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7 **THE UNIVERSITY OF SOUTH CAROLINA FACULTY SENATE**

8
9 Wednesday, April 19, 2023

10 This session was held at the Booker T. Washington Auditorium

11 CHAIR AUDREY KORSGAARD called the meeting to order at 3:06pm EST.

12 **Special Called Meeting of the Faculty Senate**

13
14 **ANNOUNCEMENTS:**

- 15 • This meeting is a continuation from the April 5, 2023, Faculty Senate meeting. The topic
16 under discussion relates to professional-track faculty members' voting rights.
- 17 • Chair of the BOOKSTORE COMMITTEE EVE ROSS (Law Library) thanked everyone
18 who submitted course book requests in a timely manner. Fall 2023 has resulted in 76% of
19 professors adopting through the campus bookstore. More than 50% of the textbook
20 adoptions state there is no text. The Bookstore Committee is learning that this statement
21 is not accurate for all courses. Professors' intent (i.e., stating that there is not book
22 required for the course) is a desire to provide a resource that is more convenient or less
23 expensive than the campus bookstore. It is acceptable to provide information regarding
24 other sources in which to purchase textbooks. A problem of not offering the option of
25 purchasing the text at the campus bookstore, however, is that scholarship students can
26 only purchase books at the campus bookstore. This is a requirement for scholarships
27 offered by: 1) Commission for the blind; 2) Vocational rehab; 3) Athletes, and 4)
28 Veterans. The Bookstore Committee is trying to identify a way to prevent scholarship
29 students from paying out of pocket or going without the required materials.
- 30 • CHAIR KORSGAARD (Business) reminded Faculty Senators that the next meeting will
31 be held in June; this meeting does not require a quorum. This is not an appropriate time to
32 continue deliberation on Faculty Manual changes. The discussion on the Faculty Manual
33 changes will resume in the fall. This provides senators ample time to review the
34 information and talk with constituents.
- 35 • PARLIAMENTARIAN BILL SUDDUTH (Parliamentarian) invited members to the
36 Faculty Advisory Committee meetings in the fall.

37 **UNFINISHED BUSINESS**

38 CHAIR KORSGAARD (Business) stated that the topic under discussion is the motion to commit
39 the proposal granting professional-track faculty members the right to vote.

40 SENATOR ERIK DOXTADER (English) reminded Senators that it is important to remember
41 the definition and mission of the university. This mission is deeply contested on and off campus.

42 Actions being taken in Faculty Senate are difficult to “un-do”. Deliberation and careful thinking
43 are important to undertake. This motion and other motions are interrelated. In Senator
44 Doxtader’s opinion, there is not a clear rationale for this proposal. A specific solution is provided
45 for an undisclosed set of problems. This proposal requires additional consideration. The motion
46 to commit does not amount to denial or a vote against voting rights. Nor is it obstructionism. It is
47 a call to think about a complicated question. There is a debate over whether this is an obstruction
48 and whether this motion to commit overlooks a process of consultation. There is a debate over
49 the validity and value of the process of complications that have occurred. There have been town
50 hall meetings that have been repeatedly called under the “reorganization of the Faculty Manual”.
51 Current actions of the Faculty Senate are not reorganization of the Faculty Manual. This has
52 caused confusion, lack of interest, and confounded the issue; this proposal is not justified.

53 SENATOR ERIK DOXTADER (English) continued to state that there has been no professional-
54 track faculty consultation. This is required to have a good faith effort. There is a question over
55 the standard of review for these proposals. The committees that worked on these proposals have
56 the gratitude of Senator Doxtader. However, there is evidence of expressed hostility to questions
57 and criticisms of proposals that have come from a variety of sectors. This body is engaged in an
58 act of academic governance. One of the principles of academic governance is peer review. These
59 comments are not about rejecting the proposals. The proposal presented cannot be accepted
60 without further consultation, debate, reflection, and addition in committee structure. The
61 recommendation is “revise and resubmit”. Hostility to academic peer review is problematic. It is
62 important to consider how this proposal interacts with other proposals.

