

**MINUTES OF THE FACULTY SENATE EXECUTIVE COMMITTEE MEETING**  
**JULY 22, 2020 1:00 – 2:00 p.m.**  
**ELECTRONIC MEEITNG**

**Present:** Lisa Billingham, Melissa Broeckelman-Post, Shannon Davis (chair), Timothy Leslie, Bethany Letiecq, Kumar Mehta, Suzanne Slayden.

**Transition from WebEx to Zoom AY 2020-2021:**

Chair Shannon Davis:

- Thanked Kumar Mehta for his in-depth comments and questions on the transition from WebEx to Zoom.
- Informed that she had reached out to ITS with all the questions (including those submitted by the committee) and is awaiting the response.
- Shared that all meetings will be virtual over the next academic year (AY 2020-21) since there is no space which would enable safely distanced in-person meetings that enable conversations necessary for the senate meetings.
- She requested input on platform to use for virtual meetings -- Since the university is now transitioning to Zoom, should we begin the academic year using Zoom or should we begin using WebEx and then transition to Zoom after WebEx is phased out?
  - After discussion of various options – since WebEx Events will be retired in middle of AY 2020-21, it may be best to use Zoom as the single platform for entire academic year. It would also minimize the number of transitions everyone would need to get comfortable with.
  - Chair Davis suggested using August 6<sup>th</sup> meeting to get a briefing from ITS regarding pros/cons regarding platforms – and help us figure out how to accomplish all the needed tasks that involve voting during the first senate meeting in September. She reiterated the need to adopt platform /solution that best ensures all the voting is done correctly.

**Faculty Senate Standing Committee reports continued from the previous meeting:**

**Faculty Matters – Bethany Letiecq, Chair**

COVID training: Acknowledgement of Risk Statement:

- It has been revised such that it has a less legalistic tone
- Some legal scholars are of the opinion that in its current iteration, it still reads like an acknowledgement of risk statement that is being mandated and is a condition of employment and return to campus.
- She shared her opinion that this is an issue of trust in the community. There needs to be a way for people to essentially certify that they have completed the training. She suggested simply having a statement that certifies “I have completed the training”.

Discussion:

Question: The students are required to sign a similar statement – so, why not faculty?

- Response: Students are not employees. Faculty already have an employment contract. The risk statement can potentially be considered as a condition of employment and become an addendum to the employment contract.
- If faculty signs off on this, are we going to move to enforcement? How will it be enforced? For example - what does this mean for tenured faculty? If faculty refuses to sign this, and wants to pick up a book from office, are they not allowed? Can tenure be overruled?

Chair Davis: Enforcement for students will be in place. With Student Government's engagement, they have revised the Student Code of Conduct to include all policies related to health and safety. The Emergency Management Executive Committee (EMEC) meeting may vote today on the official policy with a policy number, around face coverings on campus. That includes the possibility of accommodations, modifications for people should they need it, the process for requesting accommodations and modifications, and the exceptions under which people do not have to wear approved face coverings including pictures of and links to what appropriate face coverings are. Because of the concerns if you do not describe specific evidence of what a face covering is, someone could work around it.

- Office of Disability Services and Human Resources have modified the language substantially so that accommodations are very clearly included.
- The policy covers the Child Development Center as well.
- After all revisions are made and approved -- it will be presented to the senior leadership.
- On tracking and enforcement of new policy – she noted that faculty are expected to complete several mandatory trainings. The tracking and enforcement of currently required trainings is periodic and inconsistent, and the need for timeliness and consistency for ensuring the trainings are effective.

Senator Letiecq noted that a tracking system is under development and will alert faculty if they have not completed the training. She raised the issue of implications if a faculty has not completed the training or acknowledged the risk statement? She expressed concerns:

- Cluster of illness because of reopening
- Use of acknowledgement of risk statement against anyone seeking restitution in courts
- Impact of reopening on vulnerable communities around
- Excessive focus on protecting the institution from liability rather than supporting the community

Chair Davis shared that this was part of the conversation in EMEC, which is also discussing trainings, and the acknowledgement of the completion of the training.

