Senators Present: Sara Freeman (chair), Megan Gessel (vice chair), Chris Kendall (secretary), Regina Duthely, Jung Kim, Tiffany MacBain, Heather White, Julia Looper, Rebecca Lumbantobing (ASUPS rep), Mushawn Knowles (ASUPS rep), Jairo Hoyos Galvis, Alison Tracy Hale, Sarah Moore

Guests Present: Joanna Carey Cleveland, Dave Wright, Rachel DeMotts, Amy Ryken, Jonathan Stockdale, Alisa Kessel, David Chiu, Dexter Gordon

The meeting was called to order at 12:00 p.m.

Sara Freeman thanked Regina Duthely for having served on the senate during fall semester as a sabbatical replacement.

No announcements.

M/S/P to approve the minutes of November 25, 2019 as amended.

No updates from ASUPS, Staff Senate, or standing committees.

Interim Religious Accommodation Policy
Joanna Carey Cleveland reviewed for the senate the impact of new Washington State legislation upon the university's religious accommodation policy. She indicated that the law is silent on how faculty might respond to student requests for religious accommodations and that the university should consider setting such parameters. In addition, if there is a reason not to grant an accommodation, we will want to ensure that our policy provides students with an opportunity to move forward with an appeals process in a timely manner. (See section VI of Appendix A.) Cleveland indicated that, under the interim accommodation policy presented to the Senate for approval, students' resources are the University Chaplain (Dave Wright) and, should an appeal be pursued, the Associate Academic Dean (Sunil Kukreja). Faculty members' resource is the Associate Academic Dean responsible for faculty development (Julie Christoph).

Cleveland indicated that, pending approval of the interim policy, she, Wright, and Provost Laura Behling will communicate with the faculty to notify them of the interim policy and the legal requirement that syllabi include information about the university's religious accommodation policy. The correspondence will likely provide language for faculty to adopt, and possibly a link to the interim policy.

Julia Looper asked what the interim policy means by "religious observances." Cleveland indicated that the term comes from the legislation and is one of the gray areas of the legislation. With an appreciation for the spectrum of possible meanings—from, say, activities organized by a church to the observance of a religious holiday—the interim policy takes the language as it

stands in the legislation, and, if charged, the ASC will consider the definition of the term when reviewing and possibly revising the interim policy. Wright anticipates that the focus of such discussions would be on how to interpret "holidays observed" and "organized activity. Cleveland suggested that the title, "Reasonable Accommodations for Religious Holidays," might guide such conversations.

Jung Kim pointed out a typo on the policy document: *2019* should read *2020*.

M/S/P to adopt the interim policy on student religious accommodations to begin January 1, 2020.

Cleveland confirmed that because the interim policy meets the requirements of the law, there is no firm deadline for having a final policy drafted.

M/S/P to charge the Academic Standards Committee with reviewing and revising the interim policy on student religious accommodations to create a finalized policy.

Wright indicated that, prior to the development of the new legislation, the Provost and he were in the process of creating a timeline of religious holidays to share with the faculty. He hopes that the timeline will be included with the correspondence related to the interim policy. Freeman reiterated what a senator had suggested at the last meeting, that the Canvas Commons might be a good place to locate the policy so that syllabi need only to include a link.

Cleveland shared a concern raised by a student member of the ASC that the law does not necessarily address changes to the syllabus that a faculty member might make after the two-week window within which the law states that a student must request an accommodation. She recommends faculty flexibility in such a moment.

Mushawn Knowles expressed concern over the effect of an appeals process on a student. He urged that the ASC consider the onus that would be placed upon the student. Cleveland said that the hope and goal is that faculty members and students will be able to work things out expeditiously.

In her capacity as liaison to the ASC, Tiffany MacBain will communicate with the committee re: the approval of the interim policy and the new charge.

Forming the Search Committee for the VP of Diversity and Inclusion
Freeman reminded the senate that a group of faculty met on Dec. 6th with the President, the Provost, and the Dean of Students. Three members of this group—Amy Ryken, Rachel DeMotts, and Jonathan Stockdale—were present at the senate meeting to share some of what was at stake in the Dec. 6th meeting.

