

# Faculty Senate Meeting Agenda

## October 23, 2007, 3:00 P.M.

### Lobo Room (3037), Student Union Building

The University of New Mexico

Time	AGENDA TOPICS	TYPE OF ITEMS/ PRESENTER(S)
3:00	1. Approval of Agenda	<b>Action</b>
	2. <b>Acceptance of the September 2007 Summarized Minutes</b>	<b>Action</b>
	3. Faculty Senate President's Report	<b>Information</b> Jackie Hood
3:10	4. Provost's Report	<b>Information</b> Viola Florez
	<b>CONSENT AGENDA TOPICS</b>	
3:20	5. Forms C from the Curricula Committee	<b>Action</b> Jackie Hood
	<b>Revision of A.S. Degree in Environmental Science, Los Alamos</b> <b>Revision of B.S. Degree in Physical Education, College of Education</b> <b>Revision of Graduate Concentration in Anthropology, College of Arts and Sciences</b> <b>New Concentration in Post Masters Certificate in Program Management, Anderson School of Management</b>	
	<b>AGENDA TOPICS</b>	
3:25	6. <b>Faculty Extra Compensation Task Force Report on Extra Compensation Policies C130 and C140</b>	<b>Information</b> Virginia Shipman and Howard Snell
4:05	7. <b>Proposed Policy Committee Charge</b>	<b>Action</b> Jackie Hood
4:20	8. <b>Endowed Faculty Appointments</b>	<b>Action</b> Jackie Hood
4:35	9. Report from the Curricula Committee	<b>Information</b> Kathleen Keating
4:40	10. Report from the Research Policy Committee	<b>Information</b> Dan Barkley
4:45	11. Report from the Undergraduate Committee	<b>Information</b> Andrew Burgess
4:50	12. New Business and Open Discussion	

**NOTES:**

1. All faculty are invited to attend Faculty Senate meetings.
2. Full agenda packets are available at <http://www.unm.edu/~facsen/>
3. All information pertaining to the Faculty Senate can be found at <http://www.unm.edu/~facsen/>
4. Questions should be directed to the Office of the Secretary, Scholes 103, 277-4664
5. Information found in agenda packets is in draft form only and may not be used for quotes or dissemination of information until approved by the Faculty Senate.

# FACULTY SENATE SUMMARIZED MINUTES

2007-2008 Faculty Senate

September 25, 2007

*(DRAFT-AWAITING APPROVAL AT THE OCTOBER 23, 2007 FACULTY SENATE MEETING)*

The Faculty Senate meeting for September 25, 2007 was called to order at 3:05 p.m. in the Lobo Room, Student Union Building (SUB). Senate President Jackie Hood presided.

## 1. ATTENDANCE

### Guests Present:

Assistant Dean Barbara Carver (Graduate Studies), Staff Council Liaison Loyola Chastain, Interim Provost Viola Florez, Executive Vice President David Harris (Administration), Deputy Provost Richard Holder, Sari Krosinsky (UNM Today), Director Raqui Martinez (Faculty Contracts), Associate Vice President Curt Porter (Budget, Planning, and Analysis), Associate Vice President Carlos Romero (Government and Community Relations), and Dean Roger Schluntz (Architecture and Planning).

## 2. APPROVAL OF THE AGENDA

The agenda was approved as written.

## 3. APPROVAL OF SUMMARIZED MINUTES FOR AUGUST 28, 2007 MEETING

The minutes for the August 28, 2007 meeting were approved as written.

## 4. FACULTY SENATE PRESIDENT'S REPORT

The Faculty Senate President reported on the following:

President Jackie Hood thanked the senators for their participation at the senate retreat held on August 31, 2007. President Hood distributed copies of the table notes from the retreat. The Operations Committee will review the ideas and plan which to implement. She asks any senators with feedback to please contact her or a member of the Operations Committee.

