



Faculty Senate

Steering Committee

Minutes for meeting of Thursday, November 17, 2022, 3:00 pm

Zoom Link to access recording:

<https://ucf.zoom.us/rec/share/qcNfMlgztpUXaDKru5Cddo02QRbpbk4ugehl6e5nZ5f9ILZP3JbWqeQ-a2Kd1v6DI.CwTUVhGUwiiZ5HX8>

Passcode: 9AI0H.t@

- 1) Quorum reached and meeting called to order at 3:02 p.m.
- 2) Roll Call via Qualtrics – Faculty Senate Chair Stephen King, Vice Chair Keri Watson, Secretary Kristine Shrauger, and Past Chair Joseph Harrington were present. (See *meeting materials Attachment A for list of participants*)
- 3) Approval of Minutes of *October 20, 2022*
 - a) Minutes are approved as written.
- 4) Recognition of Guests
 - a) Joe Adams, Senior Communications Director, Academic Affairs
 - b) Lucretia Cooney, Director, Faculty Excellence
 - c) Mikayla Gray, Reporter, NSM Today
 - d) Jana Jasinski, Vice Provost, Faculty Excellence
 - e) Michael Johnson, Provost, Academic Affairs
 - f) Juan Lugo, Operations Manager III, Academic Affairs
- 5) [00:01] Announcements and Report of the Chair – *Vice Chair Keri Watson*
 - a) Vice Chair Watson talked about House Bill 7, donation to College of Nursing, resolutions update, and post-tenure review regulation from the Board of Governors. See Attachment B for full report.
- 6) [00:13] Report of the Provost – *Vice Provost Jana Jasinski*
 - a) Vice Provost Jasinski spoke about the recent hurricanes, update on the Board of Governors activities, and search update. Please see Attachment C for full report.
- 7) [00:24] New Business
 - a) Senate Agenda for December 1, 2022
 - i) Campus Climate Report Topic – Mental Health
 - (1) Postponed to January meeting
 - ii) Digital Accessibility Policy
 - (1) Motion to have Kristeena LaRoue give an overview of the policy at the Senate meeting, second, vote taken, motion passed.
 - b) Consideration of Input from Constitutional Amendment Survey
 - i) Motion made to approve the constitutional amendment resolution with no additional changes or edits, second, discussion, vote taken, motion passed.



Faculty Senate

- 8) [00:31] Committee Reports
 - a) Budget and Administrative Committee – *Keri Watson*
 - b) Information Technology Committee – *Glenn Martin*
 - c) Personnel Committee – *Michael Proctor*
 - d) Research Council – *Linda Walters*
 - e) Graduate Council – *Reid Oetjen*
 - f) Undergraduate Council – *Tina Chiarelli*
 - g) Ad Hoc Student Success Committee – *Tina Chiarelli*
 - h) Ad Hoc Civil Discourse Committee – *Stephen King*
 - i) Committee and Council Steering chairs or liaisons provided a brief summary of their work this month. For the full reports, see attachment D.

- 9) [00:48] Other Business
 - a) Post-Tenure Faculty Review Discussion (Attachment E)
 - i) Motion to consider Resolution 2022-2023-7 Post-Tenure Faculty Review, second. During the discussion, several amendments were proposed. Some were approved and some were voted down. For the full discussion please view the Zoom recording.

- 10)[01:45] Motion made to extend meeting time by 15 minutes, second, discussion, vote taken, motion fails.

- 11)[01:48] Motion made to accept resolution amendment changes, second, discussion, it was decided that, in the interest of time, further revisions would be completed via Teams between now and the full Senate meeting, vote taken, motion passed. For suggested edits to resolution, see attachment F.

- 12)Meeting adjourned at 5:00 p.m.

Reviewed and submitted for approval by

Kristine J. Shrauger

11/18/2022

Kristine Shrauger
Faculty Senate Secretary

Date

Faculty Senate Steering Committee Meeting Attendance

November 17, 2022

First Name:	Last Name:	College/Unit:	College/Unit: - Other	Meeting Role:	Meeting Role: - Guest
Mason	Cash	CAH		Steering	
Kristina	Tollefson	CAH		Steering	
Keri	Watson	CAH		Steering	
Jim	Gallo	CBA		Steering	
Reid	Oetjen	CCIE		Steering	
Jeff	Kauffman	CECS		Steering	
Michael	Proctor	CECS		Steering	
Glenn	Martin	CGS		Steering	
Asli	Yalim	CHPS		Steering	
Tina	Chiarelli	COM		Steering	
Stephen	King	COM		Steering	
michelle	dusseau	COS		Steering	
Joseph	Harrington	COS		Steering	
Linda	Walters	COS		Steering	
Jim	Moharam	CREOL		Steering	
Kelly	Semrad	RCHM		Steering	
Missy	Murphey	UL		Steering	
Kristine	Shrauger	UL		Steering	
Lucretia	Cooney	Other	Faculty Excellence	Guest	Director
Jana	Jasinski	Other	Faculty Excellence	Guest	Vice Provost