Ryken began by providing a history of the group's formation and focus. The group formed in mid-October and comprises 10-15 faculty members who have for some time done the work of diversity and inclusion on our campus. In their Dec. 6th meeting, group members expressed deep appreciation for the creation of a VP of Diversity and Inclusion, a development that they called

"historic." They also expressed concern over the timeline of the search. To move too quickly would be to bypass the crucial step of conversing meaningfully with faculty stakeholders about the history, current operations, synergies, and key requirements of diversity work on this campus. The group recommended that a faculty co-chair be appointed to the search committee before the committee is fully constituted. That faculty member could work with co-chair Uchenna Baker (Dean of Students) on envisioning the VP position and cultivating a sense of the current state of diversity and inclusion work on campus. The group would find it helpful if the faculty co-chair were to have expertise in this area, as well as a memory of the times at which the institution has fallen short of its express goals.

DeMotts underscored the significance of the shift to a VP of Diversity and Inclusion, pointing out that nationally there is a lot of contestation over what that position entails. To the minds of the group members, it's crucial that the search model the requirements and expectations of the position. Appropriate pacing and thoughtful decision-making are very important.

Stockdale emphasized the importance of "excavating our local histories and campus history on its own and in relation to the community." To ignore these urgencies would be to set up the search and the candidate for some measure of failure.

Freeman asked senators how we want to go about forming the VP search committee given the conversation in our last meeting and the information just presented to us. While there's some "elasticity" to search processes such as this one, she emphasized the importance of "faculty buy-in" on the process of this search. "The way that this search plays out should legitimate the candidate," she said, for the person will assume "the full authority of the role."

Kim asked the group representatives if they had a general idea of who they think the co-chair ought to be.

Stockdale replied that since the meeting with the President, Provost, and Dean of Students took place only three days before, the group has had that conversation only informally (via email). Preliminary thinking is that Amy Ryken would be an excellent choice for the position given her understanding of the history of diversity and inclusion at this institution and her ongoing commitment to diversity and inclusion.

Kim voiced the concern, shared by Stockdale, that anyone nominated to the position would be poised to invest quite a lot of time and energy in this project. She asked if the group had identified a backup candidate in the event that a nominee declined due to concerns over workload and compensation. Stockdale indicated that the group had not identified a backup but reiterated that the conversation was preliminary.

Freeman suggested two possible courses of action for the senate: Provided we agree to begin with the nomination of a co-chair, we could host a process of nominations; or we could simply vote to appoint Amy Ryken as co-chair if she were willing to accept the nomination.

In association with this request, senators asked about how widespread the conversation about the search committee co-chair has been (Hale); confirmed that the group is not a formally constituted body (Freeman); and clarified that the group recommended that we identify a co-chair before we assemble the committee (Gessel). Stockdale said that the email conversation following the Dec. 6th meeting involved "many people," and Ryken indicated that the group wishes to support the President in "get[ting] this [search] right." It is the group's opinion that to get the search right, a faculty co-chair and Dean Uchenna Baker would need to do considerable work before a committee were formed. DeMotts added that since Baker has already been appointed to the position and begun to do work, having a partner in place would ensure a more inclusive conversation.

Knowles mentioned that Grace Livingston might also be a good candidate for the position, acknowledging, though, that her workload is as considerable as Amy's. Knowles asked us to consider how we are enabling the people "with deep wells of wisdom" to apply that wisdom, and how we as a campus will support their efforts. To the latter point, Ryken confirmed that the work of diversity and inclusion at Puget Sound has historically been "woefully under-resourced," and said that "this is a moment for change and for institutional support." To the former point, Ryken shared that Livingston is a member of the group and has been central to these discussions.

Moore asked if there are other people on campus who the group knows are doing this kind of work but are not members of the group. Stockdale and DeMotts indicated that there are such people and emphasized the "overlapping and interlocking conversations" that have taken place among the 10-15 faculty members who have met regularly. For DeMotts, the most conspicuous absence in the group is junior faculty, for (added Ryken) the group intentionally involved senior faculty in order not to place junior faculty at risk.