63 SENATOR MARK MACAUDA (Health Promotion, Education, and Behavior) stated that it is
64 important to consider what senators can learn if this proposal is sent back to the committee.
65 Would the senators be more informed? A similar conversation was held one year ago. Senator
66 Macauda agreed that the proposal is complicated. There may be unintended consequences. It is
67 unclear how waiting will clarify or reveal the unintended consequences. In Senator Macauda’s
68 opinion, there is enough information to vote on the proposal now and not commit the proposal
69 back to the committee.

70 SENATOR KATHRYN WHITENER (Business) agreed that the motion to commit requires
71 specific action, items, and recommendations for the committee to consider. Thinking about these
72 issues is not specific enough. Based on this statement, Senator Whitener expressed support for
73 voting on the proposal.

74
75 SENATOR ERIK DOXTADER (English) stated that there has been no consultation with units.
76 This needs to happen before a vote can be held. This contradicts standing bylaws within units.
77 Bylaws were developed in good faith. Bylaws serve units well. These bylaws may serve tenure-
78 track and professional-track faculty. The contradiction between this proposal and the bylaws
79 needs to be examined. Implications of contradictions between unit bylaws and this proposal need
80 to be examined. Senator Doxtader believes that certain professional-track faculty opinions are
81 being talked over.

82

83 SENATOR ABBAS TAVAKOLI (Nursing) stated that the College of Nursing has 65%
84 professional-track faculty. The faculty have already voted on the document. The College of
85 Nursing is fully supportive of the proposal.

86 SENATOR DICKER (English) stated that at 7:00pm on April 18, 2023 (the night prior to this
87 meeting), he received an email from the President of AAUP. The content was a response from
88 two questions posed two weeks prior. The document, according to Senator Dicker, is alarming.
89 Units and faculty were not consulted on the proposal because it was “outside the committee’s
90 mission”. There are a significant number of questions regarding the types of contracts. Senator
91 Dicker requests that the different types of contracts be obtained to better understand the
92 implications of the vote.

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94 CHAIR KORSGAARD (Business) provided a point of accuracy. The committee received the
95 document on Friday.

96 SENATOR KATE CHAPPELL (Nursing) pointed out that this issue has been under exploration
97 since at least 2014 and before Faculty Senate since 2015. This includes surveys across campus
98 with professional-track faculty and town halls that are open to all individuals.

99 SENATOR LIAM HEIN (Nursing) called the question.

100 *A vote to commit the proposal back to FAC failed.*

101 *Debate on the proposal resumed.*

102

103 SENATOR MARK MINETTE (English) proposed an amendment to the proposal. Strike the
104 section of the current language starting with “voting rights...and ending with tenure track
105 faculty”. The recommendation is to add “eligibility requirements for voting in and serving on
106 institutional governance bodies at the college, school, or department level should be based on the
107 same criteria for all full-time faculty, regardless of tenure status, except that only tenured faculty
108 can vote on matters concerning tenure and promotion guidelines and advancement of tenure-
109 track faculty”.

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111 SENATOR YENKEY (International Business) inquired about other criteria at the college,
112 school, and department levels.

113 SENATOR MARK MINETTE (English) stated that the current language provides flexibility.
114 Examples may include relevant expertise that units may choose to use. Another option is time
115 and service. CHAIR KORSGAARD (Business) clarified that Senator Minette is recommending
116 that units have some flexibility regarding who and when faculty members are able to vote based
117 on the local criteria.

118 SENATOR JR REGALBUTO (Chemical Engineering) stated that across campus there are
119 professional-track faculty that a) only teach, and b) primarily conduct research. One size fit all
120 does not work. In Chemical Engineering the professional-track faculty are very different than
121 other units. How would this proposal work for the faculty?

122 SENATOR MARK MINETTE (English) responded to SENATOR REGALBUTO' S question.
123 Senator Minette stated that voting rights should be based on the same criteria. For example, if
124 professional-track faculty teach, they should be able to vote on teaching related issues.

