

THE UNIVERSITY OF SOUTH CAROLINA
MINUTES OF THE FACULTY SENATE MEETING

Wednesday, March 2, 2022

This session was held entirely online.

PRESIDING Chair Audrey Korsgaard

CHAIR AUDREY KORSGAARD called the meeting to order at 3:00pm EST.

CHAIR KORSGAARD welcomed the members to the Faculty Senate.

Corrections to and Approval of Minutes

Corrections to the minutes: A correction was made to the minutes. A motion was made; the minutes were approved.

REPORT OF THE OFFICERS

INTERIM PRESIDENT PASTIDES (hereafter President Pastides) stated that he is delighted to be here and thanked the Faculty Senate. President Pastides mentioned that he is delighted to announce a new women's leadership initiative. This will be an executive leadership academy for women at the University of South Carolina. It is specifically for women faculty members and eventually for women staff. The purpose is to broaden diversity in administrative leadership. The academy is being overseen by Dr. Mary Alexander. UofSC's VP of Human Resources Ms. Caroline Agardy will be assisting to enliven and expand the initiative to staff. UofSC has a Women's Leadership Institute. However, the university recognizes that there are many more individuals that seek readiness and skills; the university is expanding these opportunities. Additional information will be forthcoming. The academy will have an application process. It will be available on the website soon. President Pastides recommended Chair Korsgaard invite Dr. Mary Alexander to a future Faculty Senate meeting so senators may have a more in-depth look at this initiative.

President Pastides provided updates regarding ongoing searches. Three finalists have been recommended to the President by the Committee for the VP of Research. Two candidates have been interviewed by President Pastides. There is one additional candidate to interview. Once completed, President Pastides will confer with incoming President Amiridis on selecting the VPR. Regarding the Vice President for Development search, a committee has been appointed; members will begin meeting early this month. The president-elect will select this appointment.

Dennis Pruitt recently announced his plans to retire at the end of 2022. UofSC is starting to search for a VP of Student Affairs. This is also a Vice Provost position. A committee is in the formation stage. The president-elect will decide who to hire. UofSC is searching for a new

faculty athletic representative. This position has been ably filled by Dr. Val Littlefield in African American Studies and History since 2015. This position reports to the president. The position will be posted soon. The Provost's Office will oversee the search.

Covid issues remain prominent on everyone's mind. President Pastides will wait for a discussion on this topic until Interim Provost Cutler gives his presentation. The justification provided is that the information will provide a more robust discussion on the topic.

INTERIM PROVOST CUTLER (hereafter Provost Cutler) thanked the Senate and acknowledged the lengthy agenda. Provost Cutler provided a brief history of Covid. In 2020, the CDC was unsure of the virus, as such the organization issued recommendations for the entire United States. At the time, the CDC did not realize that at any given time, there were "hot pockets of infection" and "cold pockets of infection." A blanket recommendation for face coverings was issued. This created some issues around the United States specifically where individuals were not experiencing high levels of infection. The CDC now recognizes that they needed to shift their attention from a national focus to a more community focus. The new guidelines are based on what is happening in local areas. For example, Richland County has differences across the county; there are areas that are "hot" and there are areas that are "not hot." The CDC also recognize that the Omicron variant is not as serious as the Alpha or Delta variant. The CDC is going to rely more on hospital data than they have in the past.

Regarding the severity of the Omicron variant, the CDC will measure a) the number of people is admitted into the hospital, b) the number of people staying in the hospital, and c) provide weekly updates. Updates will be based on three levels of categories: a) low level of infection, b) medium level of infection, or c) high level of infection. These initiatives went into effect last Friday [February 25, 2022]. Data for Richland and Lexington counties are forthcoming. In terms of UofSC, medical data will be employed to guide decision-making. Campus data will also be used in decision making (i.e., saliva-based testing, sewer sample testing). The goal is to offer a safe and healthy campus environment. No decision has been made regarding strengthening or loosening face-covering requirements. Data, particularly over the next two weeks as students return to campus from spring break, will be analyzed closely. If the CDC levels, particularly in Richland and Lexington Country, remain low there is hope that UofSC can reduce the face-covering requirements.

Initiatives highlighted by Provost Cutler include:

- *Provost Minority Hiring*: Money is being made available to incentivize deans to higher minorities or women. The purpose is to incentivize deans to increase the number of underrepresented and diverse faculty in the UofSC community. The money will be non-recurring special incentive funds available for up to three years. The provost will cover salary and fringe.
- *Rising Star Fellowship*: This initiative was launched in November and is aimed at increasing diversity in the Graduate School. UofSC has partnerships with all HBCUs across the state. This initiative provides the opportunity for students attending HBCUs to participate in a 4 + 1 or a 3 + 2 program. Students in this program will receive

\$5,000/year (maximum two years) for enrollment in a UofSC graduate program. Students who are pursuing a doctoral degree will receive up to \$10,000/year stipend.

Provost Cutler provided an update on the dean searches. The Graduate School Dean search is underway. The call and announcement were emailed to faculty members in February 2022. The call closed on February 15, 2022. Five applications have been received. Dean Tom Reichert is the chair of this search committee. If a faculty member has input, contact Dean Tom Reichert or a member of the search committee.

The University Library dean search is underway. The search firm “Academic Search” is assisting in this effort. William Hubbard is the search committee chair. If a faculty member has input, contact William Hubbard or a member of the search committee.

Two additional dean searches will be opened shortly. These include the College of Education and the College of Hospitality, Retail, and Sport Management.

The University received a \$1.5 million donation from the Williams Company for the Center for Civil Rights History and Research. A ceremony took place on the State House grounds. The President gave an emotional speech; it was heartwarming. This gift will fund travel and expand the permanent collection within the state and across the U.S. UofSC is continuing to partner with individuals who have a high interest in this initiative. This Center is important to the University, State, and United States. Provost Cutler expressed his deepest appreciation to Dr. Bobby Donaldson for the work he is doing in this Center.

