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## UFF Fall Consultation Meeting

October 8, 2020

Zoom Meeting

2:00 p.m. – 3:00 p.m.

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FSU-BOT:

Sally McRorie  
Kyle Clark  
Renisha Gibbs  
Carolyn Egan  
Rebecca Peterson  
Lisa Scoles  
Tiffany Ward  
Adam Donaldson  
Janet Kistner

FSU-UFF

Irene Padavic  
Robin Goodman  
Nancy Kellett  
Michael Buchler  
Matthew Lata  
Emily McCann  
Jack Fiorito

### AGENDA

**\*Meeting begins at 2:00pm, conducted via Zoom teleconference\***

#### **1. Minutes from Consultation Meeting on April 15, 2020**

Renisha Gibbs welcomed everybody to the consultation. She confirmed that her administrative team was present and ready to respond to the UFF agenda items. She asked if there were any further comments about the minutes from the previous consultation.

Dr. Irene Padavic replied that she and the BOT team had worked together in the days leading up to the consultation to confirm minor edits to the minutes, which were now accepted and finalized by both teams.

Ms. Gibbs thanked her for confirming and stated with approval of the minutes resolved, so they could move on to the first agenda item.

#### **2. Face-to-Face Teaching Policy for the Spring Semester**

**UFF**

Matthew Lata explained that the first agenda item pertained to the future of face-to-face teaching at the University. He referenced a recent announcement made by the Board of Governors (BoG), instructing institutions to plan for an increase to face-to-face course delivery in the Spring Semester. Since implementation of this would require more faculty members to be present on campus, UFF had questions about how this would be done. UFF saw broad outlines from several different Deans across campus as to

how this would be implemented, and wondered if there was an over-arching policy for Deans or department heads coming from administration.

Provost Sally McRorie answered him that the BoG has always been in favor of institutions offering as many face-to-face classes as possible delivered in a healthy and safe way. In the Fall semester, the University laid out and followed its repopulation plan which was approved by the BoG and had limited face-to-face course instruction for those courses that were inherently difficult to teach otherwise. To ensure the safety of everyone on campus, the majority of course delivery for the Fall semester was online. As Mr. Lata referenced, during the most recent BoG meeting, a topic of discussion focused on Spring reopening plans. Schools were instructed to prepare for increased face-to-face course delivery and more students and faculty present on campus. The University of Florida communicated that their position would be a mandatory on-campus presence for employees unless an exemption was provided by the Office of Human Resources for medical reasons. Other institutions were taking the stance that faculty members would only be excused from face-to-face teaching for health reasons that concern themselves, but not for those relating to children or significant others in their household. Provost McRorie assured them that FSU's leadership is not considering doing anything similar and that she would not do what the Provost at the University of Florida did.

Provost McRorie continued that another topic of focus at the meeting was the use of available campus space. This fall semester, with so many classes being offered remotely with reduced traffic on campus, very little space had been utilized, compared to past semesters. Other institutions have stated goals of attempting to utilize 100% of available teaching space this Spring while remaining in compliance with COVID guidelines. FSU will strive to do the same; however, she anticipates the actual number may be closer to 80%. She explained that usage of available campus space is one of the key metrics looked at by the Legislature when making budgetary allocations. If decision-makers see that only 50% of available space is being used without applying context, they will question why the institution needs more money for renovations or new buildings. For those reasons, the increased use of campus space in Spring is an objective if it can be done safely. She knows there are many faculty members that miss interacting with students and being in a classroom, and there are many as well who have enjoyed and gotten comfortable with teaching remotely. She concluded that no one should feel compelled to teach face-to-face in the Spring if they are at risk and feel unsafe, and she has communicated that message to Deans as well. She suggests seeking volunteers, where appropriate, engaging in hybrid course deliveries, and utilizing assistance from available graduate assistants. A combination of these measures would allow the University to safely meet an increased demand for on-campus presence.

Mr. Lata asked if teachers wanted to split their classes to reduce class size, could there be extra graduate assistants available to help with the extra classes.

Provost McRorie replied that those are the sorts of requests she has asked Deans to compile and submit to her, and she has set aside a portion of her non-recurring budget to help with those requests. She specified that there is not the budget for replacing faculty members who taught entirely face-to-face but now want to teach entirely remote, which would require the institution to hire someone new to handle face-to-face courses.

Mr. Lata questioned if students sign up for a face-to-face course, are they then required to do that method of course delivery or must there be a remote option.

Provost McRorie replied that students should not sign up for face-to-face classes if they know they are not comfortable doing that. They should work with their advisors to figure out the best possible solution. If, however, there are students that do sign up and do not go to class, that is a problem. The instructor would need to work to find out why.

Dr. Robin Goodman expressed her appreciation to the Provost for the protections that have been granted to faculty up to that point. She asked if the Provost could envision any type of scenario where a few weeks down the road there is pressure to increase on-campus faculty presence causing the administration to change course.

Provost McRorie assured her that would not happen. The University would continue to meet the needs of the campus with the plan that has been put in place, and it will continue to be the best institution that it can be.

