February 14, 2006

Members Present:


Members Absent:

Robin Baker, Marcia Bollinger, Paul Butrymowicz, Margaret Devine, Michael Dorsher, Warren Gallagher, Susan Harrison, Larry Honl, Todd Hostager, Rose Jadack, Debra Jansen, Sallie Kerman, Barbara Lozar, Sue Moore, Tarique Niazi, Jill Prushiek, Roger Selin, Carter Smith, Lorraine Smith, Daniel Stevenson, Kent Syverson, Lois Taft, Troy Therhark, Rebecca Wurzer

Guests:

Don Christian, Bernard Duyfhuizen, Scott Hartsel, Robert Hooper, Stephanie Jamelske, Amanda Krier, Jan Morse, Andrew Phillips, Katherine Rhoades, Kathy Sahlhoff, Andrew Soll

The regular meeting of University Senate was called to order by Acting Chair Gapko at 3:04 p.m. on Tuesday, February 14, 2006 in the Tamarack Room of Davies Center.

- University Senate Office moved two doors down to Old Library 1130
- Rose Battalio replacing Todd Stephens as senator from Department of Special Education

I. Minutes of January 31, 2006 University Senate meeting approved as distributed

II. Chancellor’s Remarks – Provost Tallant

- Reporting on Board of Regents meeting as chancellor unable to attend last week; details available online
  - Vice Chancellor Soll and Senators Wick and Blackstone also attended
- UW Growth Agenda: a Vision for the Future presented by President Reilly and staff
  - Initiative complements Governor Doyle’s Wisconsin Covenant vision ensuring financial support for low-income Wisconsin students
  - Loosely modeled after similar Indiana initiative
  - Students become eligible starting in seventh grade, with program beginning in 2007
  - To be eligible, students must demonstrate financial need by meeting income requirements, academic requirements while in high school, and exhibiting good citizenship
  - Funding and implementation of program still being worked out
- Board supported initiative to streamline approval process for academic programs
  - Reduced number of readings of new programs from two to one unless second reading requested by Education Committee
  - Also approved recommendation to align initial joint review of new academic programs with campus review process
    - Combining system and campus reviews results in significant reduction of work for campuses
- Madison received an entitlement for master of education in agroecology
  - Spectacular program that will be first in this country to blend these two disciplines
- Last three items heavily discussed
  - Board was presented data suggesting salary compression which resulted in longer-serving chancellors being compensated below market levels
Data indicated average chancellors salaries between 8% and 17% below their peer median.

Board unanimously passed resolution
- Establishing new salary ranges for chancellors
- Making senior executives eligible for consideration of annual pay increases along with faculty and academic staff as part of unclassified pay plan effective July 1, 2006
- Periodically reviewing and assessing chancellor salaries to correct possible salary inequities and to recognize competitive factors as allowed by law, taking into consideration evaluation of performance
- Already legislative talk about stopping implementation of that resolution

Board approved measure to lower out-of-state tuition for undergraduate students
- Argument made that Wisconsin priced out of market for out-of-state students
- Resulted in decline, excluding Madison, of more than 900 students over past five years for loss of approximately $1.3 million in tuition revenue annually
- Case also presented that out-of-state students important for geographical diversity on campuses
- New rate, which lowers out-of-state tuition by approximately $2,000, would cover full cost of education while providing equivalent of average state support for a resident undergraduate student
- Under this formula, nonresident enrollments would need to grow by 240 students to offset decrease in tuition
- Also talk by legislators about stopping implementation of this resolution

In response to recent political and public outcry regarding handling of several high profile personnel cases within UW-System, Board of Regents presented draft of UWS 7 – Procedures for Dismissal of Faculty in Special Cases
- Proposal pertains only to faculty
- Purpose is to expedite review process of faculty members engaged in serious criminal misconduct with goal of suspending and eventually terminating employment of faculty member
- Draft UWS 7 sent via email to each senator today; Senator Wick to present details
- Have opportunity to provide feedback to system by early April

