

The University of Texas Rio Grande Valley

2016-2017 Faculty Senate Meeting Minutes

September 9, 2016

1:00 pm-2:00 pm, Lunch

2:00 pm-4:30 pm, Senate Meeting

Edinburg Campus, ESCNE 2.288

Minutes prepared by Michelle Alvarado, UTRGV Faculty Senate, Secretary

SENATORS PRESENT: Aziza Zemrani, Bailey Wang, Bobbette Morgan, Brent Campney, Brian Warren, Britt Claude Haraway, Catherine Faver, Christopher Vitek, David Anshen, Donald J. Lyles, DongYop Oh, Dora Saavedra, Douglas Timmer, Eleftherios Gkioulekas, Ernesto Ramirez, Fidencio Mercado, Frederick Darsow, Irasema Gonzalez, Irina Armianu, Jacob Neumann, Jameela Banu, James Boudreau, Jasang Yoon, Jorge Vidal, John Newman, John VandeBerg, Jung-II Oh, Justin Writer, Katherine Decker, Kathy (Kathleen) Carter, Kelly Leu, Kip Austin Hinton, Lionel "Javier" Cavazos, Margaret Graham, Maria "Miriam" Herrera, Michael Weaver, Michelle Alvarado, Mohammadali Zolfagharian, Murat Karabulut, Nicolas Pereyra, Ranadhir Roy, Robert Gilbert, Rosalva Resendiz, Sanjeev Kumar, Teresa Feria Arroyo, Volker Quetschke, Wendy Innis, Wendy Lawrence-Fowler, Yuanbing Mao

SENATORS ABSENT: Alexander Kazansky, Andrew Anabila, Arden Dingle, Cory Wimberly, Don Carlson, Jeffrey McQuillen, Mahmoud Quweider, Marguerite Dewitt, Michelle Keck, Rosalinda Hernandez, Robert Paul "Sam" Sale, Sandra Hansmann, Sheila Dooley, Sibin Wu, Wilma Mealer, Yasar Tasnif

SENATORS ABSENT (EXCUSED): Lilia A. Fuentes, Micky (Dumitru) Caruntu, Joe Lacher, James Wenzel, James Bullard

FACULTY SENATE OFFICE ASSISTANT III: Vanessa Ceballos

VISTOR(S): President Guy Bailey, Provost/EVPAA Havidán Rodríguez, Linda Matthews
Deputy Provost Cynthia Brown, VP of Student Success Kristin Croyle, Vice Provost of Faculty Affairs and Diversity, Ala Qubbaj, Strategic Planning Committee Member Linda Matthews

Welcome/Introductions/Overview of Agenda

- A. Greetings from Provost Rodríguez, and Vice Provost Ala Qubbaj, and VP of Student Success Kristin Croyle
- B. President Morgan reviewed the agenda for the meeting.
- II. Convene Meeting: President Morgan convened the meeting at 2:06 p.m. President Morgan welcomed the senators and introduced the new senators to the first Faculty Senate Meeting of 2016-2017.
- III. President Morgan tabled the approval of the minutes of the April 29, 2016 Faculty Senate Meeting until the next Faculty Senate meeting.

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- IV. Faculty Senate Meetings: President Morgan explained that there is no space in Brownsville to host Faculty Senate Meetings. The Faculty Senate usually meets at RAHC in Harlingen or at the Edinburg campus.
- V. Update on Ombudsmen Proposal: President Morgan stated that the Faculty Senate Executive Committee met with President Guy Bailey, Provost Havidán Rodríguez, and Vice Provost of Faculty Affairs & Diversity Ala Qubbaj on Thursday, September 8, 2016. The Executive Committee submitted a proposal requesting the creation of an Ombudsmen positions to serve the needs of faculty. Dr. Bailey was receptive to exploring the possibility of the Ombudsmen positions and requested that Dr. Ala Qubbaj and Faculty Senate Executive Committee develop a model for these Ombudsmen positions. President Morgan indicated that they would be looking at the UT Austin Ombudsman position as a model for UTRGV. President Morgan emphasized that the Ombudsmen must be faculty members and not administrators.
- VI. UTRGV Strategic Planning Update: Linda Matthews specified that faculty have provided input to the draft UTRGV Mission, Vision, Core Priorities, and Values. The draft will go to Dr. Bailey and the Strategic Planning Committee for feedback. Matthews encouraged Senators to provide feedback to the Strategic Planning committee. The Steering Committee will develop an outline for the initiatives which will not be more than 100 pages. The Strategic Planning Committee will host a retreat in October. In November, a forum will be held to discuss Strategic Plan initiatives. Dr. Bailey will give an update in November to the UT System Board of Regents.
- VII. Women's Senior Leadership Network Initiative: Dr. Kristin Croyle shared that the UT System is creating a model to advance women into leadership positions at the UT System Institutions. A white paper was authored addressing the advancement of women at the UT System. Chancellor McRaven has assigned Associate Vice Chancellor Tony Cucolo to lead this initiative. Any faculty member that has an interest in this network contact Dr. Croyle.
- VIII. Updates
 - A. State of the Senate Address, Past President, Dora Saavedra:

