UNIVERSITY OF NEW HAMPSHIRE
2009-10 FACULTY SENATE

FEBRUARY 1, 2010

MINUTES SUMMARY

I. Roll – The following senators were absent: Beane, Fraas, and Simos.

II. Remarks by and questions to the chair – The senate chair said that today the senate should talk about the contract impasse, look at the call from the AAUP for work to rule, and consider our responsibilities as senators. Communication in good faith is required for shared governance, so that faculty can oversee all academic procedures and policies. Shared governance should also work to protect academic freedom. The contract negotiations are at a serious impasse, and faculty have concerns about good faith bargaining. How can faculty be responsive to the AAUP’s call for work to rule and also maintain shared governance?

III. Impasse and work to rule – A former senate chair said that he likes the stance the Faculty Senate took during the most recent period of work to rule in the fall of 2006. The senate continued to meet and discuss but did not make final decisions about matters that the Faculty Senate and the administration had to decide on together. The senate also made clear that, if the administration went forward on those issues without faculty approval, this would be a violation of shared governance. The senate continued to meet and monitored shared governance, to make sure that such violations did not occur. A senator replied that she is frustrated that we keep putting many of the functions of the senate on hold and that the senate should direct both negotiating teams to resume active negotiations in good faith. Another professor said that there is an economic recession now and that the university has increased student enrollment and frozen faculty and staff salaries. He asked whether senior administrators have had salary increases. A senator responded that he understood that those salaries had also been frozen. Another senator said that there is some business the senate should complete and other matters that should be put on hold during work to rule, in order to send a message. The faculty should decide on an item-by-item basis which business it should transact.

On behalf of the Agenda Committee, Marco Dorfsman presented a motion for consideration by the senate. He said that this is a decisive moment. Although there may be differences of opinion, we need to find a consensus, because it is important that faculty be united. He said that this motion takes the ideas from the 2006 motions as a model and also refers to the document on shared governance which was approved by both the administration and the Faculty Senate in 2009. The rationale of the current motion on work to rule and shared governance is as follows. The Faculty Senate is the legislative body that reviews policy concerned with the academic mission of the university. Shared governance and oversight over the decision-making process of the university are central responsibilities of the Faculty Senate. Our history at UNH has shown us that, under conditions of impasse, effective shared governance has not been attainable and relations between faculty and administration have been severely strained. It would be impracticable to continue business as usual under conditions of work to rule; at the same time, ceasing to operate as a Faculty Senate would not attend to our responsibility to shared governance. There is a precedent for this motion in a series of motions passed by the 2006-2007 Faculty Senate (#s XI-M1-4), which pursued
a similar course of action. This motion attempts to safeguard shared governance by recommending judgments of specific initiatives and charges while recognizing that conditions do not exist in which major new initiatives can flourish. It also suggests maintaining open lines of communication and dialogue with the administration. The motion is as follows. The Faculty Senate will make no major decisions and will not take action on new Administration initiatives during the period of work to rule. The Faculty Senate will act on existing Administration initiatives at its own discretion. The Faculty Senate expects the Administration to take no actions and make no decisions within the spheres of faculty responsibility and authority (as delineated in the 2009 document “Shared Governance at the University of New Hampshire,” Motion # XIII-M15) during this period of work to rule.

A senator expressed concern about holding in abeyance decisions on new initiatives, saying that the College of Health and Human Services would like to consider implementation of professional schools and that many faculty would like a decision on transportation for field trips. There are also strategic plan issues that would highlight faculty work. Another professor said that there are important issues that relate to students and that faculty in her department have a vested interest in those matters. Also, the senate’s Campus Planning Committee is making progress on issues where faculty are the end users of the product. Another senator responded that the motion states that the “Faculty Senate will act on existing administration initiatives at its own discretion.” The past senate chair confirmed that the motion says that there will not be business as usual but that there will be some matters which faculty will decide to transact. The senate can consider each issue and decide whether or not it should be dealt with currently or held until the end of work to rule. A senator said that failing to pass a motion on work to rule will not help the situation and that the faculty union has agreed to go to the negotiation table as long as the negotiators for both sides are authorized to negotiate in good faith and move forward.

A professor said that, regarding the strategic plan, the administration would like to move forward with no reference to the fact that we are at impasse. He added that consideration of implementation of various aspects of the plan should be done at a much later time. However, faculty should educate themselves about the plan now. It is up to each individual faculty member how to access the information about the strategic plan. A senator said that planning is an administrative job, but implementation of academic matters is the purview of the faculty. Another senator said that he will appeal to the senate not to take major decisions on any aspect of the strategic plan during work to rule. He added that, if the administration moves forward on any area on which faculty have responsibility, that would be a violation of shared governance and the senate should act accordingly. A senator responded that the Faculty Senate should be able to deal with any issues it wants to. If a matter is for faculty benefit, faculty should be able to act on that matter. The presenter of the motion said that the default position is not to act but that any senator may convince the Faculty Senate that a given matter is an exception. All of the committees should review their charges and make recommendations to table the charges they think should be held until work to rule is over. When the committee reports to the senate, then the senate can decide whether or not to accept each recommendation. A senate committee chair said that many of his committee’s charges originated from faculty, not the administration, and thus might be dealt with. If a charge is initiated by and of special interest to faculty, should not the committee go ahead with that charge? The motion says that faculty should make a judgment
A senator expressed concern over the implicit message faculty will be sending to students. Another senator said that the administration should also reflect on the impact of the impasse on both students and faculty. A former senate chair said that, whether or not the senate passes this motion, the administration and media may interpret the vote in a negative way; but delay of a contract will have a major impact on everything; and if we can bring agreement closer, that is a good thing for everyone in the long run. He added that it is critical for the Faculty Senate to continue to meet; and at the same time, we must make it clear that we are not doing business as usual. He asked for a strong vote in support of the motion. After a discussion on the stances and negotiation offers of the union and the administration, a senator said that, if he wants to exert pressure on the faculty union, he can do so at the faculty union meetings. However, if he wants to pressure the administration, he has very few venues to do that. He concluded that this motion provides a balance. The senators discussed the impact of the 2006 senate motions on work to rule. A professor said that the Faculty Senate chair and vice chair should be proactive in framing the current motion for the students and should tell the students that this motion is about retaining good faculty over a period of time and also about the value of a UNH degree over time. Another professor said that the Faculty Senate should not get involved in lobbying students.

The original motion passed with thirty ayes, six nays, and four abstentions. Anita Klein moved and Larry Prelli seconded a motion that the Faculty Senate is very concerned about how quickly negotiations have broken down and urges both parties to go back to the table in good faith with authority to negotiate. The senate passed this motion with thirty-five ayes, two nays, and three abstentions.

IV. Minutes – The minutes of the last senate meeting were approved unanimously except for one abstention.

V. Discovery dialogue involvement – In November of 2009, thirty-nine percent of students indicated that the university dialogue on health had been incorporated into one or more of their classes, and twenty-six percent indicated that they had participated outside of class in one or more events, discussions or projects related to the university dialogue on health. Now faculty are asked to complete a brief, online survey regarding the university dialogue, at https://www.surveymonkey.com/s/University_Dialogue_Survey. As of January 25, the Discovery Committee has reviewed 342 courses for category. Of these, ninety-three courses are Discovery 444 courses, and fifteen are inquiry attribute courses. The committee anticipates having all courses completed for the fall launch date by the beginning of April, since the deadline for all catalog copy information is April 27.

VI. Adjournment – The meeting was adjourned.