To be approved electronically EC #28

8/15/11

6-0-0

UNIVERSITY FACULTY SENATE

EXECUTIVE COMMITTEE

HMSU 227

April 19, 2011, 3:30 p.m.

Present: S. Lamb, J. Conant, R. Dunbar, R. Guell, J. Kuhlman, V. Sheets

Absent: A. Anderson, K. Bolinger, C. Hoffman

Ex officio: Provost J. Maynard

Guests: L. Sperry

I. Administrative report

Provost Maynard:

President Bradley is not able to attend today’s meeting. He is on the search committee for the local Ivy Tech chancellor. He’ll be working on that today/tomorrow trying to determine finalists for that position. No ISU internal candidates.

a. The State Senate approved their budget yesterday. We may lose a couple of million dollars in R & R money - not just from ISU - but all the other institutions as well. It is about an 8% reduction cost compare to last biennium to present. The only ones who didn’t get hurt were Ivy Tech and University of Southern Indiana. Met with the Commissioner of Budgets yesterday; she spoke with the governor this morning trying to find some solution – asking for $15 million to be restored. It is not a lot of money compared to a budget but our size, but it’s a small token.

 R. Dunbar: What is it about ISU’s size as it relates to the budget – is it s faculty student ratio or growth?

 Provost: Tuition/growth mainly. The University of Southern Indiana’s (USI) tuition is still less than $5,000 a year. They are able to educate a student for about half the cost of ISU -although they are not as cheap as Ivy Tech. Our student faculty ratio is more adjunct faculty. Also USI does not have as much infra structure expense as ISU has (e.g. aging campus/repairs, several things like that etc.)

b. Provost: Last Friday the Commission had a conference for trustees and senior administrators on money outcomes. Much of the material covered were things ISU discussed 15-20 years ago. A faculty/leadership conference will also be coming up within the next few weeks. It’s an annual event and should be just as informative (LOL). Faculty should have already heard about it.

c. Provost: The President mentioned last week that the Board of Trustee will soon be holding elections for positions on the Board. Mike Alley is one of the candidates for board president. There will be at least two new trustees. The Alumni Board will also be holding elections and will be looking for a replacement for trustee Ron Carpenter (his term expires). The Foundation Board interviewed about five candidates so far and will send two or three names to the governor this week. Twelve names for student trustee will also be sent forward.

II. Chair report

 S. Lamb:

I want to thank this body (Executive Committee) for their support this year. I think it has been an extremely productive year. We took on some very bold issues such as performance based pay, which was an onerous task. It was wrenching, and I was proud to be vilified. We also accomplished many curriculum changes, new ventures, new directions that we have wrestled over. The institution has proven itself adaptable and that we are willing to take on new ventures as long as they are of high academic quality. ISU is no longer in its comfort zones. We have been outside of our comfort zone for the last few years. We were/are willing to do this to ourselves for the long run viability of our institution. I am proud of the role that this body has played.

 I would like to thank Charles Hoffman even though he was not able to attend today’s meeting. Charles and I have fought with each other and others since 1975, and I will miss him dearly. He has been a stabilizing influence for me. I think he has served the Faculty Senate and the University extremely well. His uniqueness will be sorely missed.

I would also like to thank V. Sheets for standing in for me at last Executive Committee meeting.

III. Fifteen Minute Open Discussion

a. R. Lotspeich: Response to EC action on our recommendation to establish a University Financial Affairs Committee

I want to provide an additional and personal reaction to how the Executive Committee has responded to our carefully considered recommendation to establish a University Financial Affairs Committee (UFAC).

In the meeting of the Administrative Affairs Committee (AAC) on 15 April, EC members John Conant and Virgil Sheets explained that rather than seek to establish a UFAC, the EC had decided to simply shift the responsibility for advice on budgetary matters from the AAC to the Faculty Economic Benefits Committee (FEBC), and that the responsibilities we suggested for UFAC would be addressed through appropriate charges made to the FEBC. In response the AAC passed a motion recognizing and approving this direction.

I regret having supported that motion, and I want to express that to the EC. At that meeting I was not thinking clearly. The discussion was rushed, and I needed to leave to teach a class. My more considered response to the EC action with respect to our proposal for a UFAC is to disapprove of it. You have taken a carefully crafted and well articulated recommendation and turned it to mush.

What were seeking in formulating our proposal for a UFAC was a way to end the fiction that there can be a meaningful distinction between responsibility for curriculum and academic structure on the one hand, and responsibility for resource allocation on the other. This distinction is a fiction, and as long as the ISU faculty continues to accept that distinction they will not have sufficient influence to meet their responsibilities in their areas of primary authority. A UFAC would have created a superior institutional framework for meeting our responsibilities. Your choice of direction will instead perpetuate the status quo.

