

THE UNIVERSITY OF SOUTH CAROLINA
MINUTES OF THE FACULTY SENATE MEETING

Wednesday, February 2, 2022

This session was held entirely online.

PRESIDING Chair Audrey Korsgaard

CHAIR AUDREY KORSGAARD called the meeting to order at 3:00pm EST.

CHAIR KORSGAARD welcomed the members to the Faculty Senate.

Corrections to and Approval of Minutes

A correction was made to the minutes. A motion was made; the minutes were approved.

Invited Guest: Dr. Jason Stacy

DR. JASON STACY looks forward to a time when he can talk about something other than COVID-19. The Omicron variant has spread across the United States. It spreads very quickly, estimated at two times quicker than the Delta variant. Thankfully the university is seeing a milder form of illness, although not in everyone. As such, UofSC is remaining cautious. There are more upper airway illnesses than in the lungs (which was evident with the Delta variant). The most common symptoms with Omicron include runny nose, headache, fatigue, sneezing, sore throat. Some people even get gastrointestinal symptoms multiple days after the infection. They are getting nausea, diarrhea...although not everyone. In addition, UofSC has been doing the College of Pharmacy saliva-based testing on campus. UofSC has consistently tested 1500 persons a day. Despite this high level of testing, results are back in under 24 hours. This is an incredible effort by our colleagues at the College of Pharmacy. A big thanks to them. Daily positivity rates peak on January 17th (2022) with a rate of 24.6% positive rate; this is over 400 positives. Thankfully, last week the rates went down where the positivity rate was 9.3% positive rate for the week. This week, Monday, and Tuesday, the rate was 5% each of the last two days with infection numbers under 100. The data suggests that the variant is trending in the right direction. In addition, University Health Services is seeing fewer patients with respiratory symptoms. In-clinic testing of symptomatic patients is also seeing lower positivity rate. Wastewater collection data are showing a decline in each of the last three weeks; suggesting a downside of the Omicron surge on the campus. UofSC will continue to monitor but signs are good that we are on a downturn. Contact tracing is the real effort that we have been working on this semester. More individuals working in University Health Services on this effort. In addition, the health center has partnered with housing to help contact any patient that tests positive.

Persons are being prioritized (i.e., who we take care of first), focusing on the on-campus out-of-state students first in order to transfer them to the NAC (National Advocacy Center) for isolation. Next, the focus is on in state students who live campus by getting them back home to spend their isolation. The university is following the new CDC guidelines with the five (5) day isolation with return on day six (6) if symptoms are resolving. The individual must be able to wear a tight-fitting mask when around other people. This change to five days was due to new scientific information that showed that an infected individual was most likely to spread the virus one-to-two days before symptom onset and three days after. As far as the vaccination rates on campus, the numbers remain excellent. Students are at 70%, faculty are at 81%, and staff are a little under 68%. Overall, the university is at 70.5% vaccination rate. There was a slight decrease in the numbers on the January 25th dashboard report due to an increased number of individuals coming onto campus (new students, new hires, new faculty, and staff). The UofSC denominator increased so the number of overall vaccinated decreased. Please encourage anyone new to the university to upload his or her vaccination information into MyHealthSpace so that they can be included in the dashboard. Boosters remain available every single day during the week at the University Health Services between 9:00am and 3:00pm. Those who are eligible include those who have had Pfizer or Moderna vaccination. You are eligible five months after your second vaccine to get a booster free of charge. Anyone who has the J&J vaccine, is eligible for a booster two months after the vaccination. It is okay to “mix and match” vaccinations.

Masking is a critical tool to help mitigate the spread of COVID-19 and other viruses. UofSC has seen basically no flu on campus. There have been only three cases of the flu on campus this January after testing hundreds of cases. This is unheard of. Masks do work. While there are better masks, any mask is better than no mask. The CDC continues to recommend wearing a mask that fits well, one that will allow the wearer to wear it for a prolonged period of time. Sometimes this can be a challenge. Dr. Stacy commented that he has worn the KN95 and N95 masks and sometimes it is challenging to wear for a prolonged period time because it increases the work of breathing. Thanks to all in the meeting, continuing to offer in-person learning to our students in this momentous and collective effort continues to be a factor in our overall success.

SENATOR SCHWOEBEL stated that the enforcement of wearing masks is difficult, particularly in the library. Is there anything that faculty and staff can do to enforce students to wear masks? It has been two years (the mask requirement), students should understand and wear the mask.

DR. STACY responded that making masks available may be something that will help students comply. In addition, faculty and staff can encourage and model good behavior. Dr. Stacy agreed that enforcement of the mask mandate has been difficult. Work together with staff to encourage. The university is not able to “punish” students from the library for not wearing masks. If it is happening in the classroom, the instructor can submit the student’s name to the Ombudsman’s Office.

CHAIR KORSGAARD stated that comments in the chat reveal that availability is not the issue. Correct wearing of masks is the issue. Some students are wearing the mask below the nose. As instructors, part of our job is to enforce the wearing of masks. This may affect evaluations, but it is important to reinforce this mandate.

SENATOR MACAUDA asked if the N95 masks will be made available by request by the University rather than purchase them out of pocket by the faculty.

DR. STACY stated N95 and KN95 masks are available by the University through a request to the procurement department. These masks can be requested through a departmental request.

SENATOR TAVAKOLI stated that there was a lack of supply of masks in the classroom. Last two years there were plenty of masks in the classroom (if students did not have a mask). Recently in a seminar class, there were no masks available. Senator Tavakoli asked about the status of obtaining masks for the classroom.

DR. STACY said that he will do his best to identify who to contact to obtain masks for the classroom. The campus supply of masks is not something Dr. Stacy oversees, but he put the information into the chat and make sure senators obtain the supplies needed from the department.

SENATOR STERN asked about the testing numbers as a percentage. Since we are testing 25% each week, there should be a multiplier that allows us to approximate how that gauges the number of cases that are on campus. The dashboard has never done that. Can Dr. Stacy provide the multiplier? What do the weekly numbers on campus mean?

