

UNIVERSITY OF MASSACHUSETTS AT AMHERST  
OFFICE OF THE FACULTY SENATE

Presiding Officer Robert Wilson called the 641<sup>st</sup> regular meeting of the Faculty Senate to order on April 28, 2005 at 3:30 p.m. in Herter Hall, Room 227.

- A. ADDRESS BY MICHAEL GARGANO, JR., VICE CHANCELLOR FOR STUDENT AFFAIRS AND CAMPUS LIFE  
(see attached)

QUESTIONS

Professor Sara Lennox said that as she understood it, there were many students there because they welcome the opportunity to discuss with the Vice Chancellor his proposals as part of the Diversity Initiative. Perhaps the Vice Chancellor could talk about that, so that the rest of the people attending could be informed. Particularly, the students are concerned because the Chancellor's Diversity Plan seems to remove authority from the Student Government Association and their kind of traditional responsibilities and places all of those responsibilities under the Office of the Vice Chancellor for Student Affairs, even though the Student Government Association has passed a vote of no confidence in Vice Chancellor Gargano. She wondered if perhaps they could ask him first to speak to the plans that are laid out in the Diversity Report and then there will probably be some questions about that.

Vice Chancellor Gargano responded that first, the Chancellor has posted Plan One, they have posted Plan Two, there was a comment period, so they will sit tight until the Chancellor posts the Final Plan tomorrow. Then they will go from there.

Secretary of the Faculty Senate Ernest May shared that he knew that a couple of councils and committees have been concerned about manifestations of violence on campus and he knows that the administration has been active in response to this. He was wondering if the Vice Chancellor wanted to make any comments about that.

Vice Chancellor Gargano responded that, in the last couple of weeks, there have been a few incidences in our residence halls on which our University Police Department was able to take very quick and swift action. They have been able to communicate to our students about safety procedures in our residence halls as well as to parents. He thinks, overall, when they take the year in total context, student behavior has been very good. He thinks that the student body should be complimented for the way that they have conducted themselves. By the same token, the tradition is that this is the weekend of the Hobart Hoedown. They believe that the students will have a good time, conduct themselves in a very good way, so that we can all be proud of what goes on and we will wait to see what happens as that happens. The next two weekends there is a lot of activity that is going on.

Graduate Student Yasser Munif, who identified himself as an international student, said that he felt insulted last semester by the Vice Chancellor's reaction to what happened around the incident involving KKK imagery, ALANA and other things and he wanted to know if the Vice Chancellor had considered resigning after that scandal?

Vice Chancellor Gargano responded, no, he is not resigning.

Undergraduate Student Eduardo Bustamante, former President of the SGA, asked a question based on the idea that the Vice Chancellor participated in the creation of the Diversity Proposal. The Diversity Commission, which he had the opportunity to sit on, recommended that the integrity of student government and its agencies be respected going forward. He read recently the Vice Chancellor's second Diversity Proposal which said that that is being done. He wonders how the Vice Chancellor justifies that statement considering that the Vice Chancellor is removing, without the consent of and against the will of the SGA, its advocacy agencies. Removing the Office of ALANA Affairs, how does the Vice Chancellor consider that respecting the integrity of the agency? As a follow up, he perceives the motive as being that the Office of ALANA Affairs is being removed because it brought up the very issues that we claim to care about, but yet he sees that office as being punished. He wondered if the Vice Chancellor could speak to that?

Vice Chancellor Gargano responded that there is great respect from the Vice Chancellor's Office to the student body and student government. Once again, they have been true to their plan and what they said that they would do is post the Action Plan, there would be open comment periods, which has happened. They will be posting their final plan tomorrow.

Mr. Bustamante responded that then the Vice Chancellor had no response to the contradictions in what the Vice Chancellor has stated and his actions.

Vice Chancellor Gargano responded that they will be posting the final plan tomorrow.