Copyright Policy:

Chair Davis noted that she hosted the virtual Copyright Townhall, which included robust and meaningful conversations about copyright in this era of online (synchronous and asynchronous) learning. The townhall concluded with more questions than answers and that it is imperative that there be a follow up. The issues are emergent as much as they require being addressed in an emergency. She provided additional updates:

- Outgoing VP for Research Deb Crawford provided a draft on the issue to be included in the Provost's Newsletter today. It summarizes the meeting and the next steps.
- Engagement to continue with Aurali Dade as steps into the position of Acting VP of Research on August 1<sup>st</sup>.

### **Organization and Operations – Lisa Billingham, Chair**

- Work on the Faculty Equity and Inclusion Committee (FEIC) Guidelines is continuing and expects to send to the Executive Committee for review.
- Continuing to prepare to make a case for Ombuds to the administration when opportunity is presented.

Chair Davis noted that from her conversations with Ken Walsh (Chief of Staff for President Washington), it was clear that he had read all of the minutes from Faculty Senate meetings from past year. He had inquired about Ombuds office and was informed that while Faculty Senate has been advocating one for many years, there is none. She expects

### **Nominations Committee – Melissa Broeckelman Post, Chair**

- New Faculty Senate of Virginia (FSVA) representatives: The Nominations Committee will send another round of calls for nominations.
- Nominations committee sent emails to about 200 people (who are either returning to committees, or whose terms have expired) to: a) confirm their plan for return, b) determine if they want to re-nominate themselves.

Senator Broeckelman Post shared that a faculty representative to the Technology Leadership Committee (TLC) informed the nominations committee that the TLC committee has not met this year. She noted that this reinforced the need for faculty representatives on committees to regularly report back to the Senate.

- Senators shared their experiences of various committees – while some are extremely active, others seem to not be. Committee's engagement also seems to be a reliant on leadership from faculty and administration sides.

Chair Davis shared that in her response to a note to those serving on the BOV Committees, she received favorable responses to really being engaged. She noted that in seeking nominations, a note is being included indicating expectation of regularly reporting back to the Faculty Senate. She cited examples of actively engaged faculty representatives and committees, and re-emphasized the need to connect faculty representatives, administrative units, and engagement with the Faculty Senate.

## **New Business**

### Faculty Request if you do NOT want to come on campus this fall.

Senator noted that while on vacation, an email from HR required a response by July 15<sup>th</sup> if faculty did not want to NOT come on campus this Fall. In response, the reply received “we will talk to your supervisor and discuss your application and will get back to you.” It appears that this application was really only supposedly for people who are maybe having difficulty with their supervisor, or really needed support in getting away from campus, which was not my case. That was not apparent in either the email message, nor on the HR Webpage, and it was not apparent on the application itself.

Chair Davis shared that she has had this conversation with the Provost, and the MCCT has also asked for clarity. She noted that faculty have asked the question multiple times. If faculty are teaching remotely in the fall, do they have to complete this form? The answer at MCCT was no. But the Provost had not articulated that, and HR had not articulated that.

Senator Letiecq also noted that faculty have relayed their confusion and that the messaging has not been clear. She noted that a Fact Sheet is expected to be released along with FAQ, but the timing is not yet clear. Senator Letiecq shared that the conversations on scenarios where individuals who have sought accommodations are rejected. What would be the appeals process? Where would the appeals be filed? What would be the avenue for redress?

Chair Davis shared her observation regarding the challenge of having clear and consistent communications be sent to the faculty from the offices of Provost and HR. In particular, her desire to see the decision makers communicate their decisions directly to the faculty. She also shared that the Instructional Continuity Group (IC) has been working on the Faculty FAQs to provide specific answers in a way faculty would want them to be.

Chair Davis added that there has been more than one conversation about the extent to which the processes that are being described apply to faculty versus staff. She observed that incomplete understanding of faculty’s role, their relationship with department chair, etc. have played a role in messaging difficulties – a) sometimes one message for both groups is best; and b) other times without adequate differentiation it has resulted in confusion and more work for all involved. Chair Davis will again request for a note to go into the next Provost Newsletter indicating that faculty do not have to fill out the form.

She reminded everyone that the BOV meeting on July 31 will be fully online.

Respectfully submitted,  
Kumar Mehta  
Secretary