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Faculty Senate Summarized Minutes, 3/11/2008

UNM Faculty Senate

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FACULTY SENATE SUMMARIZED MINUTES

2007-2008 Faculty Senate
March 11, 2008

The Faculty Senate meeting for March 11, 2008 was called to order at 3:03 p.m. in the Lobo Room, Student Union Building (SUB). Senate President Jackie Hood presided.

1. ATTENDANCE

Guests Present: Chair Philip Ganderton (Economics), Vice Provost Wynn Goering (Academic Affairs), Government Relations Specialist Tanya Giddings (Office of Governmental and Community Relations), Deputy Provost Richard Holder (Academic Affairs), Sari Krosinsky (UNM Today), Karin Retskin (Staff Council), and Director Marc Saavedra (Office of Governmental and Community Relations).

2. APPROVAL OF THE AGENDA

The agenda was approved as written.

3. APPROVAL OF SUMMARIZED MINUTES FOR FEBRUARY 26, 2008 MEETING

The approval of the minutes from the February 26, 2008 meeting were deferred to the March 25, 2008 meeting. Senator Bob Berrens at the request of Faculty and Staff Benefits Chair Philip Ganderton, that the minutes be revised to reflect additional comments made by Vice President for Human Resources Helen Gonzales. Vice President Gonzales' comment of there being a \$4 million reserve account for the establishment of self-funded health insurance will be included.

Senator Douglas Fields (Physics and Astronomy) asked why side conversations and general discussion are not included in the minutes. The senate was informed that the minutes are summarized to capture actions only and are not a transcription of the meeting. The Faculty Senate decided several years ago that the notes from the meetings would be summarized minutes. President Jackie Hood stated that she will begin to review the minutes more closely. Another senator commented that if the minutes captured all discussion, it might stifle participation as senators might not be comfortable to express their ideas and viewpoints.

The senate meetings are videotaped and copies of the meeting are maintained in the Office of the Secretary.

4. FACULTY SENATE PRESIDENT'S REPORT

The Faculty Senate President reported on the following:

- President Hood asked senators to nominate someone or themselves to run for members of the Academic Freedom and Tenure Committee and the Committee on Governance. These are interesting committees and faculty would get a lot out of serving on them.
- The audio recording of the Budget Summit is still available through the University President's website. President Hood encourages senators and faculty to listen to the web cast. At the Budget Summit, there were presentations by President Schmidly, Executive Vice President for Administration David Harris, Provost Viola Florez, and Executive Vice President for the Health Sciences Center Paul Roth. After the initial presentations by the administration came the

presentations from the advisory groups. The advisory groups include the Faculty Senate, the Staff Council, the Associated Students of UNM (ASUNM), the Graduate and Professional Students Association (GPSA) and the Deans' Council.

When it came time for the Faculty Senate presentation, Regent Mel Eaves addressed the questions posed by the faculty to the administration. President Hood said that It is a very interesting 50 minutes to listen to. The BOR and the administration were obviously not happy with the questions. The questions were posed internally to Provost Florez, President Schmidly, and EVP Harris. The questions were then given to Associate Vice President for Planning, Budget, and Analysis Andrew Cullen. AVP Cullen worked with Faculty Senate President-Elect Howard Snell. The response came in the form of pre-prepared reports on budgets and other documents that totaled approximately five inches thick. The administration's first response to the questions resulted in more questions from the Faculty Senate. Dr. Snell is now working on the questions with President Schmidly, especially for clarification on the answers that the Operations Committee does not understand. President Hood's response to Regent Eaves was to remain professional and she continued with the presentation of the Faculty Senate proposal to the Budget Summit.

The Faculty Senate position is a faculty and staff salary increase of four percent and an additional two percent for faculty parity. Faculty salaries are currently 12% behind peer institutions. The Staff Council concurred and agreed with the salary proposal. The next proposal is the raising of the salary tiers for health insurance coverage so that lower salaried faculty and staff would have a larger percentage covered by the university. There is a proposal for increased positions and salary for graduate assistants. It is also proposed that there be \$200,000 set aside for minority faculty hiring. The last proposal is for increased access and availability of childcare on campus for faculty and staff.