Mr. Lata questioned if there would be potential for any penalty from the BoG or the Legislature if certain metrics are not met.

Provost McRorie replied that while an outright punishment would be unlikely, the numbers and data will be reviewed by the Legislature and they do not always fully account for context. As a result, the numbers and data are important and FSU wants to look the best it can to ensure its fair slice of legislative money allocations. Money will be tight. She explained that higher education is in the same funding pool as K-12 education and the criminal justice system, which both have large needs of their own.

Dr. Jack Fiorito stated that he has heard from faculty that Deans are dictating that they deliver courses face-to-face, and he wondered what guidance could be offered to those faculty.

Provost McRorie answered that the Deans should not be dictating to anybody in that manner. It is part of their responsibilities to distribute assignments; however, that should be done in consultation with the faculty member as well as other relevant participants.

Dr. Fiorito followed up, asking what specifically should be advised if faculty are being assigned face-to-face teaching, over their objections.

Provost McRorie replied that they should communicate that to her office or to Vice President for Faculty Development and Advancement Janet Kistner's office. She does not believe Deans are acting in that manner, but will be happy to discuss with them and work to resolve it if they are.

Mr. Lata stated that he received a memo specifying that new courses may be added after registration.

Provost McRorie responded that receiving registration data then reacting accordingly with course offerings is a regular practice. This was something that takes place every semester.

Dr. Michael Buchler thanked Provost McRorie and the entire administrative team for the steps that had been taken to protect faculty. He continued that to be specific about Deans that are assigning face-to-face instruction, the UFF team has received a number of complaints from the Panama City (PC) Campus regarding Dean Hanna. The people who have come forward are fearful of retributive action if they say no to these assignments or if they report these mandates to higher ups. They are fearful they could lose their job, as a majority of these employees are specialized faculty.

Provost McRorie replied that she would follow up on the PC issue. However, for those that are specialized faculty, the situation is different. When she looks at that campus, they have relatively few students that live at home for the most part. They have much more available space relative to the main campus, so it's easier to teach and be safe at that location, but she certainly understands hesitancy from faculty members and the need for individuals to be able to choose not to do face-to-face currently.

**3. Effect of Calendar Changes on Faculty/GA Contract Dates**

**UFF**

Mr. Lata directed attention to the next agenda item, stating his team wondered if, as a result of the removal of spring break week from the spring academic calendar, there would be any change to the end dates of contracts.

Provost McRorie answered him that everybody will be paid the same sum they would have normally received, and graduate assistants would as well, with the possible exception of a section of international students whose degrees would be finished earlier than that date, as new guidelines on visas meant the University may not be allowed to pay them beyond the end of the semester.

**4. Coordination with Leon County Schools on Scheduling of Spring Break**

**UFF**

Mr. Lata expressed appreciation for this response, stating the UFF has received a great deal of questions about pay schedule and faculty will be relieved to hear of this stance. He asked whether there had been any discussion or coordination with Leon County Schools on this decision, since in the past FSU has typically aligned calendars with them.

Vice President for Finance and Administration Kyle Clark responded that the coordination of schedules with Leon County is an important issue for the Provost and himself. They work very hard in normal years to ensure that happens. This year was abnormal because of the pandemic, and Leon County Schools were still deciding which course to take for their spring schedule. The schedules may be out of alignment this year due to COVID. In non-pandemic years, he and the Provost will continue to work to try to align with Leon County.

Mr. Lata thanked him for this information and asked if all other reporting deadlines, requests for textbooks and other items of that nature would remain on the same schedule as well.

Provost McRorie confirmed that they would.

**5. Timing of Communication with Students Regarding Assignments for the First Three Days of Class in the Spring Semester**

**UFF**

Dr. Fiorito referenced the policy decision that the first three days of the Spring semester would be taught remotely and stated that his concern was getting students to purchase textbooks while not physically on campus. He wanted to make sure they would have an opportunity to get these materials before assignments initiated.

Provost McRorie replied by recommending that everybody should plan to hold a Zoom meeting or similar meeting the first week of classes and go through the syllabus to let students know what the expectations would be.

Dr. Fiorito asked if they could reach out to students one or two weeks before classes and communicate about the textbooks.

Provost McRorie answered if he thinks that would benefit students then certainly he can do so.

Vice President Clark added that the FSU bookstore offers a very robust program to ship books. They would work with any student who wants to take advantage of that.

Dr. Fiorito thanked him for this information.

Dr. Goodman referenced rumors regarding changing COVID-19 testing policies, and asked if there had been any changes to when students or faculty could test on campus.

Provost McRorie responded that restricted hours at the testing site would still be in place for safety reasons, but that the same testing opportunities would be in place as now. Her office has been working with students that did not have access to the proper technologies needed, but her response is that people could test however often they want to.