125 SENATOR MARCO VALTORTA (Computer Science and Engineering) stated that in the 2014
126 survey of non-tenure track faculty (with well over 50% response rate, 680 or so faculty
127 responding), the major concern expressed was lack of respect for non-tenure track faculty. The
128 language (of the amendment) in this proposal could be used to create sub-groups of faculty
129 members who are excluded from university governance. Senator Valtorta stated that in his
130 opinion the original language is sufficient if there are committees within a unit and those faculty
131 are competent in a particular area will naturally be drawn to that committee. Senator Valtorta
132 agrees that the proposal wording is well-intentioned. However, it may lead to silos among some
133 members of the faculty.

134 SENATOR FRANK THORNE (Mathematics) stated that he believes the wording of the
135 amendment improves the proposal. Several objections in his department have been raised. For
136 example: a discussion was held in the department and an agreement made that the vote for
137 tenured faculty and senior track faculty would be eligible to vote. This amendment provides
138 flexibility for the department chair. Senator Thorne received feedback from one professional-
139 track faculty member in his department. The member stated that she "did not want pressure to
140 vote on matters that don't concern her. She does want to vote on matters that concern her."

141 SENATOR MARK MACAUDA (Health Promotion, Education, and Behavior) stated he likes
142 language proposed in the amendment. His concern is that some departments will try to make "an
143 end run" around the rule.

144 SENATOR CHRIS YENKEY (International Business) stated support for the amendment. He
145 stated that the language of this amendment is different than the wording that is in the Faculty
146 Manual. If this amendment is voted in favor, Faculty Senators are sticking with the ability (i.e.,
147 right) of each unit to determine the unit's voting rights. This is what we currently have. The
148 amendment is elegant. SENATOR VALTORTA is accurate when he stated the core issue. Do we
149 have respect for the jobs and respect that each of us contributes to the institution? There is
150 radical variation in the jobs that each of us complete and bring to the institution. There are seven
151 different job titles for instructor faculty. Some of these do not require the faculty to have
152 experience, only that they could potentially develop into an instructor. There are six types of
153 clinical faculty, some of which are part-time jobs. There are three different types of research
154 faculty. There is a professor of practice. In the spirit of good governance, to be vetted and be
155 reasonable regarding the issues that are being voted on. Senator Yenkey doesn't see this issue as
156 a respect in terms of voting rights. Voting rights should be determined by expertise. Expertise is
157 determined by a vetting process. There is a much higher vetting process for tenure. The manual
158 designates 40% teaching, 20% research, 20% service; all are expected. This same standard does
159 not exist across professional track.

160 SENATOR YENKEY (International Business) stated that he serves on three committees. These
161 committees are advisory committees; he does not vote on these committees. Despite a lack of

162 voting rights, he doesn't feel a lack of respect. Senator Yenkey stated that the reason he doesn't
163 feel disrespected is that his contract stipulates the requirement for service. If we as faculty want
164 to respect everyone, we owe everyone clear job expectations and job compensation. There is a
165 concern that the university has a one "one size fits all" solution.

166 CHAIR KORSGAARD (Business) provided a clarification that according to the Faculty Manual,
167 faculty membership is restricted to full-time faculty.

168 SENATOR DAN BRACKMAN (Law) is against the amendment. The School of Law has two
169 different tenure units: 1) tenure unit within the law library, and 2) the doctrinal faculty. Within
170 the doctrinal faculty there are professional track faculty. Within the law library there are
171 professional-track faculty and tenure-track librarian. All are eligible to serve in the Faculty
172 Senate and vote on curriculum changes. In the School of Law, those in the library can serve on
173 committees but have no right to vote. Currently, the library faculty members have no right to
174 vote on practically everything before the law school faculty. The original statement (without
175 being amended) would require the School of Law to administer voting rights. Professional-track
176 faculty would be able to vote. Library faculty would have the right to vote. Doctrinal faculty
177 would continue to vote. If the amendment passes, criteria could be used to silo and define
178 faculty.

179 *The amendment was defeated.*

180 SENATOR MARK MACAUDA (Health Promotion, Education, and Behavior) is sympathetic to
181 some of the unanticipated consequences this proposal may cause. We won't know the
182 consequences until a change is made. There is a group of faculty members who work full-time,
183 but don't have an equal say in what happens because they don't have voting rights in the
184 department. This is the key issue and concern. Senator Macauda stated his support for this
185 proposal.