DR. STACY stated that the data would need to be extrapolated. The university is reporting real data. That is why the university is also reporting every Tuesday. This is also why the numbers fell when new individuals came to campus. The university is trying to be extremely accurate and not extrapolate. CDC and DHEC also report data this way (i.e., real numbers and not extrapolating). We also get the numbers very quickly (within 24 hours).

SENATOR BRACKMANN noticed that early in the semester masks were running out in the classroom where he teaches. He mentioned this to the administration in the Law School. The units need to buy masks from the university supplier, who charges substantially more than other sources. This is becoming prohibitively expensive to keep supplying masks on a regular basis. It is Senator Brackmann's understanding that the university might be considering giving some support to the units to facilitate supplying masks to the students. Does the funding of masks come entirely out of the unit's budget?

DR. STACY did not know the answer to Senator Brackmann's question. Dr. Stacy will look into this question.

SENATOR MINETT stated that faculty are hearing a lot about masks in part because they are the most immediately relevant to us; faculty are on the front lines, and in classrooms with students who are poorly masked or partially masked. There is research regarding the higher quality of N95 and KN95 masks. This is an area where faculty need more support. News reports run the gamut where universities are requiring students to wear masks the more effective masks, to institutions that supply the more effective masks. Senator Minett stated that it would be appreciated if faculty could get a stronger supply of these masks. Also, messaging is needed through Student Health Services and Communications that emphasizes how important the higher quality masks are to our university community in relation to the health and wellbeing. Senator Minett recalled in Dr. Stacy's initial email a statement about masking and quality masking, however, it is unclear if the email went to students. Faculty would like to see more action to improve masking and build supply.

DR. STACY appreciated the suggestions. The administration is working with Communications to decide the right balance of information between overwhelming people and not enough information about COVID. It is hard to know the right balance. There is a concern that if the university has greater restrictions and greater requirements with the students, there will be less follow through and less compliance than if we force N95 on students. This concern is also based on CDC statements regarding taking restrictions too far.

Report of the Officers

INTERIM PRESIDENT PASTIDES (hereafter President Pastides) welcomed faculty back to the semester, even though the semester is well under way. The semester started with the big news that the 30th president of the university has been selected, Dr. Michael Amiridis. Many of you knew Dr. Amiridis when he was part of our Carolina faculty family before he left to be Chancellor of UIC in 2015. When President Pastides was asked last summer what the qualities of the next president should be, the following qualifications were identified:

- Higher education experience at a senior level, preferably as a president, chancellor, or provost;
- Someone who had “walked the walk” of academic life, not just someone who simply knew the titles and terms shared governance. Dr. Amiridis has done that; he received tenure as a chemical engineer, served as a Department Chair of Chemical Engineering, Dean of College of Engineering and Computing, and former Executive Vice President of Academic Affairs and Provost;
- The 30th president should be someone committed to diversity and inclusion, demonstrated with words and actions. Dr. Amiridis has this feature.
- Experience with budgeting; he has this experience.
- Accomplished external fundraiser, he has this experience.
- Appreciates sports, especially Gamecock sports; he does this.

- Someone who knows and loves South Carolina. He ticked this box as well. His wife has a Ph.D. in philosophy and daughter has a degree from the honor's college (both from UofSC). His son will be graduating from Carolina in May.

PRESIDENT PASTIDES is excited about Dr. Amiridis' selection. Selection of a president is not for the faint of heart. You are juggling a diverse constituency and sometimes opposing constituencies all of the time, every single day, every significant decision that is made. In the old days, it used to be 90% support and 10% opposition. Now it is like 60% support, 40% opposition on almost anything impactful that you decide to do. Dr. Amiridis will be coming once in a while. The university has already begun the transition.

Last Wednesday was the annual Carolina Day, where UofSC members go over to the Legislature and the State House to talk about the impact of the university. The faculty was very well represented. A wonderful message was delivered. The state has an unprecedented amount of money stored in the treasury; some more than \$22 Billion will be allocated around the state. The University of South Carolina has an ambitious request for many things that would help in terms of infrastructure, in terms of salary. Of course, we have the whole UofSC system to be ambitious about, not just our system here in Columbia.

The search committee for the Vice President for Research (VPR) is conducting first round interviews. On site interviews will be scheduled for the end of February or early March. President Pastides will confer with Michael Amiridis on the selection of the new VPR. Just announced this morning, the provost launched an internal search for the position of Vice Provost and Dean of Graduate Studies with expectations to begin by April 1. In the area of Title IX, UofSC announced the selection of Molly Peirano to fill the position of Vice President of Civil Rights and Title IX. Ms. Peirano is an alumna of UofSC with a master's degree in Education with a focus on Higher Education and Student Affairs. She will begin her work, leading this newly created office of Civil Rights and Title IX later this month. She comes to us from Ohio State University.

Last month the Board announced the remaining of 700 Lincoln Street resident hall for Celia Dial Saxton. Ms. Saxton was an alumna and a revered African American educator whose impact reached across the country. Formal dedication will be held in the weeks ahead. Ms. Saxton graduated during the reconstruction period when South Carolina College was open to African Americans at that time. It certainly is a very appropriate honor and will not be the last that you will be hearing about.

PRESIDENT PASTIDES is proud to announce that four of our faculty members were elected to the prestigious AAAS; three from Arts & Sciences and one from Public Health. Alan Decho from Public Health, Sharon DeWitte, Kirstin Dow, Bert Ely from Art & Sciences. This is a great reflection on their hard work and achievements as well as their high caliber of research and teaching.

The latest US News and World Report rankings were released last week. In addition to holding on to the many coveted spots that you are familiar with, The College of Nursing was ranked #1 for online graduate education in nursing. The College of Education online graduate education program moved up into the top 20. And, if being top in the nation isn't enough, we have our first world/global #1 ranking...this is in Sport Science. This comprises the Departments of Exercise Science in the Arnold Public School of Public Health and the School of Sport Management in the College of HRTM [sic].

