UNIVERSITY OF WISCONSIN-EAU CLAIRE
UNIVERSITY SENATE MEETING
VOL. 40, NO. 4

October 14, 2003

Members Present:
Ken Akiba, Joey Bohl, Marcia Bollinger, Don Bredle, Jack Bushnell, Jesse Dixon, Michael Dorsher, Dan Drumm, Robert Erffmeyer, Leslie Foster, Mitchell Freymiller, Alan Gallaheer, Andrea Gapko, Marc Goulet, Twink Hanson, Susan Harrison, Tim Ho, Ann Hoffman, Robert Hollon, Larry Honl, Robert Hooper, Richard Kark, Tim Lane, Kate Lang, Barbara MacBriar, Donald Mash, Susan McIntyre, John Melrose, Jane Pederson, Andrew Phillips, Bobby Pitts, Vicki Reed, Connie Russell, Richard Ryberg, Ronald Satz, Kathie Schneider, Roger Selin, Nick Smiar, Alex Smith, Lorraine Smith, Linda Spaeth, Todd Stephens, Paula Stuetgen, Kent Syverson, Lois Taft, Dale Taylor, Karen Welch, Sharon Westphal, Scott Whitfield, Jean Wilcox, Steve Zantow

Members Absent:
Paul Butrymowicz, Linda Carpenter, Terry Classen, Margaret Dwyer, Bruce Dybvik, Warren Gallagher, Sean Hartnett, Jeremy Hein, Mary Iribarren, Rose Jadack, Debra King, Fred Kolb, Gene Leisz, Barbara Lozar, Steven Majstorovic, Rebecca Matter, Rick Mickelson, Peter Rejto, Roger Tlusty, Michael Wick, Rebecca Wurzer

Guests:
Mark Clark, Bernard Duyfhuizen, Dale Johnson, Katherine Rhoades, Andrew Soll

The regular meeting of University Senate was called to order by Chair Harrison at 3:05 p.m. on Tuesday, October 14, 2003 in the Tamarack Room of Davies Center.

I. Without objection, minutes of September 23, 2003 meeting of University Senate approved as distributed

Without objection, minutes of September 30, 2003 meeting of University Senate approved as distributed

II. Chancellor’s Remarks – Chancellor Mash

- Official final enrollment for fall 2003 is 9442 FTE
  - Enrollment target is 9429 FTE; practically hit target on nose
  - Enrollment not smaller this year than last; freshman class is smaller
  - Smaller freshman class creates some challenges in next few years in terms of pipeline; will be manageable
  - Overall headcount just under 10,600 – have been at same enrollment for some years
  - 530 graduate students
- This week is National Alcohol Awareness Week
  - Things happening out on mall with good press coverage; many students actively involved in putting program on with AODA coordinator leadership
  - Important to continue working on alcohol issue whether making progress or not (some think we are not)
    - Continue to correct perception that students all one group with one set of patterns, habits, and lifestyles; is much variation in student population and students care about this issue too
- Fourth Annual Wisconsin Economic Summit October 27th and 28th in Milwaukee
  - UW-System organized original initiative; continue to play leadership role
  - Lisa Theo, faculty member in Geography and Anthropology, will be attending and reporting back to Senate
    - Has attended in past; this year faculty and students involved in collaborative research projects also attending
      - Projects clearly demonstrate how collaborative research works and how benefits region
    - UW-Eau Claire one of few schools taking part in program
  - Regents approved pay plan put forward by UW-System
Salary increase of 4% each year of biennium to extent that compensation reserve can fund with tiered health insurance contributions
- First time also dealt with health insurance recommendation within pay plan
- Leader-Telegram story and editorial about a week ago saying UW-System should not bear more cuts and needs to be significant part of economic solution resulted from regular visit with editorial board to talk about issues at university
- Another story contained quote from state senator to effect that we are overpaid now
- Received email from faculty member indicating quotes like that erode morale
- Would guess media interviewed number of people on issue and took harshest, most-pointed response
- All we can do is keep trying to educate legislature and public
  - Many in general public see us as privileged in many ways – level of education, kind of work we do, as well as salaries
  - Many more folks have an appreciation for our work here, as do system and the regents
- Also talk to state senators all the time who don’t feel this way
- So morale thing doesn’t becomes an issue, have to put such remarks in perspective, try to clarify when have opportunity to talk with people, and simply keep doing kind of great work being done on this campus
- Response to questions from floor
  - Apparently System Vice President George Brooks made comment that while system proposed 4%/4%, would not be able to get that
  - Believe Brooks just being realistic, not that he doesn’t think we are worth it
  - He believes there may be more money in compensation reserve than know about; state and its leaders need to know we need 4% and 4% to keep pace, although may not be able to fund that
  - Important not to just go away and hide in terms of what marketplace says we should get
  - Need to be clear who adversaries are – he is not one

