

Faculty Meeting Minutes

January 15, 2021

(via Zoom)

The meeting was called to order at 3:03 pm by Dean Sergio Pareja, once a quorum was reached. The following people were present for at least some portion of the meeting.

Faculty: Maryam Ahranjani, George Bach, Reed Benson, Camille Carey, Barbara Creel, Lysette Romero Cordova, Elizabeth Elia, Scott England, Paul Figueroa, Sonia Gipson Rankin, Veronica Gonzales-Zamora, Vinay Harpalani, Steven Homer, John Kang, Joshua Kastenberg, April Land, John LaVelle, Jennifer Laws, Ernesto Longa, Nathalie Martin, Serge Martinez, Aliza Organick, Gabriel Pacyniak, Mary Leto Pareja, Sergio Pareja, Alejandro Rettig y Martinez, Michelle Rigual, Joseph Schremmer, Alexandra Siek, David Stout, Carol Suzuki, Sherri Thomas, Cliff Villa, Samuel Winder, Peter Winograd (20 needed for quorum; names that count toward quorum in bold).

Staff: Krista Allen, Tony Anderson, Cheryl Burbank, Melissa Lobato, David Pallozzi, Bonnie Stepleton.

Announcements:

Dean Pareja announced birthdays and bid farewell to Chad Covey, Manager of IT Services and Facilities, whose last day with the School of Law is today. Dean Pareja thanked Chad for his incredible hard work over the past year dealing with the challenges of an IT ransomware attack and the global pandemic.

Dean Pareja provided an update on ransomware data recovery. We are getting closer to recovering email, and most people should have their documents back. He received a favorable report from the company doing forensics analysis on this very complicated situation. They have monitored activity for several months and confirmed there is no evidence of data theft at this time, including anyone's personal identifying information. Dean Pareja reminded everyone to change passwords and exercise caution though.

Dean Pareja discussed the Provost's message regarding a COVID vaccine. At yesterday's Dean's Council meeting, the head person at HSC in charge of the vaccination campaign advised that all faculty are in the 1B group (1A was frontline workers that have been vaccinated already). The 1B group includes people over age 75 and/or those with pre-existing conditions, and essential workers. They have designated faculty as 1B category but the push is for people who are teaching to get a vaccine first. Lawyers are in the 1C group, as are court staff. Dean Pareja has requested to the governor's chief of staff that law students who are appearing in court could be treated like attorneys in the 1C group.

Dean Pareja shared that several people have seen the Law School Wellness Center, which is coming along very nicely. We anticipate that equipment will be installed over the summer and the Wellness Center will be opened at start of the fall semester.

Associate Dean Sherri Thomas announced that she held the first "Diversi-Tea" event earlier this week. Many students of color have expressed increased anxiety even more than usual

because of the insurrection that occurred on January 6th. Associate Dean Thomas said many students are still in a place of anger and outrage, and she encouraged faculty to keep their virtual doors and their ears open if students expressed a need to talk.

Professor Cliff Villa reported on the recent meeting of the AALS House of Representatives, for which he volunteered to serve. At the AALS meeting he heard speeches and observed new officers being elected, but nothing was contested. Next year's topic was not discussed.

Professor Sonia Gipson Rankin announced that the daughter of Dr. Martin Luther King, Jr., Dr. Bernice King, along with the daughter of Rabbi Abraham Joshua Heschel, Dr. Susannah Heschel, will be holding an online racial discussion. The online event on Sunday, January 24th, is sponsored by the Jewish Federation of New Mexico and is free of charge.

ACTION ITEM: Approval of Minutes from the December 4, 2020 faculty meeting – Dean Sergio Pareja: Motion made by Associate Dean Sherri Thomas, seconded by Professor David Stout. Motion passed: 32 yes votes, 0 no votes and 1 abstention.

ACTION ITEM: Vote on Emerita Status for Christine Zuni Cruz – Dean Sergio Pareja: Note that the planned vote on emeritus status for Marquita Harnett was withdrawn at her request. Motion by Serge Martinez, seconded by Sherri Thomas. Approved unanimously with 0 'no' votes and 2 abstentions. Dean Pareja will submit the recommendation to grant emerita status for Professor Christine Zuni Cruz to the Provost's Office.

ACTION ITEM: Vote on whether classroom visits will be part of annual review for 2020-21 academic year – Dean Sergio Pareja:

Dean Pareja mentioned that at the last faculty meeting a few faculty members stated concerns about the classroom visits. He noted that course evaluations are one way to assess teaching, but those generally are not being used this year to assess teaching. Some faculty members have expressed that they would like to have their course evaluations used, and Dean Pareja plans to meet with the Provost to discuss this issue again. At a minimum, faculty members can insert course evals into their dossiers when they go up for tenure. This year, Dean Pareja will include a statement in the annual review noting the unusual year and unique challenges for teaching under the pandemic environment. Dean Pareja relayed the Provost's direction that we must decide if we will use classroom visit reports for all faculty, or for no faculty. We must be consistent in our approach among all pre-tenured faculty and lecturers. Dean Pareja does not know if other units across campus are using classroom visit reports or not, and if any variance among units would impact the main campus Promotion and Tenure (P & T) Committee's evaluation of Law School faculty.

