**Faculty Senate Minutes**

Wednesday, August 5, 2020

Zoom Meeting, 3:00 p.m. – 5:00 p.m.

**Attending Senators:** Gwynne Ellen Ash, Rebecca Bell-Metereau, Stacey Bender, Janet Bezner, Dale Blasingame, Rachel Davenport, Jennifer Jensen, Lynn Ledbetter, Vincent Luizzi, Benjamin Martin, Stan McClellan, Roque Mendez, Andrew Ojede, Michael Supancic, Nicole Wesley

**Guests:** Megan Ballengee, Gene Bourgeois (Provost), Mary Brennan, Jenny Buschhorn, Emilio Carranco, Nate Curritt, Donna Dean, Shannon Duffy (Senate Fellow), Valarie Fleming, Geneva Gano, De De Gardner, Lauren Goodley, Lucy Harney, Candace Hastings, Injeong Jo, Laura Kennedy, Lisa Lloyd, Dianna Morganti, Judy Oskam, Scott Pope, Rebecca Raphael, Aimee Roundtree, Arlene Salazar, Katie Salzmann, Eric Sarmiento, Amy Louise Schwarz, Karen Sigler, Debbie Thorne, Erik Timmerman, Kris Toma, Sheila Torres-Blank, Stephanie Towery (Library), Denise Trauth (President), Margaret Vaverek, Laura Waugh, Daniel Weeks (University Star), Ginger Williams, Jess Williams

Meeting called to order at 3:01 p.m. by Senate Chair Bezner

**Roadmap to Return Discussion (PAAG)**

The PAAG attended the senate meeting this week to address specific items on the senate’s agenda. The discussion started with the request for clarification of the Provost’s email sent to college deans and later distributed to faculty on July 29, 2020. Specifically, the senate asked for clarification about the intended meaning of the following sentence in the Provost’s email, “Based on the recent Faculty Senate survey as well as university guidance for flexibility in addressing individual circumstances, please work diligently with department chairs/school directors to determine if there are additional faculty requests for changes”.

Dr. Bourgeois explained that he understood, based on the faculty survey, there were 121 faculty that did not feel comfortable asking their chairs for workplace modifications for various reasons. Dr. Bourgeois decided to send a last appeal to faculty to ask their chairs for modifications if they wanted to.

A senator explained that several faculty members have reached out to them to express concern about the wording of the Provost’s emails to faculty and deans and that different chairs had interpreted the language in the email, therefore resulting in inequities among faculty whose modifications were approved or denied. Dr. Bourgeois explained that he could not respond to that concern because he did not know specifically who asked and who did not ask for a modification. He emphasized that his email was essentially a plea for faculty to come forward and ask their chair or director for a modification if they had not done so already.

A senator posited if the issue was a matter of perception. They described two perceptions, one where instructional methodology is not a matter of faculty choice, but based on approving faculty requests for instructional methodology on perceived needs determined by administrators and another perception, where the administration could let faculty make the choice and identify problems, obstacles, or impediments that need to be overcome after faculty have made their choices. They asked why the administration has focused on the former perception and therefore limited faculty choice for course modality. The Provost explained that faculty should be working with their chairs, directors, and/or program coordinators to determine which modality decisions are right for the students, course sequencing, and what is right for the market. He explained that course modality decisions are not truly faculty choice because class scheduling and sequencing needs to reflect the market demand. To support the administration’s position, the Provost provided two examples of situations where freshman on campus may not receive schedules that work for them because of course modality decisions made by faculty. The senator followed up to ask if the university has determined how many students may want to be online but have not made requests. Dr. Bourgeois explained that he believes they are seeing student choices based on registration data observed during the registration cycle and that is how they have been measuring it. Another senator clarified that their fellow senator was asking about faculty requests to go online. Dr. Bourgeois said he did not know. The senator emphasized that many faculty were not comfortable approaching their chair for a modification because faculty see a lot of inequity across campus. They asked if it is acceptable to place certain faculty at risk based solely on the subjects they teach and whether that exposed the university to legal action based on inequities among colleges and who is approved to teach online or not. Dr. Bourgeois explained that those decisions vary from department to department and that he believes it is a matter of local control. Dr. Trauth emphasized that we are part of a larger community and smaller subcommunities to deliver education to students. Faculty work within their various communities, where decisions are made collaboratively. Various colleges have different missions, and (for example) the College of Liberal Arts has a lot of general education courses. She emphasized again the intent of the language in the Provost’s email was to reinforce that faculty needed to go to their chairs and directors to talk about their course modality questions. The senator stated that they find it very disturbing that it appears some people’s lives are worth more than others based on the content they teach.

