

FACULTY SENATE MINUTES FOR 29 September 2009 (Vol. XXXVIII, No. 4)

The 2009 – 2010 Faculty Senate minutes and other information are available on the Web at <http://www.eiu.edu/~FacSen> The Faculty Senate agenda is posted weekly on the Web, at McAfee Gymnasium 1102, and on the third-level bulletin board in Booth Library. Note: These minutes are not a complete verbatim transcript of the Senate meeting.

I. Call to order by Chair John Pommier at 2:00pm. (Booth Library Conference Room)

Present: J. Best, A. Brownson, J. Coit, M. Fero, A. Methven, M. Mulvaney, R. Murray, K. Padmaraju, J. Pommier, J. Russell, D. Van Gunten, D. Viertel, A. White, M. Worthington, S. Lambert. Excused: M.-L. Li.

Guests: Grant Sterling (CAA), Mary Anne Hanner (COS), Courtney Bruner (DEN), Blair Lord (VPAA), Adam Due (UPD), Sandy Cox (Counseling Center), Katy McCarthy (Counseling Center), Heather Webb (Student Standards), Jeannie Ludlow (Women's Studies/English), Bonnie Buckley (SACIS), Eric Davidson (Health Service), Dan Nadler (VPSA)

II. Approval of the Minutes of 15 September 2009

Brownson (White) moved to approve the minutes: Yes: J. Best, A. Brownson, J. Coit, M. Fero, A. Methven, M. Mulvaney, R. Murray, K. Padmaraju, J. Pommier, D. Van Gunten, D. Viertel, A. White, M. Worthington. Abstain: Russell.

III. Announcements

- a. Publishing scholars reception 10/7, 3-5pm Grand Ballroom, MLK Union.
- b. EIU reads speaker Jay Allison, 9/30, 7pm, Grand Ballroom, MLK Union.
- c. CAH new Faculty reception 10/6, 4-6pm, Tarble Arts Center.

IV. Communications

V. Old Business

A. Committee Reports

1. Executive Committee: First Executive Committee meeting scheduled 9/30.
2. Nominations Committee: Worthington reported that the Textbook Rental Advisory Committee needed a replacement member, and no there were no names available from the alternate list for the relevant election. From a list of interested faculty, Worthington drew at random Eunseong Kim (Journalism). Worthington (Murray) nominated Kim to be appointed to the Textbook Rental Advisory Committee. Motion passes unanimously.
3. Elections Committee: VanGunten reported on the upcoming Faculty Elections, scheduled for October 13-14. One position received no nominating petition: the CAH position on Council on University Planning and Budget. There will be only one contested election. Faculty may still conduct write-in campaigns, but require 10 votes to win election or be placed on the list of alternates. Senate has scheduled a meeting, as required by the Constitution, to discuss the proposed amendment to the Constitution, from 2:30-3:30pm, 10/6, in the Effingham Room of the MLK union.
4. Faculty—Student Relations Committee: Fero reported on a presentation from the Superintendants of Schools for Oakland, Charleston, and Mattoon districts, advocating a sales tax increase. The superintendants stated the revenue from the increase would be used for facilities, property tax relief, and would help control rents in the area. They asked what students could to do get the vote out for the measure, which will be on the ballot in 2010.
5. Faculty—Staff Relations Committee: White reported that two members of Staff Senate have requested to serve as representatives to Faculty Senate: Brad Green and Antoine Thomas. The representative will be appointed at Staff Senate's next meeting, October 14.
6. Faculty Forum Committee: Padmaraju reported that the committee has discussed three possible topics for the fall Faculty Forum: emergency preparedness, integrated learning, and distance learning/summer school. At Padmaraju's request, Pommier conducted a straw poll to pick a topic. Integrated learning was selected. The Faculty Forum has been moved to November 17, 2pm., and Provost Lord and attendees of the Integrated Learning conference will present to Faculty Senate on November 3.

7. Other Reports

- a. Provost's Report: Lord reported that the VP of University Advancement search continues, and the search committee is still on schedule to select a candidate before December 1.
- b. Budget Transparency Committee: no report
- c. Bylaws Committee: no report
- d. Awards Committee: Russell reported that information regarding the Luis Clay Mendez Distinguished Service Award has been circulated. The due date for nominations is October 16, and as yet, no nominations have been received.

