

UNIVERSITY OF NEW HAMPSHIRE
2006-07 FACULTY SENATE

APRIL 2, 2007

MINUTES SUMMARY

I. Roll – The following senators were absent: Bachrach, Burger, Ferber, Morgan, Quigley, Schiller, Tenczar, Thomas, and Walsh. Excused were Senators Brown, Richman, Salloway, Schmidt and Wrighton. Guests for part of the meeting were David May and Patrick Helfer.

II. Oak Room – David May, Executive Director of Business Affairs, said that the Oak Room will close its doors for the last time on May 11, 2007. University Hospitality Services will vacate all space in Huddleston Hall, due to the institutional decision to convert Huddleston Hall from a dining/student service facility to an academic facility, probably for Liberal Arts. Therefore Huddleston Hall will no longer have a kitchen to support the Oak Room. During the past four years, the guest counts for the Oak Room have declined significantly, while participation in the faculty/staff meal plan has grown to over 350 members. In the fall semester, patron counts for the Oak Room averaged around twenty to thirty per day. The auxiliary enterprises on campus have been asked to submit a plan to reduce the ‘hold harmless’ to zero by FY 2012. Funds are limited. David May said that the small patronage of the Oak Room warrants the decision to close the Oak Room at the end of the semester, and he hopes that faculty could use the Acorn Room of the New England Center for their get-togethers. A reduced price will be offered for the express lunch there, as well as a card that says a faculty or staff member’s sixth meal is free.

A senator said that a number of years ago, after the faculty club in Hood House closed, faculty were taken on a tour of the Huddleston Hall facility and told that space would be made available in that building for a faculty club. She added that most other universities have a faculty club and that such a facility is important for fostering a sense of community among faculty members. Other professors emphasized the intangible benefits of a place for faculty to meet, discuss projects, and entertain outside guests in a more collegial atmosphere than a restaurant can provide. Faculty asked David May (1) why has attendance in the Oak Room fallen; (2) did you take a survey to find out; (3) did you consult with faculty before making the decision to close the Oak Room; and (4) did you inform faculty in advance that the Oak Room would close unless attendance increased.

David May said that perhaps something in the New England Center could be created to meet the needs of faculty. A professor responded that the New England Center restaurant is pricey and seats two people at a table for eight, which does not facilitate close conversation. David May suggested that the Faculty Senate form a committee, to discuss the type of service faculty feel is important, and get back to him with the committee’s recommendations. He added that making the budget break even is a struggle. Next year his organization must cut the budget by ten percent, according to the “hold harmless” plan. A senator replied that, without a suitable place to meet and entertain, opportunities will be lost for recruitment, retention, grants and outside funding and that closing the Oak Room is “penny wise and pound foolish”. A professor asked if there is space in Holloway Commons for a faculty club. David May replied that Holloway Commons has fewer seats than are needed for those who have purchased university meal plans.

He said that, when Philbrook Hall is expanded, he will look during the planning stage, to see if a faculty club could be added there.

III. Early access to book lists – Patrick Helfer, of the Student Senate’s Academic Affairs Council, asked that faculty give students more options for purchasing text books. If faculty would announce the textbooks two weeks prior to the start of classes, that would allow students time to order books on line, at a better price than can be obtained locally. A professor said that Blackboard now opens only two days before class starts but that, if Blackboard would open earlier, he would post the textbook list there in advance. Some faculty members send syllabi to students, on email before classes start. Patrick Helfer suggested putting the list of texts on department websites, but faculty said that those websites could not be updated soon enough and that student government should work with the Blackboard administration to release the information sooner. A professor said that faculty do not wish to be pressured by entrepreneurs, for information about textbook lists, but that he would be willing to post the information on Blackboard. Faculty are not paid to start work until a few days before classes start, and many faculty may be out of town until that time. So faculty could not be obliged to post the lists two weeks in advance, but a certain number of faculty might do so. The students should ask the university administration to offer early posting on Blackboard as an option but not a requirement.