A senator pointed out that of the four requests that the faculty senate made in their letter to the President and Cabinet zero requests were honored.

A senator explained that the various emails sent to faculty did not result in many changes to course modality requests, but in fact, most were denied because chairs explained they had a percent of in-person classes they had to maintain. The senator further noted that faculty are not able to collaborate with their chairs, but that chairs feel as though they do not have the latitude to be flexible to approve faculty requests. The senator asked the cabinet members if they were willing to acknowledge publicly that professors who are petrified or terrified to teach in person are going to be able to provide a good learning opportunity for students. The President explained that she does not know what to say to a faculty member who says they cannot go to their chair or director to discuss their concerns. Dr. Trauth explained again that the university is implementing the best-known health recommendations and that campus will look very different this fall semester compared to the spring. In addition to wearing masks and social distancing, there are additional measures such as UV lighting, nightly cleaning, HVAC systems above teaching podium, etc. The senator followed up to ask the President and cabinet members if they still think it is okay to require faculty terrified about their health and safety to teach in the classroom because their request was denied by their chair. Dr. Trauth explained that she does not want any faculty member to feel terrified but that she does not know if the faculty that are concerned went to their chair and asked for course modality requests.

A senator mentioned that there is no process to appeal a chair’s decision about workplace modification other than talking with their college dean. Dr. Bourgeois confirmed that there is no appeal process higher than the dean. Senators indicated they would like a formal appeals process established.

A senator followed up with their earlier question about faculty choice for course modality. They asked in what way the normal process of balancing student course needs, scheduling, etc. in normal circumstances is being affected by the extremely non-ordinary circumstances and to what extent can they infer the affect on normal procedures such that faculty choice prevails. Dr. Trauth said she believed they had the most collaborative process that they could with the full spectrum of course modalities. She emphasized that at other universities, their administrators dictated which courses would go online, but that at Texas State, her assumption was that the faculty had a sense of what courses should be remote or in-person. She acknowledged that some portion of students would want a fully in-person experience, others would prefer fully online, and the rest would be content with a mix. She stated she thought the administration gave plenty of opportunities for faculty to choose course modality; they left it at the chair/director level with dean input. Dr. Bourgeois added that his intention was, and from his perspective, there would be flexibility afforded to faculty who wanted to choose their course modality. A senator asked why there was a follow up letter sent stating they should not take the Provost’s direction to mean chairs/directors should be more flexible with faculty course modality choices. The Provost did not know anything about that letter. He emphasized that what chairs, directors, deans, and faculty wanted to know beginning April 6, but especially starting June 1, is what percentage of the classes does the university want online or not and that he was unable to answer that question. However, he has been able to provide thoughts and hunches about what the freshman class wanted and then speculate about what continuing undergraduate and graduate students wanted. He reiterated that he was unable to provide a specific percent of classes that should be in-person or online.

A senator clarified that what the Provost was hearing from the senate is that the communications sent directly to the senate and that the process with the chair and faculty members was not a collaborative process at that level and that outright denial of requests has occurred. The senator explained that deans, chairs, and directors interpreted the email sent by the Provost in different ways and that the language of the email did not reflect what he was saying in the PAAG meeting. Dr. Bourgeois said that in some cases his email resulted in some faculty receiving approval for their modification requests. He referred to another senator’s comment about two sides of a coin and said that chairs/directors could probably interpret his email whatever way they wanted to. A senator stated that the ambiguity of the language in the Provost’s email to college and department administrators led to further inequity at the chair/director level. The Provost said he does not know what is happening with modification requests within each department. He gave an example of departments in Liberal Arts where many requests were approved for one department but not as many for another department, but he did not know the number of people requesting course modifications. A senator pointed out that the lack of data, lack of collaboration, and the resulting inequity is what is concerning. The senator communicated the collective position of senators and explained that given we are in a pandemic with a dangerous virus, the Senate feels we should be erring on the side of safety and that when the faculty feel they do not have choice for course modality, that leaves faculty feeling that student lives are more important than faculty lives. They emphasized that is an awful place to be with your employer and does not set people up for success. Dr. Bourgeois responded by saying the memo he sent was intended to emphasize flexibility.