SENATOR TAVAKOLI asked about the form located on the “myhealthspace” website. In Senator Tavakoli’s opinion, the form is outdated. The senator inquired when faculty could anticipate an updated form being available.

PROVOST CUTLER thanked Senator Tavakoli for the observation. The provost will reach out to Dr. Jason Stacy (who oversees this area) and ask him to make sure an updated form is available.

CHAIR KORSGAARD stated her excitement for both initiatives discussed by Provost Cutler. She asked for specifics on where faculty could learn more about these initiatives. Provost Cutler stated that for the Provost Opportunity Hiring Initiative [e.g., minority hiring initiatives], faculty should work with his or her dean. Provost Cutler provided instructions to the deans on how to navigate through this initiative. The Rising Star initiative is provided through the Provost’s Office. However, it organized through the Dean of the Graduate School and VP of Graduate Education Dr. Tracy Weldon.

SENATOR YENKEY asked for clarification on masking requirements. It was Senator Yenkey’s understanding that the only masking requirement is in the classroom. Is there a chance that the mask requirement will be removed after spring break pending favorable data? If that is the case, it would place people at ease if there was a transparent statement regarding measures used in the decision-making process. Senator Yenkey stated that he is not pushing against this possibility, it is simply a “big deal” after two years of masking. It is important to know precisely what metrics are used to make the decision.

PROVOST CUTLER thanked Senator Yenkey for his question. The biggest hurdle to clear is the virus level for Richland County. Richland County virus level right now is at high. The level needs to be at medium and preferably at low. The CDC has masking as optional recommendation when the level is at medium. UofSC's current testing of positivity is extremely low and has been for many days. It does fluctuate up and down. Currently, Provost Cutler is less concerned with UofSC positivity than the classifications (i.e., high, medium, low). Right now, the concern is Richland County's level is at a high level. If this level goes down, the university will look at the data, and when students return from campus from spring break make sure a nasty bug is not on campus or transmitted through our community. Provost Cutler stated that he is hopeful that the university will be able to reduce the mandate. It is less about the mask and more about the virus leaving town.

SENATOR BYARS asked if individual professors can implement mask mandates in the classroom if the mask mandate is no longer required. Provost Cutler responded that individual mask requirements per course or instructor is probably not possible because it will lead to confusion. Mask optional, however, does not mean that a person cannot wear a mask. In the beginning, UofSC talked about the role of face coverings. The KN95 mask, if worn properly, protects the wearer from becoming infected.

SENATOR BYARS stated that the more people who wear the mask, the more effective the mask.

PROVOST CUTLER agreed with this statement.

CHAIR KORSGAARD stated this may be a topic of a continuing conversation. Faculty members who desire may continue to wear a mask. Another option is for the faculty member to request students wear a mask. The last option, which Senator Byars alluded to, is to make mask mandates possible for individual faculty who are at a legitimate degree of risk.

SENATOR BUCKHAULTS mentioned that the metrics changed to the regional metrics (i.e., hospital metrics), yet UofSC is going to continue testing on campus. Is it possible to mitigate faculty concerns by making a statement for example that "if our positivity rate goes up above some number [pick a number] the university will institute more aggressive actions"? This statement may go a long way in dealing with the fear of the virus, which will last longer than the danger of the virus.

PROVOST CUTLER thanked Senator Buckhaults. He stated that Senator Buckhaults launched the saliva-based testing; Provost Cutler is very appreciative of his efforts. Provost Cutler stated that the university can pivot quickly if needed. Saliva-based testing data will continue. This is to ensure UofSC maintains as healthy and safe an environment as possible.

SENATOR MINETT asked what role the Faculty Senate plays regarding the roll-back in masking, implementing, and announcing of the roll-back. The last roll-back came as a surprise to Senator Minett and his colleagues. Senator Minett asked for Provost Cutler's interaction with Faculty Welfare on the issue of roll-back of the masking decision.

PROVOST CUTLER stated that he met with Faculty Welfare. Faculty Welfare was most concerned with having advanced notice before implementing a decision. That is why we are talking about his issue now. The decision depends on the Richland County's level [low, medium, high]. This does not mean UofSC will drop the mask mandate overnight. Provost Cutler requires information from data when students return from spring break. The earliest date for a decision is two weeks. Provost Cutler will continue to communicate with the Faculty Welfare Committee and the Chair of Faculty Senate.

SENATOR STERN requested more than 24 hours' notice when a masking decision is finalized.

SENATOR FAIRCHILD asked for clarification on the definition of teaching space versus research space. Provost Cutler requested that the Deans assist in identifying the various learning versus research environments. This also includes simulation labs.

CHAIR KORSGAARD stated that a question arose in the chat. Is there any information on the "cancel tenure legislation"?

PROVOST CUTLER stated that he and the President both are working diligently that this bill does not navigate through the legislature than it already has done. Iowa and most states are dealing with same issue. The farmers in Iowa recognize that economically they depend on tenured faculty in university systems for support in agrochemical and agrobusiness. If tenure no longer existed, much of the faculty that support the farmers would be lost and leave the state of Iowa. This slowed the legislation down. When Provost Cutler talks to the legislators about farmers, they [the legislators] understand that the state will lose talent if tenure is not protected.

REPORTS FROM FACULTY COMMITTEES

Curricula & Courses Committee Report, Stacy Winchester, Chair

CHAIR WINCHESTER: The university is currently implementing a new curricula proposal system. As such, the number of proposals this month is significantly lower.

The Committee presented 5 proposals:

- College of Arts and Sciences (n=3)
- School of Music (n=2)

The proposals were accepted.

