

Faculty Senate

Transcript

December 14, 2021



MICHIGAN STATE
UNIVERSITY

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A handwritten signature in black ink that reads "Tyler Silvestri". The signature is written in a cursive style and is positioned above a horizontal line.

Tyler Silvestri
Secretary for Academic Governance



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Chairperson Karen Kelly-Blake Good afternoon, everyone. Secretary, are we at quorum?

Secretary for Academic Governance Tyler Silvestri We are.

Chairperson Karen Kelly-Blake Thank you. So we will call this meeting to order. Our first item is approval of the agenda for today, December 14, 2021. Is there any objection to approving the agenda as distributed? Seeing no objection, the agenda for today's meeting is approved. Alright, approval of draft minutes for November 16, 2021. I hope everyone had an opportunity to review those. Is there any objection to approval of the minutes for November 16, 2021? Alright, hearing no objection, the draft minutes for November 16, 2021 are approved. Thank you. Remarks, Provost Woodruff.

Provost Teresa K. Woodruff Well, thank you, Chairperson Kelly-Blake. I'd like to begin by thanking all of you for attending this special meeting during what I know is a demanding time in our semester. And I appreciate your engagement as faculty senators and your representation of your colleagues and your colleges. And I really thank you for prioritizing the important work done by the Discipline Process and Sanction Review Task Force. Your commitment to these issues reflects our shared values and desire to continually improve the working and learning environments of our students, academic staff, and faculty. President Stanley and [Executive Vice President for Health Sciences] Beauchamp are away on university business and wanted me to give you their very best wishes on the occasion of this special Faculty Senate meeting.

I know we must stay tightly focused on the matter at hand, but I did want to note the message sent by President Stanley yesterday indicating that the university will use reserves for a one-time bonus to recognize the hard work of everyone in support of the university and the development of a university-wide caregiver program. The president has received positive feedback on these decisions and is looking forward to future meetings when he can be in attendance to talk more. While there has been positive feedback, I am aware that in particular, the recognition bonus doesn't meet the full objectives of some members of our faculty and academic staff and wanted you to know a few steps that I've taken. I recently met with UCFA Chair Mick Fulton, UCFA Budget Subcommittee Chair Matt Comstock, and Faculty Senate Chairperson Karen Kelly-Blake to discuss faculty and academic staff compensation matters and develop a pattern for discussion of existing and emerging data that is used in annual budget forecast that is regularized and transparent and worked through the established pathways of shared governance that has worked well in the past. We also reflected on the changing structure of the university, principally the development of a new CFO



Provost Woodruff, cont. office, and considered ways to discuss emerging questions and concerns that have been amplified by the uncertainty of the last two years. And President Stanley and I have a meeting set up with Faculty Senate leaders on January 19 to further discuss these matters. I've been reflecting on this moment and know that in a plural university there will be many perspectives and many ways of looking at topics and decisions from various points of understanding, differing backgrounds of experiences, and positional advantage and disadvantage that creates a dynamism not really found in any other workplace. And it is in the pressing against ideas in each other that we build new knowledge and ways of working faced with the certitude of past knowledge versus the possibility of something new. I choose the messiness and opportunities to recast our working relationships anew and to build a spiral of excellence in this, our shared governing space. Shared governance is vital for our shared future, and today is a perfect example of working together, sharing the time, and now focusing on the item on this afternoon's agenda.

As many of you know, this task force emerged by way of the relationship violence and sexual misconduct, institution-wide strategic plan and was charged by me in the spring of 2021. Their charge was to review discipline processes and actions with a goal of creating clarity and consistency. One of their goals was to address egregious misconduct rising to the level of dismissal, addressing egregious misconduct clearly and consistently and fairly with due process in a timely manner, strengthen the university, its climate, and our entire community. The task force was comprised of a collaboration of representatives from across campus, working together to continue to change and improve the culture of MSU and to create a safe and respectful working and learning environment for all. I'm grateful for the diligence of the task force and for all who played a role in moving the separate forward, and I'd specifically like to thank Susan Barman and Stephanie Anthony for their leadership. And I look forward to the deliberations today. I also want to thank Karen Kelly-Blake, all of our academic governance leaders, and the faculty and academic staff members who have worked tirelessly through not only all of the challenges of our daily work but for doing so well navigating the challenges and impact of a global pandemic that has undoubtedly affected each of you. Working together, our faculty and academic staff can work through a myriad of our most challenging issues. So thank you for your service and leadership.

Let me wrap up by saying we find ourselves at the end of another historic semester, having done an impressive job of returning to many in-person courses and experiences on campus. So thank you to every single one of you who have made this possible. I truly hope that you have the opportunity to rest and renew



Provost Woodruff, cont. over the winter break, and I look forward to our shared future. So let me turn the meeting back to you, Chairperson, Kelly-Blake.

Chairperson Karen Kelly-Blake Thank you very much Provost Woodruff. I see some hands. So I will have you all speak before I do my remarks. Senator Wong.

Senator Willie Wong (NatSci) Hi, Provost Woodruff. There has been some confusion on the status of various graduate student groups and whether they will receive the bonus, specifically those who are supported by the NSF Graduate Fellowship and those who are maybe funded by internal fellowships coming from endowment money. Is there clarification on that issue?

Provost Teresa K. Woodruff Yes, Graduate Dean Thomas Jeitschko is working on this matter right now. For those graduate students who are truly students, those have not been part of the disbursement, but there is further an ongoing discussion that the graduate dean is working on in combination with FASA to determine how some of the students who may have been split between one semester of a TA-ship and another semester where they are not on university funds and how those may move forward. So that is an active discussion.

Senator Willie Wong (NatSci) Thank you.

Chairperson Karen Kelly-Blake Thank you. Senator Pegler-Gordon.

Senator Anna Pegler-Gordon (JMC) Yes. I wanted to ask a question actually about a matter that you didn't bring up. And I understand it's really important for us to focus on the single agenda item, but there's also been some important discussion coming from students around the grading options that are available to them, specifically satisfactory/not satisfactory grade option. There's a petition, and I believe that also, this matter has been moving through academic governance, including the University Committee on Student Affairs. And so I wondered if you could speak to that Provost Woodruff.

Provost Teresa K. Woodruff Yes. I am happy to do that. And in fact, I had a memo from [University Committee on Undergraduate Education] Chairperson Leininger, and so the University Committee on Student Affairs had requested that [UCUE] again consider the recommendation. I think, as the body knows, this was considered at the beginning of the semester, and really for a variety of reasons, the S/NS, which was a particular kind of way of registering a grade—a grade was delivered, but a student could actually record that as “S” or “NS” if they chose to do so—and we did have that recording option for the fall and spring and summer of this last academic season. So there was an early discussion at the beginning of the semester, and that discussion determined that we would not



Provost Woodruff, cont. provide S/NS for this semester. It was largely because the semester was going to return to the kinds of approach for learning for the large majority of our students that would be regularized across the entire semester, and that in fact happened.

There was a discussion that was raised again by UCSA, that raised to [UCUE] yet again in early November. And it is the case that around midterms and the end of the term, as many faculty and academic staff know that there are questions about recording grades, and that is not pandemic-related. That is generally midterm- and final-exam-related. And so [UCUE] considered this as did [the Council of Undergraduate Education Deans], and the proposal that was fully considered, and a recommendation was sent to me by those committees indicating that they did not recommend that we adopted an alternative grading system. We further asked the registrar to query other universities. We did so to 28 different universities, and there are no other universities that are adopting any grade recording options in this semester. I have met with student members this week, and Associate Provost Largent is working to meet with other students, but at this point, based on the recommendation from [UCUE] and CUED, that we will not provide the S/NS for this semester. So I thank academic governance for considering this matter twice this semester.

Chairperson Karen Kelly-Blake Thank you, Provost Woodruff. Senator Ewoldsen.