III. Chair and Faculty Representative’s Report – Chair Harrison
- Two items of note in Board of Regents section
  - Resolution passed and forwarded to DER secretary justifying need for 4% increases
    - Included recognition that compensation reserves probably cannot support 4%/4% and statements that university cannot contribute to raises through base reallocation or additional tuition
    - Student regent voted against resolution because need for 4% raises not expressed strongly enough
  - Desire to seamlessly transfer credits between Technical College System and UW-System to be discussed again at next regent meeting
    - One proposal is to have core of courses agreed upon across system that would be accepted from any technical college to any university
    - Faculty need to be watching this one
- Next faculty rep’s meeting on October 31, 2003 in Madison
- Next Board of Regents meeting on November 6th and 7th in Madison
- Response to questions from floor
  - Pay plan resolution as passed included health insurance contributions at same rate as other state employees
    - Probably means three-tiered system already approved for non-represented classified employees
      - Single rates for three tiers of $25/$50/$100; family rates of $62.50/$125/$250
      - Numbers may be reduced through collective bargaining or other actions
    - Board of Regents requested recommendation go to JCOER at least one week before dual choice period ends so employees have better information about rates at time decision must be made
  - Do have to be enrolled in health insurance plan at retirement in order to convert unused sick leave to health insurance premiums
    - Even if not in any state health insurance plan, still entitled to sick leave while working
    - Could get back into health insurance plan at some point prior to retirement and then be able to convert sick leave
  - Can return to state’s health insurance program during dual choice enrollment period with no waiting and no pre-existing condition delay; would start January 1st when new plans go into effect
    - Picking up health insurance at any other time of year results in delay of coverage
Need to double check with Human Resources Office before making any decisions about retiring and/or leaving health insurance plan

IV. Academic Staff Representative’s Report – Senator Wilcox

• Next meeting is teleconference on October 16, 2003

V. Unfinished Business - None

VI. Elections to Fill University-Wide Vacancies on Academic Staff Personnel Committee

Nominations

Joey Bohl from Admissions
Jacqueline Bonneville from Advising, Testing, and Orientation
Norm Card from Teaching and Learning Technology Development Center

Nominations taken from floor at last meeting

Elected to the Academic Staff Personnel Committee: Joey Bohl

VII. Reports of Committees

♦ Executive Committee – Chair Harrison

• At last meeting
  • Guidelines for developing academic calendars in less than ideal years discussed
  • Consensus reached to bring working draft of 2005-2006 calendar to next committee meeting and forward more finalized version to full Senate
  • Discussed college/school representation on Senate Committees
  • To develop survey to determine level of desire or need for individual schools/colleges to be represented
  • Went into closed session to consult on appointments to University Research and Creative Activity Council, Professional Development Advisory Committee, Institutional Animal Care and Use Committee, and University Planning Committee

• Next meeting October 21, 2003 to continue calendar discussion

♦ Faculty Personnel Committee

• Next meeting Tuesday, October 21, 2003 for
  • Consideration of motion concerning replacement of committee members on official leave
  • Consideration of motion concerning modification to handbook recruitment procedures
  • Consideration of motion concerning introductory language on periodic reviews
  • Plan to hear updates on distribution of DPC minutes; dismissals, complaints, and grievances; and administrative reaction to post-tenure salary awards and procedures

