UNIVERSITY OF WISCONSIN-EAU CLAIRE  
UNIVERSITY SENATE MEETING  
VOLUME 51, NUMBER 9  

March 10, 2015

Members Present:

Members Absent:
Cindy Albert, Lori Bica, Jon Bollinger, Jeff Erger, Todd Glaser, Marc Goulet, Bob Hooper, Marquell Johnson, Karl Markgraf, Mike Mc Mann, Heather Pearson, Jim Phillips, Odawa White, Tracy Yengo

Guests:
Erica Benson, Raina Beutel, Mike Dorsher, Bernard Duyfhuizen, Jennifer Fager, Judy Gatlin, Karen Havholm, Mary Hoff, Debra Jansen, Karen Konz, David Leaman, Carmen Manning, David Miller, Teresa O’Halloran, Gail Scukanec, Michael Weil, Mike Wick

The regular meeting of University Senate was called to order by Chair Freymiller at 3:02 p.m. on Tuesday, March 10, 2015 in the Ojibwe Room of Davies Center.

1) Approval of the February 24, 2015 University Senate minutes
   • Approved as distributed

2) Administrator Remarks – Chancellor Schmidt
   • Chancellor was in Madison for 3 days last week
     • He testified in front of the Joint Finance Committee for 3 hours; his remarks are on-line
   • Board of Regents meeting was last week
     • They passed resolutions supporting flexibilities and ensuring tenure and shared governance regardless of actions of the legislature
   • Rapid Action Task Forces
     • Have been in touch with them and they have been going above and beyond expectations
     • We have the opportunity to control our future; we do not have to be victims
     • We must work together to figure out how to get through this and keep UWEC excellent
   • Budget Cuts
     • The cut is larger than we had hoped
     • Chancellor has talked individually with legislators; there is consensus that cuts are too big
       • If additional money is available in April, then we have a chance of getting some of it
     • We are still worthy of the $95 million dollar request that we made
     • Chancellor made it clear that Wisconsin should still be investing in the UW System because “you will get no bigger bang for your buck”
     • Number of people working at UWEC will need to be smaller, but we need to protect those that remain
     • Chancellor would rather offer fewer opportunities, but we must do it with quality because “access without quality is no bargain”
• Work with UW System for a separation incentive because we want to minimize the number of involuntary separations from the institution
• Potential benefit information was shared, but more concrete information will be shared as it becomes available
• This isn’t an employee benefit program; it is management tool to decrease workforce
• It will not occur “across the board”, but will be done in the judgment of Administration
• Hopefully, an email with further details will be sent this week to all eligible employees
  • Questions/Comments
    • Administrators will also be offered this package
    • Size of the final budget cut is not clear, but it won’t change the parameters of the offer; could potentially change the number of offers we accept
    • We cannot afford to wait for the legislature to deliberate
    • System Administration has been supportive; System Legal has been helpful
    • We only got a green light about a week ago, so much time has been spent trying to figure this out
    • UWEC came out looking very good with this program at the rep’s meeting
      • It is appreciated and it is generating some hope among faculty and staff