IV. Remarks by and questions to the acting chair – The acting senate chair said that the Agenda Committee had met with the administration and the AAUP, to discuss the issue of displacement of faculty, pursuant to the COLSA reorganization. The provost assured the faculty that no tenure-track faculty lines would be eliminated in the current departmental reorganization. This is not a permanent guarantee that no tenured faculty will be displaced later; but if that should be proposed in the future, the administration, the Agenda Committee and the AAUP will start the process from the beginning.

The acting senate chair said that the Agenda Committee has asked Senators Feldman, DeMitchell, and Wrighton to commence deliberations on procedures for motions of no confidence. Though this may not apply in the current situation, we should prepare the documents for the future.

The university’s budget projects a 2.2% revenue growth. However, with limitations on enrollment (since the university is over capacity), increased financial aid costs, and increases in the cost of medical insurance coverage, UNH faces a 4% structural deficit of six million dollars. In addition there is a shortfall in indirect costs, as a result of research funding contraction. The university will dip into reserves for three million dollars and cut an additional three million dollars from the budget. The university now has 15,100 student applicants, reflecting a growth in interest in UNH. The target is to bring student numbers back down, and so UNH has made 8,560 offers of admission for next year. This includes the same number of New Hampshire residents as last year and 800 fewer offers to out-of-state applicants. In addition, we have a waiting list of 1500 applicants, as a hedge against uncertainty. 7.3% come from under-represented groups, and there is a 3% improvement in class rank.

The Student Senate has passed a resolution encouraging faculty and staff to participate in the New Hampshire Carbon Challenge and WildCAP, to help increase participation in the Energy

Waste Watch Challenge and to help foster awareness about global climate change. For further information, please contact Chris Skoglund or Samuel Schweizer. In addition, the UNH for One student organization and the University of New Hampshire would like to invite UNH faculty senators to a panel forum and conversation on AIDS in Africa. The event is on Thursday, April 5, from 4:00 to 5:30 p.m. in the Squamscott Room of Holloway Commons. Senator John E. Sununu of the U.S. Senate Foreign Relations Committee will be on the panel. Please rsvp to Alexandra Barrell by April 3.

V. Minutes – The senate unanimously except for one abstention approved the minutes of the last Faculty Senate meeting.

VI. Recommendation on proposed motion of censure – Mimi Becker said that the Agenda Committee looked at the Faculty Senate Constitution, to see how to deal with the motion of censure, and found that the constitution says in item 6.c. that the “Professional Standards Committee will concern itself with matters affecting the welfare of the faculty including academic freedom, promotion, tenure, workload assignments, faculty personnel policy, and professional ethics. This committee has a role established by the collective bargaining agreement relating to termination or severe sanctions placed on faculty members.” Therefore the Agenda Committee voted unanimously to present the following recommendation to the Faculty Senate. The Agenda Committee moves to refer to the Professional Standards Committee the motion made by Dale Barkey at the 3/19/07 Faculty Senate meeting and to ask that the Professional Standards Committee look into this matter and bring recommendations to the 4/16/07 Faculty Senate meeting. Motions proposed by a senate committee do not require a second.

Dale Barkey, who moved the original motion, said that he does not oppose the Agenda Committee’s motion but that any evidence collected by the Professional Standards Committee on this matter should be made available to the whole senate. In addition, if the Professional Standards Committee were to recommend not to proceed with this matter, he would like an opportunity to speak at that time. The senate vice chair said that the PSC is a senate committee composed of seven faculty members from across the university, plus the senate vice chair who is also the chair of the PSC. He recently chaired a preliminary meeting of that committee to discuss procedures, in case the matter is referred to the PSC. The committee put together a list of people to interview, and Senator Barkey would be welcome to give information to the committee. The committee would be expected to report its recommendations to the Agenda Committee on Monday. If any information were specified as confidential by an interviewee, the information could be considered confidential but would be included in PSC minutes and be available to current and future members of the PSC and Faculty Senate chairs. However, the PSC chair would make it clear to any such interviewee that confidential information could not weigh in on the senate’s decision.

