

MINUTES OF THE 6TH FACULTY SENATE MEETING
February 07, 2013

Members Present: Chair Ketelaar, Vice-Chair Sanogo; Bawazir; Blank; Bock; Boham; Bugbee; Butler; Christensen; Chung; Clason; Cowley; DeMers; Drummond; Goehring; Gurrola; Gutierrez; Hawkes; Huerta-Charles; Huhmann; Jimenez; Kratzke; Lakey; Mandabach; Maratea; McCormick; McNeel; Miller; Morgan; Paz; Pontelli; Rayson; Rhein; Rodriguez; Sassenfeld; Schirmer; Shuster; Simon; Skaggs; Train; Turner; Vasiliev; Vázquez; Zhang

Members Absent: Alexander; Andersen; Bailey; Bishop; Blair; Bronstein; Fisher; Herrera; Morrell; O'Connor; Rice; Sankaran; Sevostianov; Sohn; Taylor; Tunnell;

Ex-Officio: Jay Jordan,

1. Call to Order

This meeting was called to order by Chair Ketelaar at 4:00 p.m

2. Recognition of Guests

Connie Niseen; Professor Earl Nissen; Former Faculty Senate Chairs Mark Andersen and Chris Erickson; Interim Provost Jay Jordan; Angela Muhanga, ASNMSU Representative

3. Approval of Agenda

Motion to approve agenda as submitted. Motion seconded

Faculty Senate Vote: All in favor. No opposition or abstention

4. Approval of Minutes of January 17, 2013 Meeting

Minutes not available to approve.

5. Visit of Board of Regents Provost Jay Jordan

Chair Ketelaar welcomed interim Provost Jay Jordan. Provost Jordan has 3 items to address during the Senate meeting

1. Provost Jordan received a letter from Dean Titus regarding promotion increments. NMSU policy is vague regarding promotion increments and has been interpreted a couple of ways over the years. Currently this sits at 6%. In the past this was across the entire campus. However, to Provost Jordan's knowledge, this has never included college rank. As such, policy is a large discussion. Provost Jordan would like for promotion increments should be around 10%. Provost Jordan also addressed the issue of where we get our faculty. Currently, we pull our faculty from the national pool. We want the best ones we can get, but are at a disadvantage considering our salaries. We need to look at the medium of the national pool, instead of only looking across our campus.
2. Provost Jordan had a meeting with the deans on the morning of February 07, 2013. His goal is to get a handle on the Distance Education revenue. Provost Jordan feels the revenue is not being adequately shared across the campuses. There is a fixed cost to determine. Embedded in that are difficulties that need to be undone; one of which is the Albuquerque center, which should be a revenue neutral device, to his opinion. We need to figure out how much revenue would be lost if it goes away.

3. Provost Jordan has just completed an external review of the Graduate Program, which has gotten a lot of feedback. We need to ensure Graduate Student Services and the Graduate School are co-located so students don't get the runaround. A crew will be moved into the Ed Services building as soon as possible to facilitate.

Discussion: Promotional incidents were seen as a good idea. Senators wanted to know if the Provost had an idea of how long it would take to push something like this through.

Provost Jordan explained the process. The change will come from the Dean's Council, who supports it. The next step would be from the Faculty Senate, if they know the deans and provost like the direction the Senate is headed then a memorial can be introduced to support that effort.

Currently, the way this is administered is according to the previous Provost's plan. As such, whenever a faculty member leaves a department, the position is immediately vaporized. Since funds are still in play, the money is divided thusly; half of the funds stay with the department, the other half goes to the Provost office. It's up to the Dean to decide where those lines go. We want to move towards funding promotion increments. The mechanism to accomplish this is to take the promotion increments off the top. If we do this by meeting the discipline nationally, then we stop compressing. If this happens quickly, it puts pressure on the budget. We should do everything we can to shift the budget and handle the increments.

Chair Ketelaar made Provost Jordan aware of the formation of a Senate Task force on February 03, 2012. He encouraged the Deans to speak with Senator Rayson should they wish to be empowered to make changes.

