The regular meeting of University Senate was called to order by Chair Wood at 3:03 p.m. on Tuesday, March 11, 2008 in the Tamarack Room of Davies Center.

I. Minutes of February 26, 2008 University Senate meeting approved as distributed
- Approved as distributed

II. Chancellor’s Remarks – Chancellor Levin-Stankevich
- Board meeting last week
  - Advantage Wisconsin system-wide planning process
    - It is the role of the UW Colleges and the proposal that included building residence halls at the 2 year colleges and developing limited and targeted baccalaureate degrees
    - The problem is that 4 year institutions currently have vacancies in their residence halls and in their classrooms
    - Technical colleges want to offer transfer degrees
    - Sent back to the drawing board because there was very little substance to the actual degree itself as it was fundamentally a rehash of general education principles with no specifics to it
    - There were insufficient answers regarding the cost of the program
    - No answers as to how they would limit the program and not step on the toes of 4 year institutions that it could potentially overlap with and take students from
    - Concerns on the academic side in terms of what the degree is and on the pragmatic side in terms of enrollment management and financing higher education
  - Tuition and financial aid
    - Survey of all the existing and potential tools that campuses could use to generate tuition revenue
    - Discussion ranged from per credit tuition to stratification and allowing tuition to float to market rates
      - Based on market rates UWEC is about $1000 below
      - Applications are up 9% this year
      - UWEC continues to be in demand by students
UWEC does not use differential tuition to support traditional services as some other UW institutions have, such as Career Services.

Differential tuition as used by UW-La Crosse is really a $1000 tuition increase that will phase in over the next 4 years.

This increase is supported by key legislators in their area, their students and from their regional board members.

The Chippewa Valley does not have a regional board member.

Talk of going to a higher tuition, higher aid model.

Charging higher tuition and using it to provide financial aid to lower income students.

Same premise that private institutions use.

It has been turned into a race issue.

Common in Colorado and Washington.

This model would set our own direction in terms of enrollment and unique characteristics of our region and institution.

Board leaning towards differential tuition in terms of cost because anything else requires legislative action.

Last Thursday faculty, alumni and students went to Madison to thank legislators for their help and talk to them about UWEC’s future legislative needs and the flexibility we will need in terms of the difficulty in financing higher education.

Governor says State is facing a $650 million shortfall.

Proposed a budget repair bill that includes a transfer from the transportation fund and will revisit the hospital tax.

Left the University System out of the budget cuts at this point.

III. Unfinished Business

- None

IV. New Business

First Reading – Motion from the Faculty Personnel Committee

Appeal Procedures: Promotion

- Came before the Faculty Personnel Committee from a faculty member.
- Change was proposed due to an issue when someone was told that they could not appeal.
- Happened at least twice in the past year.
- In the last 8 years this has happened about 7 times, involving 4 or 5 individuals.
- Person does not have recourse so in the past this went to the grievance process, which is not useful.
- Under the current policy denial of promotion is only appealable after you’ve been denied twice.
- Main issue is that someone shouldn’t have to be denied twice before they can appeal.
- Personnel decisions made by the people most familiar with the field and the candidate makes more sense than those higher up the ladder.
- Decided to strike two existing appeal policies (one for promotion subcommittee decisions, one for administrative decisions) and combine them into one allowing for reconsideration for any denial, then an appeal to the next highest level – (administrator, such as chair, dean then provost).
- This merges two distinct policies and preserves fairness.
- Concern that this could become a reoccurring problem.

Motion 44-FP-02

The University Senate Faculty Personnel Committee, by a vote of 5 – 0 – 1 (for, against, abstain), on 29 February 2008, moves that the University Senate approve the following changes to the Faculty and Academic Staff Handbook, Chapter 5, page 28:

**Appeal Procedures: Promotion Subcommittee Decisions**

A faculty member may request an administrative review of the decision of a departmental promotion subcommittee not to recommend promotion provided that the faculty member meets the minimum...
degree and experience requirements for consideration for promotion to the rank sought.