186 SENATOR DICKER (English) stated that Faculty Senate does know the consequences of this
187 proposal if it passes. If this proposal passes, there will be a mandate for service. This service will
188 not be financially compensated.

189 SENATOR CAROL HARRISON (History) echoed the sentiments of SENATOR MACAUDA
190 (i.e., voting rights for professional-track faculty). Tenure is the protection of academic freedom.
191 Senator Harrison would be sorry to see it used to disenfranchise her colleagues. It is important to
192 recognize the purpose of tenure; it is not meant to be used to disenfranchise members of the
193 university.

194 SENATOR ERIK DOXTADER (English) stated that this proposal is a demand for
195 uncompensated service that can be sanctioned against professional-track faculty. We are here to
196 be fair, create respect, ensure economic equality, and ensure representation. Faculty Senate is
197 divided over this issue. Senator Doxtader is against this proposal.

198 SENATOR LIAM HEIN (Nursing) called the question.

199 *The call for the question passed.*

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The proposal passed.

CHAIR KORSGAARD (Business) requested a reordering of the agenda to discuss Section 2-C.

The Senate approved the reordering of the agenda.

ACTING CHAIR ARMEN SCHAOMIAN (HRSM) stated that the modifications in this section are twofold: To clarify the titles of the professional-track faculty; those that have a Ph.D. or a terminal degree and those who have a non-terminal master's degree. It also identifies three tiers for both titles: assistant, associate, or full professor. Lecture, senior lecture, or master lecturer. Title is based primarily on identification such as clinical, teaching, and research. This passage addresses appointments and reappointments, specifying that reappointments should be based on satisfactory performance and available funding, thereby minimizing the potential for arbitrary non-reappointment.

The second purpose of this section was to provide policy and guidance on the advancement of professional-track faculty. This section was roughly modeled after the tenure and promotion document.

DR. BRIE DUNN (Pharmacy), Chair of the University Committee on Professional-Track Faculty (UCPTF), stated that the work in section 2-C is the direct work of the Committee for over the past two years by both FAC and UCPTF. Both committees include tenure-track faculty and professional-track faculty from a variety of academic units as well as representation from the Office of the Provost as ex-officio members.

The work on this effort has not just been in the past two years. The work has been going on for one decade beginning with the development of ACAF 1.16 in the creation of graduate faculty status to allow professional-track faculty chair student dissertation committees and serve on graduate council. More recently there have been at least two ad hoc committees to research and develop more policies to enhance the experience of professional-track faculty. Recommendations identified include name changes of non-tenure track, expanding eligibility of internal awards, representation of voting rights at the university level. Changes before Faculty Senate today proposed by FAC and the revision proposed by the UCPTF seek to strengthen the experiences of professional-track faculty whether it be through faculty governance, opportunity for service, or clear path for promotion. The current Faculty Manual has very limited mention of professional-track faculty. Since the implementation of ACAF 1.16, colleges have had criteria and procedures for promotion of professional-track faculty that require review by the provost. The addition of section 2-C is elevating and enhancing those existing procedures, not at all creating a new set of approvals and responsibilities. The proposed Faculty Manual changes would create minimum baseline expectations and allow the units to implement their criteria that are appropriate for structure, discipline, and needs. Through this process, UCPTF expects to establish standards for criteria, procedures, and standards and maintain flexibility for the unit. UCPTF proposes to amend the proposal with the first motion.

Motion 1 begins at the beginning of Section 2-C. As a valued member of faculty of the professional-track with FTE position should have reasonable expectation for service to allow for

239 participation in faculty governance. Recognizing that many professional-track faculty may
240 already be active in service, the amendment is intended to highlight the voice for engagement if
241 that is the faculty member's interest.