VI. New Business

Sexual Assault on Campus:

Nadler noted that this week is Sexual Assault Awareness Week. He stated that this year, EIU has added the sexual assault module to the alcohol education program alcohol.edu, which all entering freshman are required to complete.

Davidson stated that freshman or transfer students who fail to complete alcohol.edu have a hold placed on their student accounts. Currently only 86 students have this hold. The sexual assault module focuses on the issue of consent, not as it is defined in state laws, but instead on clarifying, what is consent, and what is not consent. It also describes how to help friends in potentially dangerous situations.

Buckley described the activities of the Sexual Assault Counseling and Information Service (SACIS). She noted the group serves Coles and Cumberland county by providing immediate crisis care for rape survivors who are taken to a hospital; they assist survivors interacting with health care workers and police; and SACIS also provides counseling. SACIS will provide counseling to anyone sexually victimized, regardless of how long ago the event happened. EIU students help SACIS as advocates, and the group counsels between 13-48 students per year. Buckley noted that these numbers don't reflect the annual number of assaults at EIU. She stated that SACIS sees many instances of child sexual assault in the region. She noted that more funding needs to be provided for prevention programs, and that the more prevention programs done the more people come forward seeking help.

Ludlow stated that she has worked at a domestic violence center and an abortion clinic but is not an expert on sexual assault at EIU. She noted that, nationally, CDC estimates that 20% of U.S. college women experience rape or sexual assault before or during their college years, and 4% of U.S. college men. Report rates for men are especially low, she stated, but sexual assault is considered by the FBI to be the crime with the lowest report rate in the US. While roughly 1/4 of all women experience rape, they estimate that only 1 of every 25 report the crime. Low male report rates are believed to be due to cultural expectations of manliness. Low female report rates are due in part to the prevalence of acquaintance rape. Ludlow noted that acquaintance rape is a very confusing situation for all involved, but especially for the victim; only half the people who experience acquaintance rape identify the experience as rape.

Ludlow stated that while very little research has been done on why women rape, a great deal has been done on why men rape. This work concludes that men rape because they are socialized to believe aggression is normal, and that sexual violence is the logical extension of a patriarchal system.

Ludlow noted that while some believe false reports of rape are more common than for other crimes, only about 8% of rape reports prove to be unfounded, which is the national average for all crimes. Ludlow noted that, because rape is so infrequently reported, increased numbers of reports of rape on a campus means the campus is succeeding at rape prevention and awareness, rather than seeing an increase in the incidence of the crime.

Buckley states that Bob Spoo, coach of EIU's football team, is very supportive of campus prevention and awareness efforts, and that all new football players attend an additional program on sexual assault and awareness.

Cox noted that Sexual Assault Awareness week, coordinated by the Sexual Assault Prevention Task Force, which included Health Services, Counseling, SACIS, and UPD. On move-in day, every freshman goes through a program designed by Counseling, performed by current students. Cox stated the freshman are split by gender, and the program tries to emphasize to victims that sexual assault is not their fault, discusses prevention, and the resources that are available to survivors. They emphasize that UPD grants amnesty on other conduct violations, for example alcohol use, to students reporting sexual assault. The program has been going for 5 years, and Counseling has tweaked the program to make it more effective. Cox stated she would like to get more student counselors to the program so the student groups could be smaller. She noted that there is also a section on sexual assault for parents' orientation. Parents are urged

to talk to both daughters and sons about the issue, and specifically about the idea of consent. Parent response to the session is overwhelmingly positive.

McCarthy described the current "Expect Respect" campaign the task force is conducting. Wristbands are distributed which have cards attached describing ways to get assistance in case of assault, ways students may reduce their vulnerability to assault. At the kickoff event the organizers encourage students to speak out for themselves and speak out for each other, and emphasize that you are more than just what your body can do for other people. Cox said the task force targets the week before fall break and the just before spring break. McCarthy stated the wristbands will be handed out in the MLK Union from Monday to Wednesday. Wednesday evening a "Battle of the Sexes-Residence Hall Style" will be held in the union featuring questions about sexual assault awareness and prevention, and the Health Education Resource Center is doing a program on alcohol and sexual assault awareness in the six-pack dorms. Thursday is the Take Back the Night march. Cox noted that wristbands are also distributed at tables around the bar areas, along with free food and water, around 11pm.

