UNIVERSITY OF WISCONSIN-EAU CLAIRE
UNIVERSITY SENATE MEETING
VOL. 47, NO. 7

December 7, 2010

Members Present:
Julie Aminpour, Jason Anderson, Ned Beach, Lori Bica, James Brockpahler, Patrick Day, Chip Eckardt, Jeff Erger, Martha Fay, Steve Fink, Lyle Ford, Mitchell Freymiller, Vanda Galen, Andrea Gapko, Alan Gengenbach, Gail Hanson Brenner, Susan Harrison, Beth Hellwig, Kate Hinnant, Ann Hoffman, Robert Hollon, Jay Holmen, Phil Ihinger, Debra Jansen, Andrew Jepsen, Robin Johengen, Dale Johnson, Lia Johnson, Paul Kaldjian, Patricia Kleine, Fred Kolb, Cheryl Lapp, Jennifer Lee, Scott Lester, Brian Levin-Stankevich, Scott Lowe, Barbara Lozar, Jill Markgraf, Jason Mathwig, Rick Mickelson, Bob Nowlan, Jill Olm, Geoffrey Peterson, John Pollitz, Jean Pratt, Rob Reid, Katie Ritland-Clouse, Mitra Sadeghpour, Sherrie Serros, Earl Shoemaker, Sheila Smith, Linda Spaeth, Marie Stadler, Todd Stephens, Dan Stevenson, Theresa Wells, Kate Wilson

Members Absent:
Robin Baker, Mary Belknap, Jeffrey Janot, Kate Lang, John Lee, Paula Lentz, Karl Markgraf, Jill Pastrana, Stephanie Van Pay, Sharon Westphal, Odawa White, Becky Wurzer

Guests:
Margaret Cassidy, Sean Hartnett, Karen Havholm, Dylan Jambrek, Joe Knight, Mickey Kolis, Mark Morgan, Teresa O’Halloran, Gail Scukanec, Marty Wood

The regular meeting of University Senate was called to order by Chair Harrison at 3:06 p.m. on Tuesday, December 7, 2010 in the Tamarack Room of Davies Center.

1. Minutes of November 23, 2010 University Senate meeting approved as distributed

2. Chancellor’s Remarks – Chancellor Levin-Stankevich
   - After consultations with the Executive Committee and UW System around how to best organize the construction that will be happening on campus it has now been approved that Mike Rindo be appointed as the interim - Assistant Chancellor for Facilities
     - Is a 3 year limited term appointment
     - Will do this in addition to his University Communications job where he is Executive Director of Communications
     - Will no longer carry the title Special Assistant to the Chancellor
     - Will supervise Ric Gonzales, Terry Classen and the contractors among others
   - Facts about the Pay Plan were just sent out from Geoff Peterson so please refer to that as it answers most questions
     - Look at this in conjunction with the University’s proposed budget for next year because it is in the budget that System asked for reinstatement of the funds that caused the furlough days
       - If it’s not reinstated as budget item then the University would still have a budget hole to fill as a result of that
   - Also being presented is Badger Partnership
     - Is Madison’s effort to gain some autonomy from the System
     - Would like to run Madison the way other universities are run
     - Would give tuition flexibility to flexibility around construction projects
     - Lets us generate funds effectively
     - Watch the Badger Partnership
       - There is a home page for this and it has a number of videos on it
       - Would like to hear what the campus thinks
   - Would like to thank everybody involved in the BluGold commitment process
     - The process is beginning to move towards where we anticipated it going
• Provides base needs for the institution in terms of personnel acquisitions
• Goes back to the Student Senate in January then it goes to the Chancellor for final review
• Environmental Protection Agency and carbon emissions
  • Coal plants are owned and operated by Division of Administration
  • Madison is developing a multi fuel, including a bio-fuel, base steam plant
  • Is the state’s problem ultimately but it affects everyone
  • Becomes a significant university concern if the mediation of that problem begins to fundamentally replace our entire capital budget
  • Would ultimately eat up the entire capital budget for many bienniums
  • Questions on whether the existing plants violate clean air standards
  • May not need complete renovation but it is yet to be determined
  • With that cap and all the other needs in university system and the need to renovate the power plants it creates a problem for the state capital budget and we are a customer of it
• Remarks from Student Senate President – Dylan Jambrek
  • The Student Senate passed the motion 54-R-13
  • Student Senate support for the ULEC motion
  • Motion 54-B-23
    • BluGold Commitment Bill is now a matter of open record
    • The proposals have now been approved by the Funding Analysis Committee and now it will go to Student Senate for approval at the first Monday back in Spring semester then will go to the Chancellor Office
    • Access the open records document by sending email to stusen50@uwec.edu and a copy will be emailed to you
  • Motion 54-B-24
    • A bill creating a sensible smoking and tobacco policy on campus
    • Student Senate unanimously opposes a smoking ban on campus