6. Reports of Officers

A. FS Chair, Tim Ketelaar

Chair Ketelaar will post his report online after the meeting.

Parliamentarian Clason announced a memorial for Anne Meeks, former Faculty Senate recording secretary. The memorial will take place Friday, February 15th at 4:00 p.m. in the Dona Ana Room of Corbett Center. All are invited.

Regarding the Presidential Search Process, Chair Ketelaar announced a job advertisement was posted on Monday. The Search Committee will be given restricted access to the website where the applications are housed.

The Search Committee is on track to meet early during Spring Break. A short list of candidate is being compiled. These candidates will have "airport interviews" with the committee, to be conducted the week of April 1st. After the airport interviews the committee will meet again and reduce the short list to at least 5 candidates for public interviews to tentatively be conducted at the Las Cruces campus between April 21-May 2nd. The goal is to announce the Regents selection at the May Board of Regents meeting.

Upcoming Faculty Senate issues: Chair Ketelaar has asked the two Faculty Senate Chair candidates Larry Blank and Soum Sanogo to take the lead on two serious duties. Senator Blank has been assigned the duty of exploring the possibility of forming a Governmental Affairs Committee. Senator Sanogo has been charged with leading the Senates efforts with the possible dissolution of College of Extended Learning.

Updates from the New Mexico Legislative Session:

- Senator Blank will give update on where we stand with the ERB situation and introduce Emergency Legislation.
- There are positive developments out of Santa Fe. Saturday, January 26, the Las Cruces Sun News stated Jeff Steinborn is introducing a bipartisan bill proposing to change the process of selecting the University's Regents. Rep. Steinborn is wants to "take the politics out of our University and increase the accountability, public involvement, and quality" of our Regents. Rep. Steinborn is proposing the creation of a Regent Nomination Commission similar to the current New Mexico Judicial Nominating Committee. This nomination commission would select a portion of the nominees for the non-student members of the Board of Regents.

On Sunday, January 27 Chair Ketelaar was able to speak with Rep. Steinborn and hear his views on this issue. Rep. Steinborn took time to explain the details of his proposed legislation; which the Faculty Senate has been concerned with for years. Faculty Senate would like to see Faculty representation at the Board of Regents, alongside student representation. Tuesday evening Rep. Steinborn called Chair Ketelaar to inform him he is modifying his bill to include a Faculty Regent.

Chair Ketelaar has mailed a web link to the Senators that includes information from both bills. One bill changes the Constitution to form a nominating committee. The other bill proposes to change the Constitution to include a Faculty Regent. Chair Ketelaar encouraged all Senators to look at details of the bill online.

It is essential the NMSU Faculty Senate to present a clear and unified view on these issues. Chair Ketelaar suggests we focus on endorsing the idea of creating a Faculty representative on the Board of Regents, and not on the political discussions on how to do this or public debates about the quality of our Regents.

Former Faculty Senate Chairs Chris Anderson and Mark Erickson addressed the Senate regarding this issue and remind the Senate of the importance of this type of legislation.

Chris Anderson informed the Senate of his efforts with the Board of Regents during his time as Chair. One of his goals was to have more realistic representation on the Board of Regents. It was an uphill fight. An effort was made to work with former President Couture to deal with the issue, but that also proved to be a brick wall. The President of the Board of Regents at that time was adamantly opposed to having faculty representation on the Board. Dr. Couture also took this position, possibly as a reflection of the views of the Board of Regents. With this opposition, there seemed to be not much hope of going forward. However, the Board did agree to consider including members of the Faculty on other committees, but that went nowhere. Former Chair Anderson is thankful to Chair Ketelaar in his efforts for lobbying for this bill.