President of the Graduate Student Senate Uri Strauss noted that we hear a lot about respect for diversity from the administration and obviously students do not feel that that is the case. His question is about the Diversity Commission and, specifically, one of its recommendations. He was the other student representative on the Commission. This Commission, which was charged with determining what the obstacles are to diversity and making recommendations for improving them, basically determined that the Vice Chancellor was an obstacle to diversity and voted to recommend to the Chancellor that the Vice Chancellor be removed from his position as Student Affairs and Campus Life Vice Chancellor. Since the Vice Chancellor has said that he does not have any plans to resign, how does that square with the campus' commitment to the Diversity Commission and alleged commitment to diversity?

Vice Chancellor Gargano responded that he is committed to diversity for this institution and he thinks that he has demonstrated that in a number of different ways.

A Graduate Student stated that he had a very specific question. His understanding is that the ideal number of freshmen was always considered to be 3,800 students. This was back in the 1990s. We have had no new housing built in the area since then that are occupied by students. Also, during the decline of the University in the mid-90s, there was a Cambodian resettlement project that moved into what was then Brandywine, now the Boulders, which took a large number of units that were originally occupied by students. Now, he is hearing the Vice Chancellor say that we are going to have at least 4,200 freshmen next year which, by his math, we are talking about being a tower or so short on housing. Every year for the past four or five years, we have had a major problem of on-campus housing. He is hearing rumors from undergraduates that the juniors are being booted to Sylvan to encourage them to move off campus. He is hearing that the off-campus housing office does not even know where they are going. In his professional opinion, at least half the student housing off campus should be condemned. The question he has is why does the Vice Chancellor continue to bring in more students onto this campus than we have space for?

Vice Chancellor Gargano responded that their space inventory tells them that they can easily accommodate 4,200 students in their residence halls. History also shares with them that they have a number of their juniors and seniors who prefer to live off campus which creates a whole variety of other space on the campus. They do not make these decisions in isolation. There are a whole variety of folks who get together, who look at classroom space, who look at other needs that students may have, as well as housing accommodations. They are very comfortable in that 4,200 students could be accommodated for the class of 2009.

The Graduate Student then asked if the Vice Chancellor could comment on the rumors that the juniors are being denied their preferred housing options.

Vice Chancellor Gargano responded that as they go through the system, freshmen and sophomores are required to live on campus unless they have medical reasons or religious reasons. There is also a process at which juniors and seniors request to live on campus and there are various deadlines that they need to meet. No one is being forced off campus who wants a room on campus who is in our current system.

Graduate Student Nancy deProsse stated that she would like to know what is happening with off-campus housing or Commuter Services. If they are going to put that many students off campus, we need a Commuter Services Office that is functioning. All that has been in any report so far is that it is being aligned with Housing Services. We have no idea where it is going to be. It is currently in the Student Union which is a convenient place for the students off campus to find it. It is a convenient place for people coming to visit campus, looking for housing, to find it. People do not know where they are going to have to go for housing in the summer when they return. Does the Vice Chancellor know where it is going to be after June 30<sup>th</sup>?

Vice Chancellor Gargano responded that there is no plan to move the location of the office.

Ms. deProsse then noted that Commuter Services not only takes care of off-campus housing issues for students, but it also deals with student parents. It has been dealing with them for over twenty years. Is the plan to continue to have Commuter Services continue to do that work?

Vice Chancellor Gargano responded that he did not think that they had said that they were changing the focus of that particular office.

Undergraduate Student Kaitlin Barry asked the Vice Chancellor about a comment that he made at a conference that this school needs less Old Navy and more Abercrombie & Fitch and if he feels that that is an appropriate comment for an administrator to make.

Vice Chancellor Gargano responded that he was not sure that the context she described is what actually occurred.

