

11-23-2010

Faculty Senate Summarized Minutes, 11/23/2010

UNM Faculty Senate

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FACULTY SENATE SUMMARIZED MINUTES

**2010-2011 Faculty Senate
November 23, 2010**

The Faculty Senate meeting for November 23 was called to order at 3:00 p.m. in the Roberts Room of Scholes Hall. Senate President Richard Wood presided.

1. ATTENDANCE

Guests Present: Professor Eleni Bastea (Architecture), Dean Martha Bedard (University Libraries), Professor Clair-Lise Benaud (University Libraries), Associate Professor Stephen Bishop (Foreign Languages and Literatures), Director Holly Shipp Buchanan (Health Sciences Library), Faculty-Staff Benefits Co-chair Nissane Capps, Staff Council President Elect Mary Clark, Assistant Professor Kevin Comerford (University Libraries), Chelsea Erven (Daily Lobo), Associate Professor Tamar Ginossar (Internal Medicine), Department Administrator Marcia Glenn (University Honors), Associate Director Steven Graves (Center for Biomedical Engineering), Professor Jackie Hood (Organizational Studies), Assistant Professor Amy Jackson (University Libraries), Staff Council President Merle Kennedy; Editor Sari Krosinsky (University Communication and Marketing), Associate Professor Celia Lopez-Chavez (University Honors), Professor Tim Lowrey (Biology), Lecturer Ben Njus (UNM Valencia), Associate Dean Carol Parker (Law), Administrative Assistant Stephanie Sanchez (Biomedical Engineering), Department Administrator Yolanda Sanchez, Committee on Governance Chair Ursula Shepherd (University Honors), Co-director Scott Sibbett (Center for Biomedical Engineering), Professor Robert Valdez (Family and Community Medicine), Research Professor David Whitten (Chemical and Nuclear Engineering), and Associate Ombudsperson Caroline Yahne (Dispute Resolution).

2. APPROVAL OF THE AGENDA

The agenda was approved as written.

3. APPROVAL OF SUMMARIZED MINUTES FOR OCTOBER 26, 2010 MEETING

The minutes were approved with one revision. There are two members of the Budget Committee that sit on the Deans' Council with President Richard Wood and President Elect Tim Ross. The members are Carol Parker (Law) and Fran Wilkinson (University Libraries).

4. POSTHUMOUS DEGREE REQUEST FOR YI HUANG

Department Administrator Yolanda Sanchez presented the following Posthumous Degree request for Yi Huang. The Posthumous Degree was unanimously approved.



The University of New Mexico
SENATE GRADUATE &
PROFESSIONAL COMMITTEE
Claudia B. Isaac, Chair
cisaac@unm.edu

DATE: October 21, 2010
TO: Operations Committee of the Faculty Senate
FROM: Claudia B. Isaac, Ph.D., Chair
Senate Graduate & Professional Committee
RE: Posthumous Degree

At its October 21, 2010 meeting the Senate Graduate & Professional Committee voted to approve a request to grant a posthumous degree to Yi Huang (101337974). Please see the attached memo from Rafiqul A. Tarefder, Assistant Professor, Civil Engineering, detailing this request for Ms. Huang.

The Senate Graduate & Professional Committee's approval is based primarily on the two conditions specified in the faculty handbook relative to the granting of posthumous degrees. Ms. Huang had completed the coursework required for the degree and her academic record is in good standing. Therefore, we request that the Faculty Senate support the awarding of a posthumous Master of Science in Civil Engineering to Yi Huang. We also request that this item be put on the Senate's agenda at the earliest convenience. The Department of Civil Engineering is concerned on behalf of Ms. Huang's family that this situation be resolved quickly.

Thank you,
Attachment



Department of Civil Engineering

DATE: October 7, 2010
TO: Dean, Office of Graduate Studies
FROM: Rafiqul A. Tarefder, Assistant Professor
Department of Civil Engineering
SUBJECT: REQUEST TO AWARD POSTHUMOUS DEGREE

10/7/2010
OFFICE OF SECRETARY

I am requesting that the degree of Master of Science in Civil Engineering be awarded posthumously to Yi Huang. Yi started her M.S. study in Fall 2008, and completed most of her degree prior to her death in June 2010.

Yi was a student in good standing and on the verge of completing all of her requirements including a thesis for the M.S. when she passed away on June 7, 2010. She had turned in draft of all chapters of her thesis to me and was planning to defend during the last week of June 2010. At the time of her death, Yi had completed all of her course requirements and was taking only thesis hours.

I hope that you will agree that this is an appropriate action to take. Thank you for your assistance in this matter. If there is any additional information needed, please contact Dr. Rafi Tarefder at 277-6083 or tarefder@unm.edu.

By signing below, I am strongly endorsing this request:

John Stormont
Chair, Department of Civil Engineering

Anup Maji
Interim Dean, School of Engineering

4. PROVOST'S REPORT

Deputy Provost Richard Holder reported the following:

- The School of Engineering Dean search has named four candidates. The candidates are: Dr. Craig Benson, University Wisconsin-Madison; Dr. Stefi Baum, Rochester Institute of Technology; Dr. Richard LeSar, Iowa State University; and Dr. Gruia-Catalin Roman, Washington University as St. Louis. Their curriculums vitae are available at the website:

http://soe.unm.edu/latest/July-Dec10/Dean_candidates.html

All faculty are invited to participate in the candidates' open sessions during their visits to campus.