President Hood explained that she and the Operations Committee have had many interactions with the administration. President Schmidly and Interim Provost Florez have each attended an Operations Committee meeting. President Schmidly has challenged the Operations Committee to work with the administration to increase enrollment. President Hood, Staff Council President Vanessa Shields, the ASUNM president, and the GPSA president have been invited to attend one Executive Cabinet meeting a month.

Vice Provost for Academic Affairs Wynn Goering met with the Operations Committee to provide an update of the accreditation process. Vice Provost Goering will attend a future senate meeting to update the full senate.

President Hood met with Interim Vice President for Diversity Rita Martinez Purson. Dr. Purson will attend the November senate meeting to discuss institutional diversity.

President Hood, Academic Freedom and Tenure Committee Chair Tim Lowrey, and Richard Wood from the Committee on Governance (COG) met to discuss ideas, directions for their respective committees/bodies, and connections to each other. Richard Wood attended on behalf of the COG because the committee has not yet elected a chair.

New items that should appear in October are a proposal for a policy committee, and a draft resolution on how search committees for endowed chairs are selected. The senate may also vote on the Extra Compensation Policies C130 and C140.

## 5. PROVOST'S UPDATE

Interim Provost Viola Florez provided an update:

Interim Provost Florez assumed the role on June 4, 2007. There are two new divisions reporting to the Provost's Office, the Office of Enrollment Management and the Office of Institutional Diversity.

Interim Vice President of Diversity Rita Martinez Purson will be developing an institutional plan on diversity. She will be meeting with the deans, faculty, and students. Dr. Martinez Purson has also been charged with developing a diversity report card for UNM.

Enrollment is down by 68 students. Freshman enrollment has decreased by 135 students. Transfer student enrollment is up however.

A Memorandum of Understanding has been signed with Central New Mexico Community College (CNM) regarding the Rio Rancho campus. UNM is going to try to capture more of the students from the Hobbs Community College that typically enroll at Texas Tech. UNM will be opening a recruitment office on the Hobbs campus. Extended University will also offer

courses that are not offered by Southeast Community College, Eastern New Mexico University, and New Mexico State University.

Graduate enrollment has declined over the last several years. An analysis of the graduate programs will be conducted. Graduate programs are not marketed the same as programs at other institutions. Careful targeting of market dollars could increase graduate enrollment. The out-of-state graduate tuition at UNM is lower than many other universities' in-state tuition. Graduate enrollment at NMSU has increased. NMSU will benefit from increased money through the funding formula while UNM will have a decrease.

Identifying what is working within University College (UC) could assist with enrollment. Freshmen do very well in the Freshman Learning Communities (FLC). By their third semester, the freshmen move to larger classes in the core courses. Most of these courses are taught by graduate students or PhD candidates.

International students' issues will be addressed by bringing as many of the key players together as possible for discussions.

## **6. BUDGET UPDATE**

Executive Vice President for Administration David Harris distributed a summary of the current and last years' budgets. EVP Harris provided a brief report.

UNM is the best investment of public money that the state legislature can make. UNM generates six dollars for every one dollar that the legislature appropriates. By comparison, Medicaid generates three dollars for every one dollar appropriated. UNM has a \$1.5 billion budget.

The university has a tremendous impact on the state's economic development. There are over 22,000 employees at the university making it the fifth largest employer in the state.

The 2008 Budget Summit is the fourth one to be held.

The Budget Summit may be moved to March 7, 2008 because the 2008 legislative session will be for only 30 days. The summit is held after there is a basic idea of the resources coming from the state. The faculty have representation at the summit. Each of the groups (Staff Council, Faculty Senate, etc.) presents proposals. The Staff Council has had the most developed plan.

Ideas are taken from each of the plans. Tuition, fees, faculty and staff compensation, etc., are formulated after the summit. By law, UNM's proposed budget must be submitted to Santa Fe by May 1 each year.

EVP Harris went over each of the tabs in his prepared report.

Tab one is the UNM budget development calendar for fiscal year 2009.