University President David Schmidly is meeting with representatives of the advisory constituency groups to present the budget scenarios that resulted from the Budget Summit. These scenarios will be presented to the BOR at their March 12, 2008 meeting. The BOR will decide the tuition increase, if any, and which budget scenario to adopt.

Senator Douglas Fields (Physics and Astronomy) listened to the summit and commented that Regent Eaves stated that in the past 4-5 years, faculty salary increases were on "the backs' of the students." Senator Fields stated that Regents Eaves used that phrase many times. Senator Fields stated that Regent Mel Eaves and Regent Raymond Sanchez were past state legislators and the BOR President Jamie Koch was past head of the state Democratic Party. All three were appointed by Governor Bill Richardson. He stated that the question should be posed that if faculty salaries are important to the BOR and the BOR has raised the salaries on the backs' of the students, then why can faculty salaries not be a legislative priority of the regents. He asked why the legislature cannot put faculty salaries into the funding for UNM. He also asked why do the salary increases from the legislature come out so low, thus requiring the BOR to place salary increases on the backs' of the students.

- A senator asked if the BOR meeting will be simulcast and President Hood replied that she was not sure. The Budget Summit was supposed to be simulcast but there was only an audio web cast.
- President Schmidly will have a proposal for the Faculty Senate on any changes regarding the revision of Policies C130 and C140. The proposal will include the recommendations from the consultant and feedback from the BOR. The senate should have it to review at the April meeting.
- The Operations Committee suggests that the senators that attend the BOR Academic and Student Affairs committee meeting and BOR Finance and Facilities committee meeting on behalf of the Faculty Senate, should provide summary reports to the senate after each of those respective meetings. The faculty do have a vote on the BOR Academic and Student Affairs

committee so it is critical that faculty participate.

5. REPORT FROM THE GOVERNMENTAL RELATIONS COMMITTEE

Governmental Relations Committee (GRC) Chair Ed DeSantis (University Honors Program) provided a brief summary of the committee. He has been the chair of the committee for a couple of years. Chair DeSantis read the charge of the GRC. The charge of the committee is:

GOVERNMENTAL RELATIONS COMMITTEE

The Governmental Relations Committee is responsible for identifying issues of concern to faculty, developing strategies to address these issues, and communicating with the executive and legislative branches of government regarding them. The Committee will monitor developments at the state and local levels that affect higher education and will inform the Senate of these developments and recommend appropriate response.

The charge of the committee makes its execution a challenge. He stated that faculty need to take the challenge upon themselves. The fall reception for state legislators hosted by the Faculty Senate and GRC has become increasingly important. The reception allows for exchange between the faculty and legislators. After three years of hosting the reception it may be time to begin discussion with legislators on broad education issues and specifically higher education in New Mexico.

Not too many faculty were in Santa Fe for the 30 day 2008 legislative session. Chair DeSantis suggested that faculty establish opportunities to talk to legislators. He suggests that faculty invite legislators to their classrooms and laboratories. Many legislators do not know what faculty do. Establishing personal relationships is critical. Most legislators only see faculty at the legislative session. Legislators interpret faculty as just wanting more salary or wanting some other benefit.

Issues related to higher education should be extended to U.S. senators and congressmen on the federal and national level. No Child Left Behind is a problematic issue from an academic view and it threatens to take money away from research universities and give it to the not-for-profit institutions.

UNM Governmental and Community Relations Director Marc Saavedra is an ex-officio member of the GRC. The GRC hopes to meet with Director Saavedra after Spring break to address some issues. The first is the unfinished business remaining from the 30 day legislative session. Chair DeSantis suggested that there be a 2 month session every year. The longer session would give the opportunity to complete the work before the session closes. The second issue is if the schools, colleges, and the Faculty Senate could join the legislative process and lobbying effort earlier in the cycle rather than at the very end. Presently, the faculty are involved after it is too late to do anything at the legislative level.

