

## MINUTES OF THE NOVEMBER 20, 2020, MEETING OF THE FACULTY ASSEMBLY

Prof. Ann Hall, Chair, called the Faculty Assembly to order at 2:00 PM. The faculty approved the October 25, 2020, minutes via Teams poll. 92% of voting faculty approved the minutes with only 3 abstentions.

Prof. Hall recognized Dean Owen for his scheduled Q&A. Dean Owen thanked faculty for their work this semester and reiterated that remote operations are recommended starting Monday, November 23. All A&S buildings will be locked starting Wednesday, November 25, and will continue through the remainder of the year. Dean Owen encouraged faculty to rest and recharge over the break and to take advantage of the assistance available via the Employee Assistance Program if additional support is needed. As student enrollment for Winter and Spring terms is lagging, the Dean reminded faculty to please work with students and remind and encourage them to enroll.

During the Q&A, a question was raised regarding adding new sections to expand Spring 2021 distance education capacity. Dean Owen said he wants to get through Thanksgiving to review enrollment patterns and see the full picture before making modality modifications.

Regarding Thanksgiving travel, Dean Owen noted the policy states travelers should report this info to campus health, but, as we won't be returning to campus in person in 2020, it may not be necessary.

The Chair recognized Associate Dean of Faculty Affairs Susan Ryan, who presented proposed revisions to the A&S Personnel policies. The proposal as submitted for the Assembly's consideration appears below as Appendix I. The Assembly approved the proposed changes by a vote of 71 in favor with two abstentions.

The Chair recognized Prof. Edna Ross of the Technology and Facilities Committee, who reported A&S classrooms constitute 20 of the 37 rooms slated for phase 1A updates and all are on target to have microphones and video cameras installed for Spring semester. Other phases in the operation, including computer and console upgrades, will not be completed until after Spring semester begins. A&S Tech is planning trainings on the new technology and will have instructional handouts ready by the first week of January.

Prof. Ross next addressed a combined resolution from the A&S Curriculum Committee and the Technology and Facilities Committee concerning UofL's test proctoring software, Respondus. Dean Owen charged the A&S Tech Committee with reviewing its bias issues and searching for alternatives. In the interim, the University charged the special Proctoring Software Committee with addressing the same issue. The provost sent an email concerning Respondus to all University employees on November 6, 2020, and then followed up with a longer statement at 8:50 AM today. Provost Boehm's letter addressed most issues put forth by the A&S Tech committee, but, in the committee's opinion, the provost's response did not address implicit bias. Respondus not only has issues with flagging false positives of cheating with darker-skinned students, it has false negatives for lighter-skinned students, all feeding into existing biases. The committee's suggestion is live proctoring via Teams, which Prof. Ross' class is currently

modeling. The committee recommends the University should aggressively pursue options to stop using AI software. During the response period after Prof. Ross' presentation, Prof. Eugene Mueller, subcommittee chair of the Academic Integrity Committee, stated that the committee would soon receive a new charge to explore alternatives to Respondus. The committee believes it would be disruptive and cost-prohibitive to change software at this time. Recommendations for changing the resolution's wording were offered, but it was decided that the Assembly should move forward with existing language in order to move to a vote. The Assembly approved the recommendation in Appendix II by a vote of 77 in favor, 3 opposed, and 8 abstentions.

The Assembly next unanimously approved the list of December graduation candidates.

Todd Kneale was recognized to report on the University-wide comprehensive compensation and total rewards studies. The committee received responses from an RFP and will select a consulting firm to complete the studies. A gender equity study will be undertaken at the same time. Kneale reminded faculty to make sure credentials and publications are up to date.

A question was asked regarding the cost of hiring an outside firm. Kneale does not know yet as the committee has to go through RFPs. Faculty asked how different the methodology would be from what our salary committee studies have already done and Kneale says he's unaware of what's been done in the past. Kneale said we do not have access to peer institutions' salary data, but was corrected by faculty who stated we do have access to peer data through the University of Oklahoma salary survey and IR already has this data. There is quite a bit of pushback on hiring an outside firm and delaying this process as opposed to accessing existing data and utilizing in-house expertise. Kneale asks for faculty to give the process a chance. He says the faculty study may be completed quicker, but the staff study could take up to two years due to the updating of job descriptions.

The chair recognized Prof. Natalie Polzer, who is on W3 committee and the committee that will review applications to hire the consulting firm. She will report back to the Faculty Assembly as the process moves forward. The W3 committee was put on hold due to COVID but has now met twice.

The chair recognized Profs. Kalasia Ojeh and Asaf Angermann of the Diversity, Equity, and Inclusion Committee. The committee is currently developing an agenda with Cherie Dawson-Edwards and working on a campus climate survey about anti-racism. Please reach out with any concerns.

The chair recognized David Schultz to deliver the Faculty Senate report. Prof. Schultz reports the Faculty Senate working hard towards shared governance with the administration. He encourages all faculty to look for their A&S faculty senators and feel free to contact them regarding any concerns. Prof. Schultz reports UofL ended last fiscal year with a \$5.9 M surplus. There is an anticipated shortfall for next fiscal year due to a possible state appropriation cut and enrollment drops. There is an athletic shortfall but there is a firewall between athletics and academic budget. There will be an announcement in December or January as to whether the retirement match will be restored. COVID and flu vaccination schedules are being discussed and the student wellbeing committee has been reactivated. A search is underway for new general counsel for University.

