

UNIVERSITY OF NEW HAMPSHIRE  
2000-01 FACULTY SENATE  
FEBRUARY 19, 2001      MINUTES SUMMARY

I. Roll – The following Faculty Senate members were absent: Dennis, Draper, Dusek, Halstead, Macieski, McCann, Morgan, Reardon, Slomba, and VonDamm. Excused were Afolayan, Becker, Farrell, Givan, Hiller, Mills, Petty, Russell, Shippee-Rice, Simpson, Smith, and Trowbridge .

II. Communications with the President – The president said that the governor has proposed a 5.2 percent increase (5.0 for UNH) in our operating budget. Two million dollars are proposed for the Granite State Scholars Fund. Also, no specific amount was included for capital projects. The leaders of business and industry have been helpful in the effort to encourage the legislators to support better funding for higher education. Today the university gave notice to Wallace Bookstore that the university will terminate the bookstore's contract, since Wallace has not lived up to the terms of the contract. The university is reviewing other bids for the UNH bookstore. Discussion ensued about a memo saying that summer school compensation for faculty should not exceed two ninths or, in exceptional cases, three ninths of the academic year salary. How did this become policy and why? The policy reflects an assumption that a month of summer work is not worth more than a month during the academic year for a given faculty member. The university's policy reflects the same reasoning as federal government policy in this regard. A professor objected that one faculty member could make more than another for summer school teaching, and the president replied that some faculty are more experienced than others. Up to two hundred upper-class students who would like to live on campus will not have university housing unless these students choose to live three to a double room or unless they are on the UNH apartment housing list.

III. Minutes – The minutes of the previous senate meeting were unanimously approved, with a change to show Dan Reid as present and Jim Tucker as excused.

IV. Communications from the Chair – The process for electing a library faculty representative to the University Curriculum and Academic Policies Committee will be that the senate office will send a list of the tenured library faculty members to the library senator and ask that senator to solicit suggestions from the library faculty and forward the input to the Agenda Committee. The Agenda Committee will decide on a nominee and submit the name to the senate for confirmation. A question has been raised as to whether cell phones create problems in classes, but the senators indicated that they do not feel cell phones are a concern at the present.

V. Motion on the Knowledge Economy Education Plan for NH and on the Capital Campaign – The Agenda Committee proposed the following motion:

**Be it resolved that the Faculty Senate recognizes, endorses, supports and greatly appreciates the Administration's efforts on both the Capital Campaign and the Knowledge Economy Education Plan for New Hampshire**

**(KEEP). The Capital Campaign (with a focus on student scholarships, faculty support, academic programs, and learning tools/technology) and KEEP New Hampshire (with a focus on improvements to science, engineering, high technology, and other capital projects across the system) combine to strengthen the entire mission of the university.**

The Agenda Committee felt that it was best to combine support of KEEP and the capital campaign so that the motion would include both efforts to improve the university's infrastructure and also more direct support for faculty and students. After discussion on whether the motion should refer only to KEEP or to the capital campaign as well, the **original motion passed** with fifteen ayes, five nays, and four abstentions.

VI. Amendments to the Senate's Constitution – The Agenda Committee presented five motions to amend the Faculty Senate Constitution and Bylaws. Motion one includes minor housekeeping changes and modifications to adjust the wording to conform to previously passed senate motions. Motion two removes the reference to a faculty secretary, since the senate has never used a faculty member as secretary. Motion three makes explicit the current policy on representation by proxy.

Motion four clarifies “official action” by changing item 9 of the constitution to “Collective bargaining issues may be discussed but no senate motion may be voted on, relative to collective bargaining.” A senator said that we should define what is meant by a senate motion. The framers of the senate constitution included item 9 so that faculty would not speak with two voices during collective bargaining, since faculty have designated the AAUP to be the sole bargaining unit for the faculty. A bargaining issue could affect academic issues, and some senators feel that the Faculty Senate should be able to express its opinion. Others suggested that bargainable issues should be dealt with by the senate only when a contract is not under negotiation. The senate chair should ask the university attorney and the AAUP attorney what is covered by collective bargaining and what is the purview of the Faculty Senate. What does labor law say and what does the contract say? Also we could find out if other universities have a similar clause in their Faculty Senate constitutions.

Motion five clarifies the process for replacing an Agenda Committee member (in item 5) or another committee member (in item 2.A.), when a vacancy occurs. The Agenda Committee meant that vacancies would be due to resignations, deaths, or other such situations and that a work-to-rule faculty member who chooses not to participate in committee meetings does not vacate the seat. A senator said that the faculty in his department wanted to replace their senator who decided not to attend senate even though the other faculty in the department wanted senate representation. The Agenda Committee will revise the wording of motion five and bring it to the senate at the next meeting.

If a committee with few attending members brought a motion to the senate, the senate could discuss it and could vote on it if the senate had a quorum. Each standing committee may develop its own rules.

VII. Referendum – The senate referendum will be a direct vote of the faculty. The Agenda Committee presented a referendum draft and asked the senators for input. Item three includes the overall communication between the senate and the department and includes the senate’s web site, email and other methods. A senator suggested that this be made clear in item three. Discussion ensued on whether to use yes/no or a scale of one to seven, whether to include all three questions, and whether to include the faculty member’s name. The name had been included to insure that a person would vote only once. One referendum is required five years after the Faculty Senate was established. Voting on paper rather than email is the most inclusive way to proceed. We could send the referendum out in hard copy and include an option for feedback via email. We could also say that all names will be removed after the referendum is tallied. Senators are asked to send to the senate chair any further input on the format of the referendum. The Agenda Committee will reconsider the form of the referendum and bring it to the senate at the next meeting.

VIII. Intellectual Property Policy – The draft of the Intellectual Property Policy is available for review on the Vice President for Academic Affairs’ web site, and all faculty are asked to give input. Such a policy will need to be reviewed annually, and there are distance learning and copyright issues to consider. In the future, new employees joining the university may be required to sign the Intellectual Property Policy. A senator said that any change to the policy should require the approval of the Faculty Senate. What does the current policy say about copyright for course notes, internet courses, and books? Some professors may say at the start of a class that the material presented is copyrighted, but others feel that the university should make clear that what the instructor says in class is the instructor’s property. A senator said that, in general, intellectual property created in the performance of one’s university duties belongs to the university but that there are certain scholarly works which are exempted in the present policy; and he asked why a change is being proposed. A professor suggested removing from the draft the word “historically”. Faculty should send input to Bob Dalton, who will return to discuss the matter at another senate meeting.

IX. Adjournment – Today’s meeting was adjourned.