A senator asked a question from the chat as to whether the university is allowing or stopping in-person classes based on some metric such as local infection rates, randomized tests in dorms, etc. They also asked whether the PAAG was aware of a recent Forbes article reporting that many universities were revising their plans to have classes on campus and/or delaying in-person classes until later in the semester as well as providing very limited dorm occupancy. The senator expressed their concern that given the constantly shifting nature of the pandemic, they believe that Texas State is at the front of a herd racing toward a cliff and that erring on the side of caution is going to be smart. Dr. Trauth responded by addressing the indicators they are looking at when deciding to make a shift in instruction. She explained that they are looking at many factors when making decisions and asked Dr Carranco to explain in more detail.

Dr. Carranco explained that they are looking at case counts in the region and statewide, positivity and hospitalization rates, and the university’s capacity to conduct testing. In addition, the university also is looking at evidence of on-campus transmission. So far, there as has been no evidence of transmission on campus. He explained that COVID-19 is not going away, and that people will bring the infection to campus. The challenge for Texas State is to put into place strategies to reduce the transmission of any infection that might come onto campus by identifying and contact tracing positive cases. He explained that positive cases on campus does not mean that there is a problem or that mitigation strategies are not working. The true test is whether they can prevent transmission on campus. Dr. Carranco explained that the university has the capacity to test all symptomatic cases on campus that needs a test. They are working with reference lab CPL that is able to provide the PCR testing. The SHC can currently test 50 people per day if they need to, and they intend to restructure by the start of the Fall semester to administer 100 tests a day and they have to capability to do 500 tests a day if necessary. The SHC is securing three PCR machines that they can use to run in-house testing to minimize test result turnaround times. This is important because contact tracing works best if tracers can contact people before they become infectious. He expects to be able to do the testing that is necessary to reduce transmission. Dr. Carranco described new tests on the horizon and the possibility of at-home self-testing. The strategy of the SHC is to start the Fall semester with multiple testing methods. He explained he has been in contact with multiple companies that may have tests ready in the next few weeks and months. A senator asked what kind of testing the SHC is doing. Dr. Carranco explained that they are using PCR testing, which he stated was the gold standard of testing.

Dr. Carranco explained that there are nine people who are currently trained as contact tracers and they plan to hire three additional graduate students as contact tracers. The goal of the contact tracers is to identify close contacts of positive cases within the university, but that the SHC does not have the authority to contact people in the community. The SHC has an agreement with the Public Health Departments (PHD) to initiate contact tracing on campus and share information with the PHD. The SHC has committed 42 spaces in a residence hall for isolation and they are developing quarantine spaces in other residence halls. They will try to isolate and quarantine people that cannot safely isolate or quarantine at home. Those students will have assistance including meal and mental health support.

A senator pointed out that most transmission and infection occurs in crowded spaces and that there will be a lot of crowding on campus. They wanted to know how the university is going to be policing those crowded spaces. Dr. Carranco explained that the university has implemented social distancing in classrooms or 50% occupancy limits with the goal of creating distance between students. Dr. Carranco cited very recent research that stated distancing of three feet reduces transmission to about 2.6% and that wearing a mask reduces transmission risk to about 3.0%%. He acknowledged minimizing off-campus transmission is going to be challenging and that it is a matter of educating students about safe behavior. He described mask wearing as a large factor in reducing infections and transmission and emphasized the importance of everyone wearing a mask. The senator followed-up with an example of their own research where they found that while social distancing can help, it can also be severely undermined by living conditions such as multi-unit housing structures, household crowdedness, etc. They explained that for Latino communities these factors are more prevalent, and those populations are at greater risk for severe illness. Dr. Carranco reiterated the importance of trying to change student behaviors by educating them and that it is all our responsibilities to help educate students and others on campus. He restated that the most important challenge at Texas State is to contain virus transmission when a positive case comes on campus.