Although in principle any committee could address the responsibilities we recommended for a UFAC through appropriate charges and energetic work by the committee charged, it is a far inferior mechanism compared to an appropriately organized committee with standing responsibilities rather than delegated charges, which could vary from year to year. I am hopeful that your direction will have the same kinds of effects that we expected for our UFAC proposal, but I am very pessimistic that it actually will.

S. Lamb: Thank you. I do appreciate your comments. I will say that the extent of your changes was appreciated and that they were recognized for having good value and direction. It is our hope that they be accomplished. It is our hope that we understand the political format well enough that we can accomplish rather than just discharge. We want to change the dynamics associated with review of budgetary matters. We believe the proposal sent forward by your body was sound. Some things certainly we disagree with but nevertheless to infer from our decision that we don’t at least partially, if not greatly, support the direction that you have proposed is incorrect. V. Sheets and J. Conant who helped draft it – have I said anything that is incorrect?

J. Conant’ response – “I do not believe so.” V. Sheets’ response – “no.”

R. Guell: I would add (my own perspective) that I entirely understand the political delicate nature of this particular subject and the manner in which both subcommittee/senate chair is attempting to accomplish these goals presented in the Administrative Affairs memo. I also reserve judgment as if this is the wisest way to accomplish it, but since I am often wrong/lose on political matters, I will at this time defer but believe that with the exception of the audit function, I believe that everything in that document ought to in fact occur.

S. Lamb: We will, of course, have our set of charges/recommendations – what we can recommend to FEBC in the accomplishment of their duties. These are not matters I feel we will not have to go outside a set of recommendations to FEBC. We can say that given that these are your set of duties, it appears as if, these processes would be valid in accomplishing these duties.

R. Guell: I would also mention that the advice is formative in budget making not simple reactive.

Note: For clarity purposes, the AAC motion being discussed above is being inserted:

*TO: Senate Executive Committee; Jack Maynard, Provost and Vice President for Academic Affairs*

*FROM: Standing Committee for Administrative Affairs (AAC)*

*RE: Responsibility for Advisory Authority over the University Budget*

*On April 15th, Dr. Virgil Sheets and Dr. John Conant presented information to the Administrative Affairs Committee labeled File 5. This noted that existing structures will suffice to meet the responsibility of providing budgetary advice. Specifically, it was the recommendation of the Executive Committee that the responsibility for advisory authority over the university budget be transferred from the Administrative Affairs Committee to the Faculty Economic Benefits Committee with changes to the bylaws as noted.*

*The Administrative Affairs Committee voted to move the responsibility for advisory authority over the university budget from the Administrative Affairs Committee to the Faculty Economic Benefits Committee 4-0-0.*

Note: The preceding AAC memo was in reaction to the following memo labeled File 5 sent to the AAC for their reaction, and presented to them, as noted, by Dr. Sheets, and Dr. Conant, for their response.

***File 5***

***Executive Committee Response to Response from AAC re: Budget Committee***

*In response to a charge from the Faculty Senate Executive Committee, the Administrative Affairs Committee proposed the transfer of its advisory authority over budget matters to another committee.*

*Although the AAC provided a well-articulated plan for the creation of a new standing committee of the Faculty to provide budgetary advice, the Executive Committee believes that existing structures will suffice to meet our responsibilities. Specifically, it is the recommendation of the Executive Committee that the responsibility for advisory authority over the university budget be transferred from the Administrative Affairs Committee to the Faculty Economic Benefits Committee. It is also recommended that the Faculty Economic Benefits Committee be renamed the Faculty Economics & Budgets Committee.*

*The following changes to the bylaws are necessary to accomplish this proposed change.*

*Advisory authority over university budgets shall be removed under Section 246.2 (Administrative Affairs Committee) with remaining responsibilities renumbered.*

***246.2 Administrative Affairs Committee***

***246.2.2.3*** *Campus Development and Physical Facilities.*

***246.2.2.4*** *The Academic Calendar.*

***246.2.2.5*** *Registration and Scheduling Procedures.*

***246.2.2.6*** *Public Relations.*

***246.2.2.7*** *University Publications.*

*The Faculty Economic Benefits Committee shall be renamed and new duties assigned.*

***246.4 Faculty Economics and Budget Committee.***

***246.4.1 Membership.***

***246.4.1.1 Faculty Representation.*** *Seven (7)*

***246.4.1.2 Administrative Representation.*** *University President and Vice President for Business Affairs*

***246.4.2 Duties.*** *This committee reviews and makes recommendations on matters of faculty salary and benefits and provides advice on university budgets (including policy and process for handling significant budgetary events).*

Note: Given that the AAC reaction to the Executive Committee proposal was to accept the entire proposal, the matter will now be sent to the Senate for their deliberation.

b. J. Kuhlman to Provost Maynard:

When the new Foundation Studies came out, there was an effort on Linda’s Maule’s behalf that no student would be penalized by this change. As I advised my students after looking at their individual DARS report, I am seeing that when they are being rolled over to the new Foundational Studies (especially students that have been here for three years or more) that there are spots on DARS where students are being informed that they need more course work. I was under the impression that this was not going to happen and that these students would not have to file petitions to get particular courses counted towards their major. If this is the case, it would result in a tremendous amount of paperwork. I have students who are all but done with Gen Ed courses. Now, as they are taking their major courses, they are being informed that they may need to take six (6) more hours of Gen Ed. Faculty who have been around for some time may tell these students that they will help them through this, but younger/more recent faculty members are telling these students that they need six more hours of Gen Ed. The students are beginning to get a little distraught over this process. If these students came under a certain catalog contract, how can we tell these students they are going to need more course work (hours) once they already met their Gen Ed requirements?

 Provost: We will do everything within reason to work with the transition plan so if something is occurring now, I will need to get L. Maule on it.

 J. Kuhlman: Maybe DARS is not taking into account the transition plan, but DARS has been really screwy…

 Provost: It needs to be look at. I will contact L. Maule and make sure she understands the problem and try to get at the root it and see what can be done.

 R. Guell: I am the chair of the Foundational Studies Council. We believed, but did not know, that through the crosswalk implemented in DARS that 99% of students automatically, as a result of the crosswalk, would be taking the same number or fewer number courses to the goal line – finishing; and that the associate deans and Foundational Studies coordinator would make waivers and substitutions so that no student had to take more courses then they would have otherwise had to take had we kept two programs going simultaneously. It was an enormous savings monetarily in human resources – not having two systems simultaneously. The way we were keeping our end of the contractual bargain (as J. Kuhlman was describing) was by saying that nobody had to take anymore courses than they normally would have had to take. They may be different courses, but no more courses.

 R. Guell: The crosswalk that counts e.g. Social Science classes – the second social science classes, etc. that of needing an upper division elective even though it is not an upper division course to execute that promise. I agree that it would be good for L. Maule to make a general announcement related to all this.

 Provost: We will get students corrected.

IV. **Approval of the Minutes of April 12, 20**11 as amended (R. Guell/J. Kuhlman 4-0-2)

V. Administrative Affairs (AAC) review - report on Parking – R. Lotspeich

Presented a projected analysis of operating cost for proposed purchase of parking garage at 6th and Cherry Street in Terre Haute based on purchase price to ISU of $8 million.

* If facility is full – lost to University would be the equivalent of obtaining 50 new adjuncts or approximately $150,000 (at $360 annually per parking spot). If garage is half full it would be a projected loss to the University of $252,000.
* If capitol and operating cost exceed revenue generated even if COB faculty and staff purchase spots at $360 year (reasonable to say approximately 30% full) or half full the loss annually to the University would be approximately $232,000. Assuming the garage is 90% full – annual lost would be $205,000.
* If there are genuine shortages of parking on the ISU campus, there are better/cheaper ways to meet those needs.
* I believe that it is a false argument to say that ISU has a shortage of parking spaces.

S. Lamb: I appreciate the work that R. Lotspeich and the Committee has done. The parking issue will be on the Senate agenda this Thursday, April 21.

R. Guell to S. Lamb: Would it be appropriate for a member of the Senate to make a motion advising a strong objection by the Faculty Senate for the purchase of the parking garage, a motion that would be in order?

S. Lamb: I see no reason why not. R. Lotspeich will present the Committee’s analysis on propose purchase of parking garage to the Senate when it meets this Thursday. We need to be aware that the parking garage is there, and everyone already has excess to it.

J. Conant: I do not disagree with your conclusion, but the argument will have to stand alone and not incorporate things like adjuncts/other issues that can be tied in with not purchasing the garage. The parking garage should be main issue.

S. Lamb: I do not believe that it is the case that the monies (parking garage) could not have been transferred or would not have been available to Academic Affairs.

R. Guell: It is not a likely scenario if everyone faculty/staff purchase hang tag – it still is an operating loss. We could take $3 million of that purchase to create parking spaces on the other side of the river and get 20 years of free parking for everyone on campus. R. Lotspeich (Committee) managed to do a detailed analysis that the whole idea of the garage purchase is mathematically moronic.

J. Conant: I agree. But we lose part of our argument when we add other things so why create something when this is already mathematically in our favor. I don’t think it is reasonable to say that a surplus in revenue if we do not purchase the garage would be for adjunct stock. That argument should not go forward, but we need to be mindful that there is a separation between budgets.

R. Lotspeich: It is unnecessarily expensive to park at ISU. Whatever revenue goes into it – will not be available for anything else

V. Sheets: J. Conant is correct – we do not want to make an argument that could be readily dismissed. What about just as a basis of comparison? While this money is on an auxiliary budget, it is interesting to note that the cost of purchasing the garage is equivalent of….

