

**Faculty Senate Policy Committee
Meeting Minutes
March 6, 2013
3:30 p.m.
DRAFT**

Members Present: Jackie Hood, Richard Holder, Martha Muller, Mindy Tinkle, Carol Stephens, John Taber, Floyd Kezele

Ex-Officio: Melanie Baise, Jane Slaughter

Members Absent: Christine Sierra

Staff Present: Vivian Valencia, Office of the Secretary
Selena Salazar, Office of the Secretary

Guest Present: Bill Uher, Vice President of Development
Elizabeth Hutchison, Professor, History Department
Sandy Liggett, General Counsel, UNM Foundation
Scott Hughes, Professor, School of Law
Max Minzner, Associate Professor, School of Law

Meeting began at 3:30pm

Handouts were distributed. Introductions were made around the table for the guests of the meeting.

I. SAC Guidelines from Provost's Office:

Policy Committee Ex-Officio member Jane Slaughter was asked to give background information on the SAC Guidelines from the Provost's Office. She stated that two years ago a Regent's audit was done and two issues related to faculty matters. One was that there is a policy of Special Administrative Components but no real procedures. So a request was made for guidelines. The same thing was asked for STC's (Special Teaching Components) and it was more difficult because it dealt with multiple policies. The work that Ex-Officio Slaughter did will go to the Regents on Friday, March 8, 2013, as part of the report for the audit. SAC's (Special Administrative Components) were found to range from \$.20 cents to \$15,000, with no explanation of why these amounts were being paid. This was seen as an opportunity to do some work with the SAC's. Transparency and fairness needed to be built into the SAC's. There is a SAC policy that comes from Extra Compensation Policy 140, and it relates to extra teaching.

Policy Advisor, Carol Stephens suggests that a third component could be how this information is reported annually and this would be where the transparency would occur. The Sunshine Portal lists base salaries, and does not address SAC's. For the interest of transparency, consistency, and compliance with policy there should be a statement that shows how to create a SAC. This way consistency is built across the university as to what gets a \$10,000 SAC as opposed to a \$.20 SAC. It is Advisor Stephens opinion that the SAC's policy belong in the Faculty Handbook.

The Regents are looking for something very specific from the committee stating why one faculty member gets one level of payment, and other faculty members get a completely different level of payment. Policy Committee member Richard Holder suggested that the committee present guidelines to the Regents on Friday, March 8, 2013 and the Regent's response will give the committee the direction it needs for this project. The SAC's currently amount to \$3 million in faculty salaries.

Policy Committee member Melinda Tinkle stated that the issue regarding SAC policies at the Health Science Center (HSC) is that they instructed that they no longer have SAC's they now call them Administrative Supplements. She stated that each academic unit is required to have Faculty Performance Compensation Plans that include how the unit gives supplements and incentives. There is a section regarding Administrative Supplements (SAC's) and Performance Supplements. She doesn't understand how these rules from HSC interface with the SAC policy. She wants to know if there is a HSC overarching policy that provides guidance to the academic units about what they should be doing. Currently each academic unit defines their Administrative Supplement in a different way and it seems to be at the Deans discretion.

Policy Committee Chair Jackie Hood suggested that the Policy Committee speak with the HSC Council and include an Administrator since the SAC policy and the Administrative Supplement are identical. Policy Committee member Floyd Kezele suggested to add, "Any supplemental compensation of any nature above base salary other than teaching."

Jane Slaughter will bring the SAC Policy to the Policy Committee for approval and it will be added to the Faculty Handbook.

University Secretary Vivian Valencia stated that the Extra Compensation Policy was revised in 2008 and it was approved by the Board of Regents. This will stay a separate policy and will reference extra compensation.

2. Policy CI70 Endowed Chair

Two issues are being brought to the committee's attention. The first is when the Academic Freedom and Tenure Committee (AF&T) reviewed Policy CI70 they suggested an additional line in the policy. The committee has looked at this in the past and felt it was not necessary.

Professor of History Elizabeth Hutchison stated that she has been working with Richard Holder and Past Faculty Senate President Tim Ross regarding the adding of a line to the policy. The issue is the question of a conflict, or a perceived conflict between academic freedom and faculty control over hires

and what was perceived to be the demands of the donor and the Archdioceses of Santa Fe. The American Association of University Professors (AAUP) recommends that donors not participate in search committees because of academic freedom. Guaranteeing a faculty majority on a search committee is not sufficient protection, as in the case of the Catholic Studies hire. AF&T wants the policy corrected to better guarantee a barrier to donor influence on the search committee itself. Policy Committee member John Taber stated that there were two search committees. The funding was not in place they only had funding for a visiting Professor for a year. On one of the search committees there were three representatives from the Archdioceses of Santa Fe, and the Catholic Studies Chair. Donors should not be involved in the process of selecting faculty. A policy for external searches for these chairs could not be found during research that put the donor's representatives in the policy. Elizabeth Hutchison posed to the committee her concerns that guaranteeing a faculty majority on a search committee is not sufficient protection, and was not considered sufficient protection in the case of the Catholic Studies hire, because it resulted in the hire in American Studies of the same candidate. She would like to see the policy corrected to better guarantee a barrier to donor influence on the search committee.