- The Academic Program Degree Flagging Study has identified ten programs that will be asked to do a more thorough self-study. These programs have not been flagged for elimination. The process is intended to stimulate a review of their contributions. Some of the programs for further review are: BSED in Chemistry; BA in Russian; BA in Portuguese; undergraduate Economics and Philosophy; undergraduate Russian Studies; PhD in French Studies; PhD in Latin American Studies; and MA in Portuguese. The reviews are due in the Office of the Provost in early January. The timeline has slipped a little behind schedule, but the deadlines to go before the Faculty Senate will be met.
- The Non-Academic Program review panel has received 42 self-studies and 2 white papers. Discussions are going well.
- The Board of Regents Academic, Student Affairs, and Research Committee meeting is December 1, 2010 at 9:00 a.m. in the Roberts Room. The proposed Health Sciences Center governance reorganization will be discussed.

5. FACULTY SENATE PRESIDENT'S REPORT

Faculty Senate President Richard Wood reported the following:

- The Operations Committee is working hard with the Committee on Governance. They are striving to send much of the work down to the senate committees for discussion and deliberation. There is an unbelievable flow of material on the issues. The Operations Committee, the Faculty Senate President, and the President-Elect are focusing on the big-picture items. President Wood thanked the Operations Committee, University Secretary Vivian Valencia and the staff of the University Secretary's Office. The University Secretary's office staffs the effort of shared governance at the University of New Mexico with few staff people and they pull it off really well.
- The Committee on Governance remains to be very active. They are separate from the Faculty Senate and are critical in shared governance. President Wood thanked the committee and their Chair Ursula Shepherd (University Honors).
- The proposed reorganization of the Health Sciences Center is coming before the Board of Regents at the December 14, 2010 meeting. Under the present structure, the HSC and the colleges on North Campus report to three different governing boards. The effort is also to help meet the challenges of healthcare reform and make the hospital more nimble to meet those challenges. The HSC Vice President would become a Chancellor and report to the University President only on matters affecting North Campus while reporting to a single mixed regent and community board for all other matters. The Operations Committee has reviewed the proposal and it has been greatly vetted through North Campus faculty. The Operations Committee has endorsed the proposal as long as the financial arrangements are transparent and do not divide the campus into two separate financial entities. President Wood informed senators that they could make a motion to state the position of the senate if they felt differently than the Operations Committee and wanted to reserve some time for discussion. No motion was made.

6. HONORARY DEGREES

Honorary Degree Committee member Stephen Bishop (Foreign Languages and Literatures) presented the 2011 Honorary Degree Candidates. The 2011 Honorary Candidates have been previously considered and approved by the Honorary Degree Committee and the Faculty Senate Graduate Committee. Ballots with the candidates' biographies were distributed to senators. Faculty Senator Gautam Vora (Anderson School of Management) requested an open discussion of the candidates which requires a closed session. Confidentiality is maintained until the process is complete.

The Faculty Senate voted unanimously to move into closed Executive Session to discuss the limited personnel matter related to the Honorary Degree candidates. All non-senators were asked to leave the room for the discussion. The senate discussed the candidates and asked questions of Dr. Bishop. After the discussion concluded, the Faculty Senate unanimously voted to re-open the meeting.

After re-opening the meeting and allowing for non-senators to be reseated, the Faculty Senate voted to certify that the matters discussed in Executive Session were limited to the Honorary Degree candidates.

7. FACULTY HANDBOOK POLICY C215 PARENTAL LEAVE

Faculty Senate Policy Committee members Jackie Hood (Organizational Studies) and Jane Slaughter (History) presented the proposed Faculty Handbook (FHB) Policy C215 Parental Leave. The policy began as a reconsideration of FHB Policy C215 Maternity Leave. The College of Arts and Sciences developed a parental leave policy when Reed Dasenbrock was dean, but it was not valid because of FHB 215.

A little more than three years ago, President Schmidly met with a group of women faculty and a parental leave policy was suggested. President Schmidly constituted a committee that developed proposed FHB Policy C215 Parental Leave. It has been in the revision process for three years. The policy has been

reviewed by the Deans, the FS Policy Committee, the Faculty-Staff Benefits Committee and the Operations Committee. The following policy revision passed 20 to 4 with 4 abstentions.

**C215
Policy**

PARENTAL LEAVE

SECTION 1: GENERAL PRINCIPLES

The University of New Mexico supports faculty in balancing their academic and personal lives. The University strives to help faculty coordinate the needs and timing of an academic career and balancing the sometimes competing priorities of their academic and personal lives. The University is committed to creating an environment that supports faculty when the responsibilities of family life are particularly demanding by allowing faculty to take time away from work **for caring for** and bonding with children. This policy provides one semester of parental leave with full pay for a primary or coequal care-giving faculty parent as defined within this policy.

1.1 Role of Academic Leadership

Academic leaders and supervisors will **attempt to** foster an environment in which every eligible faculty member will be encouraged to consider freely the parental leave **opportunity** offered through this policy. Deans, department chairs, and program directors should make every effort to promote use of this policy. Individuals participating in reappointment, tenure, and promotion reviews shall not allow use of parental leave or family-related tenure-clock extensions to have a negative influence in the evaluation of any candidate.

1.2 Ethical Use

This **policy shall** be promulgated, used, and applied within the intent and principles of the policy and with the high ethical standards expected in all areas of academic endeavors and leadership.