Senator David Ewoldsen (ComArtSci) Yeah, I had two requests. One would be perhaps for Vice Provost Largent's office to provide a report to the Faculty Senate in the spring about grades and changes in grades across the last couple of semesters given what's been going on. And I'd be more than happy to talk with them about how that data might be looked at, but I think it would be important for the Faculty Senate to consider how the pandemic and the different responses we've had to the pandemic have impacted grades. So I would make a request for that. I don't know if that requires a formal motion or not. And the other thing I would like to request is that since this has been an important issue for the students, and I've always pronounced his name wrong, and I apologize for that, but I would like to give voice to Nikunj Agarwal, he's from the University [Committee on Student] Affairs. And he's at this meeting specifically to talk about the issue of the S/NS grades and the petition. And so I would request that we give him voice.

Chairperson Karen Kelly-Blake Thank you, Senator Ewoldsen. So the issue is this, this is a special meeting that was called specifically to discuss the Discipline [Process and] Sanction [Review] Task Force recommendations. I believe that we



Chairperson Kelly-Blake, cont. can give Nikunj Agarwal voice when we get to the comments from the floor, which is at the end of the meeting. Is that correct, secretary?

Secretary for Academic Governance Tyler Silvestri Yes.

Chairperson Karen Kelly-Blake Alright, thank you. So we will hold off until we get to the comments from the floor. Alright, so I will make my remarks brief because we do want to get to the task at hand today.

So, first of all, I want to echo Provost Woodruff's thank you, to all of you for your strong work this semester. You all have absolutely been engaged in doing incredible work, as you saw in the academic governance newsletter. We also eagerly await the president's communication about the university-wide caregiver program in the coming weeks. And again, I want to also thank Provost Woodruff for her comments about us and our shared academic futures.

With that, we all received notice of the employee recognition bonus-- And indeed a broad-based, one-time bonus across faculty, academic staff, support staff, and graduate assistant constituencies is well deserved. And there is a strong rationale of doing so. But let us be clear: this gesture is independent of the ask to return cuts to pay, retirement benefits, and merit raises. This bonus of \$1,500 comes nowhere close to replacing that unpaid compensation. This administrative gesture does not address the ask that faculty and academic staff be made whole and comes as the university imposes new retirement benefit reduction measures on support staff. We hope that the administration will exhibit bold leadership and embody institutional courage by directly responding to the faculty resolution and restore faculty salary, retirement benefits, and merit raises. Please note, again echoing Provost Woodruff, that we do have a meeting scheduled on January 19 with the president and executive leadership to discuss the resolution you overwhelmingly passed to restore salary retirement benefits and merit raises.

So for today, this special meeting is an opportunity to build on your strong work. I hope that everyone had an opportunity to review the Discipline [Process] and Sanction Review Task Force recommendations. We will get an update, engage in a discussion. Several task force members are present and want your feedback. The goal is to endorse the recommendations so that feedback can be incorporated and then finalized for the Board of Trustees to approve at their February meeting. Again, thank you all very much for the work you've done this semester, and I wish you all a very happy holiday season. So we'll move on to our business, the Discipline Process and Sanction Review Task Force recommendations. I believe



Chairperson Kelly-Blake, cont. Chair Barman, you were the chair of this process, and I believe you were going to make a motion for the recommendations

Senator Susan Barman (UCFT) Thank you, Chairperson Kelly-Blake. So, actually, I'm not the chairperson. Suzanne Lang was the chairperson.

Chairperson Karen Kelly-Blake Apologies.

Senator Susan Barman (UCFT) But I am the person to represent this since this was all dealing—I'm the chair of the University Committee on Faculty Tenure. And in that position, I'm being the [inaudible] So this was largely a task force designed to address the issue of [inaudible], and dismissal of tenured faculty. And so what I am bringing forward to this group are requests. I move to endorse the four recommendations that appear in Appendix A of your [inaudible] meeting. And I would strictly remind you what those four of your recommendations are.

Chairperson Karen Kelly-Blake I'm sorry, Senator Barman. It's very hard to hear you. It sounds like you're underwater or something. But it's very difficult to understand what you are saying.

Senator Susan Barman (UCFT) I've ordered a new microphone. So this is a built-in microphone, and I've been having trouble with it. Can you hear me any better?

Chairperson Karen Kelly-Blake Not really.

Senator Susan Barman (UCFT) Does that help at all?

Chairperson Karen Kelly-Blake A little bit. Maybe if you're close to the microphone.

Senator Susan Barman (UCFT) And I was just at a meeting earlier and they didn't have a problem, so I don't know what it is about it, but if I have any trouble, then maybe-- Then perhaps it can be better-- Stephanie, do you want to do this? Because I'm having difficulty being heard.

Chairperson Karen Kelly-Blake Vice Chairperson Anthony, are you able to make the motion?

Vice Chairperson Stephanie Anthony I'd like to make a motion that this body approve the resolution that is before us today, from the task force regarding violence and relationship sexual abuse, and those matters and the results of our committee work. I'm sorry, I was unprepared for that.

Chairperson Karen Kelly-Blake Thank you. You did that very well.



Senator Susan Barman (UCFT) I'm sorry about that, Stephanie. I literally have my face on the computer, but I don't know what it is. The size of the meeting. But in fact, I believe the microphone has arrived in my office, but I'm at home.

Chairperson Karen Kelly-Blake Okay. So was that a second, Senator Barman?

Senator Susan Barman (UCFT) Second. Yeah.

Vice Chairperson Stephanie Anthony And my apologies for not having the document right there in front of me.

Chairperson Karen Kelly-Blake Alright. Thank you so much. So we have a motion to approve the recommendations and a second, now we have discussion.

Secretary for Academic Governance Tyler Silvestri So I guess technically Senator Anthony made the motion, so she would have the first crack at it.

Chairperson Karen Kelly-Blake Thank you, Secretary Silvestri.

Vice Chairperson Stephanie Anthony I do believe that—if I may go ahead and speak Chairperson Kelly-Blake—that this sanction task force did a very thorough review of our policies that were previously in a place, we were able to reduce that amount of time. I think that all of us agree that when we have excellent faculty in place, certainly it is good for the university, and it's good for us as faculty. And this was meant to give everyone due process, but yet and still, it gave us an opportunity to take a very strong approach and look carefully at circumstances where faculty were in certain scenarios and ensure that we were being fair and appropriate. We went through the document with a fine-tooth comb continuously. The task force members worked diligently. They provided a variety of different viewpoints. And we set up some pieces of it, that as I mentioned before continue to provide due process, but also to make sure that we have high-caliber faculty as we like to believe that we do, certainly, representing the university. So we believe that we have presented you with a great document, a great group of policies in place, and we are open to questions that anyone might have or any comments regarding this particular work. Thank you.

Chairperson Karen Kelly-Blake Thank you very much Vice Chair Anthony. Senator Wong.

Senator Willie Wong (NatSci) Hi, thank you for giving me a chance to speak. I received some feedback from my constituents and I'd just like to read what they sent me. So an issue is that the revision shifts the responsibility for disciplinary actions, largely to the deans and away from unit administrators. Specifically, this includes the initial determination of whether disciplinary actions should be on the



Senator Wong, cont. table and for reference, this is concerning. I believe section six, part A, paragraph two, and part B, paragraph one of the Faculty Handbook [sic; Discipline and Dismissal of Tenured Faculty for Cause policy], revisions that have been proposed. I hope we are-- The phrase “in consultation with the dean” has been added. The current system is already highly conservative in favoring status quo over action. And already built into the system is an initial informal consultation, aimed at resolving any misunderstanding; a review by the dean and provost of any proposed disciplinary actions and indicates of major discipline; a convocation of the review panel and the revision, which requires the unit administrator to consult with the dean prior to entering the disciplinary process. It seems to impose extra hurdles in the system already functioning with significant checks and balances. As a concrete suggestion, perhaps deans’ role in making the final determination of whether disciplinary actions should be imposed, should be more akin to that of a judge. And in this analogy, the unit administrator will play the role of the prosecutor. The unit administrator should have the responsibility and the ability to request disciplinary action without requiring prior consultation with the dean. Thank you.