Cox said the Counseling Center conducts sexual assault awareness training for first responders, residence life staff and especially with RD's. Typically in dorms roommates or friends will come forward. She noted that health services makes most of the referrals to the counseling center, because typically survivors don't want to go to hospital because they don't want to have a "rape kit" used to take evidence. Counseling is not required to report possible sexual assault to police. Those students who do seek counseling typically do so around two years after the incident, because they don't want to think it effects them.

McCarthy noted that the task force would like more faculty and student perspectives and participation. Last year the task force assessed their work, in part by conducting a survey of 500 EIU students. She said the task force could use more funding to put on larger interventions. One of the more interesting results from the survey was that, while 95% of students claimed they would intervene if they witnessed an assault or dangerous situation, only 50% thought others would intervene.

Cox noted that Counseling has a very strong relationship with Greek Life and the Athletic Department, and that both groups are very open to hearing presentations. A handbook for helping students in distress was distributed to the Senate.

Nadler noted that one of the purposes behind alcohol education is to encourage students to recognize and prevent situations which makes them vulnerable to sexual assault, and that alcohol can facilitate bad decisions.

Webb noted that the sexual assault cases Students Standards hears are reported by University or Charleston police, although some students self-report. The Code of Conduct prohibits "sexual misconduct," which encompasses a variety of activities that might not qualify as rape under criminal law.

Due noted that University Police will conduct investigations of sexual assault, but only if the victim wants one. Since the victim has already had control taken away from them, police don't want to further violate control. Sometimes investigations don't go well for victims, cases go to court and the victim does not win. UPD will refer cases to Student Standards if the suspect is a student, even if the case also goes to the courts. When UPD does investigate, officers keep an open mind and look for corroborating evidence of the assault. Every victim is treated as if they are a victim, and officers don't second-guess the victim's story. UPD uses female officers for these investigations whenever possible.

Webb stated that a copy of the report of any investigation is sent to Student Standards, and she contacts the student who made the report. Student Standards does not want to make the student continue to tell the story, so the student is invited to the office, and their comfort level assessed. After the office talks to the student, Webb said they call in other individuals involved, including the offender, witnesses, or any other people the student identifies. Every student Standards interacts with is recommended to seek counseling from SACIS or the Counseling Service. Alleged offender as well as witnesses may need emotional support. Special procedures are put in place if the Judicial Board hears a sexual assault case. A portion of the Board has received special training for these cases. The hearings are held in a room in the MLK Union with two separate entrances so that the alleged offender, and the victim and other witnesses, don't see each other. Standards reserves extra rooms where participants may sit without seeing each other. In all cases students can bring an advisor of course, as a support person. The Board hears information from everyone, including the Board staff, and the role of Student Standards to be an advocate for the institution. The Board makes a decision the same day of the hearing. Students may appeal any decision to VPSA Nadler's office.

Due noted that anyone who is a victim is encouraged to report possible assaults, even if they do not want to pursue the allegation. The accused may have been involved in another case or may be implicated

in a later case. State law defines rape as “sexual assault.” While acquaintance rape is not considered a lesser crime, police make the distinction in their investigations to signify that the perpetrator is known; if the victim does not know the perpetrator, police may inform the community of the assault. Due stated that UPD also conducts educational programs about drinking, and self-defense programs Wednesday nights. Due stated the programs don’t demand women fight back, but tell them how to, and discuss safety. The programs teach people how throw a punch or a kick, with curriculum based on RAD (rape assault defense), which is a 12-hour program. UPD offers a shorter program which also covers pressure points control techniques because it is usually difficult for students to find 12 hours. Recently UPD has conducted trainings for sororities and the women’s rugby team.

Senator White asked how safe is our campus, relative to other state universities. Due stated the publication that ranked state institutions is no longer around. He stated that UPD reports statistics to parents drawn from the FBI and the state, as well as UPD crime reports. He noted that UPD one reported sexual assault last year, but those numbers are not going to be necessarily reflective of the incidence of the crime. Buckley stated that in the late 1980s many studies were conducted of the rates of sex assault, which found consistently that 20-25% of women, no matter size of university, public or private, had been assaulted at some point in their lives before college graduation. The highest number of victims is in the 18-24-age range, and the highest number of victimizers is in the same range. Due noted that some victims of sexual assault want to go home, while others choose to stay at EIU.

