

Academic Senate Executive Committee Minutes
February 22, 2010
(Approved)

Call to Order

Senate Chairperson Dan Holland called the meeting to order.

Approval of Executive Committee Minutes of February 8, 2010

XXXXI-67: By Senator Fazel, seconded by Senator Stewart, to approve the Executive Committee Minutes of February 8, 2010. The motion was unanimously approved.

Distributed Communications:

02.17.10.01 *From Mardel Wilson, Asst. Provost: Academic Impact Fund Authorizations (Information Item 3/3/10)*

02.17.10.02 *From Mardel Wilson, Asst. Provost: Academic Impact Fund Data Dashboard (Information Item 3/3/10)*

Senator Kalter: We made an interesting discovery. Because the Academic Impact Fund works on a dual fiscal year/calendar year process and is an accounting nightmare, I am actually going to bring to my committee that our Blue Book description of what we should do for the Academic Impact Fund ought to change a little bit. We need to have the fall in order to bring forward the committee's recommendations, because you can't really get that done in the spring, but we can't get a report on the cash flow in the fund until about this time of year. You have all already seen the committee's recommendations and those are going forward. I think that we are going to want to send them out to the Senate again in case they have lost them. This report (on cash flows) is going to accompany that. The sheet with the table at the bottom reminds us of how many positions were authorized and how much money was authorized to fund those permanent tenure-track positions, how many lines were brought into the fund, and then what the outflows were other than what they call on the next page permanent or tenure-track hiring. So what did we use for Distinguished Professors; what did we use for temporary dollars for non-tenure track faculty and that kind of thing. This is basically the cash flow in the fund for fiscal year 10, but starting in January of last year.

Provost Everts: The other thing I would mention is how fluid these numbers are, particularly during the discretionary period that we have had. Also, the confusion associated with that subtotal permanent dollar piece—\$4 million—that's the starting balance for fiscal year 11.

Senator Kalter: I am going to go through this in more detail. I am definitely going to do that on the Senate floor. We begin with this beginning balance, which is not permanent in the sense that summer school funding is permanent, but permanent in that it is coming out of people who are retiring from permanent positions. The reclaims are added to that fund. So about \$2,400,000 worth of people retired or left the university last year. If someone in a department is not reappointed, they get two years to use that money to search and then it goes back into the AIF, so all of that totals into that \$8 million number that we then use to authorize hires for the following year and for other things like Distinguished Professors, counter-offers, administrators returning to faculty. Once you subtract that, you get the permanent dollars, which will be the starting fund for next year. While you are sort of waiting for that to be permanently allocated, you have to hire instructional capacity and then pay out the sick leave. So those are what the third and second to last numbers are. Right now, we have about \$5,500 left over from all of those expenditures.

Senator Fazel: I noticed that COB was the only one that lost more people than it was authorized to hire.

Provost Everts: I would mention again that all lines are new. In essence, those dollars come into the AIF and then they are reauthorized depending on allocations associated with AIF guidelines.

Senator Holland: If you could hire for the same amount as Fine Arts, you could have 12 people.

Senator Fazel: It is obvious that it is really expensive to hire. As somebody who has been here for a long time, I have

seen new people come in who are paid much more than I have been paid. I sympathize with the rest of the campus. But what do we do? We have to hire people to staff our classes. The College of Business is one of the most productive colleges in terms of student-teacher ratios.

Senator Kalter: We have to look at this over a long term. In terms of the long-term, the College of Business has actually gained over the last ten to fifteen years.

Senator Fazel: It should have because we had 70 to 80 students in our classes and based on the strategic plan, we decided that we really don't want that. When we got the College of Business building, we specifically made sure that our class sizes were smaller, a maximum of 40. That's what a lot of people did. Instead of hiring new faculty, they would just increase the class size and that affected quality. A small college atmosphere is part of the strategic plan. We can't really look at ten years ago and say we are better off.

Senator Kalter: I wouldn't say that, but when you look at the recommendations from the committee it will be clear that over ten years, Milner is the one that has lost the most tenure-track positions. The College of Business has gained. The College of Arts and Sciences, which is also one of the most productive, has lost even in majors where the numbers are increasing. So it is always a balancing act. It may be that next year you will get more hires than people who leave. It's staggered. In the old AIF, the positions used to come in and you would have to wait a maximum of two years for that to get hired, so we have to look at it over several years.

Senator Fazel: Do you have that data that we could take a look at?

Senator Kalter: Yes, it is going to be what we are going to redistribute to the Senate as a whole.

Senator Holland: It's a ten-year high on the tenure/tenure-track.

Provost Everts: Exactly. It's a ten-year high. I would also point out that there are 43 positions authorized. I can assure that there are very few universities that have authorized 43 positions. Of course, every single college would like more. I can understand that and if there were more dollars, there would be more authorized positions, but considering where we are currently in regard to the economy and the funding from the state, we are in much better shape than most institutions.

Senator Fazel: How much of this allocation is a reflection of salaries in the College of Business?

Provost Everts: That really has nothing to do with it; it is not a consideration.