Chairperson Karen Kelly-Blake Thank you, Senator Wong. Do we want to give Vice Chair Anthony an opportunity to reply to that, or anyone else who was involved with the revisions, before we move forward?

Vice Chairperson Stephanie Anthony Chair Kelly-Blake, if given the opportunity, I’d like to give the floor to Melissa Sortman, who was key in helping us to pull this document together but stepped back as needed to make sure that everyone had an opportunity to provide a clear viewpoint. Can you respond to that, Ms. Sortman?

Director of Faculty and Academic Staff Affairs Melissa Sortman I can, but--

Chairperson Karen Kelly-Blake Wait. Any objection to giving Melissa Sortman voice? Alright, no objection. Please go.

Director of Faculty and Academic Staff Affairs Melissa Sortman Sorry, chairperson. I was going to say, I would request that the Associate Provost Lang respond to that. I can weigh in if you’d like me to, but I think it’s more appropriate for it to be the associate provost.

Chairperson Karen Kelly-Blake Thank you.

Vice Chairperson Stephanie Anthony I—Absolutely. Thank you.

Chairperson Karen Kelly-Blake Thank you.



Vice Chairperson Stephanie Anthony So, may I readjust that, Kelly-Blake? Ms. Kelly-- Chairperson?

Chairperson Karen Kelly-Blake Yes.

Vice Chairperson Stephanie Anthony I'd like to request that the Associate Provost Lang be given an opportunity to respond to that query.

Chairperson Karen Kelly-Blake Thank you. Any objection to giving Associate Provost Lang voice? Alright, no objection. Please, Associate Provost Lang.

Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs Suzanne Lang Thank you, Chairman [sic] Kelly-Blake. Yes, I'm happy to respond. The rationale for having consultation with the dean is that one of the points that the task force discussed is having consistency in terms of how discipline may be implemented. And so, in terms of the initial conversation about whether dismissal for cause should be investigated or considered, that consultation is considered to be critical. In the policy for dismissal for cause, we are talking about egregious policy violations. And in that situation, when we are moving forward with dismissal for cause, the charges have to be-- They are required to be made by the dean to the president and provost. So, in terms of the concern that there is a change in the process, actually, this is not the case in terms of dismissal for cause proceedings. Melissa, would you like to add anything?

Director of Faculty and Academic Staff Affairs Melissa Sortman If it's okay.

Chairperson Karen Kelly-Blake Yes.

Director of Faculty and Academic Staff Affairs Melissa Sortman Okay. I would just add that for the minor and serious, it is making sure that there's accountability for the unit administrator and the dean. And making sure, as Suzanne mentioned, consistency, but to make that there's communication and accountability at all levels of leadership.

Chairperson Karen Kelly-Blake Thank you both. So, I'm going to give At-Large Member Senator Donahue. Please speak.

Senator Megan Donahue (At Large) Okay. So, I just had a couple of minor questions. One was, when the committee considered shortening the timeframe for certain steps, what was sort of the rule of thumb about doing that? Because sometimes, there are these-- I've been in ethical reviews with other organizations and sometimes, the limiting step of getting together these volunteer ad hoc review committees in a time when you're trying to find the common time for busy people



Senator Donahue, cont. to get together, and sometimes that's the rate limiting step for the review, not the responsiveness of the process. There's no document that's going to free up your time next week if you're calling on volunteers or however these ethical panel reviews are made. So, I was wondering what-- If they looked at past experience and said, "Yeah, this could be done a lot quicker," or what was the guiding principle for recommended shortened timeframes? And the other one was a real small question. What's the difference between "gross" and "egregious"?

Chairperson Karen Kelly-Blake Thank you. So, Associate Provost Lang, do you want to respond?

Associate Provost for Faculty and Academic Staff Affairs Suzanne Lang Okay. The first question was about looking at the timeframe. When we're looking at behavior that would lead to dismissal for cause, oftentimes, there is an OIE investigation that proceeds moving to dismissal for cause. On average, OIE cases run, basically, I believe the average is-- Melissa, remind me. It's escaping me, how long they normally last.

Director of Faculty and Academic Staff Affairs Melissa Sortman They have taken 12 to 18 months.

Associate Provost for Faculty and Academic Staff Affairs Suzanne Lang Right. Okay. So, we're looking at an investigation that has already occurred and at the end of it. Then, if there is a decision to move forward with dismissal for cause, our previous process added another additional year to 18 months to come to the end of actually dismissing a tenured faculty member. Now, removing tenure is an incredibly serious matter, and we wanted to make sure that the due process portion of that entire effort was-- Gave the advantage in terms of time to the faculty member, in terms of preparing for the hearing. The other timeframes had responses that could take up to 30 days for an administrator to respond in the different steps of the process. And so what the committee considered was, can we reduce that amount of time where administrators are responding so that we can shorten this process from a year to 18 months to something that is actually much more beneficial, not only for the faculty member for this to be drawn out so long, but also for the institution? So what the committee did is they took that 30-day turnaround and made it seven days. So, that's where we moved, from basically 12 to 18 months to 120 days. Now, that's still quite a bit of time. That's three months, basically, so that we can still move through the process in a timely manner but being able to ensure that due diligence and the faculty member has the time to prepare for the hearing. So, that was the rationale that the committee used in terms of shortening the length of time for the entire process.



Associate Provost Lang, cont. And your second question was-- Can you remind me?

Senator Megan Donahue (At Large) What is the difference between “gross” and “egregious”?

Associate Provost for Faculty and Academic Staff Affairs Suzanne Lang Okay. “Gross,” I believe, is a term that is used in labor law, gross misconduct, and we, in academia, are much more familiar with “egregious,” which means-- They both basically mean very, very serious violations of policy.

Senator Megan Donahue (At Large) But there’s not a difference we should be inferring from the changes of wording. Okay.

Chairperson Karen Kelly-Blake Yep. Melissa Sortman put that information in the chat.

Director of Faculty and Academic Staff Affairs Melissa Sortman
Chairperson Kelly-Blake, if I can add additional comment?

Chairperson Karen Kelly-Blake Yes, please. Please.

Director of Faculty and Academic Staff Affairs Melissa Sortman Okay. So, in section five, it says “egregious cases of wrongdoing.” So, “egregious” is swapped out because “egregious” actually has a definition in the footnote of the policy, which I put in the chat [“Egregious conduct includes, but is not limited to (1) causing or attempting to cause substantial damage to the University’s physical or intellectual property; (2) committing or attempting to commit violence against University community members; or (3) violating or attempting to violate fiscal norms (i.e., fraud or theft) or scholarly norms (i.e., falsification or fabrication of research).”]. So, the three-panel hearing that looks at egregious behavior of whether it meets that standard is for an unpaid suspension and the retirement benefit prohibition. And so, in this policy, “egregious” has a specific meaning, which is in the footnote, which is what I put in the chat. Under section five, types of discipline, egregious is not-- the reference there is not the “egregious” in the dismissal for cause, so it’s clarifying what that egregious is if that makes sense. And Suzanne is correct; gross misconduct is a dismissible offense and what we would use as HR and employment conversation. And we don’t interchange “egregious” and “gross misconduct” because it means something specific in this policy, whereas in the faculty world, you’d say it was egregious conduct, but it means something specific in policy at hand.

Chairperson Karen Kelly-Blake Thank you very much for that. Senator Bunnell?



Senator Jane Bunnell (MUS) This may be a silly question, but I'm a person that sits on a three-man committee of administrative oversight that has never met. So, my understanding is that you said it goes from the dean to the president to the provost. Who looks over the dean's shoulder?

Associate Provost for Faculty and Academic Staff Affairs Suzanne Lang I do.

Senator Jane Bunnell (Music) Okay. I just want to make sure, because we've seen in the past that sometimes a dean can stand in the way.

Associate Provost for Faculty and Academic Staff Affairs Suzanne Lang That's true, and we definitely want to take care of that situation, so that it does not occur. We move forward.

Chairperson Karen Kelly-Blake Thank you. Vice Chair Anthony.