Faculty Senate Chair Report
Steering Committee Meeting
November 17, 2022

Vice Chair Watson gave the Chair's report to Steering on Nov 17, 2022

First an update on deadlines for resolutions now that we had the change to our Bylaws with resolution 2, which was approved in the last senate meeting

For a non-Bylaw resolution, the latest guaranteed date for senate to vote on the resolution is the March 23rd Senate meeting. Any such Resolution needs to be approved by Steering to go onto the agenda at the March 9th steering meeting. The agenda for the March 9th steering meeting is March 2nd. Therefore, the senate office should receive any Resolution by March 1st for full consideration.

Now let's consider Bylaw amendment Resolutions where it takes an extra senate meeting in the process. For a Bylaw Resolution, the latest guaranteed date for senate to vote on the resolution is also the March 23rd Senate meeting. The Resolution would need to be on the agenda for discussion at the February 16th senate meeting, and the steering meeting where we approve resolutions for that meeting is on February 2nd ...at the downtown campus as a sidenote. The agenda for the February 2nd steering meeting goes out January 26th, so the senate office should receive any Bylaw amendment Resolution by January 25th for full consideration.

It is formally possible to conduct business later than those deadlines if steering considers a bylaw amendment resolution an emergency, or if other actions are taken which makes the April meeting have a section where we do business prior to elections. However, those are not guaranteed so please use the dates I gave above when you consider potential deadlines for resolutions.

I will repeat this information at all upcoming senate and steering meetings so people are not surprised... ok, knowing our fellow faculty, they may still be surprised, but at least I will have tried to warn everyone.

I will take the rest of my report to talk about the new proposed Post-Tenure Faculty Review Regulation from the BOG. By the way, if you haven't read it yet, I strongly suggest you skim it really soon so you know what's in it! In other words, look at it soon so you are ready for our discussion in a few minutes.

First, I want to set up how we got here:

The 2022 legislature passed Senate Bill 7044, which amends section 1001.706, Florida Statutes, adding that the Board of Governors may adopt a regulation requiring tenured State University System faculty to undergo a comprehensive post-tenure review every five years. The bill provides that the regulation must address accomplishments and productivity; assigned duties in research, teaching, and service; performance metrics,

evaluations, and ratings; and recognition and compensation considerations, including improvement plans and consequences for underperformance.

Now the wording “The Board of Governors may adopt” is code for “ the Board of Governors will 100% completely and surely make a new regulation. Let’s face it, because of this legislature, the BOG will make a regulation, the only possible question is what are the exact details in whatever regulation will finally be approved and enacted.

The BOG has gone through some public, and many non-public iterations of a regulation spelling out how this should occur. Some things have improved in this newest proposed regulation, some appear to be worse in the newest proposed regulation.

In any event, the BOG voted upon and approve this version of the regulation on November 9th, just before Hurricane Nicole made landfall. I hope everyone here read the email sent from the Senate this Monday about making a public comment about the Regulation using a link that we gave in the email. You still have until Thanksgiving to make comments, and I strongly suggest that you reach out to all your colleagues about this Regulation and the way they could leave feedback.

In addition to public comment, the members of the ACFS (advisory Council of Faculty Senates) have been sharing what all the SUS universities are doing in response to this regulation. Several are considering and passing resolutions from their Faculty Senates to be delivered to the BOG, that show their opposition to the BOG Regulation in its current form. The resolution that we may consider today would be one more that the BOG would receive.