Ryken spoke at Freeman's invitation about Stockdale's "soft nomination" for the position of co-chair. Ryken indicated a willingness to do this work "because I believe deeply that this is a critical moment and that institutional memory must be a part of it. A lot of harm has been done, and this is an opportunity for repair." However, Ryken implored the senate to think about its process very carefully. From her perspective, the senate ought not to rush a decision on this question. Ryken left the meeting at this point.

After some conversation it was determined that the senate might deliberate further on the question and make the request that work on the search be suspended until a faculty co-chair is appointed.

Hale suggested that if the senate were to issue a call for nominations (out of concern that a direct appointment would create disharmony), we could direct the process of nomination by providing the criteria generated by this faculty group. There was some discussion about the alternative option, to use our representative agency as the elected body of the faculty and appoint someone to the position. Heather White said that a nomination from a group of deeply involved faculty members should be taken seriously. Others voiced concern over transparency and invoked Ryken's recommendation that the senate not move too hastily on the question of how to appoint a co-chair. Sarah Moore spoke in favor of the request that work on the search be stopped until a

faculty co-chair is appointed. Kim spoke in favor of slowing down in the interest of having a representative group of nominees. MacBain suggested that we alert the faculty to the work and the suggestions of Stockdale, DeMotts, and Ryken's group so that anyone wishing to share thoughts with the senate may do so before we settle on a process. We could earmark our first meeting of S20 to develop that process in light of whatever information we have in hand. Stockdale affirmed that this turn in the senate's conversation modeled the "inclusive excellence" that the group values and accorded with the group's preference that the search not move forward too quickly.

Freeman expressed the decision of the senate to request a six-week stop-work on the search to provide the senate an opportunity to identify a faculty co-chair; to communicate to the faculty that the senate had received input from a group of faculty deeply concerned with and involved in the work of diversity and inclusion on campus; that the senate is open to hearing from other faculty members; and that at the first senate meeting in the spring, senators will develop a process to nominate a faculty co-chair to the search committee. The senate will then work from that list of nominations to appoint a faculty co-chair.

Curriculum Revision Next Steps and Language Requirement Proposal
Alisa Kessel asked for direction from the senate on what information to distribute to faculty in relation to the ranked-choice vote on the curriculum. (See Item 6 on Appendix B.) While usually a ranked-choice vote is reported as a single, final vote, the CTF believes that there may be people who want more information than that. Kessel conveyed the CTF recommendation that the results email provide the result and also a link that anyone could click in order to access the round-by-round results. The CTF reasoned that since it would appreciate having that information itself, it's probably appropriate to share it with the full faculty. Senators agreed.

Kessel issued massive thanks and kudos to David Chiu for writing the code that allowed the ranked-choice vote to occur. The senate echoed those thanks and kudos. (Thank you, David!)

Chiu provided information about the rigorous testing that the code underwent over the last few weeks. For example, he solicited feedback from faculty inside and outside of his department, all of whom know the model inside-and-out and gave him test cases to run. While with software one can never be 100% sure of its efficacy, he is confident that the code is sound. Kessel added that all possible contingencies have already been worked out, so if a worst-case scenario develops, the CTF and the Office of Institutional Research will know how to address it.

Gessel asked what would happen if not enough faculty members vote on the curriculum, to which Kessel replied that the CTF would simply deliver that information to the faculty. Kessel indicated that that afternoon Ellen Peters would email a reminder to faculty who had not yet voted. Freeman said that in the event of that result, the senate would meet again during finals week to discuss appropriate next steps.

With time running short, Freeman tabled the Language Requirement proposal.

Other Business

Freeman indicated that David Sousa and Ben Lewin presented at the recent chairs' meeting an idea for creating a phased retirement plan for faculty. Freeman senses that the Faculty Salary Committee is the right committee to do this work, and members of that committee who were at the chairs' meeting concurred. Because the FSC is not a standing committee of the senate, the senate could request (but not charge) that they take up this work.