Vice Chairperson Stephanie Anthony In response to Senator Bunnell's question, I would like to share with you that we reviewed that thoroughly to ensure that practices perhaps of the past would not continue on in terms of past experience. And that was something that the task force took very seriously as with this entire process. So, I want to convey that to you that we were pleased to know that finally, we came up with a process that had someone looking over the shoulder of the dean.

I also, if I may address another piece too, one of the charges that we had as a task force was to make the process a smooth process and reduce the time because we felt that—as you noticed in the charge—our goal was to emotionally and physically create a safe environment for all. So, that meant the grievant, as well as the claimant. So, we want to make sure that everyone had a safe process and I mean, emotionally, as well. So, we were looking at it from everyone's standpoint. Thank you.

Chairperson Karen Kelly-Blake Thank you for that, Vice Chair Anthony. Other comments, questions, concerns? Yes, Senator Ewoldsen.

Senator David Ewoldsen (ComArtSci) Overall, I think it's an amazing document. I think you've done a good job, but one of the things that bothers me—both about how Michigan State has handled this in the past and it seems to be continued in the new document—is this need to hide information essentially. I really appreciated the fact that the document had things in there about if information is FOIAed, then it will be released. My question is, if the information is eligible for being FOIAed, why isn't it released before the media have to do a Freedom of Information Act? Why can't it be released to the faculty to begin with?



Senator Ewoldsen, cont. Because I have had situations where my advisees have been walking out of a meeting where the dean talked about things that were happening to a faculty member who had been accused of sexual harassment, and she was following two male graduate students. And after this meeting and what little information was given out, they were like, “See, we can do whatever we want. The university’s not going to do anything.” And I think one of the things that MSU really has to work on in this area, and I’ve talked with a number of people about this, as we need to be much more transparent. We needed to be more transparent in how we handled what was going on with Nassar, and we need to continue to be transparent if we want to address these issues, and this document, to me, still continues to try to keep things hidden.

Chairperson Karen Kelly-Blake Thank you for that. Associate Provost Lang?

Associate Provost for Faculty and Academic Staff Affairs Suzanne Lang

Thank you. I couldn’t agree with you more that we have to be as transparent as possible. The one thing that we need to remember is that the federal government, in terms of our RVSM and Title IX, have specific limitations on what information can be shared. Unfortunately, we are bound by those regulations, but I will say that the committee addressed the question and the point of being able to release information where appropriate and where it’s not restricted by federal law.

Now, one of the things that we have been working on is how to work with the college administration in terms of being able to inform the community of issues that we feel are very important to share. And so we are working with the Office of the General Counsel to try to develop guidelines, where we can differentiate between what information we can actually share and what we’re required to keep confidential. But-- Just having the statement up, well, I can’t answer any questions because it’s a personnel matter. We realize that that is unacceptable, that we have to be able to share with the community in order to prevent harm and also, we have found that when we’ve been able to share information on unlimited basis, that other individuals may have information that’s important to the investigation and they have come forward, so you’re absolutely right. This is a critical part that we need to continue to work on and better define what we are able to share with the community.

And I would share my own personal frustration that I’ve been limited in terms of what I can say, and the person sitting next to me could FOIA the information and be able to talk very openly about it. So, this is absolutely a really critical issue that we continue to try to work on.



Chairperson Karen Kelly-Blake Thank you, Associate Provost Lang. Any other questions, comments, concerns? I'm not seeing any hands raised. Alright. Not seeing any. So we do have a motion and a second on the floor. Oh, I'm sorry. Senator Pegler-Gordon.

Senator Anna Pegler-Gordon (JMC) Oh, Senator d'Ann de Simone has her hand up, but it's not in the like--

Chairperson Karen Kelly-Blake Okay, it's not in the participants. Oh, there it is. Thank you, senator.

Senator d'Ann de Simone (At Large) Sorry-- de Simone. I had a question, please, about the section determination by the provost, where it says "the provost must determine," blabity blah. "To reach this determination, the provost may discuss the matter with a charging party and/or the faculty member," and what the rationale was for not saying, "and the faculty member," because that seems to imply that the provost could decide. Then it says the faculty member also has the right to submit to the provost a written response. I'm just wondering why the faculty member would also not have a meeting with the provost before the provost determines whether the matter is of sufficient seriousness.

Chairperson Karen Kelly-Blake Thank you, Senator de Simone. Associate Provost Lang?

Associate Provost for Faculty and Academic Staff Affairs Suzanne Lang Well, I'd really rather defer to the committee, but I will answer that. We have traditionally, in the past, had a conversation between the provost and the faculty member who is basically the respondent in the case. And I believe that I'm really thinking that we still have that possibility. I need to have the entire policy in front of me. My apologies.

Chairperson Karen Kelly-Blake That's okay. So, Melissa Sortman, do you want to respond to that if you could?

Director of Faculty and Academic Staff Affairs Melissa Sortman I would just say that sometimes the faculty may not want to meet, so it's "and/or." It's not necessarily taking away the ability to meet with the provost. It's that we may have situations where the faculty member does not want to.

Associate Provost for Faculty and Academic Staff Affairs Suzanne Lang Thank you, Melissa.

Senator d'Ann de Simone (At Large) Oh, okay.



Chairperson Karen Kelly-Blake Thank you. Thank you, Senator de Simone. And if you could, lower your hand. Thank you. Any other questions, comments, concerns? Alright. Senator Pegler-Gordon, have I missed somebody? Because I'm not looking at everybody on the screen, and I don't see anything. Alright. So, we do have a motion and a second for us to accept the recommendations as distributed. I'm sorry, Senator Logan, did you want to say something? I see something in the chat. Senator Logan?

Senator Sandra Logan (CAL) Thank you. Sorry, I was having trouble unmuting. Yes, I only wanted to say that that clarification was helpful on the point about the faculty member's choice, but it should be specified as the faculty member's choice if that's the intention, because it's pretty ambiguous as it's written.

Chairperson Karen Kelly-Blake Thank you. And the motion is in the chat to answer Senator Meghea's question. So, the motion on the floor is for Faculty Senate to endorse the task force's recommendations. All right. If there are no further-- oh, I see Senator Pegler-Gordon.

Senator Anna Pegler-Gordon (JMC) So, I'm just trying to clarify—and I also see actually Vice Chair Stephanie Anthony as well—but I wanted to clarify. So, that comment from Senator Logan, was that a kind of-- Yeah, this is the same that's in the chat. Was it a proposed revision? I am trying to find the exact language in, so if anyone can direct me to the exact language to see how it might be revised, because I think it's important for that clarification to happen— Oh, page 15, thank you—before the motion for the overall motion.

Chairperson Karen Kelly-Blake Alright. Thank you, Senator Pegler-Gordon, and Vice Chair Anthony.

Vice Chairperson Stephanie Anthony Perhaps, as a friendly amendment, it may say, "either party may accept or decline the opportunity."

Senator David Ewoldsen (ComArtSci) Okay.

Chairperson Karen Kelly-Blake Alright. So, we now have an amended motion for the task force recommendations where either party may accept or decline a meeting with the provost. Alright. Senator Pegler-Gordon, is your hand still up? Do you have another comment? Senator de Simone.

Senator d'Ann de Simone (At Large) Well, that won't work because Senator Pegler[-Gordon] would say that the provost could decline. Or I think was Senator Anthony who said that you have to clarify by saying the faculty member could



Senator de Simone, cont. decline. You don't want to infer that the provost can decline the meeting with the faculty member, I think.

Chairperson Karen Kelly-Blake Okay. So, Vice Chair Anthony, do you want to take a step at clarification?

Vice Chairperson Stephanie Anthony Let's make the adjustment.

Chairperson Karen Kelly-Blake Okay.

Vice Chairperson Stephanie Anthony "The faculty member may accept or decline the opportunity to meet."

Chairperson Karen Kelly-Blake Okay. Alright. So, Senator Logan. I see you, Senator Juzwik. Senator Logan.