242 The proposed revision in the next section relates to the title: C.1 Appointment and
243 Reappointment. New language includes reappointment can be provided at any time during an
244 appointment with a positive evaluation and satisfactory performance. Satisfactory performance
245 would start the contract link. The contract link is specified in the contract letter. The
246 reappointment decision is administrative, but some component of faculty peer evaluation must be
247 included in the reappointment process. Each academic unit must define that role in the
248 reappointment process. Notice of non-reappointment is required. If the faculty member is in the
249 first year of the faculty appointment, notice of non-reappointment will be given no less than 90
250 calendar days prior to the ending date. If a faculty member is in the second year of the faculty
251 appointment, notice of non-reappointment will be given no less than 180 calendar days prior to
252 the ending date. With any appointments without a specified ending date and if the faculty
253 member has served as a professional-track faculty for at least two years, written notice will be
254 given at least 12 months prior to the effective date for non-reappointment. Termination before
255 the end of the contract period must follow the procedures outlined in the Faculty Manual.

256 The intended revisions are meant for notice of non-reappointment and early notification of
257 reappointment. This work extends protection to professional-track faculty as it relates to
258 reappointment.

259 SENATOR DICKER (English) asked about the promotion for lectures. Chair of UCPTF BRIE
260 DUNN stated that the Committee proposes to amend the motion. There is a second motion that
261 addresses Senator Dicker's question regarding promotion for lecturers.

262 SENATOR MARK MACAUDA (Health Promotion, Education, and Behavior) requested
263 clarification of language of FTE. Not all professional-track faculty are FTE. CHAIR BRIE
264 DUNN stated that faculty who are research grants and part-time employees would not be
265 included.

266 SENATOR FRANK THORNE (Mathematics) moves to strike the first section: All full-time
267 instruction faculty should have reasonable expectations for service to allow for participation in
268 Faculty Governance. Associate Chair of Mathematics is in full support of professional-track
269 faculty. If professional-track faculty are engaged in service, the faculty member obtains a course
270 release. Approximately 5500 students are taught in the mathematics department. There is not
271 enough in the budget for teaching and service.

272 ***Reminder: This means there is an amendment to the amendment being discussed.***

273 CHAIR KORSGAARD (Business) asked for clarification; is this a new version of the proposal?
274 DR. DUNN stated that based on questions and feedback, the committee made some
275 modifications.

276 SENATOR MARK MINETTE (English) asked if the insertion is the only modification? DR.
277 DUNN stated the section in red was in a different portion of the document. Other portions were
278 moved up in the document.

279 SENATOR LIAM HEIN (Nursing) stated a negative position on the amendment to the
280 amendment. Based on the three town halls attended, this topic was viewed as important to
281 professional-track faculty. This amendment is speaking to administrators.

282 SENATOR CHRIS YENKEY (International Business) is in favor of the amendment to the
283 amendment. It is about the potential to being forced to participate in service. Respect is about
284 giving faculty a clear job description. Senator Yenkey would like to see what the actual job
285 consists of at each level.

286 SENATOR DAN BRACKMAN (Law) stated that the phrase “reasonable expectation” seems
287 very squishy. The wording could allow for different interpretation across units. He asked for
288 clarification of the phrase.

289 DR. SEAN YEE (Education and Mathematics) is a member of the UCPTF. A quote from one of
290 the town hall meetings was “if we don’t include faculty governance with professional-track
291 faculty, then they are just employees, they aren’t faculty.” The committee has struggled not to
292 overreach. They tried to keep a balance on what was appropriate. The phrase “reasonable
293 expectation” is an excellent question. Please provide suggestions. The committee used the phrase
294 because it was appropriate for this committee and this portion of the document.

295 SENATOR MARK MACAUDA (Health Promotion, Education, and Behavior) stated that the
296 spirit of this was like when the professional-track faculty were allowed into Faculty Senate.
297 Senator Macauda is not in favor of striking the amendment.

298 SENATOR MARK MINETTE (English) recommended the following wording: Replace with:
299 Professional-track faculty shall be compensated in a way that takes into consideration the full
300 range of their appointment responsibilities, which shall include a service requirement that, at a
301 minimum, allows for participation in faculty governance. Professional-track faculty hired before
302 the date of the approval of this revision to the Faculty Manual may choose to be managed under
303 the previous Manual language, which does not require service. Where such compensation does
304 not exist, its absence should not be used to exclude professional-track faculty from voluntarily
305 serving in governance. Professional-track faculty should not be required, expected, or pressured
306 to participate in activities that are not included as compensated responsibilities under the terms
307 and conditions of their appointment.

