Members Present:


Members Absent:

Ned Beach, Joel Duncan, Meg Dwyer, Bruce Dybvik, Sean Hartnett, Jeremy Hein, Ann Hoffman, Phil Huelsbeck, Mary Iribarren, Fred Kolb, Tim Lane, Kate Lang, Gene Leisz, Barbara Mac Briar, John Melrose, Vicki Reed, Connie Russell, Thomas Wagener, Karen Welch, Rebecca Wurzer

Guests:

Bob Bolles, Patricia Christopherson, Bernard Duyfhuizen, Dale Johnson, Mike Rindo, Kathy Sahlhoff, Nathan Titus, Ted Wendt

The regular meeting of University Senate was called to order by Chair Harrison at 3:02 p.m. Tuesday, February 25, 2003 in the Tamarack Room of Davies Center

1. Without objection, the minutes of the February 11, 2003 meeting of University Senate were approved as distributed

2. Chair and Faculty Representative’s Report – Chair Harrison
   • Next meeting of Faculty Reps is Friday; Board of Regents meets next week
   • Ten-page Frequently-Asked-Questions handout on Davies Center Project available wherever The Spectator is distributed
     • Website for new student center: http://www.uwec.edu/dc/newstudentcenter

3. Chancellor’s Remarks – Chancellor Mash
   • Hard to think about much other than budget right now – that topic covered later in meeting
   • Davies Center Project
     • People don’t understand why talking about this at same time as severe budget reductions and higher tuition
     • Try to help people understand students have their own governance structure and have been talking about this project for three years
     • Although student segregated fees to fund this proposal, does confuse message a bit
     • Whether to pursue Davies project, which means raising segregated fees, up for referendum in student elections next week
     • Have reduced size of our freshman class for next year in view of governor’s budget recommendations; have slowed whole admissions process down
       • As a result, quality measures of incoming freshman class incredible
       • Freshman class size may be more like 1850 to 1900 rather than original projection of over 2000
     • Governor in town tomorrow at Silicon Logic Engineering
Invited to take part in discussion about Chippewa Valley’s economic challenges

Spent lot of time on budget matters at chancellors meeting on Friday

Katharine Lyall and couple of regents to take part in conversations around state

UW-Eau Claire likely to host a meeting; working out details for first part of March – will kept you informed

4. Academic Staff Representative’s Report – Senator Wilcox

Met in Madison last Thursday; had had about 24 hours to digest governor’s budget recommendations

David Miller, of University Relations, suggested when communicating with legislators to focus not so much on cuts, but support tuition increases noting our education is still very affordable

Also support increase in financial aid – even though University of Wisconsin actually paying for this increase out of auxiliary fund

Tell stories and anecdotes about how your department or unit is suffering because of cuts; legislators already hearing facts and figures from appropriate people

Joint Finance Committee also going on road with listening sessions

Individual campuses also participating in legislative days; sending contingency to Madison

George Brooks, from Human Resources, also spoke at meeting

Talked about shared premiums for health insurance – possibility of state paying 80%; individuals paying 20%

Early retirement incentive allows for buying back years of service at actuarial cost

New part is being able to use deferred compensation funds or tax-sheltered annuity funds for buy-back

Not a big deal; not something many people could or would do

Also allows employees who reach normal retirement age to accept post-retirement employment without 30-day grace period if new position is with different state agency or local government

However, UW-System is considered one agency

5. Unfinished Business - None

6. Reports of Committees

- Executive Committee – Chair Harrison

  Next meeting March 4, 2003

  Looking at possible change to how Senate officers elected

- Faculty Personnel Committee – Senator Wick

  Next meeting March 4, 2003

  Getting updates from various working groups

- Academic Staff Personnel Committee – Senator Wilcox

  Next meeting February 27, 2003

- Academic Policies Committee – Senator Syverson

  Proposal brought forth from University General Education Committee on general education philosophy and criteria passed today; will be coming to Senate in two weeks

  Next meeting March 4, 2003

  Topic of discussion will be proposal from College of Business changing residency requirements for their majors and instituting a residency requirement for minors as follows:

  • At least 50 percent of the business credits needed for a major or minor within the University of Wisconsin – Eau Claire College of Business must be earned through on-campus and Internet courses taught by the University of Wisconsin – Eau Claire faculty. A maximum of nine credits of upper division business credits may be earned through University of Wisconsin – Extension correspondence and/or other distance learning courses offered by non-University of Wisconsin – Eau Claire faculty.