Senator Sandra Logan (CAL) Yes. Just to say, there needs to be another correction. It should read, "the provost may discuss the matter with the"-- I'm not quite sure why the "may" is in there. It sounds like "should initiate a discussion with the charging party and the faculty member." It should indicate separately, I think, and not the faculty member has the, or, sorry, not the faculty member, but I assume either the charging party or the faculty member have the right to decline. Is that what--

Vice Chairperson Stephanie Anthony My apologies. That is exactly what I mean. Give them both an option.

Senator Sandra Logan (CAL) Okay. So, rewording, it would say--

Vice Chairperson Stephanie Anthony "The charging party or the faculty member may accept or decline."

Senator Sandra Logan (CAL) And we just removed the, "or slash," out of the wording here, right? Just says, "and." So it would say, "the provost may discuss the matter with the charging party and the faculty member. Both parties have the right to decline."

Vice Chairperson Stephanie Anthony "Both parties have the right to decline."

Senator Sandra Logan (CAL) Yeah.

Vice Chairperson Stephanie Anthony That's acceptable to me.

Senator Sandra Logan (CAL) I think that's correct.

Chairperson Karen Kelly-Blake Alright. So, Senator Juzwik.



Senator Mary Juzwik (EDUC) Thank you. Okay. Senator Logan, I think your first iteration said, the provost—“should” instead of “may” discuss the matter. This is such a quibbly thing. “The provost should discuss the matter with” rather than “may discuss.” I think that’s what the question about the “should” or the “may.” “The provost should discuss the matter with the charging party and the faculty member.” “Should” or “may?”

Chairperson Karen Kelly-Blake Associate Provost Lang.

Associate Provost for Faculty and Academic Staff Affairs Suzanne Lang Thank you. I would suggest “the provost will” versus “should” or “may.” How’s that for a declarative statement?

Chairperson Karen Kelly-Blake Yes. Thank you for that. Alright. So I have to go to Senator Pegler-Gordon, and then I’ll go to Senator Bunnell. Senator Pegler-Gordon.

Senator Anna Pegler-Gordon (JMC) I guess I like that language, and I would definitely support it. The one question I had is whether there have been situations that are so egregious that the provost believes it is not necessary to discuss this matter with anyone because it’s very clear. And so I guess that was my only question. If that was the reason why it had been written that way. I think that, in fact, it’s probably better still to say “will” to ensure kind of consistency so that in every case this happens. But that was just the question that I had. If in fact it sometimes the provost may feel it doesn’t require additional consultation because it’s very clear that it is sufficiently egregious.

Chairperson Karen Kelly-Blake Alright. So Senator Bunnell.

Senator Jane Bunnell (MUS) Again, another basic question, is it always a one-way street? It’s always the student versus the faculty. Do you know what I mean? It seems like we’re directed always in one direction. It seems to me that it can also go in another way. Is that possible?

Chairperson Karen Kelly-Blake So is your question that the discipline and sanctions could go in the reverse direction?

Senator Jane Bunnell (MUS) Mhm. Suppose someone charges someone out of, pique or, you know what I mean?

Chairperson Karen Kelly-Blake So I’ll take Associate Provost Lang.

Associate Provost for Faculty and Academic Staff Affairs Suzanne Lang I think it’s important to clarify that when we’re talking about dismissal for cause we’re talking about very, very serious issues. The **Associate Provost and**



Associate Provost Lang, cont. case that we had last year was about a faculty member who sexually harassed his graduate students and then retaliated against them. Okay? We're not talking about something where it's a minor infraction. We're talking about—to use the HR term—gross misconduct, egregious behavior, and it goes through a panel of faculty who review the evidence on both sides and then they make a decision. So I think that in terms of the discussion, it's very important to remember that we're talking about very, very serious issues. Does that help?

Chairperson Karen Kelly-Blake Thank you, Associate Provost Lang. Yes, Vice Chair Anthony.

Vice Chairperson Stephanie Anthony I'm sorry. I'd just like to address the egregiousness of this. I actually believe that there is no scenario that either individual shall not be given that opportunity to speak to the provost or decline from a due process standpoint. I think that is the fairest most possible way to proceed. So those are my thoughts there.

Chairperson Karen Kelly-Blake Thank you. Secretary Silvestri.

Secretary for Academic Governance Tyler Silvestri So I guess I have two clarifications. I think it might help us home in on what it is exactly that we're trying to do. So first my understanding, and please anyone from Faculty and Academic Staff Affairs, the committee, whatever, correct me if I'm wrong. But my understanding is that under this policy, the charging party is always a dean, correct?

Associate Provost for Faculty and Academic Staff Affairs Suzanne Lang That's correct.

Secretary for Academic Governance Tyler Silvestri Okay. So I think that answers Senator Bunnell's question. Yes? Okay. The other thing, I think zoom out from-- We got a little in the weeds on the it "may," "should," "ours," etc. I think the question really is-- Senator Logan, were you suggesting the provost must discuss this with both the faculty member and the charging party? Noting of course, always, that we can't conscript anyone into a meeting. I mean if they don't want to meet, they're not meeting. So really the question is, do you want to amend it to say "the provost will discuss the matter" or kind of implicitly reach out to them, or, as Senator Pegler-Gordon had raised, might there be cases where that doesn't make sense, in which case it sounds like really that that is what was, I think, originally written? Maybe the "and/or" is problematic. But I think I would just say zoom out



Secretary Silvestri, cont. and see what exactly it is we're trying to say should be the actual policy. What is the structure we actually want?

Chairperson Karen Kelly-Blake Thank you, Secretary Silvestri. Senator de Simone, you had your hand up.

Senator d'Ann de Simone (At Large) Well, to that point, I agree with Senator Anthony. There is no circumstances to allow people due process in which, if a faculty member chooses to talk to the provost, that they shouldn't be allowed to. And remember that it's the provost who must determine—has not yet determined, according to this part of the document. So to say that there's something so egregious means that one has already determined. So I still support the idea that a person who is charged has the ability or can choose to discuss the matter with a provost. And I really support strongly what Senator Anthony said.

Chairperson Karen Kelly-Blake Thank you, Senator de Simone. Senator Logan.

Senator Sandra Logan (CAL) Yes. I think that Senator Anthony's point made it clear. And thank you for Senator de Simone as well. The provost is in the determining process when these interviews happen. And so those interviews should happen. Those meetings should happen. They, I think, will happen so that the proper determination can be made. I don't see how one can be made without those kinds of exploration. So I would say "will" is the appropriate language here. And also, that means that both parties have the opportunity, which otherwise they wouldn't have it's up to the provost to determine whether they have the opportunity to speak with them or not. So that seems important to me.

Chairperson Karen Kelly-Blake Thank you for that, Senator Logan. Others? And if you would, Senator Logan, lower your hand so that I won't get confused. Thank you. Others? Comments, questions, concerns? So now, secretary, I am going to reach out for your help because I'm not quite sure.

Secretary for Academic Governance Tyler Silvestri So my understanding—and please, Senator Logan or Senator Anthony, if this doesn't match what you were going for, let me know—but my understanding is that I'll put up a poll in a minute, the question of that poll being whether to amend it to read, "to reach this determination, the provost will discuss the matter with the charging party and faculty member. Both parties have the right to decline the meeting." That is my understanding of where we are and what we would be-- There's an amendment to that, it looks like, in the chat that is more economical, but--



Chairperson Karen Kelly-Blake So the other question. Is the meeting separate meetings or one and the same with both? So Vice Chair Anthony.

Vice Chairperson Stephanie Anthony In terms of what Secretary Silvestri put in the chat, I just want to say this. I believe that this university has learned a great deal from the experiences over the last many years, and that I am confident in my heart that faculty take this piece so seriously that we won't have another scenario like we've had in recent years. That being said, I do believe that even the most vile disgusting individual ever on the face of the earth should definitely still have an opportunity to have that conversation as it relates with the provost. The way our society is currently set up, everyone has a right to have due process. I agree with the way that Secretary Silvestri put it in the chat. And those are my thoughts. That is exactly what I was speaking to as well. Thank you.