Graduate Student Mark Nelson, who is the Grievance Coordinator for the Graduate Employee Organization, remarked that in the 2003-2004 academic year and continuing into the summer of 2004, some student leaders on this campus worked quite assiduously to remove the ALANA Caucus from its historically reserved seats in student government. At the same time, the

Vice Chancellor's Office was requiring the ALANA Caucus to prepare a brief that would be presented to the University's General Counsel, hoping that the University's General Counsel would provide a ruling on the legitimacy of those seats being set aside for ALANA students.

The record shows that on June 26<sup>th</sup>, the Vice Chancellor received information from the General Counsel that did not accord with his expectations with regard to how the General Counsel would rule and the Vice Chancellor immediately shared this information via email with Patrick Higgins, then Speaker of Student Government—the same Patrick Higgins who was featured in the photographs involving KKK imagery in October. Patrick Higgins sent an email to Jared Nokes saying that the General Counsel had said that the seats were legal. To this day, the ALANA Caucus has been excluded from those historic seats and the Vice Chancellor has not shared the General Counsel's opinion with the faculty, with the students, and with the ALANA Caucus—the folks whom the Vice Chancellor asked to actually put together the brief.

He had two questions. Does the Vice Chancellor feel it is proper and legitimate, when he has asked a certain segment of the University campus to legitimize its presence on the campus with the General Counsel, to then withhold the General Counsel's opinion from that group when it does not correspond with the Vice Chancellor's views? Secondly, would the Vice Chancellor withhold that kind of information from a faculty group or another student group or another group of employees or only from the ALANA Caucus?

Vice Chancellor Gargano responded that what he thinks is important is that Mr. Nelson have the facts straight. He believes that if Mr. Nelson checks with Pavel Payano, the current President of the SGA, who had actually written the Vice Chancellor some time ago, through the Freedom of Information Act, he has supplied to Mr. Payano all of the documentation and gave Mr. Payano the notes of various meetings that clearly explain everything that went on.

Mr. Nelson asked a follow-up question. Does the Vice Chancellor feel it's appropriate to withhold General Counsel's opinions from groups who the Vice Chancellor has asked to legitimize themselves with the General Counsel?

Vice Chancellor Gargano responded that there was no withholding of information.

Undergraduate Student Christina Lin, explained that she transferred in last semester and, since then, she has heard only relatively negative things in relation to diversity and the Chancellor, and she refuses to believe that it is all negative, so she asked the Vice Chancellor to explain—especially since he has said that he is committed to diversity issues—how he has influenced diversity on this campus.

Vice Chancellor Gargano explained that he has done it in a number of ways. He works with this entire student body. He dedicates himself to recruiting a diverse student body because Admissions is one of his main functions. He works with a variety of multicultural student groups. He provides funding to multicultural student groups. He has worked with a whole variety of different constituencies on this campus. He has written letters of recommendation for students. He has helped students to get into graduate school. He has helped students in any number of different ways to help to promote their academic success and promote their careers.

Ms Lin responded that that seems pretty general.

Vice Chancellor Gargano stated that he said that he has worked with a variety of groups, multicultural groups on this particular campus. There are 18,000 students that she may want to check with.

## B. ANNOUNCEMENTS

### 1. Vice Chancellor for Administration and Finance

Vice Chancellor for Administration and Finance Joyce Hatch had one announcement and noted that additional information will be forthcoming. You will notice, as you walk across campus, that more and more fencing is going up. There are a few more ditches. A lot more will be underway after graduation. They are holding back on some of the work until after graduation. The work this summer is the beginning of four years of dirt, holes, construction, a lot of work—and probably inconvenience—on the campus. What she wanted to let us know is they will have a communication plan. They will have a web site. They are working on the roll out of how to communicate to the campus as pathways and roadways become obstructed and about alternate routes. This is just the beginning. We have not seen anything yet. In the next couple of years, we will see a lot of work, but there will be a complete communication plan and they will be talking more about that, particularly next fall.

