

Baylor University Faculty Senate Minutes
Virtual Meeting
8 December2020
3:30pm-5:00pm

Present: Sara Alexander, Dwight Allman, Cassy Burleson, Gia Chevis, Gerald Cleaver, Holly Collins, Matt Cordon, Derek Dodson, Nathan Elkins, Tisha Emerson, Renee Flippo, Christy Gantt, Brian Garner, Chris Hansen, Julie Holcomb, Beth Hultquist, Kristi Humphreys, Karon LeCompte, Michael Long, Elyssa Madden, Joyce Nuner, Maxey Parrish, Sam Perry, Coretta Pittman, Nicci Price, Barbara Purdum-Cassidy, Brian Raines, Angela Reed, Denyse Rodgers, Keith Schubert, Carol Schuetz, Jennings Sheffield, Ann Shoemaker, Josh Strakos, Lynn Tatum, Mark Taylor, Anzhong Wang,

Substitutes: Franklin Potts (for Tom Potts)

Guests: VP Kevin Chambliss, Kevin Pinney, Chair of URC

- I. Call to Order: 3:30pm—Chair Cordon
- II. Invocation—Senator Elkins
- III. Guest Speakers—Vice Provost Kevin Chambliss and Dr. Kevin Pinney

Chambliss gave introduction to strategy of OVPR in reorganizing, reconfiguring internal funding programs. Pinney walked FS through the Draft of Recommendations of the University Research Committee (URC) for Distribution of Internal Funding. Recommendation that certain internal funding sources will be consolidated into one category. Certain funding programs will remain independent. No programs or funding sources will disappear. Aim is to streamline funding processes for efficacy and to save time. The URC recognizes that a number of disciplines rely on certain funding programs. One major aim is an increase in the amount of internal funding that is available. Plan to role out new recommendations in the near future. Requested feedback if anything occurs to Senators.

- IV. Guest Speaker—Chris Holmes, General Counsel (20 minutes)

Title IX:

Three types of governing law effect the policy, including the Texas Education Code, Senate Bill 512, that makes all employees mandatory reporters. BU revised its policy to make sure policy is current in 2020. Higher education is looking at the need to catch non-Title IX conduct. BU continues to look at conduct involving students and employees, regardless whether the conduct takes place on or off campus. BU intends to use one process both for Title IX and non-Title IX misconduct. BU is following the “preponderance of evidence” approach. Certain things will change b/c the Biden administration is not in favor of certain regulations imposed under the Trump administration. Need stability in regulations

independent of which political party holds the presidency. US. Higher Ed institutions support having stable regulations. The expectation is that the Biden White House (WH) will support DACA, end to the Muslim travel ban, and take other steps to ensure that the US will remain the locus for intern'l education with limitations relaxed on certain types of student visas. The Trump executive order prohibiting any racial or cultural sensitivity training will likely be withdrawn.

Question concerning whether these changes to Title IX policy will affect the Faculty Dismissal policy. Holmes: university will respond to new regulations with changes to the dismissal policy only if there is a legal requirement to do so; secondly, will make sure that processes relative to faculty processes are followed.

Senator comment: most concern was about mandatory dismissal under the Tex Education Code bill. Appears that these changes to Title IX do not change anything related to the mandatory reporting requirements.

Sen comment: AAUP does not support "preponderance of evidence" standard in favor of "clear and convincing evidence." Holmes: from discipline standpoint, same standard has to be applied both for students and for faculty according to fed regulations; if BU applied higher standard, victims rights advocates would engage.

Sen comment: AAUP also opposes the concept that "all faculty are mandatory reporters"; does the Tex Education Code mandate that all employees are mandatory reporters? Holmes: Yes.

Title VII

Supreme Court ruled in June 2020, that discrimination in the Civil Rights Act also pertains to employer discrimination related to gender identity and sexual orientation. Holmes is not dealing with whether current BoR policy related to sexual orientation, etc., should be changed or maintained. Only briefing on legal matters. Current law allows religious institutions to maintain certain exemptions. Expectation, that Biden WH and federal regulations will continue to respect institutional exemptions.