Chairperson Karen Kelly-Blake Thank you. Vice Chair Anthony. Yes, Senator Pegler-Gordon.

Senator Anna Pegler-Gordon (JMC) Yes. I was just going to also say, I think that the version that Secretary Silvestri wrote out is the clearest and reflects the perspectives that have been raised because the "and/or" was one of the questions that could leave the provost with the choice to meet with only one person, which was not, I think, the intention of the revision.

Chairperson Karen Kelly-Blake Alright. So, Secretary Silvestri, you'll see where-- Alright, so change--

Senator d'Ann de Simone (At Large) So just adding "individually." "The provost will discuss the matter with the charging party and the faculty member individually." Both parties have the right to decline the meeting. Two meetings. Everyone's got all their rights.

Chairperson Karen Kelly-Blake Alright. Thank you for that. So are there any other questions, comments, concerns before we actually vote on whether or not to accept the recommendations?

Secretary for Academic Governance Tyler Silvestri Sorry, first we have to vote on that, whether to include that amendment.

Chairperson Karen Kelly-Blake Vote on that amendment. Apologies, secretary. So are there any objections to accepting the motion as amended? Seeing no objections, the motion as amended is accepted. So now, secretary, we can move on to--



Secretary for Academic Governance Tyler Silvestri The vote on the recommendations as amended.

Chairperson Karen Kelly-Blake Alright. So, any further discussion before we actually vote on the recommendations as amended? Alright. I am not seeing any hands in my participants list. So I think perhaps, secretary, we can vote.

Secretary for Academic Governance Tyler Silvestri Give it five more seconds.

[The vote was revealed to be 62 to 0.]

Chairperson Karen Kelly-Blake Wow. Thank you all so very much. You all just continue to do just incredible work.

So we are now at 4:15, we are at the point in the agenda where we can have comments from the floor and a guest. Thank you, Senator DeVoss. We want to thank the task force for this important work. Thank you all very much for that. And thank you, Associate Provost Lang, and I apologize for giving away your chairmanship to Senator Barman.

Associate Provost for Faculty and Academic Staff Affairs Suzanne Lang
No worries.

Senator Susan Barman (UCFT) I apologize for not being able to be heard.

Chairperson Karen Kelly-Blake So we are at the point in the meeting where we can take comments from the floor. And I believe we decided that we would give Nikunj Agarwal voice. There were no objections to giving Nikunj voice. So, Nikunj, the floor is yours.

UCSA Chairperson Nikunj Agarwal Thank you so much, everybody. With the previous item passed, I already appreciate the entire committee for working to just make this a better place for everybody. So thank you on that. Good afternoon. I have a small letter to read for the entire committee. Good afternoon. For those who don't know me, I am Nikunj, and I have the privilege of chairing the University Committee on Student Affairs. I'd like to thank everybody for giving me a chance to speak in this special meeting without previous information about the issue. I'd like to preface by saying we are still in a pandemic and individuals are still facing several different challenges in everyday life. We all wish to come back in person, but no one did realize the amount of pressure we all would have to deal with. Keeping up with our socializing goals, to our mental health, building our resumes, and above all ensuring that we all do well with our academic goals.



UCSA Chairperson Agarwal, cont. We all spoke about how there was a transition to online learning. And I think that roughly around 10,000 freshmen and others, who are transitioning back into an in person learning for the first time, where they don't know what to expect. Personally I call this the new Spartan experience. This semester has been tough mentally. As we know COVID does not target an individual, but rather community irrespective of any bias. There've been faculty members, staff, along with students who've fallen sick not only by contracting COVID, but other infections around campus as well over the past semester. So while I know it's something we have to live with and continue on with life, it is essential in today's world where an individual is defined by their GPA and undergrad, whether it is to get a secure employment opportunity or to continue to enhance their education.

I hear and respect the different concerns brought by the different academic governance bodies and the Office of the Provost on the matter on having binary grading for the Fall 2021 semester. There were several places where the conversations were raised, not only during midterms or finals week, as raised earlier, but throughout the semester. I decided to start a petition, which has nearly 7,000 signatures and 130 unique experiences as to how their academic goals have suffered this semester. I'd also like to point an important aspect: that the motion was initiated by a faculty member at the University Committee on Student Affairs and not the students. She saw her students in her class suffer with different difficulties and having the word in academic governance-- She thought that it would be the best to raise this concern again. Also, it is good to know that the provost was amongst the first provost in the country to adopt the binary grading system without looking at other institutions back in the previous semesters, and I believe it is the same situation today.

I also know that the Office of Provost is working to revisit some policies next semester, and that's a good progressive step. But at the same time, what about the students that plan to graduate this semester, and next semester is their last one? I think it'll be fair that we have binary grading with restrictions, obviously to ensure quality, equity, and credibility for one's educational dignity. I request the Faculty Senators to support the students and help students in these difficult times. Once again, thank you for giving me the opportunity to address the committee. I am more than happy to talk to anybody if they'd like to, or even answer questions. Of course, if the chair allows. I yield my time.

Chairperson Karen Kelly-Blake Thank you for that, Nikunj. So we are at this point in our meeting where we have comments from the floor. Nikunj shared his



Chairperson Kelly-Blake, cont. comments with us. Are there any responses to those comments? Alright. Other comments from the floor? Yes. Senator Gasteyer.

Senator Stephen Gasteyer (SSC) So I think what Nikunj Agarwal has raised for us is actually something worthy of consideration. I guess a question for—I'm not sure for who, maybe for Provost Woodruff—is, what would be the logistics of responding to this? There's a process through which we put in place something like an S/NS option. And I know that students are looking for relief right now. I have a number of students who've come to me with concerns about this as well, but I'm a little concerned about an academic process doesn't match up with what the issues are or what the immediate concerns are. And if there is even a way that we could respond at this point.

Provost Teresa K. Woodruff I'm happy to take that question, Chairperson Kelly-Blake.

Chairperson Karen Kelly-Blake Yes. Thank you, Provost Woodruff. I was having trouble with my mute button. Thank you.

Provost Teresa K. Woodruff No worries. Thank you. This was considered by academic governance early in the semester at a time point that would've been appropriate for alerting the students. And I think at this point in the semester to make a change during finals week really would suggest to them that things are not stable, that things continue to change. And I think that that does represent a kind of precarity for the vast majority of the students. Our 50,000 students are currently considering that the way in which they started the semester is largely the way they will be graded this semester. And some of the considerations that were made by our committees included that some departments and colleges represented here through the Faculty Senate have really legitimate concerns about student preparation based on the S/NS utilization last year. And I think—UCUE Chairperson Gina Leininger is not here right now—but there were other concern that were raised particularly at this late stage in the semester. And in fact, for our accreditation standards, we have to certify our grades within three weeks after the grades are uploaded. So I think it would be very impractical to do it at this time. But I know that that's the specific question, senator, but I think the bigger question is, did we consider this in a timely way with all of the data available to us to determine if this was the right way for our students in the semester? And Nikunj indicated, and as all of you voted last year, that we did take a very important step, I think, for our students, but we did announce very early what would be the grading modalities for this semester.



Provost Woodruff, cont. I have charged and asked Associate Provost Largent to work with UCUE to consider a progressive package of considerations of reforms to our credit no-credit system. I'll remind Faculty Senate that S/NS is something that is of a very particular COVID related time. Credit/no-credit is something that is a very traditional academic limitation, and also to evaluate the retake policy. What S/NS did allow is for students to actually retake courses at a larger number than is available to them under the credit/no-credit system. And so that is-- Those are two items that I ask for to be taken up. And I think Associate Provost Largent will be working with the Steering Committee and moving that through to UCUE.

Chairperson Karen Kelly-Blake Thank you, Provost Woodruff. Yes. Senator Gisholt. You're muted. Senator Gisholt, you're muted.

Senator Nicolas Gisholt (UCSA) I'm sorry. I'm also part of UCSA, and I support what Nikunj talked about, but I was also wondering, have we considered the possibility of S/NS for next semester? Is that something that we could consider for the spring?

Chairperson Karen Kelly-Blake Provost Woodruff?