2. Secretary of the Faculty Senate

Secretary of the Faculty Senate Ernest May noted that from time to time, he will give a brief update on some of the things that are going on in the councils and committees. In addition to the volume of routine coursework, course proposals, and program proposals, the Academic Priorities Council is working on articulating a strategic direction that the campus seems to be taking based on new data being supplied by the administration. This is an interesting exercise. The Health Council has been studying campus violence and he believes they will be presenting a motion at the next Faculty Senate meeting. The International Studies Council has been preparing guidelines for approving academic programs abroad provided by third-party providers. They have also been interviewing candidates for the Director of International Programs. The Research Council is revising the campus document on scholarly misconduct in response to some comments from our federal sponsors, who found some lacunae in our current policy. The Status of Minorities Council, with the Status of Women Council, voted not to combine into a proposed CDSJ Council. The Undergraduate Education Council is considering the idea of some kind of guarantee of academic equality, especially in the first-year experience. The University Computer and Electronic Communications Committee is beginning to prepare for the next SPIRE upgrade which will be, he believes, in the fall of 2007. Therefore, the preparation will take place during 2006. The Ad Hoc Committee on the Student Information System has concluded that, basically, we have the best of the available commercial products, but we continue to scan the environment to see what is out there. The Ad Hoc Committee on the International Programs Office, he believes, is preparing to recommend that all international programs go through the International Programs Office with a set of conditions which are being worked on.

3. The President of the Student Government Association

President of the Student Government Association Pavel Payano clarified that when the Vice Chancellor stated that he had received some information, he has not, in fact, gotten all of the information that he requested. He only received part of it. He is not exactly sure what the Vice Chancellor was talking about. But the reason he came to the Faculty Senate meeting today was to talk about the textbook rental pilot program. The Student Government Association proposed this rental system last year and this effort was endorsed by two Faculty Senate councils, the Undergraduate Education Council and the Academic Matters Council. A joint committee of students and faculty issued a proposal for a rental system. This year, Vice Chancellor Hatch negotiated a deal with eFollet for a pilot program. Students get their books for 50% off and it is a six-semester commitment that faculty would have to make. Copies of the proposals are available at the back of the room and Eddie Bustamante is handing out copies. They are currently looking for faculty to participate in the pilot. They need at least ten faculty members to join in order for this pilot program to go off well. Please participate to save your students money. They are going to be having a press conference next week to provide more information about the program.

Presiding Officer Robert Wilson clarified that the Student Government Association is looking for faculty to sign up with this pilot program.

President Payano confirmed that that was the case and reiterated that it is a six-semester commitment.

Presiding Officer Wilson then asked how professors would do so.

President Payano said that faculty could speak to him after the meeting.

4. The Representative of the Massachusetts Society of Professors

Massachusetts Society of Professors Vice President Jenny Spencer announced that they are close to a breakthrough in bargaining. She then explained, that in December, there was a hearing about the shortage of tenure-track faculty, and for today's meeting they are showing the eight-minute DVD that was made by Sut Jhally and organized by the Massachusetts Society of Professors. She thanked Sut Jhally for his work on the project. The DVD was developed from the hearing and they are hoping to use it to lobby legislatures. They would like to share it with legislators and then talk with them about Chancellor Lombardi's 250 Faculty Plan. [Copies of the DVD are available from the MSP Office or you can access it via their web site: <http://www.umass.edu/msp/index.htm> under Shortage of Faculty Campaign.]

Secretary May pointed out that the Chancellor's UMass Amherst -250 Plan is available on the Faculty Senate web site. It is about four pages long.

C. QUESTION PERIOD

*There were no questions.*

D. NEW COURSES

There are no reports associated with the following motions:

<u>COURSE</u>	<u>TITLE</u>	<u>CREDITS</u>
COMM 231	“Film and Television Production Concepts”	3
COMM 265	“Democracy and Discourse”	3
CMPSCI 410	“Compiler Techniques”	3

MOVED: That the Faculty Senate approve the courses COMM 231 and 265 and CMPSCI 410, as recommended by the  
37-05 Academic Matters Council.

This motion was seconded and adopted.