Senator Holland: Anything else on the AIF?

Senator Kalter: Just to let you know again that we are probably going to make a slight change to the Blue Book just to clarify this when I am no longer elected chair every single year by acclamation.

02.18.10.01A&B From Joe Solberg/Rules Committee: Academic Calendar Approval and Faculty Code of Ethics Language (Information Items 3/3/10)

Senator Bonnell: The language is changing on page 11 of the Blue Book. Does that language make sense?

Senator Kalter: Yes, instead of saying annually approve the Academic Calendar, you are changing it to annually review Academic Calendar issues forwarded by the Executive Committee. So only if the Executive Committee forwards something would we (the Administrative Affairs and Budget Committee) review the Academic Calendar.

Senator Bonnell: The second item, we spent a fair amount of time talking about, the Code of Ethics. We opted for option C. If you remember, that option was just to add language—"Policies and procedures related to potential violations are governed by the AFEGC". So, there were a couple of options. One was change it; one was to bring in language from existing policies. Instead, we just wanted to add a sentence. After a fair amount of discussion, we opted for the least time consuming option.

Senator Holland: Frequently, that is a good idea as long as it gets done what you want.

Senator Kalter: This may not be something that the Senate should do, but I was concerned about the section of the old policy not being there anymore because I think it's preventive medicine. If the policy is a living document and people are constantly reminded of what they should not do, its absence creates a vacuum. So what I am wondering is if perhaps the policy (Code of Ethics) itself is not the place for this, but in the continuous training of administrators as people move from faculty to chair or chair to dean. Is there somewhere in the university where those expectations of how faculty or staff would be treated by administrators can be spelled out? Can they be spelled out somewhere in the way they were in the old policy (Code of Ethics) so that you are not constantly having to invoke the violations? I would prefer not to have a violation in the first place and have to go to the AFEGC policy all the time. Did you talk about anything like that?

Senator Bonnell: No.

Senator Kalter: And do we think that's the Senate or somewhere else?

Senator Holland: Is Chuck McGuire on the Rules Committee?

Senator Bonnell: Yes.

Senator Holland: He would be a very good person because he does all the training for new administrators.

Senator Kalter: In a lot of ways, it would be better there than sticking it in a policy, which again, sometimes people only go to a policy when it gets invoked rather than just reminding people when they are trained that these are our expectations. When I first got here, that was a living policy. People would repeat it. Now that that it is gone, it is not repeated as much and I think that is part of the concern.

Senator Bonnell: I am surprised by that, too, because there was certain language in the old Code of Ethics that I really liked and I missed it in the shorter version. Then when I was reading the AFEGC Policy, one of the things that is supposed to happen is that, on an annual basis, we should get information about the grievance process. I am not sure that that happens on an annual basis. I think the other side is also useful—whether administrators receive training and people should be reminded.

Senator Kalter: In some ways, it only works when everybody is reminded because if you train the administrators, like with the ASPT Policy... It is very nice to have Chuck offering to do that with everybody who comes in because then people know the expectations, rights and responsibilities with respect to ASPT as a pre-tenure faculty member instead of relying on a chairperson or dean to tell them. So then you have checks in the system; everybody is always on the same page. To me, this is more important than the ethics exam that we have to take.

Senator Holland: The ombudsperson is also a very valuable asset.

Senator Kalter: Again, when you send somebody to an ombudsperson, it has already reached a level that you don't want to have reached. Anything that we can do to avoid that would be better than a busy ombudsperson.

Ms. James: Are you saying that we need a new policy with the old language rather than just having this additional sentence in the Code of Ethics?

Senator Kalter: That's what I would prefer, but apparently I was out voted on the Rules Committee, but that is what I would prefer—maybe a separate policy.

Senator Stewart: Maybe a side by side comparison to know what was and what has changed.

Senator Holland: We have a Faculty Responsibility to Students Policy. We could have an administrator responsibility

to faculty.

Senator Kalter: Maybe even faculty and staff because staff report to administrators as well.

Senator Holland: It's a discussion for the Rules Committee as to whether they want to do a separate policy or work with Chuck McGuire for the training. When we were writing the Code, we were trying to separate out policy and procedure.

Proposed Agenda for Academic Senate on March 3, 2010:

Academic Senate Meeting Agenda

Date: Wednesday, March 3, 2010

Time: 7:00 P.M.