State of the Faculty Senate Address

September 9, 2016

Presented by: Past President for 2015-2016 Dora E. Saavedra

President Morgan, Fellow Senators, and Guests:

It has been an honor and a privilege to serve as the Founding President of the UTRGV Faculty Senate from November 6, 2015- April 29, 2016. I want to thank the Faculty Senate Executive Committee of 2015: Bobbette Morgan, President-Elect, Volker Quetschke, Parliamentarian, Wendy Lawrence-Fowler---our secretary who worked tirelessly to provide us minutes, and the College Representatives—James Boudreau, COBE; Michelle Alvarado, University College, Wilma Mealer, COHA, Arden Dingle, School of Medicine, Britt Haraway, COFA, and last but not least, our representative from the University Library, Kelly Leu. Thank you all.

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I also want to publicly acknowledge Dr. Ala Qubbaj, Vice Provost of Faculty Affairs and Diversity whose office graciously provides our half time liaison, Vanessa Ceballos; who also helped make travel funds available to reimburse Senators for travel to meetings; and finally, who has generously provided hospitality lunches for us several times, including today. Thank you, Ala!

During that brief 6-month period we were in session, the Senate established the foundation for Shared Governance at UTRGV. Seventy-three Senators were elected to serve as departmental representatives from the Brownsville, Harlingen and Edinburg campuses. Two positions remained unfilled, but those departments had at least one representative.

The Faculty Senators identified issues, compiled a White Paper and initiated conversations with President Guy Bailey, Provost/EVPAA Havidán Rodríguez and other administrative officials throughout the University. We recommended faculty representatives for committees and councils to serve on an interim basis until the committees are decided upon. Included in that was our recommendation to have Mark Kaswan and Linda Matthews, as our strong faculty representatives on the Strategic Planning Committee. Thank you Linda for your report today and your service!

One of the most important accomplishments of last year is that the Senate itself modelled shared governance through robust debate and discussion of issues facing our students, staff, departments, colleges and University.

The Faculty Senate White Paper, presented to President Bailey emphasized the need for partnering with all stakeholders (students, staff and faculty) in order to improve the second year experience of the entire University community.

Your voices were heard. Your voices will continue to be heard. You have made history. The Faculty Senate, and each and every one of you Senators—from AY 2015 and now from AY 2016, have established a precedent. We will speak truth to power; we will partner with others to improve UTRGV through the difficult times, and we will “inspire the academic world” with our ability to use conflict as an opportunity to clarify, define, dialogue and resolve our differences in a professional and respectful way.

Under the leadership of Bobbette Morgan, a recognized teacher, scholar and leader with 4 years of experience as President of the UTB Faculty Senate, the 2016-2017 Faculty Senate will accomplish much. Naysayers said a Senate with 70+ representatives would be impossible to manage. You all have shown everyone that the “impossible” may take a little bit more time, but the end result will be one that improves the lives of all at the University of Texas Rio Grande Valley!

Congratulations Faculty Senate of 2015-2016! Go forward and accomplish great things, Senators for 2016-2017!

- B. UTRGV White Paper: President Morgan informed that Faculty Senate Executive Committee met with Dr. Bailey and Dr. Rodríguez on June 6, 2016 and a draft copy of the UTRGV White Paper was given to them. On July 11, 2016, the Faculty Senate Executive Committee had a follow-up meeting with Dr. Bailey and Dr. Rodríguez and the UTRGV White Paper was given to them at this meeting. On September 8, 2016, when the two groups met again, the White Paper Executive Summary was distributed at this meeting. President Morgan mentioned that *The Monitor* published an article about the UTRGV White Paper. She reminded Senators to be respectful when sharing our concerns outside our group. A question was posed about the process taken to release the UTRGV White Paper and have it published in *The Monitor*. Senator Saavedra explained that the UTRGV White Paper was voted on by the 2015-2016 Senators. President Bobbette Morgan then had the White Paper distributed to approximately 1200 faculty. At this point, no one knows who released the UTRGV White Paper to *The Monitor*.

C. Faculty Senate Executive Committee Meetings with President and Provost

(June 6, 2016, July 11, 2016 and September 8, 2016)

President Morgan gave an overview of what was addressed and discussed at the meetings with the President and Provost. Question was raised regarding merit increases. President Morgan stated that Dr. Bailey would be sending a memo regarding merit increases. Senator Haraway added that merit increases were going to be delayed because a legacy institution had to pay approximately \$5 million in outstanding payments. President Morgan stated that she asked Dr. Bailey for a copy of the Huron Study once it was finalized, and he said he would give a copy to Faculty Senate.