Tab two is a 5-year depiction of sources and uses of funds. In 2003 the budget was \$1.3 billion. By 2007 the budget had increased to \$1.8 billion which is a significant increase in funding support. The Health Sciences Center (HSC) is much different than main campus. Most of the money is involved in delivery of service. Some funding for the HSC comes from the local mill levy. The HSC has more, and a different mix of, contracts and grants. UNM has a separate capital budget for capital projects such as buildings and infrastructure.

Tab three is the financial statements. It includes the fiscal year 2006 budget, actuals, and balances. The HSC has been restored to a positive financial state. Resources had been down and costs associated with uncompensated indigent care had been growing.

Tab four indicates how much is expended on salary and benefits. On main campus 68% of expenditures is used for compensation and 87% at the HSC.

Tab five is a table of faculty and staff compensation increases for the last 27 years. The faculty average is 4.3% per year and the staff average is 3.9 % per year. Often in the past, the salary increases for faculty and staff were not the same. The cost of living increase has been 4.1% per year.

Tab six shows tuition and fee increases.

It shows resident and non-resident tuition compared to the peer universities. UNM resident tuition is still one of the lowest. Last year, law prohibited tuition from being increased by more than five percent. UNM increased student fees instead.

Graduate enrollment is more important because graduate education generates more money for the university. There needs to be a strategy to improve all enrollment. Without improvement, enrollment will be flat.

Operations Committee member Jeanne Logsdon stated that the Budget Summit is too late for faculty involvement and asked if the faculty could get involved earlier.

EVP Harris replied that preliminary budget parameters are discussed beginning in December.

A senator asked for an explanation of the Office of Research budget deficit. EVP Harris said the Office of Research had

balances it needed to fund. The Office of Research has not been able to keep up with increasing costs. The business model that the Office of Research has employed is backward and out-of-date. The current audit of the Office of Research will suggest an appropriate model. The expenditures are known. There has been no money in the formula for inflation. At the HSC, the costs are taken out to run the research. The loan to cover the deficit is coming from the three colleges with the majority of research administration: School of Engineering, the College of Arts and Sciences, and the College of Education. These colleges have accumulated balances that would allow a loan without damaging the delivery of education. The institution will match what the academic units contribute. The administration is trying to re-work the loan proposal so it fits better.

The state supplies no money for research. Research will incur costs. Research service needs to run efficiently.

The business model for the Rio Rancho campus has not yet been completed. An updated model should be proposed by winter break.

A senator asked about any radical ideas for saving or generating funds. EVP Harris answered that the energy conservation program should save a lot of money and that a request for proposals (RFP) for the commercial development of excess lands will occur soon.

## 7. LOBBYING UPDATE

Associate Vice President for Government and Community Relations Carols Romero provided an update of the legislative lobbying effort.

The Office of Government and Community Relations (OGR) is formulating priorities for the 2008 legislative session. The Higher Education Department has certain guidelines for proposals.

The Board of Regents' Finance and Facilities Committee will have a document outlining the legislative package. President Schmidly has asked the OGR to look at strategic initiatives. Proposals will come from all areas of campus. Strategic initiatives will be at the Provost level.

Some strategic initiatives include:

- Interdisciplinary Film and Digital Media Program from the School of Engineering and the College of Fine Arts. This was a priority of Governor Richardson and the State Economic Development Office.
- Student success is a group of initiatives to help students graduate and succeed. The legislature is concerned with the 45% graduation rate. They often feel like there is a waste of 55% of the funds they appropriate.
- There is a lot of interest in Santa Fe for faculty collaboration. The cooperative Pharmacy program from UNM and NMSU is a collaboration between institutions. The legislature is supporting the BA/MD program which is a collaboration of the College of Arts and Sciences and the School of Medicine.
- Scholarly work on energy encompassing the social, research, engineering, and production areas. New Mexico leads the nation in green energy and renewable energy such as wind power. UNM will ask for \$5 million to hire the best new faculty and retain the best existing faculty.
- UNM will ask for funding for developing young faculty and money to help with graduate assistants. Graduate assistants need teaching courses before they enter the classroom. The idea is to develop and nurture the next group of faculty.
- Health Science Center Healthy Communities is intended to create an educated workforce of physicians, nurses, and pharmacists for the state. The Healthy Communities initiative will take HSC knowledge across the state and support local rural areas. There will be Health Extension rural offices across New Mexico. UNM will have a presence in every county. UNM will share space with each counties' NMSU State Agricultural Extension office. Distance Learning will support the rural offices through 'telemedicine.'