♦ Academic Staff Personnel Committee – Senator Wilcox

• Next meeting October 23, 2003 to consider changes in election of Academic Staff Representative and other handbook changes

♦ Academic Policies Committee – Senator Syverson

• At last meeting, approved motion to come before Senate on foreign language/foreign culture requirement
  • Hybridized version of what have now - would allow students to take one semester of foreign language and then six credits of foreign culture and meet requirement

• Next meet on October 21, 2003 to continue talking about department review proposal

♦ Physical Plant Planning Committee – Senator Stuettgen

• Next meeting October 17, 2003

♦ Budget Committee

• Next meeting on October 15, 2003 for preliminary discussion of 2004-2005 reserve level

♦ Compensation Committee – Vice Chair Gapko

• Next meet on October 20, 2003 when primary topic will be Board of Regents recommended pay plan

♦ Nominating Committee – No Report

♦ Technology Committee – Senator Goulet

• Next meeting October 23, 2003 to review campus conversion of administrative system final report with CIO Lowe
FAQ document on ownership of online course materials by faculty and academic staff now available on web accessed through university copyright page; also links from TLTDC and Office of Research and Sponsored Programs

VIII. Special Reports
- Provost Satz commented has also been discussion of technical colleges taking on general education or two-year transfer kinds of courses
  - Chippewa Valley Technical College has had conversations with University Colleges about adding such a component
- Provosts from area working with provost from University Colleges so know kind of plans being considered
- At present, sounds as if thinking about offering CVTC students courses through DE or own courses
- All speculative, but provost watching and will be talking to University-Wide General Education Committee and Academic Policies Committee as more information available
- Update on Board of Regent pay plan proposal will be sent to all senators

IX. Miscellaneous Business

A. FOR THE RECORD – Clarification of Previous Salary Recommendation Action
- On April 23, 2003, full Senate approved new language concerning salary recommendations shown on enclosed pink sheet
- Handbook actually included additional paragraph that was meant to be deleted; should have been included in original motion with intent indicated using strikethrough method

Without objection, record to show that paragraph starting with salary recommendations for a continuing academic staff member meant to be deleted by University Senate in that motion and should be deleted from handbook

TEXT FOR HANDBOOK, Chapter 5, page 42

**SALARY RECOMMENDATIONS**

Recommendations for salary adjustments recognizing merit are initiated annually by the immediate supervisor and proceed through the Unit Director or Dean to the appropriate Vice Chancellor to the Chancellor.

Recommendations for salary adjustments shall be made in accordance with the state-approved pay plan, the pay plan guidelines from UW-System, and the UW-Eau Claire Comprehensive Salary Plan developed by the University Senate and approved by the Chancellor. Salary recommendations for administrative and professional academic staff shall be based on the criteria established by the unit. For instructional academic staff salary recommendations shall be based on performance of assigned duties and must include consideration of student evaluations.

The Comprehensive Salary Plan shall provide at least two weeks for academic staff to respond to all salary recommendations submitted on their behalf. The Comprehensive Salary Plan must also provide a mechanism to be used during those two weeks for hearing and resolving any academic staff objection to a salary recommendation.

B. For Information and Discussion – University Senate Officers Options

Background
- Current officers and representatives working on various options for how officers and reps elected
- Academic Staff Personnel Committee working on proposed changes to election of academic staff representative
- Faculty representative, according to our bylaws, is either chair or vice chair of senate depending on which is faculty
- Changes in election of faculty rep discussed in Executive Committee over last year
- Committee decided to gather input from full senate prior to proposing new language