A senator expressed that the draft guidance for responding to students who do not wear a mask was inadequate. Dr. Carranco responded that he is aware there is an intention to enforce the masking policy but that the first impulse ought to be to educate the student and explain that masks are required by the university. If the student fails to comply with wearing a mask, then the student can be referred to the Dean of Students Office. He explained that masking is one of the most important things we can do. A senator expressed frustration that a student can attend class twice without a mask and only receive a verbal warning yet expose an entire classroom of students. Dr. Carranco explained that according to several mask studies, masks may be effective for protecting both the unmasked and the masked person. Dr. Carranco stated that unless an unmasked student walked around to every person in the classroom and yelled, screamed, etc., it was unlikely that they would infect other students. The senator asked if that was a guarantee and Dr. Carranco said no, that it was unlikely.

A senator asked if Dr. Carranco has considered additional strategies to enforce mask wearing other than placing the burden on faculty to ensure compliance. They asked about placing students or people outside of buildings or classrooms to stop students before they enter the building or classroom. The senator provided examples of businesses that already engage in this practice. Dr. Carranco responded that education was the most important strategy and that signage was going up on campus to remind students how important wearing a mask is. He was unaware of a plan to do more than have faculty ensure compliance. Dr. Trauth described an initiative in the Division of Student Affairs of a cohort of student leaders from across a wide spectrum of student organizations who will work as ambassadors to help their peers understand they need to wear face masks and practice social distancing. Dr. Trauth said she would follow up with Mary Ellen Cavitt, Interim AVPSA, to get the specifics on how the ambassadors will be deployed. Dr. Trauth will also reach out to Student Justice to determine if they have put too long of a platform out there. Dr. Bourgeois said that he believes if a student does not wear a mask in the classroom, they should be immediately reported to the Dean of Students. He explained that if a student complies the first time with wearing a mask, but comes to class again without a mask, then they should be immediately referred because it implies a pattern of behavior.

A senator asked Dr. Carranco how he decided how many staff to hire as contact tracers and if he performed any modeling to arrive at that number. Dr. Carranco explained that although there are models, they are based on public health but not university populations. He believes that 9-12 contact tracers are a pretty good start, they can hire more if necessary, but they are in a strong position for the start of the semester. A senator followed up that contact tracing is not in effect yet and asked when should faculty expect contact tracing to be implemented. Dr. Carranco explained that they have been contact tracing, but they can only contact trace if the person gives written permission for the SHC to contact trace. He described Bobcat Trace, the reporting tool that will lead to the beginning of contact tracing. Bobcat Trace will allow faculty, staff, and students to self-report their positive case. Dr. Carranco said they will try very hard to get everyone to report if they have a positive case, but ultimately it is voluntary. A senator asked if a student reports to them they are positive but does not want to report to the SHC, may they report the student. Dr. Carranco stated that no, a faculty member cannot report a student but they can encourage the student to Bobcat Trace and complete the report. Dr. Carranco described another application for supervisors and faculty to report concerning situations or questions, but what they really want is the person who tested positive to report through Bobcat Trace. Dr. Carranco explained self-reporting is critical to containing transmission and making people understand that is important.

The Senate Chair asked Dr. Bourgeois to report the numbers and percentages of section counts that are arranged classes with enrollment. Total sections = 6,048. Total INT only = 2,194 or 36%. Total FTF = 3,571 or 59%. Total FTF flex, INT, HYB = 4,181 or 69%. Class sections of 200 or more students, number of FTF sections and HYB/INT sections are nearly split.

A senator asked a question from the chat about who will disperse crowds in buildings or on campus that are not social distancing or wearing masks. Dr. Trauth said that police would not respond in that capacity, but that perhaps there should be a cadre of staff that can be deployed to disperse the crowd. Dr. Trauth said she would follow up with the idea and determine how to put specificity around how staff can be organized to take that kind of action.

