with it if someone drops off a committee.

JOHN MORGAN: OK.

GEORGE WATSON: We increasingly need the P&T Committee standing for the whole calendar year. I worry that a fall election would get too close to dossier season.

JOHN MORGAN: We have two issues: We need a procedure for filling unexpected vacancies over the summer in the bylaws. We also have an issue this year; I'm not comfortable holding elections this spring with the revised bylaws still not approved.

GEORGE WATSON: I don't feel the same sense of urgency. I understand you read us as not being in compliance, but we have been doing it without consequence for over 20 years.

PHILLIP MINK: John has expressed concern about the possibility of grievances and lawsuits.

JOHN MORGAN: Any changes to P&T need to be approved by University Senate's P&T Committee before they can be official.

DENI GALILEO: Changes to this document need to go via the University Senate's P&T Committee. If we have an election in the fall, we'd be in compliance with University requirements

JOHN MORGAN: We can add the wiggle room of CAS Senate having an election if a vacancy opens.

PHILLIP MINK: We can do that as a CAS Senate.

JOHN MORGAN: The key difference is that other stuff is not likely to lead to law suits. That's why I think it needs to be explicit.

DENI GALILEO: I think it wouldn't hurt to add the sentence about unexpected vacancies being filled by election as soon as possible.

GEORGE WATSON: For brevity, I suggest taking out the reference to disciplinary diversity as that is now taken care of elsewhere.

JONATHAN JUSTICE: Why not just say 'the diversity of the college' so that we open it to all aspects of diversity, not just those that are listed?

PHILLIP MINK: Any disagreement?

TED DAVIS: I understand, where Jon is coming from. I do see purpose to retaining particular reference to gender and ethnicity to focus attention on that.

JOHN MORGAN: I agree with that. On the University P&T Committee there is a requirement to have at least one woman and at least one man.

Amended language as agreed:

The Committee on Promotion and Tenure. The committee shall consist of nine faculty members at the rank of associate professor or higher, including one CT faculty member from any portfolio and eight tenured faculty members. The tenured faculty members shall include two members from each of the following portfolios: the Natural Sciences, the Arts, the Humanities, and the Social Sciences. No College department/program shall have more than one member on the committee, and the chair of the committee shall be a full professor. The membership of the committee should reflect, to the greatest degree practicable, the diversity of the College in terms of gender and ethnicity. Terms of service for this committee shall be two years and are not renewable. Members may not serve again until two years have elapsed. Once empaneled, the committee members will elect their own chair.

In accordance with the membership requirements of this section, COCAN shall solicit nominees for election to the Committee on Promotion and Tenure from all eligible College faculty. COCAN's ballot will allow each senator, regardless of portfolio or rank, to vote in all categories of committee membership. COCAN shall hold these elections in the spring semester. Unexpected vacancies shall be filled by election as soon as possible.

B. Approval of Bylaws

PHILLIP MINK: Personal thanks to Deni for his extensive help over the last two years and to Andrea for all your work. And to John for his copious notes.

Motion to adopt the bylaws as amended above. Passed unopposed.

6. Dean's remarks

GEORGE WATSON: Congratulations. This has been an arduous process and I think you've come to a good consensus.

JOHN MORGAN: The P&T changes need to go through the University P&T Committee. I hope Jim Morrison, who on that committee, will consider these changes expeditiously.
STUART KAUFMAN: The old bylaws are still in force. We could constitute the P&T committee by the letter of the current bylaws and the spirit of the new ones.
JOHN MORGAN: We can't do that today because we don't have enough candidates for the committee.
GEORGE WATSON: We should have an election by acclamation for the slate of candidates we have under the current bylaws.
JOHN MORGAN: We have to make a choice between two people in the School of Public Policy and Administration. I have their names but it's not on the agenda. I think it would be very questionable. In the Social Sciences portfolio, we have three people: Benigno Aguirre, James Kendra, and Chandra Reedy – that's one too many. In humanities we have Ikram Masmoudi – that's one too few. And we don't have a CT person.
GEORGE WATSON: We really can't do without a P&T committee going into the summer.
JOHN MORGAN: The current committee is in office until August 31.
PHILLIP MINK: That committee is out of compliance.
GEORGE WATSON: They weren't elected. My generous interpretation is that we've been electing by acclamation by the Senate. No one has complained that this hasn't been an issue. It is a bigger issue to go into summer without a committee.

JOHN MORGAN: Individuals need standing and there's a time limit of 30 days so we don't need to worry about past cases.

DENI GALILEO: There is a fundamental difference between a ratification and an election. The Faculty Handbook says 'election'; it means election by a ballot given a slate. There has to be time for us to connect with our constituencies and see their views. The current committee is in office to the end of August.

TED DAVIS: Going forward. If we have an election in May, when does the term begin?

JOHN MORGAN: September 1.

TED DAVIS: So there will be a P&T Committee in place over the summer.

GEORGE WATSON: I cannot have an indefinite P&T committee because we need them to do review work of revised documents so we can do faculty hiring. The answer may be to have a special meeting.

JOHN MORGAN: When does the fall semester begin? Could we have a CAS Senate meeting in the last week of August?

PHILLIP MINK: Who could come next week for an emergency meeting?

DENI GALILEO: Can we vote by email?

JOHN MORGAN: I could easily conduct an election via Survey Monkey in the next month or two.

PHILLIP MINK: Does that work for everybody?

[No objections.]

7. Old Business

None.

8. Introduction of New Business

MORGAN: Thank you all for your work this year.

PHILLIP MINK: Thank you all very much. I encourage you to devote your energies to participation in governance.

9. Adjournment

Meeting adjourned 5:05 pm.