

# *Faculty Senate Meeting*

## *March 22, 2007*

Dr. Manoj Chopra, Faculty Senate Chair, called the meeting to order at 4:04 p.m. The roll was circulated for signatures. The minutes of February 22, 2007 were approved with minor changes.

### **RECOGNITION of GUESTS and ADMINISTRATION**

Dr. Chopra introduced guests Drs. John Schell, Pamela Kirby, Dennis Dulniak, M.J Soileau, Patricia Bishop and some guests from the UCF Library.

### **Announcements**

#### *Dr. Chopra Announcements:*

- Dr. Chopra offered appreciation to all faculty senate members for their support and service to the Faculty Senate. He thanked the Standing Committee chairs for all their work this year. The members of the Faculty Senate thanked Dr. Chopra for his work and leadership of the senate this year.
- In the recent WebCT updated announcement from Dr. Hartman on the flexibility of WebCT transition to Webcourses@UCF adoption. Dr. Chopra requested Dr. Hartman to send out the announcement one more time to the faculty.

#### *Dr. Provost Hickey report*

- Tenure and Promotion: Reviewed packets; all deans have been notified of the small number of candidates who were not recommended; his recommendations go to President Hitt one week from today. The president finalizes next week and forwards the recommendations to the BOT. Dr. Hickey thanked all who participated in the T&P review process at each level.
- Budget: The House budget has been released with the senate budget expected within the next week or so; there is enrollment growth money in House budget - 47+ million; request from BOG was well over that amount. Medical school 4.7 million is in the budget and is also assured in senate budget. The House recommends a 5% increase in tuition while the governor is in opposition. The Technology fee is still an open item. Overall, this is not a good budget year since the state revenues are down. No level funding or cuts are being discussed at this point. Within another 3-4 weeks, there will be a clearer picture on next year's budget.
- Florida BOG regarding Pappas report: There is still question on the impact of the open forum held here at UCF; Dr. Mark Kamrath, a faculty in the English Department and a senator, addressed the meeting. In general, the notion is that this is not an accurate and favorable report for UCF. For example, the recommendation that UCF be an undergraduate institution came from the idea that if 10% or less was graduate enrollment then the institution should be an undergraduate-focus institution. The first problem is that UCF has 13% graduate enrollment but was counted as 10%. More interesting, 13% of a big number is a large number - graduate enrollment at UCF is larger than that at University of GA which is a research-institution; companies hire people not percentages- UCF produces a large number in targeted areas however since the overall student population is large, the percent is lower than other universities; BOG has engaged Pappas to do more work; UCF will listen and respond appropriately.

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### Dr. Chase report

- No report. The BOG meeting is scheduled for next week.

### Old Business

None

### New Business

#### Resolution from Graduate Council on Adherence to Conduct and Conflict of Interest - Dr. Lieberman reporting

Dr. Aaron Lieberman thanked members of the graduate policy and procedure committee for all their hard work. There are 10 members with 28 years of service and two members with 11 years, including Dr. Lieberman and Dr. Steve Goodman also recognized for his six years as chair. Dr. Lieberman spoke on behalf of the council. He offered that this was an opportunity to review a statement of clarity. The resolution was read as follows:

#### **Resolution on Adherence to Conduct and Conflict of Interest**

**Whereas**, the Faculty Senate recognizes that there exists a statute namely, Florida Statute Chapter 112, Part III, known as the Code of Ethics for Public Officers and Employees which mandates the Policy on Professional Conduct and Conflicts of Interest,

**Be it resolved** that the Faculty Senate endorses the development and promulgation of examples that elaborate guidelines interpreting the specific aspects of actual and potential Conflicts of Interest and the management of such, and encourages the appropriate University entities to disseminate such guidelines to the university community.

**Be it also resolved** that the Faculty Senate endorses the examples in the March 5, 2007 statement of the Graduate Council (attached below) regarding conduct of personal relations between university employees and employers, and employees and students as an example of such promulgation.

#### Statement of the Graduate Council –

##### Clarification and Guidance for Faculty on Conflict of Interest in Personal Relations with Students

Conflicts of interest may also arise in the conduct of personal relations between university employees and between university employees and students. Employees are expected to treat students and fellow colleagues with courtesy and to respect their rights, including, but not limited to, academic freedom and freedom from coercion or the imposition of a *quid pro quo* relationship. The potential for conflict of interest in personal relations between employees and between employees and students is grounded in the distinctly unequal power in certain relationships, such as between a director and a subordinate employee or between a thesis advisor and a graduate student. It is often the case that the subordinate in a work or school relationship of this type will feel that they cannot say no to a request by the individual having the evaluative role or the more authoritative position. The individual with the predominant or controlling position in such relationships should be aware of this fact and of the potential for abuse of this unequal authority and control.