The administrative review shall be conducted by the next highest administrative level not involved in the contested decision. During the course of this review, it shall be the responsibility of the faculty member to show cause why the issue of his/her promotion should receive further consideration. After reviewing the statement of the faculty member, the qualifications of the faculty member, and the facts relating to the promotion subcommittee's review, the reviewer may direct the promotion subcommittee to reconvene and to reconsider the issue on its merits. After reconsideration the promotion subcommittee shall submit a report to the reviewer including a recommendation and the justification for the recommendation. After considering the subcommittee's report, the reviewer shall make a report and a recommendation to the next highest administrative level not involved in the appeal. (US 10/99)

## Appeal Procedures: Administrative Decisions

A faculty member may request the Chancellor to review administrative decisions not to recommend promotion provided that the following conditions have been met:

1. The faculty member meets the minimum degree and experience requirements for promotion to the rank sought.
2. The faculty member has been recommended for promotion by the appropriate promotion subcommittee in each of two separate years, and a negative recommendation has been recorded each year by any subsequent level of administrative review. (US 12/01)

## Reconsideration and Appeal of Denials of Promotion

Upon receiving written notice of a decision to deny promotion, a faculty member who meets the minimum degree and experience requirements for promotion to the rank sought may within 10 days formally request reconsideration of the negative decision. A reconsideration is not a hearing, or an appeal, and should be non-adversarial in nature. The reconsideration shall take place within 20 days of the faculty member's request, and the faculty member shall be given at least 10 days advance written notice of the time and place of the reconsideration. It is the faculty member's obligation to provide good reasons why the negative decision merits reconsideration. The reconsidering party shall give fair and full consideration to all relevant materials, and shall, within 5 days of the reconsideration, inform the faculty member in writing of the results of reconsideration.

If reconsideration rescinds the initial negative decision, the application for promotion shall be forwarded to the next higher administrative level, if any, though the faculty member may not request reconsideration of a subsequent negative decision of the current application for promotion.

If reconsideration affirms the initial negative decision, the faculty member may, within 10 days of receiving the result of the reconsideration, formally appeal the negative decision to the next highest administrative level not involved in the contested decision. The faculty member's appeal shall be heard within 20 days of its initiation. It is the faculty member's obligation to provide good reasons why the negative decision should be overturned. After reviewing the relevant facts, the reviewer shall, within 5 days of hearing the appeal, decide the appeal and shall promptly inform the faculty member in writing of his or her decision and the reasons for it.

If the party hearing the appeal reverses the negative decision, the application for promotion shall be forwarded to the next higher administrative level, if any, though the faculty member may not appeal a subsequent negative decision of the current application for promotion. If the party hearing the appeal reaffirms the negative decision, the faculty member may neither request reconsideration of this reaffirmation nor appeal it.

Debate
- First request is a reconsideration to who initially denied you in the first place then it goes up the ladder
- Reconsideration is different from the initial review
- Rationale is reconsideration is less formal
- A con of the recommendation is that it may encourage more frivolous appeals
- Concern that people may appeal a decision just because they don’t like the decision made
Con states that it allows for promotion without full administrative approval when the next up the ladder could approve it with the current policy.

- There is a difference between an appeal and a reconsideration.
- Recommendation for clarification before we proceed.

**MOTION** by Senator McAleer to **amend the motion in the second paragraph to add the wording “or appeal”** seconded.

- Still doesn’t clarify the rest of the original motion.
- Senator Tallant offered to make a recommendation for a change and bring it back to the Senate.

**MOTION** by Senator Smiar to **postpone debate on the motion to amend until Senator Tallant returns with clarifying language** seconded and PASSED by two-thirds vote.

**Continued Debate on Motion**

- Chair Wood to try to find the origin/purpose.

**Vote on Motion 44-FP-02:** Motion PASSED without dissention.

V. University Senate Chair’s/Faculty Representative’s Report – Senator Wood

- Will circulate report.
- Response to UW System Administration Code chapters 17 and 18.
- Concern as we look at these changes is the way that the policy makes explicit something that we have been doing on extremely rare occasions anyway and that is imposing academic sanctions for nonacademic misconduct off-campus.
- Has been done in the past without an explicit policy to this effect and most recently UWEC issued an emergency suspension for an off-campus student housing incident.
- Code will now say that it can be done.
- Senate Executive Committee states that this is our concern but we do support the greater clarity of the language in both chapters and will also recommend that this campus adopt its own very specific policy.
- Send email to Chair Wood if you would like a copy of both chapters as well as the full text response.
- Announcement that Senator Harrison was elected to fill out the term on Academic Policies Committee.