Discussion
- Election of faculty rep and academic staff rep handled completely separately
- Seems is strong link between what happening in governance here and what do down in Madison at faculty rep’s meetings
• Have access to information someone else might not have; has served us well
• When academic staff member was senate chair, faculty rep was not an officer
• Seemed to be missing governance issues - one of primary goals of faculty rep
• Have been served well with combined position – helpful relaying information back from Madison
• As in current set-up, if faculty rep and senate chair same person elected at same time, means academic staff
voting for faculty rep
• Don’t see that as problem because higher percentage of faculty members than academic staff on senate
• Currently academic staff rep elected just by and from Academic Staff Personnel Committee – discussing
possibility of academic staff members of full senate electing rep
• Almost all current faculty reps around system come from their senates
• Most senates not combined as we are so faculty rep is either chair or vice chair, is on executive council, and
chancellor’s board
• Discussing now because election will come up again in April
• Think faculty rep should be voted at-large from senate, not necessarily linked to officer position
• Linkages exclude possibilities – more variety and more opportunity always a better rule
• Doesn’t exclude an officer from being elected
• Would expect rep to be from senate to be up on governance issues
• Greater opportunity for different strengths to present themselves
• Nice to have academic staff rep and vice chair be separate as long as good communication
• Now meet in Shared Governance Discussion Group; more ideas and variety of people better in that group
• Believe need ongoing experience in university governance or are at distinct disadvantage representing us off
campus
• Would favor opening up possibility of faculty rep even outside senate as long as that person becomes a senator
• Lots of people on campus with tremendous experience working with different committees
• Universities associated with during career have had different kinds of senates, but all shared in common that
whoever leads senate usually attended meetings at system level to represent faculty
• Emphasis ought to be on picking people you think represent you well in leadership role and let them lead
• Seems system administration is looking for someone well aware of shared governance issues on campus so
can be conduit for information both ways
• Now is 60% appointment – 20% for faculty rep, 40% for senate chair
• Faculty reps meet at least once per month either in Madison or via teleconference; email also active –
continually asking for input or sending information
• Would seem problematic finding someone across campus with flexibility to afford time
• Could elect soon enough to allow for scheduling classes
• Could also be taken from other required areas, i.e. scholarship, advising, or service
• Academic staff representatives website contains language indicating system expects representatives to be
actively involved in governance body
• Brought up that might be other people desiring to be faculty rep that don’t want to chair senate

Straw vote requested – Parliamentarian Smiar noted Robert’s Rules of Order do not allow for straw votes because
they would tend to constrain or restrain free discussion of an issue that would seem to have a pre-determined
conclusion

Continued Discussion
• If positions were to be separate would have to discuss split of duties
• Only way current senate chair/faculty rep would see reduction in workload would be elimination of trip to
Madison once a month for faculty rep meetings
• Other committee memberships by virtue of being senate chair
• Don’t know about homecoming parade
• Doubt reduction would be 20%
• Not all faculty reps go to all Board of Regents meetings; last one attended by eight of them
• May be person who would like to chair senate but may not want to represent the university in Madison
• May be advantageous to give two people opportunity without precluding anyone from filling both positions
• Would see a split possibly working provided faculty rep becomes a senator and sits on Executive Committee –
communication would be key
Given current situation, 20% for faculty rep seems manageable; but if have to do those extra things to function well if not also senate chair, not sure 20% is fair deal

Executive Committee would have to look at those percentages once deal with general idea

Person elected faculty rep could become ex officio member of senate by change in bylaws

MOVED by Senator Pitts and seconded to go into a committee of the whole so this can be discussed further and show of hands taken on this issue passed by vote of 23 for, 9 against

COMMITTEE OF THE WHOLE
Discussion Continued

Academic staff rep currently gets 20% release time – are getting very good deal because doesn’t begin to cover going to Madison, being on Executive Committee, Academic Staff Personnel Committee, Chancellor’s Administrative Staff, and Shared Governance Discussion Group

Think senate chair of only 40% would put strain on work of future chairs

Are number of people willing to pick up 20% or 40% or 60% load, whether faculty or academic staff, but easier in some departments or areas than others

Limiting ourselves to kind of people we can get to represent us in Madison if restrict what person has to do in terms of senate responsibilities

If separate, takes care of issue of faculty only voting for faculty rep, opens up to broader campus, but doesn’t eliminate chair from putting his/her name on ballot if so desire