Money will also be requested for:

- College of Education building
- Phase II of the Biology building
- Health Education
- Neurosciences
- Film and Digital Media Program at Mesa del Sol
- A five percent compensation increase and a .75% increase in contributions to the Educational Retirement Act (ERA)
- More faculty endowed chairs
- Graduate assistant endowments

## **8. PROFESSOR OF PRACTICE**

Academic Freedom and Tenure Committee Chair Tim Lowrey presented the following revised version of the Professor of Practice (POP) proposal. The proposed POP is parallel to the National Labs Professor. A Professor of Practice will not have voting rights unless approved by the faculty in the respective department. Also, a POP will not take a regular faculty slot. The Faculty Senate will not vote on the measure. It will be sent to the General Faculty for a vote. The intention of presenting it to the senate is that senators will take the information back to their schools and colleges and disseminate it to their constituents. If the proposal is passed by the faculty it will be sent to the BOR for approval.

Subject to approval by the UNM Faculty and the UNM Board of Regents: "Professor of Practice," to be added as section 2.3.14 to the UNM Faculty Handbook:

Professor of Practice: This title may be used to appoint individuals in the School of Architecture and Planning and the College of Fine Arts who have achieved distinction in practice, and who may benefit a professional program at the university by the integration of professional practice with teaching.

Specific titles will be granted with respect to the applicable professional program, "Professor of Practice in \_\_\_\_". Those holding these appointments will not have voting privileges except as described in Article II, Section 2 of the Faculty Constitution. Professors of Practice are not eligible for tenure.

The faculty of each School or College must approve the establishment of these positions. The School or College faculty will develop and adopt criteria for the appointment and reappointment consistent and parallel with faculty at the rank of full Professor, establishing specific guidelines and procedures for awarding these titles and subsequent performance review, including issues of service and teaching.

These appointments may be either full-time or fractional, i.e., less than 100%, when actively engaged in practice. Initial appointments may be granted for a term up to three years, with the approval of faculty within the academic department. Appointments may be renewed in terms of up to three years with the approval of faculty within the relevant academic unit or department.

Full and part-time appointments of those designated Professors of Practice shall not exceed 10% of the FTE tenure/tenure-track faculty of each School or College. These positions may not be created from funding of vacated tenure/tenure-track positions in the professional program.

## **9. NEW BUSINESS**

Past President Virginia Shipman stated that she would be giving the BOR an update on the revision of Policies C130 and C140 at their October meeting. Dr. Shipman asks that senators please read the drafts of the policies that were sent to all faculty. Dr. Shipman explained that she would request more time so that the senate can discuss and vote on the revisions at the October 23 Faculty Senate meeting. The revisions of the policies were on the April 2007 Faculty Senate agenda, but the senate voted to defer discussion until the Fall 2007 semester.

## **10. ADJOURNMENT**

The meeting was adjourned at 5:25 p.m.

