

Minutes of the April 13, 2017
Faculty Council Meeting

Attendance

Members present: Anne Alexander, Sheila Baker, Christi Bergin, David Bergin, Tina Bloom, John Gahl, Francisco Gomez, Casandra Harper, Berkley Hudson, Art Jago, Teng Lim, Tony Lupo, Leslie Lyons, Camila Manrique, John Middleton, Clark Peters, Jeffrey Rouder, Rebecca Scott, Patrick Shiu, Anne Stanton, Marty Steffens, Mary Stegmaier, Kristin Taylor, Mahesh Thakkar, Ben Trachtenberg, Vitor Trindade, William Wiebold, Robert Winholtz, Flore Zephir, Rebecca Graves (Librarians), Don Sievert (MURA), Karen Piper (AAUP), and Rebekah Hart (Council Secretary). Members absent: Trent Guess, Dennis Kelley, Naresh Khatri, and Marcia Shannon.

Approval of Minutes

Chair Trachtenberg called the meeting to order at 3:31 p.m. The minutes of the 3-15-17 General Faculty meeting, the 3-22-17 Special General Faculty meeting, and the 3-23-17 Faculty Council meeting were approved as presented.

Report of Officers

Chair thanked Tina Bloom, chair of the Ad Hoc Committee on Civil Rights and Title IX, as well as the committee members, for their good work. Their report will be posted on the Council website. The committee built on the work of the committee from the previous year, chaired by Cooper Drury. Future committees will no doubt build on the work of this committee.

Report from the Ad Hoc Joint Committee on Protests, Public Spaces, Free Speech and Freedom of Expression was sent to Interim Chancellor Hank Foley for approval in mid-November. Foley asked input from UM General Counsel's Office. They, along with the MU staff who oversee the Business Policies and Procedures Manual (BPPM), are working to turn it into BPPM sections. The administrative process, which is taking longer than it took to produce report, should soon be successfully concluded.

Two new budget committees going forward. Officers of local American Association of University Professors (AAUP) Chapter sent letter to UM System President Choi, who responded. While not on today's agenda, both are relevant to current issues and so have been included in today's meeting documents.

Intercampus Faculty Council (IFC) has discussed with President Choi how we can treat humanely any staff that might be laid off. No matter who makes the decision, either administration alone or in consultation with others, there is no way to cut budget by tens of millions without putting people out of work. This is an unavoidable consequence of the State cutting funding to higher education. We cannot do more with less. Will do less with less: question is how much. Trachtenberg's opinion is that we're going to do a better job of reducing pain by using shared governance to make decisions.

If administration is going to have credibility in cutting, they will need to share the pain. We do not have hundreds of useless administrators; however, we can cut there if we can cut staff, faculty and grounds keepers.

Truman School dean search has been cancelled. Provost will appoint internal interim leadership. School will be open next year.

Discussion Item(s)

Guests: Nicole Monnier, teaching Professor of Russian, and Leigh Tenkku Lepper, Associate Research Professor of Social Work, co-chairs of the Non-Tenure Track Faculty Committee. Proposals Related to Possible Layoffs of NTT Faculty – Alexander, C. Bergin. Monnier hoped all had read the resolution. The April 3rd email on system wide budget guidance by UM System President Choi hit us all hard. Understand that it is problematic again for NTT faculty as we are neither fish nor fowl (not “regular” (i.e., T/TT) faculty, not staff). We cannot be laid off as we’re not in category of faculty in CRR. No protections apply to us. We are faced with potential for non-renewal, not based on poor performance but just for financial reasons. Monnier has been here 17 years, yet, if her contract is not renewed she would not receive severance, a one-year extension of health care, etc. That is unconscionable and unfair.

The practice in many departments is not to send out a letter if renewed for year (i.e., letter send only for non-renewal). We don’t know where we stand. The three-month date for notice of non-renewal has already passed for those whose contracts end in May. Discussed windows for finding academic appointment.

The resolution was moved and seconded and discussion ensued. Question raised if resolution was to ensure that no one was laid off. Monnier replied that goal is not to protect NTT with blanket protection. Thinks we should become smaller, should have made these decisions earlier. Angry that folks will be hurt by coming cuts as they weren’t made earlier. Question raised on number of NTT with one-year contracts. Do not know, but guessing higher in clinical areas. Comment raised that it is unfair to preference a tenure-track faculty with one year of seniority over a NTT faculty with 18 years of seniority.

Moved to suspend Rules of Order so that vote be held today. All in favor. Vote called for FC to endorse resolution. Resolution endorsed unanimously.

Revised Texting Policy from Academic Affairs Committee – Jago. The past isn’t dead. Policy passed on this; however, left with the feeling that the document could be improved. Note that this revised policy comes from Jago, not Academic Affairs, though the committee did see it. Therefore, this is not a committee motion. Regarding the question of sunshine laws and texts, apparently not much settled law on text. Jago’s best (non-legal) advice, if the University provides you with a phone or phone service, chances are you are subject to the Sunshine law. Even if you use your own phone or service, you probably are "sunshinable".

Policy was moved and seconded. Noted that proposed amended text which was approved at the last FC meeting was not included in this revision. Duly noted. Jago will put that text in. Will vote on this next FC meeting.

Possible changes to Research Incentive Funds (RIF) policies – Baker. Trachtenberg said that he had contacted Rhonda Gibler, VC Finance, who referred him to Mark McIntosh, Interim Chancellor for Research, Graduate Studies and Economic Development. McIntosh reported that discussions on RIF have been initiated with research deans, but no decisions have been made. Likely significant reductions going forward, looking at a decrease to 15%. Responses commonly given as to why we need RIF: 1. faculty need a savings account, i.e., bridge funds. 2. Faculty & deans need matching funds for large purchases. 3. Chairs & Deans need funds for startup hires.

