



FACULTY SENATE

Student Affairs Committee
Minutes

427a Waterman
October 11, 2018
8:30-10:00

- Present** Kenneth Allen (CNHS), Jamie Benson (SGA), Sin Yee Chan (CAS), Thomas Chittenden (GSB), Jonathan Flyer (LCOM), Aarzo Grover (GSS), Karla Karstens (CEMS), Patricia Mardeusz (LIB), Omar Oyarzabal (EXT), Cathy Paris (FS President), Stephen Pintauro (CAL), Nancy Welch (CAS)
- Absent** Zail Berry (COM), Mia Hockett (LCOM), Trish O’Kane (RSENR), Jennifer Prue (CESS), Martin Thaler (CAS)
- Guests** Brian Reed, Annie Stevens

Co-Chair Thomas Chittenden called the meeting to order at 8:30 in Waterman 427a.

- 1. Minutes.** The minutes of September 13, 2018 were approved as written.
- 2. Faculty Senate Course Evaluation Resolution Update.** There is a draft RFP for course evolutions that has been completed. Thomas represents the SAC on the committee. The ERTC was represented by chair Regina Toolin however she was not able to continue. Helen Reed is her replacement from the ERTC. The Faculty Senate did not like the language in the proposal as presented, however they edited and approved new language. The new language is as follows.

Approved Language:

Functional units or departments on campus would not be under any obligation to use this integrated platform for course evaluations, and that the determination to do so rests with the governance structures in place within each functional unit/department;

This platform would place full autonomy and control of the questions, responses, and managed access to the responses solely with the functional units or departments on campus currently responsible for managing course evaluations;

Any implemented system would include data access and access attempt auditing to maintain verifiable integrity over the departmentally controlled responses to these course evaluations.

Revised Language:

Governance and decision-making over course evaluation platform, use, and data – including when, how, and whether to implement – would continue to rest with the governance structures in place within each college, school, or department;

ADD:

WHEREAS there is documented widespread support across the University of Vermont from faculty, associate deans, and deans for the development of a sophisticated, integrated, and online course evaluation platform to improve the quality, completeness, and dimensional depth of collected responses.

3. Residential Learning Communities. How would the SAC like to move forward with this topic?

- a. How do we protect the students who choose the WE dorm for the right reason? Many students sign up because it is the nicest dorm, not because they want to live in the WE atmosphere.
- b. How does the process of choosing a dorm work, are the expectations of the WE community really emphasized?
- c. There is a concern of WE residents as research subjects.
- d. Course credits and residential communities, how these credits impact credits for majors and minors.
- e. The FPPC is working on the financial implication, Thomas will work with the FPPC for an update.
- f. Accessibility of the learning communities. Some disciplines are restricted because they can't accommodate a 3-credit course in their course load.
- g. Annie Stevens will present at the October 22nd Faculty Senate meeting all committee members are encouraged to attend.

Thomas will work with Annie's office to get a list of potential guests that can come and report on these issues.

4. Students Rights Statement First Draft, Kenneth Allen and Jamie Benson,

This is a first draft. In addition to the current statement of constitutional rights stated in the current code, I think there needs to be a broad statement such as:

In addition to Constitutional rights and rights defined in the Higher Educational Opportunities Act and other Policies related to student's rights in higher education, the University recognizes other rights of students including:

Student's rights to personal autonomy including the right to utilize their time outside of scheduled classes as they see fit. Academic offerings should correspond to the University's Schedule of Courses. While it is recognized that there is often value in academic activities which occur outside of the scheduled meeting pattern, faculty should be mindful of student's right to their time outside of the class schedule. In courses or programs of study where there is an expectation for students to attend lectures, workshops, conferences, or other educational activities outside of the standard meeting pattern as defined in the Schedule of Courses, these expectation should be made clear to the student at the time of registration through the course syllabi, expanded course syllabi, or notes related to the course on the registration portal. In courses or programs of study where there is an expectation for students to attend lectures, workshops, conferences, or other educational activities outside of the standard meeting pattern as defined in the Schedule of Courses, these expectations should be reflected in Course Action Forms and a review of these expectations should be part of course review by the Curriculum Affairs Committees of the respective Colleges.

Here are some possible rights to include in the revised Code of Student Rights and Responsibilities. Some of these could be directly tied to the issue of academic expectations that are outside of those described in the Schedule of Courses.