J. Conant. No

R. Guell: Such amount of money could stay in reserve that could generate so many other things.

R. Lotspeich: It creates a perspective that this university is more built up than it needs to be. It is a criticism of higher education in general. Concentration/focus should be that we are providing higher education - not parking.

J. Conant: I don’t believe that parking should be part of that formula – I don’t know.

R. Guell: Every other campus in Indiana – freshman cannot park on campus. Not having freshman park on campus could be a basic solution to our parking problem.

S. Lamb: A motion will be made at the next Senate meeting April 21 (on the parking garage issue), and everyone then will have a chance to speak to it.

Provost: If we could get the AAC letter motion/recommendations that would be good to send forward to the Senate in advance of Thursday’s Senate meeting.

R. Lotspeich: It has not been finalized/approved by the Committee yet – some changes may need to be made but will send this on as soon as this happens via email.

R. Guell to provost: Is there any other consideration in which this issue is tied formally or informally between the city and the university?

Provost: No – I am not aware of anything.

VI. FAC recommendation response to the PTOC letter. Items 1-5 (not Handbook language/policy)

 L. Sperry presented rational /discussion - especially item 3

Insert FAC recommendations

PTOC gets information re promotions/tenure etc. – FAC makes recommendations re promotion/tenure, etc. and sends it to provost. Provost has an opportunity to reconsider FAC’s recommendations. Provost can reject FAC’s recommendations (letter as presented).

 Provost: It is my understanding if recommendation is appealed, Leaves Oversight Committee makes a recommendation to the president (with copies). The president has the responsibility of making the final decision

V. Sheets: Same way appeals are handled.

Provost: I have no problem disagreeing with PTOC – I am thinking about fairness to the candidate and the final decision - does it rest with the provost or the president?

L. Sperry: PTOC made the recommendation that the provost would have final decision whether person gets promoted or not.

J. Kuhlman: The person being considered has an opportunity to appeal provost decision and from there decision would go to the president.

Provost: I believed that the final decision for promotion needs to go to the president. When PTOC makes its recommendation - I prefer to wait and make sure.(cited e.g. Pontius/ Leaves Oversight Committee).

V. Sheets: There have been cases in the past where decisions (recommendations) were overturned at the presidential level. So I do believe it can currently go to the president.

S. Lamb: I would like FAC to review/study item 3 and bring back to EC at later date.

**MOTION TO ACCEPT** FAC’S Recommendations for Items 1, 2, 4 and 5 only (J. Conant/V. Sheets

6-0-0)

Item 3 – will be reconsidered after FAC has a chance to review/study it at a later

date/time.

* Request by FAC of **additional HandBook** language for grounds for dismissal – L. Sperry.

Recommend we have that discussion next year.

S. Lamb: I believe that department is mentioned but not college or university. And it tenure already exist – it need not be given.

R. Guell: Is it not administration view that if a faculty member has not received a conditional reappointment and has met every expectation of tenure that there is an obligation of the university to tenure that person?

S. Lamb: There is language in the HandBook that says if the need no longer exists that tenure not is given.

R. Guell: I believe that is appropriate language for a department – should language exist for college and university? This is a really big loop hole for a dean that may want to get rid of someone for various reasons.

J. Conant: On another matter someone who committed an awful fault – should not be granted tenure. There is a legal line there.

R. Guell: If someone in some college has done everything they needed to do for tenure; has never gotten a conditional; served on a number of committees, etc. and simply does not ever want to do community engagement is that enough for a dean to dismiss him/her?

 S. Lamb: That is in the domain of the college and department.

Provost: If community engagement is an expectation and one refuses and if it is in the Handbook language…

R. Guell: If it is in the department guidelines – I do not want a president to say no a person who is isn’t attune to a particular person’s directions. I would not want that kind of power even in the dean’s office.

J. Conant: I agree.

Provost: I believe that there is enough protection if a president/provost wanted to act in such a way that was inconsistent with another’s belief about a candidate. We do have PTOC, etc.

S. Lamb: I am thinking about a more uniformed college like the COB. We have uniformed expectations that are department/college expectations but I certainly understand substance – greater involvement towards strategic plan of the university.

**MOTION TO APPROVE** that FAC come up with additional Handbook language related to University dismissal process, V. Sheet/J. Kuhlman 6-0-0.

* Under Mediation – Grievance Pool recommend additional training.

Discussion

**MOTION TO ACCEPT FAC** recommendations re mediation/grievance training/faculty advisors involvement in appeal process S. Lamb/R. Dunbar 5-0-1

**MOTION TO Thank Charles Hoffman** for his service on Faculty Senate R. Guell/S. Lamb 6-0-0.

Meeting adjourned 5:15 p.m.