Mark Erickson, who succeeded Chris Anderson as Faculty Senate Chair, carried on Former Senate Chair Anderson's work. He attempted to work towards some sort of vetting process for Regent Nominees. At that point, they had written off the notion of having a Faculty member on the Board of Regents. There was a chance to have the sort of vetting process they were working towards, and an opportunity to have a faculty member on the Board of Regents. They were able to get this on the desk of Governor Richardson, who signed on to it as an executive order. Governor Martinez refused to execute the Executive Order, as she felt it would be excessive government interference.

However, now there is an opportunity here to get actual faculty representation on the Board of Regents, which is more than they had previously hoped for. Former Chair Erickson pleaded with the Senators to take advantage of the opportunity.

Chair Ketelaar handed the Senators a public statement that was distributed to the President, the Board of Regents, and to Rep. Steinborn. The public statement gives the views of the Faculty Senate chair. His view as the Chair is that the faculty would endorse having faculty representation. We need the view of the Senate. If we as a body believe there is something we need to endorse, we need to act, act as one voice, and provide a clear message as to what is being endorsed. Chair Ketelaar admonishes the Senators to read the bills carefully. In the next 3 or 4 weeks we need to decide if we should have a vote.

The proposal is to make the UNM and NMSU Boards equivalent in size, and have seven Regents.

The next legislative session ends March 16th. As such, the Senate may need to vote at next senate meeting or prior.

Senator Rayson made a motion to empower the COC to draft a formal statement in support of these bills.

Motion Seconded. No discussion.

Senate Vote: All in favor. No opposition or abstention

7. Reports of Standing Committees

Faculty Affairs: Dr. Larry Blank

No business. Did not meet

Long Range Planning: Dr. Gary Rayson

No business. Did not meet.

University Affairs: Dr. Elizabeth (Liz) Miller

The committee considered Proposition 11-12/13.

Committee Vote: Recommend Do Pass unanimously.

Scholastic Affairs: Dr. Margaret Goehring

No business. Did not meet

A vote by acclamation was called for, to approve reports as submitted.

Senate Vote: All in favor. No opposition or abstention.

8. New Business

Proposition: 12-12/13: (Emergency legislation). A memorial honoring Dr. Lucy Sandoval (Tim Ketelaar, Earl Nissan, Soum Sanogo, Margaret Goehring, Deb McCormick, Liz Miller, Gary Rayson)

Dr. Earl Nissan addressed the Senate to ask for support of the Proposition. Dr. Lucy Sandoval was struck by a car driven by student employee on January 17, 2013. She survived for 9 days, on life support entire time, and never regained consciousness. Dr. Sandoval passed away on January 25, 2013. She was only 53. Dr. Sandoval was an outstanding nursing instructor at DACC. She worked at Gadsden Middle as a councilor and had respect for truth in transparency. Dr. Sandoval was admired by the nursing students for her courage and tenacity. She stayed on at DACC to assist those who stayed in the nursing program.

Motion made to entertain this memorial as Emergency Legislation and move to the first item of Unfinished Business.

Motion moved and seconded

Senate Vote: All in favor. No opposition.

Proposition: 13-12/13: (Emergency legislation) A resolution in support of the New Mexico Legislature and the Governor adopting a higher ERB member contribution rate as contemplated in House Bill 64 and Senate Bill 115; and against changing benefits for existing ERB members. (Larry Blank and Gary Rayson)

Senator Blank announced a memorial resolution was passed in September in support of consensus stakeholder proposal, which was at that time pending before ERB. The ERB accepted the proposal as their own, which was forwarded on to the Legislature. Ultimately, the ERB changes are in the hands of Legislature. This is specifically in support of Senate Bill 115 and House Bill 64, which encompasses all of the proposed changes. The resolution goes a little further. It also states

“In the alternative, if the Legislature considers modifications to these bills in order to more quickly achieve solvency for the ERB fund, the Faculty Senate of NMSU would prefer to have our member contributions increased rather than changing existing member benefits.”