The parent/s taking leave must also realize this is a revocable benefit under certain circumstances. The leave may not be used for outside work, whether part-time or full-time, for pay. The parent taking leave must also agree that he or she will return to work at The University of New Mexico after leave has been taken for a minimum of time equal to leave time taken.

1.3. Relationship to Medical Leave

Parental leave is not intended to take the place of medical leave for a birth mother, but is granted in addition to any medically required leave.

SECTION 2: ELIGIBILITY, REQUIREMENTS, AND LIMITATIONS

2.1 Eligibility

All regular contract faculty at .50 FTE or higher who have been employed at UNM at least one semester are eligible for parental leave. In taking parental leave, the expectation is that the faculty member will spend this time caring for and bonding with a child who has recently joined the household. If both parents are faculty members, each is eligible for parental leave. If both faculty members are in the same department, the faculty members and the chair will discuss how best to meet the needs of the department and the family including whether to take the leave concurrently or consecutively (preferable). If only one parent takes leave, that parent will be reimbursed at full pay during the leave. If both parents wish to take leave, whether consecutively or concurrently, they will each be reimbursed at one-half of their usual salary. Mothers giving birth, spouses or domestic partners of mothers giving birth, parents adopting, and parents accepting a long-term foster placement or fostering toward adoption, are all eligible for equal amounts of parental leave under this policy.

2.2 Eligible Events

Parental leave should normally begin within one calendar year after a child is born or an adopted or foster child joins the household. Exceptions to the one-year time frame will be reviewed on a case-by-case basis in accordance with Section 3.1. herein.

2.3. Relief

This policy provides full relief from teaching duties and similar responsibilities. When research and advising are part of the duties, it is normally expected that these activities will continue during parental leave, but not during any period of medically required leave. Given the varied nature of academic responsibilities across the

University it is the prerogative of each dean to establish guidelines for relief under this policy. Due to the unique nature of faculty responsibilities that include providing patient care, the Health Sciences Center will define the extent of relief provided to HSC faculty requesting parental leave.

The faculty member should discuss the need for parental leave with the dean or department chair well in advance of the leave and when possible, in time for any alternative teaching, patient care, and other academic arrangements to be made. The faculty member and the dean or department chair will work together to develop a plan for parental leave that meets both the needs of the faculty member and the needs of the University.

They shall work together to minimize the impact of leave on students, grantors, patients, and other beneficiaries of the academic program.

2.4 Family and Medical Leave (FMLA)

Faculty members may also take unpaid FMLA to arrange additional relief. For more information on FMLA refer to Policy 3440 "Family and Medical Leave," UBP, which can be viewed at <http://www.unm.edu/~ubppm/ubppmanual/3440.htm>.

2.5 Tenure Clock

The running of the probationary period will be suspended, unless otherwise requested in writing, when a faculty member is on parental leave. Subsequent mid-probationary and tenure reviews will be one full year later. Deans, department chairs, and program directors should help faculty members to make informed decisions about suspending the probationary period.

2.6 Sabbatical

Parental leave time will count towards time worked to earn a sabbatical.

SECTION 3: EXTRAORDINARY CIRCUMSTANCES AND APPEALS

3.1 Extraordinary Circumstances

Extraordinary circumstances such as multiple births/adoptions or events involving special-needs children may necessitate additional parental leave and/or flexibility, **and shall** be referred to the appropriate executive vice president for a determination. These situations will be reviewed on a case-by-case basis to determine how best to meet the additional needs of the faculty member and the University. These decisions will be applied consistently across the University to ensure equitable treatment.

3.2 Appeals

If a faculty member and the dean or department chair cannot reach agreement on a parental leave plan for relief, the faculty member may appeal the dean's decision to the applicable executive vice president for a final decision.

SECTION 4: PROGRAM REVIEW AND EVALUATION

The Provost's Office will review this parental leave program biennially to ensure that it is applied equitably and consistently across the University within the intent of the policy. This review will also analyze the program's impact on the University's mission and faculty recruitment, retention, and satisfaction in relation to associated costs.

8. BUDGET

Faculty Senate President Wood will provide information and facilitated discussion. The agenda times for the remaining items will be followed.

- Depending where you stand in this university, your reality of the budget is very different. For most in working in the departments, it is a miserable reality. Morale is incredibly bad because of the rescissions over the last 18 months. There are painful decisions being made in many departments. Budget cuts are being made while demands for services are escalating.
- Most departmental budgets are driven by about 93% salary; 3.2% of that overall budget-line is being taken. People cannot be fired on-the-spot so you have to absorb those actual dollar figures out of the working budget. The cuts are usually more than the operating budgets.
- Significant progress is being made in deep budget discussion with the budgetary powers that be. They are providing real data about what is going on at the university and what a Fiscal Year (FY) 2012 budget might look like.

