

Faculty Senate Minutes
Tuesday November 17, 2009
Plaza Room, Administrative Center, 3-5pm

Present: Ebersole, Rice, Johnston, Stancel, Ward-Smith, Fincham, Alleman, Potts, Dinakarbandian, Plamman, Krantz, Luppino, Hunter, Ziskin, Madison-Canon, Bethman, Wang, Wykoff, Beard, Carbone, Fieldman, Krause, Davies, Hopkins, Carbone

Visitors:

Excused: McArthur, Williams, Yang

Absent: Gardner, Pick, Humrichouser, Nilsson,

Welcome-3:02, Called to order by the Chair Gary Ebersole

Information Items

President Forsee will be at UMKC on Thursday for a townhall meeting on the economic situation and budget. It will be at 10:15 in Pierson Auditorium. There will be an audio stream available for those who cannot attend.

Chair Ebersole sent out a press release announcing that COPHE has agreed to hold tuition flat, while Governor Nixon has promised not to slash State appropriations more than 5%. This is not a bad deal since we were held harmless last year, and this would give us a fairly solid number to work with this year. A 5% reduction will cut UMKC about \$4.2 million overall. Senator Krantz noted that this does not amount to much of the total budget of approximately \$200 million so it is manageable. This agreement still needs to be approved by the House and Senate budget committees.

The next Faculty Senate meeting will be December 1 at the School of Dentistry Rm. 440. Electronic directions will be coming.

On January 19th Senator McArthur is organizing a health care debate with a large number of well placed individuals in the community. She is still working on lining up the site, and more details are forthcoming.

The new website is still not up, but there is a promise from Mary Lou Hines that we will have this by Dec. 1st, if not sooner.

In conjunction with website, please send updated information on FS committee memberships to either Senator McArthur or John Pinkston.

Faculty and staff awards are coming along. We still need four more names of senators to serve on one of the two review committees.

Also, Chair Ebersole sent out an email with several attachments. One was for a holiday buffet

that he hosts every year. Please respond if you can come.

Agenda Items

There were no new agenda items. Senator Wycoff moved to accept the draft agenda as presented, and Senator Fieldman seconded. All in attendance were in favor.

Minutes

The November 3rd minutes were distributed. Senator Johnston moved and Senator Fincham seconded a motion to accept them. All in attendance were in favor.

Provost's Report

No report.

Academic Issues Committee

Senator Holsinger said that no action had been taken yet. He is still waiting on feedback from all of the committee. So far responses have been in favor of putting some sort of time limitation on the NR. Senator Ziskin asked if this included a mechanism for removing the NR and Senator Holsinger said that there is such a mechanism.

IFC Report

Senator Stancel sent out her notes from the recent IFC meeting. It should be noted that these are not the official minutes, but they do give a sense of what was happening at the meeting. Senator Stancel said there was an information item for student-developed inventions. The System wants to come up with examples, other than what is provided on the sheet, where students have developed something on their own, but on campus and on university time. The attachment gave scenarios for what is student owned and asked for more scenarios. The next pages have the rules and regulations for inventions. If a student is an employee, then someone is assigned as the owner. If they are not an employee, then the student owns it. IFC wants to move on this fairly quickly on this item, preferably by the December meeting.

Chair Ebersole is also asking for faculty input on specific cases involving who should own the property rights to something? They are looking for guidance on this issue and they are assuming that people in labs and classes are better placed to make this call. Senator Wycoff stated that unless something is developed in a classroom situation or they are getting credit for a lab, then the student should own it. They are students and are expected to learn and hopefully invent. The University should keep their hands off. Senator Alleman noted that the focus is on students who are employees. Senator Luppino just finished writing an article on this topic. He looked at policies at about 80 universities. He agrees that overreaching by the system needs to be watched for. He is in the process of working on a memo to the General Counsel. He is trying to clarify the need to have a more hands-off approach to student inventions and quick process where a unit is set up to be the students advocate in this area. Chair Ebersole said that this is important in that university is focusing on entrepreneurship. He did hear that a lot of people are signing agreements up front. Senator Luppino also noted that another issue to be addressed is when students are working in teams and this issue needs to be better communicated to the students.