I’m going to pause here for a second. I know I haven’t gone into the details of the regulation, as I think we will do that later. What I want to share now is a rationale for a resolution and what I think the BOG would be most receptive to in terms of arguments that could potentially alter the regulation. First and foremost, the BOG cares about reputation and fiscal aspects of the SUS much more than do about the merits of tenure, academic freedom, normal tenure review processes, or almost anything else. Therefore, when we consider a resolution to send to the BOG, I want to say that we have to realize who our target audience is, and to focus efforts on messages that have the potential to sway opinion in those areas. For example, in my opinion, a focus upon the merits of academic freedom as a foundation of universities of higher learning across the US may be something we believe in, but I think would be counter-productive as a message to the BOG. Instead, the BOG really cares tremendously about our SUS rankings and having a preponderance of graduating students in STEM fields.

There are many ways we could go with a Resolution, and anything we compose will not be perfect, but we shouldn’t let that stop us from being effective! My suggestion will be to have a resolution focused upon areas that we feel will resonate with the BOG, and not try to address every conceivable concern that the faculty body may have.

Faculty Senate Steering Committee

Provost update provided by Dr. Jana Jasinski, Vice Provost for Faculty Excellence, on behalf of Provost Michael D. Johnson

Thursday, November 17, 2022, 3 p.m. to 5 p.m.

Student Union, Charge On Room, 340, Zoom option

Storms

- Hurricane Nicole added to an already long period of stress for students, faculty and staff.
 - Lost seven days from the two storms just under two months apart
- Commend our faculty for helping students during this difficult time, including postponing assignments and tests; important that faculty have kept course material current despite disruptions; UCF must meet obligations to ensure academic integrity under Title IV and to our institutional accreditor
- The student withdrawal date was pushed back a week (Nov. 4, before Nicole), haven't seen significant rise in withdrawals after Ian

New Legislation

- As Steve noted, the BOG's proposed post-tenure regulation is now posted and on the table for comment; 5-year review will replace our current 3-year review process
- BOG will likely vote on this at its meeting at the end of January; the proposed regulation could change by then;
- From the provost's perspective, tenure comes with an obligation to continue performing at a high level and to behave professionally. Our faculty do this.
- It's important to demonstrate to the public the value of tenure and that faculty want tenure to do good things.
- In another change, the Board of Trustees authorized UCF to seek approval from the U.S. Department of Education to apply for a new accreditor: the Higher Learning Commission (HLC), an innovation leader among U.S. accreditors.
- Our current accreditor is SACSCOC.
 - This will be a really heavy lift. UCF must fulfill the responsibilities to our current accreditor as it transitions to a new accreditor.

VP for Research Search Update

- Zoom interviews for the Vice President for Research expected in early December. Will announce campus visits for finalists when we know them.



Faculty Senate

Faculty Senate
Committee Reports
November 17, 2022

Budget and Administrative Committee

Chair – Tina Buck; Vice Chair – Keri Watson

November 16, 2022

Budget and Administration met on Wednesday, November 16. We had a guest presentation by Zack Salloum, Interim Director, ARO/DSO, International Student & Scholar Services, UCF Global. To summarize: delays do not seem to be coming from UCF Global's part of the process; slowdowns could be coming from Graduate Studies or OICEC. The Foreign Influence Screening process appears to be the pain point (this is OICEC's domain). BandA will have presentations by Ashley Guritza, Director, Office of International Collaboration and Export Control (OICEC), Office of Research, and Interim Vice President for Research, Dr. Winston Schoenfeld in January to learn more about the process and address the pain points.

Information Technology Committee

Chair – Glenn Martin; Vice Chair – Joseph Harrington

November 15, 2022

Committee met for just over an hour. Mr. Gerald Hector was a guest and the entire meeting mainly focused on issues regarding Workday. A number of concerns from the committee were reviewed and addressed by Mr. Hector. Some issues he will review and others he implied will simply improve over time (although it was not clear if that will really be the case).

Personnel Committee

Chair – Karol Lucken; Vice Chair – Gulnora Hundley

November 16, 2022

Announcements were made on the following: Request for Steering and Personnel Cmte participation in the December vendor presentations for the Faculty Information System platform; the final recording of the resolution of all topics referred to the committee thus far by Steering; and the in-person meeting planned with SVP Hector at the January meeting. Updates and discussion were had regarding progress on the faculty involvement in hiring resolution, and clarity obtained on the differences between the investigative procedures that govern misconduct under UCF Non-Discrimination Policy 2-017 (HB7) and the investigative procedures that govern misconduct under OIE Discrimination Policy. Competing evidence was presented on the incidence of bias in the gender and racial bias training videos. Reconciliation of these competing sources will be addressed at the February meeting after other committee members have had a chance to review the training video for themselves.