A survey was done last summer by NMSU Human Resources. The response rate was not optimal, possibly because the survey was done during the summer. Of those that responded, the numbers of those represented were fairly even. Sixty-four percent of respondents indicated they would be willing to have an 11% contribution rate or higher. The bills that are pending before the legislature would increase the member contribution rate to 10.7% approximately 18 months from now. The House Bill has now passed through the House Labor and Human Resources Committee by a vote of 5-4. February 6th, the House Bill passed out of the Education Committee by a vote of 11-2. There have been two amendments introduced that would have altered benefits for existing members. The two proposed amendments have failed thus far. The Senate Education Committee should take the matter up and bring it to a vote on February 08, 2013. Jan Goodwin is aware of emergency legislation and will be there to testify before the committee. She has done an excellent job in representation and answering technical questions committee members have posed.

Motion was made to entertain this as Emergency Legislation. Motion Seconded.
This item will become the 2nd item on Unfinished Business

Senate Vote: All in favor. No opposition or abstention. Motion carries.

Proposition: 14-12/13: A Proposition to modify the language of policy 4.05.50 pertaining to the definition of "faculty" who are eligible for filing a Grievance. (Tim Ketelaar, Earl Nissan, Rani Alexander, Margaret Goehring, Ron McNeel, Gary Rayson). Assigned to Faculty Affairs. Next meeting: Tuesday, February 12.

Chair Ketelaar, as an ex-officio member as FGRB, has been made aware of a language change in the Constitution defining who constitutes a faculty member, and this defines who is eligible to file a grievance. The original intent of the change was to be more inclusive of individuals who are a continuing part of the faculty committee. Currently, a temporary employee can't file a grievance. A faculty member with a designation of temporary, (for example someone with an FTE of 0.6, and who may have been continually employed for many years) would not be eligible to file a grievance. This has happened in the past. Some feel this is an injustice. We should redefine what we consider faculty in order to make more eligible.

Dr. Neissen addressed the Senate and informed them he is affected by this definition. Dr. Nissan has been at DACC for 13 yrs, and has served as an adjunct. He explains part-timers are at the mercy of the departmental chairs and deans. His hope is for this to be given a high priority since we are in this state of transition with administration. There is a need for someone to provide stability.

Assigned to Faculty Affairs meeting Tuesday, February 12, 2013.

Proposition: 15-12/13. Proposal to amend the Faculty Senate Constitution to add a standing committee on Government Affairs (Larry Blank, Rani Alexander, Deb McCormick, Robert Paz, Gary Rayson). Assigned to Long Range Planning.

Senator Blank explains this proposition requires a constitutional amendment to add a standing Committee on Governmental affairs. Included in the draft language are what duties and responsibilities of committee would be.

Senator Sanogo sent a document to the Senators which include changes from the original document. He encourages the Senators to look at the changes

Assigned to Long Range Planning, meeting February 14th.

Proposition 16-12/13: A Proposition to change the timeline for evaluating of Academic Administrators, in the NMSU Policy Manual, section 5.06, from every five years to every three years. (Ron McNeel, Richard Gutierrez) Assigned to University Affairs. Next meeting: February 21.

Ron McNeel announces the currently policy for bottom up kinds of reviews is every 5 years. Some feel this time frame is not soon enough. It is felt there are good reasons to speed it up. Among these reasons, it would provide ease in identifying problems early. Conversely, the change would also help identify good leadership and acknowledge it.

Assigned to University Affairs, meeting February 21st.

9. Unfinished Business

- **Proposition: 12-12/13:** (Emergency legislation). A memorial honoring Dr. Lucy Sandoval (Tim Ketelaar, Earl Nissan, Soum Sanogo, Margaret Goehring, Deb McCormick, Liz Miller, Gary Rayson)

Motion made to approve the memorial. Motion seconded. No discussion or further comments.

Senate Vote: All in favor. No opposition or abstention. Motion carries unanimously.

- **Proposition: 13-12/13:** (Emergency legislation) A resolution in support of the New Mexico Legislature and the Governor adopting a higher ERB member contribution rate as contemplated in House Bill 64 and Senate Bill 115; and against changing benefits for existing ERB members. (Larry Blank and Gary Rayson)

Motion made to approve. Motion Seconded.