Respectfully submitted,

Rick Holmes  
Office of the Secretary



Robert Ibarra	Sociology	P	P								
Peter Ives	University Libraries	P	P								
Donna Jewell	Theatre and Dance	U	U								
Anne Jones	Family & Comm Medicine	P	P								
Kathy Jutila	Internal Medicine	U	U								
Victoria Kauffman	Mathematics & Statistics	P	P								
Denece Kesler	Internal Medicine	P	P								
Richard Kitchen	Education Specialties	U	U								
Sanjay Krishna	Electrical and Computer Engineering	X	X	X	X						On Sabbatical Fall 2007
Jeanne Logsdon	Organizational Studies	P	P								
Pamela Lutgen-Sandvik	Communication and Journalism	P	P								
Chris McGrew	Orthopaedics	U	U								
Martha Miller	Pediatrics	U	E								
Roxana Moreno	Ind, Fam, & Comm Ed	U	U								
Carol Parker	Law	U	P								
Linda Penaloza	Pediatrics	P	P								
Steven Peterson	Pharmacy	P	U								
Stefan Posse	Psychiatry	E	P								
Mary Power	English	P	P								
Arti Prasad	Internal Medicine	U	U								
Pamela Pyle	Fine Arts	P	P								
Timothy Ross	Civil Engineering	P	E								
Katja Schroeter	Foreign Languages & Literatures	E	P	E							
Retu Saxena	Internal Medicine	U	U								
Zachary Sharp	Earth and Planetary Sciences	P	P								
Virginia Shipman	Individual, Family and Community Education	P	P								
Howard Snell	Biology	P	P								
Victor Strasburger	Pediatrics	P	E								
Akaysha Tang	Psychology	P	P								
Maria Terry	Surgery	U	U								
Luis Vargas	Psychiatry	P	U								
Gerald Vizenor	American Studies	E	P								

Gautam Vora	Fin Intl Tech Management	P	P								
Tom White	Family and Community Medicine	P	U								
Teresa Wilkins	Gallup Branch	U	U								
John Wills	Anesthesiology	U	U								
Said Yassin	Surgery	P	E								

## Current Policy C130

### POLICY CONCERNING OUTSIDE EMPLOYMENT

Subject to certain restrictions, members of the faculty are encouraged to engage in outside professional activities which will enhance their professional growth or reputation. Outside employment is defined as professional employment for compensation which is not disbursed by the University.

### POLICY CONCERNING OUTSIDE EMPLOYMENT

A full-time member of the University Faculty is encouraged to engage in outside professional activities such as writing, consulting, lecturing, or activities of similar nature which will enhance his professional growth or reputation, subject to the following restrictions:

1. Since the faculty member's primary responsibility is to the University, all outside employment is considered secondary. Outside activities will be deemed excessive when, in the judgment of the department chairperson, dean, and Associate Vice President for Academic Affairs, they are of an extent which interferes with the discharge of the faculty member's full obligation to the University. The time spent in outside employment, or in additional work done within the University for extra compensation, or in both of these together, may not exceed the equivalent of one work day per week during the contract period.
2. Outside professional activities will not significantly conflict with classes, office hours, or other assigned duties and commitments. When outside activity does not involve absence from assigned duties and commitments, the faculty member is nevertheless responsible for keeping the department chair person\* fully informed in writing about the nature and extent of any current outside professional commitments.
3. Except in cases specifically approved in writing by the President authorizing official University involvement, the faculty member in undertaking such employment shall act as an individual and not as an agent of the University and shall not use the name of the University or official University stationery in connection with such work. Nor shall the faculty member solicit such employment through use of his University position.
4. The amount of earnings from outside activities is not a concern of the University. However, in order to avoid possible charges against the University of unfair competition, a faculty member should charge fees at least as great as would be charged by firms or individuals doing similar work, except when advice or services are given free in the public interest.

## Draft New Policy C130

10/18/07

### 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, faculty members subject to this policy (Lecturers of all ranks, staff members, and branch campus faculty, are exempt from the provisions of this policy) are encouraged to engage in appropriate outside professional activities that will enhance their professional growth and reputation. Activities such as writing, consulting, lecturing, serving as an elected officer of a professional organization or editor of a scholarly journal, 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 days, and for faculty members with twelve-month contracts this is the equivalent of 52 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 so long as the outside work does not constitute a conflict of commitment. 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.

5. In undertaking outside employment the faculty member shall not make use of University facilities, equipment, or personnel without prior written approval of the head of the unit responsible for the facilities or personnel and of the Associate Vice President for Business/Comptroller. The Associate Vice President for Business/Comptroller shall determine to what extent the University shall be reimbursed for such use. (Except when a governmental agency is involved, authorization for use of University facilities will not be given when comparable facilities are available in the immediate area or when the project will involve use of equipment on a continuing basis.)