- Crucial partners with the Faculty Senate have been the Staff Council, ASUNM, GPSA, the Parents' Association, the Alumni Association, AAUP, and key people like EVP David Harris (Administration), the Provost's Office and the deans.
- It is hopeful that laying the groundwork in a bad budget year will be driven by the academic mission.
- Acting President Paul Roth has adopted a lot of the 'right' language around the hard budget times, i.e., there will be no further across-the-board cuts to academic departments.
- Acting President Roth swept remaining administrative balances back into central administration and left schools, colleges, and academic programs harmless in order to re-prioritize the harvested funds. President Wood feels like that was the proper academic approach.
- Acting President Paul Roth is listening and discourse is shifting. Decisions are not yet being made and faculty are participating. Acting President Roth is meeting with faculty and many have been specifically invited to speak with him.
- President Wood stressed that all decisions must follow the academic mission.
- President Wood stated that he will not go to bat to protect faculty salaries. It is not smart decision-making. Protecting only faculty while shedding department-level staff is killing the academic core mission anyway. President Wood's commitment is to preserve funding for the academic mission and smart decision making on how to do it; sometimes preserving faculty lines, sometimes preserving staff lines; and also finding other sources of funding. It is about the academic mission and not one sector over another.
- UNM has lost about 15% of its core budget. The \$28 million budget shortfall reflects a five percent cut from the state.
- The current approach is to minimize the damage to academic programs as much as possible.
- The AAUP website lists the IPED definitions.
- Acting President Roth stated that the cuts must be absorbed over a two to three year period.
- Budgetary planning is a year-long process. The process for setting the FY 2012 budget that begins July 1, 2011, started this fall, both at UNM and in Santa Fe.
- There will be a special Faculty Senate meeting on the budget in early January 2011.

CONSENT AGENDA

9. FORMS C FROM THE CURRICULA COMMITTEE

The following Forms C were approved by voice vote of the Faculty Senate:

- Deletion of Major in BS of PA Studies, School of Medicine
- New Marketing Minor in BBA, Anderson School of Management
- Revision of BS in Dental Hygiene, Dental Hygiene
- Revision of Marketing Concentration in BBA, Anderson School of Management
- Revision of Major in BA of Psychology, College of Arts and Sciences
- Revision of Major in BS of Civil Engineering, School of Engineering
- New Concentration in PhD of Biomedical Engineering, School of Engineering

10. FALL 2010 DEGREE CANDIDATES

The Fall 2010 Degree Candidates were approved by unanimous voice vote of the Faculty Senate.

11. FACULTY DISCIPLINARY POLICY C07

Academic Freedom and Tenure Committee Chair Vic Strasburger (Pediatrics) presented the proposed Faculty Disciplinary Policy. The policy was initiated from a request by the Board of Regents Audit Committee because there is no current policy in place to discipline faculty short of tenure revocation. President Wood asked AF&T Committee to review. Policy C07 was created by AF&T with the aid of

University Counsel Emeritus Nick Estes. AF&T has met with Deputy Provost Holder (Academic Affairs) and Deputy Executive Vice President John Trotter (Health Sciences Center) as well as University Counsel. AF&T has approved the policy unanimously twice (the second approval incorporated minor changes). Chair Strasburger stressed that the faculty can develop a better policy than one that might be developed by the regents in absence of one.

Most research universities have a faculty discipline policy. The faculty policy was modeled after the staff policy Performance Management UBPPM Policy 3215.

The proposed policy is being presented to the Faculty Senate as an information item. It will be sent to the Faculty Senate Policy Committee for deeper vetting before it comes to the senate for a vote. The proposed policy is below. Dr. Strasburger asks that any comments or concerns be sent to him or Faculty Senate President Wood.

C 07 Policy

FACULTY DISCIPLINARY PROCEDURES

1. The University encourages a supportive problem-solving approach to performance problems, but the University recognizes that misconduct may require disciplinary action. The University normally uses a progressive discipline to address possible misconduct. Progressive discipline is intended to be corrective, *not* punitive in nature. It is designed to provide faculty with notice of deficiencies and an opportunity to improve. However, some violations of policies and procedures, or continued negative behavior, may be of such serious nature that suspension without pay or discharge pursuant to Faculty Handbook policies may be appropriate.
2. Any member of the faculty, including any serving as an academic administrator, who violates a published University policy may be subject to warning, censure, suspension without pay, or dismissal. Teaching or research assistants in their faculty capacity are considered faculty members for purposes of this Policy.
 - a) "Warning" means an oral reprimand or expression of disapproval.
 - b) "Censure" means a written reprimand or expression of disapproval, which should include an explanation of the nature of the misconduct, and the specific action to be taken by the faculty member *and/or* chair to correct the problem, including mentoring, if appropriate, and a statement that further disciplinary action could occur should the problem persists.
 - c) "Suspension without pay" means disciplinary suspension without regular salary for a stated period of time.
 - d) "Dismissal" means termination of employment (see Faculty Handbook sections B.5.3, B.6.4.3, and B.5.4).
3. The procedures specified in this Policy provide for the consideration and determination of proposed disciplinary actions against faculty members short of dismissal. Consideration and determination of disciplinary actions that may result in a proposed dismissal of a tenured faculty member, or dismissal of an untenured faculty member prior to expiration of his or her contract term, are governed by sections B.5.3, B.6.4.3, or B.5.4, respectively, of the Faculty Handbook and are not covered by these procedures. However, cases in which faculty dismissal has been considered pursuant to sections B.5.3, B.6.4.3, or B.5.4, and a lesser sanction is ultimately proposed instead by the administration, shall be handled under this policy, without duplicating steps that have already taken place. In particular, if the chair and dean conclude that suspension without pay is appropriate in a case in which dismissal was considered but rejected, the faculty member is entitled to request a peer hearing as provided below in sections 10 and 11.
4. In the case of allegations against a faculty member that appear to be within the scope of another specific University policy that has its own procedures for investigation and resolution (including but not limited to allegations of research misconduct, discrimination, or sexual harassment), the chair or dean shall forward such allegations to the appropriate person or department for handling pursuant to the applicable policy. If such a process requires the chair to make a disciplinary determination after an investigation and recommendation from another University body, this policy will be followed in determining the appropriate discipline. If the other procedure involved a hearing before a faculty committee, any factual determinations will not be subject to reconsideration by faculty peer review under this policy.
5. References to the department chair in this policy also include the program director or associate or vice dean in a non-departmentalized school or college. If allegations are made against a department chair or other administrator, the next higher academic authority shall perform the functions assigned in this Policy to the chair, and the provisions shall be modified as appropriate. Any individual(s) bringing an allegation of faculty misconduct to the chair's attention is protected by, and subject to, the University's policy on reporting misconduct (UBPPM section 2200, Whistleblower Protection and Reporting Suspected Misconduct and Retaliation).
6. In all cases other than those set forth in paragraphs 3 and 4 above, if a member of the faculty is alleged to have violated a policy of the University, the department chair shall provide the faculty member a written notice explaining the