Research Council

Chair – Linda Walters; Vice Chair – David Luna



Faculty Senate

No update

Graduate Council

Chair – Stacy Barber; Vice Chair – Valeriya Shapoval

Graduate Review and Awards Committee – 11/4/22

The committee reviewed and approved the Dual Degree Agreement between UCF and the University Institute of Lisbon (ISCTE). In addition, the council reviewed graduate faculty re-nominations from the College of Arts and Humanities, The College of Health Professions and Sciences, The College of Community Innovation and Education, and the College of Graduate Studies.

Undergraduate Council

Chair – Jeffrey Kauffman; Vice Chair – Tina Chiarelli

November 1, 2022

The Undergraduate Course Review Committee (UCRC) held its monthly meeting. During that time, 15 Consent Agenda items and 5 Action Agenda items were approved. For the Action Agenda, 11 items were tabled to allow for more time to better understand if the request for M&S Fee additions or increases were in fact necessary, and 2 new course items were tabled due to a lack of representation at the meeting by the College of Arts and Humanities.

November 15, 2022

The Undergraduate Policy and Curriculum Committee (UPCC) held its monthly meeting. During that time the committee approved 4 of the 5 items on the consent agenda. In addition, they moved the policy revision for Double Majors to the action agenda and approved it along with 3 other items. The committee discussed the policy revisions to the Grade System and Timely Academic Progress Toward a Degree and its importance.

Ad Hoc Committee on Civil Discourse

Chair – Stephen King

No update

Ad Hoc Committee on Student Success

Chair – Tina Chiarelli

November 16, 2022

The committee held its monthly meeting. Committee members discussed the final draft of the proposed bylaws outlining the permanent committee duties and responsibilities and membership criteria. In addition, the committee discussed an appropriate time to bring final deliverables to Steering.

1 Resolution 2022-2023-7 Post-Tenure Faculty Review

2
3 **Whereas**, the faculty of the University of Central Florida are dedicated to our core
4 missions of teaching students, conducting research and creative scholarship, and
5 service to the greater Orlando region and the state of Florida; and

6
7 **Whereas**, the awarding of tenure and the academic freedom provided by tenure allows
8 UCF to recruit and retain outstanding faculty who enhance the University's stature,
9 rankings, teaching expertise, and research programs; and

10
11 **Whereas**, UCF faculty currently undergo an extensive evaluation review cycle after the
12 awarding of tenure, and can be disciplined or fired for cause as appropriate; and

13
14 **Whereas**, UCF is committed to the principles of shared governance, where faculty and
15 the administration work together to address the challenges facing us, to find ways to
16 measure our success, and to empower the University and the faculty to continually
17 improve; and

18
19 **Whereas**, the American Association of University Professors advises that when
20 developing post-tenure review, "faculty should have the primary responsibility in
21 developing and conducting such reviews", and

22
23 **Whereas**, the current Board of Governors Regulation for Post-Tenure Faculty Review
24 did not have meaningful input from faculty across the State University System as it was
25 being developed; and

26
27 **Whereas**, the current draft of the Post-Tenure Faculty Review Regulation lacks faculty
28 peer review at the department, college and university levels, when discipline specific
29 faculty expertise is needed to effectively assess and review the productivity and
30 scholarship of faculty, as is done for tenure evaluation; and

31
32 **Whereas**, the broad implications of the current Post-Tenure Faculty Review regulation
33 will cause a significant lost in fiscal resources due to a brain drain of our best and
34 brightest faculty from within the state of Florida, especially those in STEM fields that are
35 in high demand across the country; therefore,

36
37 **Be it Resolved**, that the UCF Faculty Senate strongly opposes the current draft
38 Regulation for Post-Tenure Faculty Review in its initial premise, in its development
39 process, and in its proposed review format. We believe the Board of Governors should
40 work closely with the faculty across the SUS to develop a more meaningful and
41 accurate post-tenure review process that effectively and efficiently evaluates faculty and
42 that remains in compliance with Florida statutes.