Provost Teresa K. Woodruff Yeah. So UCUE could take that up for the spring semester.

Senator Nicolas Gisholt (UCSA) Okay. Right. Thank you.

Secretary for Academic Governance Tyler Silvestri And, indeed, has indicated that they plan to.

Chairperson Karen Kelly-Blake Thank you. Senator Bunnell.

Senator Jane Bunnell (MUS) So I have been in some conversations on the internet with faculty about this, and we get guidance from above, let's say, on so many things. Is there a way that the provost's office or Mark Largent's office could say, "When you're grading faculty, please be compassionate towards your students during this semester and use your best judgment to help them since we don't have the S/NS"? I mean I don't see any reason why it's not within our grading powers to be compassionate.

Provost Teresa K. Woodruff So we have asked for grace and empathy. So we have asked for grace and empathy over this timeframe. And I also know that faculty want to ensure that each student is prepared at the completion of the course of study that they have enrolled in. And so certainly grading is within the purview of the faculty member in the particular class.

Chairperson Karen Kelly-Blake Senator de Simone.



Senator d'Ann de Simone (At Large) Senator Bunnell, you took the words out of my mouth. Because I understand, in looking at my own classes that I am going to need to extend a great deal of compassion. And I want to-- And I appreciate Provost Woodruff that those two words, grace and compassion, I would encourage all students to approach professors. We know that it's been in a very tough semester in an unexpected way even. Even though we knew what we were dealing with, there's been more flu and colds. So I just appreciate what you said, and I support it. And maybe, Professor Woodruff, you could send out one last email asking faculty to be mindful of what students have dealt with because it's been tough for them. That's all. Thank you.

Chairperson Karen Kelly-Blake Thank you, Senator de Simone. Associate Provost Largent?

Associate Provost for Undergraduate Education and Dean of

Undergraduate Studies Mark Largent Yes. Thank you, Chairperson Kelly-Blake. I wanted to say the same thing Senator Bunnell. I would say 80% of my time is spent talking with either faculty or students in the space that you've talked about. There are some faculty who are almost asking permission to be compassionate and to show grace, almost being apologetic. It's relatively rare though. It seems like it is by far the norm and that they're not asking for permission, that they're showing real academic and humane leadership. And so the students that I do hear from, if they exhibit a degree of frustration, I say the same thing that I heard senators say, which is, for goodness' sakes, the faculty are weathering the same pandemic that the students are, and they feel it differently, but they need the same compassion.

So things that we can do that reduce unnecessary tensions among us, I think, are critically important right now. And we continue to say that over and over and over. And I think the annual evaluation materials with the pandemic statements included in it are intended to lift that for faculty as well. But by and large, I'm not seeing more complaints from faculty towards students or students toward faculty than I did before the pandemic. In fact, I think I'm seeing far less. I am also seeing a very proactive stance from the university ombudsperson; Dr. Burton, I think, is really good in this space. And I would encourage students who may be finding that they don't have the relationship with the faculty member at the end of the semester that they want, and that it may be exhibited in their grades to take advantage of the ombudsperson's office. We are one of the relatively few universities that have one and one of the first. And so I think it's critically important that we continue to make use of that office when it's there. I think we're trying not to make new policies when we've got really good ones in place to handle



Associate Provost Largent, cont. this work. And I want to thank all of you for what you've done with our students, because it really has been a pretty amazing return to campus, even as hard as it has been. So thank you for that.

Chairperson Karen Kelly-Blake Thank you. Senator DeVoss.

Senator Danielle DeVoss (CAL) I have a question on a slightly different topic. I'm wondering if it might make more sense—because I don't want to distract us from the topic at hand—to put it in chat and then we can get back to it. I'll lower my hand then.

Chairperson Karen Kelly-Blake Okay. Thank you, Senator DeVoss. Senator Ewoldsen.

Senator David Ewoldsen (ComArtSci) Mine was the same thing, so I'll put it in the chat.

Chairperson Karen Kelly-Blake Okay. Alright. Vice Chair Anthony.

Vice Chairperson Stephanie Anthony Yes. I would just like to take a moment. This statement is directed to everyone here today. I think none of us would disagree. These are perilous times. As a matter of fact, uncertainty is probably the only thing that is certain as we move forward. And I concur on the conversation that has been held in terms of grace and compassion for our students. I also would like to ask that each of you, all of my colleagues, that you give yourselves grace and compassion as well. Just take a moment to reflect and to understand that you matter. You matter. We are all having tough times and someone notices, someone cares. And I wanted to just share that with you. You matter as well. So make sure **Vice Chairperson Anthony, cont.** you're doing the things that you need to do to care for yourself. That was it. Thank you.

Chairperson Karen Kelly-Blake Thank you very much, Vice Chair Anthony. So it looks like we're taking a turn. So, Senator DeVoss, if we can circle back to you.

Senator Danielle DeVoss (CAL) Thanks. I'm in the midst of typing. So I'll pick up where my typing left off. To quickly recap, I reached out earlier today to our associate dean of undergraduate education, to request a modality shift for a spring course. The instructor has a SEAD [Statement of Employee Accommodation Determination] accommodation for online teaching. I received rather late-- We hadn't yet made the modality change. The response I received from our associate dean is, "We are no longer allowed to make modality changes without prior approval from the RO [Registrar's Office] and the APUE [Associate Provost for Undergraduate Education]. Please include core specifics rationale, including why the courses haven't been reassigned to other colleagues who can teach them in



Senator DeVoss, cont. person and the programmatic pedagogical benefit.” I asked if this applied to faculty with documented SEAD Accommodations, and she said yes. So 1,001 legal questions aside, I would like to ask, is this a correct interpretation of the process for any modality shifts for spring? Will this process be communicated out to chairs and directors? And I was hoping either Provost Woodruff and/or Vice Provost Largent could speak to this, please, if it resonates with others.

Provost Teresa K. Woodruff So I can start, and then Associate Provost Largent can chat. And what we wanted to do this semester was to bring a measure of certainty to our students, and to our faculty. And so that there was not massive changes that are occurring kind of during the context of the semester. And so in conversation with the faculty and deans, we put into place a date that was discussed that was sent by email. I think it was in early either-- Late October, I believe, was when the email was sent from Associate Provost Largent and Associate Provost Jeitschko and from the RO indicating that modality changes would be frozen at December 10. And this was sent across to all the associate deans. And again, the goal was to make sure that students, when they were registering for a particular course or section, could know what the modality might be. And this may include an international student that is still studying from abroad to know that they have a section that is high flex or fully remote. It would allow someone who wanted to be fully remote for their entire curricula to have knowledge of that. And it also allowed for students who wish to be in person to select those classes that would make sense to them. And by assigning this December 10 date, we felt it gave faculty a kind of a point in time to be able to identify those changes. Post that time, there would be further deliberations. And as we've said since the beginning, I think this is a common thought from all of us, that we want to make sure that the pedagogical reasons for the modalities are part and primary to the discussions. Let me turn it over to Associate Provost Largent for additional context for those decisions.

Associate Provost and Dean of Undergraduate Studies Mark Largent

Yeah. So we're not seeing very many modality changes. It's been a pretty slow trickle, but we are seeing them both directions. And it's problematic for students as we get close to the start of the next semester when a modality change happens. There's a segment of students this semester. There were 750 undergraduates who were an online-only exemption category for vaccinations. So they weren't vaccinated, but they were only in online classes and had signed statements saying that they wouldn't set foot on campus for any reason. Any student that's in that category for spring semester is relying on a class being offered in person. There are students who cannot get to the United States or cannot get to Michigan



Associate Provost Largent, cont. because of travel restrictions, economic problems that they may be facing, or health issues. And those students would need classes to remain as they are.