MOTION from Vice Chair Gapko that the faculty representative continue to be either the chair or vice chair of University Senate, whichever has been elected as faculty seconded

Further Discussion

Parliamentarian Smiar indicated must be a motion because straw vote still not permitted by Robert’s Rules

- But not formally taking action as senate; not binding
- Goes back to Senate as a report; Executive Committee can then talk about it and bring forward motion if necessary

System asks for faculty rep – expect someone who will communicate what’s happening back and forth to governing body on behalf of faculty

- Doesn’t dictate details of how appointed, elected, etc.
- If system did not want faculty reps to get together, would not be this position

Are times system calls up chancellor and says give me a faculty member to be on a committee to represent your faculty – those not officially faculty rep

When go to meetings, represent faculty of university; talk about curricular and personnel issues and also entire university situation, including things like parking

Obvious that even senators have very little idea what faculty rep all about, how would whole faculty have this understanding

Will abstain in vote because voting on motion that would never come from Executive Committee; maintains status quo, doesn’t specify options

Whole point is to give Executive Committee tangible feedback

Will vote against with idea of opening up opportunities to more than one person

Vote on Motion in Committee as a Whole: Motion PASSED by vote of 18 for, 13 against

MOTION by Senator Smiar to rise and report (which will end Committee as a Whole) seconded and passed without dissention.

Back to FULL UNIVERSITY SENATE

Vote does not require Executive Committee to do one thing or another; for information only, not binding

B. Academic Staff Personnel Committee – First Reading

Report on UW-System Academic Staff Representative’s Issue Statement – Senator Wilcox
In times of budget constraints, faculty have tenure, classified staff are unionized, so flexibility tends to lie with academic staff.

- Last summer at academic staff rep’s meeting, discovered things happening as result of budget reductions
  - Phasing out probationary contracts
  - Reducing number of years on multiple-term appointments
  - Contingency clauses put on fixed-term appointments
- Academic staff does have, by statute and by unclassified personnel guidelines, some measure of security built into positions if here for period of time
- So academic staff reps created an issue statement to be presented to UW-System, chancellors, provosts, and regents; decided to bring back to senates of various institutions
- Appropriate procedure if you want to reduce academic staff is layoffs
- Sounds bad, but actually much better than to be non-renewed because provides for certain rights
- Response to questions for clarification of report
  - Academic staff reps will present statement to Katharine Lyall, the chancellors, and Board of Regents; if institutions split on it, will present as such
  - Concerned that says Council of Academic Staff Representatives when not considered a governance body itself
  - Purpose of statement has more to do with awareness
  - Want it to be clear that this is talking generically about things that have happened across state, not necessarily pinpointing specific things that have happened here
    - Last year went through situation that led to reduction without layoffs; also honored all contracts
      - Contingency clauses were put in faculty sabbatical, study-abroad, and in some contracts for academic staff – gave them notice prior to required notifications
  - No contracts were not honored, but were changes in fixed-term contracts that now had no-intent-to-renew clause

**Motion 40-AS-01**
Moved and seconded by the Academic Staff Personnel Committee (7-0) that the University Senate endorse the following Issue Statement drafted by the UW-System Academic Staff Representatives

**ISSUE STATEMENT**

The UW-System Academic Staff Representatives (ASR) are concerned that as campus administrators address budget cutbacks, they are turning to employment practices that are detrimental to academic staff and seem to be in sharp contrast to the language in UWS 10 and Unclassified Personnel Guidelines regarding long-term employment and job security. Existing academic staff contracts are being modified to stop the roll on rolling horizons, to include the addition of a contingency clause to fixed-term appointments, to reduce the number of years on multiple-term appointments, and to phase out probationary contracts.