A senator expressed that there have been a lot of questions about how the administration knows what students really want if they have not surveyed them, but instead have relied on course enrollments, drops, switching sections, etc. The senator asked if the PAAG would share the data they are using with the senate to prove that what they are reporting is what the students want. Dr. Trauth explained that students are telling them what they want by virtue of what they are enrolling in and frequency of student advising sessions. She said they were getting an enormous number of students telling them what they want and they could try to compile the data into a document. Dr. Bourgeois explained that it involves looking at what students signed up for during the spring registration period and how those numbers are changing. He said there has not been a big migration to online courses except when faculty have switched their sections from face-to-face to online. He said he has not seen a large decrease in enrollment and that indicates a good mix of on-campus and online courses.

A senator described concerns about students who show up to face-to-face classes without a mask and how the draft mask enforcement policy offers a three-strike rule before they incur consequences. The senator asked if it is acceptable to end the class if a student or students show up without a mask. Both Dr. Trauth and Bourgeois said that faculty have the ability to end the class.

A senator asked if the administration is willing to look at workplace modification requests to determine who and how many faculty have been denied. The President and Provost agreed to look at those requests and assess the data. A senator asked if faculty can still make workplace modification requests in the coming days. Dr. Bourgeois explained that there is no firm deadline for modification requests.

A senator asked for clarification about the scenario-based decision making, citing the example of the transition to online for Summer II given the situation in June. The senator conveyed that the situation has not changed significantly since July and questioned how that information is being used to justify on-campus instruction for the Fall semester. Dr. Bourgeois explained that although Summer II was moved online, the decision to continue with the current scenario was always in place for the Fall semester. Dr. Carranco explained that as we approached Summer II, they felt the trajectory was moving in the wrong direction. The Fall situation looks different because it appears that case counts have plateaued, and positivity rates are declining. He speculated that the mask mandate may be contributing to the lower case counts and positivity rates and they are optimistic that the university will be able to start classes in the Fall.

A senator asked how Dr. Carranco is factoring in geographical diffusion of the virus and how that may affect transmission rates once the semester starts. Dr. Carranco responded that he is not looking only at Hays, Travis, or Williamson Counties, but at the state data. They know what the current infection rate and case fatality rates are for different age groups. He said that all the numbers are in the context of no prevention measures and that these are folks who were at home and not practicing prevention measures. He said that looking at the numbers and the mitigation strategies the university has implemented, there is a reasonable expectation of success for preventing transmission of the virus on campus. He explained that he thinks it is a mistake to believe the numbers seen over the summer are necessarily the numbers we will see at Texas State. He said Texas State is doing what they are being advised to do by the CDC. Dr. Carranco explained the university will continue to monitor the situation and if they start to see things going in the wrong direction and evidence of on-campus transmission then he will talk to President’s Cabinet and the local health authority and they will all try to make the best decision possible in the interest of everyone’s health and safety.

A senator expressed concern that the mask policy seemed based on the best-case scenario and that the draft mask policy has no real consequences for people that do not comply. They asked what planning is being done for the worst-case scenario, which is the politicization of the issue, organized efforts to cause chaos, etc. Dr. Bourgeois commented that suspension is one of the disciplinary actions that can and should be used for the most belligerent, disruptive students. He thinks it is a matter of getting the Dean of Students Office to understand that serious penalties need to be assessed for disruptive students. Dr. Bourgeois also mentioned in-class suspension where faculty can prevent a student from being in their class. The senator asked if the language used by Dr. Bourgeois will be communicated to students because the language in the policy is very soft with regard to consequences. Dr. Bourgeois was unsure what the final language in the policy will be. Dr. Thorne clarified that the policy is in draft form and expressed appreciation for the conversations about the mask policy. She said they will take the feedback and work to revise the policy. She communicated that legal counsel has reviewed the draft policy and concluded there is not a constitutional rights violation associated with the mask requirement. She explained they are developing faculty training that will include information about the mask policy and the Roadmap to Return will be updated. In tandem, Student Affairs is working on educating students and advising students of the mask policy. The senator followed-up that most people are not worried about the best-case scenario, but that the worst-case scenario is the greatest concern and that the university should frame their communication around the worst-case scenario.