John Taber requested to make a motion to strike, "A majority of members of the search committee must be full-time UNM faculty." and to include, "Donor representation be limited on a search committee for Endowed Chair to no more than one voting member and additional non-voting advisory members." Motion died due to lack of second.

The second issue has to do with the Law School in which the way professorships and chairs are being done the same way on both campuses.

School of Law, Professor Scott Hughes stated that every year there are Chairs that need to be renewed every year and the School of Law chooses to not renew and instead rotate Chairs based on their quality of work. The Endowed Chair Policy states, "Selection of faculty for endowed chairs or named professorships will occur through nationally competitive searches or alternative procedures as allowed by the normal faculty appointment processes, overseen by the UNM Office of Equal Opportunity." Professor Hughes pointed out that the "or alternative procedures as allowed" the "or" is limited to the competitive searches and the second part of this statement is equalized to the searches then the first part. In legal interpretation the second part is limited to alternative procedures, "searches". He doesn't understand where in this statement states that a professor gets awarded for good work being done.

Richard Holder stated that this statement could be incorrectly written and asked Scott Hughes to re-write the language to help clarify. Scott Hughes will send this language to the committee for approval.

This statement allows rotating internal chairs and to allow the university to hire a Nobel-Lariat without a search because that person is available and would like to work at the university. Policy Committee Ex-Officio member Melanie Baise requested Scott Hughes to reference to Tier II handbook procedures for what the particular college employs that have their own way of rotating their Chairs.

Carol Stephens will review Riverside's Endowed Chair Policy on internal searches.

The Policy Committee will discuss the suggested language from AF&T and what was requested from Policy Committee member Christine Sierra, “Donor representation on a search committee for an Endowed Chair will be limited to one voting member. Additional donor representation may be extended by the Search committee chair, but additional members should not exceed xxx number.” at next month’s Policy Meeting.

Elizabeth Hutchison stated that in terms of the language that AF&T suggested, Operations (OPS) Committee members Daniel Barkley and Tim Ross do not agree that the donor participation should be limited. Tim Ross proposed that in a more dignified fashion there should be ways to limit donor participation. Elizabeth Hutchison suggested: “That the search committee will be constituted in the usual way” simply be written to be “accept that the faculty senate, Provost, or HSC Chancellor and the donor may suggest one additional member each.” For example, to enshrine the right of donors who have representation on the committee but limited in an alternate way that not the majority full time faculty language that is currently in there.

Elizabeth Hutchison will send the language she suggests to the Policy Committee.

Elizabeth Hutchison asked if this could be sent to the Faculty Senate with sufficient time so that it can be debated at the floor of the Faculty Senate. UNM Foundation, General Counsel Sandy Liggett stated regarding the last sentence in the first paragraph it states, “Before accepting an endowment gift or naming a faculty member to the position the Board of Regents, President, and the Provost or HSC Chancellor will carefully consider the appropriateness of the proposed position.” she suggested replacing, “Regents, President, and the Provost or HSC Chancellor” to, “all decision makers”.

Carol Stephens will make sure to add this revision to the policy.

Jackie Hood stated that the Policy Committee will review the policy once more and will notify Faculty Senate President Amy Neel know the status. She will also keep in communication with the faculty on what the status is and what the outcome will be. This may be voted over email and she will get the information from the Provost to incorporate it into the policy.

3. A53 Development and Approval of Faculty Policies

Vivian Valencia stated that this document will be sent to the Policy Committee for review and asked the members of the committee to keep the SAC Policy information in mind when reviewing this document. She asked if there should be a way to address the policy so that faculty policies are housed in the Faculty Handbook. She hopes to have this policy reviewed and voted on at the next Policy Committee meeting so it can be on the April Faculty Senate agenda.

4. Procedure for Lecturer Promotion Reviews

Associate Provost Michael Dougher approved the funding for the committees suggestion, “as with promotions from an Assistant to an Associate with tenure lectures, will receive \$3000 to \$4000 depending on the promotion level.”

Melanie Baise stated that there were a couple of typos in the document:

(page 3, item 3 Negative promotion decision, second to last sentence in the first paragraph)

“A document summarizing this decision will be drawn up and copies will be given to the lecturer, placed in his or her file, and copied to the Dean of the *Ccollege*.”

(page 3, item 3 Negative promotion decision, first sentence in the second paragraph)

“During this *two-year* waiting period, the lecturer will retain his or her Lecturer title and benefits, and remain eligible for renewable two-year contracts.” Melanie Baise stated that this should state one-year waiting period.

(page 1, item A, second sentence in the first paragraph)

“A newly hired lecturer will have the title of Lecturer on Provisional Appointment.” Melanie Baise asked if the committee will be creating a new title of a Lecturer since there is no Lecturer on provisional appointment status. Jackie Hood stated that the title of Lecturer will continue.

(page 5, title for item E and first sentence in first paragraph)

Melanie Baise asked if the transition process will change since it will expire beginning of the Fall semester of 2013. Carol Stephens suggested to put a term from the effective date of a policy so that when it is effective that expiration date continues. Carol Stephens suggested having the transition process expire at the beginning of the Spring Semester 2013.

5. Meeting Adjourned 5:00 p.m.