Committee on Instructional Development, Professor Rebecca Stern, Chair

SENATOR STERN presented information on the Carolina Core (hereafter referred to as the Core). In Spring 2021, the Steering Committee asked InDev to consider whether the Faculty Senate should review the Core and if so, by what process. At the June 2021, InDev said the Core should be revisited. In December 2021, InDev submitted a report on its findings including

potential committee configurations. Senators requested the opportunity to vote whether the Core should be revised in advance of considering committee and process options.

The June 2021, a report by InDev included two main questions to consider: 1) should the Faculty Senate review the Carolina Core curriculum with the possibility of revising the Core? And 2) if yes, what is the process to ensure effective faculty representation and to improve the Core?

InDev met in April 2022 to discuss the possible change. With respect to question 1, the Committee unanimously voted “yes”. The time is right to consider revisions. Reasons include:

- The Carolina Core is not transfer friendly internally (as some colleges place restrictions) or from other institutions.
- The Carolina Core did not consider advising in its status and is not student friendly.
- Syllabi for Carolina Core courses are problematic, especially with respect to outcomes and assessment.
- The impact of the Carolina Core and the time to graduation should be reviewed.
- The time is right, after 10 years and the SACS visit.

InDev understands that revisions to the Carolina Core is a sensitive topic. The Committee wants to make sure everyone is on the same page. The UofSC Carolina Core is intended to be “a living Core”, rather than a static model. The term revision includes modifications, including minor ones. Core revision does not need to be wholesale. InDev does not have consensus that wholesale revision is needed. Consensus does exist that some modification of the Core is needed. The Faculty Senate approves the general education curricula. Changes to the Carolina Core will not occur without a Faculty Senate approval.

Regarding Assessment, in AY 2019-2020, all faculty members taught a Carolina Core area were invited to CTE for a discussion of the assessment results for the areas facilitated by the Specialty Chairs for each area. Faculty were provided with a hyper link to the Carolina Core Assessment Results Website. This website contains results for all Carolina Core assessments since 2013.

The VP & Dean of Undergraduate Studies provided a list of five guiding questions for discussion. The result was a series of conflict between what students’ need (e.g., skill building, knowledge building). Questions arose regarding the Learning Outcomes (e.g., are they straight forward), communication, online learning, etc. Examples of the results of the survey include the following questions:

- Considering the changing demographics and needs of our students, might a revision be more responsive to students’ needs?
- Could a revision lead to greater collaboration among faculty across our campuses? Might we find areas on which we can all agree (e.g., similar assignments, learning outcomes, topical coverage)?
- Could a revision of the Carolina Core lead to a core that is more online friendly?

Some persons say the Carolina Core is confusing. For the most part, persons are referring to the overlays. Overlays exist with CMF, INF, and VSR. This confusion stems from inconsistent

practices. Some colleges require a stand-alone course. Other colleges allow overlay courses. For example, some colleges have specific INF requirements that are only one credit, though the INF requirements are three (3) credit hours.

Some individuals perceive the Carolina Core as not being transfer friendly. This perception is from two different vantage points: a) internal transfer of credits and b) external transfer of credits. Senator Stern thanked the Advising Center for talking with InDev. The information provided was useful.

Examples of transfer issues include:

- 20-30% of UofSC students transfer into the institution.
- 70% of UofSC students transfer in some credits.
- The Carolina Core consists of 10 components, some of which do not correspond easily with other institutions' general education curriculum. For example, no other school in the SEC has an INF (Information Literacy) requirement.
- Some students are unable to transfer in a sufficient number of classes to complete his or her degree within the allotted time (e.g., GI bill or other funding source which restricts the number of credit hours).

A great many UofSC students transfer between colleges (i.e., internal transfer). This also brings challenges with the Carolina Core.

- Each College has its own Core.
- All colleges include some specified requirements with the Carolina Core. This is usually ARP and SCI, but sometimes also for GSS and CMS.
- All colleges have additional college requirements. For example, Business, HRSM, Information and Communications, Pharmacy, and Public Health require no additional Carolina Core hours, however, they do have their own College Core hours.
- Arts & Sciences, Education, Engineering and Computing, Music, Nursing, Social Work, and Palmetto College all require additional Carolina Core hours beyond the basic Carolina Core.

An example of different Carolina Core courses for Different Colleges

| Different Carolina Core Courses for Different Colleges | | |
|--|--|--|
| <i>Carolina Core Identifier</i> | <i>Nursing (BSN)</i> | <i>Public Health (Exercise Science)</i> |
| ARP | STAT 112 or CSCE 101 or CSCE 102 STAT 205 | MATH 122 or MATH 141 STAT 201 or STAT 205 |
| SCI | CHEM 102 BIOL 206 | BIOL 101 and 101L BIOL 102 and 102L |

| | | |
|--|----------------------------------|------------------------------------|
| GSS | PSYC 101 | PSYC 101 |
| PHIL | PHIL 213 | |
| <i>Carolina Core Identifier</i> | <i>DMSB (Economics)</i> | <i>CAS (Economics)</i> |
| ARP | MATH 122 or MATH 141 STAT 206 | MATH 141 MATH 142 |
| AIU GHS GSS | DMSB College requirements | Additional GHS, GSS, and AIU hours |
| GFL | 110 or 121-level proficiency | 122-level proficiency |
| SCI | 7 hours | 8 hours (two 4-credit lab courses) |

Between programs, nearly all programs have built their pre-requisites into prescribed Carolina Core requirements to reduce time to graduation. As such, transferring between majors, even within the same college often requires taking additional Carolina Core courses. Examples include:

| Different Carolina Core Courses Required Within the Same College | | |
|---|------------------------------------|--|
| College of Engineering and Computing | | |
| <i>Carolina Core Identifier</i> | <i>Computer Engineering</i> | <i>Integrated Information Technology</i> |
| ARP | MATH 141 and 142 | MATH 174 and STAT 201 or 205 |
| College of Arts & Sciences | | |
| AIU | <i>English</i> | <i>Dance</i> |
| | ENGL 287 and 288 | DANC 150, 281, and 282 |
| College of Hospitality, Retail, and Sport Management | | |
| ARP | <i>Tourism</i> | <i>Sport & Entertainment Management</i> |
| | STAT 110 or MATH 122 and STAT 201 | MATH 122 or 141 and STAT 201 |

Issues with the Carolina Core affect both external and internal transfer students. It impacts students' ability to finish [graduate] within four years. This leads to financial consequences. It also lacks a specific avenue for redress. Many of these issues are handled on a case-by-case ad

hoc basis. If a student has a conflict with the Carolina Core, there is no designated committee to speak with regarding the issue.