nature and specific content of the alleged violation, together with a copy of this policy, and shall discuss the alleged violation with the faculty member. The written notice shall be given to the faculty member within ninety (90) days of the chair learning of the apparent violation of policy. The faculty member may be accompanied by one person in meeting with the chair. The faculty member and the chair shall notify each other at least two working days prior to the scheduled meeting who, if anyone, will be accompanying them at the meeting. The chair should issue a written report within five (5) working days after the meeting summarizing the discussion with the faculty member, keep a copy in the faculty member's file, and send a signed copy to the faculty member. Before, during or after the meeting, the chair may ask the faculty member to respond in writing to the notice and present any relevant written material within a reasonable time specified by the chair. Likewise the faculty member shall be free to submit any materials reasonably desired on his/her own volition, no later than five (5) working days after meeting with the chair unless the chair grants additional time in writing. The matter may be concluded at this point by the mutual consent of all parties.

7. The department chair or the faculty member may initiate conciliation proceedings at any time prior to the chair's decision by contacting the Faculty Dispute Resolution program as provided in Section C345 with notice to the other parties. Conciliation may be undertaken if both parties agree.

8. If a mutually agreeable resolution (with or without conciliation) is not achieved, the department chair shall make a decision in the matter and communicate it to the faculty member in writing within ten (10) working days after meeting with the faculty member or the termination of conciliation efforts if they are unsuccessful, whichever is later. The faculty member shall have ten (10) working days from receipt of the written decision to submit a written request for review by the appropriate dean, who will issue a written decision concerning whether the chair's decision is upheld, modified or reversed. Prior to making a decision, the dean shall meet with the department chair and the faculty member, and their representatives if desired, together or separately, and shall receive and consider any documents the parties wish to submit. Documents shall be submitted within five (5) working days of the faculty member's request for review. If formal conciliation has not been attempted previously, the dean may refer the matter to Faculty Dispute Resolution. The dean will communicate his/her decision to the parties in writing within ten (10) working days after meeting with the faculty member or the termination of conciliation efforts if they are unsuccessful, whichever is later.

9. If the faculty member does not agree with the dean's action, he/she may submit a written request for review by the Provost or EVPHS within five (5) working days of receipt of the dean's decision. The Provost/EVPHS will decide the matter on the record unless he/she determines that it would be helpful to meet with the parties, together or separately. Within ten (10) working days after receipt of the complete record or after meeting with the parties, whichever is later, the Provost/EVPHS shall uphold, modify or reverse the dean's decision by written notice to the parties. The Provost/EVPHS may seek an advisory investigation and opinion from the Faculty Ethics Committee. The decision of the Provost/EVPHS is subject to discretionary review by the President or Board of Regents if requested by the faculty member.

10. If the chair, after meeting with the faculty member and considering all materials submitted pursuant to section 6, proposes to suspend the faculty member without pay, the chair shall meet with the dean to review the matter. If the proposal is supported by the dean after meeting with the chair and the faculty member, the faculty member is entitled to a faculty peer hearing. The faculty member shall send such a request to the Provost/EVPHS within five (5) working days of receipt of the dean's determination.

11. If a faculty peer hearing is requested as provided in this Policy, the chair of the Faculty Ethics Committee will arrange for a hearing before two members of that Committee from outside the faculty member's department, chosen by the Ethics Committee, and one uninvolved department chair from a different school or college chosen by the Provost/EVPHS. The hearing will be held as soon as reasonably possible and shall be conducted according to the University's Dispute Resolution Hearing Procedures. The University Secretary's office shall make arrangements for the hearing. Hearings shall be recorded and shall be private unless both parties agree that the hearing be open. The hearing panel may uphold or reverse the proposal to suspend the faculty member without pay. If the panel's decision is to reverse the proposal, the panel may direct the chair and dean to impose a lesser disciplinary measure. The panel's decision may be reviewed on the record by the Provost/EVPHS, but the panel's decision shall not be reversed or modified except in the case of clear error, which shall be detailed in writing by the Provost/EVPHS. The decision of the Provost/EVPHS is subject to discretionary review by the President or Board of Regents if requested by the faculty member.

12. The faculty member may bring a complaint before the Committee on Academic Freedom and Tenure if he/she believes the matter or its handling is within the jurisdiction of the Committee. The Committee will determine whether the matter is within its jurisdiction and, if so, shall handle the matter under the Policy on Academic Freedom and Tenure. Normally, review by the AF&T Committee should be sought after the determination by the Provost/EVPHS. If the faculty member pursues the matter before the AF&T Committee, AF&T shall accept the facts as determined by the faculty peer hearing, if one was held.