Resolution on Post-Tenure Faculty Review Suggested Edits

1

Whereas, the faculty of the University of Central Florida are dedicated to our core missions of teaching students, **research and creative scholarship**, and service to the greater Orlando region and the state of Florida; and

2

Whereas, the awarding of tenure and the academic freedom provided by tenure allows UCF to recruit and retain an outstanding faculty that enhances the University's stature, rankings, teaching expertise, and research programs; and

3

Whereas, UCF faculty currently undergo **both annual performance evaluations and comprehensive post-tenure review every three years**, and can be disciplined or fired for cause as appropriate at any time; and

4

Whereas, UCF is committed to the principles of shared governance, where the faculty and the administration work together to address the challenges facing us, to find ways to measure our success, and to empower the University and the faculty to continually improve; and

5

Whereas, the tenure evaluation itself is fundamentally a shared process initiated at the faculty level, in which a departmental committee evaluates the candidate against the departmental standards (in research, teaching, and service) and competitiveness in the field of scholarship, a department head makes an independent recommendation, a college committee evaluates against the standards of the college, the dean makes an independent recommendation, the university committee evaluates against the standards of the university, the provost and president make the final decision of tenure, and the trustees provide the final approval of tenure; and

6

Whereas, **in keeping with the shared nature of the tenure decision**, the American Association of University Professors advises that when developing post-tenure review, "faculty should have the primary responsibility in developing and conducting such reviews"; and

7

Whereas, the current Board of Governors Regulation for Post-Tenure Faculty Review did not have meaningful input from faculty across the State University System as it was being developed; and

8 reduced

Whereas, the current draft of the Post-Tenure Faculty Review Regulation lacks faculty peer review at the department, college, and university levels, despite discipline-specific faculty expertise being needed to effectively assess and review the productivity and scholarship of faculty, as is done for tenure evaluation; and

10 reduced

Whereas, the proposed Post-Tenure Faculty Review regulation, lacking faculty input in development and process, provides a potential mechanism for removing faculty without any form of appeal, redress, or peer review; and

17

Whereas, the proposed Post-Tenure Faculty Review regulation will cause a brain drain of our best and brightest faculty from within the state of Florida, especially those in STEM and other high-paying fields that are in high demand across the country and internationally, resulting in a replacement expenditure far in excess of current SUS budgets and/or the loss of Florida's status as the #1 value in US public education; and

18

Be it Resolved, that the UCF Faculty Senate strongly opposes the current draft Regulation for Post-Tenure Faculty Review in its initial premise, in its development process, and in its proposed review format. We request the Board of Governors to work closely with faculty across the SUS to develop a more meaningful and accurate post-tenure review process that effectively and efficiently evaluates faculty, protects academic freedom, and complies with Florida statutes.

Additional clauses to consider:

8 complete

Whereas, the current draft of the Post-Tenure Faculty Review Regulation lacks faculty peer review at the department, college, and university levels, despite discipline-specific faculty expertise being needed to effectively assess and review the productivity and scholarship of faculty, as is done for tenure evaluation, and to protect from abuse by administrators who might wish to remove faculty at will; and

9

Whereas, the principal purpose of tenure is to prevent the removal of faculty whose proper exercise of academic freedom, that is, uncovering uncomfortable truths and pointing them out to society, becomes a problem for administrators, and

10 complete

Whereas, the proposed Post-Tenure Faculty Review regulation, lacking faculty input, provides a convenient mechanism for removing faculty without any form of appeal, redress, or peer review, effectively eliminating the principal purpose of tenure, the protection of academic freedom in service of society's interest in uncovering and facing uncomfortable truths, and

11

Whereas, the lack of protection from arbitrary or retributive termination provided by tenure will stifle faculty whose jobs it would normally be to initiate difficult conversations as the critical first step in solving society's most difficult problems, resulting in the perpetuation of those problems, and

12

Whereas, the lack of protection from arbitrary or retributive termination provided by tenure will deter the best candidates from applying for jobs at SUS institutions, including UCF, and will induce others to leave as better options open up for them, typically after spending a startup package funded from State dollars and amounting, in some disciplines, to more than one million dollars per faculty member, and

13

Whereas, UCF has already lost an outstanding and diverse candidate in a director search on speculation of the imminent weakening of tenure, and

14

Whereas, it is the protection of tenure against arbitrary termination and the resulting academic freedom that attracts faculty in lucrative fields, such as those involving science, technology, engineering, mathematics, medicine, business, and law away from jobs paying as much as five times the university salary scale, and

15

Whereas, the fiscal cost of attracting and retaining competitive faculty to new positions and to replace departing faculty will rise substantially above the current cost of such positions, due to the need to compensate for the loss of tenure protection; and

16

Whereas, the Florida Institute of Technology, a private university, recently instituted tenure because they were losing their best faculty without it and could not offer enough to keep faculty otherwise; and