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Employees and students must realize that even consensual amorous relationships may lead to sexual harassment, other breaches of professional obligations, or charges of sexual harassment or ethics complaints. This is particularly true where the relationship is one of unequal power (i.e., where one of the individuals in the relationship has a professional responsibility toward the other, such as in the context of instruction, advisement or supervision). No faculty member shall have an amorous relationship (consensual or otherwise) with a student who is enrolled in a course being taught by the faculty member or when academic work is being supervised by the faculty member or when that faculty member has or *is likely to have* academic responsibility over that student at any time during that student's tenure at UCF. No person in a supervisory position shall have romantic or sexual relationships with anyone that he or she evaluates. Romantic partners, including spouses, will be separated for purposes of evaluation and direct supervision.

A faculty member may not involve university students or other employees in the faculty member's external activities if such involvement is coerced or presented as a *quid pro quo*. Additionally, if it is another employee who is being involved in an external activity of this sort, then that involvement in the external activity must not conflict with the employee's required commitment of time to the university. This proscription is especially relevant to employees in their relationships with students and with employees over whom they have a supervisory or evaluative role.

As with conflicts of interest based on private and commercial interests, conflicts of interest based on relationships are necessarily fact-specific. Therefore, the university has not attempted to provide an exhaustive list of fixed rules on the potential for conflicts of interest created by such relationships. Individuals who have questions about how this policy applies to a particular situation should seek advice from the Office of the Provost or the Office of the General Counsel.

Below are examples of activities that constitute ***actual conflicts of interest*** that are inconsistent with University policy.

*A student's grades or progress towards a degree are conditioned on participation in a personal relationship, such as a romantic relationship, with an employee. [Note that this conduct may also constitute sexual harassment.]*

*A student's grades or progress towards a degree are conditioned on participation in a personal activity of the faculty member evaluating the student's progress, such as assisting the faculty member with babysitting activities, running personal errands, etc.*

*A supervisor engages in a romantic or sexual relationship with another individual (student or employee) over whom he or she has evaluative responsibility.*

Below are examples of situations that constitute ***potential conflicts of interest*** in that they may develop into actual conflicts of interest inconsistent with University policy. Situations that raise the potential for conflicts of interest should be monitored to address any conflicts that might arise during the activity.

*A supervising faculty member asks a student with whom the faculty member has a professional friendship for a personal favor, such as house-sitting during the faculty member's absence.*

*Student enrolls in an academic program in which student's parent (or other immediate family member) is a faculty member.*

Where there is doubt in the mind of any individual about a potential conflict of interest, the individual should raise the issue with his/her supervisor and/or the Office of the Provost. More information can be obtained from the [General Counsel's Web site](#). In-unit faculty should also refer to Article 19 of the [UCF BOT-UFF Collective Bargaining Agreement](#).

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### *Resolution from Graduate Council on Adherence to Conduct and Conflict of Interest -cont.*

There was a lengthy discussion among the senators regarding the specific examples, such as a spouse could not supervise a romantic partner of any kind. Dr. Soileau offered comments of caution regarding the list of specific examples - that in trying to address anything that is public law by examples. There is the possibility that a person could change the example somewhat and do something to get in to trouble or embarrass the university. Dr. Chopra responded to questions regarding legal counsel review that the resolution was generated with counsel from legal at all steps. He noted that the management issue is addressed on page one, paragraph two that. This is an advisory document and the cases need to be managed.

Dr. Kuhns commented that FS does not create university policy. Herein, we are asking the university to make a more detailed policy and we are just giving these as some examples rather this is put forth as one suggestion. Further, we are asking for more clarity in a document that needs to be sent out to the faculty at large.

Motion was made seconded and approved with one abstention to support the wording in the resolution with the following changes.

- Page One.....Be it resolved that the Faculty Senate endorses the development and promulgation of *(delete: examples that elaborate)* guidelines interpreting the specific aspects of actual and potential .....
- Page Two, line two: Romantic partners, including spouses will be considered individually *(delete: separated)* for purposes of evaluation and direct supervision.

Dr. Chopra announced that there is additional work underway on a similar undergraduate policy.