Professor Nathalie Martin served on the main campus P & T Committee last year and this year. In her observation, classroom visits played a large role even during pre-pandemic evaluations. Recently, the P & T Committee experienced difficulty with getting a recommendation for a faculty colleague passed by the main campus committee because of limited scholarship. Fortunately, the P & T Committee

balanced that perceived deficit against the high teaching evaluations and classroom visit reports.

Professor Carol Suzuki advised that she currently chairs the Law School P & T Committee, and has previously served on the main campus P & T Committee. UNM requires the chair of the department to carry out certain charges relating to the P & T process. Because the law school does not have departments, the “chair” of the law school is the dean. Many evaluation factors are considered, including peer reviews from classroom visits, which are overwhelmingly positive and help balance out the student evals. A commonly-held view by departments on main campus is that the Law School faculty get paid more, have to teach and write less, and do less scholarship. Law faculty are being reviewed at the Provost’s level by a group of people from all departments. Faculty, including new faculty up for review, had the option to opt out of spring 2020 student course evals. Now, given the lack of student course evals during fall 2020 and spring 2021, newer faculty might have up to three semesters without student course evals. Faculty up for mid-probationary review generally have five semesters of student course evals to be considered. The Provost included in this year’s P & T guidelines, “note the requirement that written observation reports must be included.” Since the Provost’s stated P & T guidelines will likely mirror the guidelines for next year, faculty members are encouraged to calculate their timelines now to anticipate what their records will contain when they go up for tenure or promotion.

Professor Ernesto Longa offered context and background information from the United Academics union and UNM administration discussions. The Jan. 12, 2021 joint communication from United Academics and UNM administration recognized that departments still have the choice of using classroom visit reports or not. Even if a department were to be an outlier, and not use peer teaching evals as other units might, one could appeal to the Academic Freedom & Tenure Committee on the basis that a department should not be penalized for exercising an existing right. One alternative would be for faculty members’ teaching statements to address how they have adjusted to teaching during the pandemic.

Several faculty expressed frustration or disappointment that there is not more flexibility in the process. Some faculty members voiced concern that if senior faculty have not had a chance to teach in an online teaching environment, it might be difficult for them to offer advice. Discussion was also held about the complete review that gets sent up to the Provost’s Office. Main campus has a difficult time grasping how the scholarship for Law professors differs from faculty in other departments. While tenure-track Law faculty can advance to Associate Professor title in 3 years, then to full Professor in another 3 years, main campus faculty require 6 years to advance to Associate Professor. We should consider the broader package going up for positive votes, when from their perspective our teaching and scholarship loads are lighter. Several faculty members voiced support for teaching observations as an important tool for improving teaching. The Law School used to have a Teaching Effectiveness Committee that set up rotating classroom visits by

faculty to build mentorship and so faculty could observe each other teach. We should look at new ways to support tenure-track faculty, including self-reflection techniques while working with a mentor.

Professor LaVelle suggested a straw poll of people who will be subject to being reviewed, prior to a full faculty vote. Dean Pareja sought input, then proceeded based on feedback from pre-tenure and lecturer faculty. A quick straw poll vote was held on the question of going forward with classroom visits (pre-tenure faculty and lecturers only): 12 yes, 3, no, and 1 abstention.

A full faculty vote was then held to continue with classroom visits this year and to include classroom visit reports in annual reviews for AY2020-2021. The motion made by Professor Nathalie Martin and seconded by Professor Mary Leto Pareja. Motion passed: 21 yes votes, 11 no votes, and 0 abstentions. As a result of this vote, Dean Pareja requested that the Law School P & T Committee move forward with the classroom visits.

Strategic planning session – Associate Dean Sherri Thomas and Professor Scott England, Co-Chairs of the Strategic Planning Committee:

Associate Dean Sherri Thomas noted that she sent out an email yesterday including the current mission statement of the Law School. There is a very short time period to get to know a prospective dean. There are many considerations when prioritizing questions for dean candidates. Our goal is to come up with questions to survey our faculty and provide dean candidates with information about our faculty's views on a variety of topics.

Professor Michelle Rigual recently reviewed self-study documents from the last self-study in 2014 and a 2007 self-survey and staff survey; many of the same issues continue. Associate Dean Thomas lamented that the Strategic Planning Committee was limited in viewing info from past surveys because they could not access documents following the ransomware attack.

Further discussion ensued and numerous points were raised. A focus on the general mission statement is important, and our goals should follow from there. Some tension exists between the real concerns about scholarship production, teaching load, and perceptions by colleagues in other parts of campus, versus the Law School's mission statement goals. We should recognize we are in an environment with limited funds. Difficult choices and competing priorities exist, but our job is to make those tough decisions. During our discussions, faculty will need to review the mission statement and rewrite it accordingly. The current discussions help frame that, help figure out who we are, and will help our next dean candidates figure out if they want to be here. Due to time limitations, today's discussion on strategic planning will need to be continued. Dean Pareja thanked everyone for the discussion and faculty input.

Meeting adjourned by unanimous consent at 5:00 p.m.