Rights that could be explicitly stated in the Code:

Right to adherence to the course syllabi

Right to fair grading in accordance with the course syllabus

Right to a student centered educational environment

Right to free educational and professional guidance, counseling, tutoring and monitoring for subsidized students

Right to information on criteria used to evaluate the quality of academic classes and programs

Right to know how tuition, fees and other charges are determined or justified

Right to be informed about the number, type and amount of each fee charged

Right to protection from the misuse of time

Right to protection from policies which racially, ethnically, or socioeconomically segregate

Right to protection from written or verbal abuse

Right to protection from ability discrimination in learning

Right to ability accommodation in classroom facilities

Right to equitable recruitment, admissions, readmissions, testing, education, instruction and assessment

Right to participate in evaluation of teachers, courses, seminars, programs, practicums, internships, residencies

Right to representative participation in university executive and deliberative bodies

Right to representative participation in faculty councils and university senates or governance structures

Right to representative participation in choosing and appointing an institutional president or head

Right to receive, upon admissions, a Student Guide containing information on:

- student rights and responsibilities
- materials and services provided by the university
- evaluation methods
- justification and methods used to establish fees
- university and faculty facilities
- details about student organizations
- ways of accessing scholarships and other financial facilities

Rights related to process:

Right to submit grievances and expect recourse for abuse of power

Right to submit grievances and expect recourse for arbitrary and capricious decision making

Right to protection from retribution when making a complaint (whistle blower protections)

Right to have all written or online requests registered

Right to have all written and online requests answered

Supporting information for some of the rights:

- Right to personal autonomy (**26th amendment**)

Healey v. James (1972)^[176] found students have the right to self-determination. “Students—who, by reason of the 26th Amendment, become eligible to vote when 18 years of age—are adults who are members of the college or university community. Their interests and concerns are often quite different from those of the faculty. They often have values, views, and ideologies that are at war with the ones which the college has traditionally espoused or indoctrinated.¹

- Right to adherence to class syllabi

Students are protected from deviation from information advertised in class syllabi.^{[54][55][56]} This may be a binding implied-n-fact contract. *Goodman v. President and Trustees of Bowdoin College* (2001) ruled that institutional documents are still contractual regardless if they have a disclaimer.

- Right to fair grading in accordance with the course syllabus

Students may be graded fairly and in accordance with criteria set forth by the course syllabuses and may be protected from the addition of new grading criteria.^{[54][56]} Institutions have the responsibility of preserving quality in grade representations and comparability between classes and prevent grade inflation.^{[24][56]} Teachers have the right, under the first amendment, to communicate their opinions regarding student grades,^{[59][66]} but institutions are required to meet students implied contract rights to fair grading practices. Departments may change grades issued by teachers which are not in line with grading policies or are unfair or unreasonable.^{[66][67]}

- Right to protection from the misuse of time

Students may expect protection from the misuse of time;^[73] teachers may not waste students' time or use the class as a captive audience for views or lessons not related to the course.^{[56][73]} *Riggin v. Bd. of Trustees of Ball St. Univ.* found that instructors may not "wast[e] the time of the students who have come there and paid money for a different purpose."

- Right to protection from testing policies which racially segregate

Students Equality entails that individuals not be treated differently by individuals or systematically by an institution. Thus, testing policies which systematically discriminate, are unlawful according to the constitution.

- Right to protection from written or verbal abuse

Teachers have the right to regulated expression^{[59][64]} but may not use their first amendment privileges punitively or discriminatorily^{[24][78]} or in a way which prevents students from learning by ridiculing, proselytizing, harassment or use of unfair grading practices.^{[24][79]}

- Right to protection from ability discrimination in learning

The 1990 Americans With Disabilities Act^[33] and Section 504 of the 1973 Rehabilitation Act^[34] prohibit disability based discrimination in the classroom. Act This includes ability discrimination in learning^{[19][23][27]} and deemed otherwise qualified are entitled to equal treatment and reasonable accommodations in both educational and employment related activities.^{[28][29]} The Supreme Court defined 'Otherwise Qualified' as an individual who can perform the required tasks in spite of rather than except for their disability.^{[30][31]}

- Right to ability accommodation in classroom facilities

Disabled students are entitled to equal access to classrooms facilities required to achieve a degree.^{[24][33][38][80][81]}

Ross v. Creighton University found that verbal contracts are binding.^{[21][181]} The North Carolina Court of Appeals in *Long v. University of North Carolina at Wilmington* (1995) found, however, that verbal agreements must be made in an official capacity in order to be binding.^[8] *Dezick v. Umpqua Community College* (1979) found a student was compensated because classes offered orally by the dean were not provided. *Healy v. Larsson* (1974) found that a student who completed degree requirements prescribed by an academic advisor was entitled to a degree on the basis that this was an implied contract. An advisor should, thus, be considered an official source of information.

Brian Reed would like to work with both SAC and CAC around these policies. In November Thomas, Jaime and Aarzo will invite 5 to 10 students to continue the conversations from the student prospective. Thomas and Omar will work on a draft survey.

5. New Business. Should there be more representation of students on the SAC?

6. Adjourn

The meeting adjourned at 9:41. The next meeting of the SAC is scheduled for November 8, 2018 from 8:30am to 10:00am in Waterman 427a.