Location: Old Main Room, Bone Student Center

Call to Order

Roll Call

Approval of Minutes of February 17, 2010

Alcohol Task Force Presentation (Kerri Calvert, Health Promotions Coordinator)

Chairperson's Remarks

Student Body President's Remarks

Administrators' Remarks

- *President Al Bowman*
- *Provost Sheri Everts*
- *Vice President of Student Affairs Steve Adams*
- *Vice President of Finance and Planning Daniel Layzell*

Committee Reports:

Academic Affairs Committee: Chairperson Stewart

Administrative Affairs and Budget Committee: Chairperson Kalter

Faculty Affairs Committee: Chairperson Liechty

Planning and Finance Committee: Chairperson Fazel

Rules Committee: Chairperson Solberg

Action Items:

01.11.10.01 Context for Constitution Exam Requirement (Distributed In 2/17/10 Senate Packets) (Academic Affairs Committee)

02.09.10.01 Constitution Exam – Policy Change (Distributed In 2/17/10 Senate Packets) (Academic Affairs Committee)

08.26.09.03 Creation of Policy Policy (Distributed In 2/17/10 Senate Packets) (Administrative Affairs and Budget Committee)

Information Items:

12.17.09.01/02 Academic Impact Fund Recommendations (Administrative Affairs and Budget Committee)

02.17.10.01 Academic Impact Fund Authorizations (Administrative Affairs and Budget Committee)

02.17.10.02 Academic Impact Fund Data Dashboard (Administrative Affairs and Budget Committee)

02.18.10.01A&B Academic Calendar Approval and Faculty Code of Ethics Language (Rules Committee)

Communications

Adjournment

Motion XXXXI-68: By Senator Stewart, seconded by Senator Kalter, to approve the Academic Senate Agenda of March 3, 2010. The agenda was unanimously approved.

Discussion

Sabbaticals and Pensions

Senator Stewart: There is one thing that I sent in on Friday that will probably be on the next Exec Agenda. It was the sabbatical leave and how it affects retirement. One of my colleagues emailed me. He is taking sabbatical next year for a whole year and he is considering retiring in the next three years. They were going to figure the four years before his sabbatical.

Senator Kalter: Rather than using the base salary out of which you get the half year?

President Bowman: The half year is probably a bigger hit than going back the four previous years.

Senator Fazel: I think it has to be the highest four consecutive years, so that would break it up.

Senator Stewart: And that's really not right.

President Bowman: Most people don't take a year, that's probably why it has not come up.

Senator Stewart: They are really not quitting their position and then being rehired the next year, so that whole definition of consecutive years is still really employed by the university.

Senator Holland: I know that there is a check mark where you can have it count toward your time at the university or not.

Senator Stewart: But since it's half the pay...

Senator Fazel: It's the pay that is the issue.

President Bowman: Those rules would be imposed on us, but let's learn a little bit more about it so we can advocate for something more beneficial.

Senator Holland: The other thing is that we try not to take a sabbatical when we only have a year or two left.

President Bowman: I bet it hasn't come up for those two reasons. One, most people don't take a full year; and, two, they generally don't take them toward the end of their careers.

Textbook Orders

Senator Kalter: This new law that we have where we have to get textbook orders in by the registration of the semester—I can't remember exactly what the law is.

Provost Everts: Is it the Durbin act?

Senator Kalter: I think it's a federal law. We were having a small discussion about it among our faculty about, A, how it affects classes where it is not a routine syllabus, where the syllabus might change all the time and it might be difficult for faculty to get that in, especially for spring registration going into fall semester. Also, I guess that there was some sort of theory about this that it would end up reducing textbook costs. I am skeptical that that is what it is going

to do. My sense is that the more likely effect is that it is going to create tiers of students who can or cannot take more expensive classes. I would like to see a reduction of textbook costs overall, because nobody gains from that except for the for-profit people involved in that industry. There is always going to be some disciplines that have textbook costs that are higher for whatever reason. I am just wondering what the institutional response is to such a thing because they really punish faculty, departments and institutions rather than going directly toward the things that are driving up costs. I think we are going to have tiering, especially in an institution like this where we are having transitions, where we have a group of people we are able to bring in on the MAP grant. During my time here, I have seen much more affluence as well and so is that going to create a university not where courses get canceled because they have high costs, but where only the more affluent students can take those courses? I know that the Academic Affairs Committee talked about part of this.

Senator Stewart: We talked about it. Correct me if I am wrong, but one of the reasons for getting textbook orders in early is so that they would know at sell-back time whether that textbook was going to be used and they could pay the students out and they save money that way.

Provost Everts: That was a bookstore request.

Senator Stewart: If they know what textbooks are needed, they can order early and in larger quantities and cut costs that way.

Senator Kalter: It seems to me that October or November is realistic for spring semester, but February-March is pretty unrealistic for August. Obviously, it is a federal law. Is there any help that you can give to departments and individual faculty that are struggling with choices about these kinds of things? It's not that every textbook that is more expensive is a better textbook; it's probably the inverse in a lot of ways. But there are some choices that you have to make where you are saying, 'this is the intellectually appropriate textbook for this class and it is expensive and it's terrible and we don't want that, but, as faculty, we have to make intellectual decisions and not have them completely driven by the economics.' It seems to me that, except that people aren't on campus, June or July should be enough time. Even that is undesirable because people may be rearranging their schedules based on economics rather than getting a grant to cover the extra cost of the book.

Senator Stewart: I think the federal solution is misdirected—trying not to make the industry accountable.

Senator Holland: The industry is the one that is bringing us the federal government.

Adjournment

Motion XXXXI-69: By Senator Stewart, seconded by Senator Fazel, to adjourn. The motion was unanimously approved.