M/S/P to request that the Faculty Salary Committee explore the idea of creating a phased retirement plan for faculty. [Note to senators: I am not confident that I got the wording of this request right.]

The meeting adjourned at 1:29 p.m.

Respectfully submitted,

Tiffany Aldrich MacBain

Appendix A

Policy on Student Religious Accommodations in Academic Courses or Programs

I. Policy Statement

The University of Puget Sound values the rich diversity of religious traditions, observances and beliefs represented in our campus community and supports the rights of students to practice their faiths. The university recognizes that in some instances, a student's religious observances may conflict with the student's academic schedule. In such cases, the university is committed to compliance with state, federal and local laws, including RCW 28B.137.010, regarding reasonable accommodations for those observances. Consistent with the Campus Policy Prohibiting Harassment and Discrimination, this policy also supports the university's commitment to providing a learning environment free from discrimination and harassment.

II. Coverage

This policy applies to all university students enrolled in academic courses or programs.

III. Definitions

    A. **Reasonable Accommodation:** In this context, a reasonable accommodation means a faculty member's coordination with the student on scheduling examinations or other activities necessary for completion of the course or program, including rescheduling examinations or activities or offering different times for examinations or activities.

    B. **Religious Observances:** Holidays observed for reasons of faith or conscience, including as part of a sincerely held religious belief, or for organized activities conducted under the auspices of a religious denomination, church or religious organization.

    C. **Undue Hardship:** Undue hardship refers not only to significant financial difficulty, but to accommodations that are unduly extensive, substantial, or disruptive, or those that would fundamentally alter the nature or operation of the course or program. The university will assess whether a proposed accommodation creates an undue hardship on a case-by-case basis.

IV. Requesting and Responding to a Reasonable Accommodation for Religious Observances

    A. Student Responsibilities

        1. A student seeking an academic accommodation for a religious observance shall consult with each of their faculty members and submit separate request(s) for accommodation to those faculty members.

        2. A student must submit a written request to the faculty member within two (2) weeks of the first day of the course or program, and the request must include the specific date(s) for which the student requires accommodation regarding examinations or other activities.

    B. Faculty Responsibilities

1. A faculty member shall promptly evaluate each request and reasonably accommodate any requests so that the student's grades are not adversely impacted by absences covered by this policy, provided that the accommodation does not cause an undue hardship to the student, other students, the faculty member, or the university.
2. Within five (5) calendar days of receiving a student's written request, a faculty member shall respond in writing to the student acknowledging the request and inviting additional conversation regarding the requested accommodation, if needed.
3. Absent exceptional circumstances, the faculty member's approval or denial of the student's requested accommodation should be provided in writing to the student no later than two (2) weeks after receipt of the student's request.

V. Resources for Assistance

A. Students may consult with the University Chaplain regarding reasonable accommodation requests, as needed, or for other questions about this policy.
B. Faculty members may consult with the University Chaplain or the Associate Academic Dean for assistance as needed or for other questions about this policy.

VI. Grievance/Appeal Procedure

A. A student may appeal a faculty member's response or non-response to a request for a reasonable accommodation under this policy by providing written notice to the Dean of the Faculty in the Office of the Provost.
B. Such appeal must be submitted either (1) within five (5) calendar days of the student's receipt of the final written determination from the faculty member regarding the request; or (2) within five (5) calendar days after a faculty member fails to respond to the student's request within the timeframe established under Section IV.C., above.
C. In reviewing the appeal, the Dean of the Faculty shall consult with the student and the faculty member, and may consult with others as appropriate (e.g., University Chaplain). Absent extraordinary circumstances, the Dean of the Faculty should provide a decision in writing to both the student and the faculty member generally within two (2) weeks of the receipt of the student's written appeal.
D. The decision of the Dean of the Faculty is final.

VII. Notice

A. This policy is available on the university's website at [LINK].
B. Faculty members must include a link to this policy in course or program syllabi.