Baker reported that she spoke with Interim Chancellor Foley, who noted that RIF would be decreased to 15%. Dean Loba had not yet heard of decrease. Baker looked into who receives RIF. Found a report from 2001, the most current one she could find. Also asked various sources including Research Office. Previously 25% RIF was given to departments. Then it was reduced down to 24%. There are various uses for RIF, e.g. Chemistry uses it to upkeep instruments.

Discussion ensued. Noted that RIF money was made possible 20 years ago to provide incentive funds for research. Others noted that they have been saving it for decades and have never spent it while others noted that RIF is used to fund graduate students. Noted that the RIF pulled back will be spent to on cuts, i.e., it will not be saved in another account.

Trachtenberg asked how FC can add to this discussion. Decision of FC was to create a special committee. Camila Manrique, Tony Lupo, Leslie Lyons, Paco Gomez, Shelia Baker volunteered. Baker agreed to chair. They will report back at the next FC meeting 4-27-17.

University Budget – Gahl. Gahl, Chair of FC Fiscal Affairs Committee, reported that it is possible the State might withhold additional money this fiscal year. Has to do with capital gains taxes. State estimate that income on capital gains taxes would be the same similar to last year. However, with different administration in power in Washington, D.C., people might be waiting on selling properties or investments on the assumption that federal capital gains taxes will be lower next year. This would drop State income on capital gains. Determination on this around 5-15-17.

Governor's budget results in a 9% cut for UM System. Senate came back with 6.5%; therefore, cut from State between those numbers. Cut also determined by enrollment. Enrollment will decrease again this year. Cut will therefore be between 8 and 12% total. Prepare for 12%. VC of Finance, Gibler assured that the cut would not be higher than 12%. After May 1st enrollment deadline will have better picture of what cuts will be.

About memo about vertical cuts, it would be difficult to do within three weeks. There will probably be cuts in operational groups. Any cuts announced would not surprise those in those units. Deans have been told to look along vertical lines. Looking at a six-month analysis with effect a year or more from now.

Budget committees are in fact going forward and not waiting on next chancellor. Data on layoffs is available after the fiscal year for staff. Data is available in fall for contract workers. Approximately 25-35 laid off yearly. 60 people were laid off last year.

Provost Garnett Stokes added that deans, vice chancellors, and vice provosts are working in their areas to manage cuts. Administration has been gathering a lot of information on how we should evaluate programs and getting that data in front of the deans. This data hasn't been readily available centrally. Gave it to deans on Monday. Webinar on Wednesday on research indicators. Advice is for units to use their process. Need to talk across lines and colleges on ways to share processes. Stokes stated that there are somethings at the Provost level that she will immediately cut. But there is no quick way to cut the academic programs as there are students.

Bill Wiebold exhorted folks to make sure their departments discuss this before summer. Cuts will happen.

Stokes asked if deans are being held accountable for vertical cuts. Across-the-board cuts will kill chemistry and other departments. Stokes replied that we need to have vertical cuts, and this is a conversation we need to have with the deans.

Standing Committee Reports:

Faculty Affairs (Bloom). Still working through the item on our charge related to low-cost perks for faculty members, specifically participation in tuition exchange programs (e.g., <http://www.tuitionexchange.org/>) which appears to be a very low-cost way to extend benefits to faculty and their dependents. Bloom meeting 4/18 with Jill Pollock, Interim Vice President for HR at System. Pollock and Bloom will also talk about continuing tuition benefits for already-enrolled dependents when the covered employee dies or retires.

Still working through the item on our charge regarding potential improvements to the promotion and tenure process. We have been meeting with various stakeholders around campus (e.g., former campus P&T committee chairs, the Provosts' office, faculty who have raised concerns, faculty who have recently gone through promotion/tenure) and will have a report regarding what we have learned and our recommendations before the end of the academic year.

In his email to Council on 4/3, Chair Trachtenberg discussed the email (same date) from President Choi, in which President Choi included "layoffs of staff and NTT faculty" as a potential cost-reduction measure. Our Chair noted that "Council may wish to consider what can be done to best protect NTT colleagues, without whom much of the University's teaching and research would not be possible. I am open to suggestions from the campus Non-Tenure Track Faculty Committee, Council's Faculty Affairs Committee, and anyone else with good ideas." Faculty Affairs has worked closely with the MU Non-Tenure Track Faculty Committee and other stakeholders on this matter over the past week. I believe the NTT Faculty Committee has produced a resolution that is needed, thoughtfully written, and feasible to implement, and will provide some protections for our NTT colleagues.

AOB

Ad Hoc Committee on Civil Rights and Title IX (Bloom)

It has been a pleasure to serve Council and the MU faculty as Chair of this committee – I'm grateful for the opportunity. This committee got some needed policy revisions regarding equity-related processes on campus done based on the work of last year's committee and the input of many stakeholders across campus, and we're dovetailing our work into a new campus-level Task Force (related to pregnancy and parenting) that will continue to get some more needed policy work done. The committee's final report to Council was sent out prior to this meeting

Adjournment

Faculty Council went into closed session at 4:39 p.m. to discuss Faculty Council Elections and to consider nominees for Faculty Council Awards.

Council adjourned at 5:02 p.m.

Respectfully Submitted,
Rebecca Graves, Recorder