Back to the important point of this issue. The current Carolina Core was intended to be “a living Core” rather than a static model. The revisions include modifications, even minor ones. InDev is not talking necessarily about major revisions. Faculty Senate will approve any revisions in the general education curricula.

Currently, there is no process for overseeing or making changes to the Carolina Core. InDev has been charged with proposing the process. This process includes the proposal for the committee structure. InDev seeks feedback from the Faculty Senate. The survey portal on the Carolina Core Review Committee structure remains open until Friday March 18th. The link is <https://live.sharepoint.sc.edu/sites/provost/committees/cc>

SENATOR VALTORTA added a note of caution to Senator Stern’s report. In the case of Computer Engineering and Integrated Information Technology (IIT), on the surface, it does seem as if the two Carolina Core requirements are incompatible. The reality, however, is that most engineering requirements are a “superset” of the IIT requirements. They are simply listed in a different way. Computer engineering requires calculus one and two to satisfy the ARP requirement whereas IIT requires discrete math and statistics. Computer engineering also requires discrete math and statistics; it just doesn’t show under the ARP requirement. The two requirements aren’t really incompatible. One set of requirements is structured differently. The two requirements are fairly close. They are simply structured in different ways. It is a matter of detail.

CHAIR KORSGAARD reminded the Faculty Senate that InDev is not making any recommendations. InDev is creating a structure to start investigating the Carolina Core and how to improve the Core.

Faculty Advisory Committee, Professor Liam Hein, Chair

CHAIR LIAM HEIN: talked about three policies including the process regarding the a) Educational Process for Bullying and Civility, b) the Creation of a Resolution Review Team, and c) Consensual Relationships.

For the discussion of the educational process for bullying and civility, Dr. Hein called on Chair Korsgaard and Dr. Mark Cooper.

CHAIR KORSGAARD stated that she did “the lion’s share of the work” on the definition and interpretation of bullying and civility. Dr. Cooper did the “heavy lifting” on the committee structure.

An ad hoc committee was formed over a year ago to investigate professional and interpersonal misconduct. Part of the charge was to look at UofSC’s bullying policy. The goal was to develop a bullying policy around investigating and adjudicating. The motivation for this was because the university was experiencing complaints but no findings. Part of this appeared to be that the existing policy had a very restrictive definition of bullying.

During the February 2022 Faculty Senate meeting, definitions were included in the revised bullying policy but examples were not provided. Some senators were concerned by this omission. Main behavioral indicators were since added to the policy. The term “incivility” was also viewed as a concern. This term was perceived as too liberal. A certain amount of aggressive discourse might be appropriate but might be perceived as uncivil by faculty. To Chair Korsgaard, this seemed to be semantic because the committee was motivated to have consistency between the role between the faculty (i.e., civility advocate) and the behavior being investigated. In the appendix, a brief review is provided regarding concepts that would be considered anti-social workplace behavior. Categories of behavior vary in degree of severity and the pattern of behavior (e.g., bullying, workplace aggression, incivility, social undermining, interpersonal conflict).

The term “incivility” is used when behavior is a subtle and persistent form of anti-social behavior. In this policy, the ad hoc committee is using the term incivility in a broad manner. The term is to identify behavior that is hostile or causes harm to the individual. It disrupts the workplace, and it serves no legitimate purpose. These attributes are drawn upon from a) literature, b) benchmarking from other institutions, c) measures that identify anti-social behaviors, and d) benchmarking that identifies broad categories of uncivil behavior.

DR. MARK COOPER added information regarding the committee structure (i.e., who decides what behavior is uncivil). The procedural issues open a can of worms. Many discussions have taken place regarding how the existing bullying procedure had been working or not working over the years. A discussion was also held regarding the question of the need for two separate committees tasked with very similar judicial functions and having very similar qualifications for service. The two committees include the 1) Committee on Professional Conduct and the 2) Faculty Grievance Committee. Both committees require tenured professors with additional service requirements. There is difficulty in staffing the committees consistently and the committees do not meet frequently.

The goal would be to create a single committee which would be called the Faculty Review Panel. Qualifications would include a) having prior experience on the Faculty Grievance Committee, b) required training in procedure and process, and c) a pathway to reach that committee (as indicated in the manual). In the case of grievances, there are not major changes. It is simply slotting this new faculty judicial body, the review panel, in where the grievance committee had been in the manual. There are slight improvements, however, procedurally it is just the faculty judicial review panel for the grievance review panel.

In the case of professional conduct, an attempt is made to specify the procedure. Specifically, the procedure is moving from the Faculty Civility Advocate investigation to the Professional Conduct Committee. This is trying to establish in the Faculty Manual what the architecture of the procedure should be and then revise the ACAF policy.

CHAIR KORSGAARD stated that the intent of this discussion was to make sure Faculty Senators have a clear grasp of the changes and the intent of the changes. By doing so, senators

can take the information back to the faculty. A vote will occur at the April, 2022 Faculty Senate meeting.

SENATOR ALTSCHUL stated that the Faculty Grievance Committee is mentioned many policies. He raised the question of whether the ad hoc committee had gone through the various committees and made a note of where there may be the need for legalistic changes.