Davidson stated that Health Services does 2 surveys which ask about safety. These surveys, which measure students’ perceptions of safety, indicate EIU are consistently believed to be very safe. Buckley suggested that many EIU students come from cities, and as a result, assume EIU is safer. She stated that if a student is a sexual assaulted off campus, Charleston police have jurisdiction, and that SACIS works with far more cases off campus than on campus. Ludlow said it is generally more common for students to report off campus assaults. Davidson stated that there are many places to collect data that the data can resemble a jigsaw puzzle. One study found that from a sample of 300 girls, over 100 had been assaulted. Those assaulted indicated they were aware of the services available to them, but very few accessed those services. Their main reasons for doing so were that at the time they didn’t consider the incident to be sexual assault, and that they didn’t want to report the acquaintance who committed the act.

White noted that parts of the campus are really dark at night, and a lot of students where dark colored clothing. Nadler stated that Student Affairs conducts safety tours with students, and that some areas of campus are intentionally dark to discourage transit, while heavy traffic areas are heavily lit to encourage traffic. Some resident halls complain if streetlights are too bright. Nadler noted that all lights have a letter and number, and anyone seeing a burnt out light can easily report it to his office. In some areas light is not as good, and the safety tours attempt to identify and improve those areas.

Senator Brownson asked if Student Affairs has worked with the city on safety tours. Nadler said many of the enhancements have been done in collaborations with city: the counting down walk signals were collaborative effort, as well as the additional enhancements on fourth street. Cox noted that it might be possible to place emergency phones outside EIU city, but the project would require grant funding.

Ludlow noted that the Ohio State Attorney General interpreted the Clery law [the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act] to require faculty members to report any suspected sexual assault to police, and asked if EIU faculty and staff are similarly required. Due replied that it is not required but encouraged.

Lambert asked the date of the next self defense class for women. Due stated it will be Thursday, 10/1, 7-8:30pm, at the Student Recreation Center.

Senator Pommier asked if Student Affairs walk some areas that continually come up as unsafe. Nadler stated that the in area around O’Brien stadium, where undergrads have to park and walk back, Student Affairs is looking at lighting enhancements, and perhaps additional emergency phones. Nadler noted the safety tours have been very helpful.

Pommier asked if the sexual assault module is separate from alcohol.edu or within it. Davidson replied that it’s within module one, it is seamless, integrated into one program. This was the first year the sexual assault module was added.

Senator Coit asked that, since increased numbers of reports signify well-functioning programs for prevention and awareness, if there had been any effort to assess existing programs on that basis. Cox noted that the data could not be shared since it might result in fewer reports. Davidson stated that the trends of the campus survey show declines in the same years as EIU has offered increased programming, and increased interventions. Cox stated that after we start doing the safety programs there is a decrease in

reporting assaults. Nadler noted that it is hard to meaningfully collate all the available data, but stated that he strongly believed higher numbers of reported assaults are not a bad thing. Buckley noted that based on crimes statistics, Coles County would appear to have higher rates of child sex abuse. But these numbers are the result of aggressive prosecution and police that are trained to recognize child sexual assault. Buckley stated that higher numbers mean you are being much more successful. Nadler stated he was proud that EIU has not run away from the numbers, because it shows EIU can be open and honest, and deal with things as they are in order to make them better. Buckley noted that several years ago a researcher rated different institutions according to their procedures for dealing with sexual assault. She stated EIU received a B+, which far ahead of the national curve, and noted that nothing has changed since then. Nadler stated EIU still want that A, and wants to improve in this area.

Senator Padmaraju asked if the handbook for recognizing students in distress is distributed to departments. Nadler noted that they are both being distributed and also have sent an email to the entire campus with a link to the document. Pommier suggested that one hard copy per department would be sufficient distribution.

