

# FACULTY SENATE SUMMARIZED MINUTES

2007-2008 Faculty Senate

February 12, 2008

(DRAFT-AWAITING APPROVAL AT THE FEBRUARY 26, 2008 FACULTY SENATE MEETING)

The Faculty Senate meeting for February 12, 2008 was called to order at 3:10 p.m. in the Lobo Room, Student Union Building (SUB). Senate President Jackie Hood presided.

## 1. ATTENDANCE

### Guests Present:

Associate Professor Jan Armstrong (College of Education), Chief of Staff Breda Bova (Office of the President), Staff Council Liaison Loyola Chastain, Vice Provost Wynn Goering, Deputy Provost Richard Holder, Sari Krosinsky (UNM Today), Faculty Affairs and Services Director Raqui Martinez (Office of the Provost), University Accreditation Director Nancy Middlebrook (Office of the Provost), Outcomes Assessment Planning Manager Tom Root (Office of the Provost), and Chair David Scott (Health Exercise and Sports Science).

## 2. APPROVAL OF THE AGENDA

The agenda was approved as written.

## 3. APPROVAL OF SUMMARIZED MINUTES FOR JANUARY 22, 2008 MEETING

The minutes for the January 22, 2008 meeting were approved as written with one abstention.

## 4. FACULTY SENATE PRESIDENT'S REPORT

The Faculty Senate President reported on the following:

- President Jackie Hood encouraged senators to complete the Deans' Evaluation and to encourage their constituents to complete the evaluation. The evaluation period will end at 5:00 p.m. on February 19, 2008. The evaluation is completely confidential.
- The faculty elections are in process. President Hood asks senators to nominate someone or themselves to run for at-large senator and members of the Academic Freedom and Tenure Committee and the Committee on Governance.
- President Jackie Hood, President-Elect Howard Snell and Operations Committee member Pamela Pyle attended the legislative briefing in Santa Fe on February 6. Provost Florez gave them a tour of the capitol building. Operations Committee member Tim Ross will attend on February 13. President Hood asked for volunteers to attend with Tim. President Hood stated that the faculty and staff salary increase will be only two percent. The tuition credit was set at two percent as well. UNM was successful on many of the other initiatives.
- President-Elect Howard Snell will be meeting with Andrew Cullen to discuss the Faculty Senate questions posed to President David Schmidly, Provost Viola Florez, and EVP for Administration David Harris.
- Faculty Senate Budget Committee member Ann Brooks (Anderson School of Management, Accounting) will begin attending the Board of Regents (BOR) Finance and Facilities Committee meetings.
- President Hood will be presenting shared governance to the BOR at the February 15, 2008 BOR meeting. Academic Freedom and Tenure Committee Chair Tim Lowrey will also give a presentation on academic freedom and tenure at UNM.
- Vice President of Human Resources Helen Gonzales will be invited to a senate meeting to talk about salary issues.
- There was a suggestion of increasing the term of the Faculty Senate President to two years. A proposal for the senate to consider will occur this semester. Other suggestions include: a senator or faculty member be on the Executive Cabinet, have faculty involvement earlier in the strategic planning process, and have the senate issue more resolutions and track process.
- Senator Ed DeSantis suggested that at least two faculty be involved in reviewing the renewal of the Aramark contract for food service at the Student Union Building (SUB). President Hood replied that she will check with SUB Director Walt Miller on that process.

## CONSENT AGENDA

### 5. APPROVAL OF FORMS C FROM THE CURRICULA COMMITTEE

The following Forms C were approved by unanimous voice vote of the Faculty Senate:

- Revision of Concentration of B.S. in Community Health , *College of Education*
- New Major in B.A. of Languages, *College of Arts and Sciences*
- New Ph.D. in Nanoscience, *College of Arts and Sciences*
- New Minor in Ph.D. of Applied Mathematics, *College of Arts and Sciences*
- New Minor in Ph.D. of Statistics, *College of Arts and Sciences*
- Revision of Concentration in Pure Mathematics, *College of Arts and Sciences*

- New Major in Bachelor of University Studies, *University College*
- Revision of Major in B.S. of Biology, *College of Arts and Sciences*

## AGENDA TOPICS

### 6. CHANGES IN GRADUATION

Chief of Staff Breda Bova (Office of the President) reported that President Schmidly is considering changes to the graduation ceremony at UNM. The main ceremony would be split into two ceremonies. The graduate ceremony would be on Friday and the undergraduate ceremony would be on Saturday morning of the last weekend of each semester. A distinguished professor would give remarks at the graduate ceremony and a speaker would be selected for the undergraduate ceremony. The awarding of the Honorary Degrees would occur at both ceremonies. The recipients would be split so some would be awarded at the graduate ceremony and the remainder would be awarded at the undergraduate ceremony.