President Pastides ended his presentation with a very, very sad and distressing note. Earlier this week the university was notified of the death of our very own alumna by suicide Cheslie Kryst. Cheslie was a 2013 graduate of the University and went on to earn a law degree from Wake Forest. Ms. Kryst was an accomplished lawyer, activist, philanthropist, and also had been Miss USA. And if this isn't a reminder that mental health issues impact people in high places as well as those who evidently appear to be struggling, that is certainly a continued call to all of us at the institution to do more relative to the organization and the bureaucracy that we run but also to each and every one of us to reach out as parents, friends, and colleagues to people who might be in distress. It was a very dark moment for all of us, and certainly not the only one but there are many other in the troubled world we live in, but that one struck President Pastides very personally, as President Pastides knew Cheslie quite well.

Regarding the wait time [at the Student Health Center], anybody can come in any time that the Health Center is open on a crisis basis. In other words, you can come right in if you think you need help right away. There are of course, there are individuals, that comprise most of the ongoing visits with their providers.

DR. JASON STACY elaborated on the issue of the mental health services available at the Student Health center. Walk-in appointments are available any time of day for students in the Thomson building, which is the university's mental health area and can meet with a counselor. Not everyone knows this is the building because the university doesn't want just anyone walking into the building. Please encourage those in need to visit the building. The university has also increased a new service called Same Day Appointments. These appointments open the night before the appointment comes available. If a student is looking for an appointment, look at night and sometimes an appointment comes available for the next day. In addition, the university is partnering with a company called Protocol. This service is available after hours. Protocol is available 24/7 when the university is closed. This is a service whereby the student can call in and talk to an individual by the phone for some advice. This is a person (giving the advice); it is not an automated service. This is also available through the university website.

SENATOR NAGEL asked President Pastides for an update on the committee responsible for the possible renaming of buildings.

PRESIDENT PASTIDES mentioned that Interim Dean Samuels is the Co-Chair of this committee. This committee is in the process of completing a report. This committee is doing more than just making suggestions for renaming buildings. The committee is working on resourcing for the university and education for the university.

DEAN SAMUELS stated that the committee has worked throughout the fall semester and has prepared two documents: an educational plan and a research plan. Both documents are aimed at taking the recommendations out to the Presidential Commission and confronting them further as an idea of having resource allocation. Naming and renaming is a portion what the committee has done, but also a research plan in two very succinct documents to share with the President. The Co-Chair of the Committee along with Dean Samuel is Alex English (from the Board of Trustees). They have an appointment with President Pastides next week to present the recommendations, discuss next steps, and discuss education and research here on the campus.

INTERIM PROVOST CUTLER thanked the Faculty Senate and reiterated his appreciation for shared governance. Shared governance is what differentiates us from other areas of work. He stated his appreciation for all the work senators do to shape and lead our institution.

Welcome to spring semester 2022. It feels like déjà vu again with how we opened last fall. A variant started to increase in our region of the world. This happened again this semester. Fortunately, this institution has developed incredible mitigation strategies; saliva-based testing, one of only five universities in the country to develop that. Of course, many others are using it; UofSC has shared it with others as we have talked about it in the past. Sewer monitoring is also being conducted. It is pleasing to see that the numbers are going down.

PROVOST CUTLER stated his appreciation for the work Dr. Stacy and his group is doing, as well as members of the College of Pharmacy, and the Arnold School of Public Health in helping all of us to be safer. Fingers crossed; this is the tail end of the Omicron variant. Provost Cutler stated that he thinks it is, because as we look around the world the Omicron variant is a much sharper bell-shaped curve than the Delta variant. So, he is hopeful that we are on the tail end. The President provided some updates on academic programs. Provost Cutler also expressed his deepest appreciation to those groups that are being highlighted in the US News and World Report ranking, the nursing program, what's going on in the business school. Congratulations to those who were made fellows in the AAAS. This is a very prestigious appointment. One of the first to make it into the system in the U.S., was Thomas Edison. UofSC's four faculty members are joining a really prestigious group of individuals who have been recognized. It was disappointing and sad to hear the news of our alumna, the former Miss USA.

UofSC continues to move forward. The university created an initiative in the Provost's Office to look at mental health and maximize what we have across campus and try to create synergy. The task force is led by Dr. Sandra Kelly and Dr. Tracy Weldon and work is being conducted to shape and guide how the university can strengthen the use existing resources. There will be

updates at the Provost's retreat and senators are encouraged to attend. Provost Cutler looks forward to the work they are doing and having a meaningful impact on trying to stem the tide associated with mental health disorders.

A couple of updates on the deans' searches. The University Libraries search is underway. Last week, the Committee was delivered its charge that includes an active approach by each member of the search committee. Provost Cutler believes this creates a robust pool of applicants. Everyone at this university knows individuals with certain areas of expertise. Provost Cutler encourages everyone (not just members of the search committee), to reach out to individuals that are in this field and may be a good candidate. An academic search firm has been hired to assist in this endeavor. Provost Cutler believes all faculty need to be active in the process. The timeline is not clear yet, however it is estimated that finalists will be on campus sometime during April with a new dean expected to be seated during summer.

The dean search for the College of Arts & Sciences is wrapping up. Provost Cutler anticipates having someone in that position shortly. Provost Cutler expressed his deepest appreciation for the search committee. Although this search was an internal search, it required a little more effort on their part. The Committee was very active during the process. Provost Cutler also expressed appreciation to Tommy Chandler who chaired the search.

PROVOST CUTLER mentioned the graduate school dean search is underway. The memo was sent out from Provost Cutler; faculty are encouraged to be active in this process. Please encourage internal people to apply for this position. A robust pool of applicant is desired. Further details of this position, as well as the other searches that are underway, can be found on the provost's website.