3) Reports
   a) Report from University Senate Chair Freymiller
      • The Budget Lapse resolution passed by University Senate on February 24 has been sent to the individuals designated to receive them
      • At the Board of Regents meeting on March 5, resolutions were passed regarding the Governor’s cut to GPR funding and his proposal to delete statutory provisions regarding shared governance and tenure
      • I would like to read these resolutions for the record
        • WHEREAS the Governor’s biennial budget proposal calls for a substantial base cut to GPR funding; and
        • WHEREAS previous budget reductions in base funding, in conjunction with the current proposal and the continuation of a tuition freeze limit the ability of the System to effectively manage our institutions; and
        • WHEREAS the UW System has long sought additional flexibilities to distinguish the System from other state agencies and to provide a greater ability to manage business enterprises in a more efficient and effective manner;
        • THEREFORE, BE IT RESOLVED, that the University of Wisconsin System Board of Regents hereby requests that the Wisconsin State Legislature substantially reduce the base funding cuts recommended in the Governor’s budget; and
        • BE IT FURTHER RESOLVED, that the Board of Regents hereby requests that the Wisconsin State Legislature grant the flexibilities sought by the System either through an agreed-upon public authority or appropriate amendments to state statutes, including a dedicated funding stream for state-supported UW operations and appropriate technical changes to the proposed budget to allow the System to more effectively and efficiently implement these flexibilities, manage operations, and serve the students and taxpayers of Wisconsin.
        • WHEREAS the Governor’s biennial budget proposal calls for the deletion of statutory provisions regarding shared governance and tenure; and
        • WHEREAS the Board of Regents supports addressing shared governance and tenure in Board of Regents policy; and
        • WHEREAS the President of the Board of Regents has directed the creation of two high-priority task forces, each to be chaired by a member of the Board, to make recommendations for new Board of Regents policies on shared governance and tenure; and
        • WHEREAS the two committees are expected to make policy recommendations in time for the Board of Regents to adopt policies on shared governance and tenure in spring 2016, prior to the July 1, 2016 effective date of the Governor’s proposal;
        • THEREFORE, BE IT RESOLVED, that in the event that the Wisconsin State Legislature adopts the Governor’s proposal to remove shared governance and
tenure from the statutes, it include specific authority to the Board of Regents to establish policies of shared governance and tenure; and

- BE IT FURTHER RESOLVED, that in the event that the Wisconsin State Legislature adopts the Governor’s proposal to remove shared governance and tenure from the statutes with an effective date of earlier than July 1, 2016, the Board of Regents will, prior to the effective date of the legislation, adopt policies on shared governance and tenure that reflect the exact language of current statutory law. If this occurs, these policies will be replaced once the task forces complete their work and the Board of Regents adopts the resulting policies.

b) Report from Faculty Representative Peterson

- Board of Regents meeting got exciting because there was debate regarding both resolutions
- Several members asked procedural questions

c) Report from Academic Staff Representative Wilson

- System Administration answered our questions and told us that they support us and understand what we are going through
- Positive feelings about the resolutions that had been passed
- They were intentional about it
- David Ward, VP for Academic and Student Affairs at UW System, said System is getting a response that the proposed budget cut is too big
- There is hope for more money in the future
- Discussed the Early Separation Incentive
- There is no current plan to change the sick leave conversion program
- System is looking at cutting positions
- In April, the Board of Regents will propose tuition rates for next year
- AS Reps discussed how individual campuses are handling the budget cuts

d) Executive Committee Report

- Executive Committee met on Tuesday, March 3 and heard a request from the Classified Staff Bylaws Committee to amend the University Senate bylaws to eliminate the provision that establishes classified/university staff members on Budget, Physical Plant Planning and Technology committees from being voting members
- Motion regarding that request will be presented at the next Executive Committee meeting
- Proposal by the Arts & Sciences Chairs Council to remove the university-level GE sub-category distribution requirements for graduation was discussed
- That proposal has been sent to APC for action