Senator Fieldman said that this seems to be a grey area. In some sense all faculty are university employees. If an idea comes from a faculty member and the student takes that idea independently, relatively speaking, and develops it into something of their own then it would seem to fall into a grey area. Senator Luppino noted that the cases that have come up have been not so much about students as students, but as research assistants and they didn't get credit. In terms of patent law, the owner would be the student as creator. If it was in the lab, then the university would be the owner. Tech transfer is not trying to slow the process down and they may be able to be convinced to find better ways of working through this. He asked if there was a committee that worked on this. Chair Ebersole noted that it seems to be between budget and academic issues. Senator Luppino said he is interested in this and would be willing to work with a group to bring back a proposal to the Senate. Chair Ebersole asked if there was a sense that an ad hoc committee would be good to start with. Initially it would have faculty and then when thoughts come together they would invite tech transfer group.

Senator Krause asked who generated the document and wanted to make sure that the work they are doing is what is being looked for. Chair Ebersole noted that this is coming from the system level and they want to work with faculty. They are working on an umbrella set of guidelines that the university can work with. He asked that if anyone would like to volunteer or knew someone who would be good for this to please contact Senator Luppino.

Senator Stancel further reported that most of news was on the budget. President Forsee had received bad news that Missouri revenues were down by 14%. He also talked about Citizens for Higher Education, which is a group advocating for higher education. Chair Ebersole noted that this meeting was prior to the recent agreement with the Governor. Forsee did raise the possibility of furloughs if the economy worsened even more. It was not a word that sat comfortably on anyone's lips and we are working hard to keep from going there. Senator Plamman asked how this would work with people teaching? Senator Alleman asked if last year's agreement would hold, or if there would there be rescission in the spring? Chair Ebersole said it wouldn't have anything to do with instructional faculty. He hadn't heard anything about a rescission. In the past, cuts have occurred to the curator's programs, but not to core programs. Those types of programs are vulnerable.

Senator Fincham noted that it is interesting to talk about this when the President is also talking about a 3-year baccalaureate program. Chair Ebersole said that there is push back against this because of the connotation of a "cheap" degree.. President Forsee has made the point that many view summer as separate from the academic year. Even with 9-month appointments, treating summer as a semester would allow faculty to take off three months during another semester and not just the summer. Senator Ziskin said that this could improve the quality of summer semesters as they would be treated as real classes. Senator Johnston asked what a furlough is in academic terms. Chair Ebersole said that it is unpaid leave.

Senator Beard asked how other units are compensated for instruction during the summer. In his unit, it essentially comes out of budget and they don't seem to get anything back. Chair Ebersole said that if faculty are on a 9-month appointment, then there is an incentive to offer summer courses. The tuition generated above costs remains in the unit.

Senator Beard also noted that he is concerned about program cuts. Chair Ebersole said that this is only in the worst case scenario and that the question being asked is what we do to continue the core mission of the system. In this case the system is forced to think about different combinations. Senator Beard is also concerned about competition among the four campuses. Chair Ebersole said we need to avoid that sort of conversation, arguing about who was someplace first.

Funding of Salary and Benefits

Chair Ebersole noted that in Betsy Rodriguez's presentation, she was surprised when she found that there was no philosophy about how and why we fund salaries and benefits at the level that we do. She was asking for input from administrators, faculty, and staff on this philosophy going forward for strategic planning on how to fund these. Why do we have at the top of the budget things that we pay for first like utilities, and, then, towards the bottom, human resources. Senator Potts said he served for several years on the system benefits committee. He can't remember any specific committee on campus talking about salary and fringes. There is a committee for pensions, but it doesn't cover salaries. The Senate has a faculty welfare committee, but it deals more with benefits than salary. Betsy Rodriguez noted that there is not an articulation of salary beyond the department level. She was questioning long-range plans for staff and faculty. High turnover rates for staff costs a lot in retraining. She is planning for something like a 10-year plan. Chair Ebersole noted that we need to have conversations about how to position the Senate in league with other groups about this.

Senator Ziskin said it was interesting that we had no early retirement system. This might be something to think about. Senator Potts said that the university has gone through two such programs, which cost more since many of the same people were rehired as consultants. Senator Ziskin also noted that there could be a drive to raise money for endowed chairs. Chair Ebersole said that it used to be that endowed chairs had to be external hires, but this has changed to keep us from losing the best and brightest. Senator Fieldman said that endowed chairs can be helpful, but a blue ribbon taskforce came up with part of a fix that only works if it is what the unit needs. If the unit needs junior faculty, then this creates problems. She asked how salary funding is distributed. With staff there are specific levels and each level is funded similarly. With faculty the salary range is very broad, so there might be lots of wiggle room. Chair Ebersole noted that salaries are discipline-specific. Betsy Rodriguez created a site that shows how salaries range in discipline-specific areas. One problem is that the salary ranges can get skewed from other factors. Senator Fieldman noted that people who take administrative positions don't leave the larger salary when they step down from the higher position. Part of what she wondered is if there is a point beyond which faculty cannot inquire among administrators about how salaries are split. Senator Wyckoff asked why we can't ask about how salaries are split. Senator Fieldman said it is left to the discretion of the Deans and it is hard to find why salaries are decided upon. There is a barrier that faculty can't get through. Chair Ebersole noted that if there is a lack of clarity about criteria, then it is arbitrary. If we have criteria, then it is a matter of seeing that the criteria are being applied equitably.