VII. Adjournment at 3:44pm.

**Future Agenda items:
President's Council**

Respectfully submitted,

Jonathan Coit
October 9, 2009

**Faculty Senate 2009 Fall Elections
(All positions are three year terms unless otherwise noted)**

<i>Council/Committee</i>	<i>#</i>	<i>Open Positions</i>	<i>Qualifications/Information</i>
Council on Graduate Studies	5	1 from Lumpkin College of Business and Applied Sciences	Graduate Faculty in at least 4th semester of employment by College; Meets 2 p.m. 1st and 3rd Tuesdays
Council on Teacher Education	9	1 from College of Sciences—Departments of Communication Disorders /Economics/Political Science/Psychology/Sociology/Anthropology	Faculty in at least 4th semester of employment by area: no department may have more than 2 reps. Meets 2 p.m. 2nd and 4th Tuesdays
	10	1 from Lumpkin College of Business and Applied Sciences-Family and Consumer Sciences	
Council of University Planning and Budget	11	1 from College of Arts and Humanities	Faculty in at least 4th semester of employment by College; Meets 3 p.m. Fridays
Sanctions and Terminations Hearing Committee	16	1 from College of Education and Professional Studies	Tenured Faculty by College (2 year terms, staggered)
University Personnel Committee	22	1 from College of Education and Professional Studies	Tenured Faculty by College Meet between March 1

	23	1 from Lumpkin College of Business and Applied Sciences	and April 30 each year
	24	1 from College of Sciences (1 year replacement)	
	25	1 from College of Arts and Humanities (1 year replacement)	

Position 5	John Willems Dean Elmuti
Position 9	Lisa New Freeland
Position 10	Lucy Campanis
Position 11	No Candidate
Position 16	Dawn VanGunten
Position 22	Rose Gong
Position 23	Dean Elmuti
Position 24	Michael Cornebise
Position 25	Lynne Curry

Position 5 /John Willems/School of Business

The Council on Graduate Studies (CGS), along with the Dean of the Graduate School (Dr. Robert Augustine) sets the direction for graduate education at EIU. This includes but is not limited to approving graduate curriculum changes and administering the First Choice Program for designating graduate programs that adhere to the principle of continuous improvement. As the Coordinator of Graduate Business Studies, I feel I am in an excellent position to recommend policies for graduate program and graduate students that are consistent with my belief that students need to be both

academically and professionally ready to compete in the real world. I received a BS and an MA in mathematics and a PhD in Business so I understand academic issues in both the sciences and the professional world. In addition, I am well acquainted with graduate studies at EIU as I have been a member of the School of Business Graduate Committee since 1998.

Position 5/Dean Elmuti/School of Business

The Council on Graduate Studies should address the following issues:

1. Increase and improve faculty research activities on terms of quantity and quality of research effort.
2. Help faculty members to obtain research grant from various agencies.
3. Help faculty to obtain an exchange program with institutions abroad, and to invite foreign scholars to visit the EIU campus, in order to provide students and faculty members alike with different perspectives on global issues.

Position 9 /Lisa New Freeland/ Department of Sociology and Anthropology

What issues do you believe the Council on Teacher Education should address and what contributions do you hope to make?

I believe it is the responsibility of the council to ensure that our educational standards and expectations provide our students with 1) the skills and a knowledge base to make them employable in today's market, 2) an advanced and sophisticated application of skills and knowledge to make them more competitive in the market and ensure a level of choice in their employment, 3) the theoretical and methodological framework to make them the most effective teachers in the classroom providing a positive legacy from EIU to pass on to their future students, and 4) the development of each of these in a critically aware environment encouraging thoughts on adaptation and innovation allowing them to be effective teachers over time and social space. I think while it is our responsibility to help them become effective teachers, it is also important to know how to have sustainable employment and efficacy throughout a long and full career given changes in society and the institution of education. I believe the council should address how to maintain this level of educational preparedness while keeping an eye on changing standards and expectations within the US education system.

I have the pleasure of working, both through my research and my courses, with current education research and standards, but with the eyes of a sociologist. My research takes me into Illinois classrooms where I have the opportunity to see firsthand how decisions made on the council directly impact our students and subsequently their students. I hope to bring that understanding to my participation on CoTE and do what I can to contribute to discussion, decisions, and information dissemination that will positively impact our students.

Position 10/Lucy Campanis

In addition to preparing for the NCTE accreditation visit in fall, 2010, the Council will address varied issues pertinent to maintaining and enhancing the high quality of teacher education at Eastern Illinois University. Based on the experience I have had in teacher education and previous service on the Council, I would contribute input in discussion and decision making regarding teacher education policies. I would also serve on committees within COTE and represent COTE on external committees as needed.