Response to questions and comments from floor
- All executive category employees included in resolution setting salary ranges and process for review and assessment of salaries – chancellors, president, vice presidents, and provosts
- Many chancellors below minimum will get increase
- Used same peer group for comparison that used to look at faculty and academic staff salaries, but could look at actual salaries for people at peer institutions because looking at much smaller group
- In setting ranges, regents took midpoint for peer group, and set midpoint of range for same UW category at 95% of that; minimum then set at 90% of midpoint; so minimum already 15% below peer mean
- Salary adjustments for these groups made first; do salary adjustment, then bring up to minimum so distance between where chancellors are now and minimum smaller percentage than 6% suggested
- Faculty salary minima are not figured in same way; whole point is that what we are talking about for executive class employees is not the same as for faculty and academic staff

III. Chair’s Report – Acting Chair Gapko
- Faculty and academic staff salaries to be considered next
- May now have some people paying attention as numbers of 8% and 17% behind peers also apply to faculty and academic staff respectively
- Keeping those figures in front of people that matter may help in salary consideration
- Remind committees that constitutional changes need to come before senate in March; after that there will only be three senate meetings scheduled to take up any other items of business

IV. Faculty Representative’s Report – Senator Wick
- Will highlight areas of regent meeting provost did not cover and provide details of proposed UWS Chapter 7
- Very interesting idea included in chancellor salary language
  - Will record where each chancellor stood relative to market on date of hire and monitor that on anniversary date with possibility of making salary adjustment to keep them at same market value
  - Seems like something we can certainly try to get for faculty as well
- Was allocation of faculty retention funding - $1.6 million statewide to address retention of high-demand faculty
- UW-Eau Claire share will be $85,000 to $90,000
Although not strictly shared governance issue, Provost Tallant will share ideas and hear feedback from Compensation Committee on distribution of these funds; will be coming up on agenda in near future

Lawton Undergraduate Minority Retention Grant received an extra $313,000 and Advanced Opportunity Program received an extra $272,000 in funding; good news for under-represented groups within system

Both distributed based on proportional head count of students of color at institution

UWS 7, Procedures for Dismissal of Faculty in Special Cases, scheduled for voting at May Board of Regents meeting

Deadline to get feedback to system is early April; will go through governance structure here

Salient features

- If don’t fall within definition of serious criminal misconduct, case goes back to UWS 4
  - Serious criminal misconduct must be felony and then meet additional constraints as well
  - Not an attempt to circumvent process and procedures for dismissal for cause
  - Is stipulation that faculty member must report behavior when engaged in it, not when charged or discovered – seems a little unlikely that would happen
  - Expedited process essentially completed in 60 days
  - Intent here to answer public demand that we move more quickly in addressing these concerns
  - Provost will have ability after consultation with shared governance to suspend faculty member without pay pending completion of process
  - Are stipulations that provost must find substantial likelihood that faculty member did what being accused of, or is unable to report to work, due to incarceration or conditions of bail or similar cause, or is convicted of serious criminal misconduct as defined
  - Faculty member will have two days to appeal decision of provost
  - If termination found not to be appropriate, chancellor or board can issue lesser penalties than dismissal or demand repayment of all back pay for people who have been suspended

Send in comments, concerns, questions to build collective response to lengthy document

Response to comments and questions from floor

- High-demand faculty members not defined; to be defined at individual institution
- Seems dismissal proposal might conflict with some new federal laws about identity theft; will need appeal function given some identity theft cases in Milwaukee where victims wrongfully jailed for up to seven days
- Issue has serious implications, many more than identified
  - Can anyone name a person in any one of our system schools who has diminished university name by a felony without being dismissed; was system vice president that caused discussion
- Proposal related to faculty; assume that means faculty and administrators with faculty concurrent appointments
  - Will be similar process brought into place for academic staff once this approved
  - Seems strange burden of proof for dismissal is lower than burden of proof for temporary suspension
  - Proposal is open to negotiation and input; have seen it modified over last week based on input from faculty representatives groups
  - Are serious implications here; need to look at collectively and go back with best response to address concerns
  - Discussion at Board of Regents will come after hearing feedback from campuses
  - This not just reaction to Barrows case; also some faculty members from Madison in jail and not fired

Without objection, matter formally referred to Faculty Personnel Committee to work on response and bring report back to senate at first meeting in March.