Senator Hopkins asked if Rodriguez said that university policy is merit-based. Chair Ebersole said that the Curator's Board several years ago decided that raises are only merit based and that should be no across the board raises. Senator Madison-Canon said that merit is not a problem, but she is worried about the ambiguous nature of the guidelines. The Conservatory has no

written policy. Chair Ebersole asked about P&T and it was noted that they were very ambiguous. Chair Ebersole said that campus policy is that these should things should be clear and published. If we don't have criteria at the department, division, and school level then we are very far away from where we should be.

Senator Dinakarandian noted that it is mathematically impossible to do something about compression when working on a low-budget and that administrative posts or grants inflate salaries. Chair Ebersole said that they do not have to distribute money equally among everyone. The percent is a total pool that can be distributed individually. Chair Ebersole noted that we have to address this issue and figure out real salaries. The Provost is looking at decoupling administrative salaries from faculty salaries. Senator Carbone said that criteria-based salaries during a low budget period causes problems but we need a plan for good times to get more funding. We have to talk about how artificially low our base is. Chair Ebersole said that he agrees. The problem is the State Senator who authored the omnibus higher education bill caps tuition increases at the cost of living. When it was pointed out to him that Missouri is the 48th of 50 states per capita in support of students, he responded that then we have farther to go down. We have to move to different strategy in talking to the legislature. Senator Carbone noted that something like privatization might give greater control to schools.

Senator Krantz noted that in nursing salary discretion is with the dean and faculty only have one opportunity to negotiate salary which is at your hire. Senator Fieldman said that the dean or anyone else can define meritorious work in very narrow ways, so is hard to go solely to a merit basis. Only one kind of contribution can be valued, but it takes different contributions to make up the whole system. Senator Krantz said that salary is non-negotiable but other things like leave, sabbatical, reduced class load are. There ought to be discussion on what is compensation. Fieldman: do have starting place? Do we know where decisions are made and what kind of engagement is possible inside that framework? We can look at rules and regulations and have discussions on compensation. Senator Beard asked if bonuses are possible that don't increase base salary. Senator Hopkins agreed with this idea and asked if we were talking about creating such a document? Chair Ebersole said that we aren't doing this today, but it is the start of the discussion that should take into account not just the Faculty Senate, but also all faculty and units. Senator Potts said that every year staff are evaluated using an instrument. Senator Bethman noted that the evaluations are not linked to salary.

A comment was heard at Betsy Rodriguez's presentation, but if furloughs come up does it mean that we have run out of non-people places to cut or cut people first. Chair Ebersole said that cutting people is the last thing to happen. Senator Luppino said they met with the chancellor and put forward not cutting people first. His concern with Betsy is that she didn't come in with a wheelbarrow full of money. There seem to be contradicting messages. Chair Ebersole said that the message coming from President Forsee that for the long term competitive status of university that we might have to cut some things in order to fund salary increases in the core of university. Senator Wycoff said that what worries him about this line of thinking is that it is a self-fulfilling prophesy. Plans get drawn up and regardless of what happens to the budget then they become the new normal. Chair Ebersole noted that President Forsee is working hard to keep this situation from happening.

Senator Luppino noted that there are two types of regulations. Establishing rules for deans to follow, or forcing a system of better disclosure. The budget committee leans towards better disclosure. Chair Ebersole said that with disclosure you would see if change happens. The discussion that followed noted that having to broad a meaning of merit removes its applicability. Another point that was raised was that it is hard to tie the hands of the deans as they need flexibility to do their work. Chair Ebersole said that the Senate can and probably should say to every school, that you should have active salary planning and advisory committee. The Deans need to recognize that they need to take shared governance seriously.

Adjourned at 4:49pm. The next meeting is on Dec. 1 at the School of Dentistry.