4) New Business

a) Resolution on Public Authority

**MOTION to approve the Resolution on Public Authority, seconded**

Debate

- Comments from Senator Nowlan, who presented the motion,
- Becoming a Public Authority would mean a major change in the nature, status, and function of UW System and of our University
- Change on that scale requires very careful consideration
- We don’t yet know enough about what it would mean to be part of a Public Authority
- It is troubling, moreover, to altogether eliminate Chapter 36 from State Statute, because that statute represents a powerful and compelling articulation and vision of the place of the University of Wisconsin in the life of this state and in the lives of the citizens of this state
- Change of this scale should be a separate issue, not folded into a budget proposal
- It is unfortunate that the Governor has repeatedly represented the Public Authority proposal as trading what we gain in exchange for what we lose in $300 million in cuts
• This is not a fair “trade”
• If the major gain of Public Authority status is greater flexibility in matters such as purchasing, why can’t that be achieved by means of a slight modification to statute?
• A colleague aptly summed up reasons for skepticism about this Public Authority Proposal:
  • It doesn’t sufficiently compensate for the cuts, it doesn’t provide sufficient protection for faculty or students, and it can be summarily altered or undone at any time by either the regents or the legislature. With five of the current regents’ terms ending in either 2015 or 2016, and their replacements to be appointed by Governor Walker, it’s basically impossible to predict what direction the regents could take on tenure or shared governance even in the near future. What we want is a stable funding source, flexibility in things like building and purchasing and tuition, smaller cuts with more time to plan and implement them, and protections for faculty and shared governance to remain in statute. I think we’d have broad agreement that those are the outcomes that are best for the stability and long-term health of the system, and I certainly don’t see any harm in saying so. Really, we want UW System and the legislature to slow down, step back and do some real, thoughtful analysis about what the potential consequences are--this is a radical change, and if we’re not careful, it could do serious damage to a system that was, in fact, operating very well in terms of quality and cost.
  • Additional comments from Senator Nowlan: Our UW-Eau Claire University Senate resolution is essentially the same as what UW-Madison’s Faculty Senate has already passed, and 16 UW System shared governance bodies have also passed resolutions of this kind. Also, it seems only reasonable to inquire into the experience of other entities in this state and elsewhere, that have been converted into public authorities before proceeding to do so ourselves--and to recognize that usually this has taken place over a much longer period of time than what is being proposed in the Governor’s budget, as well as involving the considerable input from a much wider array of stakeholders than those who would be involved in this instance. Before we simply accede to such a dramatic change, we should find out more about to what we are acceding. The sheer fact, finally, that many Regents evinced considerable skepticism about the conversion to a public authority at the last Board of Regents’ meeting, should encourage us to reflect carefully, and to examine closely, what this is likely to mean; the Regents, who seemingly would exercise more and more independent authority than ever over all that we do and over all that we are, do not seem simply eager to take on this role. That should give us, university faculty and academic staff, pause as well. The resolution before us does not even reject the prospect of conversion out of hand; it simply suggests that this kind of major change, with the range of major consequences it entails, should not be made hastily. If we were to pass such a resolution it would, therefore, hardly be all that ’radical’ an action on our part.
• The plan that the Governor and the Board of Regents have put before us is a transfer of legislative oversight to this Public Authority
• Comments
  • That is a problem because faculty and the BOR have different ideas and we cannot depend on the BOR to defend us
  • Examples were shared on why we have the rights we have and how we got
    • Without legislative oversight, we would lose our political power and we wouldn’t have the courts to help us
  • Becoming a Public Authority would be a major change and change on that scale requires a lot of consideration
  • Loss of a statute should be a separate issue because this is not a fair trade
  • We want System to slow down and step back to see what the consequences are
• Public Authority and shared governance are not the same thing
• If you have a budget cut with no flexibility, then it is a really bad deal
• Flexibilities are the only good thing to come out of this cut and we could possibly be gaining:
  • A reduction in legislative oversight
  • Not dealing with DOA on construction
  • Purchasing flexibilities
  • Tuition flexibilities within campuses
  • Campuses could develop their own pay plans
  • Position control (FTE) could go away
• Could these flexibilities only come with public authority?
  • It could happen independent of this, but it is unlikely
  • Senator Strouthes could share links with senators on what it could look like

Motion by Senator Peterson to postpone until the April 14th University Senate meeting, seconded

Debate
• Question about the urgency and possible deadlines
  • Public Authority language is in the budget; unless legislation removes it or the Governor takes it away, it is in there
• 16 campus senates have passed this and we would be one of the last to take it up officially

Vote on Motion to Postpone: PASSED

5) Announcements
• The next meeting of the University Senate is March 31, 2015

Without objection, meeting adjourned at 4:02 p.m.

Submitted by,

Tanya Kenney
Secretary to the University Senate