Discussion: We should look at how the State budgets have gone for the past couple of years. Senator Rodriguez agrees with the component stating benefits should not change. However, he feels we are not replacing funding where it should be to increase input in the Retirement Board system.

Senator Blank points out it is important to be aware current law does increase the State contribution and employer contribution to 13.9% in 2014. There have been no proposed amendments this legislative session to alter or amend this

Regarding Governor Martinez's position on this, Senator Blank responds one of the members of the ERB seems to be speaking before the committee, seemingly on behalf of Governor Martinez. This representative is raising concerns that pending legislation does not go far enough to solve the problem with the fund. He thinks perhaps the Governor is concerned the Bills do not go far enough, and more should be done now so that we are not revisiting this later.

Senate Vote: 1 opposed. 1 abstention. Motion Carries. Senate maintains quorum.

Proposition 11-12/13: A Memorial Requesting that the Employee Council's Chair be considered as an ex-officio member of the Board of Regents. Sponsors: Liz Miller (Lib), Deb McCormick (DAAC)

Motion made to accept. Seconded. No discussion

Senate Vote: 1 abstention

10. Other Business

- A. Results of the survey on the External Review of Graduate Education (Tim Ketelaar)
Chair Ketelaar sent out an electronic document with anonymous comments. He requests the Senate treat this as a confidential document. The Senate should consider if they would like to draft a proposition providing a statement of the Faculty Senates providing what actions they would like to see taken. Chair Ketelaar encourages the Senators to read the comments. It's our purview to act upon feedback.

Senator Rayson points out it should be emphasized the review was of the Graduate Program, not the Graduate School.

C. Proposed Faculty Senate Working Groups

- Working Group Faculty Salaries and Promotion in Rank (Gary Rayson)
Senator Rayson and the Committee will be meeting in next week or two.
- Working Group on Lottery Scholarship (Cristobal Rodriguez)
Cristobal Rodriguez will lead the group. Anyone who would like to assist should contact him.
- Term of service for the Senate Chair to Two Years (Tim Ketelaar)
Chair Ketelaar explains the Senate chair spends a good deal of time learning how to do the job in the first year. The second year could be more effective. At the last COC meeting, during discussion problems were raised. Chair Ketelaar is looking to solve those problems. If we have continuity and stability within the Faculty Senate, we could all benefit.
- Revision of the description of the functions of the Senate Committee on Committees (Tim Ketelaar)
This idea has been introduced to COC without formal discussion. The duties of the COC vary from year to year, and the committee has been beneficial to senate chair. Chair Ketelaar is looking to change the name to reflect more leadership and the duties of the committee. He would also like to reorder the list of the functions within the constitution and empower COC to be more of a leadership or advising team.
- Discussion of budget.
Chair Ketelaar announces the Faculty Senate currently has a budget of about \$8000.00. This would be another item that could be considered being put into the description of the COC duties; overseeing/ approving/ supervising the Faculty Senate budget. The COC should be notified of all budget items and have oversight of it.
- Senate Advisory Group consisting of the Past Senate Chairs (Tim Ketelaar)
We should consider formalizing, as an informal committee, a Senate Advisory Group consisting of former Faculty Senate Chairs. The committee would not have power over the Senate, but rather could be turned to as an advising body. If we are going to have a faculty member on the Board of Regents, we need to select the representative in a judicious way. Senators should think about whether or not this is a good idea.

11. Update on the Election of Department Head Member of Faculty Grievance Review Board (Tim Ketelaar)

This was a seamless election done with a listserv. Senators Oliver and Dryden assisted with fist electronic election. We are anticipating having subsequent FGRB done electronically, as well as the election for the Faculty Senate Chair. Ellen Bossman won the election with 135 votes. Mark Kittleson received 56 votes.

12. Remarks and Announcements

- A. FS Chair
- B. FS Vice-Chair/COC Chair

13. Adjournment

This meeting was adjourned by Chair Ketelaar at 5:20 p.m.