13. If the final determination is that no misconduct occurred, efforts shall be undertaken to the extent possible and appropriate to fully protect, restore, or maintain the reputation of the faculty member.

14. These procedures do not supersede Appendix VIII to Part B of the Faculty Handbook, concerning the Faculty Ethics Committee, and a faculty member who believes that he/she has been improperly accused of unethical behavior may bring the matter to the attention of the Ethics Committee under Appendix VIII after determination by the Provost/EVPHS.

12. ESCHOLAR INNOVATION

Dean Martha Bedard (University Libraries) presented the following slideshow on the Office of eScholarship.

UNM Office of eScholarship

- * **OeS is a virtual office formed in 2009, consisting of collaborators from across UNM:**
 - * Health Sciences Library and Informatics Center
 - * School of Law Libraries
 - * University Libraries
 - * UNM Press

- * **Current Projects:**
 - * eScholar Innovation Center
 - * Institutional Repository Services (LoboVault)
 - * Open Journal System (OJS) Pilot Project
 - * Open Monograph Press (OMP) Pilot – To be announced
 - * Digital Data Archives/Curation

eScholar Innovation Center

- * **Purpose:** To be an advocate within the UNM community for e-scholarship and to support the transition from print to digital authoring.

eScholar Innovation Center

- * **Concept:** To provide specialized facilities, applications and resources to promote electronic publishing, online research collaboration, shared data sets, and open access scholarship, leveraging the support of the libraries, museums, and the press at UNM.

eScholar Innovation Center

Scholarly Communication Services for UNM Faculty

- * **Article/Manuscript Preparation**, including electronic publishing specialists such as graphic designers, data visualization specialists, and editors
- * **Depository Submission Assistance:** Help preparing and submitting scholarly works for open access repositories and assistance meeting NSF, PubMed or other depository and open access publishing requirements
- * **Education and Outreach Services** to keep faculty apprised of issues in copyright, scholarly communications, and opportunities in electronic publishing
- * **Data Sharing/Data Archiving**, including services for organizing, archiving, and publishing scholarly data as well as support for individual and collaborative data curation
- * **On-Demand Printing** and sales of ebooks and ejournals
- * **Electronic Tools for Collaboration** (e.g., e-lab notebooks, scholarly workflow tools)

eScholar Innovation Center

- * Read the entire eScholar Innovation Center Proposal at the UNM Office of eScholarship Website:

<http://escholar.unm.edu>

Open Journal System (OJS) Initiative

- * Proposed in March, 2010 as a pilot program in electronic publishing
- * UNM Law School volunteered to host the New Mexico Law Review, and the Natural Resources Journal on OJS
- * Initiative Objectives:
 - * Find ways to lower university publishing costs
 - * Investigate practicality of managing fee-based journal subscriptions electronically
 - * Investigate benefits of electronic journal distribution
 - * Manage journal publishing workflow online
- * Pilot Project Scheduled to “Go Live” in Spring, 2011

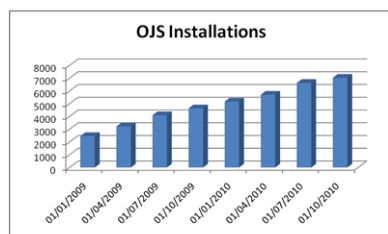
OJS Popularity

OJS Continues to Grow

Submitted by kevin on Wed, 2010-10-06 08:01

Tagged: [ojs](#)

Our OJS tracker has found at least 7000 installations from around the world as of this month:



Some of these are traditional scholarly journals, but we've discovered that OJS is being used in many unexpected ways, too. Some of these 7000 include conference proceedings, reports, learning management systems, monographs, and more. Some will publish on a regular schedule, and others may only publish a single issue. While this may fall outside of what we consider a traditional journal to be, it is very exciting to see OJS contributing to an expansion of available scholarship and knowledge.

OJS Features & Benefits

* Features

- * OJS is a Free, Open Source Electronic Publishing Platform for Journal Publications
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Natural Resources Journal

The Natural Resources Journal (NRJ) is published by the University of New Mexico School of Law and is an international, interdisciplinary forum devoted to the study of natural and environmental resources. The Journal is policy oriented, and seeks to overcome the isolation of scholars in various disciplines who are concerned with natural and environmental resources.

Interdisciplinary collaboration in solving resource-related problems was a formative principle in the creation of the Journal and, for 50 years, the Journal has been guided by that principle. The NRJ's contributors come from various disciplines, represent many countries, and provide many approaches to the complex issues raised by the need to balance resource development and environmental concerns.

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Vol 49, No 3/4 (2010)

The isolation of scholars in various fields concerned with resources problems continue to be a principal impediment to progress. . . . [R]esources problems are so complex that traditional lines of approach prove inadequate. . . . Rarely do we find the work of the lawyer as a non-lawyer appearing side by side. . . . The primary function of the [new] Journal is to meet this need. . . .