VIII. Effective Date

This policy is effective as of January 1, 2019, and supersedes the university's "Religious Observances" statement in the Academic Handbook.

IX. Related Statutes, Regulations, and Policies

- Chapter 28B.137.010 RCW
- Campus Policy Prohibiting Discrimination and Harassment

Policy Owner: Office of the Provost

Date Adopted: December 9, 2019

Appendix B

5 December 2019

Dear colleagues,

We write to the Faculty Senate with two purposes:

- to recognize those members of the campus community whose quick and significant efforts (even while some of them were traveling out of state for the Thanksgiving holiday) made it possible for the CTF to enact the faculty motion of November 20 in an efficient way, and
- to provide the faculty—via the Faculty Senate—with some explanation about certain decisions we have made with respect to our enactment of the motion.

The November 20th motion required that:
1. the ballot be constructed to allow ranked choice voting (RCV) and the ability to "No Rank" any number of models
2. the ballot be bound by a participation requirement, which in turn requires that we know how many eligible faculty members have voted.

Although the motion did not stipulate it, the CTF presumed that:
3. the faculty preferred for this to be an anonymous ballot.

Our colleagues in OIR and on the CTF were willing to enact the faculty's motion, but this took more doing than, we suspect, most anticipated. In short, the software we use to conduct faculty surveys (Qualtrics), and which allows us to maintain the closed system required by #2 and the anonymity required by #3 above is not able to calculate the ranked choice vote required by #1. As an institution, we do not have ballot software; we have survey software and a very committed OIR staff. The faculty (and staff and students) have long relied on our OIR colleagues to conduct our elections. This is worth noting, worth being mindful of, and worth being grateful for.

So, first, we wish to thank Ellen Peters and Emily Mullins in OIR for spending a significant amount of time figuring out how to get Qualtrics to do what we needed it to do for this ballot (this required several versions of the ballot, many tests, lots of experimentation, and a phone call with Qualtrics).

Second, we wish to thank CTF member David Chiu, who wrote a program to allow us to compute the RCV results, since our only other option was to ask OIR to compute it by hand (which they had graciously offered to do).

We also wish to thank a handful of colleagues on whose academic expertise we relied to compose the voter guide, ballot, and RCV-computing program, and who served as consultants to us in the process: Sam Liao (Philosophy), Robin Jacobson (Politics and Government), Jake Price (Mathematics and Computer Science), and Courtney Thatcher (Mathematics and Computer Science). They gave their time and insights to this process during one of the busiest times of the

semester, and helped us ensure that our instructions and programming were accurate and clear.

But for these dedicated colleagues, we would neither be able to conduct such a complicated vote in such a short time nor to allow faculty as much time as possible to complete the ballot with care.

Second, the CTF has sought to infuse transparency and inclusion throughout this process. In order to enable the programming for the ranked choice vote (RCV), we have had to put a few decision rules into place. We have also rendered a few interpretations of the motion. We think it is important to communicate these to the Faculty Senate before voting ends and results are tallied.

Here's a brief sketch of what the RCV program does: after an initial calculation of voters' preferences, if no single model gets a majority (> 50%) of first-place votes, the least preferred model (that is, the model with the fewest first-place votes) will be eliminated from consideration. At that point, an individual's preferences will be adjusted to reflect the elimination of that model. If, for example, a voter's #1 model ends up being the least preferred model in a round, once that model is eliminated, that voter's preferences will be recalculated such that her former #2 is now her #1 choice, and her former #3 is now #2, etc. It follows that, if she had no other ranked choice, then her ballot becomes empty. This process repeats until a single model receives a majority of first-place votes. In this method of voting, the recalculation — tabulating overall preferences, eliminating the least preferred model, and reordering preferences — happens up to five times, until we have one single result, which will be the winner among the six models.

