

Faculty Senate Minutes February 21, 2008

Call to Order:

Call to order: 3:10 pm; Riggle Room; ADUC.

Senators Absent: Karen Baker, Ned Breschel, Glen Colburn, Marcia Cooper, Lynda Donathan, Cary Feria, Diana Halem, Latonya Hesterberg, Julia Hypes, Shari Kidwell, Karen Lafferty, Sam Nataraj, Charles Patrick, David Peyton, Manuel Probst, Robert Royar, David Smith, Scott Wymer

Visitor: President Wayne D. Andrews

Reports:

Chairs Report:

- Faculty Senate pictures will be taken on March 6, 2008.

- Open forums will be held on February 25, March 3, and March 4 as part of the interview process for the position of Chief of Police.

Policy Discussion:

Chair Jerde informed the members that President Andrews and Dr. Hughes met with the Executive Council to discuss a proposed policy change. The proposed policy is being presented today for a first reading. The President and the Provost wanted to present the proposed policy to the Senate members as soon as possible to allow the Senate members and the faculty ample time to review the policy prior to presentation to the Board of Regents on March 13, 2008. Chair Jerde stated "that it is very important that we have this input and use today for questions and getting clarification and so on; we have discussed what will happen; if the motion is tabled without a discussion today, I will call a Senate meeting for next Thursday so that we can do this. If it is remanded to Professional Policies or any other committee, they will be returning it to us unchanged." Chair Jerde stated that no one is trying to force the policy to be approved, but merely to have a time for questions and discussion.

President Andrews provided the members with background information on the budget situation which brought about the need for the policy revision. The Council on Post-Secondary Education informed the President over the Christmas break that the University would incur a three percent (\$1.5 million) budget cut from the state for the current fiscal year. In late December, the President was notified to plan for an additional twelve percent cut. The cuts could amount to \$7.3 million beginning July 1, 2008.

Since the beginning of January the Cabinet has been looking at how to manage the possible budget cuts. They are looking at:

- Reorganization in administration
- Outsourcing selected functions
- Eliminating things that are not essential to the core business of the University i.e., academic instruction
- Increasing revenue

The President stated that he asked that the policies related to Financial Exigency be reviewed. The President said "The policy as it relates to faculty is a pretty poor policy it's Pac-26." "It was written in 1987 and is a policy that is a menagerie of things, some of which are problematic." [Copies of the existing policy (Pac-26) and the proposed new policy

(PAC-35) were provided to the members.] The President asked the members to help by providing feedback. The President said "we have to prepare for the possibility, now please understand what I'm saying, the last thing that I want to do, the last thing that anyone at the University wants to do, the last thing that the Board of Regents would want to do is declare Financial Exigency. The Board of Regents is the only body that can do that based upon a recommendation from me. I'm not suggesting we are going to do that, I'm suggesting we need to be prepared in the event that would be an eventuality."

Pac-26 addresses termination of faculty for cause, termination of faculty for financial exigency and termination of faculty for discontinuance of program. There is a difference in terminating faculty for cause and business related decisions. Termination for cause and termination for business decisions were separated. PAC-35 is a new PAC for termination of faculty for financial exigency or for discontinuance/reduction of program. PAC-26 would continue to be used for termination of faculty for cause until the new PAC-36, termination of faculty for cause, is completed.

The President indicated that prior to this meeting he was asked "How does this relate to the business of General Education Review and the Academic Program Audit? Is there a conspiracy here that the Administration wants to use this somehow to bring all this together?" His answer to the Senate members was, "I hope the obvious answer to bright people such as yourself is that there is no relationship other than the Program Audit at some point in time on the calendar that you are following could lead to the recommendation of discontinued programs, but that whole process was started back in the fall. It was underway and the only coincidence here is that this particular policy could come into play at some point in time, if as a result of that process, programs are recommended for elimination and there are faculty, tenure-track or tenured faculty in those programs. That's really a matter of coincidence and we didn't know this budget crisis was going to be a budget crisis when we put that in the works so there is no intention, we are not trying to link those." The President said he would be glad to answer questions about this.

Chair Jerde will send an electronic copy of PAC-35 to the Senate membership. A member suggested the Senate have a special meeting on February 28 to continue discussion of the PAC because there were several members absent. Chair Jerde reminded the members that this is a first reading for clarification and not debate on what should be in the policy and asked that suggestions for revisions be forwarded to him or Charlie Patrick prior to the next meeting.

A question and answer session followed:

Q: If you are looking at cutting money what would be the first, second and third things you would be looking to cut?

A: The Cabinet is going to be true to our mission and the vision of becoming the best regional public University in the south and be a top academic program and to take care of the people. The priority is to protect the core business of the University which is teaching and learning. The Cabinet is looking at the following items:

- Vacant positions have been itemized and some positions will be frozen
- Determine how many people might be considering retirement
- Reviewing efficiencies (outsourcing)
- Administrative reorganization
- Review of budgets by the President, the Vice President for Planning, Budget and Technology, and the other Vice Presidents

Q: What are the major problems with PAc-26?

A: PAc-26 requires the President make a presentation to Faculty Senate that the University is in a condition of Financial Exigency and the Senate could say that was not the case, when only the Board of Regents can legally declare Financial Exigency. PAc-35 puts the responsibility on the Board of Regents. PAc-35 clarifies the procedures to be followed and streamlines the process while continuing to safeguard faculty rights.

A member stated that the new policy does not contain the possibility for a person to take a leave whose position is being eliminated. With regard to factors that would be taken into consideration when termination occurs, the current policy clearly gives preference to rank and years of service in consideration.

Q: In the new policy, how do we interpret the list of items under - ORDER OF TERMINATION SEQUENCE - 2?

A: The President said "We want to consider the totality of what a faculty member brings to the table when we make these decisions." Overall performance of a faculty member should be considered.

Q: What is meant by "service" under - ORDER OF TERMINATION SEQUENCE - 2 and how would it be measured in the new policy?

A: The Provost stated that teaching excellence will be added to the list of items under - ORDER OF TERMINATION SEQUENCE - 2 in the new policy. The Provost stated that the interpretation of the items listed under - ORDER OF TERMINATION SEQUENCE - 2 in the new policy, will be defined as the evaluation process is redesigned.

Q: Who does the evaluation and decides who should be let go?

A: "Recommendation from the Provost, informed by the Deans and Chairs, to the President who would make a recommendation to the Board of Regents."

A member stated that the evaluation should be conducted by peers and not by Administrators.

A member stated, in their opinion, this policy is going to be implemented on the basis of reducing programs.

Q: Is there information available that give us the number of people or programs that will need to be cut after every other option has been exhausted?

A: We are going to do everything we can to make adjustments before we get to people.

Q: What is the timeline for possible cuts?

A: "We will know by the end of March what comes out of the General Assembly to the Governor and probably have a fair idea of what's going to go."

Q: What is the unit of analysis for tenure, is it department, college or University?

A: It is University.

A member suggested language be added to PAc-35 to allow for possibility of leave, sabbatical or University supported retraining if termination is due to reduction of programs.

A member asked if the special meeting next week would be a continuation of the first reading. Chair Jerde said the goal of the special meeting is to provide a time for input and discussion for all the members. He suggested that members provide revisions in writing to be presented to the full Senate membership. The Executive Council will determine if the special meeting on February 28 will be a continuation of the first reading or a second

reading. Regent Irons moved that the Senate not move to a final vote until the March 6 meeting regardless of what happens next week. Senator Buck seconded the motion. Motion passed.

Adjournment: 4:30 p.m.