6. Work of a routine or repetitive nature such as tests, assays, chemical analyses, bacteriological examinations, etc. which involve the use of University property is discouraged except where it is considered in the public interest and where facilities or personnel for doing such work exist only at the University.

7. Great care should be taken to avoid a conflict of interest situation in carrying out any type of consultant or research activity.

8. When exceptions to this policy are necessary in the interest of the University, they must have the advance approval of the Associate Vice President for Academic Affairs.

9. Deans are to report to the Associate Vice President for Academic Affairs at the end of each semester and summer session summaries of the number of days spent by faculty members on outside employment.

## **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 and of the Associate Vice President for Business/Comptroller, who shall determine to what extent the University shall be reimbursed for such use. Except when a governmental agency is involved, authorization for use of University facilities will not be given when comparable facilities are available in the immediate area or when the project will involve use of equipment on a continuing basis. 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 purposes of publicizing non-University interests. Consultants must make it clear to outside employers that the work to be undertaken has no official connections with the University. The University cannot assume any responsibility for private consulting activities provided by members of the faculty.

## **Exceptions: 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.v. 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 serious violation of university policy and may lead to 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 the Health Sciences Center will be responsible for developing procedures for compliance with this policy. The procedures should address at least the following requirements, but may be more stringent for effective monitoring of the policy.

- Notification of outside employment
- Dean/Director monitoring, reporting, and enforcement responsibilities
- Exceptions to policy process
- Faculty reporting
- Written approval
- Records and supporting documentation maintenance
- Documentation supporting appeals
- Calculations used to monitor the 39/52 day rule

**C130**  
*Policy*

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

*DRAFT of 10/18/07*

**Notes and Questions**

1. Why are Lecturers, staff members, and branch campus faculty exempt from the 39/52 workday rule?

Probationary and tenured faculty on the Albuquerque campus have responsibilities in teaching, scholarly work, and service. Their commitment to their profession and the university is extensive. Staff members are not restricted by policy from having second jobs during their time off. Lecturers are faculty members, but are hired primarily for teaching (some do scholarly work and/or service, but this is not usually an expectation), and their teaching assignments are typically very heavy compared to those of probationary and tenured faculty. A “teaching assignment” includes, of course, not only contact time in courses with students, but time for lecture preparation, grading, and office hours. For these reasons, and because the University has no long term commitment to their employment, the University should not restrict them by policy from engaging in outside employment. In some cases, outside professional employment may well contribute to their effectiveness in teaching.

Branch campus tenured and probationary faculty members have different expectations for scholarship. Branch campus Faculty Handbooks shall contain an appropriate Policy on Outside Employment that appropriately addresses these different expectations.

2. Why is a “day” not defined?

The University of Colorado, through a faculty committee that studied the issues, has chosen to define a “workday” as 12 hours. This was evidently a compromise definition after much debate. All of the other policies reviewed by the Task Force chose to leave a “workday” undefined. For example, the University of California states “a day is defined on a case-by-case basis, using common sense and customary practice.” We have chosen to assign this issue to the Procedures to be developed by the Provost (on the main campus) and the EVP for HSC (on the north campus), partly because the definitions might well be different on the two sides of Lomas.

3. How are weekends and holidays handled?

Currently we count holidays and weekends against the 39-workday rule on the main campus, as do all of the other universities whose policies the task force consulted. Faculty members may then work outside UNM for  $1/7^{\text{th}} = 14\%$  of the time. If we were to exclude weekends as some reviewers of earlier drafts have suggested, faculty could work outside the university for  $3/7^{\text{th}} = 43\%$ , not even counting holidays. We need to consider carefully the ramifications of this. There is surely a difference between faculty members who do outside work at a bank (for one example) and employees of a bank who teach at the university. The task force recommends continuing our practice of counting holidays and weekends against the 39-workday rule.