VI. Academic Staff Representative’s Report – Senator Brockpahler

- Report circulated.

VII. Reportable items from Committees

- Executive Committee – Chair Wood
  - None
- Faculty Personnel Committee – Senator McAleer
  - None
- Academic Staff Personnel Committee – Senator Brockpahler
  - None
- Academic Policies Committee – Senator Hollon
  - None
- Compensation Committee – Vice Chair Gapko
  - None
- Nominating Committee – Senator Don
  - None

VIII. Special Reports
A. Bookstore: What should its future be?

- Vice Chancellor Soll
  - Barnes and Noble contract started in February 2001
  - State requires rebid and this year is the year that it happens
  - UWEC will do a request for proposal (RFP) then vendors will submit their proposals
  - UWEC would like to hear concerns/suggestions for the new contract

- Director of University Centers Charles Farrell
  - An RFP is not a document that specifies a lot of detail about quantities of sweatshirts and etc. that the bookstore would have but rather the wants of UWEC such as continuing to have trade goods, clothing and etc.
  - Suggestion to put in a requirement on how many textbooks are ordered as syllabuses are being rewritten due to the lack of books
  - There is a lack of inventory knowledge, such as, what the inventory is currently and how many need to be ordered
  - There seems to be a lack of materials on hand that are necessary, affordable and in stock
    - Students don’t want to order from the bookstore due to this
    - Bookstore should have an obligation to notify when a new edition comes out
    - A format for the forms should be reworked as the current forms that are sent to the departments are unreadable
  - Should be an online text ordering system
    - Students are not discouraged from ordering online
    - Bookstore is currently required to work with Admissions and is to order 100% of the textbooks needed
    - Bookstores do not make money on textbooks but rather soft goods
    - It used to be that the library could purchase a copy for the library but not any longer
    - Require the bookstore to give the library a list of books needed for each semester and allow the library to purchase them
  - Old books sold to wholesalers or students allowed to purchase them
  - $84 dollars per semester paid by student as rental fee
  - Provide faculty access to customized books
  - Basic school supplies have been reduced dramatically over the years but would like to see that expanded
  - Seems that sometimes it is required to use new edition and it is a waste for some courses
  - Professors should be given a dollar number vs. number of books they can order
  - Bookstore should give perspective students coupons
  - It is nice and should be continued that the Bookstore supply bags for visitors
  - Why every semester are books sent back instead of keeping them in stock
    - It meets the publishers deadline for returns
  - At what time does the bookstore order the books because the classes may not yet be full when the books are ordered
    - Bookstore likes to wait as long as possible
  - Executive Committee comments when this was discussed last time should be provided
  - Books should be able to be ordered from Borders and have shipped to UWEC
  - Barnes and Noble only gets paid for the books that they purchase for the IRR
  - An IRR request has not been denied in 2 years
  - IRR appeals can get you approval to get books
  - The University should run the bookstore again
    - A significant cost and UWEC is not interested in doing so as it is not a core part of the mission
  - Rental program is run by a committee of faculty and students
    - Bookstore lives by those decisions
  - UWEC running the bookstore is one option but also there are a number of institutions such as Washington State that have a Student Co-op that runs its bookstore in multiple locations
    - Some institutions have faculty-student corporation
    - Could be a scale issue as Washington State has larger student body
    - Bookstore grosses 2 million
    - Something that could be thought about
    - Co-op operations across the country have gone out of business or outsourced
• Not central to our core mission
• With vendor supported operation you have a pool of people if turnover
• Fewer problems when the bookstore was run internally
• Would like to see this discussed as an option
• May not be part of the core mission but could it serve the core mission
• There are ways to creatively link the bookstore to the core mission
• Request that the plastic bags that are used be from recycled materials
• Students feel disgruntled with the buyback system
• More information should be given to students on how it works
• Further comments can be directed to Charles Farrell

IX. Miscellaneous Business
• None

X. Announcements
• Chair Wood will email the Senate body to make them aware if there will/will not be a Senate meeting on March 25, 2008

Without objection, meeting adjourned at 4:26p.m.

Submitted by,

Tanya Kenney
Secretary to the University Senate