We believe these modifications are unnecessary and are not in the best interest of the academic staff or the UW-System for the following reasons:

- It puts a disproportionate burden on the academic staff in order to achieve budget flexibility.
- It is inconsistent with Chapter UWS 10 of the University of Wisconsin Administrative Code and Unclassified Personnel Guidelines directing the campuses to develop policies which provide job security for academic staff employees.
- There is existing language in Chapter UWS 12 that provides the campuses with authority to lay off academic staff for reasons of budget and program. This is the appropriate mechanism for reducing staff in times of budget cuts and provides academic staff with rights and benefits not applicable to other forms of appointment termination.
- The number of academic staff employees on the campuses has risen dramatically over the past ten years and is projected to continue to increase. It would seem to be good business practice to provide as much job
security as possible in order to retain a highly qualified staff. Hiring and training new staff is expensive which will put more pressure on already reduced resources.

ASR are also concerned that these decisions have been made without academic staff input. Chapter 36 of the Statutes provides academic staff with primary responsibility for academic staff personnel issues. Each campus has an academic staff governance body that should be involved when making these personnel decisions.

In conclusion, it is unreasonable to unduly penalize academic staff for circumstances beyond their control and to erode the morale of this large segment of employees who provide critical services to the students, the staff, the University and the public. Without the services of the academic staff, the University System could not function.

**Amendment 40-AS-01-a1**

Moved by Vice Chair Gapko and seconded to amend the first statement to read UW-System Academic Staff Representatives rather than Council of Academic Staff Representatives

**Debate**

- Problem if every other Senate also voting on this document, would not be voting on same thing
- Okay, would just bring back form from various campuses and talk about it; could easily alert other reps
- Wherever CASR appears will change to ASR

**Vote on Amendment 40-AS-01-a1:** Motion PASSED without dissention

**Continued Debate on Main Motion**

- Current budget situation just bad period
  - Agree has put disproportionate burden on academic staff
  - See attacking probationary faculty positions as greater of two evils
- Statement implying only that in those cases where there are layoffs, or something like layoffs, that academic staff would have more protection if they were laid off than if just non-renewed – right to get positions back when budget evens out and that sort of thing
- Read this as call to follow rules as they exist, not change of policy
- UW-Eau Claire not mandating these policies be changed; simply asking this body to endorse to academic staff reps that they can take it further to say there are rules in place that should be followed whether there is a budget crunch or not

**MOTION** by Senator Bollinger to suspend the rules so motion could be voted on today seconded and passed by two-thirds majority

**Continued Debate**

- Strongly favor motion because supports sister schools
  - Eau Claire has done probably best job with academic staff of any campus in whole system over the years
  - Have rules in place to remove academic staff if absolutely necessary because they are flexibility of system; motion supports following those rules
- Not speaking against because want to be supportive of academic staff here and elsewhere on campuses, but may lead to more stringency because may not use contingency clauses like last year which helped individuals by giving earlier notice
- Two different uses of contingency clauses – most recent use for giving notice, but are others for such purposes as grant funding
- Is ongoing discussion of contingency clauses between UW-Eau Claire and UW-System; not appropriate discussion here
- Disagree because if go on record as Senate on this, will think twice about making contingency clause and want to make sure what we mean if we vote on this
- Will be voted on by entire University Senate since that endorsement asked for
- This is an issue statement; we are not adopting policy – it is equivalent to a resolution
- All asking is if there are rules in place that permit use of contingency clauses, those contingency clauses should be continued; but if there are not rules in place for certain kinds of contingencies, those need to be looked at
• Appears some campuses not using layoff option so do not need to give academic staff their rights; in other cases appears to be PR issue (so didn’t have to say laid people off)
• At UW-Eau Claire took philosophical stand that did not want to terminate any tenure-track positions, nor terminate any contracts for academic staff because believe we needed the size staff we had to teach classes and provide services to students; had nothing to do with benefits
• Contingency clause phrase here talks about addition of a clause where people had one kind of contract and all of the sudden have a contingency when typically these are in place from the beginning of contract
• Satisfied with that interpretation

**Vote on Motion 40-AS-01:** Motion PASSED

X. Announcements – None

Meeting adjourned at 4:57 p.m. without objection

Wanda Schulner
Secretary to the University Senate