The Teaching Enhancement Committee, the Undergraduate Committee, the Admissions and Registration Committee, and the GRC are working as a study group to establish a series of recommendations and requests on ways to improve secondary education. The university faculty has a responsibility and a right to know why students are not learning what they need to at the high school level.

Operations Committee member Tim Ross (Civil Engineering) commented that he spoke with several legislators at the legislator reception regarding math and science preparation in the state. The legislators asked him what could they do. The legislators recognize the problem and are open for ideas. He suggests that the faculty become more proactive.

Senator Fields asked if there are any lawyers on the Faculty Senate. Law Library Director Carol Parker is the senator from the School of Law. Senator Fields suggests that someone with experience working with the legislature be on the Faculty Senate and the GRC.

6. LEGISLATIVE PROCESS

There are two staff members in the Office of Governmental and Community Relations (OGCR), Director Marc Saavedra and Governmental Relations Specialist Tanya Giddings. Director Saavedra reviewed the webcast of the February 12, 2008 Faculty Senate meeting and discovered there were some misunderstandings and misconceptions of the senate regarding the legislative process. He would like to answer any questions and offer advice and suggestions to the faculty. Director Saavedra assumed the role of director in October 2007.

Governor Richardson signed the General Appropriation Act, House Bill 2 (HB2). HB2 is the budget bill for the State of New Mexico. The bill includes appropriations for all state agencies, Judiciary, Executive, higher education, public schools, the Attorney General's Office, the State Treasurer's Office, etc. The bill funds their operating budgets. The money is mostly recurring and it comes from gross receipts tax and state income tax. For the University of New Mexico, it is the Instruction and General (I and G) budget and the line items for all the special projects. The budget is constructed through a number of hearings that begins in May of the present year for the budget of the following year, i.e. in May 2008, the budget process begins for the 2009 appropriations. The hearings are focused on special projects and state initiatives. HB2 is where the funding formula comes from. Based on enrollment and based on square footage for building renewal is how the funding formula dollars are generated. If enrollment increases by three percent or more I and G funding is increased. If enrollment declines by three percent or more, I and G funding is cut. If enrollment stays within the three percent growth or decline, I and G funding remains flat.

Once all the I and G funding requirements are covered, there is not much left for new initiatives. Compensation is separate from I and G, it is in a completely separate section of the budget. UNM, New Mexico State University (NMSU), and New Mexico Mining and Technology (NM Tech) are discussing a task force during this interim to investigate and review the funding formula for research institutions. The formula is not indexed for inflation. The School of Medicine (SOM) does not get funding through I and G. School of Medicine does not get the two percent compensation through the compensation package. Their funding comes from new recurring dollars. Any new money is on top of I and G funds.

Pediatric Oncology is a program that lost money last year. This year the lost money is coming back with a little more on top. Africana Studies is another program that is getting money this year that was lost the year before.

Building Renewal and Replacement (BR&R) is formula dollars based on the square footage. It is for renovating and replacing old and existing buildings. UNM received 70% of what the formula requested for BR&R money. The Rio Rancho Campus is not in the BR&R, it is for existing square footage only.

Director Saavedra invited anyone that has questions on the appropriation to visit the Governmental and Community Relations Office and he would go over the budget.

The legislature provides money for endowments each year. There is a one-for-one match. The legislature appropriate \$600,000 for an endowed chair in the Law School in the name of recently deceased NM Supreme Court Justice Pamela Minzner. The UNM development team will have to match the \$600,000 bringing the total to \$1.2 million for the endowed chair.

The tuition credit of two percent is totally different from the two percent increase in compensation. Two percent of tuition charged from the year before is subtracted from the appropriation for this year. Those funds are used for other state projects as new money. The result is that higher education will have to institute at least a two percent tuition increase.

The legislature is being very conservative due to the state of the economy. The legislature has said that there is no money.

Athletics is a separate appropriation on a different line item. I and G is not used for athletics. For example, the compensation for Men's Basketball Head Coach Steve Alford comes primarily from ticket revenue and endorsements. Most money appropriated for athletics goes towards scholarships. Money for The Pit comes from other projects around the state or savings on current projects. The money for The Pit has been re-authorized. It is not new money.