3. Unfinished Business
   a. Second Reading – Motion from the Physical Plant Planning Committee
      Tobacco-free Campus

Continued Debate
• A healthy environment is an emotional healthy environment
• One can’t police an area
• See this as very negative as it doesn’t foster a positive environment
• Tobacco is an addiction and maybe our money should go towards helping people address their addiction
• This is two issues
  • Second hand smoking
  • Use of smoking products that do not involve smoking
  • Should be considered separate issues
• Gray areas on the map that was distributed previously cannot be enforced as they are city rights of way
• These are separate issues
• Concerned that there hasn’t been input from the classified staff as it affects working conditions
  • Have heard from the students, and after today the University Senate
  • There has been talk about creating a classified council to bring perspective on this
  • Sodexo is also part of this campus
  • Chancellor would seek input from class staff
• Physical Plant Planning Committee no longer owns this motion and the motion can be changed from tobacco to smoke free if deemed appropriate by the body

Motion by Senator Pollitz to amend motion to read that the University Senate approve the ban on smoking on all state owned University of Wisconsin – Eau Claire properties, seconded
Debate on amendment

- If Sodexo input will be sought then what about construction employees
  - Contract employees need to follow our rules
- Willing to support the motion for personal health benefits
- Would limit the ability to smoke non-tobacco products on campus
- Chewing tobacco should also be included as it is a hygiene issue so the motion should not be split
- Students out number us 10 to 1 and we should listen to them and they should learn to make their own decisions
- Argument that has been presented is that this is an attempt to deny one from a cigarette
  - This does not forbid one to smoke but would designate where it can be practiced
  - No place more than a 5 minute walk from anywhere on campus to smoke a cigarette
  - Simply saying that this is a health issue
  - We are an institution of higher education and we should educate students that this is a health hazard
  - Need to exercise some controls about where you smoke on campus
- Like the amendment as it refocuses the concern to the second hand smoke
  - Chewing tobacco is a problem but this addresses the specific concern of second hand smoke
  - Still allows freedom but with limits as smoking infringes upon others right to clean air
- All practices are unhealthy
- We require wellness theory and other things that are in the best interest of students
  - Their health should be paramount

