

JOURNAL OF THE FACULTY SENATE

The University of Oklahoma (Norman Campus)

Regular session – December 11, 2023 – 3:30 p.m.

Thurman J White Forum Building – Conference Room B

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Email: FacSen@ou.edu | Website <https://www.ou.edu/facultysenate>*Note: The remarks of the Senators and others are summarized and not verbatim*

The meeting was called to order at 3:32 pm by Chair Heyck. Senators were asked to read the Land Acknowledgement on the screen.

PRESENT: Abramson (1), Beaulieu (1), Benjamin (1), Bolino (0), Burns (0), Busselle (1), Cuccia (0), Cytacki (0), Deacon (1), Demir (0), Fithian (0), Fuenzalida (1), Furtado (0), Grigo (0), Hill (0), Hougen (0), Jones (1), Kang (1), Kibbey (0), Lamothe, M. (0), Lamothe, S. (0), Lifset (0), Livingood (0), Litov, (0) Lu (0), Lungmus (0), Malestein (0), McLeod (0), Muraleetharan (0), Neeson (0), Nicholson (1), Nollert (1), Scrivener (0), Sharma (0), Silva (0), Tracy (0), Warnken (0), Weaver (0), Young (0), Zumpe (0)

FS Chair: Hunter Heyck
 FS Chair-elect: Lori Jervis
 FS Secretary: Sarah Robbins
 FS Executive Committee Members (Non-senators): Darren Purcell
 FS Administrative Manager: Ann Seely
 FS Student Worker: Taylor Fleming

Guests: Sean Burrage, Hollye Hunt, Jeff Harp

ABSENT: Cavazos (2), Gibson (1), Kraus Steffensen (1), Larson (1), Leseney (2), Nelson (2), Pepper (1), Rai (1), Saho (1), Schmeltzer (1),

Note: During the period from June 2023 to May 2024, the Senate holds eight regular sessions. The figures in parentheses above indicate the number of absences.

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APPROVAL OF THE JOURNAL

The Faculty Senate Journal for the regular meeting of November 13, 2023 was approved without revisions.

ANNOUNCEMENTS

The Faculty Senate is sad to report the death of retired faculty member Professor David R. Morgan, Political Science on November 13, 2023.

SENATE CHAIR'S REPORT, by Chair Heyck

The report was distributed via email. Chair Heyck opened the floor to questions. There were no questions.

REVISED LANGUAGE REGARDING PARTICIPATION OF NON-REGULAR FACULTY IN SHARED GOVERNANCE

The revised language was discussed at the November Faculty Senate Meeting. The revision would recommend removal of “no voice” language from relevant handbooks. Chair Heyck opened the floor to discussion; there was none. The motion passed unanimously.

PROPOSED REVISIONS TO THE FACULTY APPEALS BOARD, ABROGATION OF TENURE, TERMINATION OF EMPLOYMENT, AND SEVERE SANCTIONS POLICIES FOR THE UNIVERSITY OF OKLAHOMA, NORMAN CAMPUS

The revised policies were distributed via email. Chair Heyck polled the senators about their preferred path forward for voting based on two possible interpretations of our procedures- vote today, vote electronically, or vote at our February meeting. The senate supported discussing the revised policies. Chair Heyck opened the floor to discussion

For the Faculty Appeals Board (FAB) policy revisions, Sen. Cuccia expressed a number of concerns about the proposal. With respect to the approaches for abrogation of tenure and severe sanctions, it seems to give a lot of power to the university and very little to the faculty member. Given the severity of the situation, he feels the process should be automatic and not rely on faculty member knowledge of the process. He thinks the process should refer faculty to the ombudsperson as a resource to help navigate the process. With respect to unpaid leave, Sen. Cuccia noted that the idea originated due to the perception that, in recent isolated instances, faculty had unduly prolonged the appeals process. Given the explicit, and relatively short, time constraints included in the proposed procedure revisions, this should no longer be a concern, negating the need for the (change in the) unpaid leave policy. The policies are redundant and overly complicated. Sen. Lu indicated that the process is a very tight timeline (20 days) given all that needs to happen in the timeframe and number of people involved. Chair Heyck clarified that it would be acceptable to remain with 20 days if the clock started after the administrative channels had been exhausted. Sen. Malestein asked about the clause related to the abrogation of tenure and at what point faculty are put on administrative leave; this seems to put a lot of pressure on faculty and dissuade them from going through the process; he would like to remove the clause about unpaid administrative leave. Sen. Heyck indicated that he has talked to OU Legal about this issue and clarified that the unpaid administrative leave only happens if there is sufficient evidence of wrongdoing. The burden of proof is on the university. Sen. Cuccia indicated that he also has problems with the unpaid administrative leave language; this is an appeals process and faculty are in the situation because there was evidence of issues with the process. The reinstatement of back pay only happens if the FAB finds the faculty member “innocent.” The outcome of the board does not necessarily fit with what is required for faculty to be eligible for the back pay. Sen. Burns would like to add a sentence to page 2 and section A; he made a motion to amend with this language: “These procedures are intended to be used only rarely and only in extreme circumstances.” Sen. Muraleetharan indicated that the faculty senate should take the time it needs for deliberations. Sen. Kibbey does not believe that we can say that these procedures should be rare; we clarified that the severe sanctions should be rare, not the appeals process. Sen. Demir likened the process to the Academic Integrity process for students and other university processes that take much more time than the timeline allocated for these processes.