<u>COURSE</u>	<u>TITLE</u>	<u>CREDITS</u>
CMPSCI 686	“Reasoning and Acting Under Uncertainty”	3

MOVED: That the Faculty Senate approve the course CMPSCI 686, as recommended by the Graduate Council.  
38-05

This motion was seconded and adopted.

E. NEW BUSINESS

1. Special Report of the Academic Matters Council concerning Courses Taken by Undergraduate Students through the University of Massachusetts (System) Exchange Program, as presented in Sen. Doc. No. 05-034 with Motion No. 39-05.

MOVED: That the Faculty Senate approve that credits earned through the University of Massachusetts (System)  
39-05 Exchange Program count towards University of Massachusetts Amherst’s residency requirements, though the grades are not calculated into the GPA, as recommended by the Academic Matters Council in Sen. Doc. No. 05-034.

This motion was seconded and adopted.

DISCUSSION OF THE MOTION

*Senator Brian O’Connor* noted that one of the campuses, he believes it is Lowell, has a tremendous number of courses offered online. Where do they fit in here? Does this motion include online courses?

*Professor John Jenkins, Chair of the Academic Matters Council* said yes.

*Senator O’Connor* then asked what is the policy on online courses? He assumes that online courses mean residence credits.

*Secretary May* noted that we have a committee studying this; it is the Ad Hoc Committee on Online Learning. If you have comments about it, he recommends that you contact them. He believes that that committee is making a status report at the next meeting. The question that Senator O’Connor raises is an important one.

*Senator Mokhtar Atallah* noted that in the exchange agreements, there is a specification on the number of credits that the student finishes on campus once they come back. That is what we do with exchanges with all other Universities. The same rules will apply. This policy will insure that the student will have a certain number of credits on this campus. The issue is the same with respect to students who take all of their courses online here.

2. Special Report of the Academic Matters Council concerning Conflicts between Joint Evening Exams and Once-A-Week Courses, as presented in Sen. Doc. No. 05-035 with Motion No. 40-05.

Professor Jenkins noted, before presenting the motion, that the Academic Matters Council voted on this matter at its last meeting, but since that time, issues have come to their attention and he believes that it will be a matter of discussion following the presentation of the motion.

MOVED: That the Faculty Senate approve the policy on Conflicts Between Joint Evening Exams and Once-a-Week  
40-05 Courses, as recommended by the Academic Matters Council in Sen. Doc. No. 05-035.

This motion was seconded.

#### DISCUSSION OF THE MOTION

Professor Gary Snyder, who teaches Organic Chemistry courses and makes extensive use of evening exams in the 6:00 to 7:30 time period, explained that he had just become aware of this proposed policy a few days ago. Their General Chemistry group was also unaware of the proposal. They have not yet had a chance to think through all of the implications. There are some potential problems with large numbers of students needing special accommodations as a result of the proposed policy. He moved that the motion be tabled at this time for further consideration of those potential problems.

His motion was seconded.

#### DISCUSSION OF THE MOTION TO TABLE

Senator O'Connor supported Professor Snyder's concern. When he read the motion, he was reminded—and he does not understand why it ever was abandoned—that years ago, the time between 6:30 and 7:30 was reserved for night exams. There could not be a class scheduled during that time. Seven o'clock courses came out of nowhere. While he does support sending this back to the Council, he would also ask the Academic Matters Council to look at what happened to that old rule, because that would solve the problem.

Deputy Provost John Cunningham noted that that was a rule and many faculty approached them asking to be allowed to teach during that time despite the rule made by the faculty. The Provost's Office slipped into letting faculty who really wanted to teach during that time teach, as long as the faculty were made aware of the examination policy, which they agreed to be aware of, and that got us to where we are now.

Senator Marios Philippides asked if the motion was being tabled or being referred back to council?

Professor Snyder said that he would be willing to move that the original motion be referred back to council.