Many other universities have separate graduate and undergraduate ceremonies. The president felt the graduation ceremony is too long. The president wants to make the ceremonies more meaningful. There would be small ceremonies or receptions at the college level, but no formal convocations.

Many faculty expressed concern about the school, college, and department convocations. Most of the convocations are long-standing traditions with rituals at the department and program level. Most faculty agreed that the university can do whatever President Schmidly wishes for the main ceremony, but that the colleges/departments should keep their convocations.

President Schmidly will put the proposal on hold to allow further discussion. The Spring 2008 University Commencement will remain unchanged.

Please email Breda Bova at [bova@unm.edu](mailto:bova@unm.edu) with questions, concerns, or suggestions.

### 7. LOBBYISTS

Chief of Staff Breda Bova (Office of the President) reported on lobbyists for the university. There was not a Governmental Relations arm at UNM until a few years ago. This year, New Mexico State University had four more lobbyists than UNM and New Mexico Tech had three more lobbyists than UNM.

In 2006 Marc Saavedra was a contract lobbyist for UNM. In 2006 there was an increase in UNM funding from Santa Fe, there was an additional \$8.5 million in recurring funds and \$26.5 million in one-time funds. In Marc Saavedra's first year as Government Relations Director, there was \$34.7 million in new recurring funds, \$30.2 million in capital outlay funds, and \$3.8 million in one-time funds.

The Government Relations Office was cut by one full-time employee position. Marc took over his predecessor's role and was brought in at the same salary as his predecessor, which was a considerable jump in salary.

It has been difficult to receive funding without the use of the lobbyists and without an arm at UNM that focuses on governmental relations.

President Schmidly said he would be happy to come to the Faculty Senate and speak about lobbying and hold a question and answer session.

President Schmidly has been working with the funding allocated to develop a reasonable merit funding pool for faculty. Faculty Senate President Hood would be involved in some of the discussions.

Chief of Staff Bova will send Faculty Senate President Hood her bullet-point notes. The notes are on the budget at UNM for the last two to three years. The notes were gathered by an intern from the Office of the President.

The three contract lobbyists that UNM currently use are: Richard Romero, Dick Mizner, and Joey Thompson.

Senator Ed DeSantis, Chair of the Faculty Senate Governmental Relations Committee, stated that the committee was not utilized this year. He offered the committee's help on several occasions but was not asked to participate or assist in the lobbying effort in Santa Fe.

Please email Breda Bova at [bova@unm.edu](mailto:bova@unm.edu) about the legislature and lobbying.

### 8. ACCREDITATION

Vice Provost Wynn Goering, University Accreditation Director Nancy Middlebrook, and Outcomes Assessment Planning Manager Tom Root

provided an update on accreditation. The site visit from the Higher Learning Commission (HLC) of the North Central Association (NCA) is April 2009. The president and the provost have been stressing the importance of the activities preparing for accreditation. Vice Provost Goering is the chair of the self-study process. Tom Root's official title is Manager of Outcomes Assessment, but in no way do they manage the outcomes of student assessment at the departments and schools. Tom is to help faculty do the assessments the best way possible, the faculty ultimately own the assessment process. Vice Provost Goering explained that there are three campus myths about outcomes assessment:

Myth 1: 'Learning outcomes is a regulatory fad like No Child Left Behind that will go away as soon as a Democrat gets to the White House.' This is untrue as outcomes assessment is part of the University's accreditation requirements that got started in the 1990s in the midst of a Democratic Administration. The NCA made its first formal statement in 1994 requiring schools to include outcomes assessment. It was required to be included in schools' self studies since 1997. In 1998 UNM was on the leading edge of this trend. In the last eight years UNM has fallen behind. Every department and program has to undertake this activity in order for UNM to continue to do business as a university.

Myth 2: 'UNM is being required to do this assessment to demonstrate to some set of bureaucrats that UNM is really doing what it already knows it is doing.' Demonstrating that the students learn something is not the objective of learning outcomes assessment. UNM's goals for student outcomes must be clearly stated for each educational program and make effective assessment possible. Assessment is not a back door to faculty evaluations.

Myth 3: 'Faculty already do outcome assessments with grades.' Grades only show a student's mastery of the content the faculty teach them. The students evaluate the faculty. Learning outcomes is different altogether. The authority is not with the individual faculty but at the faculty collective in the colleges and departments and by extension to the faculty senate.