For the severe sanctions and non-disciplinary termination policy revisions, Sen. Cuccia noted that all but one of the non-disciplinary termination examples are alleged to address a faculty member's inability to fulfill their duties. As this is already grounds for appealable sanctions, adding the possibility of automatic termination is unnecessary, inconsistent with the larger sanction/appeals policy, and seemingly abusive. Sen. Cuccia proposes doing away with all causes for non-disciplinary termination with the exception of financial exigency. The current wording has the potential

to lead to an abuse of power. Sen. Muraleetharan suggested that non-disciplinary termination language should be removed entirely. He also discussed the residency requirement and confusion around the language. With regard to the loss of credentials, many of the professional credentials are not needed for a faculty member to do their job. Chair Heyck relayed that impacting your duties is sufficiently broad and OU Legal indicated that the specifications were meant to provide an example.

Faculty Appears Board Policy: The senate voted to delay the vote and continue discussion at a later meeting.

Severe Sanctions and Non-Disciplinary Termination Policy: The senate voted to delay the vote and continue discussion at a later meeting.

Amendment: Add “These procedures are intended to be used only rarely and only in extreme circumstances” to page 2, paragraph A of the Minor & Severe Sanctions policy. The amendment passed (29 Senators voted in favor, 1 against; 8 abstained).

REMARKS BY SEAN BURRAGE, VICE PRESIDENT OF EXECUTIVE AFFAIRS AND CHIEF OF STAFF AND HOLLYE HUNT, CHIEF GOVERNMENT AFFAIRS OFFICER

VP Burrage provided an overview of the state legislative process. We are currently in the bill filing period. Chief Government Affairs Officer Hunt talked about what we anticipate seeing this session. Hunt talked about a win last year removing higher education from a bill regarding certifying library databases. Currently, the leadership supports higher education and tries to support our efforts. Last year higher education saw an increase in allocations, and we hope to see that again this year. This year we anticipate an executive order or legislation related to diversity, equity and inclusion activities on campus.

Chair Heyck opened the floor to questions. Sen. Muraleetharan asked about tax credits/cuts and the state budget. VP Burrage indicated that the money for the private school tax credits has been expended and does not anticipate that impacting us much. Sen. Malestein asked about visiting California to attend a conference; it is based on an executive order from Stitt. VP Burrage indicated that higher education usually has an exemption. VP Burrage indicated there would be a press conference from the state on Wednesday related to DEI.

REMARKS BY JEFFREY HARP, UNIVERSITY OMBUDSPERSON

Ombudsperson Harp discussed his first year on the job. He represents all students, faculty, and staff and tries to help them find pathways to resolve conflict. His core principles include: independence, impartiality, informality, confidentiality, and voluntary. He shared statistics about who is coming to see him.

Chair Heyck opened the floor to questions. Sen. Bolino asked for an example for when to refer a student to the ombudsperson. Usually, students are most concerned about grades and often the ombudsperson refers them back to the professor. For graduate students, it could be about their dissertation committee. It is often about academic progress but occasionally about finances or DEI. Sen. Muraleetharan asked about how he handles systemic issues; the ombudsperson will reach out to deans or vice presidents depending on the situation.

ADJOURNMENT

The meeting adjourned at 5:08 pm. The next regularly scheduled Faculty Senate Meeting will be held on February 12, 2024 at 3:30 pm.



Sarah Robbins

2023-24 Faculty Senate Secretary