A professor asked what function the PSC could have in this case, because the evidence is clear and in writing and therefore what investigation is needed? The PSC chair said that it is important to interview the people involved in order to be sure that all evidence has been obtained. A senator said that the committee should review the standards for professional behavior and find out what has happened in the past when there has been a lack of professional behavior. The mover of the original motion of censure said that there should not be any

confidentiality in what is presented to the PSC as evidence, because testimony of fact should not be confidential. He added that grievance procedures are not confidential. A past PSC member said that the PSC has worked with confidentiality when dealing with academic misconduct, because the PSC checked first to see if there appeared to be truth to the charge, using grand jury, jury, and judicial components.

Another professor said that the current matter is a personnel matter and thus might include confidential elements. A senator said that the PSC must buttress its recommendation with non-confidential information. Moreover, he believes that the facts are clear and that no investigation is needed. The PSC chair said that his committee is setting up a mode of operation for the future, for any circumstances and not just for this case. Another professor said that the senate should act as a committee of the whole to decide this case and that the dean should immediately be invited to appear at the next senate meeting. The mover of the original motion for censure said that no personnel matter is involved in this case, because the motion asks for censure and not for any other consequences. A senator replied that personnel matters are confidential and privileged and that the wording of the email in question brings up a personnel matter relating to the department chair. That email, sent on 2/15/07 by the dean, reads as follows: "Your argument is cause for me to question your competence, not only as a Chair, but as a rational human being. In this matter, I have made my expectations clear. This discussion is now concluded."

The Agenda Committee has met with both Jim Varn and Steve Fan about the censure issue. The PSC has only one week to prepare its recommendations and therefore will not advertise for interviewees. However, any person may give input to the committee via email. The PSC chair said that the committee members take this matter seriously and will try to make a good, rational judgment and bring a recommendation to the Agenda Committee on Monday. The matter will then be brought to the senate at its next meeting. A senator said that, if any of us were in this situation, we might want certain information to be confidential; and therefore the PSC should exercise its judgment and bring its recommendation to the senate. At that time, the senate can decide if confidentiality appears to be a concern. A senator said that censure is a serious matter and so having a committee look into it is a good plan. It is standard policy to have committees review issues coming before the senate. A professor responded that a motion of censure is not as serious as a motion of no confidence; and so the senate should hear all evidence directly, without sending the matter to the PSC. Other senators referred to the seriousness of the matter and the need for the committee to review the context of the emails, the behavior behind them, and past precedence in dealing with unprofessional behavior. This review must be and also appear to be balanced and fair.

The senate voted by a wide margin to close debate. Then, with eighteen ayes, eight nays and four abstentions, **the senate voted to refer to the Professional Standards Committee the motion made by Dale Barkey at the 3/19/07 Faculty Senate meeting and to ask that the Professional Standards Committee look into this matter and bring recommendations to the 4/16/07 Faculty Senate meeting.**

The PSC chair said that the committee will tell the senate if there is any confidential information. A senator said that the dean should be invited now to appear at the next senate meeting. The Agenda Committee will consider that suggestion. The PSC chair will send an email to the dean,

inviting him to speak with the PSC, and will add that the Agenda Committee will consider the PSC recommendations on Monday. The Agenda Committee may also discuss the invitation issue via email between now and Monday.

VII. Presidential search – The senate vice chair said that a candidate for university president will come to campus this month and that the person's name will be announced very soon.

VIII. Potluck dinner for Student Senate – The Faculty Senate will hold a potluck supper for the sixty student senators on Monday, April 16, at 5:30 p.m. in room 18, the MUB Entertainment Center. The senate chair asked more faculty senators to sign up to bring food to that dinner.

IX. Other business – David Feldman stated that there was a lack of shared governance in the decision to close the Oak Room. The acting senate chair replied that the Agenda Committee would consider this matter at its next meeting. If the Agenda Committee recommends forming a committee to look into that issue, Elizabeth Slomba would like to be on that committee.

X. Adjournment – Today's meeting was adjourned.