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| University Faculty Council meetings ordinarily consist of discussion of issues of university-wide importance. These minutes may identify issues that have been discussed and may record viewpoints or opinions held by one or more UFC members. Unless explicitly stated otherwise, these minutes do not reflect the views or opinions of the UFC as a body and do not indicate that any consensus was reached among UFC members. |

University Faculty Council Minutes

Friday, February 04, 2022

11:00 am to 1:00 pm

ZOOM meeting - <https://pepperdine.zoom.us/j/89582923392>

In attendance

Seaver = Chris Doran (left early), Maire Mullins, Jennifer Smith (chair), Hollace Starr (secretary)

PGBS = Mark Chun, Augus Harjoto, Richard Walton

GSEP = Dennis Lowe, Veronica Viesca

CSOL = Mark Scarberry (vice-chair), Sukhsimranjit Singh

SPP = Ted McAllister

Admin = Jim Gash, Jay Brewster, Lee Kats (left early)

1. **Prayer-Mark Chun**
2. **Expense Claims Procedure (PGBS, Rick)-Unreasonable Burden?**
   1. (**From agenda**: 1. Expense claims are rejected even if they are backed up by a legal receipt if the receipt does not include credit card details; 2. there is also a time limit on when expenses can be claimed (even if they have been fully approved and forecasted) which can result in faculty having to make multiple claims for a single event or having to personally pay an approved, valid expense; 3. there is no exception or escalation process for situations where complying with the standard rules is difficult or impossible.)
   2. **Challenges with reimbursement process**: In surveys of PGBS faculty, this topic is a big one. Are other faculties facing challenges with the reimbursement process? The process of being reimbursed is unreasonable and poses a great burden. The limit of a 2-month submission period doesn’t time well with the arrival of credit card statements. Faculty often end up paying out of pocket and are therefore subsidizing the university. There is also an unreasonable workload burden to faculty.
   3. **Challenges with timeline of purchase orders**: It was mentioned that there is also a burden on the front end in authorizing expenses and setting up purchase orders. The purchase order timeline and process is a huge burden for faculty mounting or installing creative work.
   4. **President’s Response**: The President suggests that we should schedule a meeting to discuss the challenges faculty are facing. He suspects that the timelines are in place to meet the burdens with accounting in order to produce clear audits. There may be a way to streamline, but we need to be aware of the challenges. Plan moving forward: It was suggested that the two members who spoke about these challenges should form a subcommittee and meet with Greg Ramirez. The two members agreed to do this, and a plan was made to schedule a meeting.
3. **Academic Freedom Statement**
   1. **Timeline**
      1. We are in the “receiving feedback” stage on our timeline. Today we report back to the Council feedback we received from our faculties and follow that with a discussion.
      2. After receiving feedback from all the schools, we could follow this procedure (but see below for further discussion of the process):
         1. UFC subcommittee meet to incorporate revisions;
         2. Bring back AF statement to the full UFC;
         3. Send back to schools; develop a way for all the schools to vote on document (ensuring that everyone was voting on same document)
         4. Go to administration and to board. The board meets on June 7 or on September 20. In order for the statement to be considered by the board, the AF statement would need first to go to a subcommittee for review. To make the June meeting, they would need it by April. A decision needs to be made if aiming for June 7 or September 20.
   2. **CSOL Report:**
      1. Distribution:
         1. An early document was distributed months ago for comments, followed by the current version being sent for comments as well.
         2. In a faculty meeting, the document was approved unanimously. It was mentioned that conversation about academic freedom has been coming up for years but now we are “taking the bull by the horns.”
      2. Suggestions:
         1. Law faculty requests for revisions:
            1. Make sure to interpret word “subject” broadly. This can be handled with a footnote that states that subject matters can be much broader than they initially appear.
            2. Change the phrase “must avoid” to “should avoid,” in the following sentences: “They should not introduce into their teaching controversial matter which has no relation to their subject; that is, they must avoid persistently intruding material which has no relation to their subject.” The law school faculty condition its approval on the making of this change.
            3. Remove quotation marks around “civility.”
         2. Mention was made of the footnote that says our Christian institution does not require a religious exemption from academic freedom principles. We are not requiring faith; the holding of a particular faith is not a requirement (except perhaps from faculty teaching religion).
         3. It was mentioned that law faculty were very thankful. If we change the world “should” and replace with “must,” that will give a sense of security that faculty will not get in trouble for discussing material that some persons might think were not relevant. There was appreciation of the final sentence of the main statement that controversial matters must not be discouraged.
      3. An anecdote was brought up about a former law student who is now a law school faculty member in India and is outspoken about the abuse of Muslims in India. There was a sense of pride about the student’s bravery, and it was mentioned that our faculty should feel free to be similarly brave.
   3. **GSEP Report:**
      1. Background:
         1. GSEP faculty association is voluntary membership. Meets 7 times per academic year. All full-time faculty are invited to attend, and a majority of faculty, made up of tenure track, visiting, and clinical, attend at every meeting.
      2. Distribution to faculty:
         1. The statement was shared as a Google Doc and faculty were invited to make comments.
         2. An update was made at the January meeting. There has not been a vote. It would have been premature to do so considering some of the comments that were raised.
      3. Comments from GSEP faculty:
         1. Conversations within GSEP mirrored conversations within UFC.
         2. Comments were made about the tone of the introductory sentence, that it was not in line with the religious spirit of Pepperdine.
         3. The second section is credal in nature and incongruent with University ideals.
         4. The statement should end at page 2 – everything that follows is not related to academic freedom.
         5. Statement including “Cognizant of the ways in which these outside agencies” – concerning how a statement such as this one could be used to target, say, gay marriage.
      4. More feedback will be gathered when the document goes up for vote.
   4. **SEAVER Report:**
      1. Process:
         1. In the fall semester, the statement was forwarded to the Seaver Faculty Senate, a body which consists of 20 senators. Statement was disseminated to senators but not yet discussed.
         2. The history of the academic freedom statement was discussed with senators. There was at least one instance raised where a statement on academic freedom could have been helpful.
         3. Similar to GSEP, a Google Doc was distributed for comment, and email responses to the document were solicited (it was noted that there is a UFC email).
      2. Feedback:
         1. 6000 words of feedback were received. Everyone said, “Thank you.”
         2. In general, it was stated that it is a good idea to have a statement not just in the tenure manual.
         3. Some faculty saw the need for modest revision.
         4. Some faculty wanted to use AAUP statement.
         5. The narrative statement received the most feedback:
            1. There was feedback on this portion for many academic divisions, but mostly from Religion and Philosophy.
            2. A few believed the narrative should be reduced, but this was a minority opinion.
            3. Vast majority said that the document is valuable but needs to be revised.
            4. There were questions about whether religion faculty are held to a different standard. The narrative may need to be corrected to reflect religious requirements with regard to religion faculty.
            5. Private messages were sent to the Seaver Faculty President:

Who defines subject matter? Who will define what it means to be off subject?

What is the minimum number of votes to ratify? Would a majority of faculty regardless of school lines have to ratify?

Are the president and provost supportive?

Faculty are not invited to support their opinions before the board.

* 1. **PGSB Report:**
     1. Statement was discussed in the faculty council meeting.
     2. Feedback:
        1. The general feedback was one of appreciation. There was a lot of engagement. 63% of faculty didn’t make comments.
        2. There were questions about “who gets to decide” on paragraph 2.
        3. Civility should not be discouraged.
        4. There should be no restrictions on academic freedom; faculty should be able to talk about whatever they want.
        5. In relevance and civility paragraph, comments were consistent with other schools (*Note: secretary was unable to transcribe this full point*)
  2. **SPP Report:**
     1. The SPP faculty voted to approve the statement.
     2. SPP faculty were surprised that Pepperdine doesn’t have a statement. SPP faculty see Pepperdine as a school that imitates other institutions; that we used a boilerplate AAUP statement was surprising. The AAUP statement reflects mid-century conditions and was for universities that were not organized around a mission statement like ours.
     3. Feedback:
        1. Is the language sufficiently protective to protect researcher from overbearing administrative control of our work or from the powerful mob driven by narrative rather than evidence?
           1. We are going to have to trust the community to not abuse these aspects.
        2. The AAUP statement is a negative document. It does not cultivate inquiry, and it is not a truth-seeking document.
           1. At the most basic level, faculty here have the protection to pursue inquiry, not matter the discipline, no matter whether driven my narrative or by empirical evidence. Both types of “person” are protected. This kind of foundation is necessary if people are going to do the difficulty thing of speaking truth to power and asking difficult questions. The document should protect bad things, too.
           2. If people who are empirically driven who take seriously the role of truth in Christian thinking, if they cannot point toward a negative and push toward a positive, what are we about?
           3. A Christian institution is about the search for the ordering presence that Christians call God, or the Reality That Is. It was stated that we should always be about loving Truth as a liberating force. To do this, something beyond an academic freedom statement is needed. A culture that endorses inquiry needs to be cultivated. Questions and conversations with people whom we have disagreements need to be endorsed.
           4. The document is long overdue as a basic protection. It does not solve, but it points to a mission-driven pursuit of truth and adoration of what God has created. This requires the cultivation of something that the negative AAUP statement doesn’t handle.
  3. **Discussion**
     1. The point was taken that the AF statement can’t do everything, but hopefully it’s a good start.
     2. It was raised that trial scenarios would be valuable to test the AF statement.
     3. President’s support:
        1. The president is in favor of this initiative to approve an academic freedom statement.
        2. The board will likely be similarly welcoming. The president was surprised that we don’t already have an academic freedom statement other than the one in the tenure policy.
        3. Initially, there was skepticism about using the AAUP statement because we are not a secular institution and there is a need to make sure that the statement aligns with Pepperdine’s values. It is unknown how many faculty are members of AAUP and whether it makes sense to adopt the AAUP statement.
        4. The board (the Board of Regents, which is Pepperdine’s governing body) will likely have suggestions for changes. If time and attention is not given to board input, there will be a challenge getting the statement past the board.
     4. Provost’s support:
        1. The provost is supportive of this process.
        2. The statement in the tenure manual is amorphous. This is a stronger, better statement. It has been discussed with the board the freedoms afforded faculty, and this statement would be something we could look to at certain moments. A classic example is the possible objection of some people to the teaching of evolutionary biology.
        3. The administration has proven its support of this process. There will be discomfort, but the Pepperdine community is being served by drafting this statement. Strong disagreement over polarizing issues should be expected.
     5. Sending an early draft to academic affairs committee of the board:
        1. An early draft could be sent to academic affairs for comment in order to quicken the process.
           1. If this were desired, the work flow would be as follows:

the UFC subcommittee sends the revised statement to the full UFC (including the President and Provost, who are nonvoting members) and at the same time to the academic affairs committee of the board;

the provost, president, and full UFC would provide input to the UFC subcommittee (as would the academic affairs committee should it decide to do so);

the UFC subcommittee would report a revised statement to the full UFC, including the president and provost, and to the academic affairs committee;

the full UFC would approve or revise the subcommittee’s revised statement, so that the same text could be sent to the faculties of all of the schools;

the statement would be sent to the faculties of the schools for their approval (with, it would be hoped, no need for an iterative process);

the statement would be considered for approval by the president and provost;

the statement would be provided to the board for its approval.

* + - 1. It was suggested that the statement would be well received by Academic Affairs. There would likely not be too much in the way of word-smithing. However, the president and provost will look closely when the document reaches their offices.
      2. Some disagreement was expressed with sending the statement to the board’s Academic Affairs committee before the document has been approved by faculties:
         1. It was expressed that the faculty need to finalize the statement before it is sent to the board. And if the board want to make changes, it must go back to the faculty. If the board is meddling in our statement, that alone is counter to academic freedom.
         2. It was suggested that we use Robert’s Rules of Order to facilitate this process. It was raised that there may be minority voices on the committee that aren’t voicing their opinions, and the lack of a clear protocol for conversation is a detriment to this process.

It was argued that Robert’s Rules of Order are outdated and that the consensus approach is the modern approach. It is important to involve people who have power. It might encourage the board to take the faculty more seriously.

* + - * 1. Understanding about the concerns raised regarding giving the Board’s Academic Affairs committee was given by two committee.

One committee membered expressed such understanding, but the argued that the feedback from the board may still be helpful.

Another committee member agreed that an early draft of the AF statement should not be sent to the board at this stage.

* + - 1. Constraints of time:
         1. Faculties should use hypothetical scenarios to test the statement to see if it holds up.
         2. The board meeting schedule does not have to dictate our decisions, but if UFC doesn’t attempt to align with those timelines, adoption of any statement may be jeopardized or seriously delayed.
      2. It was suggested that we not decide the flow of the document through administration and board right now. The subcommittee can meet and decide who it goes out to. The other aspects can be decided later.
      3. Three committee members were put forward for the subcommittee. They were Mark Scarberry, Jennifer Smith, and Veronica Viesca. The subcommittee will discuss the feedback from the schools and make recommendations about timing and process.
         1. This was put to a vote.
         2. There were 10 “yays,” 1 “nay,” and no abstentions. (1 committee member had left by this time).

1. **Shared Governance in Emergency Periods.**
   1. Request for clarification on teaching modality decisions.
      1. Faculty, including those who are immunocompromised, those older than 65, and those with children too young to be vaccinated, were not consulted in January modality decisions.
   2. Request for the administration to pledge to communicate with faculty regarding modality decisions.
      1. Provost’s response:
         1. The decision to suspend classes was made urgently.
         2. There was faculty feedback received about returning to the classroom, and there was communication with the faculty.
         3. On a larger scale, UFC should discuss how it could participate in the making of decisions on an urgent timeline.
         4. The faculty involvement in the issue of making classes credit/no credit during spring 2020 was raised as an example when faculty involvement went well.
   3. It was raised that the UFC has historically been able to mobilize quickly and would be a good venue for discussing emergency situations.
   4. It was questioned whether we have used the shared governance document to evaluate whether the administration lived up to the document. If we are creating documents like a shared governance document and an academic freedom statement, we should use these documents, even after the fact, to measure whether we are following outlined protocols and being guided by the ethics outlined by those documents.