308 SENATOR DICKER (English) received a letter from the university with his next contract on
309 Wednesday after hours. He was given four business days to return a signed copy of the contract.
310 This meant the contract needed to be signed before April 19th Faculty Senate meeting. His
311 contract does not have service in his contract. Voting for the way the proposal reads, Senator
312 Dicker believes that Faculty Senate would be forcing service on him without financial
313 compensation.

314 SENATOR ERIK DOXTADER (English) asked the University Committee on Professional-
315 Track Faculty what consultation was made with the authorities that can provide compensation
316 for service. SENATOR KATE CHAPPELL (Nursing) stated that the committee discussed
317 policies and procedures, not budgets. SENATOR VALTORTA (Computer Science and
318 Engineering) stated that the presence of the Associate Provost and the Director of Faculty Affairs
319 from the Office of the Provost offered support for this language. This is an indication that there is
320 some interest of the administration to create conditions for contracts that would allow for more
321 participation in faculty governance by all faculty.

322 SENATOR KATE CHAPPELL (Nursing) calls the question on this amendment.

323 *The call for the amendment to the amendment.*

324 *The amendment is struck.*

325 SENATOR MARK MINETTE (English) proposes the following amendment in place of the
326 information that was just struck: Professional-track faculty shall be compensated in a way that
327 takes into consideration the full range of their appointment responsibilities, which shall include a
328 service requirement that, at a minimum, allows for participation in faculty governance.
329 Professional-track faculty hired before the date of the approval of this revision to the Faculty
330 Manual may choose to be managed under the previous Manual language, which does not require
331 service. Where such compensation does not exist, its absence should not be used to exclude
332 professional-track faculty from voluntarily serving in governance. Professional-track faculty
333 should not be required, expected, or pressured to participate in activities that are not included as
334 compensated responsibilities under the terms and conditions of their appointment.

335 *Friendly reminder: This is an amendment to the original amendment.*

336 SENATOR CHRIS YENKEY (International Business) appreciates the spirit of this amendment.
337 Senator Yenkey believes the statement conflicts with the statement “other duties may be
338 assigned”. It also gives professional-track faculty the privilege of opting into service.

339 SENATOR MARK MACAUDA (Health Promotion, Education, and Behavior) agrees that there
340 may be a sense of privilege associated with this amendment. If the intent is to have professional-
341 track faculty act like faculty and not just “hired hands”, we need to start somewhere. Tenured
342 faculty also have perks. Senator Macaуда is in favor of this language.

343 SENATOR ERIK DOXTADER (English) stated that he is in moderate opposition to this
344 amendment. This amendment comes back to who will be responsible for the compensation. Does
345 this mean a course release for service? This places an enormous burden on the deans. It also will
346 require a case-by-case evaluation of who will be compensated for each service activity.

347 SENATOR DICKER (English) finds it humous that faculty can opt out of service if the faculty
348 member is not getting paid for the service. Looking at the wording, the “opt out” section applies
349 to current professional-track faculty hired before the approval of this revision. This applies to
350 faculty who have already signed a contract for next year. As Faculty Senate votes on future
351 sections, a discussion will be held on “we will have two years to decide which Faculty Manual a

352 faculty member wishes to use”. In effect, the “opt out” statement only applies to current
353 professional-track faculty hired before the date in a two-year window. They will now be required
354 to complete service. If the faculty member is not paid to complete the service, the faculty
355 member can opt out of the service. Two years later, the faculty member will be required to
356 complete the service regardless.

357 SENATOR MINETTE (English) stated that it will take vigilance to make anything discussed
358 today meaningful and have a positive impact and create “one faculty” where there was once a set
359 of faculty members who were treated differently. Senator Minette is prepared to apply vigilance.

360 CHAIR KORSGAARD (Business) clarified that the intent after going forward after two years,
361 there should not be contracts that do not compensate for service. Senator Minette (English)
362 agreed with this statement.

363 SENATOR LIAM HEIN (Nursing) made a call for a vote.

364 *The call for the amendment. The amendment passed.*

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366 **Old business:** none

367 **Good of the order:** none

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369 The meeting adjourned at 5:06pm EST.

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