This "instant runoff" should yield a single, most preferred model of the faculty. <u>Typically, results of a ranked choice vote will be reported as a single preference</u>, not as frequency distributions of the faculty's rankings of each of the six models. We understand that faculty members have different expectations and preferences about how results are reported and we are aiming to achieve a satisfactory balance (see #6, below). Please be aware that, in rare cases, RCV will not yield a single preference in the final tally.

We also have had to establish a few decision rules and interpretations of the motion (which we believe the motion empowers the CTF to do):

1. NONCONSECUTIVE RANKINGS: In the event that voters do not number their rankings in numerical order [e.g., a voter ranks models as (1, 3, 5), with no 2 or 4], their preferences will be re-ordered to reflect a numerical ranking so that their votes can be counted (in the case above, the re-ordering would mean that 1→ 1, 3 → 2, 5 → 3). Please note that to minimize the likelihood of this occurring, we specified in the voter guide, in the email accompanying the ballot, and in the ballot itself that "When ranking, start with "Ranked #1" and work down in order to "Ranked #2", "Ranked #3", etc." (It was not possible to program Qualtrics to prevent colleagues from ranking non-numerically within such a limited time frame.)

2. NO TIED RANKINGS ARE PERMITTED ON BALLOTS: Because this is an instant runoff ballot, ties are not permitted (since it is not possible to break them on a per-ballot basis). Thus, the ballot does NOT allow voters to give two models the same rank.
3. "NO-RANKS" OF ALL MODELS: The motion stipulates "the vote shall permit faculty to not rank all options." We have interpreted this stipulation to mean that a faculty member may submit a ballot in which all of the options are unranked and the ballot would still count toward the participation requirement.
4. FAILURE TO ACHIEVE THE PARTICIPATION REQUIREMENT: If we do not achieve the participation requirement (165 votes out of 247 eligible voters), the CTF will simply not calculate the RCV and will report to the faculty that a result could not be determined due to failure to achieve the participation requirement. To do otherwise seems counter to the intention of the motion, which we understand was to ensure that we did not move forward with modeling unless a significant majority of faculty members has been able to voice its preference.
5. HANDLING TIES DURING TALLYING: Though unexpected, ties may occur during RCV tallying. Out of respect for transparency, we choose not to implement a blackbox tie-breaking policy. In the event that a tie occurs between two or more "losing" models (i.e., those models which received the fewest first-place votes) in a round of tallying, it becomes unclear which model to eliminate so that we may move on to the next round. In this rare case, the vote tallying system will branch-off for each scenario and report the results. For example, if models A and B tie for receiving the fewest votes in a round, then two separate tallies will be reported: one in which model A is eliminated and one in which model B is eliminated.
6. REPORTED RESULTS: While RCV is typically reported as a single preference, we understand that some faculty may desire more information from this vote. To that end, we will report the result in an email to the faculty, taking care to do so in the briefest possible way (i.e. to name a single winner, multiple winners in the case of tie(s), or no result in the case of failure to meet the participation requirement). Assuming we meet the participation requirement and have results to report, that same email will link to another document with slightly more detail, for those who wish to view it. We believe it makes sense to provide the breakdown of each round of voting (that is, the number of votes for each model in any given round). This information will help people see and understand the relative strength of support of each model throughout the vote, which we hope will afford our colleagues some clarity about their preferences in relation to the whole. We hope to have the results available for the faculty by Thursday, December 12, 2019.

Finally, faculty will have received a few reminders this week. Qualtrics allows OIR to send reminder messages to faculty without betraying anonymity to the ballot administrators; our colleagues in OIR have used this tool to reach out to those who have not yet voted. Separately, the CTF sent a message to facultycoms, asking that faculty encourage their colleagues to participate in the vote. The CTF will send one more reminder early on Monday, December 9th.

Additionally, we note that the CTF did not send the voter postcards to faculty this week. Because the postcards may have been delivered to ineligible voters and/or not to eligible ones, thus creating confusion for some, the CTF distributed an email message clarifying eligibility and

assuring our colleagues that they will have received a link to the ballot if they are eligible to vote.

Kind regards,

Dexter Gordon, CTF co-chair
Alisa Kessel, CTF co-chair