Continued Discussion

- Don’t see this as very definitive; could be great misunderstanding not of what felony is, but about it embarrassing the university
- System legal counsel was involved in formation of policy, so by implication would stand by policy
  - Two of board members on committee putting proposal together are lawyers
  - Made it clear they felt this was fair and thought it was legal; did want feedback though
- Faculty Personnel Committee will provide process to receive any and all comments that people might have
  - Send to Senator Wick as faculty representative or Senator McAleer as chair of committee
- Think seriously impairs under 7.02 (b) and (c) needs to be defined or will end up in courts forever
• Several phrases in document that people might be concerned about – another one is *seriously impairs the efficiency of the colleagues and the students with whom he or she works*

• Seems process puts lot of pressure on provost
  
  • Provost is chief personnel officer of university so provost in conjunction with chancellor has to head this review; has to be some way for this due process to be developed with faculty representation, can’t just be provost

• Is one of main agenda items for provost meeting Friday

• Think best approach will be to highlight those things that need to be changed so you can get on board

• Proposal, or something like it, is going to happen; need to construct reaction in way that can form this into something we can live with

V. Academic Staff Representative’s Report – Senator Blackstone

• Next meeting March 16, 2006; will have full report after that meeting

• UW-Eau Claire agreed to host Academic Staff Leadership Conference this summer

  • Are forming committee so please contribute to make conference good for all

VI. Announcements

• None

VII. Unfinished Business

Second Reading – Motion from Compensation Committee

Comprehensive Salary Plan 2006-2007

Continued Debate

• No adjustments made in promotion amounts in pay plan

  • In past few years, using formula would have actually reduced amounts; after consultation with administration, committee decided not to reduce them

  • Anticipate next year committee will come forward with recommendation to increase amounts based on formula

• Issue of promotion increases very important because over 30-year career, are only two promotions; if those are not significant, end up without even cost of living increases

  • Raises critical to one’s tenure here, job satisfaction, and quality of university over period of time

  • Important to raise them as our annual raises are so far below, not only our peers, but below what it costs to live; must be significant enough to offset lack of annual raises

• Amounts set in pay plan for post-tenure review salary adjustments not dependent on pay plan dollars

  • Is fixed adjustment; if not enough money in pay plan, augmented by outside dollars

  • This part inserted in pay plan as passed by senate last year

  • Are eligible for these awards when come through post-tenure review process

    • Administration will have to come up with schedule for when people are going to come up for first post-tenure review to balance budget; can’t have everybody coming up in one year and no one the next

    • As long as faculty remain at institution, will always be a next time; will not be disadvantaged by size of pay plan

• Are number of people that will not participate in this process on recurring basis – must be full professor rank for five years and not received additional funding

  • If there is no option to move up and therefore no pay increase available, would be eligible to be included in equity portion of pay plan; whether receive those funds or not is different issue

• Phrase *instructional academic staff* in title is very misleading because senior lecturers without chance of getting tenure or promotion are not included

• Assistant and associate professors also excluded from sharing in those funds

• Faculty here for many years without performing scholarship not going to become full professors; would also be excluded

Amendment 42-CP-01-a1

Moved by Senator Freymiller and seconded that line 236 be changed to: *Tenured faculty and instructional academic staff with the title of senior lecturer are eligible for a compression salary adjustment if (1) they received a performance rating of 1.0 or higher, (2) they have undergone a post-tenure review or a reappointment in the same fiscal year, and leave everything else the same.*
Debate