## Current Policy C140

### POLICY CONCERNING EXTRA COMPENSATION PAID BY THE UNIVERSITY

*Approved by the Regents, 12/13/73; 10/14/03*

Faculty members may occasionally receive extra compensation from the University for additional work done in connection with University-related activities provided that:

1. Advance approval in writing is given by the appropriate department chairperson and dean;
2. The work done for extra compensation does not in the opinion of the approving authority:
  - a) Conflict in time with regular University duties and assignments;
  - b) Constitute a "conflict of interest" situation for the faculty member;
  - c) Come within the scope of the faculty member's regular responsibilities for which compensation is already being paid.
3. The work for extra compensation, or the outside employment, or both of these together, does not exceed the equivalent of one working day per week. (See "Policy Concerning Outside Employment".)

#### PROCEDURES REGARDING EXTRA COMPENSATION

Extra compensation as outlined in this policy, usually to be initiated by the Extra Compensation Form, shall not exceed the proportionate share of the base salary of the period in which the work is to be performed. Exceptions must have the advance approval of the Vice President for Academic Affairs. (For example, a person on a nine-month appointment, therefore, shall not normally be paid more than 1/195 of the regular nine-month salary for each full day of work done on the special assignment. The corresponding fraction for twelve-month appointments is 1/260.)

The Extra Compensation Form should indicate the exact days and hours during which the work was done, and it should be signed by the faculty member who did the work, the faculty member's dean, and the administrator of the department for which the work is being done.

Deans are also responsible for enforcing this policy and shall keep whatever records may be necessary to assure that faculty members in their respective colleges are approved for extra compensation only within the provisions given above.

## Draft New Policy C140

10/18/07

### 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.

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

1. 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;
2. The work done for extra compensation does not in the opinion of the approving authorities:
  - a) Conflict in time with regular University duties and assignments;
  - b) Constitute a "conflict of interest" situation for the faculty member;
  - c) Come within the scope of the faculty member's regular responsibilities for which compensation is already being paid.
3. The work for extra compensation does not count against the workdays allowed for outside employment. (See "Policy C130).)
4. Faculty members requesting approval for extra compensation shall submit documentation on teaching load (courses taught, credit hours, enrollment numbers) plus other regular departmental responsibilities on the form "Request for Extra Compensation for Faculty Members" found at [link].
5. Extra compensation using funds from research grants or contracts must conform to research policies and also be approved by the Vice President for Research and Economic Development, or the Executive Vice President for the Health Sciences Center, as appropriate.

6. For full-time faculty on 12-month contracts in the Health Sciences Center (HSC) the information specified above is to be supplemented as follows. Documentation must include current effort allocation and most recent performance evaluations and prior approval for the payment of extra compensation using extramural grant or contract funds must be obtained from the HSC Associate Vice President for Financial Services.

7. 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.

8. Other kinds of special assignments shall be paid on an Extra Compensation Form. Either STC or other extra compensation shall not exceed the proportionate share of the base salary of the period in which the work is to be performed. Exceptions must have the advance approval of the Deputy Provost or the Executive Vice President for Health Sciences, as appropriate. (For example, a person on a nine-month appointment shall not normally be paid more than  $1/195$  of the regular nine-month salary for each eight-hour day of work done on the STC assignment. The corresponding fraction for twelve-month appointments is  $1/260$  for each eight-hour day. Shorter times will be prorated).

9. Special assignments involving extra compensation within the  $1/195$  and  $1/260$  limits will not count against the 39 and 52 workday limits (point 3, above). Special assignments that are similar in nature to activities carried out by faculty members in situations of Outside Employment (see Policy C130) can be compensated at greater rates, but will then count against the 39 and 52 workday limits.

10. 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 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.

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

### **COMPLIANCE**

Intentional failure to comply with the provisions of this policy will be considered a serious violation of university policy and may lead to 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.