Senator comment/question: will Ministerial the exemption require proselytization; will BU deem all faculty as ministers, in order to maintain religious exemption? Holmes: does not believe that ministerial exemption requires proselytization, but BU does have expectation that faculty can discuss religious beliefs within classes and with students, BU can use and apply the ministerial exemption more broadly. Not saying BU "would" but "could."

Senator question: what is the opposite of what BU could do? Holmes: BU could apply the ministerial exemption narrowly for certain depts or areas.

Senator comment: expects that this topic will not be an issue in the near future. Hopes that the upper administration will consider BU's position and the negative PR if it intends to maintain a restrictive view in regard to sexual orientation and sexual identity. Holmes: sentiments expressed is in line with what he sees discussed in many religious spaces,

including churches, etc. Sees a way for BU to maintain its religious identity in hiring preferences while changing its application of standards related to sexual orientation and gender identity.

V. Approval of Minutes—Senator Long.

Senator Rodgers moved to approve the 10 November Minutes, Senator Cleaver seconded. Motion passed.

VI. Reports: 4:25 p.m.

a. Executive Committee Meetings—Senate Chair

Pass/Fail: no one on Exec Com supported special session to discuss proposal for pass/fail; Senators did not support special session. Petition of supporters for pass/fail had 3,500 signatures; has heard no support whatsoever from Senators or administration for pass/fail.

Policy regarding grade appeal process: Provost's email to students does not change anything about grade appeals process; intention to remind students of processes that already exist instead of allowing a pass/fail option.

Senator comment: is there any reason that the Provost would not send her email to faculty, instead of faculty hearing about it from students?

Senator comment: perhaps ask the admin to include faculty on emails sent to students, especially those which apply to academic policy.

No news on merit pay. Topic brought up in Exec Com meeting with the Provost. Senator Cordon suggested that Brett Dalton be invited to discuss university finances with the Senate. Provost Brickhouse stated in meeting with EC that she has no information about a raise pool.

Faculty evaluation: Concerns about faculty evaluations brought to the COACHE Task Force; report and/or recommendations to be brought to Senate for Jan 12 meeting.

Senator comment: has heard Provost Brickhouse say that her interest is more in how faculty respond to evaluations rather than the numbers/ ratings in student evaluations.

Senator Cordon: has heard the same remarks; confirmed that Provost Brickhouse is more interested in how faculty respond to evaluations to improve teaching. Most concern expressed by faculty is how student course evaluations will play in faculty performance reviews. COACHE Survey TF can make presentation rather than having FS form its own TF.

Senator question: can Senators submit questions or topics for COACHE TF to address in presentation? Cordon: Yes, send questions/topics to any Senator on the TF; will be forwarded to the entire TF.

Promotion Guidelines: A&S promotion guidelines discussed with Provost Brickhouse.

b. Provost's Office Meeting (Senate Chair)

VI. Unfinished Business: 4:35 p.m.

c. LGBTQ-Related Policies

Student charter under review still pending.

d. Additional Programming for Faculty Preparation, Mental Health Issues

Mental health will be a big issue within the pandemic. FS may partner with ATL and Staff Council on ways to engage topic of mental health

e. Low-Income Students

Sinda Vanderpool, Lynn Wisely (A&S) will give report at 12 January meeting.

Senator comment: asked senators to also consider cost of textbooks, think of alternative resources that could be helpful for low-income students.

VII. New Business: 4:45 p.m.

a. Senate Election Commission—Appointment of Two Members

Senator Cordon asked for Volunteers. Volunteers: Karon LeCompte and Julie Holcomb.

Senator announcement: libraries will be closing Dec 17 to Jan 3. No access to physical items during that time.

VIII. Adjourn: Sen Elkins move to adjourn; Sen Rodgers seconded. 5:01pm