**6. Ramifications of Requiring that a 3-Credit Course Count No More Than 25% of One's AOR** **UFF**

Dr. Fiorito commented that in February, Vice President Kistner had put out a memo stating that a faculty member could not have more than 25% of their Assignment of Responsibilities (AOR) be for a 3 credit-hour course. He remarked there have been cases in the past where more than 25% had been given, possibly due to enlarged class size, the difficulty of the material, or it being new prep for the instructor, so he was hoping to discuss with Vice President Kistner what provisions could be made for those sorts of situations in the AOR. He understands the 25% limit is legally imposed, so that obviously must be complied with. He concluded that he is teaching a remote class, something he has never done before and it is requiring preparation he has never done before, and he wondered if there was some way that could be reflected in the AOR.

Dr. Kistner stated that additional efforts could be reflected on the AOR if the supervisor agrees. It would be placed under the teaching domain, but not specific to the course, so that the effort is recognized, but the 25% rule is not violated.

Dr. Fiorito expressed appreciation for this helpful response.

**7. Assigning Work Normally Done by a Bargaining Unit Member to a Non-Bargaining Unit Employee** **UFF**

Mr. Lata moved on to the next agenda item, stating the UFF wanted to follow up on this from the previous consultation.

Dr. Fiorito elaborated that there were some units, Undergraduate Studies, and Center for Intensive English, for example, that had added many employees in recent years. These have shown up as additions to the faculty bargaining unit. His understanding was for some other units, similar individuals had teaching responsibilities, but were somehow being classified as out of the bargaining unit. He asked if there was a way for UFF to review these assignments. They don't know all of these individuals by name since they are not in the bargaining unit. He does know some of them by name and can communicate that to administration if it would help them to look into this matter.

Ms. Gibbs replied that she would be happy to take a look at this matter. If he could provide those names he referenced, that would be very helpful. Her team can review the roles and responsibilities and provide

a review. She concluded by asking him to send that information to herself and to Associate Director of Faculty Relations Rebecca Peterson.

## **8. Working Conditions, Teaching Assignments, and Sick Leave Issues at the Panama City Campus** **UFF**

Dr. Buchler directed the meeting to the next agenda item, articulating that the UFF has become aware of a number of complaints from faculty at the Panama City campus, who won't come forward for fear of retribution. He referenced one of these earlier regarding being forced to teach face-to-face. He has also heard stories of administrators patrolling buildings to make sure faculty members are where they are supposed to be, which strikes him as somewhat militant. Faculty have been told to use sick leave when going to the doctor's office or caring for themselves or their children, even during a time when they are not teaching. An additional complaint received relates to annual evaluations being based entirely on students' perception of teaching, which is contrary to the contract. In summary, there have been a lot of complaints coming out of Panama City regarding Dean Hanna's use of authority, and the UFF team was hoping this could be looked in to.

Provost McRorie confirmed that they would, as she takes these and the concerns he raised earlier very seriously.

## **9. Implementing New Title IX Regulations** **UFF**

Dr. Emily McCann explained that the next item pertained to new Title IX rules that went into effect in mid-August. These had substantial impacts on how investigations would be handled. For example colleges could no longer use the single investigatory model, hearings would provide for cross-examinations now, and more. Given these substantial changes, she was wondering how the University was planning to administer these changes.

Deputy General Counsel Lisa Scoles replied that implementation of these measures had already began. The Department of Education (DOE) had contemplated these directives for months, but only gave institutions 60 days to implement. This, while everybody was working remotely, was very challenging but they had been able to get it done. A lot of the changes pertained to the student conduct process, as well as Title IX. The Student Code of Conduct is a regulation, which means an emergency regulation via the Board of Trustees was passed in order to comply. She continued that the second piece of the new rules pertained to the Title IX policy, which is FSU Policy 2-2. Given the short timeframe, trying to overhaul that extensive policy would not have been feasible, so instead they created FSU Policy 2-2A, which implemented the changes required by the DOE and was a temporary supplement to the original Policy 2-2. The policy and the changes had been publicly noticed. The long-term plan calls for an overhaul of 2-2, which will incorporate the changes from 2-2A as well as any other changes that need to be made. Putting 2-2 together had been an arduous process, as some present might recall, so they anticipate revising it will be as well. But the plan would be to begin the process in the upcoming months, and the University is open to feedback from the faculty on that. Meetings are being held frequently and any feedback is welcome.

Dr. McCann clarified that for specifics on revisions to investigative procedures she should refer to 2-2A.

Ms. Scoles confirmed this, and for the Student Conduct revisions it would be the Student Code of Conduct. Both are available on the FSU website.

Dr. McCann thanked her, and expressed relief that there had not been a Title IX investigation while the

new guidelines were being implemented. She continued that she looked forward to reviewing them and she may want to discuss them with administration at some point, given the extensiveness of the revisions.

Mr. Lata explained that was all of the agenda items, but he was wondering if there had been any news regarding the possibility of a special legislative session.

Provost McRorie answered that she has not heard anything pertaining to that, and that if there was one, certainly it would not be until after the election.

Dr. Goodman stated her whole team wanted to repeat their concerns from Mr. Lata's email earlier that week saying they are thinking about President Thrasher and his wife's health as they recover from COVID-19. She asked that their well wishes be passed along.

Provost McRorie thanked the UFF team for this, and confirmed that she would do as they asked.

**\*Meeting adjourns at 2:42pm\***