—from the Foreword of Vol. 1, No. 1, 1961

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[Dams and Markets: Rivers and Electric Power in Chile](#)

John Quincy Doe

ISSN: 0028-0739

Dams and Markets: Rivers and Electric Power in Chile**

ABSTRACT

How are river systems governed under market-oriented water and electricity policies? How are competing water and energy uses coordinated in a context of markets and privatization? I answer these questions by studying hydropower in Chile as an example of the water-energy nexus that is, analyzing hydropower along the two different axes of water law and electricity law. Chile is a world leader in applying neoliberal policies in both water and electricity sectors, and the national electricity system depends heavily on hydropower. Because hydropower is both a use of water and a source of electricity, it plays a different yet essential role in each sector. Hydropower dams are governed by both water and electricity laws, but the two laws treat water differently and value it for different purposes. I conclude that Chilean electricity law has granted de facto property rights to water to the owners of hydropower dams, and that electricity law trumps water law in rivers with hydropower development. This situation has had serious effects on water sustainability and governance. In the context of climate change, the interactions between water and energy are more complex and critical than in the past, and we need more studies of hydropower's dual roles in the two systems.

I. INTRODUCTION: HYDROPOWER AS WATER-ENERGY NEXUS

Electricity—carrier of light and power—discoverer of time and space—bearer of human speech over land and sea—greatest servant of man—self-ambitious.

—Carving on exterior of train station building, Union Station, Washington, D.C., ca. 1908

Editor's note: The Natural Resources Journal was not able to verify the foreign language source used in this article.

* Carl Bauer is Associate Professor, School of Geography and Development, University of Arizona, Tucson, Ariz., where he also directs the Graduate Certificate in Water Policy. Bauer has a Ph.D. from the University of California, Berkeley Law School, an M.S. in Geography from the University of Wisconsin-Madison, and a B.A. in Geology from Yale University.

** I am grateful to Resources for the Future, the Wreden Foundation, and the University of Arizona (including the Water Resources Research Center) for financial support of this research. I thank Romulo Pacheco, Juan Pablo Orrego, Hugh Rudnick, and Algodado Vergara in Chile for their comments on earlier drafts, and Dustin Carrick, Manuel Pantoja, and David Teckler for their comments and research assistance. Thanks to Monica Stephens for the map.

Comments and Inquiries

- * Please send comments and inquiries about UNM eScholarship initiatives and activities to:

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13. FORM D FROM THE CURRICULA COMMITTEE

Associate Director Steven Graves (Biomedical Engineering) presented the following Form D. It started as a legislative special project in 2007 and now is officially part of the UNM Instructional Budget. The PhD and Master's programs are under review by UNM and the state. It was created to have many areas of emphasis. Molecular and Cellular Systems will be the first area. Others can follow (e.g. Biomechanics, Bioimaging, Biocomputing, etc.). The program will grant a PhD degree in Engineering with a concentration in Biomedical Engineering (Form C). The program will also grant a M.S. degree in Biomedical Engineering (Form D). Students will be professionally trained in biomedical engineering by working on research projects in the Center for Biomedical Engineering.

After brief discussion, the following Master's Degree was approved by unanimous vote of the Faculty Senate.

- New Masters of Science in Biomedical Engineering, School of Engineering

14. ERB PROPOSAL AND FACULTY RESPONSE

Faculty Senate President Richard Wood linked this agenda item with the next agenda item, the update from Governmental and Community Relations Director Marc Saavedra. The two items are so deeply weeded they need to be discussed together. President Wood stated that the University had nothing to do with the formulation of the ERB recommendations. Faculty Staff Benefits Staff Co-Chair Nissane Capps presented the position of the Faculty Staff Benefits Committee.

Faculty Emerita and ERB Board-member Beulah Woodfin stated that the recommendations have not been adopted as the official position of the board. Once recommendations are approved by the board, they will be forwarded to the legislature for consideration. Faculty and staff are encouraged to attend the ERB meeting on December 10 in the Milne Board Room in the APS Center. The vote on the proposal to send to the legislature will be held at that meeting. All documents related to investment information can be accessed at www.nmerb.org

The Faculty Senate decided not to take action. The official statement of the Faculty-Staff Benefits Committee is below.

FSBC statement on NMCRB Retirement Change Proposal:

"The Faculty Staff Benefits Committee finds the proposed changes currently under consideration by the NMCRB to educational retirement policies unacceptable, especially as they impact mid career faculty and staff who have devoted many years of service to the state and who stand to lose important benefits under this proposal. These public servants have relied and continue to rely on the stability of the pension benefits they have been promised. We are further concerned that the actuarial data projecting future trends in the pension fund have not been released along with the ERB recommended changes. Without such information we are unable to assess the extent to which such drastic changes may be necessary, nor are we able to make informed recommendations on what might be appropriate adjustments to retirement benefits. Our committee is keeping a close eye on this process, as well as internal UNM plans for changes in benefits that might result from the budget exigency. We hope to present a report to the Senate after our January meeting that provides a comprehensive summary of all potential impacts on benefits currently being considered at internal and state levels."

Thanks to all—

Vera

President Wood presented the following response from UNM. It was signed by President Schmidly, Acting President Paul Roth, Staff Council President Merle Kennedy and Faculty Senate President Richard Wood.

Letter to ERB

There is no doubt that the education retirement fund faces financial challenges that will require swift and decisive action. However, many of the proposed changes that have recently been released for comment by ERB are so abrupt and so disruptive to dedicated employees who have spent their careers working for education in New Mexico as to be unacceptable.