Vote on amendment to the motion: **FAILS**

Debate on original motion

- Spiritual use of tobacco
  - Is an issue
  - There was an exception granted on other campuses
    - Theatre Department use was granted an exception as well
- Enforcement will not be different than what we do now
  - Not any significant changes
  - Will be a challenge but doesn’t mean that we do not try
- Like the idea of this motion but passing a motion that only leads us back in a circle to where we currently are does not make sense
- Noticed that with the smoke-free campus at CVTC and at Sacred Heart Hospital that we have seen an increase in smoking on our campus
  - The current rules permit smoking in some really foolish places
    - Student Senate motion is also trying to move people away from those spots
    - Then left with encouraging people to smoke but we can do better than what we do now
- Totally unenforceable and questioning the enforcement when it is not our students
  - Some will smoke in the street
  - Education is the way to go
  - Agree with the concept but it is unenforceable
  - Smoking shouldn’t be in an enclosed area
- All about protecting all of our rights but to what extent
  - Haven’t heard an argument about chewing tobacco that is any different that chewing gum
  - Lean too far
- May be moving too rapidly rather than a phased approach
- Banning it, rather than working at it slowly is an extreme reaction
- Although an addiction we shouldn’t enable
- Chewing tobacco is every bit as destructive and should be discouraged
- Think of it as a policy rather than a law
- Colleges and universities are increasingly becoming tobacco or smoke-free
  - Almost 500 at this point
Have similar strategies that we have and they have seen changes
Every year deal with the 25 foot issue in the residence halls and this would help them
Surgeon General stated that there is no risk free level of second hand smoke
Not protecting rights if we are allowing second hand smoke
Second hand smoke has immediate effects
Is a health issue on campus
You can educate people about the effects of tobacco but when you make it harder for them then they may be more successful when they quit
At least one comment that they would be more likely to quit if this motion was approved
This policy is not sudden as it will not be in effect until January 2012
Can promote sensation efforts and can have trial runs to effect change to see where they gather to smoke
Will always be risks
One faces a risk when walking
One comment on a survey is meaningless
Can see this with every election as numbers do not always line up
This issue of health does not go far enough
Assaulted by perfume and cologne and should we have policy against excessive perfume and cologne
If step in tobacco one can wipe it off but if I step in gum then I have to pick it off and that is a level of hygiene
If concern is level of risk then let’s put it in perspective
Might be a detriment to recruit people of diversity
Seems this is an issue because smoking is allowed at the entrances
Concern about individual rights and the placement of ashtrays

Motion by Senator Peterson to bring this debate to halt and have an immediate vote, seconded and PASSED without dissention.

Vote on Motion 47-PP-01: PASSED

Without objection, the Chancellor will be granted a 30 day extension (from the start of the 2011 Spring Semester) to respond to the motion.

b. Consent Agenda Items from Academic Policies Committee regarding Curricular Changes
During the last meeting the list of items from the Academic Policies Committee for the Consent Agenda Items inadvertently had the establishment of a new emphasis in the BFA Comprehensive Major: Art Drawing and Painting left off the list
APC had discussed and approved it
Note of such discussion was in the report associated with the motion but was not in the actual list that we approved (Motion 47-AP-03)

47-AP-03

Without objection the University Faculty approves the establishment of a new emphasis in the BFA Comprehensive Major: Art Drawing and Painting

4. New Business
a. First Reading – Motion from the Academic Policies Committee
Proposal for a new prefix in COEHS
**Motion 47-AP-04**

The University Senate Committee: Academic Policies Committee by a vote of 8 for to 0 against on November 30, 2010 recommends that the University Senate approve the proposed EHS prefix in the College of Education and Human Sciences

Debate
- None

**MOTION** by Senator Freymiller to suspend the rules to allow a vote to be taken on this today, seconded and PASSED without dissention.

**Vote on Motion 47-AP-04:** PASSED without dissention

5. University Senate Chair’s/Vice Chair’s Report – Chair Harrison/Vice Chair Spaeth
   - The following actions that were approved in Senate have now been acknowledged by the Chancellor
     - The Resolution, which has also been sent to President Reilly
     - The proposed Entitlement to plan the bachelor of Professional Studies degree
     - The Comprehensive Major in Organizational Leadership and Communication
     - The list of academic changes presented by APC
     - The deletion of the “Note” about graduation with distinction for second degree students
     - Post-tenure Review Subcommittee of the DPC language
   - The University Faculty and University Academic Staff Opening Spring Meeting and Chancellor’s Round Table will be held Tuesday afternoon, January 25th
     - Please plan to attend

6. Faculty Representative’s Report – Senator Peterson
   - Met last Friday but attended by audio
   - Talk that there may be a state hiring freeze as of January 1st
     - Not sure how that would affect UW System
   - Had a ceremony honoring Dave Obey and Russ Feingold
   - Going back to the Legislature to ask for the 2% salary return
     - Eau Claire and Superior were not included in this due to Collective Bargaining
     - Consensus that the 2% won’t be restored
   - Sent out a couple of things that were previously received from Al Crist
     - Pay Plan and comparison stuff
       - Please distribute to your colleagues