The amended motion was seconded

Presiding Officer Wilson noted that the motion, as clarified, stands that the original motion be returned to the Academic Matters Council for further consideration.

The amended motion was adopted.

3. Special Report of the Academic Matters Council concerning the Information Technology Minor Program Revisions, as presented in Sen. Doc. No. 05-036 with Motion No. 41-05.

MOVED: That the Faculty Senate approve the proposed changes in the Information Technology Minor related to the  
41-05 counting of courses and required minimum grades, as presented in Sen. Doc. No. 05-036.

This motion was seconded and adopted.

4. Special Report of the Academic Matters Council and the Graduate Council concerning the School of Public Health and Health Sciences, Department of Exercise Science: Renumbering Courses and Changes to Undergraduate B.S. Degree Program, as presented in Sen. Doc. No. 05-037 with Motion No. 42-05.

MOVED: That the Faculty Senate approve the proposed changes to the Exercise Science Program, as presented in  
42-05 Sen. Doc. No. 05-037.

This motion was seconded and adopted.

5. Special Report of the Academic Matters Council concerning the 2008-2009 Academic Calendar, as presented in Sen. Doc. No. 05-038 with Motion No. 43-05.

MOVED: That the Faculty Senate adopt the 2008-2009 Academic Calendar, as presented in Sen. Doc. No. 05-038.  
43-05

This motion was seconded and adopted.

#### DISCUSSION OF THE MOTION

Senator Atallah wanted to point out a couple of changes to the calendar. Starting in 2007—and they approved this last year—there is no registration day, which means classes start the day after Labor Day. As a result of that, the “let us get our act together” day is out. We have to get our acts together before the semester starts. The second thing that is starting to be implemented in this calendar of 2008-2009—and actually this is starting next semester—is that there is no Counseling Week. That is not indicated on the calendar anymore because it is not a week and the registration starts on one day and it is open until the classes start. Every department does counseling in a different way. They have also considered the issue of the masquerade days of Monday scheduled on a Tuesday, Wednesday, or Thursday. For laboratory classes, this becomes a very important issue. These days are needed to maintain the sequence of laboratories for one week without interruption that would lead to chaos for laboratory classes. Therefore, they are sticking with the masquerade days.

Senator W. C. Conner asked if the calendar should also specify when the information regarding courses coming up in the next semester will be available on SPIRE? That would be quite advantageous if we specified that at least a week before registration that information is available, instead of discovering it after the fact. That would be good to have on the calendar, to specify the date when the information for the next semester will be available for students, so they will know when to look for it.

Professor Jenkins suggested that if faculty have suggestions or comments, to please contact the Chair of their calendar subcommittee, Cecilia Trachy in the Registrar’s Office.

6. Special Report of the General Education Council concerning The Withdrawal of “BS” General Education Designation for NRC 212 “Forest Botany,” as presented in Sen. Doc. No. 05-039 with Motion No. 44-05.

MOVED: That the Faculty Senate approve that the General Education designation “BS” be withdrawn from NRC 212  
44-05 “Forest Botany,” as presented in Sen. Doc. No. 05-039.

This motion was seconded and adopted.

#### F. BYLAW CHANGES (Second Reading) (Report previously distributed)

Special Report of the Rules Committee concerning Bylaw Changes, as presented in Sen. Doc. No. 05-033 with Motion No. 35-05.

MOVED: That the Faculty Senate approve the Bylaw Changes, as presented in Sen. Doc. No. 05-033.  
35-05

(Inasmuch as this is a change to the Senate Bylaws, this is the second of three readings of this motion. It will be read again at the 642<sup>nd</sup> Senate meeting. The motion may be debated and amended at all three meetings.)

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The 641<sup>st</sup> Regular Meeting of the Faculty Senate stood adjourned at 4:41 p.m. on April 28, 2005.  
The proceedings of this meeting are available on audiotape in the Faculty Senate Office.

Respectfully submitted,

Ernest D. May  
Secretary of the Faculty Senate