New dorms are currently being constructed with Threlkeld scheduled for demolition in December and a new dorm on Floyd Street scheduled to be constructed in Spring 2021.

The chair recognized Andrew Grubb to deliver the Staff Senate report. He reports many of the things the staff senate is working on mirrors what the faculty senate is doing: COVID response, search for general counsel, etc. Grubb reports the great work of the SHARE committee with providing financial assistance to staff during COVID and fundraising for the Cardinal Cupboard. The staff senate is currently developing a standing committee on diversity, building on an existing ad-hoc committee.

The assembly voted to adjourn the meeting at 3:22 PM.

## APPENDIX I

### A&S Personnel Policy and Procedures

- Revisions approved by A&S Faculty Assembly (Fall 2020) are highlighted in yellow
- Clarifying language requested by the Faculty Senate Redbook Committee is highlighted in green.

#### Section 1.2.B. Term Faculty Appointments: Item 11

Promotion in rank may be considered after a term faculty member has served six consecutive years in rank. Procedures for the promotion of term faculty shall be the same as for probationary or tenured faculty (see sections 2.2 and 2.3). Criteria shall include proficiency in teaching, research and creative activity, and service, but only the areas included in the contract or in the Annual Work Plan will be assessed. A term faculty member who does not hold the terminal degree (Instructor) may be promoted to the rank of Senior Instructor I. Candidates who are eligible for further promotion in accordance with the College of Arts and Sciences policies (that is, after six consecutive years in this rank) may be promoted to the rank of Senior Instructor II. These ranks mirror those designated for term faculty members who possess the terminal degree (A] Instructor [Term]; Assistant Professor Term; B] Senior Instructor I: Associate Professor Term; and C] Senior Instructor II: Professor Term), but apply to term faculty members who do not possess the terminal degree or its equivalent.

#### Section 2.2.I. Procedures for Reviews and Evaluations for Tenure and Promotion: Item 9

In tenure and promotion cases, after examination of the evidence, each probationary and tenured faculty member having principal appointment in a department shall have a single vote, and the Chair shall report the vote numerically. A faculty member may have to choose whether to vote as a personnel committee member, administrator, or as a member of the department at large. Ordinarily, department votes shall be by written ballot not marked with name, rank, tenure status, or other identifying information. The ballots shall become a permanent part of the file under review. Departments may agree to gather votes electronically (as in other college elections) as long as the electronic instrument provides for anonymous, verifiable, and recordable voting. The instrument must ensure that only those who are eligible may cast votes and that no one can vote more than once on a given case.

## APPENDIX II

### Proposal for A&S Faculty Assembly Consideration

#### **Background:**

Several Faculty have encountered substantial problems with use of automated proctoring software for monitoring and detection of questionable behavior by students in the process of taking on-line assessments, quizzes, tests, exams, etc. These problems (reported by multiple sources) include 1) an inordinate rate of flagging of students with wide variations in skin tone as potential “cheating,” 2) disallowing and preventing students from taking on-line evaluations, and 3) **numerous other difficulties that cannot be related to faculty training, skills, or experience.**

**These problems are greatly magnified for minority students and students of color as well as students with fewer financial resources.**

#### **Proposed Resolution:**

We resolve that the University of Louisville administration **fully inform all faculty and students of the serious limitations which exist** when automatic monitoring and proctoring software is used for the purpose of partially or solely monitoring and detecting questionable behavior by students during online assessments or exams.

We further resolve that adequate and deliberate faculty and staff training be provided to avoid and actively combat explicit and implicit bias in whatever proctoring alternative is used.

We further resolve that the University of Louisville administration **commit to the urgent prioritization of identifying potential alternative methods** for faculty monitoring of online student assessments, **including but not limited to face to face proctoring alternatives or nonautomated live proctoring software services.**

We further resolve that the university **allocate adequate resources** to the study of implicit and explicit algorithmic bias in current and future University-adopted online proctoring software.

**We offer these resolutions as a critical component for the University of Louisville to become a premier anti-racist institution and live up to the Cardinal Principles.**

Respectfully submitted by:

#### **Automated Proctoring Research Team**

Cara Cashon, Assoc Professor, Dept Psychological & Brain Sciences

Patrick Harris, Professor, Dept of Physiology

Paul Himes, Asst Professor, Dept Biology

Rachel Hopp, Asst Professor, Dept Biology

Edna Ross, Professor, Dept Psychological & Brain Sciences

Daniel Sierrasosa, Asst Professor, Dept of Computer Engineering and Computer Science

Deborah Yoder-Himes, Assoc Professor, Dept Biology

#### **A&S Technology and Facilities Committee:**

Terry Burden, Asst Professor, Dept of Comparative Humanities

Thomas Riedel, Professor, Dept of Mathematics

Edna Ross Professor, Dept Psychological & Brain Sciences

Lee Thompson, Asst Professor, Dept of Chemistry

**A&S Curriculum Committee:**

Raymond Chastain, Asst Professor, Dept of Physics

Karen Christopher, Assoc Professor, Dept of Sociology

Edna Ross, Professor, Dept Psychological & Brain Sciences

Karl Swinehart, Asst Professor, Dept of Comparative Humanities

D. Jacob Wildstrom, Assoc Professor, Dept of Mathematics

Li Zeng, Assoc Professor, Dept of Modern Languages