Discussion ensued and concerns were shared regarding merit increases, increase in parking permit fees, and the need to include faculty input into developing a system for merit increases. One Senator noted that the faculty from the Edinburg campus have received one raise in the last 9 years.

Senator Weaver moved that faculty need to have significant input in developing a process for faculty merit increase. This process needs to occur this year and needs be college policy. Senator Pereyra seconded the motion. The motion passed with 1 abstention and 1 nay.

- D. The Vaqueros/Vaqueras/Vaqueras@s Resolution (It was passed and sent to President Bailey and Provost Rodríguez)

An update will be given at the next Faculty Senate Meeting.

IX. Old Business

- President Morgan requested that Senators read ADM 06-111 Faculty Grievances so a final vote can be taken at the October 7th meeting.

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- ADM 06-302 – ADM 06-104 (Items E-J) were passed at the April 8, 2016 Faculty Senate Meeting. President Morgan will submit the policies to the Provost and Academic Affairs Executive Committee (AAEC) for review.
- President Morgan provided a brief background history into developing the HOP policies. UTB and UTPA faculty reviewed and/or developed about 189 policies. Nineteen policies have been identified this fall for review. President Morgan stressed her goal is to have these 19 HOP policies completed by this academic year. .
President Morgan requested that Senators read the HOP policies that required a 1st or 2nd reading for the October 7th meeting.

X. New Business: Ombudsmen for Faculty Proposal to Consider

The University of Texas Rio Grande Valley Request from Faculty Senate July 8, 2016

Resubmitted: September 8, 2016

Establish Ombudsmen for the Edinburg and Brownsville Campuses

In view of the faculty issues generated during the first year of UTRGV please consider supporting our request to establish an Ombudsman on each of the Edinburg and Brownsville campuses.

An Ombudsman serves as an advocate for fairness, source of support and information and acts as a liaison between conflicting parties. Ombudsmen support widespread agreement on standards of practice, such as independence, neutrality, impartiality, confidentiality, and informality. Many voluntarily follow the standards of practice established by professional organizations, most notably the International Ombudsman Association (IOA).

Results of a recent study conducted by IOA confirmed that most ombudsmen are taking an active role by providing advice and assistance to their institutions on the design and implementation of conflict management systems. Unexpectedly the findings showed a rapid growth in the number of ombudsmen offices. Two hundred and one practicing ombudsmen were identified representing 197 U.S. institutions of higher education, an increase over earlier published estimates of 120-150.

Additionally, of the ombudsmen who responded to the survey, 42 percent said their office had been founded after the year 2000. It was revealed that these newly established offices were more likely, than their older counterparts, to have been founded because of an organizational or

administrative decision and to use Alternative Dispute Resolution* (ADR) techniques. Also unexpected was that 48 percent of the respondents had served in the ombudsman position for fewer than five years, although the average age of the ombudsmen was 56.

In general, findings support the movement away from a case-by-case and stand-alone process to a more integrated and comprehensive system for ombudsmen in U.S. higher education. Results show that ombudsmen are taking an active role in designing conflict management and dispute resolution systems, instead of just filling a function within them.

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The University and College Ombuds Association (UCOA) recognized all varieties of the name and used a broad definition for a college or university ombudsman function as someone who is “authorized by an institution of higher education to confidentially receive complaints, concerns or inquiries about alleged acts, omissions, improprieties, and/or broader systemic problems within the ombudsman's defined jurisdiction and to listen, offer options, facilitate resolutions, informally investigate or otherwise examine these issues independently and impartially” (UCOA, 2000).

At The University of Texas at Austin the Office of the University Faculty Ombudsperson (ombuds) provides faculty with a prompt and professional way to resolve conflicts, disputes, or complaints beyond turning to their supervisors. The office offers a confidential place to voice concerns, clarify desired outcomes, think through difficult situations, develop options, and problem-solve. Administratively, the ombuds reports to the senior vice provost for faculty affairs and the provost. This does not mean that confidentiality of any faculty member is violated.

According to their website they function as “A Bridge Between Problems and Options”. The Office of the Faculty Ombuds at The University of Texas at Austin was established in 2004 to provide faculty with a prompt and professional way to resolve conflicts, disputes, or complaints beyond turning to their supervisors. The office assists faculty with any work-related difficulty, including interpersonal conflict or misunderstandings, as well as academic or administrative concerns. To afford visitors the greatest freedom in using its services, the office is an independent, neutral, and informal problem-solving resource serving faculty. The office maintains strict confidentiality and provides a safe place for faculty to have off-the-record conversations on issues related to work. The faculty ombuds helps individuals identify options for fair and equitable outcomes and fosters civility and mutual respect as outlined in the University Honor Code. The office supplements, but does not replace, any existing grievance mechanisms or modes of redress. The faculty ombuds administratively reports to the provost of the University (faculty) and has the full cooperation of University personnel.