Position 16/Dawn VanGunten/Secondary Education and Foundations

no questions

Position 22/Rose Gong
Secondary Education and Foundations

1. In your opinion, what characterizes a competent teacher and a competent researcher?

To me, a competent teacher is one who has a solid command of the subject matter he/she is responsible for teaching; has the pedagogical and social skills to engage students to learn the bodies of knowledge he/she teaches and to critically assess them. A competent teacher is serious and committed to classroom teaching; able to create a friendly environment that is conducive to learning, and dedicated to guiding students to meet with intellectual challenges and becoming critical thinkers.

A competent researcher is one who demonstrates a trail of evidence of scholarly and creative activities. This person is interested in the development of a particular research topic and actively pursues the interest.

2. What sort of indications would you look for in faculty portfolios to establish this?

Indications with regard to subject matter, skills, and professional commitment and dispositions include the rigor of the course content as revealed in the syllabus, scholarly and professional development activities, evidence from students' and peers' evaluations and comments.

Research competence can be established by evidence of consistent participation of research and creative activities: scholarly publications and presentations; search for and obtain funding for research and creative activities; a well defined research agenda and concurrent activities.

Position 23/Dean Elmuti/School of Business

The University Personnel Committee.

In response to your question regarding the competent teacher/researcher. A competent teacher must be well rounded, keeping current with his/her field, keeping up with technological and global developments, cares for the students, and must have tolerance and respect towards different points of view.

A competent researcher must be able to produce journal articles in respected outlets, participate in conferences that enhance his/her discipline. In addition, must share his/her knowledge with fellow faculty members, and students to publish their research activities in the appropriate.

Indications to look in a faculty Portfolios include the following:

1. Number and quality of research activities including journal articles rank, acceptance rate, and nature of the article as related to the faculty discipline.
2. Involvement with other faculty members and students in research activities.
3. Any teaching, research, and service awards or honors by the faculty members.
4. Participation in research, and service activities in conferences at regional, national, and global levels.
5. Peer, and student evaluations, and other supporting material of teaching activities.

Position 24/Michael Cornebise/ Geology-Geography

A competent teacher is one who can effectively convey knowledge to students in an organized and coherent fashion. She or he must be able to communicate key information to students both in the classroom setting as well as through other media such as syllabi, course assignments, WebCT, etc. Because competent teachers must also remain current in their field(s) of expertise, the maintenance of a vibrant research program is necessary. A competent researcher is therefore one who makes a contribution to the creation of knowledge in their field and, in the capacity of teacher, completes the circle by incorporating research results into classroom activities. Optimally, a competent teacher and researcher at EIU would make an effort to include both undergraduate and graduate level students in appropriate research projects.

While DACs vary across campus, there are some common methods for establishing effectiveness in the areas of teaching and research. As a member of UPC, I would consider student and peer evaluations of effectiveness gleaned from materials submitted in the portfolio as well as DPC and Chair evaluations. A competent researcher should be considered on the basis of whether they are up-to-date in their field of expertise and the degree to which they maintain an active research agenda. I would consider evidence of recent publications, presentations, grant proposals and works in progress in my evaluation

Position 25/Lynne Curry/Department of History

University Personnel Committee: The main responsibility of the UPC member is to evaluate teaching performance, research/creative accomplishments and service contributions of faculty (generally in a discipline other than his/her own) for the purpose of retention, promotion, and tenure, and to justify these decisions in a written form to the faculty. The decisions are made solely on the basis of documents provided by the faculty (i.e. student and peer evaluations and abstracts) without the benefit of observing faculty teaching ability or research potential. Please respond briefly and concisely to the following two-part question: 1. In your opinion, what characterizes a competent teacher and a competent researcher? 2. What sort of indications would you look for in faculty portfolios to establish this?

1. A competent teacher engages students in the learning process so that they will acquire both substantive knowledge and an understanding of the theories and practices in the teacher's discipline. A competent researcher keeps current in the existing literature in his or her field of expertise, contributes new research to that field, and participates in the review and evaluation of the work of others in the discipline.

2. Specific evaluation methods take a variety of forms, depending on each department's practices, and as a UPC member it would first be my responsibility to understand the Departmental Application of Criteria (DAC) as well as the methods used to evaluate teaching and research in that department. Generally, I believe that the strongest indications are a preponderance of evidence demonstrating competence rather than a single measure.