A senator brought up the letter the senate sent to the PAAG on behalf of faculty and the last point in the letter (“Actively promote the benefits of online learning so that students hear the message that they will receive a quality education that is in some ways better than in-person instruction, as per the evidence and the university’s spring 2020 experience.”). They explained that most students’ experience at the end of spring was poor based on the rapid transition to online. The senator urged the administration to communicate to students that online instruction offered this Fall semester will be high quality. The senator also expressed that faculty were denied workplace modification requests not because of teaching needs, but because they did not satisfy the quota. Additionally, although the word ‘flexibility’ was in the email sent by the Provost, the message was interpreted differently by college and department administrators. The senator asked the deans and chairs to revisit the email sent by the Provost. The senator made a point that the classes the administration says freshmen want to take in-person are also among the largest classes on campus and tend to be taught by non-tenure line faculty. The non-tenure line faculty are the least likely people to ask their chair for a workplace modification. They reiterated that one of the things faculty asked for in the letter to the President and Provost was that very large classes be moved online and asked Dr. Bourgeois to comment on that point. Dr. Bourgeois said it still must come down to the individual departments, classes, sections, and the needs of the curriculum and sequencing. A senator pointed out that faculty requests are being denied by chairs because of the cap on online classes imposed by Dr. Bourgeois. Dr. Bourgeois said they have never given anyone a specific cap but that there were conversations early in the summer and more recently with the interim Provost at UT, there were conversations about percentages for online and in-person classes all of which depends on curriculum and curriculum sequencing particularly for the freshman class. The senator asked Dr. Bourgeois if chairs and deans have flexibility to approve modification requests in excess of the 40% cap many are working with. Dr. Bourgeois said yes, they do have that flexibility. Dr. Thorne explained that after the Provost’s and Faculty Senate’s emails went out last week there were 127 new requests. The next day, there were 368 new requests. By the beginning of the next week, there were 111 new requests. She said there has been movement as a result of the emails and that her and Dr. Bourgeois will go back to the deans and find out who was denied, the reason they were denied, and the context. A senator clarified that the two points are that chairs can go beyond the 40% quota and that there does not have to be a medical reason to approve a modification.

A senator asked Dr. Bourgeois if he would send an email to deans and chairs with specific language that states they have flexibility to approve workplace modification requests that do not fit the within the limitations of the CDC or college-specific workplace modifications. Dr. Bourgeois said he would send the email.

A senator expressed concerns by faculty at the Round Rock campus that there is not COVID testing available for that campus. Dr. Carranco said they are working on it and they hope to have it ready by the Fall semester.

Dr. Bourgeois followed-up that several students withdrew their aid packages before June 1, 2020 and they are working with some of that data and other financial aid data to determine why students are not registering or staying at Texas State. Part of the value the university is trying to offer is the mix of online and face-to-face classes.

**Faculty Senate role in New Faculty Orientation – Candace Hastings, Faculty Development**

Dr. Candance Hastings provided an overview of New Faculty Orientation (NFO) and New Tenure

Track Faculty Orientation (NTTFO). NFO is primarily on Canvas with a follow-up meeting on

Zoom. Dr. Hastings requested senators attend NFO on Zoom on August 19 at 8:00 am for about

30 minutes. Dr. Hastings will provide a schedule in the coming days.

**Faculty Senate Appointment**

Peter Dedek was appointed to the Faculty Senate to replace Rebecca Bell-Metereau who will be

on development leave for Fall 2020.

**Additional Business**

Senate Chair Bezner received a request from Eric Algoe to identify a senator to serve on the

search committee for the new AVP Human Resources. Lynn Ledbetter volunteered to serve on

the committee.

**Policy Review**

* UPPS 08.01.17 Large Event Policy for Registered Student Organizations, new policy, due August 12, 2020 (Senator Blasingame).
* Re-review of faculty grievance policy – (Senator Davenport).

**Next Senate Meeting**

August 26, 2020 4:00 pm – 6:00 pm on Zoom.

**Approval of Minutes**

Senators approved the minutes for the July 22, 2020 meeting.

Meeting adjourned at 5:33 p.m.