- Physical Plant Planning Committee – Senator Stuettgen

  At last meeting, discussed numerous issues including alternative suggestions for riverbank stabilization project, parking and transportation issues, and also upcoming referendum regarding Davies Center

  Next meeting March 7, 2003

  Update on riverbank stabilization project
Engineers have met with variety of concerned groups where alternatives were proposed; now going back to design a project with those suggestions in mind

♦ Budget Committee – Senator Carpenter
  ♦ Next meeting March 4, 2003
  ♦ Chancellor Mash, Provost Satz, Andrew Soll, and David Gessner will be meeting with committee

♦ Compensation Committee – Vice Chair Gapko
  ♦ Next meeting March 28, 2003
  ♦ Subcommittee on analysis of last year’s pay plan meeting tomorrow
  ♦ Another subcommittee working on quality investment program – for salary increases after all other salary increases have been exhausted

♦ Nominating Committee
  ♦ All Senate Committees full; Nominating Committee has not met

♦ Technology Committee
  ♦ Next meeting March 4, 2003
  ♦ Continuing discussion of intellectual property issues

7. Special Reports - None

8. Miscellaneous Business

A. Executive Committee – First Reading
  Report on UWEC 8 Revisions – Vice Chair Gapko
  ♦ Work on proposal started back in 1998
  ♦ Much of what attempted to include in nepotism policy really belonged elsewhere in handbook
  ♦ Came through Senate once, but not approved by chancellor due to System Legal concerns
    ♦ Current motion is result of consultation that takes place with Executive Committee in such cases
    ♦ Now bringing back result of that consultation to full Senate for approval
  ♦ Response to question on report
    ♦ Independent children would not be covered under nepotism policy according to definition of immediate family

Motion 39-SE-05
  Moved and seconded by the Executive Committee (13-0) that the following changes be made to the Faculty/Academic Staff Personnel Rules in the Faculty and Academic Staff Handbook, Twentieth Edition, September 2002, pages 5.62-5.65.

Faculty/Academic Staff Personnel Rules (Faculty and Academic Staff Handbook, page 5.62)

UWS-UWEC 8 UNCLASSIFIED STAFF CODE OF ETHICS

UWEC 8.01 Declaration of Policy

UWEC 8.02 Definitions

Refer to UWS 8.02 Definitions.

UWEC 8.025 (1) Outside Activities
The only activities which are prohibited ....

UWEC 8.025 (2) Reportable Outside Activities

UWEC 8.025 (3) Institutional Policies
UWEC 8.03 (3) Nepotism Policy
(from page 5.6 of the handbook)

The University of Wisconsin System acts in accord with the public policy of the state to encourage and foster to the fullest extent practicable, the employment of . . . properly qualified persons regardless of their age, race, creed, color, handicap, sex, national origin or ancestry. (Wis. Stats. 111.31)

In selecting persons for employment, the applicant best qualified and available to perform in the position should, without exception, receive the offer of employment. No restriction is placed on hiring related persons. related through affinity or consanguinity. However, to avoid possible conflict of interest, which may result from peer judgment or administrative review procedures, a person so related must not participate, either formally or informally in decisions to hire, retain, grant tenure, promote, or determine the salary of the other person.

(a) No member of the unclassified staff may participate, formally or informally, in the decision to hire, retain, grant tenure, promote, or determine the salary of a member of his or her immediate family.

(b) No member of the unclassified staff may, in the supervision or management of another unclassified staff member who is a member of his or her immediate family, give preferential or favored treatment.

“Immediate family” means: (a) an unclassified staff member’s spouse; and (b) any person who receives, directly or indirectly, more than one half of his or her support from an unclassified member or from whom an unclassified member receives, directly or indirectly, more than one half of his or her support. [UWS 8.02 (9)]

For additional guidance, consult the The University of Wisconsin–Eau Claire Statement on Consensual Relationships found located in Chapter Four of this Handbook should also be consulted, UWEC 8.035 Institutional Ethics Committee, UWEC 8.04 Action to Avoid Possible Conflict, and UWEC 8.05 Sanctions. A complete copy of the Statement on Consensual Relationships, including additional information on power differential and conflict of interest, is available in the Affirmative Action Plan. (US 12/98 mm/yy)

UWEC 8.03 (4) Student Research Protection
...