DR. COOPER stated that this review has not been conducted. The university does have a rapid approval process for minor changes such as the ones being considered. He is confident that the internal “things” can be processed fairly quickly. The approval timeline, however, is fairly long. This document is voted on in April by Faculty Senate. It then goes to the general faculty in June and then to the Board of Trustees. This provides the ad hoc committee some time to review other policies that may be impacted.

SENATOR STONE circulated this document to his department and concerns were raised. These include:

- Senator Stone understood that the intent was to make the process easier and less restrictive. Some faculty in the department perceived the statements in the document as going a little too far; it left faculty open to frivolous or unfounded accusations. Explanatory clauses are needed.
- Larger issues relate to the structure of the procedure. One comment was that all proceedings would be confidential. Confidentiality is appropriate. However, confidentiality is in contrast with transparency. Transparency in the process would be appreciated.
- This panel will determine a) if the facts are determined to be true as charged, and b) if the charges warrant termination. It is unclear who determines if the facts are untrue. The panel seems to be determining “if true” actions are XYZ. It is unclear, however, who is determining if the facts are untrue.
- As written, it seems as if someone could be terminated just based on allegations. Another concern is that if termination is not warranted, alternative corrective actions are recommended. This wording does not allow for the possibility of no disciplinary or corrective actions be applied to a situation.
- The last major concern is that procedure does not establish that the accused does not have the right to question the person who brought the complaint (i.e., know his or her accuser). This is considered a basic tenant of our justice system. Without this knowledge, the respondent (i.e., accused) is at a major disadvantage.

DR. MARK COOPER responded the Senator Stone’s concerns. There are a number of items that deal with the adjudication of the civility process. Other items raised dealt with termination and termination with cause. For the most part, with very few exceptions all language is in the current Faculty Manual. The main innovation for termination with cause is to make sure it applies to all faculty. The current Faculty Manual implies that the information is applicable to tenured faculty. The idea was not to make major changes.

With respect to confidentiality, Dr. Cooper responded to Senator Stone's statements. With regard to the accuser and the person bringing the accused, much of the verbiage is in the ACAF policy (i.e., how the civility advocate is supposed to engage the accuser, respondent, and plaintiff). The way to think about his information is "what would you like in the Faculty Manual versus the ACAF policy"?

Regarding the "too far and timeline" issue brought up by Senator Stone, Dr. Cooper reminded the Faculty Senate that there has never been a successful case of professional workplace violation. The threshold is so high, the Faculty Civility Advocate has never found someone guilty of bullying under our current policy. People often find themselves involved in an endless case of investigation for a very long time. Senators are encouraged to balance concerns with the fairness of the process with the concern for speed of resolution. Both parties have the desire to not having this issue hanging over them for a long period of time. The university wants determinations to be fair, respected, and fairly swift. Otherwise, they make awkward situations even more difficult.

CHAIR KORSGAARD stated that in terms of frivolous complaints or weaponizing the policy, it is important to remember that the Faculty Manual is the broad policy. The ACAF policy is the specific policy. Chair Korsgaard and Vice-Provost Addy have been working on a revision of the ACAF bullying policy. This ACAF policy includes a clause for frivolous or false information. This is also covered in a BTRU. If a faculty makes false claims, he or she can be prosecuted for violating a BTRU. Also, understand that termination is not an automatic decision. It is progressive and the result of severe actions (e.g., bullying, physical violence). The first step may be corrective action (i.e., mediation). In the initial stages, the local supervisors address the issue. It does not necessarily have to be disciplinary action. This (i.e., the policy) is not a giant stick. It is about making the environment more civil.

SENATOR KHUSHF thanked the body for the document and the clarification of the information. There are three concerns.

- The first concern is in regard to the comment "there never has been a successful case of professional violation of conduct". It would be helpful to have examples where misconduct of behavior was brought before the civility advocate, but the behavior did not rise to the level of bullying.
- The second concern is related to the criteria and the degree to which there made explicit on the kinds of behaviors (e.g., tampering with work area, violent behavior, threats). It would be beneficial if the document provided specific examples, faculty members will better understand what the policy will cover.
- The third concern was whether civility was the correct language. It might be workplace violence, threatening and disruptive conduct; so not just bullying. Mention a range of actions. The concern with civility is the ability to fit with minimal criteria versus exemplary behavior.

Senator Khushf stated that he viewed civility as not just a function of minimally appropriate behavior during an interaction. Ideally, it embodies a much richer ideal regarding respectful

interaction. For the disciplinary procedure, the emphasis must be on minimal behavior, and generally, law is too blunt an instrument to capture what we seek to promote. By making civility the key term for the disciplinary procedure, it seems to reduce what we hope for and ideal with respect to civil interaction. Further, what counts as civil interaction is still ambiguous. There is a legitimate dispute regarding what is the character of civil interaction. Senator Khushf believes it is more appropriate to go with some of the other examples presented and perhaps include a statement clause that “here we are concerned with minimally appropriate behavior” and mention specific actions that are out of bounds. Then mention exemplary behavior with civility.

CHAIR KORSGAARD directed Senator Khushf to page 4, first paragraph of the proposed document. Workplace incivility is behaviors or patterns that will cause a reasonable person financial or emotional distress and/or interference with their ability to work. Incivility, distinct from challenging or rigorous intellectual exchange serves no legitimate purpose. It is behavior outside the bounds of respectful, equitable, and dignified communication. Workplace incivility may be a cumulative effect or a severe or single incident. Workplace civility may affect faculty beyond the target. It takes on a variety of forms. They include bullying and other behaviors that are verbal, physical, or non-verbal and may take place via a variety of means including written communication, face-to-face, or electronic communication. Examples of workplace incivility include but are not limited to abuse of language, aggressive shouting, malice gossip, unwelcome contact, threats and intimidation, public ridicule, and scapegoating.

CHAIR KORSGAARD stated that the above are changes made since the last meeting. The above is a precise definition of incivility. The definition is modeled after the definition used by other universities.