Capital outlay is a totally separate set of funds that are not recurring. The funds come primarily from oil and gas revenues and some come from the General Fund. Oil and gas revenue can go down. The legislature does not want to tie those types of funds to recurring expenses.

In the original budget proposal there was a cap placed on tuition increase. That tuition cap was removed for this year. The governor has stated that he does not want more than a 4.5 percent tuition increase.

There is the possibility of no compensation increase in a bad economy. The state government cannot deficit spend like the federal government does.

The Council of University Presidents recommended a five percent compensation increase. The Council of University Presidents is the seven presidents from the state's four year institutions.

The recent state tax decrease resulted in less money available.

Film and Digital Media received approximately \$200,000 of the \$300,00 requested. Film and Digital Media is a priority of the university.

The Junior Budget Bill was created three years ago so that legislators could work with faculty to fund certain projects.

The Faculty Senate was inadvertently left off the OGCR mailing list announcing the meetings that were held on Wednesdays in Santa Fe during the 2008 legislative session. The mistake has been corrected and the senate will be notified along with the other pertinent parties. The OGCR will do a better job of coordinating the faculty effort in Santa Fe. There were different deadlines for this budget cycle. The legislature now wants more organization and a central point of contact.

The House completed 99% of their docket even though it was only a 30 day session. The Senate was a different matter as there was much more discussion.

There has not been much work at the federal level. There was some work done in research, but the focus is with state and local relations. Many states have both federal and state relations.

Success is gauged by appropriations for compensation, endowments, base budget, etc.

Contract lobbyists are paid out of the Regents' Endowment.

Vice Provost Wynn Goering (Academic Affairs) added that the citizens of New Mexico pay a higher percentage of their income in the form of taxes to higher education than any other state. New Mexico is number one in investment in higher education. Conversely, New Mexico is last (50th place) in terms of the amount of their educations that students pay for to public institutions. UNM suffers in the sense that the state institutions are funded equally. The formula pays for credit hours the same amount, i.e. Central New Mexico Community College receives the same amount of funding for a math class that UNM will receive for teaching the same class. Professors at a research institution cost much more than they do at a community college. UNM receives about \$250 million from the state for operating funds. Of that, \$240 million is built into the formula. New Mexico is one of the only states that has not had cuts to higher education in the last decade. Higher education gets its share of what New Mexico has to offer. The other 22 institutions in the state have more legislators in Santa Fe than does UNM.

Director Saavedra said that New Mexico is a rural/urban state. UNM is an urban university. UNM will

always balance its budget and will not deficit spend. Some legislators feel that if UNM is "in the black" then everything is fine. Besides capital outlay and special projects, UNM is working with the legislature on the importance of the lottery scholarship. UNM is impacted by tuition increases, the tuition credit, and tuition reach more than any other institution.

Senator Berrens commented that investment in human capital has a large rate of return. It is wrong to assume that tuition increases should be indexed to the rate of inflation. Director Saavedra added that for every dollar the state puts into UNM, there are five to seven dollars generated. UNM is an economic engine for the state.

UNM Athletics is self-sufficient and generates income. There are other institutions around the state that are supposedly losing money. The state then subsidizes those that cannot generate revenue for themselves.

Director Saavedra provided an overview summary of the 2008 Legislative Session. He distributed and reviewed the following summary to the senate:

UNM 2008 Legislative Session Summary

- The Governor has signed the General Fund Appropriation Act (HB 2) into law.
- UNM received \$3.950 million recurring dollars of new program money and \$7.77 million non-recurring dollars in the House Appropriation Act (HB2).
- HB2 and HB468 will appropriate \$1.6 million for endowments at main campus and \$1.0 million at the HSC.
- Tuition credit is 2%.
- Compensation is 2% for all employees.
- The special projects bill, Senate Bill 165, has been signed by Governor Richardson and UNM will receive \$1.987 million for research and public service projects from both Senate and House members. The UNM Regents' priorities are funded at various levels in this bill.
- GOB recommendation in SB 333 signed by the Governor on March 3,2008:

Main Campus

UNM Film & Digital Media	\$4,000,000
UNM Biology expansion	\$5,000,000
UNM Learning Center	\$2,000,000
UNM Education Building	\$6,000,000
Subtotal	\$17,000,000

HSC

Cancer Treatment and Research Center	\$17,000,000
Neurosciences Building	\$4,500,000
Dental Clinical Training Facilities	\$7,000,000
Subtotal	\$28,500,000

Branch Campuses

Taos	\$3,300,000
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Gallup	\$900,000
Subtotal	\$4,200,000
Total GOB	\$49.700.000

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- Severance Tax Bonds (STB's) SB471 for Statewide Projects:

Valencia Branch Campus	\$1,000,000
Los Alamos Branch Campus	\$400,000
Harwood Museum	\$1,200,000
Total STB	\$2.600.000

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- Patient Care equipment and other capital in HB 2 \$5.0 million.
- Individual legislator and Governor's capital outlay for severance tax bonds (STB) and general fund add up to additional \$6,062.0 million in SB 471. The Governor signed the bill into law March 5, 2008.
- UNM will receive approximately \$5.069 million for The Pit, Tamarind and Biomedical in the senate reauthorization bill SB352. The Governor signed the bill into law March 3, 2008.
- Patient Care equipment and other capital in HB 2 \$5.0 million
- Total estimated Capital Outlay for the University of New Mexico: \$68,431,843.00

Substantive language bills:

- House Bill 616 Education Retirement Act legislation has passed out of the House chambers 58-0 and out of the Senate chambers 36-0 and the Governors signed the bill on February 29, 2008.
- House Joint Resolution 9 transfer of the existing Tri Service building from GSD to UNM passed out of the House chambers 58-0 and out of the Senate chambers 38-1. Joint Resolutions do not require action by the Governor.

Director Saavedra also distributed a draft memorandum of a call for proposals that starts the legislative process for the next session. The memo is sent to all the constituency groups: Vice Presidents, Associate Vice Presidents, Deans, Directors, the Health Sciences Center, the branch campuses, the Faculty Senate, the Staff Council, ASUNM, and GPSA. The call is for ideas and themes for special projects for the 2009 legislative session. The proposal is presented to the BOR meeting in August and it is used to aid in the formulation of the BOR priority list. The reception allows for exchange between the faculty and legislators. The draft memo is below. The due date has not yet been set.

(Draft)

MEMORANDUM

TO: Vice Presidents, Associate Vice Presidents, Deans, Directors, Faculty Senate, Staff Council, ASUNM, and GPSA

FROM: Marc H. Saavedra, Director for Government Relations

DATE: March 11, 2008

SUBJECT: 2009 Legislative Priorities and Research & Public Service Project Requests

Enclosed is the calendar for this year's legislative request process. Completed request forms for Legislative Priorities and Research & Public Service Projects (RPSP) are due on _____ to the Government Relations Office.

SUBMISSION

All requests must have two submissions and should be submitted in this manner:

1. A hard copy delivered to Scholes Hall Room 114

NOTE: All requests must be reviewed and approved by the appropriate Dean, Director, Associate Vice President or Vice President prior to submission. The request forms and review criteria are available at www.unm.edu/-govrel.

2. An email copy sent to govrel@unm.edu

CATEGORY

All submitted proposals should be categorized by one of the following legislative focus areas:

- a. Growing and Educating New Mexico's Healthcare Workforce
- b. Fostering a Successful and Diverse Student Body (i.e., issues related to retention, persistence, graduation rates, diversity)
- c. UNM Statewide in Communities (i.e., programs that take UNM beyond our campus and where UNM works in the community around NM)
- d. Growing and Advancing New Mexico's Competitive Edge (i.e., programs or policies that are designed to address economic development and workforce issues keying on UNM and New Mexico's competitive advantages)

RESEARCH & PUBLIC SERVICE PROJECTS

As in past requests, all special projects must submit certain information regardless of whether they seek additional legislative funding.