- Advance written approval over a reasonable lower limit, such as two workdays or \$250
- Requirements for approval by the approving authority
- How to report teaching load and regular department duties
- 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

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

**Notes and Questions**

1. This draft relies on the good judgment of Chairs and Deans to measure the extent of the work done outside the contracted department to be sure it is not excessive. Should we have a limit in the policy for this kind of activity, with the possibility of exceptions being granted if the appropriate authority determines the exception is in the best interests of the university? Note that under the old policies work done outside the department but inside the university for extra compensation was summed with outside employment against the 39-workday (for nine-month faculty) or 52-workday (for 12-month faculty) rule. This draft removes that provision under the assumption that all work (appropriately approved by Chair and Dean) within the university is beneficial to the university.
2. Why is there a limit on compensation (paragraph 8) and why is it calculated as a fraction of base salary? These provisions are in the old policy. However, there is an element of unfairness that a faculty member whose regular salary is high might be paid more for a task than another faculty member with a lower salary for doing the same work. Perhaps UNM units should have the budgetary flexibility to determine the value of a piece of work, whether that work is teaching or administrative, in a manner parallel to their budgetary flexibility to hire outside consultants and contractors. In most cases academic and administrative work is defined by scope of deliverables, not by clocked hours; thus, the faculty compensation for such work should perhaps be determined accordingly. Precedents for this approach are plentiful, including Extended University payments to departments for WebCT courses and University College payments to faculty for Freshmen Learning courses.

## **Faculty Senate Policy Committee Charge**

The primary role of the Policy Committee shall be to support the University's overall purpose, principles, and goals. In the interest of shared governance, the functions of the committee shall include, but not be limited to initiating, formulating, recommending, and reviewing all policies of the University that impact the faculty. The charge to this committee is as follows:

- Review, as necessary, policies of the Regents' Handbook, Faculty Handbook, Constitution, University Business Policies and Procedures, and the Pathfinder;
- Consult and collaborate with administrators with respect to policies in documents other than in the Faculty Handbook;
- Communication of policies across the campuses after Faculty Senate approval, full faculty approval, or as per policy history; and
- Review and approve policies developed by other standing committees.

The Policy Committee membership will be comprised of seven voting faculty from UNM (none of whom are from the same department). At the committee's request, an attorney from the University Counsel's office with primary responsibilities for policy issues shall attend committee meetings and provide legal advice to the Policy Committee. The terms of office shall be for three years, set up on a staggered basis so that the terms of at least three members will expire each year. Members can be appointed for a second three-year term. The chair is elected by the Committee and normally will serve a renewable two-year term. The Committee annually selects a Vice-Chair to serve in place of the chair in his/her absence. In addition to the Committee members, subcommittee membership will be augmented with other faculty, administrators, staff, and students as required for specific subcommittee tasks.

## **RESOLUTION ON ENDOWED FACULTY APPOINTMENTS**

WHEREAS, the Faculty Senate has been delegated the responsibilities of the University faculty as set forth in Sec. 2 of the Faculty Constitution, and

WHEREAS, such responsibilities include the: formulation of institutional goals, creation of academic units, curriculum, scholastic performance, policies regarding academic rank, research, and general faculty welfare, and

WHEREAS, an endowed faculty appointment is an honor that can be bestowed on a scholar of distinction, and

WHEREAS, this honor will allow an individual to conduct meaningful inquiry that will expand the frontiers of knowledge and instruct generations- as a result the reputation of the University will be enhanced, and

WHEREAS, an endowed faculty appointment is a singular opportunity to recognize and sustain innovative intellectual work, and

WHEREAS, in creating an endowed fund, an individual, group or corporate entity makes a donation at the University-designated level that provides for the corpus of the fund from which annual payments are generated, and

WHEREAS, the policy for search committee membership for endowed faculty appointment searches is not explicit,

THEREFORE, be it resolved that the Faculty Senate of UNM requests that the Provost and Executive Vice President for Administration develop a policy on faculty appointments for endowed positions that explicitly states that the voting members of the search committee be composed entirely of academic faculty from this or other noted universities chosen by the faculty in the recipient Department in collaboration with the appropriate Dean.