UWEC 8.035 Institutional Ethics Committee

1. Membership
The committee consists of six members who will serve staggered three-year terms, with two being appointed each year by the Chancellor in consultation with the University Senate Executive Committee. At all times there will be at least one member from each of the Colleges, at least one from the instructional academic staff, and at least one from the non-teaching administrative and professional academic staff.

2. Function
The function of the committee shall be to provide to any member of the unclassified staff consultation and advice on the application of UWS 8. Committee deliberations and actions upon requests for consultation or advice shall be in meetings not open to the public. Records obtained in connection with requests for consultation or advice shall be considered confidential university information. However, summaries of advice provided by this committee, which does not disclose the identities of persons requesting such advice, shall be made public in an annual report to the Chancellor.
UWEC 8.04 Action to Avoid Possible Conflict

UWEC 8.05 Sanctions

1. Any person may file a written complaint charging a violation of this chapter. The complaint shall state the name of the member of the unclassified staff alleged to have committed a violation and describe the violation.

2. For complaints involving a member of the unclassified staff serving within system administration or at another institution of the University of Wisconsin System, see UWS 8.05 Sanctions.

3. A complaint involving a member of the faculty or the academic staff serving at UW-Eau Claire shall be submitted to the chancellor.
   a. Where the complaint is against a faculty member, the chancellor shall proceed under the policies and procedures of UWEC 6.01.
   b. Where the complaint is against an academic staff member, the chancellor shall proceed under the policies and procedures of UWEC 13.01.

4. Complaints involving limited appointees serving at UW-Eau Claire shall be submitted to the official who made the appointment and that official shall take appropriate action.

5. Notwithstanding the other provisions of this section, the chancellor may investigate possible violations of this chapter whenever the circumstances warrant and proceed in accordance with subs. 1 to 4.

Debate

- Without objection from members of Executive Committee, friendly amendment deleting reference to UWS definitions accepted
- Section UWEC 8.05 Sanctions not in current handbook; follows UWS in indicating what should be done if there are violations of this policy
- Given very narrow definition, seems investigation into this would be very short
- Independent offspring being hired would come under conflict of interest section of handbook, not under nepotism section; conflict of interest section covers lots of other situations
- Rules of state place no restrictions on hiring related persons, but if you hire a related person, you must conduct affairs of institution so promotion, tenure, salary increases, etc., are channeled so don’t include related person

Without objection, continued debate and vote on motion will take place at next Senate meeting

B. Discussion of Budget Issues – Chancellor Mash

- Governor’s proposal still requires legislative action; process is ongoing challenge – things change almost daily
  - Updated information accessible from home page on UW-Eau Claire website
- Continue to have conversations with counterparts from around System in addition to UW-System staff; will bring back information and continue planning and informational meetings on campus
- Robert Bolles, Budget Officer in Academic Affairs, gave brief overview of governor’s proposal and general impact on System and UW-Eau Claire
  - UW-System to experience $250 million in cuts during next biennium
    - Represents 38% of all budget reductions proposed by governor, even though approximately 9% of state budget
  - Governor’s budget allowed comprehensives to increase tuition $250 per semester each year of biennium
    - $110 million reduction in first year partially offset by tuition increase of $50 million
    - $140 million reduction in second year partially offset by tuition increase of $100 million
  - Annual net impact on System on ongoing basis is a $40 million reduction; overall System budget is little over a billion
From UW-Eau Claire’s perspective, assuming governor’s proposed tuition levels implemented

- In first year, would get about $5.5 million reduction in expenditures offset by about $2.5 million revenue increase
- In second year, would have expenditure reductions of about $7 million offset by increases in revenue of about $5 million for $2 million net reduction

- Another factor that enters in is enrollment – could we continue to educate the same number of students?
  - Based on current information, probably not
  - If reduce enrollment, lose tuition revenue generated by those students; reduction previously mentioned (difference between 1850 and 2085 incoming freshmen) would result in lost tuition of over $700,000
  - But tuition doesn’t come close to covering cost of educating students, so question is at what point does reduction in enrollment become counterproductive in terms of lost tuition revenue
  - Also may be facing reduction of base budget from state
  - Need to analyze numbers very carefully

- If consider situations where don’t get full tuition increases, could be approaching $6 million on annual basis
- Current planning exercise built upon 5% budget reduction, which is reduction governor’s proposal represents
  - Has not been painless process, but have come up with tentative ideas
  - If ultimate budget passed is significantly larger reduction, will need to do additional work