PROVOST CUTLER expressed his appreciation to the Interim Dean of the Graduate School. A Graduate Student Resource Hub is developed and opening today. It is in Close-Hipp on the second floor (room 204). This environment will provide graduate students with greater access to student services. It is a collaboration with University Career Services, the Graduate School, and the National Fellowship Office. All members of the UofSC graduate community are welcome to stop by and to use the facility.

The university has a new faculty principal in Preston College, Armen Shaomian. He is an associate professor in the College of HRSM. As most are aware, this is a learning environment, where students focus on advancing their service and leadership skills and building a unique academic community.

In closing, PROVOST CUTLER expressed his appreciation to the Faculty Senate for their efforts, support to the students, and support to one another. It makes this a wonderful university. Provost Cutler has shared with some that he has worked at four universities, and this is the best. The reason is that people and the culture.

SENATOR RANDAZZO asked for an update on the pending legislation on tenure, Critical Race Theory, the increasingly intrusive requests from CHE regarding the Founding Documents. He is receiving questions and concerns from faculty, not just in his department but in other departments, that faculty are changing how they teach and the material they cover. This points to examples of the chilling effect Senator Randazzo expressed in October. In addition, Senator Randazzo commented that he still hasn't seen a formal institutional response about the protection afforded to faculty concerning academic freedom and their first amendment rights.

PROVOST CUTLER stated that one of the reasons he is in Higher Education is because of the tenet, the foundation which operates on the first amendment and the freedom of speech, which leads to academic freedom. Provost Cutler stated his love this environment; this is a wonderful environment. It is one that he will be very protective of and has been. The President, Provost Cutler and members of the university have been working tirelessly on these effort by working with and being involved in conversations directly with the members of the General Assembly. Also, some of the legislative liaisons are doing the same. Similar conversations are being conducted with the Commission on Higher Education.

Last week, during a meeting Provost Cutler emphasized to the Commissioners that UofSC as well as public universities in the State of South Carolina don't teach students "what to think, we teach students how to think". Provost Cutler emphasized that faculty teach student to think in a critical way to help them develop the good skill set in thinking critically; faculty need to put a lot of information in front of them. The information helps students grow and think in a critical manner. Provost Cutler further stated that he and President Pastides continue to discuss this issue and are very, very supportive academic freedom. They are fighting for this initiative.

PRESIDENT PASTIDES thanked Senator Randazzo's leadership and advocacy efforts on this issue. He agreed with the statements made by Provost Cutler. President Pastides stated that UofSC stands firmly with the faculty on academic freedom. The political process often occurs in corridors and hallways, and not in the press. UofSC administrators are working with the Commission on Higher Education to be successful and prevail. If Chair Korsgaard believes the faculty needs additional updates on this issues, President Pastides will happily do so. Please know that hard work on this issue is continuing by many people. More work must be accomplished; there is a way to go. UofSC is working in unison with colleagues across the state. Effective efforts are demonstrated. If so desired, the President will report on this issue at every future meeting if desired.

SENATOR RANDAZZO thanked President Pastides and Provost Cutler. He recommended a statement be made to the general faculty, so they understand where the university stands with this issue. Senator Randazzo has heard comments that some faculty think UofSC is "tone-deaf" to this situation and faculty concerns. A formal statement will go a long way.

PRESIDENT PASTIDES stated that a formal statement will go out. He cautioned the Senate that every single statement will be used as part of a political strategy. Every statement goes into the public record. President Pastides (and others) are not shy about our beliefs; the administration wants to win on this issue. UofSC will confer with our allies. Nothing could be worse for the university than for colleagues to not be sure about how the administration stands on issues. This is the first President Pastides has heard on this issue. President Pastides plans to confer with his colleagues and allies in state relations regarding the best way to move forward.

CHAIR KORSGAARD reminded the Senate that the Faculty Welfare Committee met earlier this week. The issue of psychological safety in the classroom was discussed (i.e., do they feel safe in the classroom; do they feel supported by the administration). Chair Korsgaard agreed that the university is getting to a point where faculty feel vulnerable. The Committee communicated to Vice-Provost Addy that a formal statement of affirmation is needed on the part of the administration. Chair Korsgaard also agreed that the statement can be made without pouring political fuel on the fire. It is more about affirming out values in academic freedom.

Reports From Faculty Committees

Curricula & Courses Committee Report, Stacy Winchester, Chair

CHAIR WINCHESTER: The Committee presented 42 proposals:

- College of Arts and Sciences (n=13)
- College of Education (n=4)
- College of Engineering & Computing (n=17)
- College of Hospitality, Retail, and Sport Management (n=1)
- College of Information and Communication (n=4)
- School of Music (n=1)
- College of Public Health (n=2)

The proposals were accepted.

Committee on Instructional Development, Professor Rebecca Stern, Chair

SENATOR STERN stated that background information will be provided at the next meeting regarding the Carolina Core. A discussion will be made regarding the process. A vote will not be conducted at the next meeting.

Faculty Advisory Committee, Professor Liam Hein, Chair

CHAIR LIAM HEIN stated that the Committee was asked to work on five proposed changes. The first item is being withdrawn for further discussion.

The first of the four proposals under discussion will be Workplace Civility. The changes made by the Committee are visible in the document via track changes. The Committee's rationale is the wording of "bullying" to "incivility". The rationale for making this change is that the standard that had been set under "bullying" was so high that whatever a particular person had gone through, that threshold had been almost impossible to meet. This does not mean that "everyone and his or her brother" can claim that he or she is in an uncivil environment. Incivility needs to meet a particular standard. Standards are highlighted in the document.