VICE-PROVOST ADDY added to the conversation regarding the university’s history with cases of bullying. As of fall semester 2021, UofSC has identified one case of bullying. The one factor that has made identifying bullying so difficult is that bullying behavior has to be “pervasive, persistent, and targeted.” The kinds of behavior the university often sees in bullying complaints do not meet the standard of being targeted. Typically, the charges are where the person is obnoxious to a lot of people. A case of behavior that does not meet the bullying standard, the university espouses the Carolinian Creed. These individuals, however, do create a hostile workplace. The definition read by Chair Korsgaard is often the behavior the university sees in the bullying complaints. The current bullying complaint is a very narrow issue; it is targeted. This particular issue was dealt with via mediation. The current bullying policy, the investigation is completed by the Faculty Civility Advocate. The Faculty Civility Advocate investigates the cases, talks to the complaint and the respondent and to other witnesses. It is a balance, and the university has to be careful to collect the information that is relevant but also to protect confidentiality as much as possible. In most cases, the Faculty Civility Advocate’s recommendation is where the case ends (e.g., no finding, or lower level of bullying). Even when there is behavior that is inappropriate but does not meet the level of bullying the Faculty Civility Advocate will make recommendations for ways things can be mediated. It may be some training for professional development for the individual, how to manage communication more

effectively, EMP resources, or training the entire department. So far, there has not been a case that has risen to the case of discipline. This brings us to a new policy, which Faculty Senate has not yet seen. Faculty Senate has seen a few of the procedural details in the faculty manual. The discipline policy that is being worked on is somewhat patterned after two things: 1) the staff progressive discipline, and 2) sanctions that are in use in EAP investigations. These are two different approaches. The university is being very careful that every step in the sanction process has a faculty voice when it goes to an impactful measure.

For clarification purposes, UofSC will not terminate anyone immediately; certainly not someone with tenure. The University is building in the sanction process and the investigation process is any situation that is especially problematic, that is threatening the safety of others (including emotional safety), the University can talk about interim measures. This is long term use in the EOP civil rights world. If there is a problem that seems especially egregious, the University can do something on an interim basis (not a permanent basis). The decision is not made casually. For example, short term basis, no contact with students. The University had a reported behavior at a level that the University had decided to do suspension without pay. The individual was not fired. This case was resolved in the person's favor quickly. The rights and confidentiality are protected as much as possible during the investigation and to ensure faculty governance is involved when there are significant sanctions which is going beyond a written recommendation.

SENATOR MCGILL appreciated the work involved in the document. The Senator asked for recent examples when faculty perceived he or she was being bullied but did not rise to the level of actual bullying according to the definition.

CHAIR KORSGAARD stated that she personally did not have access to this information. It would be difficult for Dr. Addy to provide examples and still maintain confidentiality. Chair Korsgaard recommended that Senator McGill review the original definition, which was taken from sexual harassment, which is illegal. Sexual harassment is defined as repeated unwanted, severe, and unwelcome pervasive behavior that intentionally intimidates, threatens, humiliates, or isolates targeted individuals. It undermines his or her reputation or job performance. Some of the attributes that make it difficult to find the cause is the terminology "severe and pervasive". How severe does the behavior have to be? Also, clever predators chose from an array of ways to harass an individual, so it doesn't cluster into an identifiable or targeted strategy.

SENATOR MCGILL stated that she understood that we are looking for the actual predator, and predators are clever. Dr. Addy mentioned that the behavior had to be targeted. Does this mean if it isn't targeted, is the behavior covered in a different policy?

CHAIR KORSGAARD stated that this type of behavior is covered. A clever bully will spread the behavior around. The behavior is not always targeted at one individual; it is collective. This behavior will fall under the new version of the policy.

SENATOR MCGILL asked if there was a staff policy regarding bullying.

CHAIR KORSGAARD stated that the HR policy for staff does exist. The progressive discipline is very good. The discussion of offenses refers to inharmonious behavior. This is very broadly

defined. The faculty version of bullying has had more attention to the definition of incivility and its indicators.

CHAIR KORSGAARD stated that this discussion was for informational purposes. Please take the information back to the faculty. Voting on the document will take place at the April faculty meeting.

DR. HEIN presented a proposal for the creation of a Resolution Review Team. This proposal was presented to Faculty Senate at the February 2022 meeting. Members of the Faculty Senate had questions. The committee revisited the proposal to ensure the questions were addressed. The purposes are to a) provide upfront guidance on how to prepare a resolution, and b) have a standard submission process. There is a method, according to Robert's Rules of Order, that if a proposal comes up at the last moment, the rules can be suspended. This committee is not meant to stop any proposal from being placed before the Faculty Senate.

PARLIAMENTARIAN SUDDUTH added to the conversation. He stated that this committee is a sign that the Faculty Senate maturing including the depth and breadth of issues being handled. During 2020-2021, some very detailed resolutions were brought before Faculty Senate that could have been helped if others had reviewed the document. Also, the debate should be more substantive rather than wordsmithing. This committee is the realization that this is the result that the Senate is covering a lot. Parliamentarian Sudduth was sent a resolution on Thursday [six days prior to the Faculty Senate meeting] for review. Parliamentarian is not his full-time job; he was not able to review the document until the morning of the Faculty Senate meeting. Fortunately, the resolution was in good order. A few suggestions were made. The proposed Resolution Review Team is only meant to help faculty members. It does not slow members down in the process. It is not meant to be prescriptive; it is meant to be a pathway.

SENATOR STERN appreciated the formation of a Resolution Review Team. She also stated that it is important that if a topic (i.e., resolution) comes up quickly, it should be able to be handled in the moment. Senator Stern expressed concern about shutting down a resolution during a meeting.