7. Academic Staff Representative’s Report – Senator Lee
   - Recent decision regarding Unit clarification
     - Might affect us
     - Will be sorted out over the course of years
     - Timing will be an issue in this matter
     - Essentially System’s solution is that Chapter 36 is the statute and we have the right to determine where people are titled
     - WERC have said that there are some academic staff members who have issued formal complaints that they should be in classified service
       - This will be sorted out with lawyers
     - Impacts that were brought up was that if one is one the list to be clarified how does that affect ones right to vote
       - Unit Clarification outcomes will trump that persons vote
   - Call for proposals for this year’s academic staff’s leadership/wellness will come out in January and will be due by the end of February
8. Reportable items from Committees
   • Executive Committee
     • Executive Committee discussed future academic calendars as it was discovered that the 2014-2015
       printed calendar contained a mistake
     • The Executive Committee authorized the correction of that mistake to change the last day of the
       listed summer interim in 2015 from June 5th to June 12th, with summer session beginning on
       Monday the 15th of June and ending on Friday August 7th
     • Discussed concerns about the number of days that new students are on campus prior to the start of
       classes in the fall and asked Residence Life staff to provide some possible suggestions for alleviating
       these concerns
     • The Chancellor was also asked to bring up the idea of System revisiting the September 2nd
       legislative requirement at this next Chancellors meeting
     • Since the search committee for the Associate Vice Chancellor for Academic Affairs and Dean of
       Graduate Studies position will be working over January and since the next meeting of the Executive
       Committee is not scheduled until February 1st, a special session will be held immediately following the
       adjournment of this meeting today to discuss a possible administrative change in duties associated with
       that position
   • Faculty Personnel Committee
     • Met and compared the old and new format for Chapter 5
     • All content was transferred successfully

FOR THE RECORD: The Faculty Personnel Committee looked at and compared the old format of Chapter 5
with the new online version and all was transferred successfully.

   • Academic Staff Personnel Committee
     • Academic Staff Personnel Committee also looked at Chapter 5 and passed a motion to indeed
       determine that all the contents did remain and the editorial changes, including correction of typos and
       reference updates, were made and would like to enter as a for the record item

FOR THE RECORD: The Academic Staff Personnel Committee looked at and compared the old format of
Chapter 5 with the new online version and all was transferred successfully.

   • Would like to formally recognize Chair Harrison for all of her hard work on this project as well

   • Budget Committee
     • Will be meeting this Friday at 3 p.m.
   • Technology Committee
     • Will meet tomorrow
     • Will be discussing two documents that the Learning Technology Development Council recommended
       regarding Student Talent Release for when they utilize other students in a video, audio or production as
       well as a permission and release agreement for faculty who want to use student produced materials

9. Special Reports
   a. Affirmative Action Complaint Procedure – Teresa O’Halloran
     • This is a revision of procedures to be followed when someone files a complaint
     • Right now the procedures are a little convoluted but the complaint procedures in the handbook refer out
       to the Affirmative Action Plan for information on where the procedures for Affirmative Action and
       Complaints are located
     • Now they are in Teresa O’Halloran’s office and on the webpage
     • Trying to conform to the way Academic Staff and Faculty Complaint Process work
• Concerns/comments
  • Should use the word “calendar” days as opposed to just “days”
  • Students also use this process and by statute students can appeal all the way up to the Board of Regents
  • Protected categories is WI law &/or Regent Policy

b. Student Evaluation of Instruction – Mickey Kolis, Education Studies
  • Interactive discussion was held
  • Information can be found on the CETL website

10. Miscellaneous Business
    • None

11. Announcements
    • Don’t forget the Opening Spring Meeting on January 25th
    • Next University Senate meeting is scheduled for February 8th

Without objection, meeting adjourned at 4:45p.m.

Submitted by,

Tanya Kenney
Secretary to the University Senate