There's also students at the other end of it who are required to live on campus, and are asking for and quite honestly, very activated for, in-person class experiences. There's also some significant mental health issues associated here that we want to make sure that we are serving. So trying to create as stable of a schedule as we can so that the students can rely on classes being offered in the modality in which they had been advertised now for 11 months and try and keep that as stable as we can. The new Student Information System allows changes to be made at the unit level with no oversight—that is, a department secretary or chair, or an assistant or associate dean can go in and change modality. There's no-- There are no pathways for oversight the way that there was in the old system. So one of the concerns that there is, is that you would, without any oversight, you could have people changing course modalities and pulling those courses out from under students.

I also don't want a situation where faculty are being compelled to teach in a different modality than they have been preparing to teach. So this is a governor on the entire system to try and cool it so that the students can feel a sense of certainty and that the faculty know what their course modalities are, and they're not going to be pushed online or pushed offline and in person. We're just trying to keep that rate as little change as possible. If a faculty member has an SEAD, so on an RCPD accommodation, and it says that the person needs to teach online, what we're asking for isn't that we change course. That the automatic reaction is to change the course modality of the courses they're currently assigned to, but rather to ask, "Oughtn't they be assigned to online courses rather?" Than "Should they have the courses they're assigned to be moved online?" That is, make a pedagogical decision about which courses we offer in person versus online, and then assign faculty to those, making the same kinds of staffing decisions that we make, and have made for decades, around the limitations and abilities that faculty have. So we are trying to create some stability for faculty and students alike, and we're trying to make sure we meet student and faculty needs in doing that. That was the purpose of it was simply, let's make sure we all are looking at this and we are all in agreement and we're acting like a community.

Provost Teresa K. Woodruff And Senator DeVoss, I think if you missed the deadline or the email, I think working with your associate dean-- And I think the conversation and the opportunity for dialogue along these lines will help settle the teaching schedule. So thank you for bringing that to our attention.



Chairperson Karen Kelly-Blake Thank you. Senator Ewoldsen.

Senator David Ewoldsen (ComArtSci) Yeah, I guess I would say that the reality of faculty members, at least in my college, that has been reported to me, is very different from the reality that Vice Provost Largent and Provost Woodruff has laid out. That they have been trying-- So for example, one faculty member who has taught online for the last three semesters, got very good teaching evaluations, has been pushing all along to continue to teach online, has been told repeatedly that she has to teach face to face in the spring. Despite the fact that-- I just went back and checked, and the last dates they have are April 1, 2020, so two weeks after we went online. Today, the number of new cases in Michigan are more than 20 times the number of cases we had then. We have the new variant to COVID, which we're all very aware of, but the BBC just announced within 48 hours, it will be the top form of COVID in London.

I mean, so we have a whole new thing going on, but it seems like-- I'm not seeing, at least in my college, much appreciation of the faculty concerns about this. Again, for example, when you have a person who's been teaching online for three semesters and all at once has to be told for a class of 250 students that they have to go face to face. Have to be told, I need to go teach a class of 150 students face to face. I don't understand quite why. I don't-- I want to see the data on the educational benefits of the face to face for 150 or 250 students. I've not seen that data. I've argued about this for years with online teaching now, back and forth. So I would love to see that data as well.

Chairperson Karen Kelly-Blake Thank you, Senator Ewoldsen. Provost Woodruff or Associate Provost Largent, can you respond?

Provost Teresa K. Woodruff Well, thank you for that dialogue. And it is important. And our goal was to help colleges to begin to think about the spring semester and then the summer that will come. And in fact, the fall that will come and begin to think about these matters. As you indicated there, in some disciplines there's real value in the high flex or in the online. So the idea is not to limit, but it is to actually use an intellectual rubric around particular areas of scholarship, and to understand how we teach within that environment. And at the end of the day, there has to be a policy so that students know if they have to walk to a class or if they're going to be online because that's material to our students and their decisions. And what we saw very early on-- Whether it's enrollment patterns and particular kind of classes. And I think what you're describing is exactly the kind of thing we're interested in colleges and departments really gathering within your areas. What is the right pedagogical way for students to... for faculty to teach and for students to learn?



Provost Woodruff, cont. And Interim Associate Provost for Teaching and Learning Innovation Joe Salem will be establishing early in the spring semester two committees that I've charged him with: one committee on best practices of teaching and a second on best practices of learning. And I think it is in that more formalized way-- And then more specifically within the individual departments, that we'll begin to build a new MSU teaching modality. And I certainly agree with you. Some of that-- There has been, in some places, a feeling that different ways work better than others. And I think that comes both from the teaching of, and then what is the data on the learning of-- And I've seen some units really take a very deep dive here.

And I think those are really important. The establishment of a date by which those data should be collected, that thought process should be evaluated, and colleges and units deliberate, needs to be at a particular time, so that then students can then decide what they're going to work in-- What kind of learning environment they'll be in. So maybe that helps. This is not to eliminate the dialogue. It is intended to create a dialogue with a timeliness that allows for the students to be able to register for a course modality that makes sense for them.

Chairperson Karen Kelly-Blake Senator DeVoss, do you want to speak to your comment in the chat? Because I think it is important. I think you are asking for some sort of answer to this.

Senator Danielle DeVoss (CAL) Yeah. I appreciate this. I appreciate this discussion. I appreciate the university's orientation supporting student learning, student mental health, student success. I mentioned this in the chat. I think every faculty member in my department is eager to be with students to be in person in classrooms. But we do have a very small handful of people who are not safe doing so, who have accommodations. So I have to go back to a faculty member who has a SEAD accommodation and say, well, what I need you to do now is write a rationale for the associate dean to review and then forward to the APUE and the RO justifying the recognition of your accommodation. And I also completely understand that we do not want to pull the rug out from under students' feet. We do not want to change their schedules, but I mean, we did the scheduling and staffing departmentally for this semester in fall 2020. I mean, we don't create our schedules a couple weeks before a semester starts. These assignments have been-- I have 70 faculty members in my department. We reach thousands of students every semester.

So what I would ask is that you, Provost Woodruff, Associate Provost Largent, please consider more clear messaging, and soon. I did not receive any messaging from our college administration about the December 10 deadline until last week.



Senator DeVoss, cont. And it was a very mixed and partial message. So I think at this point in time, directly speaking with chairs, directors, and administrators about what this process is and why it's in place, because I think sharing the message of protecting student schedules and understanding-- And prioritizing student success is crucial. But I think some messaging would be very, very-- I know I would've appreciated it. It would make it easier for me to talk to my faculty in my unit. Thank you.

Chairperson Karen Kelly-Blake Thank you for that.

Provost Teresa K. Woodruff So we will consider sending that out. I think that's a very good suggestion. And I think for the individual that you're speaking of, we're asking the department-- We're not asking really for a justification for following an SEAD. So in an individual case, we're really asking for the department to explain why the modality change was the only way to address that. And so we're really trying to be as thoughtful with you as possible. And because we're kind of, again, in this phase where maybe not everyone has gotten that message. We'll make sure that we send out the message again and to indicate that this is a partnership to make sure that the teaching and learning and environments that you've just really elegantly described as our primary mission are preserved as much as possible. So thank you for that recommendation. We'll definitely consider a DDC [dean, director, chair] message right away.

Chairperson Karen Kelly-Blake Yeah. Thank you. So, Senator DeSimone.

Senator d'Ann de Simone (At Large) Hi. I'm glad Provost Woodruff mentioned that the problem with the SEAD, being a disabled person myself, is you don't know two years in advance, and there are legal issues involved. And I'm glad that Provost Woodruff reiterated that it's not a justification. One does not have to justify a SEAD, but rather this could be something that came up. So that there's a distinction between planning in advance. And I understand everything you're saying Provost Woodruff, because thank God we're back in person in the art department. But I think what Senator DeVoss is talking about is a very specific situation that has to be handled separately. Thank you.

Provost Teresa K. Woodruff I agree. And we'll be happy to do that.

Chairperson Karen Kelly-Blake Alright. Any other comments from the floor? Questions or concerns? We have 12 minutes left. We can give it back to you. Alright. So if there is no objection, I say we can end the meeting at 4:49 p.m. Alright. Thank you all so much. Enjoy your time, your break. I hope everybody has a safe and well holiday season. Bye-bye. Thank you all.