- Responses to questions from floor
  - Governor ran for office on basis of reducing state employment – so not clear whether focus will be on dollars or positions
    - Obviously a lot will be positions because that is where the money is
    - Budget proposal talks about 650 positions in System – would be talking about between 30 and 35 positions for UW-Eau Claire
      - On instructional side would be about 20 positions
      - Planning we have already done gives us number in this ballpark if that is ultimately required
  - In past, System has shared in cuts; expect the same with these reductions, although money System itself spends is not significant in scheme of things
    - Estimates for UW-Eau Claire based on FTE enrollment as in past; puts our share at approximately 5%
      - Calculated on base GPR funding and tuition
        - For UW-Eau Claire, start with around $80 million; take out debt service, utilities, and some financial aid numbers first, leaving about $74 million
        - Divide that into comparable number on system-wide basis
      - Of that $80 million, approximately $50 million comes from state, other $30 million from tuition
  - Tuition plateau (students who enroll for full-time registration can take 12 to 18 credits for same cost) has been talked about for some time; decision made at System level
    - When Stout initiated laptop fees, also factored in per credit charge
    - Milwaukee talking about revenue neutral form of eliminating plateau for administrative efficiencies
      - May result in more responsible registration on part of students signing up for right load up front
    - These pilot programs being watched
  - System also looking at physical facilities
    - UW-Eau Claire doesn’t have anything in hopper to be affected
    - In theory, not paying for building projects on other campuses; debt service is for bonding allocated back to your specific facilities
    - Davies Center addition would add to our debt service, but would be paid for by students, not GPR funding
  - Have talked to students about Davies Center Project being poorly timed
    - Student Senate made decision not to take issue off ballot
  - Made decision early to slow down enrollment of freshmen because can control that up front
    - Not written anywhere as to when we must ask before we do that
    - President Lyall has alluded to enrollment reductions
    - Don’t know whether would be across System or only on some campuses
We would be interested in looking at that if base budget doesn’t change; UW-Eau Claire (along with UW-La Crosse and UW-Madison) different than many campuses in terms of demand and selectivity

- That is unique quality piece; why might consider enrollment reduction
- Will not continue to grow and jam students into classes without resistance

**UW-System hands tied on issue of classified staff raises**

- Apparently rejected by JCOER because some groups had negotiated raises that were substantially higher than 2% or so hearing about
- Legislators have decided, even though Governor McCallum negotiated settlement with unions, that Wisconsin can’t afford this and invited unions back to bargaining table
- Union leadership has said, we negotiated settlement once, not coming back
- That is where it sits

**Regents decide how much tuition will be raised**

- Legislature has ultimate say, and then governor has power of veto
- Current ratio of GPR/tuition dollars support for campus around 62:38; getting closer to 50:50
- Becoming more and more private, yet do not seem to have great deal of say in operation of institution
- Remain at mercy of legislature and governor
- Even with proposed tuition increases, would remain near bottom of peer institutions in regard to tuition levels
- Part of what students looking at with Davies Center Project; fees still a bargain comparatively speaking
- System saying need to be moving toward mid-point – moderate tuition backed by aid for those who need it most

**Provost comments**

- Going back to last budget crisis, have met weekly with Andy Soll, Dave Gessner, and Bob Bolles
- Looking at 5% exercise results to see if ideas provided actually cost out, if they are doable, and what impact they would have
- Do not believe if want quality institution 5% across-the-board cuts work
- Currently, about 5000 seats short for students in fall
- Difficult to just take vacancies at hand, may not be in department or unit you would want; so may be making some short-term fixes that will be addressed differently in long term
- Meeting to look at enrollment patterns because had to send fall schedule off to printer knowing it would not meet needs of students
- Do not believe we will have a budget before fall, which creates real dilemma
- Not alone in this position; provosts from across system communicating very closely
- Creates problems not only on instructional side, but also on services side
- Will be tougher to see counselors, advisers, and provide other kinds of services for students

**Responses to Additional Questions from Floor**

- No one currently looking at closing a campus as way of reducing costs; last time state looked at that was in the 1970s and it was a political disaster
- Is serious effort though to consolidate programs; not short-term fix
- Trying to do everything we can to meet needs of students in fall
- Includes increasing class size, having administrators and emeriti faculty teach
- Still falling short – this not even worst-case scenario
- Organizational restructuring, including reorganization of College of Professional Studies, suggestions for savings being explored
- Studying to see if cost out, that is, save money intended to save
- Would need to be discussion and shared governance involvement in process
- Feeling is that can’t get to required number by July 1st with reorganization
- Don’t seem to be looking at long-term ramifications of cutting higher education in a state that needs to build its economy
- Part of reason UW-System could take disproportionate cuts is ability to raise tuition – in reality is 5% cut