SENATOR KHUSHF is concerned about the wording of this proposal. Senator Khushf is in the Philosophy Department. In this department, members consider controversial and moral issues. Very often when people's values are challenged, this is emotionally distressing. Senator Khushf believes the wording on incivility is far too ambiguous. It leaves open what counts as uncivil and makes it a function of whether, call it a reasonable person, feels emotionally distressed. You could say a reasonable person is emotionally distressed when their deep values are challenged in an argument. Senator Khushf proposes that this part of the revision be sent back, and more explicit standards be articulated. Further, faculty have been told that academic freedom is going to be addressed coming from Committee. While recognition that this clause on incivility is potentially intentioned with an academic freedom section. Faculty Senate needs to consider the two items together, particularly in light of the many concerns that have been raised recently about academic freedom. Senator Khushf proposes that this be sent back and more clear standards be articulated for what counts as uncivil and that a person being emotionally distressed is insufficient for the category.

CHAIR KORSGAARD asked the Parliamentarian for clarification and process regarding Senator Khushf's statement (i.e., was a motion clearly stated).

PARLIAMENTARIAN SUDDETH asked Senator Khushf if it was his intention to recommit the document back to the Committee.

SENATOR KHUSHF stated that yes, his intention was to recommit the document such that the Committee make more clear standards be articulated for what counts as uncivil.

SENATOR WEISENBURG seconded the motion.

SENATOR MACKENZIE supported referring the document back to the committee. Colleagues in History expressed concerns regarding the rather loose definition of incivility. Senator Mackenzie provided examples of scenarios.

- Is it uncivil for a department to hold a baby shower for one colleague if another is struggling with infertility?
- Can we openly congratulate a successful promotion candidate if colleague who did not receive promotion and is sitting in the room feeling emotional distress about the failure?

- If I didn't receive a merit raise but several colleagues did, might I find repeated conversations about merit raises uncivil?
- If a colleague tells other colleagues she or he thinks my last article was terrible (and it puts my reputation at risk), can I report that colleague for incivility?

In short, Senator Mackenzie perceives real concerns where this could all be without a more rigorous definition.

CHAIR HEIN asked if the speakers (i.e., Faculty Senators) thought the document was better off without the changes, thereby having a higher threshold of standard (i.e., bullying).

SENATOR WEISENBERG stated that this document provides a situation that is no longer definable and actionable. The changes open a whole set of problems in which no one can really define. Anything can become uncivil. For a point of order, given that this is a motion to bring the language back, what we are voting on is whether we need to ask the Committee to revise the language again, with specific concern about the ambiguity. The answer to Dr. Hein's question is "probably yes". Before that question can be answered, members need to answer the question "are we going to table this motion"? Anecdotally, bullying might be the right word; or it may not be. Incivility, however, needs to be better defined.

SENATOR MINETT stated that he might support sending the document back to Committee. Senator Minett has heard from colleagues that the language, especially about emotional distress, is too vague. There are also concerns about the term civility. There is not much of a sense of framework of which this language draws from (i.e., is this best practices). Where did this language come from? What is its history? Senator Minett does not believe there has been enough time to identify and deliberate on the issue, or personally get information on the topic that may compliment the work that the Committee has done.

CHAIR KORSGAARD stated that she was chairing this committee. The work was benchmarked against a handful of institutions. The language is heavily borrowed from other institutions and is consistent with best practices. An extensive list of behavioral examples exists. They are not listed in the Faculty Manual; however, they can be included in the Faculty Manual or an accompanying policy. The policy around this is not ready; that is a Provost policy. Many of the aspects that are actionable come through in the policy. It might be better to present the policy and the Faculty Manual changes at the same time.

SENATOR MACAUDA stated that the broadness of the language is an indicator of the insidiousness we need to be [aware of]. Good bullies can do it under the radar. Senator Macaуда is concerned about sending the document back to the Committee without discussing each of the points within the Senate. The concern is that Faculty Senate will continue to "go back and forth" and go around in circles on this issue without stating "what we want to accomplish". Just sending it back may not be productive.

PARLIAMENTARIAN SUDDUTH stated that if Faculty Senate votes to refer the proposal back to the committee, the Chair of Faculty Senate can decide if the discussion on the issue can continue. The debate now is on the merits of referring the proposal back to the committee.

CHAIR KORSGAARD gave the option that a motion to withdraw the motion to discuss the merits of the proposal.

SENATOR KHUSHF withdrew the motion to recommit; the discussion on the merits of the proposal continued.

SENATOR MCGILL stated that it seemed much of the specific wording on definitions on bullying and specific examples of bullying were deleted from the document. Senator McGill asked for an explanation and asked for an example of incivility.

CHAIR KORSGAARD stated that behavioral examples of bullying were taken out for two reasons: 1) The term bullying is a moving target. There are new and interesting ways to engage in bullying. By having a list, the Committee didn't want to preempt other ways of bullying to be considered as incivility. 2) The Faculty Manual isn't a policy manual, so the Committee decided not to go into specifics. The Committee wanted to be as brief and coherent as possible. Chair Korsgaard does see the inherent merit of having behavioral examples in the document. One thing the Committee did was to a content code examples from other policy statements. Examples the Committee saw in other policies at other universities and try to identify broad themes (e.g., abusive language, aggressive shouting, gossip, physical contact, social isolation, intimidation, negative comments about lifestyle, scapegoating, stealing credit). A brief literature review was conducted regarding categories. Social incivility is often used as a single category of a broader realm of anti-social behavior. The Committee used the word incivility instead of bullying because they wanted to lower the bar because of the failure to have any instance of bullying in the university, which the Committee suspects is occurring, but the actions are not meeting the definition of bullying.

SENATOR FRANKLIN expressed a colleague's concern that this definition of incivility needs to be rejected because it defines incivility based on not the actor's actions but on observers perceptions. This is worthy to think about. Where does the fault lie?

CHAIR KORSGAARD stated that Senator Franklin had an interesting observation. The literature on sexual harassment, however, is not on the actor's behavior per se, it is how the behavior is perceived by others. The legal definition of sexual harassment is objectively offensive, which means other people see it as offensive. It doesn't matter what the actor thinks of his or her behavior. The consequence matters.