We recommend that two faculty and one administrator attend the following:

Summer Academic Ombuds Meeting, Lawrence, Kansas, hosted by the University of Kansas, sponsored by the International Ombudsman Association, July 25-26, 2016.

Costs: Registration \$85, plus \$80 for New Ombuds Workshop, hotel is \$125 per night, roundtrip airfare, per diem, and transportation to and from airport are also needed per person.

Please consider supporting the establishment of an Ombudsman for each campus. This could be done with a reduced work load for selected faculty and a stipend. We recommend this to be established no later than January 2017, sooner if possible.

Fall 2016 and Spring 2017

International Ombudsman Association

Foundations of Organizational Ombudsman Practice and Specialized Courses

October 17-21, 2016

Hilton Alexandria Mark Center

Alexandria, Virginia

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IOA Spring Conference
April 23-26, 2017
Minneapolis, Marriott City Center
Minneapolis, Minnesota

**Alternative Dispute Resolution ("ADR") refers to any means of settling disputes outside of the courtroom. ADR typically includes early neutral evaluation, negotiation, conciliation, mediation, and arbitration.*

While the two most common forms of ADR are arbitration and mediation, negotiation is almost always attempted first to resolve a dispute. It is the preeminent mode of dispute resolution. Negotiation allows the parties to meet in order to settle a dispute. The main advantage of this form of dispute settlement is that it allows the parties themselves to control the process and the solution.

Mediation is also an informal alternative to litigation. Mediators are individuals trained in negotiations, who bring opposing parties together and attempt to work out a settlement or agreement that both parties accept or reject.

President Morgan stated that approval was given by Dr. Bailey and Dr. Qubbaj to establish committee to develop proposal for the Ombudsmen.

Senator Weaver moved that a committee be established to make a recommendation about the Ombudsman proposal. . Senator Fowler seconded the motion with an amendment to create a model to have an Ombudsman on campus. President Morgan added that the Ombudsman should not report to the Provost. The committee can address this issue as well as determine the responsibilities of the Office of the Ombudsman. The motion passed unanimously.

XI. New Business: UTRGV MOU with NextDecade, Rio Grande LNG

President Morgan explained that a group of faculty approached her with concerns regarding the Memorandum of Understanding with NextDecade. She added many community members are displeased with UTRGV's signing of the MOU and that the sentiment expressed is that UTRGV should not be interfering with this issue at this time since it has yet to be resolved by the Brownsville community

Senator Haraway moved that Senate discuss the UTRGV MOU with NextDecade. Senator Lyles seconded the motion.

Discussion ensued concerning the signing of the MOU with NextDecade. There was concern that the perception is that UTRGV is not supporting the community and that the MOU may be in conflict with UTRGV's mission statement. A question was raised regarding the university's policy and process for signing MOUs. A recommendation was made that before the Senate voted on this issue, we needed more information and education regarding this issue.

Senator Saavedra moved to withdraw the resolution and appoint a small committee to research and present a draft resolution at the October 7th meeting. Senator Zemrani seconded the motion. Motion passed with 1 abstention and 2 votes in opposition of the motion.

The members for this Committee will include:

- Senator Rosalva Resendiz, will convey the committee
- Senator Jorge Vidal,
- Senator Catherine Faver

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- Senator Kip Austin Hinton
- Senator Britt Haraway

A suggestion was made to invite speakers to a Faculty Senate Meeting to inform and educate Senators on this issue. Senator Resendiz shared that students are protesting this issue on campus. President Morgan stressed we can be the model and voice for our students. Senator Haraway indicated that students may need our help communicating with UTRGV administration. Dr. Croyle stated she could assist students so we should send students to her.

XII. HOP Policies

Senator Saavedra provided an overview of the HOP policies that need to be reviewed and voted on. She expressed the hope of creating a Blue Ribbon Committee to address concerns regarding HOP policies; however, we must first follow the process and submit to Academic Affairs Executive Council. She encouraged Senators to share policies with faculty. President Morgan indicated she informed the Provost that the Faculty Senate has been reviewing and revising the HOP policies posted on the website.

Senator Vitek acknowledged Senator Gkioulekas for all of the work he has devoted to reviewing the Tenure and Promotion Policy. Discussion proceeded on how to finish reviewing and approving HOP policies in a timely manner.

XIII. President Morgan adjourned the meeting at 4:22 p.m. since there was no longer a quorum.