**Chancellor’s Concluding Remarks**

- Planning coming from bottom up – at some point difficult decisions are going to need to be made
• Have to look at from broad-picture perspective  
• Anything that gets done with be with full knowledge of everybody  
• Any good idea being looked at very carefully; any questions that help us look at process a little more carefully welcome as well

C. Executive Committee – First Reading

Report on Resolution Against War in Iraq – Vice Chair Gapko

• Senator Smiar brought forth a draft resolution, similar to one that Student Senate is considering, against starting a unilateral and preemptive war with Iraq and requested that University Senate consider and discuss passing such a resolution  
• Points discussed by committee are listed in report

Motion 39-SE-06
 Moved and seconded by Executive Committee (6-4) that the following resolution be considered:

Be it resolved that the University Senate, composed of faculty and academic staff, at the University of Wisconsin – Eau Claire urges President Bush not to start a war, unilaterally and preemptively, with Iraq and to pursue a diplomatic resolution built upon international support

Debate

• This body authorized to act on behalf of faculty of institution for matters of faculty responsibility  
• Clearly not the case here, so not clear who we would send this forward from nor what gives us authority to make such resolutions  
• First line of resolution states coming from University Senate  
• Not resolved whether have authority or not; other institutions have chosen as a collective body to make such statements  
• Maybe should get answer to that before act on this  
• Have not found language that prohibits such action, just not stated in charge  
• From parliamentary procedural point of view, this assembly can make any resolution it wishes  
• Doesn’t require an originating authority  
• On behalf of us as individuals, not as representing faculty  
• So it would be a resolution from this body as a whole, but not on behalf of faculty, with understanding that this body was put here by them  
• If you look at our charge, we are charged to represent university  
• We would be sending it on behalf of university because that is our representation  
• Believe that is a fine point that will only be understood within confines of this room  
• Anyone external reading this resolution will assume we are speaking on behalf of whole university

MOTION by Senator Phillips to postpone discussion of this resolution until we have clarification from System Legal seconded and DEFEATED by vote of 17 for, 19 against

MOVED by Senator Syverson and seconded to postpone indefinitely

Debate

• Have not heard anyone speak to merits of motion, just as to whether it can be done or not  
• Not clear what people are afraid of about taking a vote today up or down  
• Propose to postpone this indefinitely because not appropriate for Senate to discuss  
• If had inkling someone not being allowed to speak and express opinions on campus, would have serious free speech issue that should take up  
• Is dialogue going on at university, don’t see as appropriate for this body to consider  
• Believe we ought to go back and poll our colleagues and consider this again at next meeting  
• My colleagues don’t think it is appropriate  
• My colleagues feel this is appropriate forum to discuss this issue  
• Colleagues in my department thought no wonder state legislature cuts our budget
For completeness, my colleagues were split
Resolution would be sent to President Bush
Against postponing it, according to Article 3 we are not about just those matters delegated to us, but also any matter of faculty and academic staff concern; I think this would be one
Against postponing; would be good to go back as senators and get some debate going in our departments and units and poll them and come back with information that allows us to actually represent that opinion
Speak against postponing indefinitely; if the purpose is to engage in a dialogue, postponing this indefinitely would eliminate that opportunity

MOTION to postpone indefinitely DEFEATED by vote of 9 for, 29 against

Amendment 39-SE-06-a1
Moved by Provost Satz and seconded to amend the resolution as follows:

Be it resolved that the University Senate, composed of faculty and academic staff, at the University of Wisconsin – Eau Claire urges President Bush to pursue a diplomatic resolution with Iraq and urges him not to start a war, unilaterally and preemptively, with Iraq and to pursue a diplomatic resolution built upon international support unless it is formally declared in accordance with the provisions of the United States Constitution.

Amendment to be distributed prior to continued debate on this motion at next meeting of Senate.

D. Information distributed from Senator Mack on matter subcommittee of Faculty Personnel Committee looking at regarding policies for search and screen committees
   - Wanted to hand out information so could have discussion about it at next meeting of University Senate

9. Announcements - None

Meeting adjourned at 5:03 p.m. without objection

Wanda Schulner
Secretary to the University Senate