SENATOR MACKENZIE stated appreciation for the attempt at definitions. The question was asked whether a lot of burden was being placed on the Committee on Professional Conduct. This committee will be grappling with what a reasonable person should think of a reported incident.

CHAIR KORSGAARD agreed that it does place a burden on this Committee and on administrators who will be involved in the investigative process and claims. That portion of the Faculty Manual is being revised, one of the concerns is there are a number of committees (e.g., Grievance Committee, Review Board) that require considerable training. The University wants to ensure that members on each of these committees are adequately trained on how to investigate, confidentiality, and so forth. It also requires administrators who are receiving these complaints (e.g., chairs, deans) are equipped to understand what a reasonable complaint is.

SENATOR SCHWOEBEL asked if the university should be including legal or HR or other departments in addition to this Committee to ensure that there is something this is going through all the correct channels. It is important to be especially careful on some of the very specific wording.

SENATOR HARRIS stated that she appreciated hearing more about the Committee's process and deliberations. Is there any knowledge of experience of institutions that have used this new standard of incivility, that like us, might shift from a standard of bullying to that of incivility? What has their experience been?

CHAIR KORSGAARD responded that she is unaware of experiences. Chair Korsgaard only investigated the policies. It was affirmed that it may be beneficial to inquire about the success of the policy. Regarding the question of legal, representatives from legal, EOP, were on the Committee. Any legal issues would have been questioned. The Provost Policy or Policies will also be reviewed by Legal Counsel. Looking at the successes, failures, and pain points is a good idea.

SENATOR KHUSHF reintroduced the motion to recommit the proposal. The motion was seconded.

CHAIR KORSGAARD asked if there was any additional discussion. No one had any additional discussion. The majority of Senators voted to recommit the proposal back to the Committee.

DR. HEIN stated that the next item under discussion is the "The Faculties, Schools, or Departments". This topic arose because it some units are denying professional track faculty voting rights in colleges and departments as they currently have in the Faculty Senate. Professional track faculty currently have university level, think of it as federal voting rights, for membership, except where their membership is excluded by the faculty manual (e.g., UCTP). This motion is designed to give professional track faculty members state level rights. Currently, the university has it whereby professional track faculty have federal level rights but not state

level rights in terms of voting. This will not change the current college or departmental level committees such as T&P where professional track members don't have rights because they can't be tenured.

CHAIR KORSGAARD opened the floor to discussion.

SENATOR TURNER thanks all the members of FAC for their service. A concern was raised. It is not clear how the Committee interprets the phrase based on the same standards for the University faculty and how that phrase is interpreted can have major implications for the unit. The Faculty Manual indicates a general standard of voting rights on most issues, which in essence, all full-time faculty members can vote. As Dr. Hein indicated, in specific areas, not only in promotion and tenure, only a sub-set of the university faculty are eligible to vote (e.g., Graduate School domain). Because of this, faculty in the units may choose to have different voting rights which would be still based on the same standards of the university faculty. Some unit faculties prefer to have more specificity while others would prefer the more general model. Senator Turner stated he is comfortable with at least a couple voting rights being consistent with the same standard. It is healthy for the units to have some degree of discretion. Senator Turner interprets some school level voting right approaches as consistent with the university faculty manual and therefore would be consistent with the same standards for the university faculty. The first approach would be which all full-time faculty in the unit could be vote on all matters coming before the faculty except for matters relating to T&P. The second approach would distinguish between full-time faculty members who are members of the UofSC graduate school and those who are not. The second approach, which is very similar to the College of Education approach, the Graduate School issues in the unit would be voted upon by the unit faculty members who are regular and associate members of the UofSC Graduate School. All the issues except for T&P would be voted on by all the full-time faculty in the unit. Senator Turner asked Dr. Hein and the Committee if both approaches presented would be based on the same standards for the university faculty.

DR. HEIN stated that the Committee did not think of this issue in terms of regular and associate members of the Graduate School. Clarity is required. There have been inconsistencies in how the Graduate School qualifies a member. In the College of Nursing, it includes professional track faculty.

CHAIR KORSGAARD clarified the question by Senator Turner. Associate members of the Graduate School are professional track faculty. It is possible for neither of those versions to be part of the Graduate School faculty. It would mean excluding faculty from voting on graduate curriculum if they were not associate or regular members of the Graduate School. The question is "is this consistent while allowing everyone to vote"?

SENATOR DOXTADER stated that this proposal is a fundamental change and requires additional time for reflection in what it means. Senator Doxtader agrees with Senator Turner

regarding the phrase “voting rights” is not clear and is likely over broad. The analogy of state and federal jurisdiction is not perceived as accurate. It begs the question of where decision making power is located as a matter of academic freedom. When the definition of Academic Freedom was changed, which was something that FAC discussed, one of the things that was taken into account was that units and departments in particular have in the capacity in their bylaws to establish criteria and policies regarding who votes. There is a substantial difference for who can vote in hiring decisions and admissions at the graduate programs. This seems to Senator Doxtader to change all that and to supersede decisions that have been made in departments.

SENATOR YENKEY agrees with the two colleagues who have just spoken. Two concerns exist. First, the language is ambiguous. It is a revision that is trying to remove ambiguity university wide. However, it introduces ambiguity and potential conflict. Second, Senator Yenkey would like to hear from the Faculty Advisory Committee regarding why it should be a university-level position to move in and define voting rights at the unit level. If there is a real problem, an abuse happening at the unit level, it is important to hear about it. It does not seem appropriate, however, to mandate governance in this way and take out the prerogatives of a given unit. This is similar to the university-wide mandatory attendance policy that was installed approximately two years ago. It seems the university has a recurring theme of issues where from top-down, faculty are enforcing some important governance decisions on the units. In some areas it is necessary; on other areas it is not. When it comes to voting rights, Senator Yenkey stated that he thinks it is better done at the unit level. This proposal would allow any full-time instructor with a bachelor’s degree to vote on a Ph.D. level program change. Just as there is requirement that a faculty member be tenured to vote on tenure decisions, a similar standard is reasonable for other types of decisions.