- Amendment would explicitly include long-serving instructional academic staff, not with guarantee of receiving funds, but with ability to apply for them
- Was intended to fight compression in faculty ranks, which is well documented on this campus and across profession in general
  - Not clear that same compression exists in various ranks of instructional academic staff
    - Should be verified before making this modification
  - Post-tenure review is very substantive review process, much beyond what typically done for reappointment
  - Encourage you to support pay plan and have Compensation Committee investigate issue for academic staff, including instructional academic staff
- Seems taking out money for compression adjustments creates further compression because so little money to be divided
- Putting more money into full professor rank doesn’t exclude normal pay increases through merit considerations, so policy will not cause additional compression defined by committee as ratio of full professor average salary to assistant professor average salary
  - Data indicate compression for faculty at full professor rank is about $5,000 to $6,000; considerably less for associate professor rank; for assistant professor rank, some years there is no compression and some years a tiny bit
- Point is we should express distain of faculty and academic staff about our salaries and no one else has that responsibility

**Vote on Amendment 42-CP-01-a1:** Amendment DEFEATED.

Further Debate on Main Motion

- Cannot receive post-tenure review salary adjustment more often than once every five years, even if request additional post-tenure reviews
- Difficult to talk about pay plan of this nature when you see executives getting raises equaling more than many individual faculty member’s current salary
  - Always told there is no more money when that is clearly not true from system perspective
- We follow all regents mandates, like 1/3, 1/3, 1/3 rule; have no choice
  - Really need to respond to regents our level of dissatisfaction with pay plan and guidelines to divide up such a small amount of money
- Biennial pay plan called for 2% pay plan effective July 1, 2005, and 3% pay plan for second year
  - Pay plan in front of us is for 2006-2007 with 2% increase on July 1, 2006, or beginning of contract period, and remaining 1% on April 1, 2007
- Compression salary adjustment will reward limited number of people on campus
  - Most people giving money away to discretionary fund administered from top down
  - Will be chronic problem
- Unionize, organize; seems one state legislator wants us to do just that
- Is 10% pile of money that comes to institution designated as chancellor’s discretionary funds; not taking from ourselves to put in this pile – has been designated for this purpose
  - Chancellor has been good enough to allow faculty input into that process

**Vote on Motion 42-CP-01:** Motion PASSED

VIII. Reports of Committees

- Executive Committee – Acting Chair Gapko
  - Next meeting February 21, 2006
    - Committee to continue discussing academic program action chart and administrators voting on committees
- Faculty Personnel Committee – Senator McAleer
  - Meeting February 23, 2006 to discuss continuing business and also issue of disciplinary action
  - Email suggestions; would be happy to arrange open forums
- Academic Staff Personnel Committee – Senator Blackstone
  - No report
- Academic Policies Committee – Senator McIntyre
Next meeting February 28, 2006 to consider student teaching overseas

Physical Plant Planning Committee – Senator Russell
- Next meeting February 20, 2006 to discuss proposal to install disc golf course on upper campus
- Plan for Putnam Park only brought to senate for information; feedback to be discussed in committee

Budget Committee – Senator Gallaher
- Will have meeting in next couple of weeks

Compensation Committee – Senator Wick
- In process of putting together schedules so we can get quorums at meetings; had difficulty doing that fall semester

Without objection, because a member of the Compensation Committee is out on maternity leave for two months, the quorum for the Compensation Committee set at four members instead of five during her absence.

Nominating Committee – Senator Lo
- Met virtually – report under special orders

Technology Committee – Senator Ducksworth-Lawton
- No report

IX. Special Reports
- None

X. Special Orders
University Senate Executive Committee Election

Report of University Senate Nominating Committee – Senator Lo
- Nominations for Executive Committee
  - Jeff Erger, Sociology
  - Nola Schmitt, Family Health Nursing
- Nominated from floor
  - Selika Ducksworth-Lawton, History
- No further nominations from floor

Elected to the University Senate Executive Committee: Selika Ducksworth-Lawton

XI. Miscellaneous Business
- None

Without objection, meeting adjourned at 4:12 p.m.

Submitted by,

Wanda Schulner
Secretary to the University Senate