Tom Root explained that it is a fundamental responsibility of the university to do teaching. The university's primary product is student learning. It is up to the faculty to determine what is the most important set of things that students should leave knowing or being able to do, and to measure how well that knowledge and those skills were learned. Assessment does not assign a grade, it is an improvement process. It uses the measurements to make changes in order to improve the outcome. One of the tools is rubric which is a grid used as a scoring aid with most of the work already done. It can help explain what the students need to learn. It helps students self-assess and self-improve and it shows what the faculty expect for excellence. It shows faculty where students need help or when the curricula may need to be adjusted. It helps faculty refine their teaching skills by allowing them to track where students are doing well and less well.

There will be series of workshops available on writing measurable student learning outcomes. On March 3, there is a workshop for assessing student work with rubrics. The Office for Support of Effective Teaching (OSET) offers workshops specifically on effective teaching. There is a Success in the Classroom conference on February 21, 2008. The New Mexico Higher Education Assessment and Retention conference is February 28 and 29, 2008 in Albuquerque. There will be a series of brown-bag discussions held at noon. For information on the conferences, workshops, and brown-bag lunches, please visit [www.unm.edu/~oset](http://www.unm.edu/~oset) or email [oset@unm.edu](mailto:oset@unm.edu).

Tom can provide feedback on plans that are submitted. Please call or email Tom Root with questions at 277-4130 or [troot@unm.edu](mailto:troot@unm.edu).

## **9. POLICIES C130 AND C140**

President Elect Howard Snell presented the AGB Consultant's recommendations for the revision of Policies C130 and C140.

The consultant recommended that Policy C130 include lecturers and remove the reference to a five day work week. The consultant recommended that Policy C140 should specify that additional work for the university be compensated at "fair market value."

After discussion the faculty senate voted to accept all the recommendations from the consultant. The policy drafts below are the Faculty Senate versions approved in November 2007 with the consultant's recommendations incorporated. The Faculty Senate versions of Policies C130 and C140 with the consultant's recommendations will be sent to the Faculty Extra Compensation Task Force, President Schmidly, and to Interim Provost Florez.

### **FSOC Motion: Accept w/ These Modifications Draft New Policy C130 11/27/07**

#### **POLICY CONCERNING OUTSIDE EMPLOYMENT AND CONFLICTS OF COMMITMENT**

Employment as a full time, tenured, probationary, or clinician educator faculty member at the University of New Mexico in Albuquerque requires an individual's full time professional commitment and expertise. Notwithstanding this, and subject to certain restrictions, full time faculty members of all types are subject to this policy and are encouraged to engage in appropriate outside professional activities that will enhance their professional growth and reputation. Outside activities such as writing, consulting, lecturing, and similar outside endeavors contribute to the quality of both instruction and the scholarly or creative work of the faculty, bring great credit to the University and may contribute to the economic development of the state.

#### **Conflict of Commitment**

The University of New Mexico has adopted in the Faculty Handbook (Section B, Appendix V) the *Statement on Professional Ethics*

of the American Association of University Professors, which includes the statement "Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it." In particular, a "conflict of commitment" exists when the external professional activities of the faculty member are so extensive and demanding of time and attention as to interfere with the individual's responsibilities to the unit to which the faculty member is assigned by contract, to students, or to the University. In particular, the time spent in outside employment may not exceed the equivalent of one workday per week during the contract period. For faculty members with nine-month contracts this is the equivalent of 39 work days, and for faculty members with twelve-month contracts this is the equivalent of 52

work days per contract period.

### **Outside Consulting**

In outside employment faculty members are paid directly by the outside entity and the University is not concerned with the amount of earnings. However, a faculty member should charge fees similar to those charged by firms or individuals doing comparable work, except when advice or services are given free in the public interest.

### **Prohibited Activities**

Faculty members should not provide consulting or other services to an outside entity when those services would conflict or be in competition with services offered by the University itself. In undertaking outside employment the faculty member may not make use of University facilities, equipment, or personnel without prior written approval from the head of the unit responsible for the facilities or personnel. When necessary the Associate Vice President of Business/Comptroller shall determine to what extent the University shall be reimbursed for such use. Work of a routine or repetitive nature such as tests, assays, chemical analyses, bacteriological examinations, etc. which involve use of University property is prohibited except where it is considered in the public interest and where facilities or personnel for doing such work exist only at the University.

University titles, offices, addresses, and telephone numbers may not be used in city directories or similar publications for the purpose of publicizing non-University interests. Consultants must make it clear to outside employers that the work to be undertaken has no official connection with the University. The University cannot assume any responsibility for private consulting activities provided by members of the faculty.