CHAIR KORSGAARD asked if FAC had a response.

DR. HEIN asked if it is the purview of the College or the department to deny people voting rights? That is what it really comes down to. They [a college or department] have the ability as it currently stands, whether they are in astrobiology, to deny a professional track faculty the rights to vote, whereas in any other department they may have the right to vote. That is where it becomes inconsistent. The minority in that department could be denied the right to vote as it currently stands, even if it pertains to them.

SENATOR MACAUDA is making a statement as a professional track member and an associate member of the graduate school. Senator Macaуда thought upper research faculty needed a terminal degree in that subject matter. It is unclear if someone with a bachelor’s degree is considered research faculty or highest level of degree in his or her field. The central issue here is the issue of consistency that professional track faculty have status, or they don’t. This should be checked on. Just like tenure track faculty have status or they don’t. You can’t decide that tenure track faculty by some departments can decide that certain tenure track faculty don’t have the

right to vote on certain things. This is the issue with professional track faculty. The rights that they have within the departments really must be consistent across the school or the position itself doesn't exist in any capacity. If professional track person is treated differently than a research person then there is no consistency in being in a professional track. Faculty Senate needs to think hard on what consistency is, what the rights are, and what is excluding a class of faculty from making decisions within their department. Senator Macaуда requests Faculty Senate to consider this issue.

CHAIR KORSGAARD asked for clarity based on Senator Turner's two different interpretations of voting, one where you are required to be a member of the Graduate School. It sounds as if Senator Macaуда likes the second interpretation of voting. There is a voting restriction associated with the graduate curriculum, that is being graduate faculty.

SENATOR MACAUDA stated that if being graduate faculty is easily obtainable for those who qualify, having graduate faculty vote on graduate curriculum is fine.

DR. COOPER stated that the answer to Senator Turner's question is "yes". Both voting rights, privileges, and restrictions in the T&P case and in the graduate studies case are specified clearly in the Faculty Manual. Saying that voting rights would follow those provisions would have the same effect in both cases. Some slight ambiguity is introduced by the section of faculty the Colleges, Schools, and Departments which does only mention the tenure and promotion criterion. This section could be "tidied up" if you also wanted to refer to the graduate language.

DR. COOPER is not weighing in on the federalism bit. There is a remit in the Faculty Manual both for the idea that Colleges, Departments, and Schools can develop their own bylaws and for the position that the rules should flow from the faculty manual. This is a serious matter of discussion.

SENATOR ALTSCHUL corrected a misconception that all professional track faculty have terminal degrees. In the department of Physics and Astronomy, full-time instructors with master's degrees (who are professional track faculty) are employed. Senator Altschul does not consider these individuals qualified as graduate level faculty. A second issue is internal departmental governance if all professional track faculty are to be accorded the same kind of voting rights as tenure track faculty. Tenure track faculty are hired through search processes that involve committees, faculty interview candidates, and the decision is ultimately made at the dean's level. The full faculty can play a role in process. This is not always the case with professional track faculty. It may be true in some departments that professional track faculty are hired by very similar procedures than used in hiring tenure track faculty. This is not by any means universal. In the Department of Physics and Astronomy, professional track faculty are hired by the chair and the director of undergraduate studies in consultation with the dean. The bulk of the faculty may have little to no role in the process. Which means the professional track faculty are starting out from a very different place and have a very different role within the

faculty structure in this department as compared to the tenure track faculty. Some departments may not have this difference. A “one size fits all” approach has some issues. Incorrect assumptions are made regarding how professional track faculty are hired or their credentials.

CHAIR KORSGAARD added context to Senator Altschul’s comments. Across campus there are very different hiring procedures. It is often an administrative decision for professional track faculty than a faculty position. The hope is that the Professional Track Committee will look at these issues: What are the hiring guidelines? What are the promotion criteria for professional track faculty? What are the guidelines for how they should be hired? We don’t have an established practice.

SENATOR SCHRAMM-PATE concurs with Senator Altschul’s comments. His comments were absolutely correct.

SENATOR TAVAKOLI stated that the same process that is used for tenure track is used for the professional track when hiring personnel in the College of Nursing. There are a lot of professional track in Medical School, Pharmacy, and Nursing. This is impacting all the units. Maybe some units don’t have as many [professional track faculty] as other units. Senator Tavakoli wanted to verify to the senate that his unit has the same process that is used for tenure track

SENATOR TURNER thanked everyone for the conversation. He thanked Dr. Cooper for perspective on the subject matter. There are some other places in the Faculty Manual that would be impacted by this decision, where language would need to be clarified. Senator Turner formally made a motion to recommit the proposal to the Committee.

SENATOR BYARS seconded the motion.

SENATOR YENKEY encouraged support of the motion. This motion has potentially a very impactful change, not only on how units conduct their internal affairs but it also has a potential conflict with other parts of the Faculty Manual. This does not mean that it is tenure track versus professional track. Ninety-nine percent of what we do on campus affects all faculty. We all take that very seriously. There are some exceptions to that (e.g., T&P). We need to make sure this hasn’t gone too far, too fast. It doesn’t mean we won’t wind up here in the future, but Senator Yenkey stated that it feels very rushed to vote up or down on it right now. A recommendation was made for the committee to reconsider it.

SENATOR SCHRAMM-PATE agreed with Senator Yenkey’s comments. This proposal needs to be revisited, especially in light of the hiring practices that have sometimes not been transparent.

Poll to recommit proposal was 74 yes, 53 no response. The proposal was recommitted to the Committee.

DR. HEIN stated that the next proposal under consideration is the Unit Consideration of Tenure and Files. This is a date correction. It was discovered that there are differences between the dates in Provost's Office as well as the Faculty Manual. These revisions were made to clarify when things needed to be submitted as in ultimate dates. A unit cannot have things required earlier, such as external files. Simply tell the candidate the files cannot come any later than the dates indicated. Where there is a slash mark indicates if the faculty member is a December hire or an August hire.