PARLIAMENTARIAN SUDDUTH stated that the adoption of a consulting review team would not shut down bringing a resolution to a meeting. The consulting review team provides guidelines for the submission process. There is no prohibition to bringing items to the agenda at the last minute. Last-minute items can be brought to Faculty Senate at any time.

SENATOR KHUSHF stated that this is a helpful idea for faculty who are not acquainted with how to propose a resolution. The phrase "all resolutions should be sent..." may be misleading and give concern, leading faculty to think that last-minute items are not allowed on the agenda. Slightly modifying the wording may ease faculty concerns. This is an opportunity, not a requirement. This consulting review team is a benefit for the faculty.

PARLIAMENTARIAN SUDDUTH welcomed any changes to the language. Faculty members were asked to send recommendations regarding language changes to Dr. Hein or Parliamentarian Sudduth. The goals are a) to have the resolution adopted and in the Faculty Manual so new and

existing senators have guidance as how to be more effective senators, and b) have Faculty Senate accomplish substantively issues in a timely manner.

DR. HEIN presented the proposal regarding consensual relationships.

CHAIR KORSGAARD stated that this proposal was a result of the Ad Hoc Committee on Professional and Personal Misconduct (hereafter called Committee). The Committee examined the university's current policies and procedures around consensual relationships. This examination is occurring in concert with changes to policies and procedures that are governed by the Provost's Office. The Committee reviewed public institutions and benchmarked SEC universities.

Previously, UofSC had one statement under teaching responsibilities. It was a fairly narrow definition of prohibited consensual relationships with students when the instructor had direct and supervisory control. The Committee wanted a) a more precise definition, and b) expand the scope to include the relationship with other employees where there may be a power differential. A preface is included in the proposal regarding why there is a prohibition in certain relationships (i.e., because the relationship can be disruptive to the academic enterprise). The main prohibition with regard to students is anyone who currently has or in the future is expected to have academic authority over a student. This would include advising, coaching, teaching etc. This prohibition is designed to be broader in scope from the previous definition. Past relationships are included. If there has been a past relationship, there should be a separation from the student.

Regarding faculty and employees, there is no prohibition of relationships. When the person has a position of power (i.e., higher rank) the conflict of interest must be addressed. A person with a higher rank would not be able to supervise an individual who he or she is in a relationship.

There will be a new HR policy that encompasses what is specified in this proposal and what is specified on the side of the staff. The policy will a) address how to report an issue, b) protect yourself from frivolous claims, and c) ways to address the conflicts of interest.

DR. HEIN presented a proposal (for vote) to expand the Curricula & Courses Committee (C&C) to 12 faculty members. There was also a specification of what ex-officio members meant in this context.

STACY WINCHESTER, Chair C&C provided the rationale for this proposal. C&C is experiencing several issues.

- There are currently eight voting members plus a member from Palmetto College. There are fewer voting faculty members than colleges. There is no possibility to have voting representation from all colleges. Increasing the members will help ensure identify potential problems in a proposal (i.e., valuable knowledge/input is available regarding potential overlap).
- The workload from this Committee is high. Depending on the month, the Committee reviews between 40-150 proposals each month. Each voting member reviews 1/3 of the proposals. This is a large time commitment.

- The addition of two member will provide help in easing the workload throughout the Committee. This new committee structure will also make it easier to develop subcommittees to break into specialized groups for proposal review (e.g., subgroups based on proposal type). This increase in membership is also designed to increase the effectiveness of the Committee while decreasing the burden on the members, including the Chair.

The change to the ex-officio membership was the result of examination of the Committee. The description of the charge does not represent the actual ex-officio membership. Wording was added to include the ex-officio members on the Committee, while simultaneously keeping the Committee functional.

SENATOR NAGEL asked if 12 members to the Committee was sufficient given the fact the C&C now reviews online proposals?

STACY WINCHESTER stated that the number 12 was chosen because there is typically a cap on the number of faculty members who volunteer for the committee. This number was “doable.”

A poll was conducted to vote for the changes in the number of C&C members. The vote was approved.

DR. HEIN presented the tenure and promotion calendar changes. The purpose was to align the dates with the Faculty Manual. At the February 2022 Faculty Senate meeting, there was a request by senators to talk with T&P chairs. Vice-Provost Addy reached out to T&P chairs.

VICE-PROVOST ADDY stated that the initial motivation for the change was simplification. The old language required each unit to notify faculty members who are eligible for tenure and/or promotion in the fall for the spring cycle and in the spring for the fall cycle. This seemed redundant since most people know when they are doing it; this isn’t a last-minute decision [applying for T&P]. UofSC was trying to align the calendars accordingly.

In the first version, there was one date for intent. Faculty Advisory requested one date for the fall cycle and one date for the spring cycle. The intent was to align the language with reasonable practice. The University also wanted to make sure there was enough time for major steps (e.g., file preparation, identifying external reviewers). The spring cycle will now be from October into November. The reviewers have enough time to review (November-January), and then the committee to work with the files. The issue that arises is “How do we best accommodate the perceived lack of availability over the summer and winter break”? This question is in terms of what we expect a) candidates, b) committees and c) reviewers to accomplish.

A poll was conducted to vote for the changes in the document. The vote was approved.

SECRETARY BICKLE presented a slate of nominees for committees. Chair Korsgaard and Betsy Meade were thanked for assisting in identifying candidates across campus. All positions except two (i.e., professional conduct, Senate Chair) were filled. Secretary Bickle thanked the volunteers for stepping up. Senators were asked to vote for the approval of the nominees.

A poll was conducted to vote for the slate of nominees. The slate was approved.

CHAIR KORSGAARD thanked all who volunteered. This is where governance happens, in these committees. This is a very important aspect toward promotion and preservation of faculty governance which is necessary to maintain and improve our excellence in academics and research. Thank you to Secretary Bickle, Betsy Meade, and the entire Steering Committee. Putting the slate together is a lot of work.