### **Exceptions for Remunerated Scholarship**

It is not the intent of the University to restrict expected scholarly activities of faculty members. In some disciplines, such as the performing arts, professional activity may be remunerated. In many disciplines scholarly service activities such as reviewing, colloquia presentations, etc., are compensated by small honoraria beyond expenses. Such activities, referred to as "remunerated scholarship" generally relate to research or creative work that is expected in a faculty member's discipline. Teaching outside the contracted department for compensation [see Policy C140] is not considered to be remunerated scholarship. Such activities would normally be added to a C.. and be considered in promotion, tenure, merit pay, etc. Activities of remunerated scholarship need not be reported and the hours so spent do not count against the 39 or 52 workday limit unless the Chair or Director finds the extent of such activities threatens a faculty member's ability to carry out his/her regular University duties. In this case approval to continue this activity should be sought.

**Reference:** See also Regents Policy Manual 5.5

### **COMPLIANCE**

Intentional failure to comply with the provisions of this policy will be considered a violation of university policy and may lead to appropriate corrective action which can include censure, warning, disciplinary probation, or dismissal, as set forth in the *Faculty Handbook*.

### **PROCEDURES REGARDING OUTSIDE EMPLOYMENT**

In consultation with the academic units the offices of the Provost and the Executive Vice President for Health Sciences will be responsible for developing and communicating procedures for this policy. The procedures should address at least the following requirements:

- Notification of outside employment
- Chair/Director/Dean monitoring, reporting, and enforcement responsibilities
- Process for Exceptions to this policy
- Faculty reporting
- Written approval
- Records and supporting documentation maintenance
- Documentation supporting appeals
- Calculations used to monitor the 39/52 day rule
- Practical definitions and guidelines regarding Remunerated Scholarship developed with faculty input.

**FSOC Motion: Accept with these changes:  
Draft New Policy C140**

11/27/07

### **POLICY CONCERNING EXTRA COMPENSATION PAID BY THE UNIVERSITY**

The interests of the University may be well served by professional activities conducted by faculty members

outside of their normal departmental duties. With approvals specified in this policy, faculty members performing such activities may receive extra compensation from the University. Such activities may not replace or diminish the ability of the faculty member to fulfill his/her normal contractual responsibilities. Prior approval of such activities for extra compensation will be contingent on determinations by cognizant supervisors that the activities are in the best interests of the University.

1. Full time regular faculty members may receive extra compensation from the University for additional work done in connection with University-related activities provided that:

- The faculty member wishes to pursue the opportunity for extra compensation;
- Advance approval in writing is given by the Chair of the faculty member's contract department and the Dean or Director of the College or School that houses that department;
- The work done for extra compensation does not in the opinion of the approving authorities:
  1. Conflict in time with regular University duties and assignments;
  2. Constitute a "conflict of interest" situation for the faculty member;
  3. Come within the scope of the faculty member's regular responsibilities for which compensation is already being paid.

2. The work for extra compensation does not count against the workdays allowed for outside employment. (See Policy C130).

3. Extra compensation using funds from research grants or contracts must conform to research policies.

4. Extra compensation for teaching beyond the scope of the faculty member's regular teaching responsibilities shall be paid through a STC (Special Teaching Component) on the regular faculty contract. Requests for contracts that include STC's shall be made prior to engaging in the activity by way of a Contract Memorandum that has the approval of the faculty member's chair or director and dean, the administrator of the department for which the special teaching is being done, and the Deputy Provost or the Executive Vice President for Health Sciences.

5. Other kinds of special assignments shall be paid on an Extra Compensation Form. The rate of extra compensation will be proposed by the head of the requesting unit and should reflect fair market value for activities associated with the assignment.

**Reference:** See also Regents Policy Manual 5.6

## **COMPLIANCE**

Intentional failure to comply with the provisions of this policy will be considered a violation of university policy and may lead to appropriate corrective action which can include censure, warning, disciplinary probation, or dismissal, as set forth in the *Faculty Handbook*.

## **PROCEDURES REGARDING EXTRA COMPENSATION**

In consultation with the academic units, the Offices of the Provost and the Executive Vice President for the Health Sciences Center will be responsible for developing procedures for compliance with this policy. The procedures should include the following items, but may be more stringent for effective monitoring of the policy.

- Requirements for approval by the approving authority (Advance written approval is not required for periods of activity consisting of two days or less per semester)
- Requirements for STC approvals and payments
- Faculty reporting and compliance responsibilities
- Required signatory approvals
- Deans/Directors monitoring and enforcement responsibilities
- Maintenance of Records and supporting documentation .

## **10. NEW BUSINESS**

A senator asked if President Hood has heard anything about the regents requiring faculty to begin teaching three three-hour courses per semester. President Hood replied that she had not heard about that, but she did hear of a measure to study faculty production.

## **11. ADJOURNMENT**

The meeting was adjourned at 5:15 p.m.

Respectfully submitted,

Rick Holmes  
Office of the Secretary