UNM staff and faculty are understandably alarmed. While enduring a succession of budget cuts, they have seen their paychecks erode and their benefits threatened. Yet they still strive to provide the excellent teaching, research, service and patient care demanded of this university by the citizens of the state. Those who have been in the ERB system for many years have trusted the system to keep the commitments it has made to them over those years. Others, like the faculty who were encouraged to switch to ERB just last year, do not want to see their trust misplaced. The proposed changes in length of service coupled with an increase in employee contributions threaten that trust.

We understand that the proposals released for comment are worst case scenarios and will no doubt be modified before being submitted to the Legislature. We encourage Board members to listen to the concerns of their constituents in higher education and in the public schools. UNM's faculty and staff leadership, Human Resources Division and Government Relations Office are working on these important issues with the campus community and will be in contact with you.

Sincerely,

David J. Schmidly, President

Paul Roth, MD, Acting President and EVP for Health Sciences

Richard Wood, President, Faculty Senate

Merle Kennedy, President, Staff Council

The press release from the ERB:

Attention: Assignment Managers
For Immediate Release

Contact: [name]
[phone]

DRAFT
ERB Considers Options To Bolster Teacher Retirement Plan

Santa Fe, NM (Nov. 22, 2010) – The Educational Retirement Board (ERB) is considering options, including proposals from the public, to meet the goal of 80% solvency in 30 years of the defined benefit retirement plan for New Mexico educators and provide secure retirement benefits for ERB members well into the future.

“Currently the ERB is considering proposals to meet our goal, and we want to hear from our stakeholders and other interested parties,” ERB Chairperson Mary Lou Cameron said. After receiving input, the Board expects to vote on recommendations to the 2011 Legislature at its Dec. 10, 2010, meeting scheduled for 9:00 a.m. in the John Milne Community Board Room, APS City Centre Building, 6400 Uptown, N.E., in Albuquerque.

The New Mexico Retirement System Solvency Task Force (RSSTF) was created by the Legislature in 2009 to review the sustainability of New Mexico’s public retirement plans in light of a weakened economy and an aging population. As part of the process, the RSSTF asked the ERB to propose changes to improve the defined benefit plan’s solvency as stated in the Board’s goal.

The ERB based its recommendations on a random sampling of active ERB members who overwhelmingly stated that they did not want to reduce either the multiplier used to calculate retirement benefits or the cost-of-living allowance (COLA) for retirees age 65 and older. Consequently, the ERB plan focused on increasing the number of years of service to be eligible for retirement and raising employee contributions to the defined benefit plan by 0.5%.

The ERB proposal also included a “Safe Harbor” provision under which ERB members with 22 years of earned service or met the rule of “75” (years plus service) would not be affected by the changes to the defined benefit retirement plan. ERB members who fell under the Safe Harbor provision would still be eligible to retire under the current “25 Years of Service and Out” option.

Because the actuarial review determined that the ERB’s preliminary recommendations exceeded the 80% funding goal, the Board is revisiting its proposal. “We are looking at the possibility of increasing the number of people who can take advantage of the Safe Harbor provision and changing some of the eligibility requirements for retirement,” Cameron said.

“We are also asking for public input. If you have a suggestion that you believe will help us reach 80% funding within 30 years, please send it to us.” Individuals or employee groups with recommendations must submit them in writing to ERB-MemberHelp@state.nm.us with the subject line “Plan Redesign – Preliminary Recommendations” before 5:00 p.m. Nov. 29, 2010, to allow time to complete an actuarial review prior to the Board’s Dec. 10, 2010, meeting.

Changes to the ERB retirement plan must be passed by the Legislature and signed into law by the Governor. A summary of the ERB’s preliminary recommendations and an FAQ (Frequently Asked Questions) on the proposed changes to the defined benefit plan are posted on the ERB website at www.nmerg.org.

For more information, please contact Jan Goodwin, Executive Director, 505-827-8030.

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15. GOVERNMENTAL RELATIONS

Governmental and Community Relations Director Marc Saavedra reported the following:

- The ERB is an educational concern for both regular education and higher education. The actuarial figures that influenced the recommendations are in draft form. They will be released soon. Much more will be known with the release of those figures. The public has a right to see the 2010 numbers before any decisions are made.
- Director Saavedra presented the legislative brochure for the 2011 Legislative session; it is still in draft form and he asks for suggestions from faculty. Any information that would aid the efforts in Santa Fe would be helpful and appreciated.
- The focus of the brochure this year is UNM as the state's flagship research university. Every dollar the state invests in UNM generates five dollars in return.
- The number one priority for UNM this legislative session is elimination of the tuition credit. The credit, which amounts to a tax, hits UNM disproportionately high relative to the other state institutions. The four-year institutions pay 80% while the two-year institutions pay only 20%. The goal is for higher education to share equally in the cuts.
- UNM and NMSU tuition has been raised 100% between 2001 to 2011.
- UNM will again request flexibility to implement any future cuts.
- The only funding request is for the seventh year of the eight-year BA/MD program.
- No reduction to faculty and staff compensation will be requested.
- Faculty are encouraged to attend the December 14 BOR meeting as the LFC will be presenting forecasts that the legislature will use for FY 2012.
- The General Obligation (G.O) bond that failed will affect the capital projects proposals. There are no capital outlay funds for the failed G.O. bond.
- UNM Day at the legislature is January 31, 2011.

16. NEW BUSINESS AND OPEN DISCUSSION

No new business was raised.

17. ADJOURNMENT

The meeting was adjourned at 5:45 p.m.

Respectfully submitted,

Rick Holmes
Office of the Secretary