Ad hoc Committee on Social and Racial Justice, Professor Meir Muller, Chair

SENATOR THORNE, from The Committee on Racial and Social Justice, introduced a resolution.

THEREFORE BE IT RESOLVED that Faculty Senate affirms the American Association of University Professors' (AAUP) Joint Statement on Efforts to Restrict Education about Racism, authored by the AAUP, PEN America, the American Historical Association, and the Association of American Colleges & Universities, endorsed by dozens of organizations, and issued on June 16, 2021;

BE IT FURTHER RESOLVED that Faculty Senate calls upon the UofSC President and Provost to also affirm the American Association of University Professors' (AAUP) Joint Statement on Efforts to Restrict Education about Racism, authored by the AAUP, PEN America, the American Historical Association, and the Association of American Colleges & Universities, endorsed by dozens of organizations, and issued on June 16, 2021;

BE IT FURTHER RESOLVED that the Faculty Senate stands with our K-12 colleagues throughout South Carolina and the nation who may be affected by pernicious legislation and other attacks on their academic freedom when they seek to teach racial histories and related issues in their courses.

SENATOR KHUSHF asked if there is a relationship between this resolution and a motion on academic freedom brought to the Faculty Senate approximately one year ago.

SENATOR THORNE responded that he is not aware of any relationship with any other document. This resolution is based on other resolutions introduced and passed at other universities.

CHAIR KORSGAARD added that the Resolution on Academic Freedom is actually the Freedom of Expression. It encompasses Academic Freedom of Faculty and Freedom of Expression. This committee is wrapping up its work. This Committee has been reviewing all UofSC policies that have potential conflicts across policies with Academic Freedom of Faculty and Freedom of Expression. This is a separate endeavor. The Committee anticipates presenting its findings to Faculty Senate in April.

A poll was conducted to vote for the proposed change. The proposal passed.

Chair's Report

With the permission of the Board of Trustee (hereafter BOT), Chair Korsgaard shared information that was discussed in the executive session during a BOT meeting. Words of

support and encouragement were provided from the Board Chair regarding the value of a) tenure, b) academic freedom, and c) the research enterprise. It looks like the cancel tenure legislation will be tabled. The issue hasn't gone away. The general public is not well informed about the life of an academic, the significant investment of time and effort that faculty members put into conducting impactful scholarship and research, and how that scholarship and research translates into value for society, economic development, or enhancement for the quality of life. There will be a continued effort working with the BOT, educating them on the value of tenure, how faculty manage the process of reviewing and developing the faculty and trying to get ahead of any future threats to tenure and academic freedom. Chair Korsgaard hopes to do more of these efforts, including informing the public about what faculty members do, and the value that is generated for the state and society.

CHAIR KORSGAARD is serving on the Provost Search Committee (hereafter Committee). There is a very strong pool of candidates. The Committee chose to reopen the search when the new president was announced. This announcement reduced uncertainty for candidates. The Committee also thought the prospective applicants would be impressed with the hire, thereby making UofSC more attractive. The announcement of the incoming president did increase the number of quality applicants. It also, however, slowed down the process. UofSC is competing with institutions that are now ahead in terms of timeline. As such, the Committee is moving very quickly to deliver a slate of three candidates to campus. Candidates will arrive on campus within a month or so. Chair Korsgaard emphasized that there may not be a lot of advanced notice, not due to secrecy, but because the Committee is trying to move quickly. The benefit of waiting is there is a great pool of applicants. Unlike the presidential search, the provost's search is an internally run process by the university. There will be a public forum for all three candidates.

CHAIR KORSGAARD discussed that Faculty Senate will return to live meetings (i.e., not via Blackboard Collaborate) in the fall semester. According to the bylaws in the Faculty Senate manual, when the senate meets in person, a senator must be present to be able to participate and vote. If you watch via stream, you are unable to participate as a senator. The plan is to hold the meetings at the Russell House. The meetings will be recorded so you can refer to the information. The one exception is the Palmetto College Senators because it is a hardship to travel.

Ad hoc Committee on Environmental Sustainability, Professor Caroline Nagel, Chair

DR. NAGEL presented information from the Ad hoc Committee on Environment and Sustainability. Faculty are encouraged to read the document presented, specifically the recommendations toward the end of the document, and potentially create some resolutions. There have been some moves toward sustainability on campus. However, the efforts are not sustained; they are lacking in momentum. There is a sense among people who are active with environment and sustainability issues that there is a lack of leadership on campus; there is not enough momentum coming from the top administration to get things moving.

This report was created as a follow-up to the fossil fuel divestment from last year. Another point made in the report is that divestment should be regarded as a small part of sustainability. There

are much more substantive ways we can and should be working toward environmental sustainability, particularly in view of climate change and the environmental damage we are facing. No resolutions are being presented at this time. Dr. Nagel requests senators to read the document. Please contact Dr. Nagel if interested in developing resolutions.

CHAIR KORSGAARD stated that Dr. Nagel's comments issued a call for persons wishing to develop a resolution. This may warrant extending the committee, the formation of a new committee, or restaffing this committee to ensure the momentum. This decision will go to Steering for determination. Chair Korsgaard thanked Dr. Nagel and the committee. Chair Korsgaard attended a meeting with the Foundations and it was highly educational. It was a rigorous committee.

SENATOR MYER noted that no recommendation on divestment was made. Is there a plan to issue a formal recommendation?

DR. NAGEL stated that the Committee passed a fossil fuel divestment resolution last spring.

SENATOR YENKEY stated that this would be a topic that would generate a great connection point between the Faculty Senate and the student body. It would be a low cost and a high turnout with a series of town hall meetings. For example:

- What is the carbon footprint of the institution?
- What do we see as our individual role?
- What is the community willing to give up?

This is great opportunity even before we develop resolutions.

Old business: none

Good of the order: none

The meeting adjourned at 5:29pm EST