### *Focus on the Nation - Dr. Penelope Canan reporting*

Dr. Canan is a UCF faculty member in Environmental Sociology. She brought information today on the topic of climate change in the form of the website focusthenation.org. This group is enrolling and enlisting the members of the university to participate in 18-month focus of business/faith-based organizations on solutions to climate change; with one day, January 31, 2008, designated for simultaneous teaching and an invitation to political leaders. Currently, there is informal group of 40 students who planted the flag last semester and plan to have a float in the homecoming parade. Dr. Canan addressed the faculty senate today to request an endorsement resolution. Dr. Chopra stated that we will send topic to committee for discussion and a possible resolution in the next senate term.

### *Revisions to the Faculty Constitution - Dr. Cook reporting*

Report of the ad hoc committee - reminded that this is the constitution of the faculty assembly with the Faculty Senate conducting the work. Dr. Cook distributed a handout to members. The following items were discussed:

- New colleges: third paragraph - believe that work will be complete by this term; this year's election of faculty senators is based on status as a college in January 2007.

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There are two questions: (1.) how do we define faculty membership? At present, there are 60 members; a proposal may be made to change to 72. (2.) How to account for representation in the College of Medicine? The second attachment is from UF and addresses how that university dealt with their medical college. Note that UF faculty senate is 150 with membership based upon academic units and another unit of other faculty; the medical school is not a unit.

- Comment from Dr. Bishop regarding number of faculty anticipated in medical school: 150 and clinical faculty could be in the 100's; going to start with 50 clinical faculty initially.
- The suggestion is calculate apportionment with at least two voting members; see membership, second paragraph, and part two for remaining seats. It is proposed that no academic unit representation will be larger than 1/6 of total; that provision is to balance larger and smaller colleges for representation. In the last paragraph, the eligible faculty is defined.
- Attachment three is from USF - there are 60 senators with equity in college and campuses.
- Clarification was given by Dr. Cook that UCF faculty that are on the regional campuses are assigned by main campus departments and thus gain membership through their department.
- Apportionment in each college remains the same; then in bylaws a separate document of eligibility and clinical faculty is created with only 50% counted towards membership eligibility; i.e., 200 in a college are counted as 100, for the purpose of representation.
- Clarification was given regarding the new College of Nursing that is effective July, 2007. The faculty senators in nursing and at-large in COHPA are in mid-two year terms and will serve remaining year in 2007-2008.
- Additional recommendation: change the name of the old GEP to Common Prerequisite Oversight Committee.

Dr. Cook will take these back to faculty and the ad hoc will finish committee work. Please send comments via email to Drs. Cook and Pennington. The ad hoc committee recommendations will go to the new senate. There must be 30 days notice in order to call a Faculty Assembly meeting to amend the faculty constitution.

### **Standing Committee Reports**

- *Budget & Administrative* - *Dr. Jungblut reporting*

Funds were awarded to various colleges and the library for undergraduate teaching proposals. Those units that did not receive funds informed. The funds should be available at end of this week and must be spent by June 30<sup>th</sup>. There is one more meeting scheduled with Denise Berrios from the UCF bookstore. The committee members will meet and send a report to the Faculty Senate.

- *Graduate Council* - *Dr. Lieberman reporting*

Committee proposed the resolution presented today and continues to work on legal aspects of the turnitin.com proposed resolution.

- *Personnel* - *Dr. Kaplan reporting*

The committee met on March 5<sup>th</sup>; It received promotion and tenure recommendations; Academic career model will be discussed and other issues to be completed by end of the committee term.

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- *Undergraduate Policy & Curriculum* - Dr. Pennington reporting  
Committee meets April 10<sup>th</sup> with agenda items due today at 5:00 p.m. The course review committee is scheduled to meet on April 3<sup>rd</sup>.

### **Other Items**

#### *Faculty Ambassador Program* - Dr. Schell

In the new football stadium, there will be a new program that features one or two colleges on Gameday. This will be a faculty ambassador program separate from the one of last two years. Faculty will participate in academic events of open houses to honor alumni, students, faculty. It will take place between first and second quarter and the faculty ambassadors will go out on the field. The colleges are also interested in working with faculty that would be a welcome team of goodwill ambassadors such as providing information about programs and research and directions to different parts of campus during the events.

#### *Common General Education Programs* - Dr. Chase

There was an article in the *Orlando Sentinel* regarding where most appropriate for a student to obtain general education requirement courses. There is a proposal in the legislature to teach the GEP courses at the high school level. Dr. Chase will obtain more information on this item and report to the Faculty Senate.

### **ADJOURNMENT**

Meeting was adjourned at 5:16 p.m.

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*Approved by the Faculty Senate on March 22, 2007.*