

## Detailed ECS/UAS Notes from 04/15/2022

### Report from the Chair

- *On Senate Leadership Elections:* Elections will be held on 4/22/22 at the ECS meeting.
- *On the ECS Summer Retreats:* ECS will hold two summer retreats, one in May and one in August. Dates TBD.
- *On the New Senate for the 2022-23 AY:* The new senate will be welcomed at ECS/UAS on April 22.
- *On the Next ECS/UAS Meeting 4/22/22:* The meeting will be face to face with a Zoom option. ECS will be held from 3:00-3:30 and UAS will be held from 3:30-5:00. There will be a reception afterward with food and beverages. At the ECS meeting, elections for senate leadership and discussion of retreat topics and dates will be held. At the UAS meeting, the new senate will be welcomed, remarks will be given by President Mantella, and standing committee chairs will give their reports.
- *On New Program Council:* The New Program Council will meet on Wednesday April 20.

### Report from the Provost

- *On the Michigan Association of State Universities (MASU) Meeting:* Associate Vice Provost for Academic Affairs, Ed Aboufadel attended the MASU meeting. Governor Whitmer has proposed a funding floor per student, and the House is supportive, although the proposal may not be approved by the Senate. This is the first year in some time with a lot of earmarked funds; GVSU has funds for the incubator for competency-based education. The Governor has a goal of 60% of MI residents achieving a post-secondary credential.
- *On Phased Retirement:* A question was asked about phased retirement. We will hear about the status of phased retirement within the next few weeks.
- *On Accountability:* A point was raised that there can be drawbacks to how student outcomes are assessed that can lead to excess paperwork and decreased academic freedom and that the pros and cons of our assessment approaches must be thoroughly considered.

### Report from the Student Senate President:

- *On the New Student Senate President:* New Student Senate President Faith Kidd was introduced.

### New Business

- *On the ECS Discussion of Non-Disclosure Agreements and Non-Disparagement Clauses:* This topic was brought to an ECS member by a colleague. Non-disclosure agreements and non-disparagement clauses were part of the Voluntary Retirement Incentive Program (VRIP), and there were questions about whether these kinds of clauses will habitually be used moving forward, how these constrain individuals who agree to them, and what needs of the university are served by these. General Counsel Pat Smith was not part of the VRIP but was able to explain. She provided background that when deemed appropriate by the appointing officer, a separation agreement will be negotiated with an employee. This is usually done when the relationship is untenable and it is best to part ways. These do not occur often. In these cases, the employee with a potential termination will negotiate a resignation with a severance. The University is interested in helping the employee move on and is not interested in a public battle. Confidentiality and non-disparagement clauses routinely appear in these situations, and all MI public universities and most universities in general use them. Employees are encouraged to have outside counsel review the terms and they may have legal representation to negotiate on their behalf. Employees are not forced to sign them. In these cases, and also in the VRIP, the employee receives something to which they are not otherwise entitled. This concept is “consideration.” For a contract to be valid, something has to come back to the University, so the University requests confidentiality and non-disparagement. The University also will not violate confidentiality and non-disparagement against the individual. These clauses were put into all of the VRIPs.
- *On the ECS Review of the Draft Test Optional & Holistic Admissions Task Force Document:* Establishing a task force on test optional and holistic admissions policy will be on the agenda for the ECS summer retreat. VP Truss will be invited. Questions were asked on the size of the group, the general consensus was approximately 4-5 people. The Provost noted that he anticipates this will be well-received, as there was a request for more transparency around admissions procedures at the recent Leadership Conversation.
- *On FPPAC Memo on Work Order Follow-Up Process:* This charge was deferred from a year ago due to the pandemic. IT has a follow-up process in which you can respond directly to emails and there are instructions

on how to follow up to ensure the work order is completed satisfactorily. For facilities, it is not feasible to use the same system IT uses, which self-populates email addresses. Language has been added so that people can add an email address if they would like follow-up, and language was added about how to follow up if the work order is not completed to satisfaction. If the faculty member is not the one submitting the work order, but would like follow-up, units should request that anyone submitting the work orders follow up with whomever needs the information. ECS motion to support with recommendation to UAS passed unanimously. UAS approved unanimously.

- *On the EIC Memo on Leadership and Succession Planning:* A question was raised at ECS about the language stating that elections would be held “via the normal nomination and elections process.” It was moved to remove that language and support with recommendation to UAS. The motion passed with 10 yes votes, 1 no, and 1 abstain. At UAS, the motion passed 42 yes, 1 no, 1 abstain.
- *On the EIC Memo on Responsibilities of EIC:* Language was added to include the following, “Identity existing resources for faculty professional development on issues related to diversity (teaching, collegiality, scholarship, campus community, and environment, etc.). Promote these resources through the EIC website and via faculty-led programming and events.” It was noted that the first word should read “identify” rather than “identity.” At ECS, the motion to change the word *identity* to *identify* and support with recommendation to UAS passed with 11 yes votes, 0 no, 1 abstain. At UAS, the motion to support the recommendation passed unanimously.
- *On the EIC Memo on the Teach-In:* This informational memo provided information on how EIC will interface with the Teach-In in the future.
- *On the EIC Report on Data on Diversity:* This report provided data on diversity at GVSU. Members of UAS noted that it would be helpful to see data on changes over time to ensure that GVSU is moving in the right direction. It was suggested that this could be a future charge to EIC, and will be discussed at the ECS retreats this summer.
- *On the NCAA Update:* Paul Leidig provided an update as the FAR to the NCAA. He reviewed the role of the FAR, changes to the NCAA Constitution, the academic success of GVSU’s student-athletes, GVSU’s athletic success, an update on GVSU athletics, and a discussion of remaining in Division II vs moving into Division I. An update will be presented to ECS/UAS on Division I vs Division II when it is ready.