Request Forms for New Programs or Expansions

To obtain request forms for New Programs or Expansions please go to www.unm.edu/-govrel

FORM OBJECTIVES

- New Programs - Complete Form A to request funding for new initiatives which do not currently receive state funding. Replacement of grant or contract funding with state funding is considered to be a new program. NOTE: All new programs must have an Executive Vice President sponsor and they must approve and sign-off on all new program requests.
- Expansion of an Existing Program - Complete Form B to request additional funding which is required to cover the increased costs of maintaining current activities of an ongoing program or expanding the scope of an ongoing program.

- Base Budget - Complete Form D to request the same level of funding as in the previous year.
NOTE: All existing RPSPs must complete Form D.

BUDGET / POLICY POSITIONS OR PRIORITIES .

- Complete Form C to request a policy or budget position that the University should adopt. Examples would be changes in state scholarships, work study, compensation, retirement, rules or regulations.

WHAT FORM(S) TO SUBMIT

- To establish a new program: Form A
- To expand an ongoing program: Form B & D
- To continue a program's current funding: Form D
- For a new or change in policy or a budget request other than an RPSP: Form C

REVIEW PROCESS

After being reviewed and prioritized by the appropriate Division, the requests will be reviewed by the RPSP Review Committee in July. The prioritized list of requests developed by the Priority Review Committee will be combined with other UNM requests. That list will be presented to the Senior Management Team, the President and the Board of Regents. Once the Regents approve the University's FY2009 list of legislative requests, it becomes the University's legislative agenda. Those projects included on the priority list will have the support of the University during the 2009 Legislative Session.

LEGISLATIVE PRIORITY SETTING

During the month of July there will be constituent group meetings where the following groups listed below will be able to present and discuss legislative requests for the 2009 Legislative Session. Please refer to www.unm.edu/-govrel for future updates.

- ASUNM
- GPSA
- Faculty Senate
- Staff Council
- Open forum

POINT OF CONTACT

Please direct any questions or concerns regarding the preparation of legislative requests via email to Marc H. Saavedra msaav@unm.edu.

7. NEW BUSINESS

President-Elect Snell said that answers to the questions posed by the faculty are forthcoming. Some of the answers are confusing and the Operations Committee is working through them before disseminating the information to the senate. Human resources stated that faculty raises over the last ten years have been an average of eight percent, whereas from the budget scan, faculty raises appear closer to four percent. President Schmidly is working with Institutional Research to analyze faculty raises. The goal is to understand the pattern before being critical or not.

Senator Fields stated Regent Eaves, assumedly under direction from BOR President Koch, remarked that in the interest of openness and accountability, the faculty should be more accountable for how hard they work. Senator Fields feels that the faculty should either accept the comment as a challenge and become

more accountable for their work, or the faculty should challenge it as an irresponsible statement. President-Elect Snell replied on the AAUP website there are many studies that quantify how much faculty work at universities across the United States. There is a misconception about faculty workload.

Several senators suggested that there should be a resolution from the senate or a letter written to the editor of the *Daily Lobo* signed by the faculty senate. It was decided that a letter to the Lobo is not a good idea. The accountability issue should be part of the larger discussion.

Senator Steve Hersee (Center for High Tech Materials and Electrical and Computer Engineering) suggests a statement that faculty were surprised by the statement and ask for detail of the areas that the BOR feel the faculty are not performing. Senator Fields replied that the faculty were chastised after being instructed to ask the questions by the administration.

The Operations Committee is meeting with Regent Eaves on March 18, 2008 at 3:00 p.m. in the Faculty/Staff Club. The senate will invite regents to senate meetings.

Senator Fields asked why there is not a faculty regent. President-Elect Snell replied that there was a previous effort to get faculty on the BOR. State law would have to be changed to require it, but the governor could appoint a regent that is a current faculty member.

There was a suggestion that regents should be invited to various senate committee meetings, visit classrooms and labs, or to possibly follow the work of a few faculty from across campus throughout the year to see firsthand the work that faculty do.

8. ADJOURNMENT

The meeting was adjourned at 5:10 p.m.

Respectfully submitted,

Rick Holmes
Office of the Secretary