SENATOR DOXTADER asked if this document has been vetted with various T&P chairs on campus. A concern was raised that Faculty Senators received the document (and changes) on Friday, and there hasn't been time to consider this proposal in a meaningful way at the department level. These are date changes, but they are not insignificant changes in the process. This is also true of the resolution part of the process. There has not been time to consider this issue.

DR. HEIN asked for clarification regarding the location of the significant date changes from past practice.

SENATOR DOXTADER stated that if he was a T&P chair, he would have a better answer to Dr. Hein's question. Senator Doxtader stated that it has been 4-5 years since he was a T&P chair. It is appropriate that this proposal change be run by T&P chairs in various departments and there hasn't been time for that.

SENATOR STERN agreed that it would be good to have additional time to review these changes because the Faculty Senate meeting is running over time.

SENATOR BONAFOS asked for clarification of the definition between tenure track and pre-tenure. Why is there modification at the beginning of the text? (page 4 of the proposal).

DR. HEIN stated that the understanding is that tenure track can refer to anyone post tenure. This is to clarify that.

SENATOR DOXTADER moved to table the proposal and consider them at the next meeting.

SENATOR ALTSCHUL stated that the pre-tenure terminology may be a problem. The Committee may wish to consider this issue while the proposal is recommitted. Tenure track terminology is usually used for faculty hired under a tenure-track contract who do not have tenure. Pre-tenure track includes tenure track faculty who have been denied tenure but are still employed by the university. Faculty can no longer be considered pre-tenure if they are excluded

from getting tenure, but they still have tenure track responsibilities. Maybe in the context of T&P it isn't important, but it probably isn't good to make an across-the-board change.

SENATOR VALTORTA stated that the issue of terminology of tenure track was resolved a while ago. There is an effort in the Faculty Manual to be consistent and always use tenure track in the wider meaning of the word to include both faculty who are no longer tenured but are in the tenure track and faculty who are tenured. That debate should have been solved as far as the Faculty Manual has been concerned. Reasonable people can disagree on the meaning of term tenure track. The Faculty Manual, barring errors or oversight, is rather consistent on that point.

SENATOR MINETT asked a procedural question regarding the difference between tabling and referring to committee.

CHAIR KORSGAARD stated that tabling means the proposal is removed from proposed legislation and has to be reintroduced again.

PARLIAMENTARIAN SUDDUTH stated that Chair Korsgaard's interpretation of tabling was not necessarily accurate. Laying on the table means it is there for reconsideration. The proposal can be called for reconsideration either during this meeting or during the next meeting. However, if it is not called from the table at the next meeting, it does die. It has already been introduced. If the motion to lay on the table has already been made, it needs to be seconded. There is no debate. There must be a vote.

CHAIR KORSGAARD stated that if a proposal is recommitted, there is a desire for revisions to be made. Tabling means you are buying time.

Vote to table the motion; 63 yes. The motion carried.

A motion was made and seconded to table the proposal Standing Rules of the Faculty Senate.

DR. COOPER requested that Dr. Hein provide a brief rationale regarding the changes in the Standing Rules of the Faculty Senate proposal.

DR. HEIN provided rationale changes in the Standing Rules of the Faculty Senate proposal. There was difficulty in keeping track in the versions and revisions as faculty were submitting the proposals. One way of keeping track is to have changes go through this committee and have someone review the document. In addition, some of the phrasing used in proposals were not actionable. As such, the document needed a lot of work where the document could get actionable by the Senate. Having the document looked over by the parliamentarian and the senate chair was overwhelming. A committee structure was proposed to get the documents prepared.

PARLIAMENTARIAN SUDDUTH invited senators to reach out to him regarding how the system is set up. Email or call him. He will have a conversation regarding the purpose of tabling.

SENATOR DOXTADER asked if a reference of the American Library Association policy documents is available.

PARLIAMENTARIAN SUDDUTH agreed to send the documents to Senator Doxtader.

Poll to table the revision; 54 yes. The motion carried.

Chair's Report

CHAIR KORSGAARD reported that Provost's search has been extended to February 14, 2022; there has been renewed interest because of the announcement of hiring President Amiridis. Senators are encouraged to nominate individuals for the provost position. Encourage people to apply. Applications will be reviewed in late February. A short list of applicants will be in March and given to the interim President. It is hoped that UofSC will have a provost when the new president begins.

The cancel tenure legislation has been taken off the table. The university is still being vigilant regarding this issue. UofSC continues to work with Senate Chairs from other colleges and universities throughout the state. AAUP is also working on a strategy.

CRP legislation is an active threat. If members are interested in written testimony, the AAUP is welcoming that; reach out to Senator Harrison.

The Steering Committee voted to lift the blanket waiver regarding online courses. There is still time to formally revise your online course. The deadline is March 23rd to submit your course to C&C. You can then get your course on the registrar. Because it is an online course, you can add it almost anytime [to the schedule] for fall if you don't feel safe teaching face-to-face. Faculty are encouraged to introduce a proposal for a new course. CTE and C&C will work with faculty to make sure you are successful in doing that. Please share this information with your faculty.

The outcome for the presidential search was very positive. It was perceived positively by the university community. There are mixed reviews about the process. After the Caslen search, the Board of Trustees revised and approved a new policy for a presidential search. Suggestions for revisions was submitted. The Governance Committee pondered the revisions but didn't incorporate those revisions. The door is open for some kind of revisions to the policy. This is a good time to do it now that we have another experience with the search. Faculty input is welcome regarding a) start, b) stop, or c) continue aspects of the process. The Steering Committee will take those comments and create a document. The document will be shared with Faculty Senate, Governance Committee, and the Board of Trustees. Reach out to Chair Korsgaard with comments.

Old business: none

Good of the order: none

The meeting adjourned at 5:23pm EST